

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

# Minutes

## Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia

Thursday 28<sup>th</sup> September 2023

### CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 19<sup>th</sup> October 2023 as a true and accurate record of the Ordinary Council Meeting held 28<sup>th</sup> September 2023.

.....  
**Cr RM Crees**  
**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**  
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# STRATEGIC COMMUNITY

SNAPSHOT

PLAN

2018-2028

## CORE DRIVERS

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

## OUR VALUES

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

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

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

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

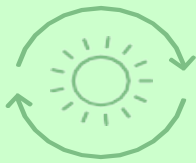
## OUR VISION

A vibrant community lifestyle

## MISSION

Provide leadership and direction for the community.

## ECONOMIC



Support growth and progress, locally and regionally...

Efficient transport connectivity in and around our Shire.

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

Facilitate local business retention and growth.

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

## SOCIAL



Provide community facilities and promote social interaction...

Plan for community growth and changing demographics.

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

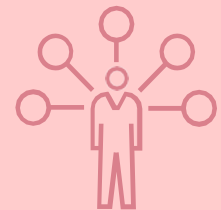
Our community has the opportunity to be active, socialised and connected.

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

Natural spaces are preserved and bring us value.

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

## GOVERNANCE



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

Be progressive and capture opportunities.

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

The community receives services in a timely manner.

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

Financial resources meet the ongoing needs of the community.

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

Shire of Westonia: -  
A vibrant community lifestyle.



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## 1. DECLARATION OF OPENING

The President, Cr Crees welcomed Councillors and staff and declared the meeting open at 3.30pm. He thanked Cr DellaBosca for chairing the previous meeting in his absence and made note that this was to be the last official meeting for Crs Day & Corsini. He also welcomed Cr Elect Denver Simmonds who was sitting in as an observer at today's meeting.

## 2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

### Councillors:

Cr RM Crees	<i>Shire President</i>
Cr RA Della Bosca	<i>Deputy Shire President</i>
Cr WJ Huxtable	
CR RS Corsini	
Cr KM Day	
Cr DL Geier	

### Staff:

Mr.AW Price	<i>Chief Executive Officer</i>
Mrs JL Geier	<i>Deputy Chief Executive Officer</i>

### Members of the Public:

(Council Elect) Denver Simmonds

**Apologies:** Nil

**Approved Leave of Absence:** Nil

## 3. PUBLIC QUESTION TIME (3.35PM – 3.50PM)

NIL

## 4. APPLICATIONS FOR LEAVE OF ABSENCE

NIL

## 5. CONFIRMATION OF PREVIOUS MINUTES

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### OFFICER RECOMMENDATIONS

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That the minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> August 2023 be confirmed as a true and correct record.

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### RESOLUTION

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<b>Moved:</b>	<b>Cr Day</b>	<b>Seconded:</b>	<b>Cr Geier</b>
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<b>01/09-23</b>	<b>That the minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> August 2023 be confirmed as a true and correct record</b>
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**CARRIED 6/0**

## 6. RECEIVAL OF MINUTES

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### OFFICER RECOMMENDATIONS

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That the minutes of the Great Eastern Country Zone meeting held Monday 21<sup>st</sup> August 2023 be accepted.

That the minutes of the CEACA meeting held Monday 4<sup>th</sup> September 2023 be accepted.

That the minutes of the WEROC meeting held on Monday 4<sup>th</sup> September 2023 be accepted.

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### RESOLUTION

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Moved:	Cr Della Bosca	Seconded:	Cr Corsini
02/09-23	That the minutes of the Great Eastern Country Zone meeting held Monday 21 <sup>st</sup> August 2023 be accepted.		
	That the minutes of the CEACA meeting held Monday 4 <sup>th</sup> September 2023 be accepted.		
	That the minutes of the WEROC meeting held on Monday 4 <sup>th</sup> September 2023 be accepted.		

