

**SHIRE OF**  
**WESTONIA**  
A vibrant community lifestyle

# Minutes

## Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia  
Thursday 23<sup>rd</sup> May 2019

### CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 20<sup>th</sup> June 2019 as a true and accurate record of the Ordinary Council Meeting held 23<sup>rd</sup> May 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.

TABLE OF CONTENTS

<b>1. DECLARATION OF OPENING</b>	<b>4</b>
<b>2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE</b>	<b>4</b>
<b>3. PUBLIC QUESTION TIME (3.32PM – 3.47PM)</b>	<b>4</b>
<b>4. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>4</b>
<b>5. CONFIRMATION OF PREVIOUS MINUTES</b>	<b>4</b>
<b>6. RECEIVAL OF MINUTES</b>	<b>4</b>
<b>7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS</b>	<b>5</b>
<b>8. DECLARATION OF INTEREST</b>	<b>6</b>
<b>9. MATTERS REQUIRING A COUNCIL DECISION</b>	<b>7</b>
9.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES	7
9.1.1 ACCOUNTS FOR PAYMENT	7
9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – APRIL 2019	9
9.1.3 GST RECONCILIATION REPORT – APRIL 2019	11
9.1.4 POLICY MANUAL	13
9.1.5 DELEGATIONS MANUAL	15
9.1.6 DIFFERENTIAL RATES 2019/2020	17
9.1.7 WEROC ANNUAL BUDGET	21
9.1.8 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER	24
9.1.10 LOCAL GOVERNMENT WEEK CONVENTION	28
9.2 COMMUNITY AND REGULATORY SERVICE	30
9.3 WORKS AND SERVICE	31
9.3.1 WHEATBELT SECONDARY FREIGHT ROUTE	31
9.3.2 MAIN ROADS – LAND ACQUISITION GREAT EASTERN HIGHWAY)	37
9.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES	45
<b>10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>46</b>
<b>11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING</b>	<b>46</b>
11.1 RAMELIUS RESOURCES – GREENFINCH CLEARING PROPOSAL	46
11.2 PURCHASE OF SECONDHAND GARDENERS UTE	55
9.1.9 CHIEF EXECUTIVE OFFICER APPRAISAL	56
<b>12 DATE AND TIME OF NEXT MEETING</b>	<b>56</b>
<b>13 MEETING CLOSURE</b>	<b>56</b>





## 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 **23<sup>rd</sup> May 2019**.

<b>Name/Position</b>	Jamie Criddle, Chief Executive Officer
<b>Item No./Subject</b>	9.1.9 CEO Appraisal
<b>Nature of interest</b>	Financial Interest
<b>Extent of Interest</b>	Officer in question of the report

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 **23<sup>rd</sup> May 2019**.

<b>Name/Position</b>	Cr Daimon Geier
<b>Item No./Subject</b>	11.1 Ramelius Resources – Greenfinch Expansion
<b>Nature of interest</b>	Impartiality Interest
<b>Extent of Interest</b>	Employee of Ramelius Resources



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 **23<sup>rd</sup> May 2019**.

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

## 9. MATTERS REQUIRING A COUNCIL DECISION

### 9.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES

#### 9.1.1 ACCOUNTS FOR PAYMENT

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

#### 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 April 2019. The credit card statements currently show:  
-

CEO **April 2019 \$2,657.44** associated with the purchase of Activ8inet Housing & Office, Fuel, Meals CEACA, Email Exchange Platform, Donation Outback Family History, Henry Vacuum, and Forms Express

Works Supervisor **April 2019 \$132.46** associated with the purchase of Load Restraint Guides, BWS Refreshment

#### 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





## 9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – APRIL 2019

---

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

---

### 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 30<sup>th</sup> April 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





### 9.1.3 GST RECONCILIATION REPORT – APRIL 2019

---

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

---

---

#### **Purpose of the Report**

- Executive Decision                       Legislative Requirement

#### **Background**

The Reconciled Balance of the GST Ledger to the General Ledger as reported as at 30<sup>th</sup> April 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 \$8,166.00 for the period ending 30<sup>th</sup> April 2019 adopted.




## 9.1.4 POLICY MANUAL

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO	
<b>Author:</b>	Jamie Criddle, CEO	
<b>File Reference:</b>	A2.8.5	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Nil	

---

<b>Signature:</b>	<b>Officer</b>	<b>CEO</b>
-------------------	----------------	------------



---

### Purpose of the Report

Executive Decision

Legislative Requirement

### Summary

To complete an annual review of Council's Policy Manual.

### Background

Council consideration in adopting Council's Policy Manual last reviewed in May 2018.

### Comment

Council's Policy Manual was last reviewed in May 2018. The objectives of the Policy Manual are:

- to provide Council with a formal written record of all policy decisions;
- to provide staff with precise guidelines in which to act in accordance with Council's wishes;
- to enable staff to act promptly in accordance with Council's requirements but without continual reference to Council;
- to enable Councillors to adequately handle enquiries from electors without undue reference to the staff or Council;
- to enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances; and
- to enable ratepayers to obtain immediate advice on matters of Council Policy.

A copy of the Policy Manual is attached which includes any new policies adopted by Council since the last review.

The Chief Executive Officer will provide comment on existing and future policies prior to the meeting.

Councillors are requested to also review the policies and advise the CEO of any requested changes.

### Statutory Environment

Local Government Act 1995 – Section 2.7(2)(b) Role of Council.

A key role of Council is to determine the local government's policies.

Local Government Act 1995 – Section 5.42 Delegation of some powers and duties to CEO.

In order for the CEO to carry out the duties and tasks contained within the policy, appropriate delegations need to be in place.

Local Government (Financial Management) Regulations 1996 – Regulations 5 and 11.

### Policy Implications

Review of Council Policies



**Strategic Implications**

N/A



**Financial Implications**

There are no direct financial implications in relation to his item.



**Voting Requirements**



Simple Majority



Absolute Majority

---

**OFFICER RECOMMENDATIONS**

That Council reviews the current policies, makes changes and adopts the policies contained within the Policy Manual.

---

**RESOLUTION**

Moved:

Cr Geier

Seconded:

Cr Della Bosca

06/05-19

That Council reviews the current policies, makes changes and adopts the policies contained within the Policy Manual.


**CARRIED 5/0 BY ABSOLUTE MAJORITY**

### 9.1.5 DELEGATIONS MANUAL

---

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

---



#### Purpose of the Report

Executive Decision

Legislative Requirement

#### Summary

To complete the yearly review 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.

Since the previous review there have been no new delegations, amended delegations or revoked delegations. Further, no changes are contemplated from this review.

#### 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

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 favorably 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 reviews the current Delegation, makes changes and adopts the delegations contained within the Delegation Manual.

---

#### RESOLUTION

Moved:

Cr Corsini

Seconded:

Cr Della Bosca

07/05-19

That Council reviews the current Delegation, makes changes and adopts the delegations contained within the Delegation Manual.

CARRIED 5/0 BY ABSOLUTE MAJORITY





**b) Statement of Rating Information 2019-20**

2. Support the following differential rates in the dollar and minimum payments for the GRV and UV rated properties, subject to finalisation of the 2019/2020 draft budget:

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
GRV General	7.2073	355.00
GRV Mining	20.4953	355.00

3. Seek the Minister for Local Government's approval to impose differential general rates more than twice the lowest rate; and
4. That Council publicly advertises its intention to impose differential rates, pursuant to section 6.36 (1) of the Local Government Act 1995 and invites public submissions for a period of twenty one days; and
5. That Council consider any submissions in respect of imposition of differential rates as part of the 2019/2020 Budget deliberations.

**CARRIED 5/1**

*It must be understood the purpose of this Agenda Item is to set an estimated Differential Rate so a request can be sent to the Minister after advertising and seeking submissions from the electorate. Invariable the actual rate amount set may differ from the estimate once the valuations have been received from Landgate for the next financial year. However the legislations allows these rate in dollar amounts to be adjusted to reflect the actual valuations by making notation in the Shires Adopted Budget and on the Rate Notices sent out. Such notation is to explain the reason for the difference between the advertise Differential Rate and that impose being due to valuation adjustments from Landgate.*

The table below shows the proposed revised rate categories for 2019/2020 and the rate in cents and minimum amounts; for all rate categories.

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
GRV General	7.2073	355.00
GRV Mining	20.4953	355.00
UV General	1.5922	355.00
UV Mining	1.5922	200.00

"The overall objective of the proposed rates in the 2019/20 Budget is to provide for the net funding requirements of the Shire's services, activities, financing costs and the current and future capital requirements of the Shire. Council has determined its required rates yield after taking into account all revenue sources, expenditure and efficiency measures as part of budget deliberations. The Council was satisfied that it has, on an ongoing basis, reviewed its expenditure, and this is supported by the fact that it has not increased its full time employee numbers since 2012. In support of its measures to continue to ensure maximum efficiency and effectiveness within its operational costs, and in recognition of the slow growth in the economy, especially with regard to the mining sector, the Council requested that the 2019-20 rates be set at the minimum levels set out in the Strategic Community Plan & LTFP .

