

SHIRE OF
WESTONIA
A vibrant community lifestyle

Minutes

Ordinary Council Meeting

Held in Council Chambers, Wolfram Street Westonia

Thursday 19th October 2023

CONFIRMATION OF MINUTES

These minutes were confirmed by the Council on 16th November 2023 as a true and accurate record of the Ordinary Council Meeting held 19th October 2023.

.....
Cr RM Crees
Shire President

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



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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.

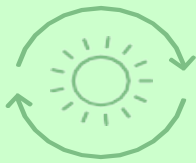
OUR VISION

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.

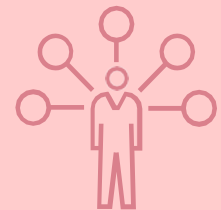
Our community has the opportunity to be active, socialised and connected.

- 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

1.	DECLARATION BY NEWLY ELECTED MEMBERS	6
2.	DECLARATION OF OPENING	6
3.	ELECTION OF PRESIDENT	6
3.1	DECLARATION BY OF SHIRE PRESIDENT	6
4.	ELECTION OF DEPUTY PRESIDENT	7
4.1	DECLARATION BY OF DEPUTY SHIRE PRESIDENT	7
5.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	7
6.	PUBLIC QUESTION TIME (3.35PM – 3.50PM)	7
7.	APPLICATIONS FOR LEAVE OF ABSENCE	8
8.	CONFIRMATION OF PREVIOUS MINUTES	8
9.	RECEIVAL OF MINUTES	8
10.	PRESIDENT/COUNCILLORS ANNOUNCEMENTS	8
11.	DECLARATION OF INTEREST	9
12.	MATTERS REQUIRING A COUNCIL DECISION	10
12.1	GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES	10
12.1.1	ACCOUNTS FOR PAYMENT –SEPTEMBER 2023	10
12.1.2	MONTHLY STATEMENT OF FINANCIAL ACTIVITY– SEPTEMBER 2023	12
12.1.3	GST RECONCILIATION REPORT – SEPTEMBER 2023	14
12.1.4	COUNCILLOR PORTFOLIO’S 2023	16
12.1.5	CHRISTMAS OFFICE CLOSURE	19
12.1.6	CEO CONTRACT VARIATION	21
12.2	COMMUNITY AND REGULATIONS	23
12.2.1	PLANNING LOCAL LAWS	23
12.3	WORKS AND SERVICES	25
12.4	ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES	26
12.4.1	SALE OF LAND LOT 334 (25) PYRITES STREET – USE OF COMMON SEAL	26
12.4.2	PURCHASE OF VACANT LIGHT INDUSTRIAL LOTS FROM DEPARTMENT OF LANDS	28
12.4.3	CONDITIONAL LAND RELEASE – BLOCK PRICE INCREASE	31
13.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	33
14.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING	33
15.	DATE AND TIME OF NEXT MEETING	33
16.	MEETING CLOSURE	33

1. DECLARATION BY NEWLY ELECTED MEMBERS

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 Simmonds, Faithful and Della Bosca each in turn to read and signed the declaration to the Office of Councillor in the presence of the Chief Executive Officer, Bill Price.

2. DECLARATION OF OPENING

Note: In accordance with Section 3 of Schedule 2.3 of the *Local Government Act 1995*, the Chief Executive Officer is to preside over the meeting until the election of a Shire President.

The Chief Executive Officer Bill Price welcomed Councillors and staff and declared the meeting open at 3.30pm.

3. 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 (*see attached*). 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 (*see attached*).
- 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 (*see attached*).
- Following the announcement of the successful candidate a swearing in of the newly elected President will take place.

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

3.1 DECLARATION BY OF SHIRE PRESIDENT

The newly elected Shire President is required to make a declaration in accordance with Section 2.29 (2) of the *Local Government Act 1995*, in the prescribed form prior to acting in the office. This declaration is to be made before a prescribed person.

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

Cr Crees read aloud and signed the declaration to the Office of Shire President in the presence of the Chief Executive Officer, Bill Price and took the chair.

