

SHIRE OF
WESTONIA
A vibrant community lifestyle

Minutes

Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia

Thursday 24th October 2019

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 21st November 2019 as a true and accurate record of the Ordinary Council Meeting held 24th October 2019.

.....
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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1. DECLARATION OF OPENING

The Chief Executive Officer, Mr Jamie Criddle welcomed Councillors and staff and declared the meeting open at 3.32pm.

2. SWEARING IN OF COUNCILLIORS

The Chief Executive Officer will preside over the swearing in ceremony of newly elected councillors.

In accordance with Section 2.29 of the Local Government Act 1995, Councillors elect will each in turn took the Oath of Allegiance/Affirmation of Allegiance, read and signed the declaration to the Office of Councillor in the presence of the Chief Executive Officer as per the requirements of the Act.

The *Oaths, Affidavits and Statutory Declarations Act 2005* and Schedule 2 of that Act list the authorised people who can witness declarations.

These are –

Schedule 2 — Authorised witnesses for statutory declarations

21. The chief executive officer or deputy chief executive officer of a local government.

22. A member of the council of a local government within the meaning of the *Local Government Act 1995*.

In accordance with Section 2.29 of the Local Government Act 1995, Councillors Corsini and Della Bosca each in turn took the Oath of Allegiance/Affirmation of Allegiance, read and signed the declaration to the Office of Councillor in the presence of the Chief Executive Officer, Jamie Criddle.

2.1. ELECTION OF PRESIDENT

The election of the President will be conducted by the CEO.

The procedure for electing a Shire President is set out in Schedule 2.3, Division 1, of the Local Government Act 1995. The process will be as follows:

- Nominations for the office are to be received in writing to the Chief Executive Officer before the meeting, or during the meeting before the close of nominations. Nominations close at the meeting at a time announced by the Chief Executive Officer.
- Councillors are to vote on the matter by secret ballot as if they were electors voting at an election. The votes cast are to be counted, and the successful candidate determined in accordance with Schedule 4.1 of the Local Government Act 1995.
- If two or more candidates receive the same number of votes, so that no candidate has the greatest number of votes, the count is to be discontinued and the meeting is to be adjourned for not more than seven days.
- Should this occur, it is intended to initially adjourn the meeting for ten minutes, and then resume the meeting. Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes. When the meeting resumes the councillors are to vote again.
- The Chief Executive Officer is to declare and give notice of the result in accordance with regulation 11F of the Local Government (Constitution) Regulations 1998.
- Following the announcement of the successful candidate a swearing in of the newly elected President will take place.

The Shire President then takes up the position of presiding member for the meeting.

The Chief Executive Officer advised that one (1) nomination for the office of President was received prior to the meeting by Cr Karin Day, the CEO then called for final nominations from the floor. No further nominations were received. The Chief Executive Officer announced Cr Day elected as President for a period of two (2) years.

As Cr K Day was absent from the meeting the declaration to the Office of Shire President will be carried out on a day to be determined.

2.2. ELECTION OF DEPUTY PRESIDENT

The election of the Deputy President will be conducted by the President.

The procedure for electing a Shire Deputy President is set out in Schedule 2.3, Division 1, of the Local Government Act 1995. The process will be as follows:

- Nominations for the office are to be received in writing to the Chief Executive Officer before the meeting, or during the meeting before the close of nominations. Nominations close at the meeting at a time announced by the President.
- Councillors are to vote on the matter by secret ballot as if they were electors voting at an election. The votes cast are to be counted, and the successful candidate determined in accordance with Schedule 4.1 of the Local Government Act 1995.

- If two or more candidates receive the same number of votes, so that no candidate has the greatest number of votes, the count is to be discontinued and the meeting is to be adjourned for not more than seven days.
- Should this occur, it is intended to initially adjourn the meeting for ten minutes, and then resume the meeting. Any nomination for the office may be withdrawn, and further nominations may be made, before or when the meeting resumes. When the meeting resumes the councillors are to vote again.
- The Chief Executive Officer is to declare and give notice of the result in accordance with regulation F of the Local Government (Constitution) Regulations 1998.

The Chief Executive Officer advised that one (1) nomination for the office of Deputy President was received prior to the meeting by Cr Bill Huxtable, the CEO then called for final nominations from the floor. No further nominations were received. The Chief Executive Officer announced Cr Huxtable elected as Deputy President for a period of two (2) years.

Cr B Huxtable read aloud and signed the declaration to the Office of Shire Deputy President and took the chair in the absence of the President-elect, Cr Day.

- Following the announcement of the successful candidate a swearing in of the newly elected Deputy President will take place by the CEO or President.

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

- Sue Williams

3. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr WJ Huxtable	Deputy President
Cr RS Corsini	
Cr JJ Jefferys	
Cr RA Della Bosca	(left the meeting at 6.16)
Cr DL Geier	

Staff:

Mr. JC Criddle	Chief Executive Officer
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Members of the Public:	Louis Geier
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Apoloies:	Cr KM Day	President
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Approved Leave of Absence:	Nil
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4. PUBLIC QUESTION TIME (3.44PM – 3.59)

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF PREVIOUS MINUTES

OFFICER RECOMMENDATIONS

That the minutes of the Ordinary Meeting of Council held on 19th September 2019 be confirmed as a true and correct record.

9. 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 **24th October 2019**.

Name/Position	Cr Ross Della Bosca
Item No./Subject	7.1.3 Tender 3-19/20 – Aggregate Tender
Nature of interest	Financial Interest
Extent of Interest	Cr Ross Della Bosca is a director of Della Bosca Transport and left the meeting at 6.16pm and did not return.

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 **24th October 2019**.

Name/Position	Cr Daimon Geier
Item No./Subject	10.3.1 Tender 2/19/20 – Bituminous Products
Nature of interest	Closely Association Person
Extent of Interest	Cr Daimon Geier's brother works for one of the Tenderers



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 **24th October 2019**.

