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**1. DECLARATION OF OPENING**

The President welcomed Councillors and staff and declared the meeting open at 3.45pm.

**2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

Cr ML Geier	President
Cr KM Day	Deputy President
Cr D Hermon (entered at 3.50pm)	
Cr B Huxtable	
Cr MJ Cunningham	
Cr JJ Jefferys	
Mr J Criddle	Chief Executive Officer

**3. PUBLIC QUESTION TIME (3.46pm – 4.01pm)**

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

**5. CONFIRMATION OF PREVIOUS MINUTES**

**Officer Recommendation**

That the minutes of the Ordinary Meeting of Council held on Thursday 20<sup>h</sup> November, 2014 be confirmed as a true and correct record.

**Resolution**

**01-12/14 Moved Cr Cunningham seconded Cr Huxtable that the minutes of the Ordinary Meeting of Council held on Thursday 20<sup>h</sup> November, 2014 be confirmed as a true and correct record.**  
**Carried 5/0**

**Cr Hermon entered the meeting at 3.50pm.**

**6. RECEIVAL OF MINUTES**

**Officer Recommendation**

That the minutes of the WEROC Executive Meeting held in Kellerberrin on 26<sup>th</sup> November, 2014 be received.

**Resolution**

**02-12/14 Moved Cr Day, seconded Cr Jefferys that the minutes of the WEROC Executive Meeting held in Kellerberrin on 26<sup>th</sup> November, 2014 be received.**  
**Carried 6/0**

**Officer Recommendation**

That the minutes of the CEACA Meeting held in Kellerberrin on 27<sup>th</sup> November, 2014 be received.

**Resolution**

**03-12/14 Moved Cr Day, seconded Cr Jefferys that the minutes of the CEACA Meeting held in Kellerberrin on 27<sup>th</sup> November, 2014 be received.**

**Carried 6/0**

**Officer Recommendation**

That the minutes of the Inaugural Wheatbelt Communities Meeting held in Kellerberin on 27<sup>th</sup> November, 2014 be received.

**Resolution**

**04-12/14 Moved Cr Day, seconded Cr Jefferys that the minutes of the Inaugural Wheatbelt Communities Meeting held in Kellerberrin on 27<sup>th</sup> November, 2014 be received.**

**Carried 6/0**

**Officer Recommendation**

That the minutes of the WALGA Great Eastern Country Zone Meeting held Kellerberrin on 27<sup>th</sup> November, 2014 be received.

**Resolution**

**05-12/14 Moved Cr Day, seconded Cr Jefferys that the minutes of the WALGA Great Eastern Country Zone Meeting held Kellerberrin on 27<sup>th</sup> November, 2014 be received.**

**Carried 6/0**

**7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS**

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

- CEACA meeting in Kellerberrin.
- Wheatbelt Communities meeting in Kellerberrin.
- GECZ WALGA meeting in Kellerberrin.



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

- CEACA meeting in Kellerberrin.
- Wheatbelt Communities meeting in Kellerberrin.
- GECZ WALGA meeting in Kellerberrin.
- Wheatbelt Development Commission Meeting on the 11 & 12 November.

**8. MATTERS REQUIRING A COUNCIL DECISION**

**8.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES**

**8.1.1 Accounts for Payment**

<b>File Reference</b>	<b>F1.3.3 Monthly Financial Statements</b>	
<b>Date of Report</b>	<b>20 February 2015</b>	
<b>Disclosure of Interest</b>	<b>No Interest to Disclose</b>	
<b>Reporting Officer</b>	<b>Kay Geier, Senior Finance Officer</b>	
<b>Signatures</b>	<b>Officer</b> 	<b>CEO</b> 

**Background**

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

**Comment**

Attached is a copy of Accounts for Payment for the month of November 2014. The credit card statements currently show:-

CEO                                   \$317.26 associated with the purchase of, Fuels \$317.26.

Works Supervisor                 \$1075.06 associated with the purchase of; Fuels (\$125.04), Licence adjustment P15 (\$218.10), Various change of plates (\$81.20), Triple A batteries (\$13.98), Optus Prepaid Cr Huxtable (\$130).Velvet cord, SS railings museum (\$456.74) Clearing application Morrison Rd (\$50).