4. 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 (*see attached*). 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 (*see attached*).
- 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 (*see attached*).
- Following the announcement of the successful candidate a swearing in of the newly elected Deputy President will take place by the CEO or President.

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

4.1 DECLARATION BY OF DEPUTY SHIRE PRESIDENT

The newly elected Shire President is required to make a declaration in accordance with Section 2.29 (2) of the *Local Government Act 1995*, in the prescribed form prior to acting in the office. This declaration is to be made before a prescribed person.

Cr Della Bosca read aloud and signed the declaration to the Office of Deputy President in the presence of the Chief Executive Officer, Bill Price.

5. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr RM Crees
Cr RA Della Bosca
Cr DL Simmonds
Cr DL Geier
Cr A Faithfull

Staff:

Mr.AW Price *Chief Executive Officer*

Members of the Public: Nil

Apologies: Cr WJ Huxtable
Mrs JL Geier *Deputy Chief Executive Officer*

Approved Leave of Absence: Nil

6. PUBLIC QUESTION TIME (3.35PM – 3.50PM)

NIL

11. 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 **19th October 2023**.

Name/Position	Cr Simmonds
Item No./Subject	12.1.1 Accounts for Payment – September 2023 EFT 6472
Nature of interest	Financial Interest
Extent of Interest	Owner/ Proprietor of MACE Services Pty Ltd

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 **19th October 2023**.

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

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 **19th October 2023**.



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

12. MATTERS REQUIRING A COUNCIL DECISION

12.1 GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES

12.1.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2023

In accordance with Section 5.65 of the Local Government Act 1995 Cr Simmonds declared a financial interest in EFT 6472 in the list of accounts as he is the Owner/Proprietor of MACE Services Pty Ltd. As the declaration is a financial interest on one payment item only Cr Simmonds was not required to leave the meeting.

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, Deputy Chief Executive 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

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 September 2023 The credit card statements currently show: -

CEO **September 2023 \$2941.81** associated with the purchase 049449 Managed Endpoint & Subscriptions Recurring Active8me internet service 1047021 Microsoft 365 Business Basic Recurring Monthly 1038203 Office 365 Exchange online Plan Monthly Recurring August 2023 103820 1038283 - Microsoft 365 Business Std Recurring 1049451 Cloud Anti Spam Recurring September 2023 1049451 Cloud Anti Spam Manchester Warehouse - Pillows, Quilts, Sheets, Quilt covers Manchester Warehouse 111309 - Bowling Green Project - Fencing items 184.56 Kogan Order XYQ7HGPN

DCEO **September 2023 \$5,020.39** associated with the purchase of 10.9-inch iPad Wi Fi + Cellular 256GB — Silver Magic Keyboard Folio for iPad Retirement of Cr Karin Day gift Retirement of Cr Renae Corsini gift Postage SmartFill NFC Card SmartFill NFC FOB Shipping Beverage room Charge Breast Cancer Fund Raiser - Decorations

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 2023/2024 Annual Budget.

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That September 2023 accounts submitted to today's meeting on Municipal vouchers numbered from 4061 to 4062, and D/Debits from EFT6420 to EFT6474 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$480,716.79 be passed for payment.

RESOLUTION

Moved: Cr Faithfull



Seconded: Cr Della Bosca

02/10-23

That September 2023 accounts submitted to today's meeting on Municipal vouchers numbered from 4061 to 4062, and D/Debits from EFT6420 to EFT6474 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totalling \$480,716.79 be passed for payment.

CARRIED 5/0

12.1.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY– SEPTEMBER 2023

Responsible Officer:	Bill Price, CEO
Author:	Jasmine Geier, Deputy Chief Executive 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

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 September 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

12.1.3 GST RECONCILIATION REPORT – SEPTEMBER 2023

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

Purpose of the Report

- Executive Decision Legislative Requirement

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 September 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

OFFICER RECOMMENDATIONS

That the GST Reconciliation totalling \$42,732.00 for the period ending September 2023 adopted.

