

SHIRE OF
WESTONIA
A vibrant community lifestyle

Minutes

Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia

Thursday 21st March 2019

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21st March 2019 as a true and accurate record of the Ordinary Council Meeting held 18th April 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 3.58pm.

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

- Gerrard Antonio

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

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

Staff:

Mr. JC Criddle	Chief Executive Officer
Mr AW Price	Works Supervisor

Members of the Public: Nil

Apologies: Nil

Approved Leave of Absence: Nil

3. PUBLIC QUESTION TIME (3.59PM)

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 21st February 2019 be confirmed as a true and correct record.

That the minutes of the Audit Committee Meeting of Council held on 21st February 2019 be confirmed as a true and correct record

RESOLUTION

Moved:	Cr Corsini	Seconded:	Cr Geier
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01/03-19	That the minutes of the Ordinary Meeting of Council held on 21st February 2019 be confirmed as a true and correct record. That the minutes of the Audit Committee Meeting of Council held on 21st February 2019 be confirmed as a true and correct record
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CARRIED 6/0

6. RECEIVAL OF MINUTES

OFFICER RECOMMENDATIONS

That the minutes of the CEACA of Council held on 26 February 2019 be received.

That the minutes of the Wheatbelt Communities Meeting of Council held on 27 February 2019 be received.

That the minutes of the WEROC Council Meeting of Council held on 27 February 2019 be received.

That the minutes of the LEMC Meeting of Council held on 7th March 2019 be received.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Corsini

02/03-19

That the minutes of the CEACA of Council held on 26 February 2019 be received.

That the minutes of the Wheatbelt Communities Meeting of Council held on 27 February 2019 be received.

That the minutes of the WEROC Council Meeting of Council held on 27 February 2019 be received.

That the minutes of the LEMC Meeting of Council held on 7th March 2019 be received

CARRIED 6/0

7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS

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

- Medical Immersion Students various community gatherings with Cr Corsini

Cr Geier advised having attended the following meeting:

- Local Emergency Management Committee (LEMC) meeting held in Southern Cross on Thursday 7th March with CEO, Works Supervisor and a Mine representative.

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 **21st March 2019**.

Name/Position	Cr Daimon Geier
Item No./Subject	9.1.5 Ramelius Resources – Greenfinch Clearing Proposal
Nature of interest	Financial
Extent of Interest	Employee of Ramelius Resources

Name/Position	Cr Daimon Geier
Item No./Subject	11.1 Replacement of Westonia Gym Equipment
Nature of interest	Financial
Extent of Interest	Employee of Ramelius Resources

Name/Position	Jamie Criddle
Item No./Subject	11.2 Chief Executive Officer – Private use of Vehicle
Nature of interest	Financial
Extent of Interest	Employee of Shire of Westonia

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 **21st March 2019**

Name/Position	Cr Daimon Geier
Item No./Subject	11.2 Chief Executive Officer – Private use of Vehicle
Nature of interest	Impartiality
Extent of Interest	Will be holidaying with the CEO



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 **21st March 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 February 2019. The credit card statements currently show: -

CEO **February 2019 \$7,265.15** associated with the purchase of Activ8inet Housing & Office, Email Exchange Platform, Blinds and Dishwasher CEO Residence Storage for School & Adventure Kings.

Works Supervisor **February 2019 \$169.87** associated with the purchase of Vehicle Fuel & Vehicle Plate Change

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 2018/2019 Annual Budget.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That February 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3733 to 3740, and D/Debits from EFT3460 to EFT3493 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$192,480.74 be passed for payment.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Della Bosca

03/03-19 That February 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3733 to 3740, and D/Debits from EFT3460 to EFT3493 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$192,480.74 be passed for payment.

CARRIED 6/0

RESOLUTION



Moved: Cr Jefferys

Seconded: Cr Corsini

04/03-19 That Council write to the Office of the Auditor General to advise of Council dissatisfaction with the advice of the indicative Audit fee for the 2019 year of \$20,000 (ex GST).

CARRIED 4/2

9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – FEBRUARY 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 28th February 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 2015/2016 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 28th February 2019 and note any material variances greater than \$10,000 or 15%.

RESOLUTION



Moved: Cr Corsini

Seconded: Cr Della Bosca

05/03-19 That Council adopt the Monthly Financial Report for the period ending 28th February 2019 and note any material variances greater than \$10,000 or 15%.

CARRIED 6/0

9.1.3 GST RECONCILIATION REPORT – FEBRUARY 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 28th February 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 totaling \$20,186 for the period ending 28th February 2019 adopted.

RESOLUTION

Moved: Cr Corsini


Seconded: Cr Huxtable

06/03-19

That the GST Reconciliation totaling \$20,186 for the period ending 28th February 2019 adopted.

CARRIED 6/0

9.1.4 REVIEW OF AUTHORISED PERSONS

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

Purpose of the Report

☐

Executive Decision

☒

Legislative Requirement

Summary

To review authorized personnel.

Background

Each year, with the change of work personnel, Council is required to appoint staff as authorised persons to enforce the provisions of various laws and regulations.