**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 2014/2015 Annual Budget.

**Voting Requirement**

Majority

**Officer Recommendation**



That accounts submitted to today's meeting on Municipal vouchers 3064 to 3077 and D/Debits EFT 935 to EFT 975 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totaling \$204,582.19 be passed for payment.

**Resolution**

**06-12/14 Moved Cr Hermon, seconded Cr Jefferys that accounts submitted to today's meeting on Municipal vouchers 3064 to 3077 and D/Debits EFT 935 to EFT 975 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totaling \$204,582.19 be passed for payment.**

**Carried 6/0**

### 8.1.2 Monthly Statement of Financial Activity – September 2014

<b>File Reference</b>	<b>F1.3.3 Monthly Financial Reports</b>	
<b>Date of Report</b>	<b>20 February 2015</b>	
<b>Disclosure of Interest</b>	<b>No Interest to Disclose</b>	
<b>Reporting Officer</b>	<b>Kay Geier, Senior Finance Officer</b>	
<b>Signatures</b>	<b>Officer</b> 	<b>CEO</b> 

#### **Background**

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

#### **Comment**

The Monthly Statement of Financial Activity for the period ending 30<sup>th</sup> November 2014 is attached for Councilor 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 2012/2013 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 Requirement**

Majority

#### **Officer Recommendation**



That Council adopt the Monthly Financial Report for the period ending 30<sup>th</sup> November, 2014 and note any material variances greater than \$10,000 or 15%.

**Resolution**

**07-12/14 Moved Cr Huxtable seconded Cr Hermon that Council adopt the Monthly Financial Report for the period ending 30<sup>th</sup> November, 2014 and note any material variances greater than \$10,000 or 15%.**

**Carried 6/0**

**8.1.3 GST Reconciliation Report**

<b>File Reference</b>	<b>F1.4.4 Audit Reports</b>	
<b>Date of Report</b>	<b>20 February 2015</b>	
<b>Disclosure of Interest</b>	<b>No Interest to Disclose</b>	
<b>Reporting Officer</b>	<b>Kay Geier, Senior Finance Officer</b>	
<b>Signatures</b>	<b>Officer</b> 	<b>CEO</b> 

**Background**

The Reconciled Balance of the GST Ledger to the General Ledger as reported as at 30<sup>th</sup> November, 2014 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 Councilor consideration.

**Statutory Environment**

Nil

**Policy Implications**

Council does not have a policy in regards 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 Requirement**

Majority

**Officer Recommendation**

That the GST Reconciliation totaling \$6733.00 for the period ending 30 November, 2014 be adopted.


**Resolution**

**08-12/14 Moved Cr Day seconded Cr Hermon that the GST Reconciliation totaling \$6733.00 for the period ending 30 November, 2014 be adopted.**

**Carried 6/0**



#### **8.1.4 Caravan Park Campers Kitchen Concept Plans**

<b>File Reference</b>	<b>ES1.7.1 Caravan Park</b>	
<b>Date of Report</b>	<b>15<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>No Interest to Disclose</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

Council consideration of the concept plans designed by Kellerer Designs for the proposed Caravan Park Campers Kitchen is required.

#### **Comment**

Council identified the Campers Kitchen at the Caravan Park, Ablutions at the Miners Hall and restoration works at the St Luke's Church as priorities for the 2012/13 Royalties for Regions Individual Allocation.

A draft copy of the concept and floor plans for the Campers Kitchen will be presented at the meeting Councillor deliberation.

#### **Statutory Environment**

Local Government Act 1995, section 3.57 – tenders for providing goods or services and the Local Government (Functions & General) Regulations, section 4.

#### **Policy Implications**

Council does not have a policy in relation to this matter

#### **Strategic Implications**

#### **5. THE WESTONIA TOURIST EXPERIENCE IS UNIQUE**

5.1 Work towards providing a high quality, sustainable and integrated tourism experience to extend the length of stay.

- Upgrade the Westonia Caravan Park to include a campers kitchen, ablution block and cabins.