CARRIED 6/0

## 7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS

President, Cr Crees advised having attended the following meetings:

- WEROC Board meeting held in Merredin on Monday 4 September
- WALGA Local Government Convention 2023 17 September -19 September 2023
- Warralakin to Westonia Walk 16<sup>th</sup> September 2023

Deputy President, Cr Della Bosca advised having attended the following meetings:

- WALGA Local Government Convention 2023 17 September -19 September 2023
- Great Eastern Country Zone meeting held Monday 21<sup>st</sup> August 2023
- Warralakin to Westonia Walk 16<sup>th</sup> September 2023

Councillor Day advised having attended the following meetings:

- WALGA Local Government Convention 2023 17 September -19 September 2023
- Warralakin to Westonia Walk 16<sup>th</sup> September 2023

Councillor Geier advised having attended the following meetings:

- WNE SRRG zoom meeting held on Tuesday 22 August
- Warralakin to Westonia Walk 16<sup>th</sup> September 2023

Councillor Huxtable advised having attended the following meetings:

- WALGA Local Government Convention 2023 17 September -19 September 2023

Councillor Corsini advised having attended the following meetings:

Nil

## 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 **28<sup>th</sup> September 2023**.

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

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 **28<sup>th</sup> September 2023**.

<b>Name/Position</b>	Cr Daimon Geier
<b>Item No./Subject</b>	9.3.1 Tender 2 -23/24 – Bitumenous Products
<b>Nature of interest</b>	Closely Association Person and Impartiality
<b>Extent of Interest</b>	Cr Geier is related to an employee of 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 **28<sup>th</sup> September 2023**.

<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 – AUGUST 2023

<b>Responsible Officer:</b>	Bill Price, CEO
<b>Author:</b>	Jasmine Geier, Deputy Chief Executive Officer
<b>File Reference:</b>	F1.3.3 Monthly Financial Statements
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<b>Attachment 9.1.1</b> List of Accounts
<b>Signature:</b>	<b>Officer</b>  <b>CEO</b> 

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

Executive Decision  Legislative Requirement

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

#### **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 2023. The credit card statements currently show: -

**CEO August 2023 \$3325.55** associated with the purchase IT Support, 1038283 - Microsoft 365 Business Std Recurring IT Support, 1049449 Managed Endpoint & Subscriptions Recurring Internet Service, Active8me internet service OWT License, 12 MTh License Refund RLSSWA Courses, Refund - RLSSWA Bronze Medallion & Pool Lifeguard Course Canvas Picture, Canvas 18 x 12" Office Picture Main Street Dusk Vac Cleaner, 1X Henry Vacuum Cleaner Admin office replacement Museum, MOCHM - Museum - Parts for Fuel Bowser Restoration Cloud Anti-Spam, 1049451 Cloud Anti-Spam Recurring July 2023, 1049451 Cloud Anti-Spam Recurring August 2023 ITY Support, 1038203 Office 365 Exchange online Plan Monthly Recurring September 2023 Office MTech, Dick Smith - ROLLER DOOR CONTROL BATTERY, Dick Smith - DOOR BELL SENSOR FOR FRONT DOOR Cleaning Tool, 2X Floor Scrubber tool kit

**DCEO August 2023 \$2003.00** associated with the purchase of Council Meeting Refreshments, Councillors Meals & Drinks April23, Feb23, Sept23 Warralakin to Westonia Walk, 250 WWW 2023 Bumper stickers plus postage Merry Melodies, Central Wheatbelt Visitor Centre - theatre tickets Merrie Melodies Land ownership Docs, Document Application Affecting Land Ownership K580174,, Document Application Affecting Land Ownership I828883,, Document Application Affecting Land Ownership I838046

#### **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.





**9.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY– AUGUST 2023**

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

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**Purpose of the Report**

- Executive Decision  Legislative Requirement

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

**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 2023 is attached for Councillor information, and consists of:

1. Statement of Financial Activity
2. Statement of Financial Position
3. Note 1 Basis of Preparation
4. Note 2 Statement of Financial Activity Information
5. Note 3 Explanation of Material Variances
6. Supplementary information

**Statutory Environment**

General Financial Management of Council  
Council 2023/2024 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**



**9.1.3 GST RECONCILIATION REPORT – AUGUST 2023**

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

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**Purpose of the Report**

- Executive Decision  Legislative Requirement

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.