Comment

It is recommended that Council appoint the following persons:

Jameon Criddle;
Arthur Price;
Jasmine Geier; and
Kim Friis

as authorised persons in accordance with the following acts:

Section 449 of the Local Government (Miscellaneous Provisions) Act 1960

Section 9.10 of the Local Government Act 1995 for Local Laws;

Section 17(1) of the Caravan Parks and Camping Grounds Act 1995;

Section 29(1) of the Dog Act 1976 and Regulations;

Section 38(1) of the Bush Fires Act 1954 and Regulations;

Section 26(1) of the Litter Act 1979;

Section 38(3) of the Control of Vehicles (Off Road Areas) Act 1978;

Cat Act 2011

Shire of Westonia Local Laws.

The following persons have been authorised as Registration Officers in accordance with the Dog Act 1976 and Regulations, Cat Act:

Jameon Criddle;
Arthur Price;
Kay Geier;
Jasmine Geier;
Stacey Geier;
Carol Pomery; and

Kim Friis

Statutory Environment

Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper);
Local Government Act 1995, Part 3—Executive Functions of Local Government and Part 9—Miscellaneous Provisions;
Caravan and Camping Grounds Act 1995;
Dog Act 1976 and Regulations;
Bush Fires Act 1954 and Regulations;
Litter Act 1979 and Regulations;
Control of Vehicles (Off Road Areas) Act 1978 and Regulations;
Cat Act 2011

Shire of Westonia Local Laws.

Policy Implications

Strategic Implications

Financial Implications

Cost of advertising appointments of authorised persons. 2018/2019 Budget.

Voting Requirements

☐

Simple Majority

☒

Absolute Majority

OFFICER RECOMMENDATIONS

That Council:

1. Appoint the following persons:

Jameon Criddle;

Arthur Price;

Jasmine Geier; and

Kim Friis;

as authorised persons in accordance with the following acts:

Section 449 of the Local Government (Miscellaneous Provisions) Act 1960

Section 9.10 of the Local Government Act 1995 for Local Laws;

Section 17(1) of the Caravan Parks and Camping Grounds Act 1995;

Section 29(1) of the Dog Act 1976 and Regulations;

Section 38(1) of the Bush Fires Act 1954 and Regulations;

Section 26(1) of the Litter Act 1979;

Section 38(3) of the Control of Vehicles (Off Road Areas) Act 1978;

Cat Act 2011

Shire of Westonia Local Laws; and

2. Appoint the following persons as registration officers in accordance with the Dog Act 1976, Cat Act 2011 and Regulations:

Jameon Criddle;

Judd Hobson;

Kay Geier;

Jasmine Geier;

Stacey Geier;

Carol Pomery; and

Kim Friis

2. Cancel all previous appointments.

RESOLUTION

Moved: Cr Jefferys

Seconded: Cr Della Bosca

07/03-19

That Council:

1. Appoint the following persons:

Jameon Criddle;

Arthur Price;

Jasmine Geier; and

Kim Friis;

as authorised persons in accordance with the following acts:

Section 449 of the Local Government (Miscellaneous Provisions) Act 1960

Section 9.10 of the Local Government Act 1995 for Local Laws;

Section 17(1) of the Caravan Parks and Camping Grounds Act 1995;

Section 29(1) of the Dog Act 1976 and Regulations;

Section 38(1) of the Bush Fires Act 1954 and Regulations;

Section 26(1) of the Litter Act 1979;

Section 38(3) of the Control of Vehicles (Off Road Areas) Act 1978;

Cat Act 2011

Shire of Westonia Local Laws; and

2. Appoint the following persons as registration officers in accordance with the Dog Act 1976, Cat Act 2011 and Regulations:

Jameon Criddle;

Arthur Price;

Kay Geier;

Jasmine Geier;

Stacey Geier;

Carol Pomery; and

Kim Friis

2. Cancel all previous appointments

CARRIED 6/0

Cr Geier declared an interest in item 9.1.5 Ramelius Resources – Greenfinch Clearing Proposal as he is an employee of Ramelius Resources.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Della Bosca

08/03-19


That Cr Geier be invited into the meeting for discussion of the item.

CARRIED 5/0

Cr Geier exited the meeting at 4.50pm.

9.1.5 RAMELIUS RESOURCES – GREENFINCH CLEARING PROPOSAL

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



Purpose of the Report



Executive Decision



Legislative Requirement

Summary

Back in December 2017, Ramelius Resources, operators of Edna May Operations requested support in the approval process and logistical issues in relation to the commencement of the Greenfinch project.