RESOLUTION


Moved: Cr Geier

Seconded: Cr Simmonds

04/10-23 That the GST Reconciliation totalling \$42,732.00 for the period ending September 2023 adopted

CARRIED 5/0

12.1.4 COUNCILLOR PORTFOLIO'S 2023

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

Purpose of the Report

- Executive Decision Legislative Requirement

This report seeks a review of Councillor portfolios due to the change of Councillors, and re-election of the President and Deputy positions.

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 Crees	Cr Huxtable	CEO
WEROC	2/2 proxy				Proxy for Cr Crees, CEO	<input checked="" type="checkbox"/>		<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"/>	<input checked="" type="checkbox"/>
Emergency Services <i>(inc LEMC)</i>	1/1 proxy	<input checked="" type="checkbox"/>	Proxy to Cr Geier					<input checked="" type="checkbox"/>
Tourism <i>(Inc NEWTRAVEL)</i>	1/1 proxy			Proxy for Cr Huxtable			<input checked="" type="checkbox"/>	
Transport <i>(Inc RRG)</i>	1/1 proxy	<input checked="" type="checkbox"/>				Proxy for Cr Geier		<input checked="" type="checkbox"/>
Agriculture <i>(Inc Eastern Wheatbelt Biodiversity Group (EWBG), Rural Water, Skeleton Weed)</i>	1/1 proxy 1/1 proxy 1/1 proxy				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Sport & Recreation	Unlimited		<input checked="" type="checkbox"/>	<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	1/1 proxy	<input checked="" type="checkbox"/>			Proxy for Cr Geier			<input checked="" type="checkbox"/>
Westonia Progress Association	1/1 proxy			<input checked="" type="checkbox"/>			Proxy for Cr Corsini	<input checked="" type="checkbox"/>
CEACA	Louis Geier							<input checked="" type="checkbox"/>

Comment

Councillors are requested to review the above matrix and identify their preferred portfolios.

Statutory Environment

Nil

Policy Implications

Council does not have a policy in regard 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 endorse the new portfolio structure.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Faithfull

05/10-23 That Council endorse the new portfolio structure.

	Required Members	Cr Geier	Cr Faithfull	Cr Simmonds	Cr Della Bosca	Cr Crees	Cr Huxtable	CEO
WEROC	2/2 proxy				Proxy	<input checked="" type="checkbox"/>		<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"/>	<input checked="" type="checkbox"/>
Emergency Services (<i>inc LEMC</i>)	1/1 proxy	Proxy		<input checked="" type="checkbox"/>				
Tourism (<i>Inc NEWTRAVEL</i>)	1/1 proxy	Proxy					<input checked="" type="checkbox"/>	
Transport (<i>Inc RRG</i>)	1/1 proxy	<input checked="" type="checkbox"/>				Proxy		<input checked="" type="checkbox"/>
Agriculture (<i>Inc Eastern Wheatbelt Biodiversity Group (EWBG), Rural Water, Skeleton Weed</i>)	1/1 proxy 1/1 proxy 1/1 proxy				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		


Sport & Recreation	Unlimited		<input checked="" type="checkbox"/>					
WALGA	1/1 proxy				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Development Assessment Panel	2/2 proxy		Proxy	<input checked="" type="checkbox"/>	Proxy	<input checked="" type="checkbox"/>		
Bush Fire	1/1 proxy	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Westonia Progress Association	1/1 proxy		<input checked="" type="checkbox"/>		Proxy			
CEACA	1 rep				<input checked="" type="checkbox"/>			Proxy
Home Care Services		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					

CARRIED 5/0

12.1.5 CHRISTMAS OFFICE CLOSURE

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	A2.4.1
Disclosure of Interest:	Nil
Attachments:	Nil

Signature:	Officer	CEO
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Purpose of the Report



Executive Decision



Legislative Requirement

The purpose of this report is for Council to consider closing the administration offices for a period over the Christmas break.

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. Christmas Day and New Year's Day fall on a Monday this year which creates public holidays following the weekend.

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 21st December which coincides with the outside crew break up.