**Background**

The Reconciled Balance of the GST Ledger to the General Ledger as reported as at August 2023 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

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**OFFICER RECOMMENDATIONS**


That the GST Reconciliation totalling \$12,403.00 for the period ending August 2023 adopted.



**9.1.4 COUNCIL BANKING**

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<b>Responsible Officer:</b>	Bill Price, CEO
<b>Author:</b>	Bill Price, CEO
<b>File Reference:</b>	F1.1.1
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Signature:</b>	<b>Officer</b> <span style="float: right;"><b>CEO</b></span>



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**Purpose of the Report**

- Executive Decision                       Legislative Requirement

The purpose of this report is for Council to consider an alternative banking institution to service Council's banking requirements.

**Background**

Council would be aware that about 12 months ago the Commonwealth Bank acquired Bankwest. Bankwest is currently the banking service utilised by the Council. We have been advised by the Commonwealth Bank that they intend to close the local Bankwest branch as well as integrate all existing accounts under the Commonwealth brand.

This change is considered unsatisfactory, and it may be an opportune time for the Council to consider their options.

**Comment**

Council invited both the existing Bankwest banking consultant and the local Branch Manager for the Bendigo Community Bank to discuss banking requirements requesting that a package be available prior to the August meeting for Council consideration.

Council have been presented with a package from the local Bendigo Bank for consideration. The Commonwealth (Bankwest) have advised that they would not be able to meet the deadline but rather would provide a package for consideration at the September meeting which has been attached for consideration and comparison.

Comparatively there is very little in the fee structure between the banks but at the end of the day Bendigo will provide a better personal service to the Council with future opportunities for community investment from the Community Sponsorship Program.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Strategic Implications**

A Banking service that best accommodates Council's requirements

**Financial Implications**

Nil



**Voting Requirements**



Simple Majority



Absolute Majority

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**OFFICER RECOMMENDATIONS**

That Council establish their banking services requirements with the Bendigo Community Bank located in Mukinbudin.

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**RESOLUTION**

Moved:

Cr Geier

Seconded:

Cr Day

06/09-23


That Council establish their banking services requirements with the Bendigo Community Bank located in Mukinbudin.

CARRIED 6/0

## 9.2 COMMUNITY AND REGULATIONS

### 9.2.1 TENDER 1 – 23/24 – POOL KIOSK & ABLUTION BUILDING

<b>Responsible Officer:</b>	Bill Price, CEO	
<b>Author:</b>	Bill Price, CEO	
<b>File Reference:</b>	Tenders	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Tender Submission – Famlonga Building Contractors Neil Butler - Cost Indication Report	
<b>Signature:</b>	<b>Officer</b>	<b>CEO</b>




#### Purpose of the Report



Executive Decision



Legislative Requirement

The purpose of this report is for the Council to consider accepting a tender for the construction of a new Pool Kiosk & Ablution building as per tender specifications.



#### Background

The Council has a budgetary allocation of \$ 1,350,000 in the 2023/24 financial budget for the construction of a new Pool Kiosk and ablution building as part of stage 2 upgrades to the Diorite Street Recreational Precinct Masterplan.

As requested, a public tender was advertised inviting builders to submit a price for the construction as per specifications provided by Architects Donovan Payne.

At the close of submissions one tender was received from Famlonga Building Contractors. Council has had previous experience with Famlonga Builders as they built the Bowls Stadium and they have also built a similar facility at the Three Springs Swimming Pool. (Refer Attachment)



#### Comment

In accordance with the Local Government (Functions & General) Regulations, Regulation 14(2a) the following criteria were utilised to assess the tenders submitted:

- (a) Demonstrated experience in completing similar projects.
- (b) Skills & experience of key personnel; and
- (c) Financial capability to complete this project along with having suitable insurances.