Background

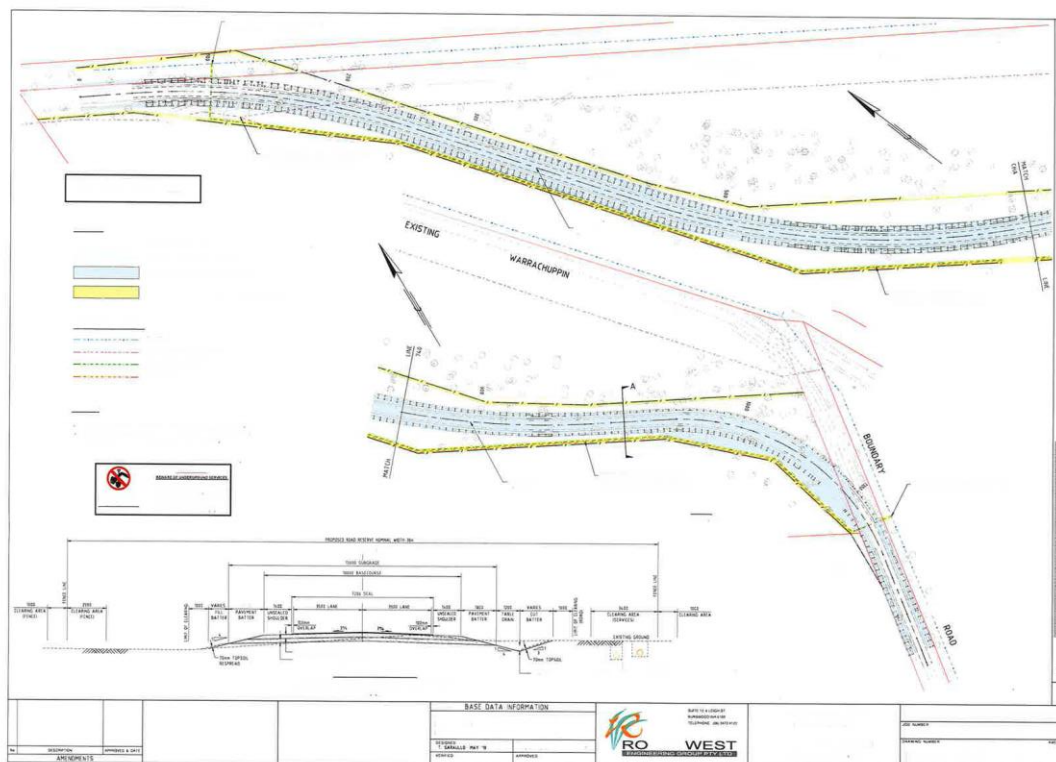
Development of the proposed Greenfinch Open Pit involves the excavation of an open pit, construction of a noise/abandonment bund, the extension of a waste rock landform, processing of circa 1.7Mt of ore and realignment of the Westonia Shire's Warrachuppin Road (and other associated infrastructure within the road corridor).

The project requires clearing of 62.3ha of vegetation, ~44ha of which is comprises of Eucalypt woodland/Mallee Woodland in good to very good condition and the remaining 18.3ha comprises of regrowth/cleared vegetation which is degraded.

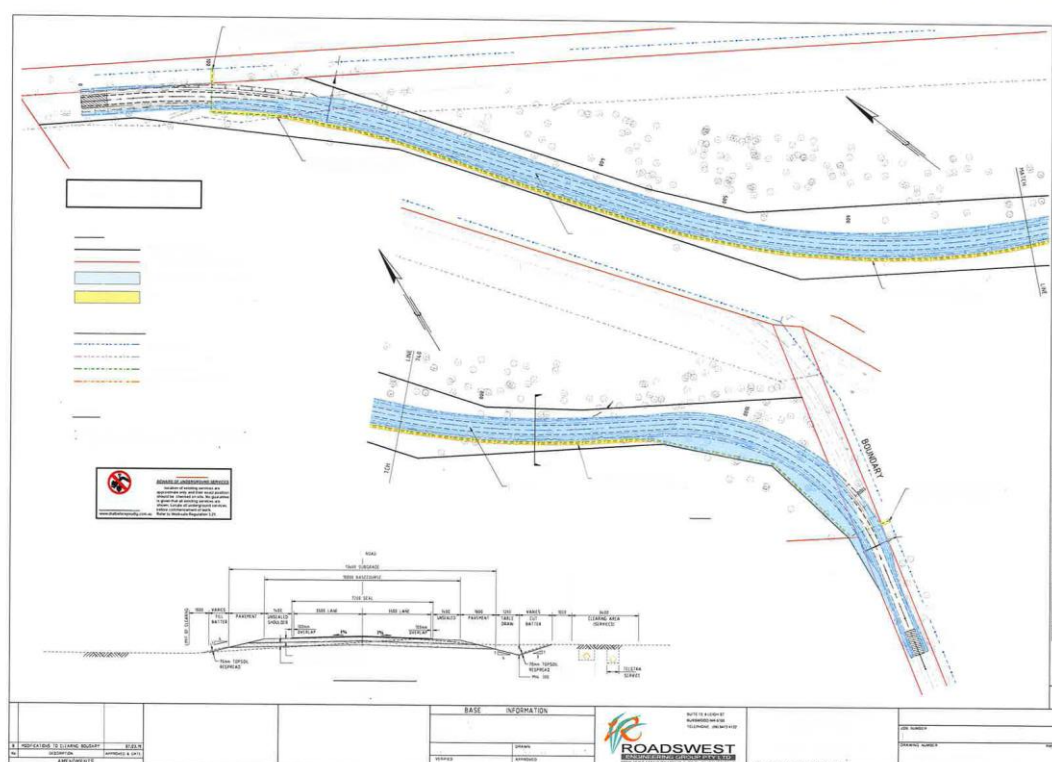
Approximately 39.1ha of the proposed clearing is located within a TEC (Federal) and PEC (WA) area, which represents an impact on only 1.8% of the local extent of the TEC/PEC within the local Westonia Common. The vegetation recorded within the clearing area is representative of the broader Beard vegetation association 536 (Medium woodland; Morrel (*Eucalyptus longicornis*) and Rough-fruited Mallee (*Eucalyptus corrugata*) which still occupies over 30% of its pre-European extent in Western Australia and in the Merredin subregion. Clearing will not reduce the extent of this vegetation association below the EPA's 30% threshold. Four plants of the Threatened Flora taxon, *Eremophila resinosa* which is listed under Federal and State legislation are located within the clearing area. There are sixteen known populations of *E. resinosa* (T) within a 20km radius of the Project, two of which occur within the Project area. These sixteen populations contain a total of 514 plants. Regionally there are a total of 26 natural populations of *E. resinosa* currently listed by DBCA (WAHERB, 2018). Multiple fauna surveys across the Project area have been completed and there has been no evidence of conservation significant fauna or short range endemic species within the area.