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

10.MATTERS REQUIRING A COUNCIL DECISION

10.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES

10.1.1 ACCOUNTS FOR PAYMENT

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

Purpose of the Report

- Executive Decision Legislative Requirement

Background

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

Comment

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

CEO **September 2019 \$3,386.06** associated with the purchase of Activ8inet Housing & Office, Fuel, Email Exchange Platform, Rapid Plan Renewal, Fuel and Accommodation and Meals Corporate Golf Day

Works Supervisor **September 2019 \$1,656.54** associated with the purchase Headworks Scheelite Street, Zinc, Old Cart and Fabric for Museum, Potted Colour

Statutory Environment

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

Policy Implications

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

Strategic Implications

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

Financial Implications

Expenditure in accordance with the 2019/2020 Annual Budget.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That September 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3793 to 3799, and D/Debits from EFT3831 to EFT3892 Inclusive of Department for Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$240,006.90 be passed for payment.

RESOLUTION

Moved:

Cr Corsini

Seconded:



Cr Della Bosca

03/10-19

That September 2019 accounts submitted to today's meeting on Municipal vouchers numbered from 3793 to 3799, and D/Debits from EFT3831 to EFT3892 Inclusive of Department for Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$240,006.90 be passed for payment.

CARRIED 5/0

10.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – SEPTEMBER 2019

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

Purpose of the Report

- Executive Decision Legislative Requirement

Background

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

Comment

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

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

Statutory Environment

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

Policy Implications

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

Strategic Implications

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

Financial Implications

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

Voting Requirements

- Simple Majority Absolute Majority

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Geier


05/10-19

That the GST Reconciliation totaling\$18,817.00 for the period ending 30th September 2019 adopted.

CARRIED 5/0

10.1.4 2020 COUNCIL MEETING DATES

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report

Executive Decision

Legislative Requirement

Background

Regulation 12 of the Local Government (Administration) Regulations 1996 requires a local government to at least once a year give local public notice of the dates, time and place of:

- a) Ordinary Council meetings; and
- b) Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;

that are to be held in the next twelve months.

Comment

Council's current policy on Council Meetings states that, "A Councillors forum will be held at 1.00pm before each Ordinary Council Meeting and Ordinary Meetings of Council will be held on the third Thursday of each month not including January, commencing at 3.30pm in the Shire of Westonia Council Chambers."

In accordance with the current policy ordinary meetings of Council are to be held in 2020 as follows:-

Ordinary Council meetings:

February – Thursday 20 th	March – Thursday 19 th
April – Thursday 16 th	May – Thursday 21 st
June – Thursday 18 th	July – Thursday 16 th
August – Thursday 20 th	September – Thursday 17 th
October – Thursday 15 th	November – Thursday 19 th
December – Thursday 17 th ;	

with all meetings commencing at 3.30pm in the Council Chamber, Wolfram Street, Westonia.

The Audit Committee meetings is at this stage proposed for the following dates:

April – Thursday 16th
August – Thursday 20th
October – Thursday 15th
Thursday 17th December 2020; at 3.00pm in the Council Chamber.

Statutory Environment

Regulation 12 of the Local Government (Administration) Regulations.

Policy Implications

Council Policy 1.1

 **Strategic Implications**

Nil

 **Financial Implications**

Nil

 **Voting Requirements**



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That the following meeting schedule for 2020 be advertised in accordance with the requirements of the legislation:-

Ordinary Council meetings:

February – Thursday 20th

March – Thursday 19th

April – Thursday 16th

May – Thursday 21st

June – Thursday 18th

July – Thursday 16th

August – Thursday 20th

September–Thursday 17th

October – Thursday 15th

November–Thursday 19th

December – Thursday 17th;

with all meetings commencing at 3.30pm in the Council Chamber, Wolfram Street, Westonia.

The Audit Committee meetings is at this stage proposed for the following dates:

April – Thursday 16th


August – Thursday 20th

October – Thursday 15th

Thursday 17th December 2020; at 3.00pm in the Council Chamber.

10.1.5 CHRISTMAS CLOSURE

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Background

Council has traditionally closed the office and operations over the festive season to accommodate the taking of leave and public holidays, given that the town is very quiet during this time. Xmas day and New Year's Day fall on a Wednesday this year.

It is also anticipated to hold the Annual end of year Christmas function at the conclusion of the December Ordinary Council meeting. This year it falls on the 19th December which coincides with the outside crew break up.

Comment

A few members of the Outside Crew have requested an alteration to the annual shut down period with some not wanting to take the full 4 weeks in one hit, plus the Boodarockin Roadworks will still be in operation. The outside crew will commence the Xmas break on Friday 20th December 2019, with a return to work on between Thursday 2nd and Monday 6th January 2020.

Arrangements are in place to provide for emergencies with a skeleton staff available during the holiday period with contact details being advertised and displayed.

It is proposed that the office will be closed from 12.00pm on Tuesday 24th December 2019 until 8.30 am on Monday 6th January 2020.

The Chief Executive Officer will be away from the 24th December and returning to work on Monday 6th January 2020 and working through January.

There has traditionally been no meeting in January in previous years.

Statutory Environment

Nil

Policy Implications

7.12 Christmas Office Shutdown & Two Paid "Grace & Favour" Days for Staff

The Council office & depot will be closed from 12 noon on the last working day prior to the Christmas Day holiday until normal office hours on the day following the New Year public holiday. At least one Senior staff member will remain contactable and reasonably close to town in the event of an emergency such as a bushfire during this shutdown period.

Staff will also be granted 2 paid "grace and favor days" based on their ordinary hours in recognition of time worked in excess of normal hours during the year, to assist with covering their leave over the shutdown period between

Christmas and New Year. Staff required to work during the Christmas Shutdown period as part of responding to an emergency will be granted the equivalent hours of ordinary time paid leave by agreement at another time.

Strategic Implications

Nil

Financial Implications

There are no financial implications in relation to this matter.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council

1. approve the office closure from 12.00pm on the 24th December 2019 until 8.30 am on Monday the 6th January 2020, and note the absence of the CEO from during this period.
2. hold the annual end of year Christmas function at the conclusion of the December Ordinary Council meeting to be held on 19th December 2019.

RESOLUTION

Moved: Cr Della Bosca

Seconded: CrCorsini


07/10-19 That Council

1. approve the office closure from 12.00pm on the 24th December 2019 until 8.30 am on Monday the 6th January 2020, and note the absence of the CEO from during this period.
2. hold the annual end of year Christmas function at the conclusion of the December Ordinary Council meeting to be held on 19th December 2019.

CARRIED 5/0

10.1.6 WEROC CONSTITUTION

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



Purpose of the Report



Executive Decision



Legislative Requirement

To present to Council for consideration, a draft of the new Constitution for WEROC.