Tenders were received as follows:

1. Famlonga Building Contractors - \$ \$1,359,032 inc GST.

#### Assessment of tenders against compliance criteria:

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Personnel (25%)	Resources (25%)	
Famlonga Building Contractors	50%	25%	25%	100%

The tendered price is comparable to the Cost Indication Report which has been provided by Neil Butler Quantity Surveyor. (Refer Attachment).






## 9.2.2 APPLICATION FOR EXPLORATION LICENCE 77/3129

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<b>Responsible Officer:</b>	Bill Price, CEO	
<b>Author:</b>	Bill Price, CEO	
<b>File Reference:</b>	ES1.6.1	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Location Map EL 77/3129	
<b>Signature:</b>	<b>Officer</b>	<b>CEO</b>

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### **Purpose of the Report**

Executive Decision

Legislative Requirement

This report seeks Council's comment on an Exploration license in the Central part of the shire.

### **Background**

The Shire has been advised of an application for an Exploration license having been lodged by Duketon Mining LTD (E77/3129).

The application relates to a portion of land located in the central western portion of the shire referred to as Chandler. (See Attached)

### **Comment**

Duketon Mining Ltd is an Australian based company with interests in north eastern goldfields north of Laverton.

Previous exploration approvals have been granted with the following conditions:

- 1) That dust suppression is carried out so that others are not adversely affected.
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions.
- 3) Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread.
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner.
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner.
- 6) A firefighting unit is to be always available, and drilling is to cease if a total fire and harvest ban is called.
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram.
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/visitors.
- 9) All drill holes are to be capped as soon as possible/practical after drilling.
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, when working between 7:00 pm. and 7:00 am.

- 11) That the proposed drilling work is advertised in the local newsletter “Westonian” prior to any work commencing to notify the general public of this work; and
- 12) That no drilling is to occur within any Shire Road Surface and gravel pits.
- 13) That affected landholders be contacted personally by the company prior to works being carried out on their land.

**Statutory Environment**

The Mining Act prevails in this matter.

**Policy Implications**

Nil

**Strategic Implications**

Nil.

**Financial Implications**

Nil

**Voting Requirements**



Simple Majority



Absolute Majority

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**OFFICER RECOMMENDATIONS**

That Council grants approval to Duketon Mining Ltd (E77/3129) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps with the following conditions: -

- 1) That dust suppression is carried out so that others are not adversely affected.
- 2) That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company’s mining conditions.
- 3) Any ground water that escapes onto the ground around the drill site is to be bunded so that it does not spread.
- 4) All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner.
- 5) All rubbish is to be disposed of at the local landfill site in the appropriate manner.
- 6) A firefighting unit is to be always available, and drilling is to cease if a total fire and harvest ban is called.
- 7) No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram.
- 8) Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors.
- 9) All drill holes are to be capped as soon as possible/practical after drilling.
- 10) If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, when working between 7:00 pm. and 7:00 am.
- 11) That the proposed drilling work is advertised in the local newsletter “Westonian” prior to any work commencing to notify the general public of this work; and

- 12) That no drilling is to occur within any Shire Road Surface and gravel pits.

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**RESOLUTION**

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Moved:	Cr Geier	Seconded:	Cr Day
08/09-23	That Council grants approval to Duketon Mining Ltd (E77/3129) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps with the following conditions: - <ol style="list-style-type: none"><li>1. That dust suppression is carried out so that others are not adversely affected.</li><li>2. That any saline ground water found is contained by pumping it into a water trailer and disposed of through normal mining practices under the terms of the company's mining conditions.</li><li>3. Any ground water that escapes onto the ground around the drill site is to be banded so that it does not spread.</li><li>4. All plastic bags used for soil samples are to be removed from the site and disposed of in a suitable manner.</li><li>5. All rubbish is to be disposed of at the local landfill site in the appropriate manner.</li><li>6. A firefighting unit is to be always available, and drilling is to cease if a total fire and harvest ban is called.</li><li>7. No drill holes are to extend under any public railway line or any roadways. Drilling being carried out is not to interfere with road drainage and must be beyond the batter line (this is to minimise damage to capped drill holes during maintenance grading) – refer to Typical Cross Section of Road Formation diagram.</li><li>8. Safety signs are to be erected in accordance with Australian Standards – to warn both mining staff, contractors, and the public/ visitors.</li><li>9. All drill holes are to be capped as soon as possible/practical after drilling.</li><li>10. If working within 100m from a residence, all noise generated is to be limited in accordance with the Environmental Protection (Noise) Regulations 1997, when working between 7:00 pm. and 7:00 am.</li><li>11. That the proposed drilling work is advertised in the local newsletter "Westonian" prior to any work commencing to notify the general public of this work; and</li><li>12. That no drilling is to occur within any Shire Road Surface and gravel pits.</li><li>13. That affected landholders be contacted personally by the company prior to works being carried out on their land.</li></ol>		

