

**SHIRE OF
WESTONIA**
A vibrant community lifestyle

Minutes

Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia
Thursday 17th March 2022

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21st April 2022 as a true and accurate record of the Ordinary Council Meeting held 17th March 2022.

.....
Cr Karin Day
Shire President

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



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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.



SHIRE OF WESTONIA
A vibrant community lifestyle

STRATEGIC COMMUNITY

SNAPSHOT

PLAN

2018-2028

CORE DRIVERS

1. Relationships that bring us tangible benefits (to the Shire and our community)
2. Our lifestyle and strong sense of community.
3. We are prepared for opportunities and we are innovative to ensure our relevancy and destiny.

OUR VALUES

Respect – We value people and places and the contribution they make to the Shire.

Inclusiveness – Be receptive, proactive, and responsive.

Fairness and Equity – Provide services for a variety of ages and needs.

Communication – Create opportunities for consultation with the broad community.

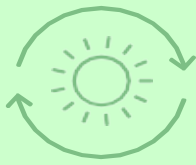
OUR VISION

A vibrant community lifestyle

MISSION

Provide leadership and direction for the community.

ECONOMIC



Support growth and progress, locally and regionally...

Efficient transport connectivity in and around our Shire.

- Continue to utilise our Road Management Plan, which incorporates a road hierarchy, minimum service levels and maintenance policy.
- RAV Ratings and Shire boundaries are consistent across local government boundaries.
- Lobby and build enduring partnerships with key Government Departments to improve Great Eastern Hwy.
- Actively participate in the Secondary Freight Network group.
- Develop and implement a Road Asset Plan highlighting key funder and strategic partnerships to support sustainability.
- Develop a Gravel Reserve Policy which identifies future gravel reserves and recognises cost to local government.
- Educate road users about road safety and driving on gravel roads.
- Optimal and safe use of our plants and equipment assets.
- Ensure that appropriate RAV vehicles traverse correct RAV routes.
- Maintain our airport with a view to improvements to meet commercial and recreational aviation needs.

Facilitate local business retention and growth.

- Council recognises the opportunity of partnering with Westonia Progress Association, works closely and supports them to help achieve their economic development projects and our strategic goals.
- Council continue to have a role in facilitating the presence of a Co-op in our community.
- Enhance local economic activity by supporting the growth of tourism in our Shire and region including applying for funding to improve tourist facilities.
- Improve our online tourism presence.
- We forward plan to improve the economic diversity in our community.
- In partnership with Council, the mine develops long term business plans for current mine assets.
- Investigate options for multipurpose accommodation if vacancies arise in mine accommodation.

SOCIAL



Provide community facilities and promote social Interaction...

Plan for community growth and changing demographics.

- Develop the Town Planning Scheme.
- Plan and develop residential and industrial land.
- Community safety and ease of access around town is a priority.
- Our lifestyle, facilities and sense of community is promoted.
- The CEACA project continues to expand the number of universally designed dwellings in our town.
- We support our emergency services.
- We enable visiting health professionals to our community.
- The Community Resource Centre receives external funding to provide preventative health and community development initiatives to the community.
- We facilitate healthy and active ageing in place
- Our cemetery is well presented.

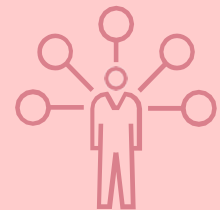
Our community has the opportunity to be active, socialised and connected.

- We collaborate and encourage active engagement in local clubs and community initiatives that support a healthy lifestyle.
- Investigate motor sport opportunities around the Shire.
- Preserve and celebrate our local history.
- Support our volunteers and clubs to remain strong, dynamic, and inclusive.
- Encourage lifelong learning.
- Children and youth have active and social opportunities.
- Continue to provide high standard and accessible shire facilities.
- Retain and expand Westonia's unique tourism experience.

Natural spaces are preserved and bring us value.

- Sustainably manage our reserves and open spaces.
- Participate in best practice waste management.
- Work collaboratively to meet legislative compliance with managing weeds and pests as well as our environmental health standards.
- Investigate renewable energy generation technologies.

GOVERNANCE



Continually enhance the Shire's organisational capacity to service the needs of a growing community...

Be progressive and capture opportunities.

