

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

# Minutes

## Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia  
Thursday 16th September 2021

### CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 16<sup>th</sup> September 2021 as a true and accurate record of the Ordinary Council Meeting held 19<sup>th</sup> October 2021.

.....  
**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.



**SHIRE OF WESTONIA**  
A vibrant community lifestyle

# STRATEGIC COMMUNITY

**SNAPSHOT**

**PLAN**

**2018-2028**

## CORE DRIVERS

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

## OUR VALUES

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

**Inclusiveness** – Be receptive, proactive, and responsive.

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

**Communication** – Create opportunities for consultation with the broad community.

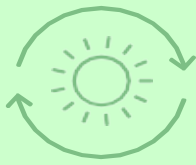
## OUR VISION

A vibrant community lifestyle

## MISSION

Provide leadership and direction for the community.

## ECONOMIC



**Support growth and progress, locally and regionally...**

**Efficient transport connectivity in and around our Shire.**

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

**Facilitate local business retention and growth.**

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

## SOCIAL



**Provide community facilities and promote social Interaction...**

**Plan for community growth and changing demographics.**

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

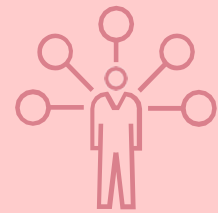
**Our community has the opportunity to be active, socialised and connected.**

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

**Natural spaces are preserved and bring us value.**

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

## GOVERNANCE



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

**Be progressive and capture opportunities.**

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

**The community receives services in a timely manner.**

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

**Financial resources meet the ongoing needs of the community.**

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

**Shire of Westonia: -**

**A vibrant community lifestyle.**



TABLE OF CONTENTS

<b>1. DECLARATION OF OPENING</b>	<b>5</b>
<b>2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE</b>	<b>5</b>
<b>3. PUBLIC QUESTION TIME (3.34PM – 3.49PM)</b>	<b>5</b>
<b>4. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>5</b>
<b>5. CONFIRMATION OF PREVIOUS MINUTES</b>	<b>5</b>
<b>6. RECEIVAL OF MINUTES</b>	<b>5</b>
<b>7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS</b>	<b>6</b>
<b>8. DECLARATION OF INTEREST</b>	<b>7</b>
<b>9. MATTERS REQUIRING A COUNCIL DECISION</b>	<b>8</b>
9.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES	8
9.1.1 ACCOUNTS FOR PAYMENT	8
9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – AUGUST 2021	10
9.1.3 GST RECONCILIATION REPORT – AUGUST 2021	12
9.1.4 WARRALAKIN TANK	14
9.1.5 INTERIM AUDIT – AUDIT PARTNERS AUST (OAG)	16
9.1.6 CODE OF CONDUCT – BEHAVIOUR COMPLAINTS MANAGEMENT POLICY, TERMS OF REFERENCE & DELEGATION	18
9.2 COMMUNITY AND REGULATORY SERVICE	21
9.3 WORKS AND SERVICE	22
9.3.1 TENDER 3-21/22 – ROAD ROLLERS	22
9.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES	25
<b>10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>26</b>
<b>11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING</b>	<b>26</b>
11.1.1 CHIEF EXECUTIVE OFFICERS CONTRACT UPDATE	26
11.1.2 FUTURE HEALTH ARRANGEMENTS IN WESTONIA	28
<b>12 DATE AND TIME OF NEXT MEETING</b>	<b>30</b>
<b>13 MEETING CLOSURE</b>	<b>30</b>

## 1. DECLARATION OF OPENING

The President, Cr Day welcomed Councillors and staff and declared the meeting open at 3.32pm.

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

- Ian Hodge

## 2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

### Councillors:

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

### Staff:

Mr. JC Criddle	Chief Executive Officer
Mr AM Price	Manager of Works & Services (entered 5.08pm)
Mrs JL Geier	Manager of Corporate Services (Left 4.29pm)

**Members of the Public:** Nil

**Apologies:** Nil

**Approved Leave of Absence:** CR RS Corsini

## 3. PUBLIC QUESTION TIME (3.34PM – 3.49PM)

Nil

## 4. APPLICATIONS FOR LEAVE OF ABSENCE

## 5. CONFIRMATION OF PREVIOUS MINUTES

---

### OFFICER RECOMMENDATIONS

---

That the minutes of the Ordinary Meeting of Council held on 24<sup>th</sup> August 2021 be confirmed as a true and correct record.