#### **Financial Implications**

Council have indicated that they are prepared to allocate Royalties for Regions grant funds towards the project in the 2014/15 budget.

#### **Voting Requirement**

Majority

#### **Officer Recommendation**


That Council endorse the concept plans for the Caravan Park Campers Kitchen with consideration to any alterations and authorise the Chief Executive Officer to commence the tender process for the construction of Campers Kitchen.

**Resolution**

**09-12/14 Moved Cr Cunningham, seconded Cr Huxtable that Council endorse the concept plans for the Caravan Park Campers Kitchen with the preferred option 2 and authorise the Chief Executive Officer to commence the tender process for the construction of Campers Kitchen.**

**Carried 6/0**

### 8.1.5 Council Meeting Dates 2015

<b>File Reference</b>		
<b>Date of Report</b>	<b>12<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

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

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

that are to be held in the next twelve months.

#### **Comment**

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

In accordance with the current policy ordinary meetings of Council are to be held in 2015 as follows:-

February – Thursday 19<sup>th</sup>  
April – Thursday 16<sup>th</sup>  
June – Thursday 18<sup>th</sup>  
August – Thursday 20<sup>th</sup>  
October – Thursday 15<sup>th</sup>  
December – Thursday 17<sup>th</sup>;

March – Thursday 19<sup>th</sup>  
May – Thursday 21<sup>st</sup>  
July – Thursday 16<sup>th</sup>  
September – Thursday 17<sup>th</sup>  
November – Thursday 19<sup>th</sup>

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

The Audit Committee meeting is at this stage proposed for the following date:  
Thursday 17<sup>th</sup> December 2015 at 3.00pm in the Council Chamber.

#### **Statutory Environment**

Regulation 12 of the Local Government (Administration) Regulations.

#### **Policy Implications**

Council Policy 1.1

#### **Financial Implications**

Nil

**Voting Requirement**

Simple Majority

**Officer Recommendation**

That the following meeting schedule for 2014 be advertised in accordance with the requirements of the legislation:-

Ordinary Council meetings:

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

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

Audit Committee meeting:

Thursday 17<sup>th</sup> December 2015 at 3.00pm in the Council Chamber Wolfram Street Westonia.

**Resolution**

**10-12/14 Moved Cr Hermon, seconded Cr Day that the following meeting schedule for 2014 be advertised in accordance with the requirements of the legislation:-**

Ordinary Council meetings:

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

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


Audit Committee meetings:

<b>March – Thursday 19<sup>th</sup></b>	<b>June – Thursday 18<sup>th</sup></b>
<b>September – Thursday 17<sup>th</sup></b>	<b>December – Thursday 17<sup>th</sup>;</b>

with all meetings commencing at 3.00pm in the Council Chamber Wolfram Street Westonia.

Carried 6/0

### 8.1.6 Risk Framework

<b>File Reference</b>		
<b>Date of Report</b>	<b>12<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

The Shire has been undertaking a review of its risk profile as part of the implementation of the Risk Management Framework.

For the Audit Committee to note:

- the progress made on the Risk Management Framework;
- the draft Strategic and Operational Risks;
- the proposed introduction of a Risk Services Program to guide the internal audit activity and function and other monitoring and reviewing activities that may need to be undertaken. This program would be subject to change and modification during the year on the authorisation of the Chief Executive Officer.

The program would set out the internal audit activity for the year 2014-15 to be carried out by the Shire Internal Audit Function (which reports directly to the Chief Executive Officer for assigned activities). The internal audit activity would be established in consultation between the Chief Executive Officer, the Deputy Chief Executive Officer and Senior Officers to address areas that present risks to the Shire's operations

#### **Comment:**

The Shire has undertaken a review of its risk profile and established a draft set of Strategic and Operational Risks for the Audit Committee to consider. A number of operational and strategic risks have been identified. It is proposed that a Risk Services Program be established to encompass monitoring and reporting on activities as determined by the Chief Executive Officer on a monthly, quarterly and annual basis in accordance with the Framework established. This includes the management of the Strategic and Operational Risk Register's. Financial and operational analysis will be undertaken if required to inform risk management decision making and to provide confidence and integrity of data and/or information.