Comment

The outside crew will commence the Xmas break on Friday 22nd December 2023, with a return to work on and Monday 8th January 2024.

Arrangements are in place to provide for emergencies with a skeleton staff available during the holiday period.

It is proposed that the office will be closed from 12.00pm on Friday 22nd December 2023 until Tuesday 2nd January 2024.

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 22nd December 2023 until Tuesday the 2nd January 2024, and that;
2. hold the annual end of year Christmas function at the conclusion of the December Ordinary Council meeting to be held on 21st December 2023.

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Simmonds

06/10-23 That Council

1. approve the office closure from 12.00pm on the 22nd December 2023 until Tuesday the 2nd January 2024, and that;
2. hold the annual end of year Christmas function at the conclusion of the December Ordinary Council meeting to be held on 21st December 2023

CARRIED 5/0

Mr Bill Price CEO left the meeting at 3.55pm.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Della Bosca

07/10-23

That the meeting goes “in camera” at 3.55pm in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

- a) a matter affecting an employee or employees.

CARRIED 5/0

12.1.6 CEO CONTRACT VARIATION

Responsible Officer: Bill Price, CEO

Author: Bill Price, CEO

File Reference: ES1.7.1

Disclosure of Interest: Bill Price

Attachments: Nil

Signature: Officer

CEO

Purpose of the Report

Executive Decision

Legislative Requirement

This report is for Council to consider a slight variation in the existing CEO contract reflecting his residential circumstances change.

Background

Council would be aware that the CEO is employed under an employment contract as per the terms of the Local Government Act 1995. The existing CEO contract is until 17 January 2027.

The contract entitles the CEO to a housing allowance which currently provides a residence located at 26 Pyrites Street with a rental subsidy. The contract also includes communications, water, power and gas subsidies.

It is the intention of the CEO to reside in his own personal residence located in Westonia effective from Friday 13th October 2023, freeing up the existing Council residence located at 26 Pyrites Street for other staff.

Comment

Negotiations have been held between the Shire President, Deputy President and CEO on a possible variation to the contract that will effectively entitle the CEO to retain the original entitlements as part of his contract.

Statutory Environment

Local Government Act 1995 – Employment Contract Negotiations

Policy Implications

Nil

Strategic Implications

Governance – Continually enhance the shires organisational capacity to service the needs of the community.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That the Council endorses the variations to the CEO employment contract as listed.

RESOLUTION

Moved: Cr Faithfull

Seconded: Cr Geier

08/10-23 That the meeting moves out of camera at 4.03 pm in accordance with Section 5.23(2) of the Local Government Act 1995

CARRIED 5/0

RESOLUTION

Moved: Cr Della Bosca

Seconded: Cr Faithfull

09/10-23 That the Council endorses the variations to the CEO employment contract as listed.

CARRIED 5/0

Mr Bill Price returned to the meeting. 4.03pm

12.2 COMMUNITY AND REGULATIONS

12.2.1 PLANNING LOCAL LAWS

Responsible Officer:	Bill Price, CEO	
Author:	Jasmine Geier, DCEO	
File Reference:	A2.10.3	
Disclosure of Interest:	Nil	
Attachments:	Fencing Local Law 2023, Shipping/Sea Container Local Law 2023, Historical Precinct Local Law 2023	
Signature:	Officer	CEO

Purpose of the Report

Executive Decision

Legislative Requirement

The purpose of this report is for Council to repeal the 3 Local Laws (Historical Precinct, Shipping/Sea Containers and Fencing) recently adopted due to errors made in the original adoption process, with the intention to recommence the process again in the correct format.

Background

Council would be aware that earlier in the year a process of the adoption of several Local Laws was undertaken as part of the Local Planning Strategy and process.

The Joint Standing Committee on Delegated Legislation have considered the local laws at its recent meeting and resolved to write to Council recommending the following actions.