---

### RESOLUTION

---

<b>Moved:</b>	<b>Cr Geier</b>	<b>Seconded:</b>	<b>Cr Huxtable</b>
---------------	-----------------	------------------	--------------------

<b>01/09-21</b>	<b>That the minutes of the Ordinary Meeting of Council held on 24<sup>th</sup> August 2021 be confirmed as a true and correct record.</b>
-----------------	---

**CARRIED 5/0**

## 6. RECEIVAL OF MINUTES

---

### OFFICER RECOMMENDATIONS

---

That the Great Eastern Country Zone Meeting Minutes held Monday 23<sup>rd</sup> August 2021 be accepted

That the CEACA Minutes held Monday 23<sup>rd</sup> August 2021 be accepted

---

## RESOLUTION

---

Moved: Cr Della Bosca

Seconded: Cr Huxtable

02/09-21

**That the Great Eastern Country Zone Meeting Minutes held Monday 23<sup>rd</sup> August 2021 be accepted**

**That the CEACA Minutes held Monday 23<sup>rd</sup> August 2021 be accepted**

**CARRIED 5/0**

## 7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS

Prior to the President/Councillors announcements, the President wished to

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

- Site visits with Samuel Green from ASK Waste Management on Wednesday 15<sup>th</sup> September with the CEO and Works Supervisor.
- Meeting with the CEO regarding CEO Contract.

## 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 **16<sup>th</sup> September 2021**.

<b>Name/Position</b>	Jamie Criddle
<b>Item No./Subject</b>	11.1.1 CEO Contract
<b>Nature of interest</b>	Financial Interest
<b>Extent of Interest</b>	CEO is the officer in question

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 **16<sup>th</sup> September 2021**.

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



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 **16<sup>th</sup> September 2021**.

<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>	Jasmine Geier, Manager of Corporate Services		
<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 June be obtained.

#### Comment

Attached is a copy of Accounts for Payment for the month of August 2021. The credit card statements currently show: -

CEO	<b>August 2021 \$4,235.74</b> associated with the purchase of Fuel for Community Bus, Microsoft 365 Business Recurring, Crown Gift Card second prize early rates payment Shipping and gift box, Activ8me 300GB Bonus Package, Spotify for Westonia Swimming pool, Early Payment Rates Incentive 1st Prize 1 night stay at Karma Rottnest Resort, Canvas with Floating Frame 75 x 50cm, Office 365 Exchange Plan 1, Numatic Henry Commercial Vacuum Cleaner, Wheel Chair for Medical Room Freight, SEEK Job Ad Road Train Operator, Flowers For Deb Goodwin through Australia Post, Sunbeam Express Kettle2400W, Microsoft 365 Business Standard & Jennacubbine Tavern Meals
Works Supervisor	<b>August 2021 \$2,514.25</b> associated with the purchase Personalised 10.2-inch iPad Wi-Fi + Cellular 128GB — Silver, 11307 - Parks & Gardens - Standard Roses and plants Cement Street, Prado - Change of plate costs, Protective Clothing - 3 x work pants, Roadtrain Permit New Freightliner, Road Train Permit, Rose & Crown Hotel, Purchase Interest

#### Statutory Environment

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

#### Policy Implications

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





**Strategic Implications**

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



**Financial Implications**

Expenditure in accordance with the 2021/2022 Annual Budget.



**Voting Requirements**



Simple Majority



Absolute Majority

---

**OFFICER RECOMMENDATIONS**

That August 2021 accounts submitted to today's meeting on Municipal vouchers numbered from 3953 to 3956, and D/Debits from EFT5115 to EFT5159 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$296,106.61 be passed for payment.

---

**RESOLUTION**

Moved: Cr Geier



Seconded: Cr Jefferys

03/09-21

That August 2021 accounts submitted to today's meeting on Municipal vouchers numbered from 3953 to 3956, and D/Debits from EFT5115 to EFT5159 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$296,106.61 be passed for payment.