Background

As has been reported previously to Council, WEROC has been discussing the need for continuing with Wheatbelt Communities Incorporated (WCI), which was established a number of years ago for the purpose of being a body that could apply for funding external to the WEROC member Councils. WCI has done little over the last few years other than holding meetings as required under the Associations Incorporation Act 2015.

It was considered by WEROC that rather than operating with two bodies, WEROC and WCI, it would be more appropriate for WEROC to become the constituted body and officially dissolve WCI.

Comment

Council's representatives on WEROC have constantly pushed for the above to happen as they could see no benefit in operating with two separate organisations who ultimately have the same objectives. The Wheatbelt East Regional Organisation of Councils name is also more recognisable and relevant to that of Wheatbelt Communities Inc., which could be construed as covering the entire Wheatbelt area.

The Draft Constitution presented to Council has been developed similar to that of the Warren Blackwood Alliance of Councils Inc., a group of three Local Governments in the South West that work cooperatively together and have achieved projects by having just the one constituted body.

WEROC seeks Council input to the Draft Constitution before it is presented to WEROC for adoption.

Statutory Environment

Associations Incorporation Act 2015

Policy Implications

Nil

Strategic Implications


N/A

Financial Implications

Nil

10.1.7 WALGA – SIZE AND SCALE COMPLIANCE REGIME – LOCAL GOVERNMENT ACT REVIEW

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

To seek Council's input into WALGA's endorsed position on advocacy principles in relation to the Local Government Act Review on Size and Scale Compliance Regime.

Background

Mr Tony Brown, WALGA's Executive Manager Governance and Organisational Services advises that during the current Local Government Act review process, WALGA following consultation with the sector, developed key principles and advocacy positions which were subsequently endorsed through the Zone and State Council meeting process.

The following are the key principles;

- 1) That the sector endorse a 'Principles over Prescription' approach to the Local Government Act Review and actively promote the benefits of the general principles listed below, intended to safeguard against the new Local Government Act becoming overly prescriptive:
 - (a) Uphold the General Competence Principle currently embodied in the Local Government Act;
 - (b) Provide for a flexible, principles-based legislative framework;
 - (c) Promote a size and scale compliance regime;
 - (d) Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration the Local Governments role in creating a sustainable and resilient community through;
 - i. Economic Development
 - ii. Environmental Protection
 - iii. Social Advancement;
 - (e) Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act; and
 - (f) The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.
2. (a) Support the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers.

- (b) Call on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995.

In respect principle 1 (c) Promote a size and scale compliance regime, to assist in advocacy to the State Government as part of the Local Government Act review process, sector assistance is requested in identifying examples of where a size and scale compliance regime could be identified in the Act and Regulations.

Mr Brown indicates that if Council could provide examples by Friday 25 October 2019 it would be appreciated.

Comment

It has been argued by many in the Local Government sector that the requirements imposed on Bands 3 and 4 (rural and remote LGA's) are the same as Bands 1 and 2 (metropolitan and larger regional LGA's). The Band levels were set by the Salaries and Allowances Tribunal (SAT) to determine Elected Member Fees and CEO's remuneration packages with Bands 1 and 2 commanding significantly higher salaries and allowances than Bands 3 and 4.

The above Bands identify the size, particularly revenue wise, of LGA's and therefore, SAT obviously considers that those in Bands 1 and 2 have more responsibility associated with their positions than those in bands 3 and 4. If this is the case, then it is fair to argue why Bands 3 and 4 have to comply with exactly the same legislative requirements as Bands 1 and 2. Band 3 and 4 LGA's are also limited in their human resource capacity and therefore are at a greater disadvantage to Band 1 and 2 LGA's.

The Integrated Planning processes and the current Australian Accounting Standards are two of the main areas that require a significant amount of time and resources to meet the requirements of the Local Government Act and associated Regulations. Staff are of the opinion that some of these requirements should be lessened on Band 3 and 4 LGA's.

Statutory Environment

Local Government Act 1995

Policy Implications

Nil.

Strategic Implications

Nil

Financial Implications

There are no financial implications in relation to this matter.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council advises WALGA that in respect to one of its key principles in promoting a size and scale compliance regime in the review of the Local Government Act, Council supports the lessening of legislative requirements associated with Integrated Planning processes and the Australian Accounting Standards for SAT Bands 3 and 4 and requests that WALGA supports this position.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Jefferys


09/10-19

That Council advises WALGA that in respect to one of its key principles in promoting a size and scale compliance regime in the review of the Local Government Act, Council supports the lessening of legislative requirements associated with Integrated Planning processes and the Australian Accounting Standards for SAT Bands 3 and 4 and requests that WALGA supports this position.

CARRIED 5/0

10.1.8 WALGA – STATE COUNCIL AND ZONE STRUCTURE WORKING GROUP FINAL REPORT

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

To present to Council for consideration, WALGA's Working Group Final Report on recommendations associated with State Council and Zone Structure review.

That Council advises WALGA that it supports the ten (10) recommendations contained within the Final Report of the State Council and Zone Structure and Process Working Group.

Background

WALGA State Council has released for consultation the Final report prepared by the Working Group charged with reviewing WALGA's governance structures and processes.

WALGA advises that the Working Group has made a number of recommendations, four of which have been endorsed for immediate implementation by State Council, with the balance endorsed in principle pending sector consultation. The recommendations endorsed by State Council for implementation relate to the provision of information about WALGA to Elected Members, State Council's Committee structure, and the process for considering submissions to Government.

WALGA seeks Council consideration and feedback on the balance of the recommendations, which relate to the composition of State Council, the continuing role of Deputy State Councillors, no term limits for State Councillors, the Member Advisor Program, services to Zones, and the State Council Agenda, including the cessation of the production of printed Agendas.

WALGA seeks feedback by 5.00pm Friday, 25 October 2019 to allow an Agenda Item to be included in the December State Council Agenda for consideration at the November round of Zone meetings.

Comment

The WALGA Working Group's Final Report is provided as an attachment to the Agenda. Ten (10) recommendations are listed in the Final Report to which WALGA is seeking feedback. None of the recommendations are overly contentious and therefore it is the opinion of the author of this report is that Council advises WALGA that it has no objections to the recommendations submitted.

Statutory Environment

Nil

Policy Implications

Nil

Strategic Implications

Nil



Financial Implications

There are no financial implications in relation to this matter.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council advises WALGA that it supports the ten (10) recommendations contained within the Final Report of the State Council and Zone Structure and Process Working Group.