Shire of Westonia - Westonia Historical Precinct Local Law 2023

The Council of the Shire of Westonia resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within 6 months, repeal the local law.
2. Not enforce the local law to the contrary before it is repealed in accordance with undertaking 1.
3. The Shire ensures any new local law:
 - contains the correct adoption date in the preamble
 - inserts clause numbers in parts 2 to 5
 - corrects the typographical errors in clause 1.5 and subclause (c) of the first paragraph of part 4.
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

Shire of Westonia - Shipping and/or Sea Container Local Law 2023

The Council of the Shire of Westonia resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within 6 months, repeal the local law.
2. Not enforce the local law to the contrary before it is repealed in accordance with undertaking 1.
3. Any new local law:
 - is not to apply retrospectively
 - does not contain the typographical errors in clauses 1.5, 2.1(2), 2.1(3), 2.2(c), 2.3, Part 3 and the formatting errors throughout the local law.
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

Shire of Westonia Fencing Local Law 2023

The Council of the Shire of Westonia resolves to undertake to the Joint Standing Committee on Delegated Legislation that:

1. Within 6 months, repeal the local law.

2. The Shire is to ensure:
 - that free public access is given to the standards referred to in any new local law
 - the preamble of any new local law contains the correct adoption date
 - any new local law inserts the name of the Shire in the definition of local government in clause 1.5.
3. Not enforce the local law before it is repealed in accordance with undertaking 1.
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

Comment

It is recommended that Council correct the errors listed above and recommence the process in the correct format.

Statutory Environment

Section 3 of the Local Government Act 1995 allows Council to make Local laws within its district while Section 6 provides the setting of fees and charges, including penalties.

Policy Implications

Council currently has a Shipping and/or Sea Container Policy which will be obsolete in the advent of adoption of a local Law.

Strategic Implications

Provides Council with certainty over its development control process.

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council resolves to undertake to the Joint Standing Committee on Delegated Legislation the following:-

1. Within 6 months, repeal the local law.
2. Not enforce the local law to the contrary before it is repealed in accordance with undertaking 1.
3. The Shire ensures any new local law errors have been corrected.
4. Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

RESOLUTION

Moved:

Cr Faithfull

Seconded:

Cr Geier

10/10-23

That Council resolves to undertake to the Joint Standing Committee on Delegated Legislation the following:-

1. **Within 6 months, repeal the local law.**
2. **Not enforce the local law to the contrary before it is repealed in accordance with undertaking 1.**
3. **The Shire ensures any new local law errors have been corrected.**
4. **Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.**


CARRIED by Absolute Majority 5/0

12.3 WORKS AND SERVICES

Nil

12.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES

12.4.1 SALE OF LAND LOT 334 (25) PYRITES STREET – USE OF COMMON SEAL

Responsible Officer:	Bill Price, CEO		
Author:	Bill Price, CEO		
File Reference:	T.1.1.3		
Disclosure of Interest:	Nil		
Attachments:	Nil		
Signature:	Officer	CEO	

Purpose of the Report



Executive Decision



Legislative Requirement

The purpose of this report is for Council to consider selling Lot 334 (25) Pyrites Street to Damian & Fiona Hird.

Background

Council have been selling land via a Conditional Land Release arrangement to help promote population growth and development within the townsite.

Council has received an application from a Damian & Fiona Hird who wishes to purchase lot 334 (25) Pyrites Street Westonia with the intention to construct a residence and shed.

Below is a map illustrating the lot in question.



Comment

This particular lot has all services to it.

Should Council approve the sale the President and the CEO will be required to sign the Transfer of Landform and affix the Common Seal.

Statutory Environment

Nil

Policy Implications

Nil

 **Strategic Implications**

Nil

 **Financial Implications**

Nil.

 **Voting Requirements**



Simple Majority



Absolute Majority

OFFICER RECOMMENDATIONS

That Council approve the sale of Lot 334 (25) Pyrites Street to Damian & Fiona Hird and authorise the President and CEO in affixing the common seal on the Transfer of Land Ownership form.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Simmonds

11/10-23

That Council approve the sale of Lot 334 (25) Pyrites Street to Damian & Fiona Hird and authorise the President and CEO in affixing the common seal on the Transfer of Land Ownership form.