In Reviewing its expenditure and considered efficiency measures as part of its budget deliberations, the following actions have been undertaken:

Efficiency Measures:

- reviewed the need for and remuneration of each position as vacancies arise;
- expanded the provision of road building services to other local governments on a fee for service basis;
- conducted several internal audits of governance and legislative compliance;

- reduced some facility opening hours in line with service review findings regarding usage patterns;
- review staff housing policy;
- disposed of surplus staff housing stock;”

### **Statutory Environment**

Under section 6.36 of the Local Government Act 1995, Council is required to give local public notice of the intention of Council to impose differential rates, or a minimum payment under a differential rate category. Local public notice includes publishing in a newspaper circulating in the district, exhibiting on the notice board of the local government office, and exhibiting on the notice board of the library inviting submissions in respect of the following information, for a minimum of 21 days;

- Details of each rate or minimum payment the local government intends to impose,
- Invitation for submissions to be made in respect of the proposed rate or minimum payment and any related matters.

### **Policy Implications**

There are no policies relating to this matter.

### **Strategic Implications**

N/A

### **Financial Implications**

The Shire’s principle source of income is through rates. It is an essential part of the budget process that the Council consider the level of rates that need to be raised in the context of funding the annual budget. It must also be noted that as other income, such as fees and charges are fixed by external legislation, there is very little scope for the Shire to increase this revenue source to keep up with the rising costs of service provision, therefore, these increasing costs must be borne by increases in rates.

The Shire has until 31 August each year to adopt the Annual Budget, as the Shire is a growing organisation and as such we are heavily reliant on receiving rates income to fund our operations, including salaries. With this in mind, setting the level of rates for advertising and allowing the adoption of the annual budget in June, after the close of the advertising period, is a very high priority to enable rates notices to be issued. The Shire prepares its cash flow based on starting to receive rate payments in late August each year.

### **Voting Requirements**

Simple Majority

Absolute Majority




## 9.1.7 WEROC ANNUAL BUDGET

---

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

---



### Purpose of the Report



Executive Decision



Legislative Requirement

At recent meetings of WEROC and Wheatbelt Communities, the proposed Budget was put forward to the respective members for comment and approval.

### Background

By way of background, at the WEROC Council Meeting held in Southern Cross on Wednesday 27 February 2019 it was resolved in part as follows:

*"...That Wheatbelt Communities Inc become the entity through which the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn continue to work cooperatively;*

*That the Wheatbelt Communities Inc Constitution be reviewed to recognise that it is the sole vehicle for the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn cooperatively working; ..."*

At the WEROC Executive Meeting held on Wednesday 27 March 2019 it was resolved as follows:

**RESOLUTION:**

**Moved: Greg Powell**

**Seconded: Darren Mollenoyux**

---

***That the Executive recommend to the next meeting of both Wheatbelt Communities Inc and WEROC that the Draft Budget for the year ending 30 June 2020, as presented, with a general subscription for each Member Organisation set at \$12,000 (excluding GST) and in accordance with the Wheatbelt Communities Inc Constitution be referred to Member Organisations for comment, with all comments to be submitted to the Executive Officer no later than Friday 31 May 2019.***

**CARRIED**

### Comment

As a consequence, a draft budget as outlined below, has been developed in line with clause 18 of the Wheatbelt Communities Inc (WCI) Constitution.

Clause 18 requires that a draft budget is prepared at least two months before the end of the financial year and then forwarded to each Member Organisation for comment prior to adoption.

In drafting the budget, the WEROC 2018/2019 and WCI 2018/2019 budgets have been combined to provide a consolidated document from which a new WEROC 2019/2020 draft budget, as outlined below, has been developed. As the WCI is the continuing organisation with a name change to WEROC the ABN for WCI has been retained.

In reviewing the draft budget, the WEROC and WCI income and expenditure for the 2018/2019 year have been shown as separate line items with the WCI line items highlighted in yellow. It should also be noted that the budget has been titled “WEROC Inc” to reflect the name of the combined entity.

In considering the draft budget, the following notes may assist Member Organisations:

#### Income

- A. Based on the estimates as at 30 June 2019 the balance in the WEROC account will be approximately \$160,000. It is therefore proposed that the total annual subscription be retained at \$12,000 per Member Organisation (including the previous contribution to the Consultancy and Project Reserve).
- B. In regard to the Consultancy and Project Reserve this amount has been incorporated into the General Subscription.
- C. Interest accrued on general operating WEROC funds. The amount of interest is slowly declining due to interest rates “falling”.

#### Expenditure

1. The allocations relate to the WEROC Executive Officer services. The allocations cover professional services including office expenses and travel and accommodation. With the winding up of WEROC on the 30 June 2019 it is proposed that the expenditure for Executive Services for the June 2019 be paid during June to avoid having any outstanding creditors.
2. This allocation covers the cost of managing the financial management and the conduct of the annual audit. It should be noted that it will be necessary to carry out audits for both WEROC and WCI as at 30 June 2019. An allocation has been made for this expenditure.
3. This allocation is to enable the WEROC to undertake special projects or consultancies.
4. This allocation is to provide funding for the management of the WEROC App.
5. This is a new allocation as it may be necessary, as an incorporated body, to “take out” similar insurance to CEACA. No estimate of costs has been received.
6. This is a general allocation for legal expenses to simply cover any eventuality.
7. This is a specific allocation to cover the cost of developing a new WEROC Constitution using the WCI Constitution as a base. It provides for legal fees and costs associated with lodging the change of name and new Constitution with the Department of Mines, Industry Regulation and Safety. If the work is undertaken during the current financial year this allocation can be deleted when WEROC is formally adopting the budget.

It is anticipated that the proposed budget will leave the newly formed “WEROC Inc” with a balance at the 30 June 2020 of around \$90,000.

#### Statutory Environment

Nil

#### Policy Implications

Nil

#### Strategic Implications

N/A

#### Financial Implications

It is expected that the following budget allocations be made under account 04106 – Subscriptions:

WEROC	\$12,000
-------	----------

**NO CHANGE FROM THE PREVIOUS YEAR**



**Voting Requirements**

- Simple Majority                       Absolute Majority

---

**OFFICER RECOMMENDATIONS**

---

That Council allocates the following budget allocations be made under account 04106 – Subscriptions for the 2019/20 draft budget:  
WEROC \$12,000 (excluding GST)

---

---

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

09/05-19                      **That Council allocates the following budget allocations be made under account 04106 – Subscriptions for the 2019/20 draft budget:**  
WEROC                      \$12,000 (excluding GST)


**CARRIED 5/0**

## 9.1.8 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

---

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

---



### **Purpose of the Report**

Executive Decision

Legislative Requirement

Council to consider the appointment of an acting Chief Executive Officer from Thursday 4<sup>th</sup> July to Friday 2<sup>nd</sup> August 2019 while the Chief Executive Officer is on leave.

### **Background**

The Chief Executive Officer has discussed the Acting Chief Executive Officer options with the Council. The Council feel due to the timing and other Executive Team members leave commitments Council has requested to appoint an external Acting Chief Executive Officer from 14 August to 2 September 2018.

The Chief Executive Officer has made contact with Mr John Merrick. Mr Merrick has indicated he is prepared to be appointed to the position of Acting Chief Executive Officer of the Shire of Westonia from 3<sup>rd</sup> July to 2<sup>nd</sup> August 2019.

### **Comment**

The Chief Executive Officer's request for leave as outlined in the April Agenda was to go on Long Service Leave.

Mr Merrick has been contacted due to his experience within local government as a Chief Executive Officer. Mr Merrick has worked in local governments for over 30 years and held the following positions:

- Director Administration & Community Services at the City of Belmont
- Director Administration & Community Services at the City of Bayswater
- Chief Executive Officer at the Shire of Irwin
- Chief Executive Officer at the Shire of Chittering.
- Chief Executive Officer at the Shire of Peppermint Grove
- John Merrick Consulting, undertaking various roles within Local Government including; Project Management for the Shires of Yilgarn and Westonia dealing with the integration of process's and strategic planning preparatory to a proposed amalgamation, Acting CEO for the Shire of Chapman Valley and more recently, Acting CEO at the Shire of Westonia.

The remuneration offered to Mr Merrick will be within the Band 4 reward package range prescribed by the Salaries and Allowances Tribunal in negotiation with the Shire President.

### **Statutory Environment**

Section 5.36 of the Local Government Act 1995 provides that:

(1) A local government is to employ —

(a) a person to be the CEO of the local government; and



(b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.

(2) A person is not to be employed in the position of CEO unless the council —

(a) believes that the person is suitably qualified for the position; and

(b) is satisfied with the provisions of the proposed employment contract.

(3) A person is not to be employed by a local government in any other position unless the CEO —

(a) Believes that the person is suitably qualified for the position; and

(b) is satisfied with the proposed arrangements relating to the person's employment.