Offsets for the clearing have been proposed, including but not limited to, post-mining rehabilitation of cleared areas, revegetation of up to 70 ha of local farmland to provide/increase habitat corridors, protection and management of a 15ha remnant woodland block and a \$10,000 annual contribution to local and regional environmental initiatives in the local Westonia Common. The Edna May Operation has to date planted some 4,000 *Eremophila resinosa* within the district and undertaken revegetation of some 101.6ha of existing farmland to the north of the mine.

The Greenfinch Project was then rejected by the PEC and as a result numerous redundancy have taken place at the minesite.



Original Clearing Application



Revised Clearing Application

Comment

Ramelius Resources have since appealed the decision and currently sits with the Appeals Convener, before a decision is finally made by the Minister for Environment, Hon Simon Dawson.

In order to assist in process, Ramelius will be resubmitting a revised clearing application with a reduction in clearing area (7,432m²) as listed below:

Previous total area of clearing = 32,326m²

Revised total area of clearing = 24,894m²

Reduction in clearing area = 7,432m²

Ramelius is now seeking Council approval of the proposed clearing area.

Statutory Environment

Land Administration Act 1995

56. Dedication of land as road

(1) If in the district of a local government —

(a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or

(b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —

(i) the holder of the freehold in that land applies to the local government, requesting it to do so; or

(ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so; or

- (c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years, and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.
- (2) If a local government resolves to make a request under subsection (1), it must —
- (a) in accordance with the regulations prepare and deliver the request to the Minister; and
- (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —
- (a) subject to subsection (5), by order grant the request; or
- (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
- (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.
- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —
- (a) unallocated Crown land or, in the case of a private road, alienated land; and
- (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

While there will be a cost to Council, it will be reimbursed by Ramelius Resources. Project is not expected to commence until 2018/19 financial year.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council agrees to the proposed reduction in clearing area (7,432m²) associated with the new road reserve to be constructed as part of the Greenfinch Project.

RESOLUTION

Moved:

Cr

Seconded:

Cr


09/03-19

That Council agrees to the proposed reduction in clearing area (7,432m²) associated with the new road reserve to be constructed as part of the Greenfinch Project

CARRIED 5/0

Cr Geier entered the meeting at 4.51pm

9.1.6 LOCAL GOVERNMENT WARD REPRESENTATION

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

Purpose of the Report

☐

Executive Decision

☒

Legislative Requirement

Summary

For the Council to resolve to undertake a review of the Shire of Westonia Wards and Representation.

Background

A local government without wards is not required to carry out regular reviews under the provisions of Schedule 2.2 of the Local Government Act 1995 (the Act).

However, a local government without wards can undertake an assessment of the number of elected members and the no wards system to explore whether change is desirable. This section of the guide outlines a suggested process.

A local government without wards may be required to carry out a review if it has received a valid submission from 250 or 10% of the total number of affected electors who petition for a change to the representation system. A full review in accordance with Schedule 2.2 of the Act would be required in this instance.

Numbers in the past have been nine (9), and was reduced to 6 in readiness for the proposed amalgamation with Yilgarn. This did not occur. Need for an odd number would reduce the chance of bias decision making - preventing the Chair having 50% of votes when there is only 4 Councillors present at a meeting.

The President's request is to increase the number of Elected members by 1 to 7 in total.

Comment

How to start

The Council must resolve to undertake a review of its representation.

Once resolved by Council and before conducting the review, a local government is to give local public notice that a review is to be carried out. The purpose of the public notice is to inform the community that the Council intends to conduct a review – it should not try and “sell” a particular option.

The notice must also advise that submissions may be made to the local government six weeks from the date of the first notice (not including the day of the notice). The closing date for submissions should not be a weekend or public holiday.

It is useful to develop a diverse range of alternatives to the current situation so that all options can be considered. While the Council may have a preferred position the public notice must not limit the possible responses and suggestions from the community.

In addition to giving public notice, local governments may undertake other initiatives to promote community discussion including public and/or ward meetings, media articles and interviews, sending information to non-resident electors, ratepayers or progress associations and distributing information to all households.

A discussion or information paper can be prepared to outline the various options and the availability of this discussion paper can be included in the public notice.

What to consider

The local government must consider all submissions it receives and record them in the minutes of its meeting along with any other community input received from other initiatives (public meetings etc.).

The Council is not required to consider any other factors though it may choose to evaluate for example, the advantages and disadvantages of a reduction in the number of elected members, and the advantages and disadvantages of a no ward system.

Attachment 8 is an example of an assessment of options.