RESOLUTION

Moved: Cr Della Bosca


Seconded: Cr Geier

10/10-19 That Council advises WALGA that it supports the ten (10) recommendations contained within the Final Report of the State Council and Zone Structure and Process Working Group.

CARRIED 5/0

10.1.9 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES – CONSULTATION ON PROPOSED CODE OF CONDUCT AND CEO STANDARDS

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

To advise Council of the recently produced Consultation Papers prepared by the Department of Local Government, Sport and Cultural Industries in relation to proposed Standards and Guidelines associated with a new Code of Conduct and CEO Standards.

Background

The Department advises that on 27 June 2019, the Local Government Legislation Amendment Act 2019 was passed in Parliament.

The Act included a requirement for the introduction of the following:-

- A mandatory Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct); and
- Mandatory minimum standards covering the recruitment, selection, performance review and early termination of Local Government Chief Executive Officers.

The Department indicates that it is now seeking feedback on the draft Code of Conduct and draft CEO Standards.

Submissions to the above close with the Department on 22 November 2019.

Comment

The format for feedback on the above Consultation Papers is the same as that for Phase I and II of the Act. Councillors can individually access the Department's website and provide feedback online or alternatively, provide a written submission.

The CEO has reviewed the Consultation Papers and in respect to the proposed Code of Conduct, the principles of Personal Integrity, Relationships with Others, Accountability, Behaviour seem appropriate.

In respect to the Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, the following issues/concerns are raised:-

S 1.3 – The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member or staff member of the local government.

Comment The Consultation Paper provides examples of who the independent person could include, such as:-

- Former elected members or staff members of the local government;
- Former or current elected members (such as a Mayor or Shire President) or staff member of another local government;
- A prominent or highly regarded member of the community; or

- *A person with experience in the recruitment and election of CEO's and senior executives.*

It is of the opinion of the CEO that if the State Government/Department is concerned with the quality of CEO's, then it should be indicating that local governments utilise the services of an Independent Human Resource Consultant regarding selection of a suitable candidate. It is felt that the Public Sector Commission have 'LITTLE to NO' involvement in the process.

S 1.11 - The local government must re-advertise the CEO position after each instance where a person has occupied the CEO position for ten (10) consecutive years.

Comment The Consultation Paper indicates that the above requirement does not prevent the incumbent individual from being employed as CEO for another term, provided they are selected following a transparent selection and recruitment process.

This proposal is nonsensical. The current 1995 Act requires 3 to 5 year Contracts of Employment and prior to the expiration of these periods the local government has the right to re-negotiate or terminate the Contract. If the local government is satisfied with an individual's performance, why then would it be obligated to re-advertise after 10 years? If the local government was satisfied then it would be total waste of time and costs for the local government, the incumbent and potential applicants for the position.



Statutory Environment

Local Government Act review processes.



Policy Implications

Nil.



Strategic Implications

Nil



Financial Implications

There are no financial implications in relation to this matter.



Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council provides a written submission to the Department of Local Government advising that it supports WALGA's submission in relation to the Consultation Paper for the Mandatory Code of Conduct for Council Members, Committee Members and Candidates and in respect to the Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, Council indicates that it is not supportive of S1.3 and S1.11 as detailed in this report.

RESOLUTION

Moved:

Cr Geier

Seconded:

Cr Jefferys


11/10-19

That Council provides a written submission to the Department of Local Government advising that it supports WALGA's submission in relation to the Consultation Paper for the Mandatory Code of Conduct for Council Members, Committee Members and Candidates and in respect to the Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, Council indicates that it is not supportive of S1.3 and S1.11 as detailed in this report.

CARRIED 5/0

10.1.10 WEROC ASSET MANAGEMENT PROJECT - ACCINGO

Responsible Officer:	Jamie Criddle, CEO	
Author:	Jamie Criddle, CEO	
File Reference:	A2.4.1	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Signature:	Officer	CEO



Purpose of the Report



Executive Decision



Legislative Requirement

To inform and submit to Council the outcomes of the Asset Management Project undertaken by WEROC.

Financial Implications

Background

In March 2018 WEROC began discussions with representatives from Accingo, an Asset Management Consultancy, to consider the potential value to WEROC members in developing an asset utilisation process to improve both use of the asset and associated financial performance. The assets identified in the process were Council's major road plant and equipment.

Following the above discussions WEROC engaged Accingo to prepare a report based on asset utilisation as the first stage of a potential three stage process.

Comment

Accingo representatives undertook an asset audit of each member Council's major road plant and equipment. The audit identified the condition of the plant and its hourly usage to determine whether each item of plant was being utilised to its maximum capacity. The ultimate determination was to ascertain whether there was the capacity for Member Council's to share plant and equipment if maximum usage was not being achieved and how this could be realised.

Accingo has now delivered its final Report and Recommendations to WEROC for consideration, which is provided as an attachment for Council consideration. At the WEROC Executive meeting held on Wednesday, 25 September 2019 the following was resolved:-

Moved Greg Powell Seconded Jamie Criddle

That the:

- 1. WEROC Executive be requested to table Accingo's report and recommendations on the review of mobile assets and plant across each Member Council for discussions at either their October or November round of Council meetings; and***
- 2. Executive Officer be provided with comments from these discussions to enable a report to be prepared for the WEROC Executive meeting to be held Wednesday, 27 November 2019.***

The Report clearly shows that that the Shire of Westonia is utilising the bulk of its major heavy plant at the benchmark utilisation rate of 40% as the target range set by Accingo. The 40% target referred to all of the "available" hours a machine can operate which would provide a significant enough financial benefit to justify implementation of amended practices, with available hours set at 200 hours per month which is standard practice

as the minimum level of availability. **It is noted that some plant items did not meet the 40% target however, their retention is justified for their specific work load.**

In reviewing the Report and associated Recommendations, staff see value in supporting recommendations 1 through to 4 but recommendations 5 and 6 would have significant financial implications to WEROC member Councils if they were implemented.

The Shires of Westonia and Yilgarn have worked cooperatively in the past and have loaned plant and equipment when available. Unfortunately the Shires utilise their major equipment at the same time e.g., winter grading, and therefore it is not an option to share equipment. To operate a sharing model over the 5 Member Councils, and in consideration of the distances involved, centralising assets is not achievable.