Internal audit activity focuses on areas of risk including financial and non-financial systems and compliance with legislation, regulations, policies and best practice. Where required, action plans will be developed and agreed with management for audit recommendations and follow-ups conducted to ensure that they are implemented as agreed. Criteria has been established to determine and report on the status of each recommendation and the overall status of each internal audit assignment. The status of internal audit recommendations will be reported to the Chief Executive Officer on a monthly basis and the Audit Committee quarterly. Action plans, if required, will be developed following the monitoring and reviewing activities when improvements are identified

It is therefore recommended that the Audit Committee NOTES:

1. Draft Strategic Risks and Controls
2. Draft Operational Risks and controls

**Statutory Environment:**

The Local Government (Audit) Regulations 1996 prescribe the requirements for local government authorities in relation to the engagement of auditors, the annual compliance audit return and the functions of the audit committee. The Department of Local Government released circulars in February 2013 detailing amendments to the Audit Regulations.

These amendments relate to extending regulation 16, functions of an audit committee, and inserting a new regulation 17, review of certain systems and procedures by a CEO. The amendments are detailed as follows:

Regulation 16 – Functions of Audit Committee

Regulations 16(a) and 16(b) in relation to the Audit Committee providing assistance to the local government remain unchanged. A new section 16(c) has been inserted and states as follows:

- 16 Audit committee, functions of An audit committee –  
(c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to –
- (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.

Regulation 17 – CEO to review certain systems and procedures

A new regulation 17 has been inserted and states as follows:

17 CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
- (a) risk management; and
  - (b) internal controls; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

**Policy Implications:**

The Risk Management Policy outlines the Shire's commitment and approach to managing risks that may impact on its day-to-day operations and threaten the achievement of its objectives

**Strategic Implications:**

The Chief Executive Officer should play a key role in the establishment and development of an effective risk management framework, as it ultimately sets the operational tone of the Council, and should reflect the ethics, integrity and values espoused by the Council.

An effective and transparent risk management environment would focus on the following key areas:

- Integrity and ethical values
- Management's philosophy and operating style

- Organisation structure
- Performance measures
- Policies and procedures
- Human resources policy
- Internal Audit function
- The Audit Committee.

The role of the audit committee is to govern the integrity of the entity's financial information, systems of internal control, and the legal and ethical conduct of management and employees. The key role of internal audit is to provide assistance to the Council's audit committee in discharging its governance responsibilities. It does this by:

- Providing an objective assessment of existing risks and the internal control framework
- Performing reviews of the compliance framework and specific compliance issues
- Conducting regular analysis of business processes and associated controls.
- Performing ad hoc reviews for specific areas of concern, including unacceptable levels of risk

Internal audit is an independent appraisal service, and audit activity is an important element of risk management and a contributor to the mitigation of risk.

Monitoring and reviewing activities will provide evidence of the appropriateness and effectiveness of systems and procedures in regard to risk management, internal control and legislative compliance, as required by the Local Government (Audit) Regulations 1996

#### **Financial Implications**

Nil

#### **Voting Requirement**

Simple Majority

#### **Officer Recommendation:**

That Council:

1. Adopts the Draft Audit and Risk Committee Terms of Reference
2. Notes the Draft Strategic Risks and Controls
3. Notes the Draft Operational Risks and controls


#### **Resolution**

**11-12/14 Moved Cr Cunningham, seconded Cr Day that Council:**

1. **Adopts the Draft Audit and Risk Committee Terms of Reference**
2. **Notes the Draft Strategic Risks and Controls**
3. **Notes the Draft Operational Risks and controls**

**Carried 6/0**

### 8.1.7 Wheatbelt Communities Constitution

<b>File Reference</b>		
<b>Date of Report</b>	12 <sup>th</sup> December 2014	
<b>Disclosure of Interest</b>	Nil	
<b>Reporting Officer</b>	Jamie Criddle, Chief Executive Officer	
<b>Signatures</b>	Officer	CEO 

#### **Background**

At the August Ordinary meeting of Council, the following motion was resolved:

#### **Resolution**

**07-08/14 Moved Cr Hermon, seconded Cr Jefferys that Council;**

- 1. Endorse the actions of WEROC in the creation of Wheatbelt Communities Inc.**
- 2. Endorse the Wheatbelt Communities Inc Constitution as presented.**
- 3. Advise its voting delegates to support the item when presented to them at the WEROC Council Meeting, being the President & Deputy President at the time.**
- 4. Research the option to transfer housing assets over to Wheatbelt Communities and the resulting impact on Council.**

**Carried 5/0**

#### **Comment**

In doing so Council nominated the delegates to be the President and Deputy President at the time. In reflection and in discussion with the WEROC Executive Officers it was agreed that the Chief Executive Officer should be one of the delegates as the officer would be required to attend all meetings and usually follow up on any business arising.

#### **Financial Implications (Annual Budget)**

There is no Financial Implications on Council excluding the Subscription to WEROC as all associated costs are being born by WEROC.

The membership for this organisation is NIL as stated in the Draft Constitution.

#### **Policy Implications**

Nil

#### **Statutory Implications**

Nil

#### **Community Consultation**

Chief Executive Officer  
WEROC Council  
WEROC Executive  
WEROC Executive Officers  
Conway Highbury

#### **Voting Requirement**

Majority



**Officer Recommendation**

That Council:

1. Alter its voting delegates to the committee of Wheatbelt Communities Inc. to the President & the Chief Executive Officer at the time, with the Deputy President and one other Councillor (insert name) elected as proxies.
2. Advise the Executive of Wheatbelt Communities Inc of these changes.


**Resolution**

**12-12/14 Moved Cr Day, seconded Cr Cunningham that Council:**

1. **Alter its voting delegates to the committee of Wheatbelt Communities Inc. to the President & the Chief Executive Officer at the time, with the Deputy President and one other Councillor (Cr Hermon) elected as proxies.**
2. **Advise the Executive of Wheatbelt Communities Inc of these changes.**

**Carried 6/0**

### 8.1.8 Road Closure – Lake Deborah

<b>File Reference</b>		
<b>Date of Report</b>	<b>12<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

I refer to Agenda Item of the August 2013 Council Meeting where Council was advised that the then Department of Regional Development and Lands (DRDL) had received a request from the private land owner of Lots 1051, 1052, 1056, 1057 & 1063-1065 to permanently close sections of road reserve and to amalgamate the sections with the adjoining lots. With the exception of Lot 1051 which is located in the Shire of Yilgarn, the remaining locations are located within the Shire of Westonia. At this Meeting Council resolved to public advertise this proposed road closure prior to making a final decision.

#### **09-08/13 Moved Cr Day, seconded Cr Cunningham that**

- 1. Council agree to permanently close the unused portion of the road reserves located off Lake Deborah Road dissecting Mr. Braun's property commencing at Yilgarn location 1057, 1063 and 1064 including Yilgarn locations 1056, 1065 as per the attached map, allowing access to UCL, Barcooting Hill and nearby Baladjie Nature Reserve.**
- 2. Council commence the appropriate advertising for the possible amalgamation with his adjoining property.**
- 3. All cost associated with the closure of roads and amalgamation of land by reimbursed by Mr. Braun.**

**Carried 4/1**

#### **Comment**

A Notice was advertised in the West Australian newspaper on Saturday 8th November 2014 and in the Westonian Newsletter on Wednesday 12th November 2014 plus a copy of the Notice, an extract of the Minutes, and a map showing the location of the road proposed to be closed was displayed in the front foyer of the Shire Administration Office during the public comment period.

Letters were also forwarded to the various service departments seeking their comments. The forwarding of letters to service departments is done as a consideration as notices advertised in the newspaper can be missed. I do not believe that any of the service departments would object to this proposal due to the isolated location of the road reserve, it will not affect Main Roads WA's road network, Western Power would have limited power supply lines in the area, Telstra would not be affected, Department of Mines & Petroleum would not object as it would affect any possible mining activity that might occur in the future, and Department of Indigenous Affairs is unlikely to raise an objection as the land has previously been farmed and any historical evidence of Aboriginal habitation of the area would of have been affected through the farming activities and land use.