CARRIED 5/0

## 9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – AUGUST 2021

<b>Responsible Officer:</b>	Jamie Criddle, CEO		
<b>Author:</b>	Jasmine Geier, Manager of Corporate Services		
<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 August 2021 is attached for Councillor information, and consists of:

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

### **Statutory Environment**

General Financial Management of Council  
Council 2021/2022 Budget  
Local Government (Financial Management) Regulation 34 1996  
Local Government Act 1995 section 6.4

### **Policy Implications**

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

### **Strategic Implications**

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

### **Financial Implications**

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

### **Voting Requirements**

- Simple Majority  Absolute Majority

---

**OFFICER RECOMMENDATIONS**

---

That Council adopt the Monthly Financial Report for the period ending August 2021 and note any material variances greater than \$10,000 or 15%.

---

**RESOLUTION**

---



**Moved:** Cr Jefferys **Seconded:** Cr Della Bosca

**04/09-21** That Council adopt the Monthly Financial Report for the period ending August 2021 and note any material variances greater than \$10,000 or 15%.

**CARRIED 5/0**

### 9.1.3 GST RECONCILIATION REPORT – AUGUST 2021

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO		
<b>Author:</b>	Jasmine Geier, Manager of Corporate Services		
<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 31<sup>st</sup> August 2021 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\$ 11,346.00 for the period ending August 2021 adopted.

---

**RESOLUTION**

---

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

**05/08-21** That the GST Reconciliation totaling\$ 11,346.00 for the period ending August 2021 adopted.

**CARRIED 5/0**


Jasmine Geier, Manager of Corporate Services left the meeting at 4.29pm.

### 9.1.4 WARRALAKIN TANK

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO	
<b>Author:</b>	Jamie Criddle, CEO	
<b>File Reference:</b>		
<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

#### **Background**

As discussed at the August Ordinary Council meeting, the Department of Water & Environmental Regulation were successful in securing both State and Federal funding for the 'Warralakin Tank (Geelakin Rock)' project.

As a result, Council resolved the following in relation to the project.

---

#### **RESOLUTION**

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

**16/08-21**            That Council confirm to the Department of Water & Environmental Regulation that we agree in principle to the Warralakin Tank (Geelakin Rock)' restoration project to set up as a Strategic Community Water Supply (SCWS) for locals to access and reduce the reliance on scheme.

**CARRIED 5/0**



Geelakin Water Tank

#### **Comment**

After Council confirmed that they agree in principle to the project to develop the project together with funding partners, vesting authorities and works contractors it was advised that one condition was that the Shire of

Westonia take over the vesting of the tank and reserve. The CEO has verbally agreed to change in vesting after consulting with the President, with Council to formally agree via resolution.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Strategic Implications**

Nil

**Financial Implications**

There may be a small 'inkind' contribution for site works required.

**Voting Requirements**

Simple Majority

Absolute Majority

---

**OFFICER RECOMMENDATIONS**

That Council, in addition to previously confirming in principle with the Department of Water & Environmental Regulation to the Warralakin Tank (Geelakin Rock)' restoration project, agree to a change in the vesting order over the Geelakin Tank and Reserve to the Shire of Westonia once the restorations are complete..

---

**RESOLUTION**


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

**06/09-21** That Council, in addition to previously confirming in principle with the Department of Water & Environmental Regulation to the Warralakin Tank (Geelakin Rock)' restoration project, agree to a change in the vesting order over the Geelakin Tank and Reserve to the Shire of Westonia once the restorations are complete.

**CARRIED 5/0**

### 9.1.5 INTERIM AUDIT – AUDIT PARTNERS AUST (OAG)

<b>Responsible Officer:</b>	Jamie Criddle, CEO	
<b>Author:</b>	Jamie Criddle, CEO	
<b>File Reference:</b>		
<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

For the Audit Committee to consider the Interim Audit Management Letter.

#### **Background**

Audit Partners Australia (Auditors) on behalf of the Office of the Auditor General (OAG) recently undertook the interim audit in preparation of the 30 June 2021 annual financial audit. During the interim audit a number of systems and controls were tested that the Auditor relies upon for the audit process.

That the Audit Committee now need to note the matters raised in the Interim Audit Management Letter and endorse the recommendations to reduce the risk.

#### **Comment**

During the course of the audit, they noted one matter that needed to be brought to the attention of the Shire. This resulted in the attached management letter.

##### **Finding**

During our sample testing of payments made during the year, we identified 6 instances where the authorised purchase orders were dated after the dates of the corresponding supplier invoices.

**Rating:** Moderate

##### **Implication**

Delays in raising and approving purchase orders increases the risk of unauthorised goods or services being incurred.