 **Statutory Environment**

Nil

 **Policy Implications**

Nil

 **Strategic Implications**

Nil

 **Financial Implications**

Potential for significant costs if Recommendations 5 and 6 of the Accingo Report were implemented.

 **Voting Requirements**

Simple Majority Absolute Majority

OFFICER RECOMMENDATIONS

That Council advises WEROC's Executive Officer that in respect to the Accingo Asset Management Report and associated recommendations, Council supports the implementation of recommendations 1 to 4 but does not see value in recommendations 5 and 6 due to the significant cost implications for all WEROC Member Councils if they were implemented.

RESOLUTION

Moved: Cr Della Bosca **Seconded:** Cr Corsini


12/10-19 That Council advises WEROC's Executive Officer that in respect to the Accingo Asset Management Report and associated recommendations, Council supports the implementation of recommendations 1 to 4 but does not see value in recommendations 5 and 6 due to the significant cost implications for all WEROC Member Councils if they were implemented.

CARRIED 5/0

10.1.11 COUNCILLOR PORTFOLIO'S 2019

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

Signature: **Officer** **CEO**



Purpose of the Report

Executive Decision Legislative Requirement

Background

Council has a portfolio system of representation at regional meetings and events. As a result of the recent elections the portfolio representations will need to be reviewed.

The existing portfolio matrix is:-

	Required Members	Cr Geier	Cr Day	Cr Corsini	Cr Della Bosca	Cr Jefferys	Cr Huxtable	CEO
WEROC	2/2 proxy		<input checked="" type="checkbox"/>				Proxy for Cr Day	<input checked="" type="checkbox"/>
Wheatbelt Communities	N/A		<input checked="" type="checkbox"/>				Proxy for Cr Day	<input checked="" type="checkbox"/>
Community Development	Unlimited	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Emergency Services (inc LEMC)	1/1 proxy	<input checked="" type="checkbox"/>			Proxy to Cr Geier			
Tourism (Inc NEWTRAVEL)	1/1 proxy				Proxy for Cr Huxtable		<input checked="" type="checkbox"/>	
Transport (Inc RRG)	1/1 proxy		<input checked="" type="checkbox"/>			Proxy for Cr Day		

Agriculture (Inc Eastern Wheatbelt Biodiversity Group (EWBG), Rural Water, Skeleton Weed)	1/1 proxy 1/1 proxy 1/1 proxy			Proxy for others <input checked="" type="checkbox"/>	Proxy for others <input checked="" type="checkbox"/>	Proxy for others		
Sport & Recreation	Unlimited		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				
WALGA	1/1 proxy		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	Proxy to Cr's
Development Assessment Panel	2/2 proxy	<input checked="" type="checkbox"/>	Cr Day Deputy for Cr Geier			Deputy for Cr Huxtable	<input checked="" type="checkbox"/>	
Bush Fire Representative	1/1 proxy				Proxy for Cr Jefferys	<input checked="" type="checkbox"/>		
Westonia Progress Association	1/1 proxy			<input checked="" type="checkbox"/>			Proxy for Cr Corsini	
CEACA	1/1 proxy Proxy CEO	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>

 **Comment**

I have a nomination from Louis Geier to remain as Westonia's representation on the CEACA group. This is a community representative and does not need to be a Councillor.

Councillor Corsini attended the recent Westonia Progress Association meeting and was elected as Council's representative to the committee.

 **Statutory Environment**

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

 **Policy Implications**

Council does not have a policy in relation to this matter

 **Strategic Implications**

The portfolio system is a technique by which individual Councillors become proficient in a number of areas of local government interest. This then results in a more collectively informed Council with additional individual skills.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council determine the new portfolio structure.

RESOLUTION

Moved: Cr Jefferys Seconded: Cr Della Bosca



13/10-19 That Council determine the new portfolio structure as per below.

	Required Members	Cr Geier	Cr Day	Cr Corsini	Cr Della Bosca	Cr Jefferys	Cr Huxtable	CEO
WEROC	2/2 proxy		<input checked="" type="checkbox"/>				Proxy for Cr Day, CEO	<input checked="" type="checkbox"/>
Wheatbelt Communities	N/A		<input checked="" type="checkbox"/>				Proxy for Cr Day, CEO	<input checked="" type="checkbox"/>
Community Development	Unlimited	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Emergency Services (inc LEMC)	1/1 proxy	<input checked="" type="checkbox"/>			Proxy to Cr Geier			
Tourism (inc NEWTRAVEL)	1/1 proxy			Proxy for Cr Huxtable			<input checked="" type="checkbox"/>	
Transport (inc RRG)	1/1 proxy		<input checked="" type="checkbox"/>			Proxy for Cr Day		
Agriculture (inc Eastern Wheatbelt Biodiversity Group (EWBG), Rural Water, Skeleton Weed)	1/1 proxy 1/1 proxy 1/1 proxy			Proxy for others <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Proxy for others <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Proxy for others		
Sport & Recreation	Unlimited		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				

WALGA	1/1 proxy		<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	Proxy to Cr's
Development Assessment Panel	2/2 proxy	<input checked="" type="checkbox"/>	Cr Day Deputy for Cr Geier			Deputy for Cr Huxtable	<input checked="" type="checkbox"/>	
Bush Fire Representative	1/1 proxy				Proxy for Cr	<input checked="" type="checkbox"/>		
Westonia Progress Association	1/1 proxy			<input checked="" type="checkbox"/>				Proxy for Cr Corsini
CEACA	Louis Geier							

CARRIED 5/0

10.1.12 TV REBROADCASTING RATES DEBTORS WRITE OFF

Responsible Officer:	Jamie Criddle, CEO
Author:	Stacey Geier, Rates/Administration Officer
File Reference:	F1.8.3 Debtor Write Off
Disclosure of Interest:	Nil
Attachments:	NIL
Signature:	Officer  CEO 

Purpose of the Report

- Executive Decision Legislative Requirement

Background

In accordance with S 6.12 (1)(c) of the Local Government Act, Council decision in writing off rates debtors that are unrecoverable is required.

Comment

The following TV Rebroadcasting Debtor amounts requires a motion from Council to have written off for the following reasons:

1. TV Rebroadcasting Rates Debtor Raised as Opening Balance on movement from QuickBooks Accounting to SynergySoft in 2012 to the current SynergySoft system.
The total amount of debtor write-off amount to \$ 1210, which has been paid, but is a transfer error in initial set up.