#### **Statutory Environment**

Compliance with the Land Administration Act 1977 and the Land Administration Regulation 1998.

**Policy Implications**

Nil

**Financial Implications**

There have been costs associated with the advertising of this proposal which the Shire has paid for and which Mr Braun has previously indicated that he is willing to reimburse any costs associated with this proposal.

**Voting Requirements**

Simple Majority.

**Recommendation**

That Council,

1. After considering the responses received during the public comment period, resolves to permanently close the section of road reserve adjoining Lot 1052, 1056, 1057, 1063, 1064 & 1065 west of Lake Deborah West and for this land to be amalgamated into Lots 1052, 1056, 1057, 1063, 1064 & 1065 as by closing the road reserve no other adjoining land will be adversely affected by the closure.
2. Write to the Minister for Lands and request that the section of road reserve adjoining Lot 1052, 1056, 1057, 1063, 1064 & 1065 west of Lake Deborah West is permanently closed and the land amalgamated with Lot 1052, 1056, 1057, 1063, 1064 & 1065.


**Resolution**

**13-12/14 Moved Cr Hermon, seconded Cr Cunningham that Council,**

1. After considering the responses received during the public comment period, resolves to permanently close the section of road reserve adjoining Lot 1052, 1056, 1057, 1063, 1064 & 1065 west of Lake Deborah West and for this land to be amalgamated into Lots 1052, 1056, 1057, 1063, 1064 & 1065 as by closing the road reserve no other adjoining land will be adversely affected by the closure.
2. Write to the Minister for Lands and request that the section of road reserve adjoining Lot 1052, 1056, 1057, 1063, 1064 & 1065 west of Lake Deborah West is permanently closed and the land amalgamated with Lot 1052, 1056, 1057, 1063, 1064 & 1065.

**Carried 5/1**

### 8.1.9 Application for Exploration Licence (E70/4685)

<b>File Reference</b>	<b>ES1.6.1</b>	
<b>Date of Report</b>	<b>12<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

The Shire has been advised of an application for an Exploration licence having been lodged by Croft Mining Pty Ltd (E70/4685).

The application relates to land either side of the Westonia/Merredin Shire boundary, with the nearest cross road being Sth Burracoppin Rd and Four Mile Gate Rd in the area known as Dulebanyundy (Johnston's Farm) . See documentation in the Bulletin.

#### **Comment**

Croft Mining Pty Ltd is an active junior/mid company active in mining and exploration throughout Western Australia.

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 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 available at all times, 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, in particular when working between 7:00 p.m. and 7:00 a.m.;*
- 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 gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.*

**Statutory Environment**

The Mining Act prevails in this matter.

**Policy Implications**

N/A

**Strategic Implications**

Nil.

**Financial Implications**

Nil.

**Voting Requirement**

Simple majority.

**Officer Recommendation**

That Council grants approval to Croft Mining Pty Ltd (E70/4685) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps on 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 available at all times, 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, in particular when working between 7:00 p.m. and 7:00 a.m.;
- 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 gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.

**Resolution**


**14-12/14 Moved Cr Jefferys, seconded Cr Huxtable that Council grants approval to Croft Mining Pty Ltd (E70/4685) to carry out drilling along sections of Council controlled road reserves with these respective Exploration Leases as shown on the attached maps on 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 available at all times, 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, in particular when working between 7:00 p.m. and 7:00 a.m.;**
- 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 gravel pits, and no drilling operation is to affect any part of the Rabbit Proof Fence in any way.**

**Carried 6/0**

## **8.2 COMMUNITY AND REGULATORY SERVICE**

### **8.2.1 Tender – (2) 2 X 2 Transportable Residences**

<b>File Reference</b>	<b>F1.9.1 Tenders</b>	
<b>Date of Report</b>	<b>12<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

#### **Background**

Council were allocated \$346,000 of Royalties for Regions (Regional Allocation) funding for 2012/13 to facilitate the purchase of multipurpose accommodation. This allocation is in conjunction with the Shire of Yilgarn.