(4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement into contain such information with respect to the position as is prescribed.

(5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

(5) For the avoidance of doubt, subsection (4) does not impose requirement to advertise a position before the renewal of contract referred to in section 5.39.

Regulation 18 of the Local Government (Administration) Regulations provides that:

(1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —

(a) on a notice board exhibited to the public at the local government's offices, if the position is —

(i) to be filled on a part time basis by a person who is also employed by another local government; or

(ii) an acting position for a term not exceeding one year;

or

(b) otherwise, in a newspaper circulating generally throughout the State.

(2) An advertisement referred to in sub regulation (1) is to contain —

(a) the details of the remuneration and benefits offered;

(b) details of the place where applications for the position are to be submitted;

(c) the date and time for the closing of applications for the position;

(d) the duration of the proposed contract;

(e) contact details for a person who can provide further information about the position; and

(f) any other information that the local government considers is relevant.



**Consultation**

Shire President

Full Council



**Policy Implications**

Nil.



**Strategic Implications**

The appointment of an external Acting Chief Executive Officer will allow operation to continue and be suitably resourced.

Effective Staff Performance

Civic Leadership

- Manage the Organisation in a responsible and accountable manner.



### Financial Implications

Allocation in the 2019/20 Annual Budget



### Voting Requirements

Simple Majority

Absolute Majority

---

### OFFICER RECOMMENDATIONS

---

That Council Approve:

1. Mr John Merrick be appointed as Acting Chief Executive Officer with full delegation from 3 July to 2 August 2019.
2. The Shire President in the event that the Chief Executive Officer's leave needs to be extended to negotiate with Mr Merrick an extension of appointment and a remuneration package beyond the period of stated leave within the Band 4 reward package range prescribed by the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act 1975.

---

### RESOLUTION

---

Moved:

Cr

Seconded:

Cr

10/05-19

That Council Approve:

1. Mr John Merrick be appointed as Acting Chief Executive Officer with full delegation from 3 July to 2 August 2019.
2. The Shire President in the event that the Chief Executive Officer's leave needs to be extended to negotiate with Mr Merrick an extension of appointment and a remuneration package beyond the period of stated leave within the Band 4 reward package range prescribed by the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act 1975.
3. Mr. John Merrick to be an approved signatory on all Shire of Westonia Bank Accounts.

CARRIED 5/0


**It was requested to move the following item 9.1.9 to the end of the meeting to go into camera.**

### 9.1.10 LOCAL GOVERNMENT WEEK CONVENTION

---

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

---



#### Purpose of the Report



Executive Decision



Legislative Requirement

#### Summary

Advice from WALGA of the 2019 Annual General Meeting and Local Government Week 2019 Conference. Council is to resolve who will be attending the conference.

#### Background

Details have been received (attached to the agenda) from WALGA for the 2019 Local Government Week Convention and the Annual General Meeting.

The conference is to be held at the Perth Convention Exhibition Centre. The format for 2016 is summarised as per the following:

Wednesday 7 August – 8.30pm – 12.30pm State & Local Government Forum

Wednesday 7 August – 1.30pm Annual General Meeting

Thursday 8 August - Main Convention sessions

Friday 9 August - Conference sessions continue

#### **Registrations close Tuesday 16 July 2019.**

Councillors Day, Huxtable, Corsini and Della Bosca attended the conference last year with Cr's Day and Huxtable listed as the voting delegates for the WALGA Annual General Meeting.

Council also requires delegates with voting entitlements for the WALGA Annual General Meeting, generally the President and Deputy if they attend.

In addition to the convention WALGA have provided formal notice of the Annual General Meeting and are seeking member motions.

This year there are also opportunities for professional development throughout the whole week of the conference. Elected Members can enroll for courses on the attached forms.

#### Comment

It is recommended that a firm commitment be obtained from Councillors of who wishes to attend the convention either at the May meeting or in the week following the meeting to allow early registration.

All registrations will be undertaken by Management, Councillors are requested not to progress with registration on line as indicated within the brochure.

**Statutory Environment**

Nil

**Policy Implications**

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

**Strategic Implications**

Nil

**Financial Implications**

A committed provision within the 2019/2020 budget must be made for all costs associated with attendance to the conference.

**Voting Requirements**



Simple Majority



Absolute Majority

---

**OFFICER RECOMMENDATIONS**

---

That

1. Cr's (to be inserted) and the CEO attend the 2019 WA Local Government Convention.
2. Council confirms voting delegates attending the WALGA Annual General Meeting.
3. Council nominates a Department to meet (if any) for the State & Local Government Forum.

---

**RESOLUTION**

---

Moved: Cr Geier

Seconded: Cr Huxtable

12/05-19 That

1. Cr's Huxtable, Geier and Della Bosca and the CEO attend the 2019 WA Local Government Convention, with other Councillors to notify of their intentions prior to the June meeting.
2. Council confirms Cr Huxtable and Cr Geier as voting delegates attending the WALGA Annual General Meeting.
3. Council endorses the CEO's actions in nominating the Department of Water, Environment Regulation to meet for the State & Local Government Forum.

CARRIED 5/0

**9.2 COMMUNITY AND REGULATORY SERVICE**  
**NIL**


## 9.3 WORKS AND SERVICE

### 9.3.1 WHEATBELT SECONDARY FREIGHT ROUTE

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO
<b>Author:</b>	Jamie Criddle, CEO
<b>File Reference:</b>	A2.8.5
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Signature:</b>	<b>Officer</b> <span style="float: right;"><b>CEO</b></span>

---



#### Purpose of the Report



Executive Decision



Legislative Requirement

#### Summary

For Council to consider support for the Wheatbelt Secondary Freight Network project by reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

#### Background

The Wheatbelt Secondary Freight Network (WSFN) network comprises 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The project is being driven by local government authorities with a Working Group established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

Over the last 2 years, 42 Local Government authorities across the region have collaborated to identify priority routes and have also participated in a technical data collection process, preparation of a pre-feasibility business case and a cost benefit analysis of the planning process. The in-kind investment by local government to date is estimated to be in excess of \$750,000. The process has been an excellent example of a large number of local governments working together on a common strategic regional priority. The key undertakings of the project so far are:

1. Identification of nominated WSFN roads based upon a simple criteria developed by RRG.
2. Determination of basic project framework and minimum design standards.
3. Road condition assessment against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments is:

	<b>Route Length (km)</b>	<b>Proposed Works (km)</b>	<b>Proposed Length (%)</b>	<b>Indicative Costs (\$)</b>
<b>TOTAL</b>	4,337	2,851	66	\$ 493,000,000

This initial approach was to assist the Working Group to work towards an Infrastructure Australia Stage 3/4 submission for inclusion of the WSFN project on the Infrastructure Australia Infrastructure Priority List (IPL). The long term goal is to obtain funding support for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. The group is working towards submitting an IA Stage 4 Business Case submission for the WSFR. The project development costs associated with the business case submission are estimated to be \$5M, which is in the order of 1% of the estimated capital investment.

The following provides an outline of the proposed budget and funding applications that were submitted to assist with the development and planning stages the WSFN project.

<b>Stages</b>	<b>Budget and Funding Sources</b>
<b>Stage 1 – Strategic Planning</b>	<b>\$1,000,000</b>
<ul style="list-style-type: none"> <li>▪ Design Criteria and Objectives</li> <li>▪ Options Assessment</li> <li>▪ Collated Data Review</li> <li>▪ Multiple Criteria Assessment</li> <li>▪ Staging Plan</li> </ul>	<ul style="list-style-type: none"> <li>▪ BBRF (\$750K)</li> <li>▪ LGA co-contribution (\$250K)</li> </ul>
<b>Stage 2 – Detailed Planning</b>	<b>\$3,600,000</b>
<ul style="list-style-type: none"> <li>▪ Concept Design Investigations</li> <li>▪ Preliminary Design Investigations</li> </ul>	<ul style="list-style-type: none"> <li>▪ Commodity Route (\$1M)</li> <li>▪ LGA in-kind</li> </ul>
<b>Stage 3 – IA Stage 3/4 Submission</b>	<b>\$400,000</b>
<ul style="list-style-type: none"> <li>▪ Project Management</li> <li>▪ Governance Plan</li> <li>▪ Business Case Development</li> </ul>	<ul style="list-style-type: none"> <li>▪ REDS (\$100K)</li> <li>▪ LGA in-kind</li> </ul>
	<b>\$5,000,000</b>

▪ **Building Better Regions Fund (BBRF) submission**

The Building Better Regions Fund (BBRF) submission is only intended to contribute towards funding activities associated with Stage 1 – Strategic Planning at an estimated budget of \$1M.



Funding and the associated BBRF application can be summarised as follows:

- Budget
  - Total Cash \$1M
- Funding
  - BBRF \$750K
  - LGA cash co-contribution \$250K.