- Be open to local productivity/ best practice and cost saving opportunities locally and regionally.
- Investigate joint resourcing and tendering
- Advocate and develop strong partnerships to benefit our community.
- Be prepared by forward planning our resources and focusing on continuous improvement.
- Identify risks and opportunities after the life of the mine.

The community receives services in a timely manner.

- Meet our legislative and compliance requirements.
- Work towards optimal management of our assets.
- Work to develop Councillor and staff skills and experience to provide career and succession opportunities within the Shire.
- Inside and outside staff are multi skilled to understand the business of local government and provide a seamless service to the community.
- Communicate and engage with our community regularly.

Financial resources meet the ongoing needs of the community.

- Seek external funding for significant capital improvements that deliver upon our strategic objectives.
- Investigate ways to reduce reliance on operational grants given the current State and Federal Government priorities.

Shire of Westonia: - A vibrant community lifestyle.



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6. RECEIVAL OF MINUTES

OFFICER RECOMMENDATION

That the CEACA meeting draft minutes held Monday 28th February be accepted.

That the WEROC Board meeting minutes Tuesday 1st March be accepted.

That the NEWTRAVEL general meeting minutes held Thursday 23rd February be accepted.

That the Great Eastern Country Zone minutes held Monday 14th February 2022 via MS Teams be accepted.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Della Bosca

02/03-22

That the CEACA meeting draft minutes held Monday 28th February be accepted.

That the WEROC Board meeting minutes Tuesday 1st March be accepted.

That the NEWTRAVEL general meeting minutes held Thursday 23rd February be accepted.

That the Great Eastern Country Zone minutes held Monday 14th February 2022 via MS Teams be accepted.

CARRIED 6/0

7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS

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

- WAPHA and Rural Health West meeting to discuss Nurse Practitioner funding arrangements via MS Teams Meeting on Thursday 24th February.

The Deputy President, Cr Crees advised having attended the following meetings:

- WEROC Board Meeting via MS Teams.
- Eastern Wheatbelt Biosecurity Group Committee Meeting.

Cr Daimon Geier advised having attended the following meetings:

- LEMC Meeting via Zoom with the CEO.

Cr Renae Corsini advised having attended the following meetings:

- Attended Hermon Seitz Funeral.

Cr Bill Huxtable advised having attended the following meetings:

- Newtravel General Meeting.

Cr Ross Della Bosca advised having attended the following meetings:



- Eastern Wheatbelt Biosecurity Group Committee Meeting.

Cr DellaBosca advised that the group had some frustration with the constant red tape being placed on the group including the need to acquit all funds annually, price of fuel being problematic on operational costs and that Department of Agriculture has rescinded their permission for the Dog Baits to be stored at their Southern Cross depot.

9. MATTERS REQUIRING A COUNCIL DECISION

9.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES

9.1.1 ACCOUNTS FOR PAYMENT

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, Manager of Corporate Services
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 June be obtained.

Comment

Attached is a copy of Accounts for Payment for the month of February 2022. The credit card statements currently show: -

CEO **February 2022 \$6,430,79** associated with the purchase of 100GB Skymuster Activ8me-Administration Office 100GB Skymuster Activ8me - CEO 100G, Standard Annual Plan SurveyMonkey 14/02/22 to 13/02/23, 10.2-inch iPad Wi Fi + Cellular 256GB — Space Grey Smart Keyboard for iPad (9th generation, Refreshments Council Electors Meeting 8th Feb 2022, Various consumable Items - Gardens Various shade cloth, accessories and consumable items, Cooperate Uniforms, Malwarebytes Endpoint Protection - Workstations, Servers & Anti Spam Recurring, Ethernet Cable 2m Blue Master Lock Wall Mountable Combination Lock Key Safe Comsol Dual Port USB Wall Charger 3.4A/17W White SanDisk Cruzer Blade USB Flash 32GB 3 Pack Delivery Fee, Malwarebytes Endpoint Protection - Workstations, Servers & Anti Spam/Domain Microsoft 365 Business Standard Recurring Sub ID 1049450 & 1049449 15/2/22-14/3/22, Microsoft 365 Business Standard Recurring 18/2/22 - 17/3/22 #1047021, Microsoft Office365 Business Standard Recurring 17/2/22 - 16/3/22, P10.Canter - Diesel purchase Perth Trip, P14 - Toyota Landcruiser - Diesel purchase, Post Box Renewal 2022, 04104 - Refreshments - 1 x bottle Cognac 14204 - protective equipment - 2 x boxes face masks, Monthly subscription to Canva, Councillors Ipad Telstra recharge vouchers, 1x Gift Voucher for the Palace Hotel Southern Cross and Registered Postage & Bank Fees

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 2021/2022 Annual Budget.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That February 2022 accounts submitted to today's meeting on Municipal vouchers numbered from 3978 to 3982, and D/Debits from EFT5425 to EFT5468 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$651,269.43 be passed for payment.