##### **Recommendation**

Management should ensure that all purchase orders are appropriately raised and approved prior to receiving goods or services for all applicable transactions that require purchase orders.

##### **Management Comment**

This has been raised with all staff issuing purchase orders. The issue stems with purchases made in Merredin from trips into Merredin as we no longer use handwritten purchase order books which can be done on site. We are still ironing out the issues with the electronic system and off-site purchases, but believe we have procedures in place to minimise any perceived risk.

#### **Statutory Environment**

Nil

#### **Policy Implications**

Nil

#### **Strategic Implications**

Nil

#### **Financial Implications**

Nil.





**Voting Requirements**



Simple Majority



Absolute Majority

---

**OFFICER RECOMMENDATIONS**

That the Audit Committee note the matters raised in the Interim Audit Management Letter and the recommendations to reduce the risk.

---

**RESOLUTION**

**Moved:**

**Cr Jefferys**

**Seconded:**

**Cr Huxtable**

07/09-21

**That Council accept the recommendation of the Audit Committee and note the matters raised in the Interim Audit Management Letter and the recommendations to reduce the risk.**


**CARRIED 5/0**

## 9.1.6 CODE OF CONDUCT – BEHAVIOUR COMPLAINTS MANAGEMENT POLICY, TERMS OF REFERENCE & DELEGATION

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO	
<b>Author:</b>	Jamie Criddle, CEO	
<b>File Reference:</b>	A1.1.4	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	1. Shire of Westonia Code of Conduct for Council Members, Committee Members and Candidates 2. Shire of Westonia Code of Conduct Behaviour Complaints Management Policy 3. Shire of Westonia Behaviour Complaints Committee – Terms of Reference 4. Shire of Westonia Behaviour Complaints Committee Delegation 5. Complaint of Minor Breach Form	
<b>Signature:</b>	<b>Officer</b>	<b>CEO</b>

---



### **Purpose of the Report**

Executive Decision

Legislative Requirement

The government has enacted new legislation requiring all local governments to adopt a new Code of Conduct for Council Members, Committee Members and Candidates for a local government election, and to deal with ancillary matters.

### **Background**

The following regulations took effect on 3 February 2021, implementing the remaining parts of the Local Government Legislation Amendment Act 2019:

- Local Government (Administration) Amendment Regulations 2021
- Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021
- Local Government (Model Code of Conduct) Regulations 2021.

In regard to the Local Government (Model Code of Conduct) Regulations 2021, Local Governments are required to adopt a Code of Conduct for Council Members, Committee Members and Candidates within three (3) months of the Regulations taking effect.

To account for any breaches occurring on and from the first day that the Regulations take effect, Local Governments must authorise at least one person to receive complaints.

This was completed at the February Ordinary Meeting to ensure that Council met the Regulation requirements.

### **Comment**

At the time of the new legislation being implemented, WALGA had advised its member Councils that it would develop templates of Policy's and Committee establishment and appropriate Terms of Reference to assist Local Governments in dealing with complaints.

The CEO, utilising the WALGA templates, has developed the following documents as part of the process of dealing with complaints for Councillors consideration:-

- Code of Conduct Behaviour Complaints Management Policy;
- Behaviour Complaints Committee Terms of Reference; and
- Behaviour Complaints Committee Delegation

In the WALGA Complaints Management Policy template, Section 3.8 deals with the appointment of a Complaints Assessor. WALGA referred to the Complaints Assessor appointment as being independent and that Council's Procurement Policy could be utilised to source quotations for this position. Rather than sourcing external Consultants at cost, the CEO at the recent WEROC Board meeting suggested that a panel of names from WEROC Member Councils be submitted that could be called upon to act as a Complaint Assessor if required. To ensure

impartiality, a Complaint Assessor could be sourced from a non-adjointing Member Council.

The wording proposed in the Behaviour Complaints Management Policy, Section 3.8 relating to the Appointment of Complaints Assessor is as follows, and which has been referred to WALGA for comment. WALGA indicated that the wording appears consistent with how some other groups of Councils intend to manage assessment of complaints:-

***“If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a Complaints Assessor from a panel of names submitted by the Wheatbelt East Regional Organisation of Councils (WERO) Inc., (updated from time to time) who are deemed by individual WERO participating Member Councils to have the necessary experience to undertake the Complaint Assessor role in an impartial manner”.***

A Draft of the Code of Conduct Behaviour Complaints Management Policy, Behaviour Complaints Committee Terms of Reference; and Behaviour Complaints Committee Delegation is presented for Councillors perusal.