This strategic planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, the economically optimal sequence for developing the network and ensure that roads are designed and constructed to an optimal standard from a 'whole-of-life' asset management perspective. The detailed planning exercise is expected to achieve a net benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

- **Commodity Freight Roads Fund (CFRF)**

The Commodity Freight Roads Fund submission is intended to contribute towards funding of activities associated with Stage 2 – Detailed Planning. This will specifically entail \$1M for consultants to undertake Preliminary Design Investigations. The remainder of Stage 2 is intended to be undertaken via in-kind by local governments and other funding sources currently being investigated, should they become available.

- **Regional Economic Development (RED) Grant**

The Regional Economic Development (RED) Grants submission is intended to contribute towards funding activities associated with Stage 3 – IA Stage 3/4 Submission. This will specifically entail \$100K for a Lead Consultant to undertake project management. The remainder of Stage 3 is intended to be undertaken via in-kind by local governments and other funding sources being investigated should they become available.

- **Major Project Business Case Fund (MPBCF) Initiative**

The Australian Government is investing \$100 billion over 10 years from 2019–20 through its rolling infrastructure plan to help manage our growing population, meet our national freight challenge and get Australians home sooner and safer. This includes \$250 million allocated to the Major Project Business Case Fund (MPBCF) initiative. Projects with clear strategic merit that has:

- Engagement in the project planning stage
- View of future priorities
- Ready to invest to enable economic activity
- Address nationally significant deficits in the transport system
- Drive economic productivity growth and liveability in cities and regions through transport infrastructure investment

The WSFR Working Group sees the \$5M sought for the Stage 4 IA submission for this regionally significant project as an ideal candidate for the MPBCF.

- **Roads of Strategic Importance (ROSI) Initiative**

The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019–20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. ROSI has the following principles:

- Key freight corridors that connect primary agricultural areas and mining resource regions to ports and other transport hubs.
- Support communities along the corridors and provide better access for tourists and other road users
- Characterised by narrow sections of road, low capacity bridges and deteriorating pavements,
- Constrains the productivity and efficiency of freight movements.
- Catalyse economic activity and improve access to communities and tourist attractions.

From an estimated total of \$500,000,000 in funding the Working Group sought \$125,000,000 over the next 3 years for the delivery of the first stage of capital works.

The Working Group put in separate funding submissions for each of the abovementioned funding sources for the various stages of the project. The project has been successful in obtaining funding from the following sources:

- ROSI initiative funding ()
  - Stage 1 Priority Works – Wheatbelt Secondary Freight Network.
  - The Australian Government has committed \$70 million towards the project.

“Upgrades will be prioritised based on linkages to state and national roads and highways and the rail network. Consideration will also be given to links to six ports and two livestock centres, as well as regional and metro grain receival sites, accessed by the producers of the Wheatbelt region.

Benefits of the project include:

- improve road safety
- improve freight efficiency, connectivity and travel time
- ensure consistent Restricted Access Vehicles (RAVs) ratings across the network, which will provide improved access for agricultural and mining regions to transport hubs”
- RED Grants (Supported by the WA State Government’s Royalties for Regions Program)
  - Lead Consultant Project Coordinator – Wheatbelt Secondary Freight Network.
  - \$100,000.

“The Lead Consultant will form part of the Project Management Team and work with the member organisation Working Group.

The Lead Consultant - Project Management is an integral key to successful project delivery. The complexity and scale of this project is significant and well beyond the technical and financial capabilities of the Wheatbelt shires on an individual basis. Engaging a Lead Consultant – Project Management with the skills and expertise required to work with all technical consultants and the PMT will ensure a cohesive collaborative environment is established for optimum outputs.

The project is planned to be managed via oversight from the WSFR Steering Committee with a nominated Project Manager and the Project Management Team (PMT) representing the WSFR.

Lead Consultant – Project Management will direct the work of the external technical consultants and will be the main contact for communication between the Project Management Team and external consultants.

The WSFN Project will require the specialised skills of a range of external technical consultants. Key areas of technical expertise identified for the project are:

- Civil Design
- Surveying
- Environmental
- Economic Assessment”



**Comment**

Previously 42 local governments were asked to financially contribute to the WSFN project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF. With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become project management pool of approximately \$350,000. This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe. Funding would contribute towards the following nominal requirements:

- Project Coordinator
  - Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
  - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
  - Nominal \$100,000.

### **Community Consultation**

Wheatbelt Secondary Freight Network Working Group - a request has been received by the Chair of the Wheatbelt North Regional Road Group (WBNRRG) for confirmation of Council's consideration of reallocation of the \$6,000 towards the project management.

### **Statutory Environment**

Local Government Act 1995

### **Policy Implications**

Nil

### **Strategic Implications**

Economic Development – Goal 1.4 Actively participate in the Wheatbelt Secondary Freight Network Group

### **Financial Implications**

Reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

\$6,000 that was budgeted for in 2018/19 to be forwarded to 2019/20 Budget

### **Voting Requirements**



Simple Majority



Absolute Majority

---

### **OFFICER RECOMMENDATIONS**

---

That Council:


1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.



Bill Price, Manager of Works entered the meeting a 4.55pm

**9.3.2 MAIN ROADS – LAND ACQUISITION GREAT EASTERN HIGHWAY)**

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



**Purpose of the Report**

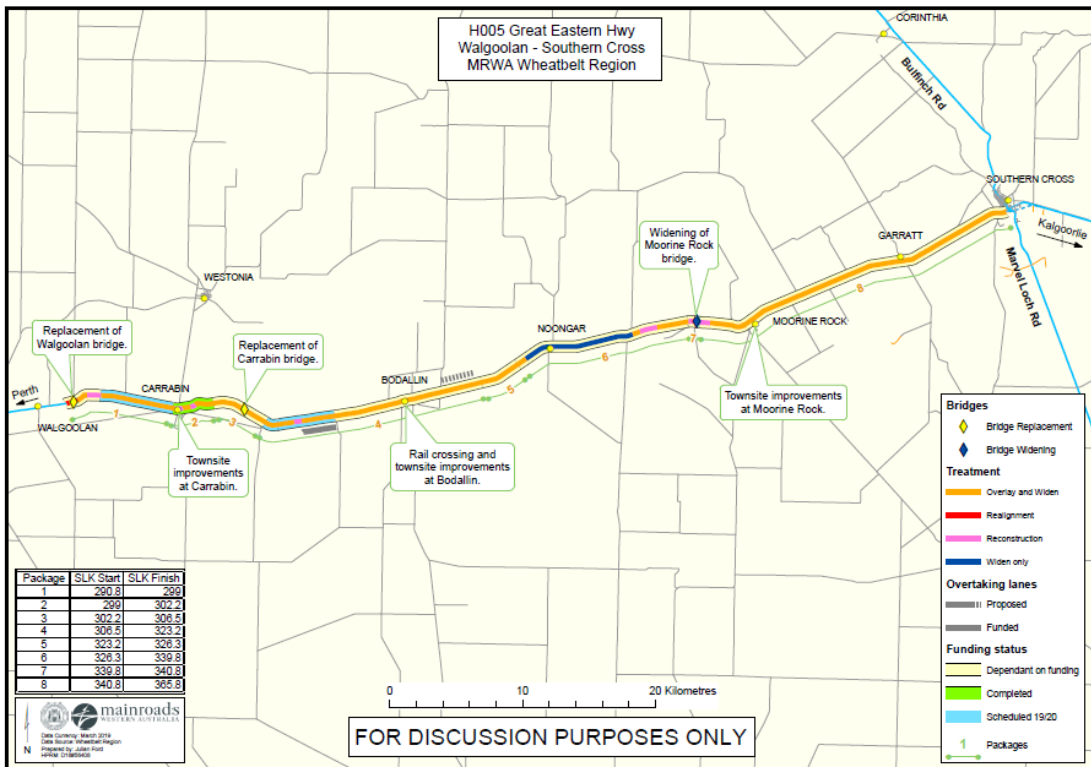
- Executive Decision                       Legislative Requirement

**Summary**

As Councillors will be aware, the WA State Government announced a \$17.2 million funding package over two (2) years for reconstruction works along the Great Eastern Highway, between Walgoolan and Southern Cross. 2018/19 saw \$10.8 million spent on road improvement works carried out between 297.66 and 302.66 SLK through the Carrabin townsite (package 2).

2019/20 will see the remainder spent on construction works within Packages 1, 3 and 4 as scheduled to commence in September/October 2019.

In order to progress the works, several requests from Main Roads require discussion and executive approval to ensure that the correct procedures are adhered to allow the works to progress.



**Community/Stakeholder Consultation**

Landholders

Main Roads Northam



Attached for consideration by Council are plans showing land required for road works within the Shire of Westonia between 291.5 and 306.6 Straight Line Kilometre (SLK) on GEH. In order for the project to proceed, the land shown shaded on the enclosed copies of Land Dealings Plans (LDP) 1960-037 to 1960-041 and Items 1 and 2 on 1760-273-3 is required to be included in the road reserve. It is noted that a Shire resolution was previously received for LDP 1760-273-2 in 2018 and the current land requirement is limited to a widened strip of unallocated Crown land.