Statutory Environment

S 6.12 (1)(c) of the Local Government Act 1995.

Policy Implications

Council does not have a policy in relation to this matter

Strategic Implications

Effective financial control.

Financial Implications

Balance Sheet adjustment of \$ 1,210.00.

Voting Requirements

- Simple Majority Absolute Majority

OFFICER RECOMMENDATIONS

That Council agrees in accordance with S 6.12 (1)(c) of the Local Government Act, to write-off an amount of \$1,210.00 from outstanding rates debtors, being an Opening Balance on movement from QuickBooks Accounting to SynergySoft in 2012.

RESOLUTION

Moved: Cr Corsini **Seconded:** Cr Geier

14/10-19 That Council agrees in accordance with S 6.12 (1)(c) of the Local Government Act, to write-off an amount of \$1,210.00 from outstanding rates debtors, being an Opening Balance on movement from QuickBooks Accounting to SynergySoft in 2012.

CARRIED 5/0

10.2 COMMUNITY AND REGULATORY SERVICE

NIL

10.3 WORKS AND SERVICE

Cr Geier declared an interest in item 10.3.1 Tender 2-19/20 – Bitumenous Products as his brother is an employee at one of the tenderers.

RESOLUTION

Moved: Cr Corsini

Seconded: Cr Della Bosca

15/10-19

That Council allows Cr Geier to remain in the meeting during the discussion .

CARRIED 4/0

10.3.1 TENDER 2-19/20 – BITUMENOUS PRODUCTS

Responsible Officer:	Jamie Criddle, CEO
Author:	Bill Price, Works Supervisor
File Reference:	F1.9.1
Disclosure of Interest:	Cr Geier
Attachments:	Nil
Signature:	Officer CEO



Purpose of the Report



Executive Decision



Legislative Requirement

Background

Council has made allowance in its 2019/20 Budget for the provision of bituminous products as part of its adopted road's program, which includes approximately 45,500m² of combined primer seal 14mm and 1st coat seal 7mm, with 10mm reseal. With the inclusion of the Boodarockin sealing project instigated by Ramelius the volume of work has increased to 305,625m².

A notice inviting tenders was advertised on 26 September 2019 with tenders closing on 9 October 2019.

Comment

At the close of tenders six submissions were received from the following:

1. Boral Resources
2. Bitutek Pty Ltd
3. Fulton Hogan
4. COLAS WA Pty Ltd
5. Downer EDI
6. Kee Surfacing

In accordance with the Local Government (Functions & General) Regulations, Regulation 14(2a) the following criteria, will determine whether the tender should be accepted:

- Demonstrated experience by tenderer to meet the requirements as set out in specifications.

- A maintenance service best suited to the Principal’s requirements that demonstrates a commitment to customer service and a professional corporate image.
- Demonstrated ability and produces to ensure public and employee safety by way of Occupation Safety and Health, and adherence to the Traffic Management for Roadworks Code of Practice.

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Maintenance Service (25%)	Safety Commitment (25%)	
Boral Resources	50	20	20	90
Bitutek Pty Ltd	50	20	20	90
Fulton Hogan	50	20	20	90
Colas WA Pty Ltd	50	20	20	90
Downer EDI	50	20	20	90
Kee Surfacing	45	20	20	85

Assessment of Tenders against compliance criteria:

The tenderer for the supply of bituminous products including aggregate was deemed to comply with the compliance criteria.

Basis of Recommendation:

The tenderer has demonstrated significant experience in carrying out similar works and a demonstrated commitment to service, quality assurance and safety.

Price Schedule

Boral Resources	Bitutek Pty Ltd	Fulton Hogan	Colas WA	Downer EDI	KEE Surfacing
\$2,223,827.38	\$2,222,568.75	\$2,442,043.85	\$2,377,408.75	\$2,303,550.00	\$2,380,331.25

Statutory Environment

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

Policy Implications

Council does not have a policy in relation to this matter

Strategic Implications

Nil

Financial Implications

An allocation of funds has been allowed for in the 2019/20 financial budget as part of the annual roads program. Ramelius resources are funding the Boodarockin Road project.

Voting Requirements

Simple Majority

Absolute Majority

Cr Geier left the meeting at 5.21pm.

OFFICER RECOMMENDATIONS

That Council:

1. Accept the tender from Bitutek Pty Ltd for the Supply of Bitumenous Products for the total tendered price of \$ 2,222,568.75 including GST.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Jefferys

16/10-19

That Council:

1. Accept the tender from Bitutek Pty Ltd for the Supply of Bitumenous Products for the total tendered price of \$ 2,222,568.75 including GST.

CARRIED 4/0 By Absolute Majority

RESOLUTION

Moved: Cr Jefferys **Seconded:** Cr Geier

17/10-19 In accordance with Section 5.23(2)(c) of the Local Government Act 1995 Council went Behind Closed Doors to discuss a contract entered into with another party.

The meeting went 'behind closed doors' at 5.40pm


CARRIED 5/0

Member of the Public, Louis Geier left the meeting at 5.40pm.

10.3.2 CONFIDENTIAL RAMELIUS RESOURCES – BOODAROCKIN RD CARTAGE ROUTE

10.3.3 BOODAROCKIN RD BITUMEN SEAL SLK 0.37 – 2.12

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



Purpose of the Report

- Executive Decision Legislative Requirement

Summary

Discuss the sealing of the first section of Boodarockin Road SLK 0.37 – 2.12 (1.75km), not covered in the Ramelius agreement.

Background

As you will be aware, Council and management have been pursuing a suitable cartage route for the Marda Dam operations from Mount Jackson in the Yilgarn Shire to the Mill in Westonia for processing.

Council resolved at the September meeting to authorise the CEO to pursue the Boodarockin Road Route with Ramelius. Agreements are all but in place for works to commence.