CARRIED 5/0

12.4.2 PURCHASE OF VACANT LIGHT INDUSTRIAL LOTS FROM DEPARTMENT OF LANDS

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	ES1.7.1
Disclosure of Interest:	Nil
Attachments:	Nil

Signature:	Officer	CEO
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Purpose of the Report

- Executive Decision Legislative Requirement

The purpose of this report is for Council to consider purchasing freehold various vacant lots from the Department of Planning, Lands and Heritage for the purpose of having a land bank of light industrial lots for future development.

Background

As Council is aware we have been selling vacant land under a conditional land release arrangement to encourage development within the Westonia townsite.

Council’s existing land bank is depleting quite quickly and there is a need to secure more freehold lots for future planning and development.

Council has previously made application to acquire lots 103 Jasper Street (Residential), and 110, 112-113 and 115-117 Granite Street for Light Industrial purposes. The DPLH have written back advising that they are prepared to sell the lots freehold for the sum of \$ 8,000/lot plus document fees.

Council has also recently made application to the Department for consideration to purchase the following lots 146–150, 152-153, 234, 249-250,258-262, 387 and 427, 17 in total which are all situated around the Old Primary School site for future residential purposes. This request is still being deliberated by the Department.





Comment

It is recommended that Council secure strategic vacant land as a land bank for future development of the townsite determined and in the control of the Council, as dealing with government agencies is becoming more difficult and costs and red tape are likely to keep escalating on an ongoing basis.

The purchase of the strategic lots as listed will be a long-term fix for future anticipated development of the Westonia townsite.

Statutory Environment

Land Administration Act.

Policy Implications

Nil

Strategic Implications

Social – Plan & Develop residential and light industrial land.

Financial Implications

Council has not made allowance for the purchase of these lots, but we do have an allocation of \$ 165,000 for Council housing (which could be held over until next year) and funds in our Community Development Fund to cover these costs.

Voting Requirements

Simple Majority

Absolute Majority

12.4.3 CONDITIONAL LAND RELEASE – BLOCK PRICE INCREASE

Responsible Officer:	Bill Price, CEO
Author:	Bill Price, CEO
File Reference:	T.1.1.3
Disclosure of Interest:	Nil
Attachments:	Nil
Signature:	Officer CEO



Purpose of the Report

Executive Decision

Legislative Requirement

The purpose of this report is for Council to consider increasing the sale price of land under the Conditional Land Release program to \$ 10,000 per Lot.

Background

Council have been selling land via a Conditional Land Release arrangement to help promote population growth and development within the township. It has been a very successful program to date that has generated healthy development within the township.

As per the previous agenda item Council are endeavouring to increase their land bank for future development and are now required to pay \$ 8,000 for the light industrial lots, with the residential lots located in Diorite & Quartz Streets still to be determined.

The other consideration for Council is the ambiguous detail in future Headworks costs to the un-serviced lots that are proposed for the Land Bank that will be a burden to the Council.

Comment

Council now only has 7 residential lots remaining in its land bank and with proposed investments in purchasing more land it is recommended that all future lots sold under the Conditional Land Release program be increased to \$ 10,000.

Statutory Environment

Nil

Policy Implications

Nil

Strategic Implications

Social – Plan & Develop residential and industrial land.

Financial Implications

Blocks sold at \$ 10,000 will lessen the cost of the subsidy Council applies to the Conditional Land Release program.

Voting Requirements

Simple Majority

Absolute Majority

OFFICER RECOMMENDATIONS

That Council increase the sale price of land under the Conditional Land Release program to \$ 10,000 per Lot.

RESOLUTION

Moved: Cr Geier

Seconded: Cr Simmonds

13/10-23 That Council increase the sale price of land under the Conditional Land Release program to \$ 10,000 per Lot.

CARRIED 5/0

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

15. DATE AND TIME OF NEXT MEETING

The next ordinary meeting of Council will be held on Thursday schedule 16th November 2023 commencing at 3.30pm.

16. MEETING CLOSURE

There being no further business the Shire President, Cr Crees declared the meeting closed at 4.20pm