Main Roads is in the process of consulting with all affected landowners and other relevant parties including the Departments of Biodiversity, Conservation and Attractions (DBCA) and Planning, Lands and Heritage (DPLH) and arrangements for land acquisition are being progressed.

To enable the land to be dedicated as road reserve it is a requirement of the *Land Administration Act 1997* (LAA) that local governments resolve to dedicate the road.

It would be appreciated if Council could consider the matter at its next meeting and provide the following statement in a letter to Main Roads to satisfy the requirements of DPLH, who will manage the road dedication when the land has been acquired:

***“Council at its ordinary meeting held on (Day Month Year) passed a resolution for the dedication of the land the subject of Main Roads Land Dealing Plans 1960-037, 1960-038, 1960-039, 1960-040, 1960-041 and Items 1 and 2 on 1760-273-3 as a road pursuant to section 56 of the Land Administration Act 1997.”***

Main Roads will cover all costs and claims that may arise as a result of the dedication and road closure.

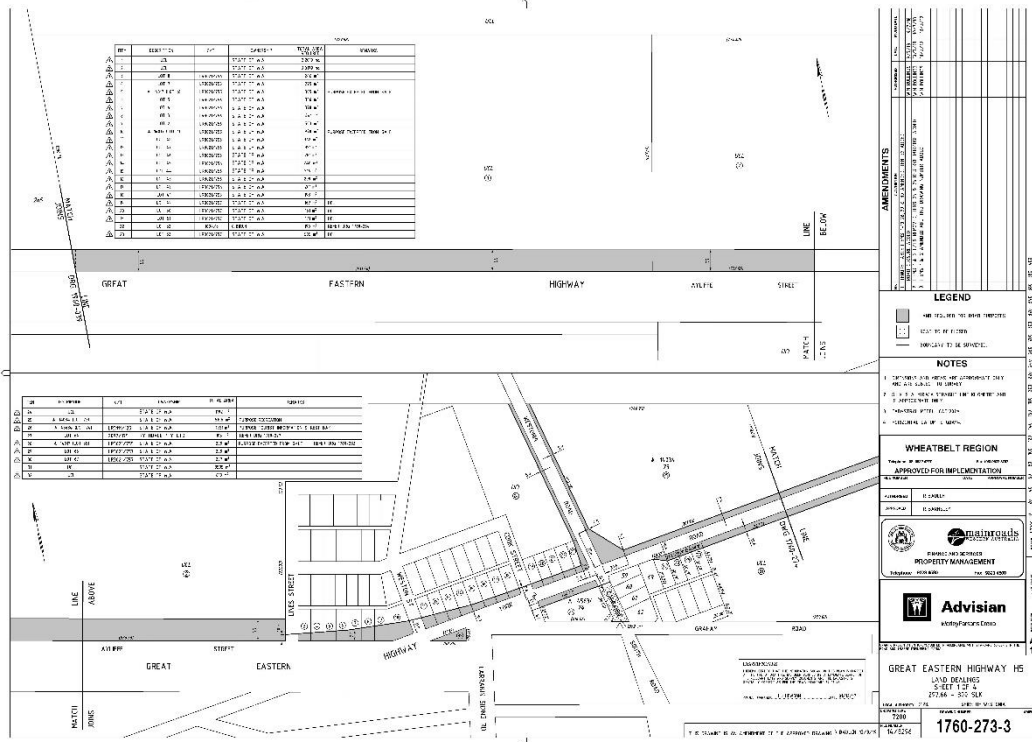
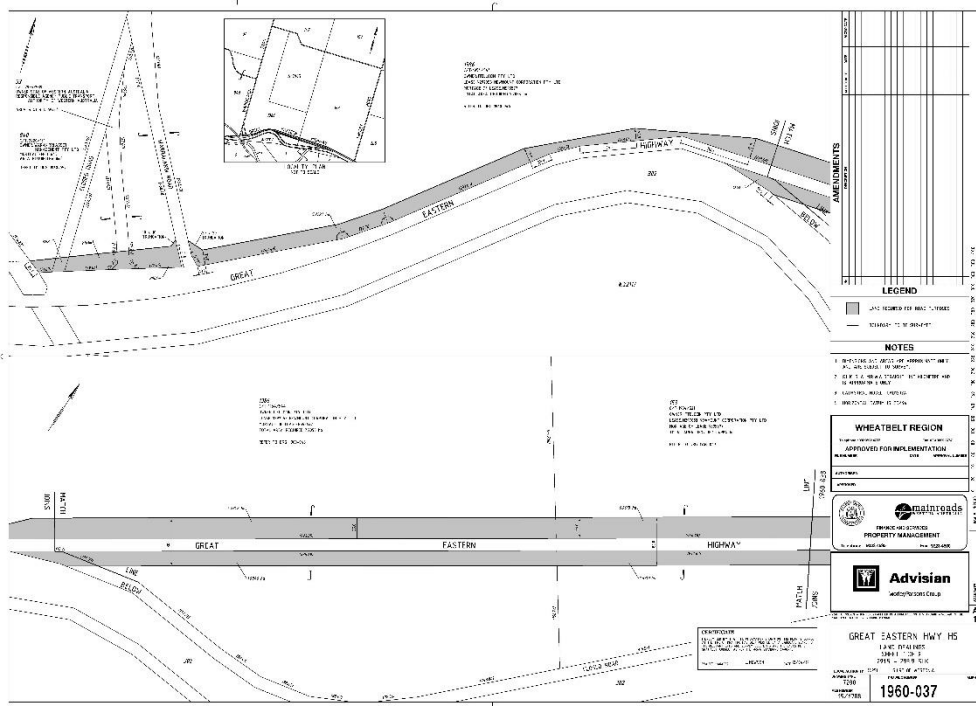


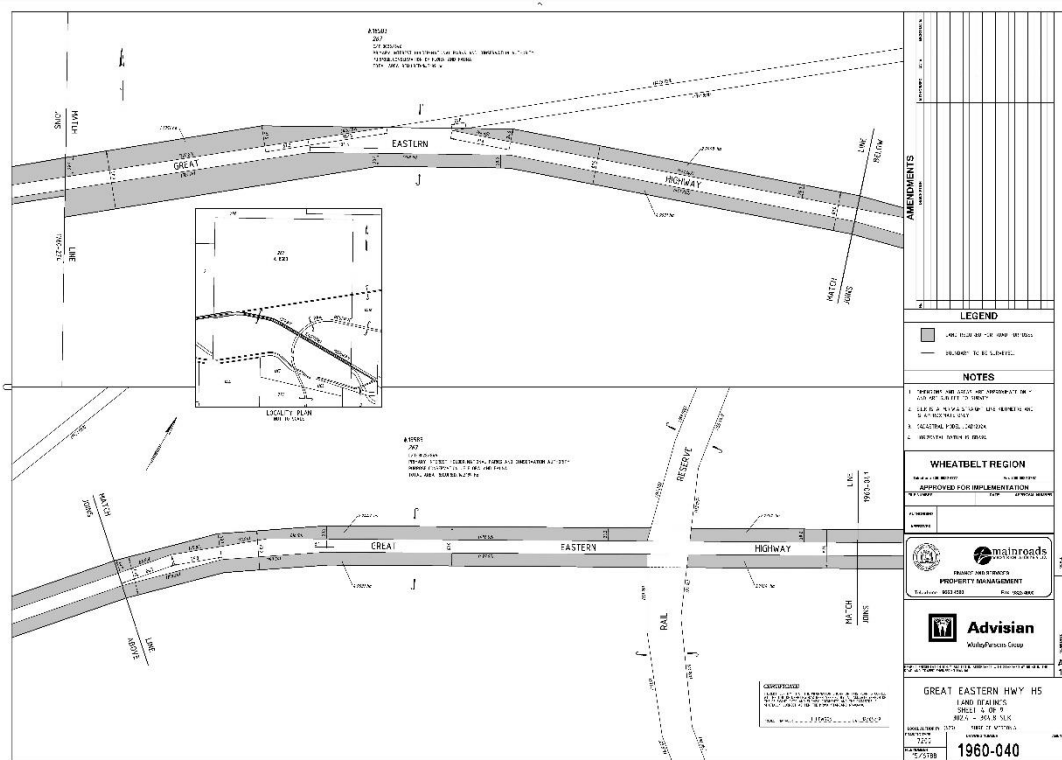
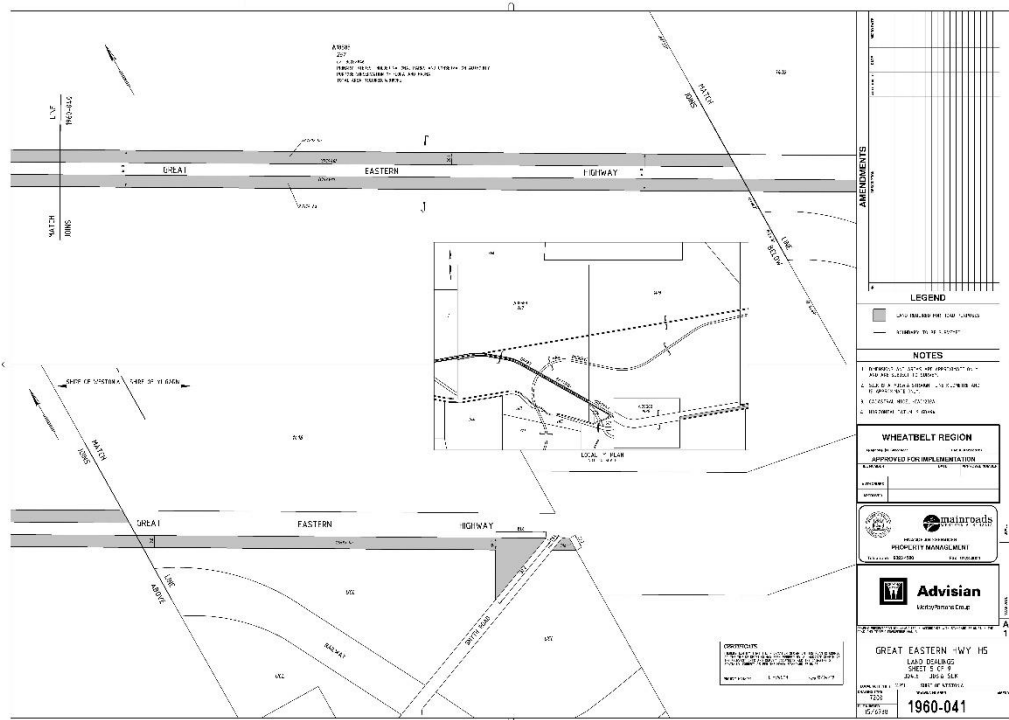