Reaching a decision

It needs to be evident following the consideration of submissions, any other community input and the assessment of any other matters why a particular option has been chosen as the best one for the district.

If the Council proposes to maintain the status quo then reasons for this must be included in the resolution.

If the Council decides to make a change, then the resolution of the Council must propose the making of orders under various sections of the Act.

Attachment 8 gives examples of recommendations.

In some cases a local government determines that no change is required at the current time and identifies that other factors within the community may impact on future representation (for example, housing development, declining populations, new industries, closure of mining operations, or extension of freeways and railway networks). It would be appropriate for a local government to resolve to undertake another review of its system of representation at a specified future time.

The impact of change

Once a decision is made the local government may consider the impact of implementing any change at the next ordinary elections. The Board has developed a policy that outlines how various changes impact on the offices of councillor and how change can be implemented.

Reporting to the Local Government Advisory Board

The local government must provide the Local Government Advisory Board with a written report of the assessment once it has been completed. If a local government expects changes to be in place in time for an ordinary election, it must submit its report to the Board no later than 30 January in the year of an ordinary election. This will allow sufficient time for any changes to be considered and processed for the beginning of the election cycle.

The report must outline the process and outcome of the review and include any recommendations for change. The officer's report to the Council forms the basis of this report.

Should the review result in a council recommendation to reinstate a ward structure, a copy of an appropriate deposited plan clearly showing the proposed new ward boundaries must be included with the report. Electronic copies of maps can be sent to advisory.board@dlgsc.wa.gov.au. These are required by Landgate to assist in the preparation of deposited plans for the proposed new ward boundaries.

Attachment 9 is an example officer's report and Attachment 10 provides a checklist of what to provide to the Board.

The Board considers all reports submitted by local governments and assesses them against the requirements of the Act. If the Board determines that the assessment (or part of) does not meet the requirements of the Act, then the local government may be requested to undertake another assessment that does meet the requirements.

The Board will consider all recommendations for change submitted as part of the review. The Board will then make recommendations to the Minister for Local Government (the Minister) who may accept or reject the Board's recommendations.

Implementing changes

If the Minister accepts the Board's recommendations, there may be some time before the changes can be implemented. Changes to wards and representation are subject to a Governor's order which is then published in the Government Gazette. The order will include the date of implementation of changes which may be the date of Gazetteal (changes to representation only) or the next ordinary elections day.

Statutory Environment

Clauses 1 and 2 of Schedule 4.2 of the Local Government Act 1995

Section 2.2 (1), 2.2 (3) or 2.18 (3) of the Local Government Act 1995 Act

Policy Implications

Nil

Strategic Implications

Financial Implications

There are potential financial implications in regard to the outcomes of the review of the wards and representation, however in the context of this report there are limited external financial implications as the review will be conducted predominantly internally (by Council staff).

Voting Requirements

☐

Simple Majority

☒

Absolute Majority

OFFICER RECOMMENDATIONS

That Council undertake a review of its current representation and wards with the request to increase the ward representation by one (1) to seven (7) Councillors.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Geier


10/03-19

That Council undertake a review of its current representation and wards with the request to increase the ward representation by one (1) to seven (7) Councillors.

CARRIED 6/0 BY ABSOLUTE MAJORITY

9.1.7 COMPLIANCE AUDIT RETURN 2018

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	ES1.6.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report

☐

Executive Decision

☒

Legislative Requirement

Background

In accordance with the Local Government (Audit) Regulations 1996, a local government is required to carry out a compliance audit for the period 1st January to 31st December each year against the requirements included in the Compliance Audit Return (CAR).

The completed CAR is required to be presented to Council for consideration and adoption, signed by the Shire President and CEO and subsequently submitted to the Director General of the Department of Local Government before 31st March next following.

Comment

The Compliance Audit Return has been a mandatory requirement since the Local Government (Audit) Regulations 1999, were amended and made applicable from 1 January 2000.

All senior staff have been involved in the completion of the Compliance Audit Return, certifying their actions and that of the Council, relating to the return covering the 2018 calendar year.

Staff involved and included in the process included;

- Chief Executive Officer
- Manager Corporate Services
- Works Supervisor

The Return is to be jointly certified by the Shire President and the Chief Executive and subsequently submitted to the Director General of the Department of Local Government before 31st March.

Additionally staffing levels in small local governments are such that we do not have the quantum or degree of specialisation available to larger local governments. Hence not every question in the CAR has been “fully” researched as to absolute accuracy. The responses are based on some research and memory and made in good faith.

Statutory Environment

Local Government (Audit) Regulations 1996 – Regulations 13, 14 & 15 – Compliance Audit Returns.

Policy Implications

Council does not have a policy in relation to this matter.

Strategic Implications

The Local Government Act 1995 and Local Government (Audit) Regulations 1996 apply.

Financial Implications

Nil.

Voting Requirements

☐

Simple Majority

☒

Absolute Majority

OFFICER RECOMMENDATIONS

That Council as per the Audit Committee:

1. receives the Compliance Audit Return 2018; and
2. authorise the Shire President and CEO to sign the CAR for dispatch to the Department of Local Government as per the requirements of the Local Government Act 1995.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Huxtable

11/03-19

That Council as per the Audit Committee:

1. receives the Compliance Audit Return 2018; and
2. authorise the Shire President and CEO to sign the CAR for dispatch to the Department of Local Government as per the requirements of the Local Government Act 1995.