RESOLUTION

Moved: Cr Geier **Seconded:** Cr Della Bosca

04/03-22 That February 2022 accounts submitted to today's meeting on Municipal vouchers numbered from 3978 to 3982, and D/Debits from EFT5425 to EFT5468 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$651,269.43 be passed for payment.

CARRIED 6/0

9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – FEBRUARY 2022

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, Manager of Corporate Services
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 February 2022 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 2021/2022 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 February 2022 and note any material variances greater than \$10,000 or 15%.

9.1.3 GST RECONCILIATION REPORT – FEBRUARY 2022

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, Manager of Corporate Services
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 2022 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 (\$ 9,017.00) for the period ending 28th February 2021 adopted.

RESOLUTION

Moved: Cr Corsini Seconded: Cr Geier


06/03-22 **That the GST Reconciliation totaling (\$ 9,017.00) for the period ending 28th February 2021 adopted.**

CARRIED 6/0

9.1.4 COMPLIANCE AUDIT RETURN 2021

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	ES1.6.1
Disclosure of Interest:	Nil
Attachments:	Nil

Signature:	Officer	CEO
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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.

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 2021 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 2021; and
2. recommends to Council that the Compliance Audit Return 2021 be endorsed and 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 Della Bosca

07/03-22 That Council as per the Audit Committee:

1. receives the Compliance Audit Return 2021; and
2. recommends to Council that the Compliance Audit Return 2021 be endorsed and 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

9.1.5 REGULATION 17 REVIEW

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, MCS
File Reference:	F1.3.3
Disclosure of Interest:	Nil
Attachments:	Attachment 9.1.5 Audit Regulation 17
Signature:	Officer  CEO 

Purpose of the Report

The purpose of this report is to present to the Council the results of the CEO's triennial review at the end of 2021 of the appropriateness and effectiveness of the organisation's risk management, internal control and legislative compliance systems and procedures. Various actions arising from the review are also presented.

Executive Decision

Legislative Requirement

Background

Regulation 17 of the *Local Government (Audit) Regulations 1996* require the CEO to conduct a review of systems and procedures relating to legislative compliance, risk management and internal controls on a triennial basis.

The Regulation 17 Audit incorporates the requirement under Regulation 5 (2) (c) of the *Local Government (Financial Management) Regulations 1996* which provides the Chief Executive Officer to: 'Undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once every 3 financial years) and report to the local government the results of those reviews.'

The most recent review conducted in compliance of Regulation 17 of the Audit Regulations was reported to the Audit Committee on 19 June 2014.

Council subsequently resolved at its 17 December 2015 Ordinary Council Meeting to receive the review (OCM-15-12/15).

Comment

Regulation 17 of the Local Government (Audit) Regulations 1996 (**Audit Regs**) requires that every three years, the CEO is to present to the Audit Committee the results of a review of the appropriateness and effectiveness of the organisation's risk management, internal control and legislative compliance systems and procedures.

Consistent with this requirement, a review was completed at the end of 2021 This report presents the results, and actions arising from the review, to the Audit Committee.

Statutory Environment

Local Government Act 1995

Section 5.46. Register of, and records relevant to, delegations to CEO and employees

- (4) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (5) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (6) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Policy Implications

Risk Management Policy has been adopted and outlines the Shire's commitment and approach to managing risks that may impact on its day-to-day operations and threaten the achievement of its objectives

Strategic Implications

A Council's internal control environment includes the following components:

- Structure of the organisation;
- Culture of the organisation;
- Knowledge, skills and experience of employees;
- Processes employed by the organisation to conduct business.

The Chief Executive Officer should play a key role in the establishment and development of an effective internal control environment, as it ultimately sets the operational tone of the Council, and should reflect the ethics, integrity and values espoused by the Council.