RESOLUTION

Moved: Cr Della Bosca **Seconded:** Cr Huxtable

08/09-19 That subject to not utilising the contract cartage route determined at the August meeting (13/08-19), Council:

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

Configuration

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

2. Advises Ramelius Resources that the approval is subject to:
 - a) the two parties entering into an appropriate maintenance cost agreement for use of the Koorda-Bullfinch, Boodarockin Rd's;
 - b) Requests Ramelius Resources/Cartage Contractor to install appropriate signage at the intersections (Koorda-Bullfinch & Boodarockin, Boodarockin & Mine entry) to advise commuters of the dangers of trucks entering;
 - c) Speed limit along entire route as per PBS and RAV restrictions;
 - d) Fund the total cost of Boodarockin Road reconstruction, water bind and seal to type 5 standard from (Koorda-Bullfinch road to mine entry), including widening

and realignment of corners at Sandford Rocks, intersections and floodway stabilisation and seal;

- e) Install centre white lines along route;
- f) Complete intersection upgrades at Koorda-Bullfinch/Boodarockin & Mine Entrance intersections with appropriate intersection seal treatment;
- g) conduct community information sessions/mail out prior and during the operation;
- h) Offer and install noise mitigation measures such as double-glazed windows at D Price & J & R Corsini residences along the route;
- i) request the entry to the mine on Boodarockin road be somewhere near the "Joan's Leap" site and not too close to the Corsini Road intersection;
- j) A 90km/hr speed restriction being place on Boodarockin Road from Westonia Road to the mine entrance.

3. Allow access to the Warralakin Road Route prior to the Boodarockin Road haulage routes/roads being finalised and upgraded, utilising smaller vehicle combinations with the two parties entering into an appropriate capital and maintenance cost agreement for use of the Koorda-Bullfinch, Warralakin, Stoneman and Warrachuppin Roads.

4. The Chief Executive Officer be authorised to negotiate and enter into all appropriate agreements pertaining to this project.

CARRIED 4/0

 **Comment**

As mentioned above, the cartage contractors will be entering the mine site near the Corsini Road corner, therefore not requiring the first 1.75 km (SLK 0.37 – 2.12) section of Boodarockin Road to be reconstructed and sealed. Management have costed the works at approximately \$138,000, with \$99,000 of this cost to be bitumen sealing.

It would be a shame to have 36.25km of the total 38km sealed with the first section as you exit town unsealed.

Management are requesting that Council use its own resources to seal the first 1.75km section of Boodarockin Road with funds either saved on the Boodarockin Road (Ramelius) works via wages or with the roadworks expected to be unspent as a result of this work and the Warrachuppin Road realignment.

 **Statutory Environment**

Nil

 **Policy Implications**

Council Delegation MISC 05 Application of operation of Road Trains

 **Strategic Implications**

N/A

 **Financial Implications**

Nil

 **Voting Requirements**



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council

1. Use its own resources to seal the first 1.75km section (SLK 0.37 – 2.12) of Boodarockin Road at an approximate cost of \$138,000;
2. Authorise the additional expenditure (approximately \$138,000) as an out of budget expense, funded by either costs saved on the Boodarockin Road (Ramelius) works via wages or with the roadworks expected to be unspent as a result of this work and the Warrachuppin Road realignment.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Corsini

20/10-19 That Council

1. Use its own resources to seal the first 1.75km section (SLK 0.37 – 2.12) of Boodarockin Road at an approximate cost of \$138,000;
2. Authorise the additional expenditure (approximately \$138,000) as an out of budget expense, funded by either costs saved on the Boodarockin Road (Ramelius) works via wages or with the roadworks expected to be unspent as a result of this work and the Warrachuppin Road realignment.

CARRIED 5/0

10.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES

NIL

Council resolved at the September meeting to continue with the subdivision and made scope for a budget variation to do so.

Comment

As part of the subdivision, it was advised to approach Mr. Ernie Douglas to see if he was interested in purchasing the block next to his house lot 328 Pyrites Street, Westonia and amalgamate with his current block (329). Mr Douglas has indicated that he would be interested.

Council resolved that the price for the blocks would be \$15,000 with the single block (lot 328 priced at \$10,000 to make the blocks worth \$15,000 each. As Mr. Douglas would need to apply to have the blocks amalgamated, a cost of \$2,400 would be requested by Landgate, effectively making his block worth \$17,400 and the others \$15,000. Mr Douglas offered to pay \$5,000 for Lot 328 and pay for the amalgamation costs, effectively making his block valued at \$12,400.

In order to keep block prices consistent across the board, it is suggested that the price of lot 328 remain at \$10,000 and Council cover the cost of the amalgamation of Mr. Douglas's blocks.

Statutory Environment

Westonia does not currently have a Town Planning Scheme, but if recommended, this would need to be included in the new Scheme.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

As the diagram suggests, there would need to be water upgrades down the back lane and a power upgrade along Scheelite Street. A budget variation is required to proceed the project.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council:

1. Offer Lot 328 Scheelite Street to Mr Douglas for \$10,000;
2. Cover the cost of the amalgamation of Mr. Douglas's blocks.

If Mr. Douglas is not interested in the offer, that Council consider amalgamating lots 328 & 327 into one double block

RESOLUTION

Moved:

Cr Jefferys

Seconded:

Cr Corsini

22/10-19

That Council:


1. Offer Lot 328 Scheelite Street to Mr Douglas for \$10,000;
2. Cover the cost of the amalgamation of Mr. Douglas's blocks.

If Mr. Douglas is not interested in the offer, that Council consider amalgamating lots 328 & 327 into one double block

CARRIED 5/0

12.1.2 SPECIAL MEETING – SWEARING IN OF CR DAY

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



Purpose of the Report

Executive Decision

Legislative Requirement

To officially conduct the swearing ceremony for Councillor Day as Councillor and President.

Background

The Local Government Election process wound up on Saturday 19th October 2019 with three current Councillors officially declared re-elected to the office of Councillor. Cr's Corsini and Huxtable were sworn in as Councillors at today's meeting as was Cr Huxtable as Deputy President.

Comment

In order for Councillor-elect Day to perform her functions as Councillor and Shire President, she will need to be sworn in prior to commencing these duties.

It was suggested that a Special Meeting be called on Monday 28th or Tuesday 29th October to conduct the swearing in ceremony.

Statutory Environment

In accordance with Section 2.29 of the Local Government Act 1995, Councillors elect will each in turn took the Oath of Allegiance/Affirmation of Allegiance, read and signed the declaration to the Office of Councillor in the presence of the Chief Executive Officer as per the requirements of the Act.

The Oaths, Affidavits and Statutory Declarations Act 2005 and Schedule 2 of that Act list the authorised people who can witness declarations.