CARRIED 6/0 BY ABSOLUTE MAJORITY

9.2 COMMUNITY AND REGULATORY SERVICE
NIL

9.3 WORKS AND SERVICE

NIL

9.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES

NIL

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

12/03-18 That Council allows the following three (3) items of new business of an urgent nature.

CARRIED 6/0

Cr Geier declared an interest in item 11.1 - Replacement of Westonia Gym Equipment as he is an employee of Ramelius Resources.

RESOLUTION

Moved: Cr Huxtable

Seconded: Cr Della Bosca

13/03-19 That Cr Geier be invited into the meeting for discussion of the item.

CARRIED 5/0

Cr Geier exited the meeting at 5.12pm.

11.1 REPLACEMENT OF WESTONIA GYM EQUIPMENT

Responsible Officer: Jamie Criddle, CEO

Author: Jamie Criddle, CEO

File Reference:

Disclosure of Interest: Nil

Attachments: Nil

Signature: Officer CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Discuss the upgrade of Gym facilities within the Westonia Community Gym.

Background

The CEO and Admin Officer (Stacey Geier) recently met with members of Ramelius Resources to discuss the condition of several items of equipment in the Gym. Tasmin Hearne, Exercise Physiologist with Ramelius provided an extensive audit of the facilities (attached), along with a number of recommendations going forward.

These include:

The following should be removed from the facility:

- Treadmill (as not working) – High use item – requires replacement.

- 2 older recumbent bicycles (as not working) – replace with upright bicycles
- Remove rusted weight plates
- Remove damaged battle ropes
- Remove damaged light blue exercise mats

Servicing:

- X-Trainer – feet pad stability issues
- Recumbent Bicycles – if they remain at facility, they require servicing to screen display
- Multi-purpose life fitness cable machine – requires cleaning and lubrication
- Rowing Machine - requires cleaning and lubrication.
- Recommend cleaning and lubricating all equipment.

New Equipment:

• New Treadmill	3,250
• Second Upright bicycle	2,495
• Kettlebell set	180
• Curl Bar	120
• Rubber coated weight plates (replace rusted)	400
• New Exercise mats	250
• 2 set of punching gloves	60
• Power resistance band set	100
• Tube & Handle resistance band set.	100
• Battle Rope	150
	\$7,105
• Maintenance (Elite Fitness)	800
	\$ 800
	\$7,905

Comment

Council, under its current Memorandum of Understanding (MOU) with Ramelius Resources is required to maintain all facilities provided for under the current MOU arrangement, including the Gym equipment set up as part of the commencement of the mine.

Council simply does not have the funds required allocated to the current budget to repair/replace the equipment outlined in the Gym Audit Report. It would be able to part fund the items list in the report.

An agreement between Council and Ramelius would need to be negotiated if the equipment was to be upgraded immediately, otherwise funds would need to be allocated and approved in the 2019/20 financial year and would not be available until about September 2019.

Council currently has \$2,500 unallocated in the Gym maintenance account.

Going forward, once the Council have fixed/replaced the backlog of issues, Council will need to provide an allocation in successive budgets to allow for the continue improvements of the gym equipment.

Options

1. Entire replacement and mtce cost of \$7,905 (out of budget expense)
2. Request partial payment from Ramelius (either treadmill or upright bike)
3. Partial replacement in 2018/19 – partial replacement in 2019/20
4. Do nothing and budget in 2019/20 (except for maintenance)

Statutory Environment

Local Government Act 1995.

Memorandum of Understanding between Shire of Westonia and Ramelius Resources

Policy Implications

Council does not have a policy in relation to this matter.



Strategic Implications

Nil



Financial Implications

Ongoing Maintenance costs on gym equipment



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council:

1. Request partial payment from Ramelius (either treadmill or upright bike)
2. Fund the rest of the “new equipment” list (approx. \$4,610) as an out of budget expense from account 11105 (BC1).
3. Allocate \$5,000 in future budgets as a separate line item to gradually upgrade all equipment.

RESOLUTION

Moved:

Cr Jefferys

Seconded:

Cr Corsini

14/03-19

That Council:

1. Purchase the Treadmill and Upright Bicycle and request Ramelius to purchase the sundry items on the equipment list.
2. Fund the new items (approx. \$5,800) as an out of budget expense from account 11105 (BC1).
3. Allocate \$5,000 in future budgets as a separate line item to gradually upgrade all equipment.

CARRIED 5/0 BY ABSOLUTE MAJORITY

Cr Geier entered the meeting at 5.13pm.

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

a) a matter affecting an employee or employees;

Jamie Criddle, Chief Executive Officer declared an interest in item 11.2 – CEO – Private Use of Vehicle as he is the Officer in question.

Cr Geier declared an interest in item 11.2 – CEO – Private Use of Vehicle as he will be on leave with the CEO.

RESOLUTION

Moved:	Cr Della Bosca	Seconded:	Cr Jefferys
15 /03-19	That Council in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be closed to the members of the public for this item as the following sub-section applied: a) a matter affecting an employee or employees;		

CARRIED 6/0


Jamie Criddle, Chief Executive Officer and Cr Geier exited the meeting at 5.14pm.