An effective and transparent internal control environment would focus on the following key areas:

- Integrity and ethical values;
- Management's philosophy and operating style;
- Organisation structure;
- Performance measures;
- Policies and procedures;
- Human resources policy;
- Internal Audit function;
- The Audit Committee.

The role of the audit committee is to govern the integrity of the entity's financial information, systems of internal control, and the legal and ethical conduct of management and employees. The responsibility of the audit committee will differ depending upon the Council's size, scale of operations, and any specific requirements. The key role of internal audit is to provide assistance to the Council's audit committee in discharging its governance responsibilities. It does this by:

- Providing an objective assessment of existing risks and the internal control framework;
- Performing reviews of the compliance framework and specific compliance issues;
- Conducting regular analysis of business processes and associated controls;
- Performing ad hoc reviews for specific areas of concern, including unacceptable levels of risk;

Reviewing the operational performance of the Council and providing recommendations for more effective and efficient use of resources.



Financial Implications

There are no known financial implications for this matter.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That the Council as per Audit Committee recommendation:

1. Receives and reviews the Shire of Westonia Regulation 17 Review Report presented by the Chief Executive Officer under Regulation 17 (3) of the Local Government (Audit) Regulations 1996.
- 2.

RESOLUTION

Moved:

Cr Geier

Seconded:

Cr Huxtable

08/03-22

That the Council as per Audit Committee recommendation:

1. **Receives and reviews the Shire of Westonia Regulation 17 Review Report presented by the Chief Executive Officer under Regulation 17 (3) of the Local Government (Audit) Regulations 1996.**

CARRIED 6/0

9.1.6 DELEGATIONS MANUAL REVIEW

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	A2.8.5
Disclosure of Interest:	Nil
Attachments:	9.1.6 Delegation Manual
Signature:	Officer CEO



Purpose of the Report

Executive Decision

Legislative Requirement

Summary

To complete the yearly review of the Delegations Manual.

Background

The review of delegations to the Chief Executive Officer (CEO) made under the Local Government Act 1995 and other Acts, plus delegations made to other officers by Council pursuant to various Acts.

The existing Delegations Register has been attached for your perusal.

The Chief Executive Officer has conducted an extensive review of the current Delegation with the format being adjusted and grouped into relevant sections to make it easier to follow.

The Delegations in place all being direct delegations to the CEO, who in turn delegates a number to other officers.

Comment

As part of the review, all delegations have been thoroughly examined to ensure they are still relevant and the wording of each is appropriate. In considering the review each delegation has been viewed in the context of whether it is a power or a duty of the local government, hence a delegation can occur, or it is an administration function that is part of the CEO or other officer's responsibility and therefore a delegation is not required.

The Delegation Manual received a thorough review the previous year and after reviewing this year the Chief Executive Officer has indicated that there are no significant changes required to the content, excepting the delegations allocated to the title of Works Supervisor being changed to Construction Supervisor. Also, the Finance Officer has been delegated authority to issue purchase orders to the maximum sum of \$ 2,000.

Statutory Environment

Local Government Act 1995

Section 5.18 – provides that a local government is to keep a register of delegations and review the delegations once every financial year (to committees).

Section 5.46(2) – provides that at least once in every financial year delegations are to be reviewed by the delegator (Council).

Local Government (Miscellaneous Provisions) Act 1960

Sections 374, 374A, 374C, 401A, 403, 408 & 409 all deal with various aspects relating to buildings.

Bush Fires Act 1954

Section 17(10) – provides that a local government may delegate to the President and its Chief Bush Fire Control Officer, jointly its powers and duties under 17 (7-8) – variation of prohibited burning times.

Section 18 (5C) – provides that a local government may delegate to the President and its Chief Bush Fire Control Officer, jointly the power to vary the restricted burning times.

Clause 11.3 – enables Council to delegate powers and duties to the CEO.

Section 5.42 of the Local Government Act 1995 states that a number of the local government's powers and duties can be delegated to the CEO. Section 5.43 of the Act details the limitations on those delegations. The review has been conducted within those legislative requirements.

Building Act 2011

Section 127 (6A) provides – The CEO of a Local Government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty –

- (a) The CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and
- (b) The exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.

An absolute majority of Council is required to adopt the Delegations Register.

Policy Implications

There are no direct implications on any current policies however a number of delegations are linked to Council policies.