**Statutory Environment**

Section 3.50, 3.51 of the Local Government Act, 1995;  
Compliance with the Land Administration Act 1977 and the Land Administration Regulation 1998.;

Section 56 of the Land Administration Act 1997;  
Section 58 of the Land Administration Act 1997.



**Policy Implications**

There are no policies relating to this matter.



**Strategic Implications**

N/A



**Financial Implications**

Main Roads will cover all costs and claims that may arise as a result of the dedication and road closure.



**Voting Requirements**



Simple Majority



Absolute Majority

---

**OFFICER RECOMMENDATIONS**

---

That Council:

1. Agree to the dedication of the land the subject of Main Roads Land Dealing Plans 1960-037, 1960-038, 1960-039, 1960-040, 1960-041 and Items 1 and 2 on 1760-273-3 as a road pursuant to section 56 of the Land Administration Act 1997.”
2. Advise Main Roads that they will be liable for all costs and claims that may arise as a result of the dedication and road closure.

---

**RESOLUTION**

---

**Moved:** Cr Geier

**Seconded:** Cr Corsini

**14/05-19**

**That Council:**

1. Agree to the dedication of the land the subject of Main Roads Land Dealing Plans 1960-037, 1960-038, 1960-039, 1960-040, 1960-041 and Items 1 and 2 on 1760-273-3 as a road pursuant to section 56 of the Land Administration Act 1997.”
2. Advise Main Roads that they will be liable for all costs and claims that may arise as a result of the dedication and road closure.

**CARRIED 5/0**

Members of the Public, Moe & Ian Hodge left the meeting at 5.01pm.

#### **9.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES**

**NIL**



The project requires clearing of 62.3ha of vegetation, ~44ha of which is comprised 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 1514 plants. Regionally there are a total of 26 natural populations of *E. resinosa* currently listed by DBCA (WAHERB, 2018), including the areas of Mukinbudin, Wyalkatchem, Southern Cross, Koorda, Nungarin Kalannie and Mt Marshall. 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 in Trans-location sites in and surrounding the Westonia townsite 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 between **80-90 redundancies** have taken place at the minesite.

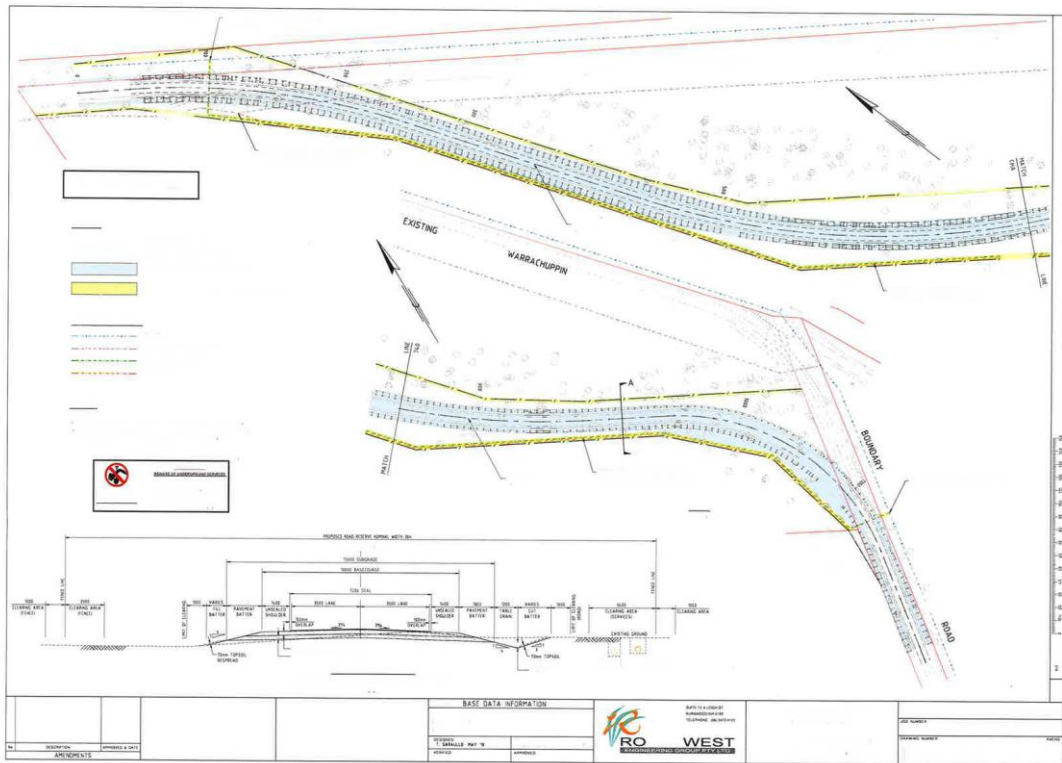
The recent forced redundancies and terminations at Edna May have had a significant impact on our local economy first and foremost but have also felt the wave of impact in regional centres at Merredin, Southern Cross and Northam whom all support the Edna May Operations through direct employment, servicing, manufacturing and parts supply. Numerous local families have been forced to leave the communities of Westonia and Merredin and move to Perth to seek FIFO employment. As their employment at Edna May was Drive-in, Drive-out, this allowed them to be at home each night and a part of the family unit. Now seeking FIFO employment, this will potentially place added pressure on the family unit as well as being away from extended family.

The impact is far more noticeable in a small community such as Westonia as the smallest variation in sales can have a large impact on the bottom line and staff numbers. This was first noticed when open pit mining was reduced to a single (day) shift operation due to delays in the environmental assessment process. As an example, shop sales at the community owned Cooperative reduced by 11% by reducing the nightshift. Workers would normally come in on a daily basis to purchase drinks, food, cigarettes and consumables. This dried up overnight and then was exacerbated at the completion of the Stage 2 cutback, making a total of 90 employees (72% reduction) in the workforce no longer contributing to the local economy. Sales reduced by 18% overall, with the shop reverting to shortened hours to minimize operating costs. Six months of this reduction has been hard to manage, but cash surpluses have enabled operation to continue. Further reductions and reduced patronage of mine employees and commuting suppliers and contractors will have a disastrous effect on the bottom line of the shop and cause potential reduction in services, staff and opening hours or potential closure!!!