These are –

Schedule 2 – Authorised witnesses for statutory declarations

21. The chief executive officer or deputy chief executive officer of a local government.

22. A member of the council of a local government within the meaning of the Local Government Act 1995.

The procedure for electing a Shire President is set out in Schedule 2.3, Division 1, of the Local Government Act 1995.

Policy Implications

Nil

Strategic Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council call a Special Meeting for Tuesday 29th October 2019 to conduct the swearing in ceremony for Councillor-elect Day.

RESOLUTION

Moved:	Cr Corsini	Seconded:	Cr Della Bosca
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23/10-19 That Council call a Special Meeting for Tuesday 29th October 2019 to conduct the swearing in ceremony for Councillor-elect Day.


CARRIED 5/0

Cr Della Bosca declared an interest in item 7.1.3 Tender 3-19/20 – Aggregate Tender as he is a director of Della Bosca Transport and left the meeting at 6.16pm and did not return.

12.1.3 TENDER 3-19/20 – AGGREGATE CARTAGE TENDER

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

Signature:	Officer	CEO
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Purpose of the Report

Executive Decision Legislative Requirement

Background

Council has made allowance in its 2019/20 Budget for the provision of bituminous products (particularly aggregate) as part of its adopted road’s program, which includes approximately 45,500m² of combined primer seal 14mm and 1st coat seal 7mm, with 10mm reseal. With the inclusion of the Boodarockin sealing project instigated by Ramelius the volume of work has increased to 305,625m².

A notice inviting tenders was advertised on Wednesday 9th October 2019 with tenders closing on 24th October 2019.

Comment

The tender listed the cartage proponent of 7,700 tonnes of aggregate from the successful Bitumen tenders pit.

At the close of tenders two submissions were received from the following:

7. Della Bosca Transport
8. Great Eastern Freightlines

In accordance with the Local Government (Functions & General) Regulations, Regulation 14(2a) the following criteria, will determine whether the tender should be accepted:

- Demonstrated experience by tenderer to meet the requirements as set out in specifications.
- A maintenance service best suited to the Principal’s requirements that demonstrates a commitment

to customer service and a professional corporate image.

- Demonstrated ability and produces to ensure public and employee safety by way of Occupation Safety and Health, and adherence to the Traffic Management for Roadworks Code of Practice.

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Maintenance Service (25%)	Safety Commitment (25%)	
Della Bosca Transport	50	20	20	90
Great Eastern Freightlines	50	20	20	90

Assessment of Tenders against compliance criteria:

The tenderer for the supply of bituminous products including aggregate was deemed to comply with the compliance criteria.

Basis of Recommendation:

The tenderer has demonstrated significant experience in carrying out similar works and a demonstrated commitment to service, quality assurance and safety.

Price Schedule

Tenderer	Hansen's Quarry	BGC Quarry	Total Inc GST
Della Bosca Transport	\$39.33	\$32.45	\$301,818.42
Great Eastern Freightlines	\$39.33	\$33.55	\$301,818.42



Statutory Environment

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



Policy Implications

The Shire of Westonia recognizes the following two Regions for price preferences:

Region 1 – which is defined as a business or industry located within the District of the Shire of Westonia; and
Region 2 – which is defined as a business or industry located within the Districts of the Shire of Merredin, Kellerberrin, Nungarin, Mukinbudin, Yilgarn and Bruce Rock.

The regional price preference to be given to either a Region 1 or Region 2 tenderer or supplier of a quotation are outlined below and represents at which the regional tender's price bids or quotations would be reduced for the purpose of assessing the tender or quotations.

Region 1:

A preference may be given to a regional tenderer or supplier of a quotation from "region 1" by assessing the tender or quote from that regional tenderer as if the price bids were reduced by:

1. 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000;
2. 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$50,000; or
3. 10% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Although goods or services that form part of a tender or quotation submitted by a regional tenderer may be:

1. wholly supplied from regional sources; or

2. partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender or quotation as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender or quotation when a regional price preference policy is in operation.

Despite the allowed percentage preferences, price is only one of the factors to be assessed when the local government is to decide which of the tenderers or quotations it thinks would be most advantageous to the local government to accept.

Region 2:

A preference may be given to a regional tenderer or supplier of a quotation from "region 2" by assessing the tender or quote from that regional tenderer as if the price bids were reduced by :

1. 5% - where the contract is for goods or services, up to a maximum price reduction of \$25,000;
2. 2.5% - where the contract is for construction (building) services, up to a maximum price reduction of \$25,000; or
3. 5% - where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$250,000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

Although goods or services that form part of a tender or quotation submitted by a regional tenderer may be:

1. wholly supplied from regional sources; or
2. partly supplied from regional sources, and partly supplied from non-regional sources, only those goods or services identified in the tender or quotation as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender or quotation when a regional price preference policy is in operation.

Despite the allowed percentage preferences, price is only one of the factors to be assessed when the local government is to decide which of the tenderers or quotations it thinks would be most advantageous to the local government to accept.

Strategic Implications

Nil

Financial Implications

An allocation of funds has been allowed for in the 2019/20 financial budget as part of the annual roads program. Ramelius resources are funding the Boodarockin Road project.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council:

1. **Accept the tender from Della Bosca Transport for the Cartage of 7700 tonne of aggregate from Hansen's Quarry for the total tendered price of \$301,818.42 including GST.**

RESOLUTION

Moved: Cr Jefferys

Seconded: Cr Corsini

24/10-19 That Council offer the tender for the Cartage of 7700 tonne of aggregate from Hansen's Quarry for the total tendered price of \$301,818.42 including GST to Della Bosca Transport and Great Eastern Freightlines on a 50/50 contract.

MOTION LOST 2/3
The Acting President exercised his right to a casting vote

RESOLUTION

Moved: Cr Geier **Seconded:** Cr Huxtable

25/10-19 That Council accept the tender from Della Bosca Transport for the Cartage of 7700 tonne of aggregate from Hansen's Quarry for the total tendered price of \$301,818.42 including GST.

CARRIED 3/2
The Acting President exercised a casting vote

13 DATE AND TIME OF NEXT MEETING

The next ordinary meeting of Council will be held on 21st November 2019 commencing at 3.30pm

Special Meeting will be held on Tuesday 29th October 2019 commencing at 6.00pm

14 MEETING CLOSURE

There being no further business the Deputy President, Cr Huxtable declared the meeting closed at 6.30pm