11.2 CHIEF EXECUTIVE OFFICER – PRIVATE USE OF VEHICLE

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



10.1.2 WHEATBELT REGION PARKS AND RESERVES DRAFT MANAGEMENT PLAN 2019

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.8.5	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO
		

Purpose of the Report



Executive Decision



Legislative Requirement

Summary

This report is requesting comment on the Conservation and Parks Commission release of the Wheatbelt Region Parks and Reserves Draft management Plan 2019.

Background

Councillors will be aware that at the February Ordinary meeting, discussion was held on the Conservation and Parks Commission's Wheatbelt Region Parks and Reserves Draft management Plan 2019. Councilors were requested to provide comment prior to the March meeting so that the CEO could formulate a comment prior to the 5th April 2019.

Under section 59(2) of the CALM Act, the Conservation and Parks Commission, as the controlling body, is required to submit draft management plans to the local government of each district within which the land in question is situated.

Comment

This draft management plan has been released for a two-month period to provide the public with an opportunity to comment on how the reserves covered by the plan are proposed to be managed during the next 10 years.

To ensure your submission is as effective as possible:

- be clear and concise
- refer your points to the page numbers or specific sections in the plan
- say whether you agree or disagree with any of or all the management arrangements – clearly state your reasons, particularly if you disagree
- give sources of information where possible
- suggest alternatives for those aspects of the plan with which you disagree.

The management plan will be reviewed in light of the submissions, according to the criteria outlined below. A summary of public submissions will be made available along with the final management plan.

The draft management plan may be modified if a submission:

- (a) provides additional information of direct relevance to management
- (b) indicates a change in (or clarifies) government legislation or management policy
- (c) proposes strategies that would better achieve management objectives
- (d) indicates omissions, inaccuracies or a lack of clarity.

The draft management plan may not be modified if a submission:

- (a) clearly supports proposals in the plan or makes general or neutral statements
- (b) refers to issues beyond the scope of the plan
- (c) refers to issues that are already noted within the plan or already considered during its preparation

- (d) is one among several widely divergent viewpoints received on the topic but the approach in the plan is still considered the best option
- (e) contributes options that are not feasible (generally due to conflict with legislation or government policy)
- (f) is based on unclear or factually incorrect information.



Executive Comment

The Conservation and Parks Commission (CPC) and the Department of Biosecurity, Conservation and Attractions (DBCA) have published a draft management plan, Wheatbelt Region parks and reserves draft management plan 2019 and are inviting submissions by 5 April 2019.

FIRST IMPRESSIONS

I have not read through the whole document closely, but it seems broadly consistent with the Shire's Conservation Management Plan.

The plan seems pretty general and does not get into much more detail than listing general management challenges, considerations, and strategies.

Each of these should be considered more fully in a formal submission.

RELEVANCE TO THE SHIRE OF WESTONIA

Most of what is included in the plan refers to nature reserves vested with the CPC and therefore has limited impact on the Shire of Westonia. Where the Shire's interests do intersect with the plan there is not sufficient detail to offer in-depth commentary—with one notable exception, which I will come to.

Appendix 4. Proposed reserves (p. 101) lists a collection of reserves and unallocated crown land (UCL) proposed to change the current vesting and vest the lands with the CPC, thereby coming under the management of DBCA.

The attached map shows the proposed reserves that I was able to locate. I do not have any cadastral data for east of the Westonia townsite and so I was unable to locate all of them. Although, R 1431 is vested with DWER and is proposed to be added to the Baladjie Lake Nature Reserve, so that gives an indication of its location (given that the Shire does have a share of management of this reserve it may be worthwhile looking at more closely—Baladjie Lake has been ranked in the Plan as having recreation potential, as has Sandford Rocks).

For the most part, the nominated reserves and UCL are already vested with authorities other than the Shire. However, there is a proposal to "Vest western part of R14983 in CPC as a nature reserve" (p. 108). Of course, the actual proposal details might be different, but given the way the reserve is currently structured I would imagine that this means "everything west of the current mine site." (See Figure 1.)