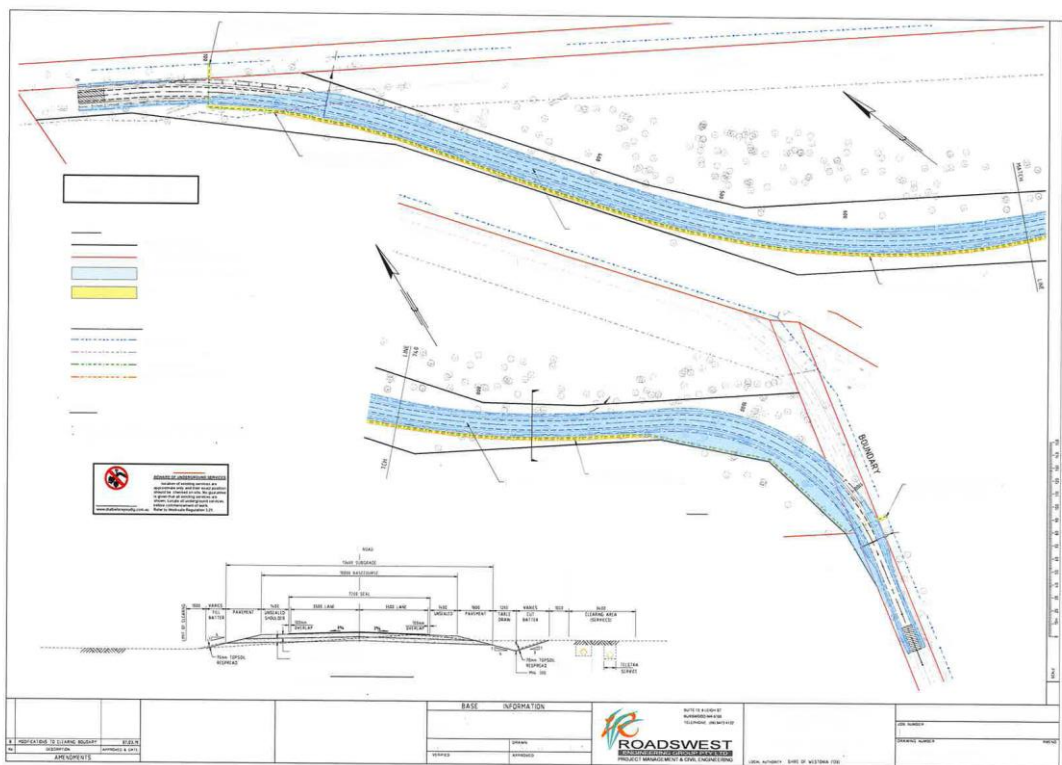
This Cooperative shop not only acts as the only food & grocery outlet in the district, it is also the Post Office, Café, Newsagency and Gas supplier.

This is an example of one business impacted by the reduction in staff at the Edna May Mine, impacts such as these in small communities have lasting and disastrous flow on effect to the whole district.

Company payments to numerous community groups via Memorandum of Understanding agreements (MOU) are also jeopardised as they rely on bed numbers in the mine camp situated in the town. These numbers have severely reduced which will result in up to a 60% reduction in MOU payments of \$45,000 per annum that would normally be distributed to community projects via the Westonia Progress Association. There are numerous other similar agreements in place that would also be jeopardised as a result of the limited mining operations.



Original Clearing Application



Revised Clearing Application



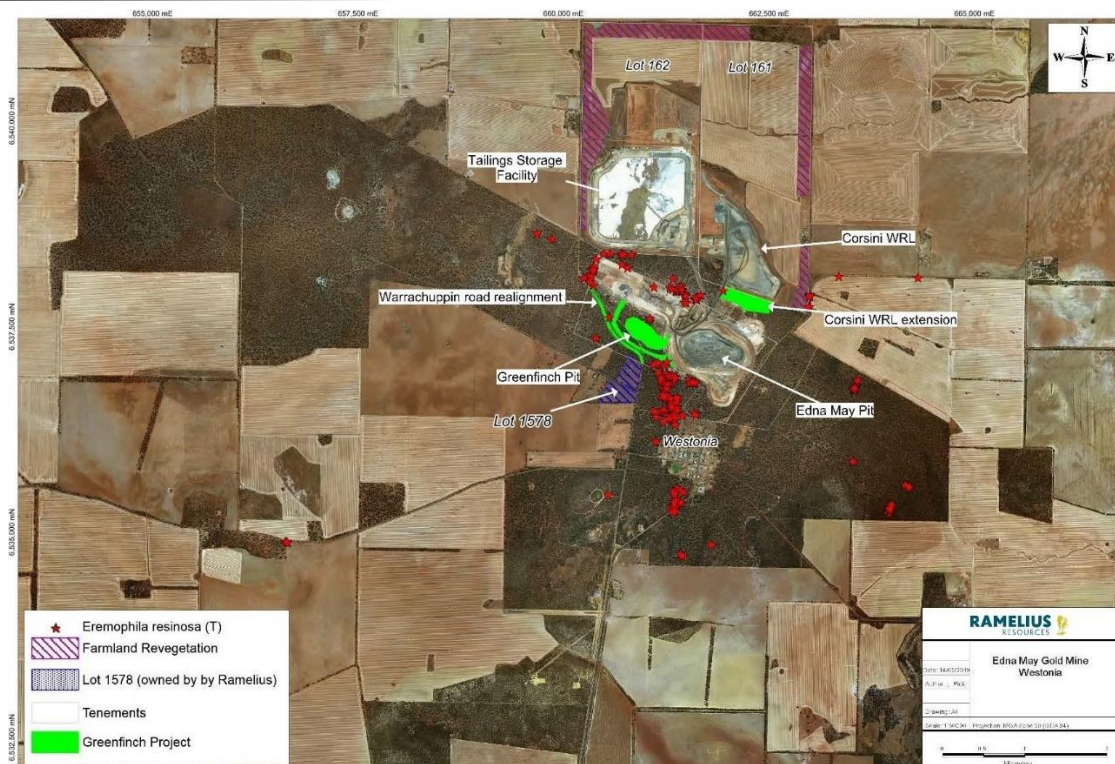


Figure 1 – Edna May mine, Westonia township and the proposed Greenfinch open pit

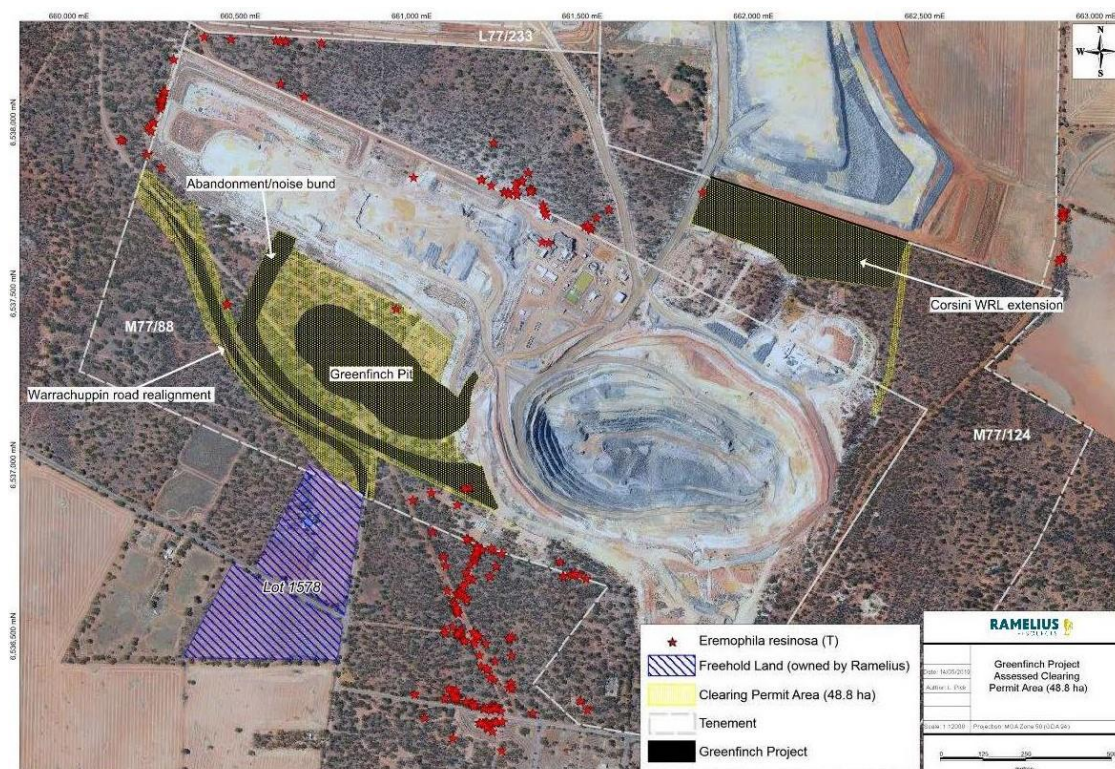


Figure 2 – 48.8ha Clearing Permit area assessed by DMIRS

As stated in the photo above, the *Eremophila Resinosa* thrives in disturbed areas. The larger concentration of plants has occurred on road verges where graders have disturbed the plant and survival mechanisms have seen the plant multiply significantly. There is very little sign of the plants in the woodland themselves as they seem to live open, cleared/disturbed areas. This has also been evident in the translocation trials occurring the the Westonia Townsite.



**Figure 3** – Eremophila Resinosa near road & Westonia Common woodland in background



**Comment**

Ramelius Resources have since appealed the decision and after a report from the Appeals Convener, the Minister for Environment, Hon Simon Dawson reaffirmed the decision to reject the proposal.

In order to assist in process, Ramelius will be resubmitting a revised clearing application with a reduction in clearing area (7,432m<sup>2</sup>) as listed below:

Previous total area of clearing = 32,326m<sup>2</sup>

Revised total area of clearing = 24,894m<sup>2</sup>

Reduction in clearing area = 7,432m<sup>2</sup>

Council resolved in March 2019 to fully support the revised clearing area submitted by Ramelius Resources

The "Common" as it is known, which surrounds the Westonia townsite, encompasses the mining tenement in question as well as several others, and is vested under the control of the Shire of Westonia which Council have effectively managed for more than 100 years through four different mining phases.