Strategic Implications

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under –

- (a) this Act other than those referred to in section 5.43; or
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

9.10. Appointment of authorised persons

(1) In this section –

law means any of the following –

- (a) this Act;
- (b) the Caravan Parks and Camping Grounds Act 1995;
- (c) the Cat Act 2011;
- (d) the Cemeteries Act 1986;
- (e) the Control of Vehicles (Off-road Areas) Act 1978;
- (f) the Dog Act 1976;
- (g) subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f);
- (h) a written law prescribed for the purposes of this section; specified means specified in the instrument of appointment.

(2) The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.

(3) An appointment under subsection (2) is subject to any specified conditions or limitations.

(4) The CEO must give to each person appointed under subsection (2) an identity card that –

- (a) on the front of the card, sets out –
 - (i) the name and official insignia of the local government; and
 - (ii) the name of the person; and
 - (iii) a recent photograph of the person; and
- (b) on the back of the card, specifies each law to which the person's appointment relates.

(5) A person appointed under subsection (2) (the authorised person) must –

- (a) carry their identity card at all times when performing functions under a specified law; and
- (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law.

(6) A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

[Section 9.10 inserted: No. 16 of 2019 s. 64.]

From a local government perspective, the concept of “delegation” is: to entrust or commit (authority etc.) to another as an agent or deputy.

Consequently, the decision-making power of the delegator (Council) to the delegate (CEO, other officer or committee), is bestowed by a formal Council resolution. The effect of delegating is to streamline the decision-making process as the subject matter does not have to wait for a Council meeting for a decision. The outcome is that the Shire of Westonia is perceived more favourably for making timely decisions.

Financial Implications

The delegations allow for staff to authorise expenditure, raise income, write-off monies, provide staff benefits and also hasten processing times across various areas of operations.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council review and adopts the Delegation Manual as presented.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Geier

09/03-22 That Council review and adopts the Delegation Manual as presented.

CARRIED 6/0

9.1.7 BUDGET REVIEW 2021/2022

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	F1.3.3
Disclosure of Interest:	Nil
Attachments:	Attachment 9.1.4 Budget Review Documents
Signature:	Officer CEO



Purpose of the Report

Executive Decision

Legislative Requirement

Background

Local Governments are required to conduct a Budget Review in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996. These Regulations state:

1. *"Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
 2. *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.*
 3. *A Council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- *Absolute majority required.*
4. *Within 30 days after a Council has made a determination, a copy of the review and determination is to be provided to the Department."*

A Budget Review for the period ending 28th February 2022 has been completed and is presented for Council's consideration.

Comment

In adopting the 2021/2022 Budget, Council, as required, adopted a level of material variances for reporting purposes. The level of material variance reporting set by Council is \$10,000 and 15%. Staff have used this variance in their analysis.

The nature of the review is to predict estimates of material variations likely to occur as at 30 June 2022.

Statutory Environment

Local Government (Financial Management) Regulation 34 1996
Local Government Act 1995 section 6.4

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That the Council as per Audit committee recommendation:

1. Receive the 2021/2022 Budget Review for the period ending 28th February 2022 and adopt the recommended Budget figures as presented.
2. Forward the review to the Department of Local Government as per the requirements of the act.

RESOLUTION

Moved:

Cr Huxtable

Seconded:

Cr Corsini

10/03-22

That the Council as per Audit committee recommendation:

1. Receive the 2021/2022 Budget Review for the period ending 28th February 2022 and adopt the recommended Budget figures as presented.
2. Forward the review to the Department of Local Government as per the requirements of the act.

CARRIED 6/0

9.1.8 GRANTS COMMISSION HEARING

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	F1.10.1
Disclosure of Interest:	Nil
Attachments:	Nil
Signature:	Officer CEO



Purpose of the Report

Executive Decision Legislative Requirement

This report seeks Council's agreeance to participate in a videoconference with the Grants Commission Hearing scheduled for Thursday 31st March at 9am.

Background

The WA Local Government Grants Commission would like to arrange an online meeting with Council for the purpose of a public hearing in accordance with section 11(2)(c) of the *Local Government (Financial Assistance) Act 1995* (Commonwealth Act). The proposed hearing has been scheduled to commence at **9.00am** on **Thursday 31 March 2022** and will run for approximately two hours.