CARRIED 6/0

### 9.3 WORKS AND SERVICES

Cr Geier declared a Closely Association Person and Impartiality Interest in 9.3.1 Tender 1-22/23 – Bituminous Products – is related to an employee of one of the Tenderers and Left the Meeting 4.07pm

#### 9.3.1 TENDER 2 -23/24 – BITUMENOUS PRODUCTS

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



#### Purpose of the Report

Executive Decision

Legislative Requirement

The purpose of this report is for Council to consider accepting a tender for the supply and lay of bituminous products for this year's road program.



#### Background

Council has made allowance in its 2023/24 Budget for the provision of bituminous products as part of its adopted road's program, which includes approximately 45,000m<sup>2</sup> 2 x Coat seal using 14mm/7mm Aggregate. A public notice inviting tenders closing on 20<sup>th</sup> September 2023 was initiated.



#### Comment

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

Bitutek Pty Ltd

CR Bitumen 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%)	
Bitutek Pty Ltd	50	25	20	95
CR Bitumen Surfacing	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 based on 45,000m<sup>2</sup> of work.

Bitutek PTY LTD	CR Bitumen Surfacing
\$ 497,900	\$ 833,400

**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 2023/24 financial budget as part of the annual roads program.

**Voting Requirements**

Simple Majority

Absolute Majority

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**OFFICER RECOMMENDATIONS**

That Council accept the tender received from Bitutek PTY LTD for the Supply of Bituminous Products for the total tendered price of \$ 497,900 including GST.

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**RESOLUTION**

Moved:

Cr Day

Seconded:

Cr Huxtable

09/09-23

That Council accept the tender received from Bitutek PTY LTD for the Supply of Bituminous Products for the total tendered price of \$ 497,900 including GST.

CARRIED 5/0

Cr Daimon Geier re-entered the meeting at 4.10pm

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

Nil

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

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### RESOLUTION

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Moved: Cr Day

Seconded: Cr DellaBosca

10/09-23

That Council introduces the following item of an urgent nature to the meeting for discussion.

CARRIED 6/0

### 11.1 DPLH – REVOCATION OF VESTING ORDER 8229

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<b>Responsible Officer:</b>	Bill Price, CEO
<b>Author:</b>	Bill Price, CEO
<b>File Reference:</b>	ES1.7.1
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Site Map Attachment
<b>Signature:</b>	Officer

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CEO



#### Purpose of the Report

Executive Decision

Legislative Requirement

The purpose of this report is to seek Council comment on the Department of Planning, Lands and Heritage proposal to revoke a vesting order over Reserve 8229 from the Minister for Works with a new vesting order being provided to the Water Corporation.

#### Background

The Department of Planning, Lands and Heritage is considering a proposal within the Shire of Westonia. It relates to the proposed revocation of Minister for Works Vesting Order over Reserve 8229 and grant of a new Management Order to the Water Corporation. The site is used by the Water Corporation and has associated infrastructure.

Could the Shire please provide feedback on the above proposal.

#### Comment

The site in question is referred to as the Yerbillon Pumping Station. Old vesting orders have it under the now obsolete Minister for Works, and it requires a vesting under the Water Corporation.

This proposed change has no direct impact to the Council.

#### Statutory Environment

Land Administration Act & regulations.