### Strategic Implications

Shire of Westonia Strategic Community Plan 2017-2027

Objective 4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)

Outcome: 4.1 An efficient and effective organisation

Strategy: 4.1.1 Continually improve operational efficiencies and provide effective services

Strategy: 4.1.2 Continue to enhance communication and transparency

Outcome: 4.2 An employer of choice

Strategy: 4.2.1 Provide a positive, desirable workplace

### Financial Implications

There are no known meaningful financial implications relative to this matter in excess of officer time and minor administrative cost.

### Voting Requirements

Simple Majority

Absolute Majority

---

## OFFICER RECOMMENDATIONS

---

That Council;

1. Formally adopts the presented Code of Conduct Behaviour Complaints Management Policy;
2. Formally adopts the presented Code of Conduct Behaviour Complaints Committee Terms of Reference;
3. Formally adopts the presented Code of Conduct Behaviour Complaints Committee Delegation (LGA25) in order that Council has an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates;
4. Nominates Cr Day (President) to sit on the WERO Complaint Assessor Panel; and
5. Publish the adopted Code of Conduct Behaviour Complaints Management Policy on the Shire of Westonia website.




## **9.2 COMMUNITY AND REGULATORY SERVICE**

## 9.3 WORKS AND SERVICE

### 9.3.1 TENDER 3-21/22 – ROAD ROLLERS

---

<b>Responsible Officer:</b>	Jamie Criddle, CEO		
<b>Author:</b>	Jamie Criddle, CEO		
<b>File Reference:</b>	F1.9.1		
<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

#### Background

Council has made allowance in its 2021/22 Budget for the purchase of a new Multi Tyred Roller to add to its fleet. Since the Budget was set, Management have been discussing the value of holding the Smooth Drum Roller in its fleet when it is used for only 4 weeks of the year and there may be more value in hiring a Smooth Drum Roller for this period and purchasing an additional Multi Tyred Roller for construction and Maintenance. This would also alleviate the need to put money into the upgrade of the old Multi Tyred Roller and offer up for trade also.

As part of the Budget process, Council resolved to call tenders for the supply of one new Multi Tyred Roller. To test the water, management have requested Tenders on 2 x Multi Tyred Rollers with possible trades on the Hamm Multi Tyred Roller, the Smooth Drum Roller and the Old Multipac Multi Tyred Roller.

A notice inviting tenders was advertised on 4<sup>th</sup> August 2021 with tenders closing on 20<sup>th</sup> August 2021.

A list of conforming tenders will be supplied at the meeting for discussion.

#### Comment

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

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

#### **Assessment of Tenders against compliance criteria:**

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

#### **Assessment of Tenders against qualitative criteria:**

Tenders were scored using the following range:

- 0 – Did not address criterion
- 1 – Insufficient or unclear information
- 2 – Acceptable

- 3 – Good
- 4 – Very Good
- 5 – Excellent

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Personnel (25%)	Resources (25%)	
Conplant	50	25	20	95
Tutt Bryant Equipment	50	25	20	95
Construction Equipment	50	25	20	95
Westrac	50	25	25	100
Wirtgen Australia	50	20	15	85
Mcintosh & Sons	50	25	25	100

**Basis of recommendation:**

All tenderers scored similarly in qualitative criterion assessment, all having similar experience in providing tractors and similar equipment to Western Australian local governments, some being marked down in the resources section due to poor back up service experience in the past.

Council’s budget allocation of \$85,000 net, with Council to decide which vehicle is most suited to Council’s operations.

Tenders will be forwarded at.



**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 \$85,000 net, ex GST has been allowed for in the 2021/22 financial budget for the purchase of 1x Multi Tyred Roller. Any further purchases would require Council approval to use Plant Reserve funds and funds from the trade of the steel roller should this be resolved.



**Voting Requirements**

Simple Majority

Absolute Majority

---

### OFFICER RECOMMENDATIONS

---

That Council endorse the following shortlist of machines to be inspected on Tuesday 21<sup>st</sup> September in Perth

- Liugong 6520E (Mcintosh & Sons)
- BomagBW 28RH (BT Equipment)
- Dynapac CP2100W 9Construction Equipment Australia)
- Caterpillar CW34 (Westrac)

That Council accept the tender submitted by Maxus Construction for the outright purchase of the Dynapac Steel Drum Roller for the price of \$ 78,000.00 (inc GST).