In weighing up Council's decision to fully support the Greenfinch project, Council took several factors into consideration in relation to the environmental impact to the town common.

The existing mining tenement M77/88 is located with the Westonia Town Common, and is vested with the Shire of Westonia which makes Council suitably qualified to comment on the proposed project.

The Shire has been over several years maintaining the Common Reserves that surround the Westonia townsite and have actively been rehabilitating, monitoring and baiting the reserves in order to preserve the area going forward. Council believes the overall environmental impact on the Westonia Common is relatively minor and manageable and looks forward to working with Ramelius Resources as highlighted in their vegetation clearing submission to conduct a variety of environmental projects to assist in preserving and enhancing the Westonia Common for the now and the future.

**Ramelius (EMO) has shown a great ability previously to preserve and enhance threatened flora such as Eremophila Resinosa. Several successful translocation sites have been established in and around the Town Common, increasing the E. Resinosa populations within the district. There have also been various successful large-scale revegetation plantations immediately to the north of the existing mine using the same Eucalypt species that occur in the Town Common. The sites are now successfully established with over 4000 Eremophila Resinosa plants and present survival rates (including all experiments) are at 80% Original cultured clones are in cryostorage and over 2,000,000 fruit are in long term storage with the Botanical Gardens & Parks Authority. This will ensure the survival of the species going forward.**

It should also be noted that the Greenfinch area has seen significant mining and exploration over the past 100 years with large scale vegetation disturbance and regrowth occurring on the site closest to the existing noise bund as the satellite imagery will suggest. I encourage you to visit the site and see for yourself how historical mining disturbance has impacted the Greenfinch footprint and the plans that Ramelius Resource are proposing will improve the area with net beneficial environmental outcomes.

In addressing the clearing potentially cutting the Town Common in two, the Shire of Westonia has been working with Ramelius in their plans to modify the original clearing permit application so that resident fauna (which are all common species) can continue to move throughout the Common through corridors maintained north and south of the proposal.

There is no way that the Shire of Westonia would put the economy before the environment, we are simply making an informed decision on behalf of its constituents and community to draw a balance between the two and ensure that preservation continues not just during this mining phase but in years to come. Westonia was founded upon mining over 100 years ago, farming has sustained the community since, but the community, district and Wheatbelt has only prospered during times of extended mining.

The significant benefits will not only be felt during the term of the Greenfinch Project, but beyond it, as it will facilitate the extension of the Edna May operations.

The multiplier effect of the increased and extended activity will bring additional benefits to communities and the authorities and governments that serve them, through rates and royalties, thereby providing a strong foundation for long-term viability and growth.

The Chief Executive Officer, with the approval of the Shire President, Cr Day has been in contacted by various media outlets, providing comment to radio and newspaper interviews and will continue to do so to assist Ramelius with their proposal.

It must be noted that the Hon Mia Davies, Hon Martin Aldridge, Hon Robin Scott and Hon Jim Chowan have all raised the issue in Parliament with the Premiers comments only confusing the matter with apparent mis-information about the severity of the condition of the Eremophila Resinosa plant in Westonia and the Wheatbelt. He directly stated that he was “very uncomfortable with the idea that a species would become extinct”. **Excerpt HARSARD 15 May 2019**

**Mr M. McGOWAN replied:**

**“.....The Department of Mines, Industry Regulation and Safety—not the Environmental Protection Authority or the Department of Biodiversity, Conservation and Attractions—has made the decision about the clearing permit. I would not say that it is not pro-mining, but it is careful about those sorts of issues. I am more than happy to say that there will be ongoing discussions and negotiations to try to reach an outcome that meets the interests of everybody, but I am very uncomfortable with the idea that a species would become extinct.”**

Clearly 4 plants, one of which is dead will not make a species extinct. The Premier was obviously mis-informed of the finer points of the project and in that case possibly the Minister for the Environment.

Council and the community need to advise the Premier, Minister for the Environment, Minister for Regional Development and other parliamentary member of the facts and misinformation surrounding this application, using the phrase **“4 PLANTS VS 100 JOBS”**

## **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**

The Shire Council is entrusted in acting on the best interest of the wider community and does so via the four goals outlined in the Shire of Westonia Strategic Community Plan (2013-2023);

- Social and community wellbeing and capacity SOCIAL
- Economic diversity, innovation and prosperity ECONOMIC
- Infrastructure that meets the needs now and allows for growth ENVIRONMENT
- Leadership and financial sustainability GOVERNANCE

As listed below Westonia's Strategic Community Plan (2013-2023) highlights the ongoing economic viability of the mine as a major priority.

It is also a major consideration in the Wheatbelt Blueprint and Central East Sub-Regional Economic Strategy developed by the Wheatbelt Development Commission.

### 3.5 CHALLENGES FACING THE SHIRE OF WESTONIA

The Shire of Westonia faces a variety of challenges as it develops over the next 10 years. The critical challenges affecting the Shire have been identified through community engagement and Council workshop. The Strategic Community Plan will need to consider these and includes:

- Ongoing economic viability of the mine
- Attracting and retaining people, specifically young people and families as well as business into the community
- Increasing number of older residents
- Providing and maintaining infrastructure that meets the expectations of the community
- Lack of telecommunication infrastructure in the Shire
- Changes in technology
- The impact of the climate and weather conditions
- The policies of all levels of government and decision making that impacts at local level
- How to make the most of technology and be innovative
- Remaining relevant to the community and regional decision makers
- Attracting funding for local projects from national, state and regional organisations who prioritise regional projects



### **Financial Implications**

Nil.



### **Voting Requirements**



Simple Majority



Absolute Majority

**Cr Geier left the meeting at 5.14pm**

---

## OFFICER RECOMMENDATIONS

---

### That Council

1. Reaffirms its position, fully supporting Ramelius Resources proposal to seek clearing and mining approval for the proposed Greenfinch mining operation.
2. Writes to the Premier, Minister for the Environment, Minister for Regional Development and other parliamentary members:
  - i. advising of Council's and the Communities disappointment in the rejection of the initial clearing permit and subsequent Appeal Convenor rejection.
  - ii. stating its disappointment at the lack of interest by the Labor Government during the whole process in not attending on site consultation despite numerous requests and not replying to Shire correspondence.
  - iii. stating its disappointment at the apparent misinformation relayed to the Premier and Minister for Environment surrounding this application stating the removal of 4 plants would lead to the extinction of the species.
3. Authorise the Chief Executive Officer to continue to raise the issue with relevant authorities, media to ensure that the Greenfinch Project has every change of success.

---

## RESOLUTION

---

Moved: Cr Della Bosca

Seconded: Cr Huxtable

17/05-19

That Council

1. Reaffirms its position, fully supporting Ramelius Resources proposal to seek clearing and mining approval for the proposed Greenfinch mining operation.
2. Writes to the Premier, Minister for the Environment, Minister for Regional Development and other parliamentary members:
  - i. advising of Council's and the Communities disappointment in the rejection of the initial clearing permit and subsequent Appeal Convenor rejection.
  - ii. stating its disappointment at the lack of interest by the Labor Government during the whole process in not attending on site consultation despite numerous requests and not replying to Shire correspondence.
  - iii. stating its disappointment at the apparent misinformation relayed to the Premier and Minister for Environment surrounding this application stating the removal of 4 plants would lead to the extinction of the species.
3. Authorise the Chief Executive Officer to continue to raise the issue with relevant authorities, media to ensure that the Greenfinch Project has every change of success.

CARRIED 4/0


Cr Geier entered the meeting at 5.16pm

## 11.2 PURCHASE OF SECONDHAND GARDENERS UTE

---

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

---



### Purpose of the Report

Executive Decision

Legislative Requirement

### Summary

As Councillors may be aware, Council's Gardener, Belinda McMurdo recently suffered a stroke back in May 2018 and after an extended period in hospital, she has been released and has moved back to Westonia to the Council owned house she resides in. In the interim, Council have employed Michael Iburg on a 6 monthly contract basis in the event that Belinda recovers enough to go back to work.

### Comment

In employing Michael, he identified that due to a medical condition, he is unable to drive a manual car and as a result has been using his own personal vehicle to perform his gardening duties. This vehicle has now broken down and he is unable to perform his duties satisfactory and it is suggested that Council purchase a second-hand automatic ute for its fleet and allow Mr Iburg to continue in his role as gardener. The idea behind a second hand ute is so that a large expense is not incurred on a vehicle as Belinda McMurdo recovers enough to go back to work.

### Statutory Environment

Nil

### Policy Implications

Nil

### Strategic Implications

Nil

### Financial Implications

The cost can be immediate and noted as an out of budget expense or Council can opt to wait and budget in the 2019/2020 financial year.

### Voting Requirements

Simple Majority

Absolute Majority