The Commission will be represented at the online meeting by the Commissioners and staff as noted below:

- Hon Fred Riebeling (Chairperson)
- Mr Luke Stevens (Deputy Chairperson)
- Mr Colin Cameron (Metropolitan Member)
- Dr Wendy Giles (Country Urban Member)
- Ms Melinda Prinsloo (Country Rural Member)
- Ms Chloe Papasergio (Senior Strategy and Research Officer)

Comment

The WA Local Government Grants Commission (the Commission) visits all WA local governments to discuss the methodology used in calculating each individual local government's Financial Assistance Grants.

You may be aware that the Commission would normally undertake these visits in person, as part of their regular visiting program schedule. However, due to the impact of COVID-19, it is considered prudent to hold the hearings online, for the foreseeable future.

Statutory Environment

Local Government (Financial Assistance) Act 1995 (Commonwealth Act)

Policy Implications

Council does not have a policy in relation to this matter

Strategic Implications

Nil.

Financial Implications

The Financial Assistance Grant provided annually is a significant component of Council's budget.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council participate in a videoconference with the Grants Commission Hearing scheduled for Thursday 31st March at 9am.

RESOLUTION

Moved:

Cr Huxtable

Seconded:

Cr Della Bosca

11/03-22

That Council participate in a videoconference with the Grants Commission Hearing scheduled for Thursday 31st March at 9am.


CARRIED 6/0

9.2 COMMUNITY AND REGULATORY SERVICE

9.2.1 DIORITE STREET RECREATIONAL PRECINCT MASTERPLAN – PHASE 1

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	RC5.1.4
Disclosure of Interest:	Nil
Attachments:	Nil

Signature:	Officer	CEO
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Purpose of the Report



Executive Decision



Legislative Requirement

This report seeks Council approval to engage Donovan Payne Architects to undertake Engineering and Architectural Services for Stage 1 Swimming Pool Kiosk Building so that the project can proceed to Tender/Construction stage prior to next pool season

Background

Council engaged Kim Donovan from Donovan Payne Architects to undertake a Master planning exercise of the Diorite Street Recreational Precinct which would modernise the facilities and surrounds for the future. After several working meetings the final draft was presented for adoption. Council also took the opportunity to stage the project into 3 phases in consideration of the scale of the overall project.

Comment

If Council wish for the Phase 1 projects to proceed the Architectural and Engineering Designs require completion so that the formal tender process can be initiated. To comply with Council purchasing policy 2 x written quotations were obtained for the provision of contract documentation and the managing of the tender process.

1. Donovan Payne Architects have provided a quotation for the following

Phase 1 – Concept development - \$ 9,000

Phase 2 – Design Development – detailed architectural design, BCA compliance and engineering input as the basis of the Contract Documentation. - \$ 22,000

Phase 3 – Contract Documentation – preparation of full working drawings and specifications for tender including preparation and assessment and recommendations to Council. \$ 37,000.

Phase 4 – Construction Phase – Contractor appointment inspections, contractor claim certification to practical completion. \$ 21,000.

2. Hoffman Architecture

Phase 1 – Concept development - \$ 13,250

Phase 2 – Design Development – detailed architectural design, BCA compliance and engineering input as the basis of the Contract Documentation. - \$ 24,500

Phase 3 – Contract Documentation – preparation of full working drawings and specifications for tender including preparation and assessment and recommendations to Council. \$ 39,000.

Phase 4 – Construction Phase – Contractor appointment inspections, contractor claim certification to practical completion. \$ 23,000.

Statutory Environment

Nil



Policy Implications

Council Purchasing Policy 6.3 requires that two written quotes be obtained for purchases over \$ 35,000.



Strategic Implications

Nil



Financial Implications

Funding from the LRCIP Round 3 grant allocation has been allocated to this project.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council engage Donovan Payne Architects to undertake Concept & Design Development and Contract Documentation for the cost of \$ 68,000 plus GST, so that Stage 1 Swimming Pool Kiosk Building can proceed to tender.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Della Bosca

12/03-22 That Council engage Donovan Payne Architects to undertake Concept & Design Development and Contract Documentation for the cost of \$ 68,000 plus GST, so that Stage 1 Swimming Pool Kiosk Building can proceed to tender.