---

### RESOLUTION

---

Moved: Cr Geier

Seconded: Cr Huxtable

09/09-21

That Council endorse the following shortlist of machines to be inspected on Tuesday 21<sup>st</sup> September in Perth

- Liugong 6520E (Mcintosh & Sons)
- BomagBW 28RH (BT Equipment)
- Dynapac CP2100W 9Construction Equipment Australia)
- Caterpillar CW34 (Westrac)

That Council accept the tender submitted by Maxus Construction for the outright purchase of the Dynapac Steel Drum Roller for the price of \$ 78,000.00 (inc GST).

That Council call for a Special meeting of Council on Wednesday 22<sup>nd</sup> September 2021 at 6.30pm to discuss the outcome of the Roller inspections.

CARRIED 5/0



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

**NIL**

## 10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

---

### RESOLUTION

**Moved:** Cr Della Bosca

**Seconded:** Cr Geier

**10/09-21**

**That introduces two (2) items of an urgent nature to the meeting for discussion.**

**CARRIED 5/0**

---

### RESOLUTION

**Moved:** Cr Geier

**Seconded:** Cr Della Bosca

**11/09-21**

**That Jamie Criddle, CEO be allowed in the meeting for discussion.**

**CARRIED 5/0**

---

### 11.1.1 CHIEF EXECUTIVE OFFICERS CONTRACT UPDATE

---

**Responsible Officer:**

Jamie Criddle, CEO

**Author:**

Cr Karin Day, President

**File Reference:**

**Disclosure of Interest:**

Jamie Criddle, CEO

**Attachments:**

Nil

**Signature:**

**Officer**

**CEO**



---

### Purpose of the Report

Executive Decision

Legislative Requirement

To sign off on the Chief Executive Officers new contract

### Background

In May 2020, Council agreed to offer the Chief Executive Officer a new (5) five-year contract extension to August 2025.

---

### RESOLUTION

**Moved:** Cr Corsini

**Seconded:** Cr Della Bosca

**22/05-20**

**That**

1. The review of the Chief Executive Officer as presented by the President be adopted as the 2020 Annual Review of the CEO as per requirements of Section 5.38 and 5.39 of the Local Government Act 1995;
2. That section 6.2 (Remuneration Package Components) of the Chief Executive Officer's contract not be altered due to the Covid-19 saving requirements.

**3. That section 3.2 (term) of the Chief Executive Officer's contract be extended for a further 5 years to August 2025 with the President authorised to sign off on the said agreement.**

**CARRIED 5/0 BY ABSOLUTE MAJORITY**

Since agreeing to the contract extension, it has been made aware to the Local Government sector that many of the contracts in place are out of date and do not reflect the current legislation, including the one held the Shire of Westonia.

LG Professionals WA have worked with the Western Australian Local Government Association (WALGA) to develop an agreed joint model contract for Local Government Chief Executive Officers.

There are currently many different contracts in place across the sector, containing very different provisions for entitlements and obligations. Many are out dated and do not reflect current legislation.

It is anticipated that creating a joint model contract, endorsed by both LG Professionals WA and WALGA, will help to alleviate many of the conflicts that can occur during negotiation, and during the life of the contract.

Both LG Professionals WA and WALGA recognise that the CEO contract is critical in establishing the relationship between the CEO and Council. By providing clear processes for addressing potential conflicts it is hoped that it will assist in reducing unnecessary tensions, and enable a clear pathway to resolving disputes and consequently strengthening relationships within the sector.

With this CEO Joint Model Contract, both elected members and local government professionals can know what are the standard conditions and obligations for a Local Government Chief Executive Officer, as recommended by LG Professionals WA and WALGA.

The CEO Joint Model Contract accords with current legislation and all pertinent decisions of the Salaries and Allowances Tribunal.

Importantly, it addresses all the major issues such as:

- Termination Payments;
- Dispute Resolution Processes;
- Probationary Periods;
- Performance Criteria and Review; and
- Components of the Remuneration Package;

It sets a basic foundation for all CEOs contracts in the sector and provides a starting point from which Local Governments and Chief Executive Officers (and new appointees) can enter into negotiations.

In developing the CEO Joint Model Contract, LG Professionals WA and WALGA were assisted by Neil Douglas, McLeods Barristers & Solicitors, in the drafting of the contract.