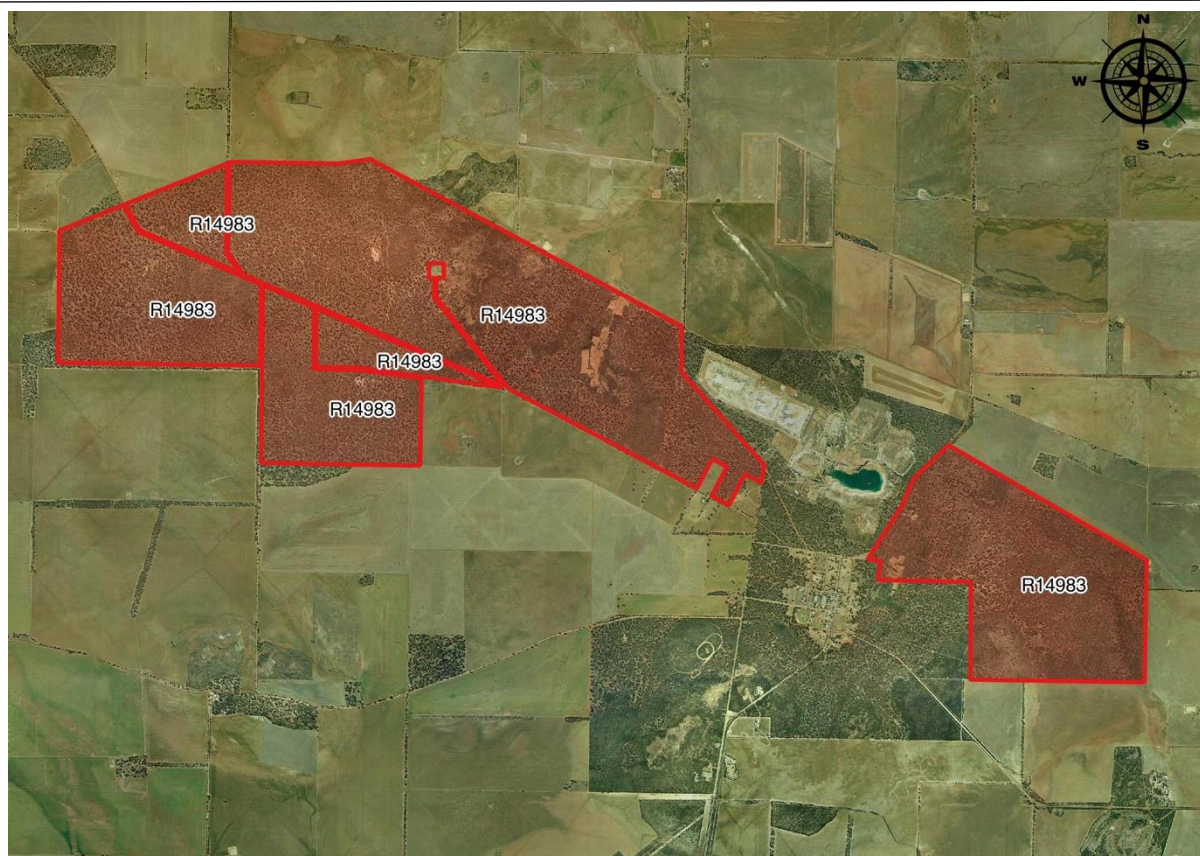


Figure 1 Locations and boundaries of R 14983

The current purpose of R 14983 is “common.” If it was converted to a nature reserve then its purpose would also change in line with this definition from Tenure descriptions (DEC website, accessed 23/02/2009):

Nature Reserves are set aside for the conservation and restoration of the natural environment, the protection, care and study of indigenous flora and fauna, and the preservation of any feature of archaeological, historic or scientific interest. Only low impact recreation may be permitted, and this only providing it does not adversely affect ecosystems. (DEC website, accessed 23/02/2009)

Such a change would obviously affect the kinds of activities that would be able to occur. Given that there is a proposal to expand the mine site’s operations into the Common then the proposal to vest R 14983 with the CPC has the potential to be at variance to the DBCA’s own criteria, specifically “Competing land use”:

Competing land uses are usually illegal under Biodiversity Conservation Act regulations. Therefore, the reserve should not contain competing land use that cannot be ceased, relocated or excised without jeopardising natural values. (p. 111)

Section 20 on pages 52–3 is dedicated to “Mineral and petroleum exploration and development.” It does not say much other than refer to a series of Policy and Position statements, which have not been reviewed for this document but should be considered in a formal submission to the Department.

Over at least the last five years, the Shire of Westonia has dedicated significant resources to conservation of the Common, including tree planting, fox and rabbit baiting, vegetation condition monitoring, and weed mapping. Many of these projects have also been supported by grants from other agencies. The proven ability of the Common to attract funding should be considered.

When it comes to the conservation of the Common, vesting it as a Nature Reserve with the Conservation and Parks Commission offers potential benefits: the clarity of consistent legislation, the resources of a State Government department, and reduction of management burden on the Shire of Westonia.

However, it is unclear whether DBCA has the resources and/or motivation to actively manage R 14983 to the degree that the Shire has been.

CONCLUSION

The Westonia Common is a unique asset. The priority should be its conservation. That being said this needs to be balanced with the competing land uses. Any proposal should be carefully considered to maintain this area into the future.

Closing date for public comment is 5th April 2019.



Statutory Environment

Conservation and Land Management Act 1984 (CALM Act).
section 59(2) of the CALM Act



Policy Implications

Nil



Strategic Implications

Strategic Community Plan 2018-2028

GOAL 5: Natural spaces are protected and bring us value



Financial Implications

Nil



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council authorises the Chief Executive Officer and the Natural Resource Management Officer to formulate Council's response on the review of the Wheatbelt Region Parks and Reserves Draft management Plan 2019 and submit to the Conservation and Parks Commission prior to 5th April 2019.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Geier

18 /03-19

That Council authorises the Chief Executive Officer and the Natural Resource Management Officer to formulate Council's response on the review of the Wheatbelt Region Parks and Reserves Draft management Plan 2019 and submit to the Conservation and Parks Commission prior to 5th April 2019.

CARRIED 6/0

12 DATE AND TIME OF NEXT MEETING

The next ordinary meeting of Council will be held on 18th April 2019 commencing at 3.30pm

13 MEETING CLOSURE

There being no further business the President, Cr Day declared the meeting closed at 5.52pm