CARRIED 6/0

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of Closely Association Person and Impartiality interest are to be made by Cr Daimon Geier

Daimon Geier declared an Impartiality Interest in item 9.2.2 as his son is playing in the MDJFA (Colts) competition and left the meeting at 4.04pm

9.2.2 MERREDIN & DISTRICTS JUNIOR FOOTBALL ASSOCIATION (COLTS)

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	
Disclosure of Interest:	Cr Geier has a son playing in the Colts competition.
Attachments:	Nil
Signature:	Officer CEO



Purpose of the Report

Executive Decision Legislative Requirement

Summary

A request has been made from the Merredin & Districts Football Association (Colts) for use of the Westonia Community Bus at “cost price” for six (6) games this season.

Background

The Merredin & Districts Junior Football Association (Colts) have made a formal request for the use of the Westonia Community Bus to travel to six (6) away games in the towns of Northam, Toodyay and York. Their request comes on the back of an offer made in previous seasons from Council to use the Westonia Community Bus free of charge on the proviso that fuel costs were covered by a third party (namely Liberty Fuels).

Comment

Up to 6 kids located in and around the Westonia district as well as several “Burracoppin Football Club” kids would be catching the bus on these occasions.

The main reason for requiring the bus is due to the large amount of disadvantage kids in the Merredin & surrounding area from broken homes etc that may not be able to play football without such transport. There is also a large portion of the families still involved with either local senior football (Burracoppin & Nukarni) or local netball, Hockey (senior & junior) who need a parent to follow either sport.

The MDJFA (Colts) are currently actively pursuing a sponsor (Liberty Fuels) for the fuel side of the project to help keep the overall cost to nil.

Daimon Geier and Brett Lane as parents of junior footballers have offered to drive the bus.

The MDJFA (Colts) would not utilise this bus or any other if it was required to pay a rate per kilometre and another alternative would need to be sourced.


If Council were to approve the request, the MDJFA (Colts) would promote the Shire of Westonia as a major sponsor of the association.

Statutory Environment

Nil

9.2.4 CSRFF GRANT APPLICATIONS – DIORITE STREET RECREATION PRECINCT

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	F1.10.2
Disclosure of Interest:	Nil
Attachments:	Nil
Signature:	Officer CEO



Purpose of the Report

- Executive Decision Legislative Requirement

This report seeks Council’s endorsement of the application submitted to the Department of Sport & Recreations CSRFF program.

Background

The purpose of the program is to provide financial assistance to community groups and local governments to develop basic infrastructure for sport and recreation. The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well utilised facilities.

Through CSRFF, the Western Australian Government will invest \$12.5 million in the 2022–2023 financial year towards the development of quality physical environments in which people can enjoy sport and recreation. The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST) up to a maximum grant of \$2 million.

There are three categories of grants under the program which include

1. Small Grants program for projects under \$ 300,000
2. Annual Grants program for projects between \$300,000 - \$ 500,000.
3. Forward Planning Grant for projects over \$ 500,000 - \$ 2m.

Grant applications for the Small Grants need to be submitted by 31st March 2022.

Comment

An onsite meeting with Samantha Cornthwaite A/Regional Manager, Wheatbelt Department of Sport & Recreation and club/Council representatives was conducted on Friday 11th March to discuss what options the Council had for submitting applications to assist in the redevelopment of the bowling greens and Kiosk Toilet facilities at the swimming pool.

A meeting was also held on the same day with Mark Frazer Evergreen who are the installers of the preferred synthetic surface on the Bowling Green to firm up the quotation for the project. The quotation has amounted to ?

It is recommended that Council submit a small grant application to assist in the construction of the 6 rink bowling green for the amount of \$?

Statutory Environment

Local Government Act 1995.

Policy Implications

Council does not have a policy in relation to this matter

Strategic Implications

Diorite Street Recreational Precinct revitalisation project.

Financial Implications

Grant funding to assist capital projects to be included in the 2022/23 financial year budget.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council endorse the application submitted to the Department of Sport & Recreations CSRFF program for the Expansion of the Westonia Bowling Club from 4 rinks to 6 rinks and that this application be rated as Priority 1 as it is the sole application received.

RESOLUTION

Moved: Cr Corsini



Seconded: Cr Della Bosca

15/03-22

That Council agree to submit an application to the Department of Sport & Recreations CSRFF program for the Expansion of the Westonia Bowling Club from 4 rinks to 6 rinks and that this application be rated as Priority 1 as it is the sole application received.