**Comment**

Council renewed the CEO's employment contract in August 2020 for a 5 year period. It would be pertinent to consider updating and renewing his contract to be up to date with legislation.

Council will also need to consider the key performance criteria that need to be addressed by the CEO in the next 9 months before his next annual review.

In doing so, the Council may wish to extend the terms of the contract and offer the CEO a (5) five-year extension from this date (September 2021).

**Statutory Environment**

The review of the Chief Executive Officer is a statutory obligation required under section 5.38 and 5.39 of the Local Government Act 1995. It is also a requirement for a Local Government to appoint a Chief Executive Officer and that the CEO's contract shall not be for a period of more than 5 years.

**Policy Implications**

Nil

**Strategic Implications**

Governance

Meet our legislative and compliance requirements.



**Financial Implications**

Nil.



**Voting Requirements**

Simple Majority                       Absolute Majority

**Jamie Criddle, CEO left the Meeting at 4.48pm**

---

**OFFICER RECOMMENDATIONS**

That Council:

1. Endorses the new Chief Executive Officer Employment Contract for a period of 5 years dated from 16<sup>th</sup> September 2021, effectively offering a one-year extension to the existing contract.
2. Endorses the proposed performance review criteria for the next 9 months (2021-2022).

---

**RESOLUTION**

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

**11/09-21                      That Council:**  
**1. Endorses the new Chief Executive Officer Employment Contract for a period of 5 years dated from 16th September 2021, effectively offering a one-year extension to the existing contract.**  
**2. Endorses the proposed performance review criteria for the next 9 months (2021-2022).**

**CARRIED 5/0 BY ABSOLUTE MAJORITY**


**Jamie Criddle, CEO re-entered the Meeting at 5.08pm**

**Bill Price entered the meeting at 5.08pm.**

**11.1.2                      FUTURE HEALTH ARRANGEMENTS IN WESTONIA**

---

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



---



**Purpose of the Report**

Executive Decision                       Legislative Requirement

To discuss the current and future health arrangements in Westonia.



**Background**

The Westonia Community currently have a regular Health presence each week the Nurse Practitioner, Laura Black via Amity Health and a Doctor service with Olga Ward once a month covered with WACH's in the Westonia Clinic.

**Comment**

Council have been actively promoting the “Tree Change” lifestyle in Westonia which has attracted several new residents to town, prompting a review of the Communities Health Services.  
Recent medical events in town have also put the spotlight on the current emergency services ability to cope with increased use.

The other issue is the fact that in lieu of sufficient medical services that the Shire Staff are constantly being called upon to assist with medical emergencies which are generally out of their training and capabilities. They are First Aiders forced to do an Ambulance Officers role.

Council need to look at the current arrangements and take to the key stakeholders and work towards the best possible health arrangements for the Westonia and surrounding communities.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Strategic Implications**

Nil

**Financial Implications**

Unsure at this time until a clear picture of what medical services are available.

**Voting Requirements**

Simple Majority                       Absolute Majority

---

**OFFICER RECOMMENDATIONS**

---

That Council authorise the Chief Executive Officer and the President:

1. To meet with Ramelius Resources to discuss the current and future arrangements with the Westonia Ambulance and medical services in Westonia.
2. To work with the WA Country Health Service (WACH), Health Direct and other State and Federal agencies to help obtain a more permanent Health Service for the Westonia Community.

---

**RESOLUTION**

---

Moved:                      Cr Della Bosca    Seconded:                      Cr Huxtable

- 12/09-21                      **That Council authorise the Chief Executive Officer and the President:**
1. **To meet with Ramelius Resources to discuss the current and future arrangements with the Westonia Ambulance and medical services in Westonia.**
  2. **To work with the WA Country Health Service (WACH), Health Direct and other State and Federal agencies to help obtain a more permanent Health Service for the Westonia Community.**

**CARRIED 5/0 BY ABSOLUTE MAJORITY**

## **12 DATE AND TIME OF NEXT MEETING**

The next Special meeting of Council will be held on 22<sup>nd</sup> September 2021 commencing at 6.30pm

The next ordinary meeting of Council will be held on Tuesday 19<sup>th</sup> October 2021 commencing at 3.30pm.

## **13 MEETING CLOSURE**

There being no further business the President, Cr Day declared the meeting closed at 5.35pm