CARRIED 6/0

9.2.5 DISABILITY ACCESS & INCLUSION PLAN

Responsible Officer:	Bill Price, CEO	
Author:	Jasmine Geier, Manager of Corporate Services	
File Reference:	A2.8.4 Policy and Procedure	
Disclosure of Interest:	Nil	
Attachments:	Attachment 9.2.5 Disability Inclusion Plan	
Signature:	Officer	CEO
		

Purpose of the Report

Executive Decision

Legislative Requirement

Background

Pursuant to the provisions of the Disability Services Act 2004 local government is required to review the Disability Access and Inclusion Plan.

Comment

In accordance with the Disability Services Act every Disability Access and Inclusion Plan (DAIP) is to be reviewed every 5 years. The Shire of Westonia DAIP is due to be reviewed in 2021 as the current Plan was adopted in 2017.

A notice was published on our website & Facebook Page on 14th February 2022 advertising / participate in an online survey that the DAIP was to be reviewed and invited interested people to take part in the review process.

The current DAIP has been attached for Councillors to view. The draft DAIP has now been reviewed by Management and will then be recommended for adoption for advertising purposes as required by the legislation.

The process requires the DAIP be advertised for a period of time and calls for submissions to be made. In addition, the DAIP should be provided to interest groups such as Senior groups and local medical providers. The DAIP also requires input from the Disability Services Commission.

The reviewed DAIP needs to be adopted by Council prior to it being forwarded to the Disability Services Commission.

Statutory Environment

It is a requirement of the 2004 Regulations that at a minimum the plan is advertised in a newspaper circulating within the region for a period of not less than 4 weeks (14th April 2022).

Advertising may include website access and direct contact with other organisations. For the purpose of this exercise, it is suggested that the following process be followed:

1. a notice is placed in the monthly newsletter for circulation (Westonian)
2. a copy of the plan is placed on Council's website; and
3. a copy is supplied to the local Senior Citizens group for comment;

At the completion of the advertising period the DAIP will be presented to Council for consideration and adoption.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

A full review and update of the plan was completed internally requiring no external consultation fees, providing a saving to Council. Advertising cost of approximately \$300 is expected.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council reviews the Disability Access and Inclusion Plan for the Shire of Westonia and advertises as per below prior to formal adoption at the April meeting:

1. a notice is placed in the monthly newsletter for circulation (Westonian)
2. a copy of the plan is placed on Council's website; and
3. a copy is supplied to the local Senior Citizens group for comment.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Huxtable

16/03-22 That Council reviews the Disability Access and Inclusion Plan for the Shire of Westonia and advertises as per below prior to formal adoption at the April meeting:


1. a notice is placed in the monthly newsletter for circulation (Westonian)
2. a copy of the plan is placed on Council's website; and
3. a copy is supplied to the local Senior Citizens group for comment.

CARRIED 6/0

9.3 WORKS AND SERVICES

9.3.1 TRANSPLUS – RAV 7 APPLICATION

Responsible Officer:	Bill Price, CEO	
Author:	Bill Price, CEO	
File Reference:	T6.1.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report

- Executive Decision Legislative Requirement

This report seeks Council direction on whether to grant a RAV Category 7 Heavy Vehicle combination concession to Transplus on the Walgoolan South Road.

Background

Council currently has a request from Transplus to operate a RAV Category 7 Heavy Vehicle combination on the Walgoolan South Road in the Shire of Westonia:

As it currently stands, Walgoolan South Road is a RAV Network 4 with conditions.

Comment

Council no longer has a staff member qualified to do the RAV assessments. Main Roads heavy vehicles have their own assessor to inspect the road should Council support the application.

Having spoken to Derek at Transplus he is seeking the concession for Harvest traffic which need to access the Great Eastern Highway from land holdings to the South, rather than the existing clay lime operation.

It is recommended that as other operators utilise RAV 7 configuration vehicles on this route that it be extended to Transplus operations for grain harvest operations only with conditions.

Statutory Environment

Nil

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil.

Voting Requirements

- Simple Majority Absolute Majority

9.4 ENIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES

Nil

Cr Huxtable returned to the Meeting at 4.43pm

12 DATE AND TIME OF NEXT MEETING

The next ordinary meeting of Council will be held on Thursday 21st April 2022 commencing at 3.30pm.

13 MEETING CLOSURE

There being no further business the Acting Chair, Cr Crees declared the meeting closed at 4.47pm