#### **Comment**

A notice inviting tenders for (2) 2 X 2 transportable residences was advertised statewide with tenders closing on Wednesday 17<sup>th</sup> December 2014. Lot 414 Quartz Street, that is located on the corner of Quartz and Gold Streets has been set aside as the location for the new residences. (4 units in total will be placed on the site)

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:

***To be presented at the meeting***

**Minutes for the Ordinary Meeting of Council to be held in the Shire of Westonia Council Chambers  
on Thursday 18<sup>th</sup> of December 2014**

Company Name	House (excl GST)	Options (excl GST)	Other	Total Project Costs	Insurance	Demonstrated experience in completing similar projects	Skills & experience of key personnel	Financial capability to complete this project along with having suitable insurances	Approx. Construction Time
<b>McGrath Homes "Beaufort"</b>	311,719.14			311,719.14	yes	yes	yes	public listed company	Nothing mentioned.
Alfresco area 4.1 x 3.8m with concrete floor (2units)									
Photo-Voltaic System		40,000.00							
Design of Dwelling	2Bed x 1bathroom + 2WCs = 100.80m2 Skillion roof								
Floor Plan Layout	Doesn't comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Fits into proposed site								
<b>McGrath Homes "Irwin"</b>	329,110.78			329,110.78	yes	yes	yes	public listed company	Nothing mentioned.
Alfresco area 8.4 x 3.0m with concrete floor by shire (2units)									
Photo-Voltaic System		40,000.00							
Design of Dwelling	2Bed x 1bathroom + 2WCs = 110.88m2 Skillion roof								
Floor Plan Layout	Doesn't comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Side by side allowing for 2 future additional dwellings								
<b>Nordic Homes</b>	381,200			381,200.00	yes	yes	yes	\$30M Rev	90 days
1.5kw Solar Panels supply & installed (2 units)		5,980.00							
4.2m x 3.6m colour bond alfresco with lighting (2 units)									
Design of Dwelling	2Bed x 1bathroom + 1WC = 109.0m2 Skillion roof								
Floor Plan Layout	Does comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Fits into proposed site								
<b>Murray River North/TR Homes</b>	298,212.72			298,212.72	yes	yes	yes	Nothing mentioned.	120 days
Increase Bedroom size to 12m and provide additional WC to home in laundry area		2,619.00							
Increase Bedroom size to 13.6m and living room to 10.6m providing AS 1428.1 compliant Bathroom as per plan. provide additional WC to home in laundry area		12,643.00							
Solargain ReneSola Virtus II 250w Solar PV system (units)		5,988.00							
Alfresco area 4.65m x 3.45m (2 units)									
Study Room (2 units)									
Design of Dwelling	2Bed x 1bathroom = 91.14m2 Skillion roof								
option 1	2Bed x 1bathroom + 1 WC = 92.40m2 Skillion roof								
option 2	2Bed x 1bathroom + 1 WC = 101.64m2 Skillion roof								
Floor Plan Layout	Doesn't comply with AS1428.1 - bathroom & WC, option 2 complies with AS1428.1								
Proposed Site Plan Design	Fits into proposed site								
<b>Aussie Modular Solutions</b>	376,418.00			376,418.00	yes	yes	yes	95M Rev	Nothing mentioned.
Solar Panels 1.6kw per residence		12,090.00							
4.2m x 3.0m colour bond alfresco with lighting (2 units)		13,300.00							
Carpport 6.0m x 4.0m		23,760.00							
Installation of patio & carport		15,800.00							
Design of Dwelling	2Bed x 2bathrooms = 110.88m2 Skillion or Gabled roof								
Floor Plan Layout	Does comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Fits into proposed site								
<b>WBS Modular</b>	343,263.64			343,263.64	yes	yes	yes	Nothing mentioned.	Nothing mentioned.
1.5kw Solar Panels supply & installed (2 units)		11,269.09							
Design of Dwelling	2Bed x 1 bathroom + 2 WC's = 96.12m2 Skillion roof + alfresco areas								
Floor Plan Layout	Doesn't comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Fits into proposed site								
<b>Fleetwood</b>	339,270.00			339,270.00	yes	yes	yes	Nothing mentioned.	20 weeks
Alfresco area 5.2m x 4.2m (2 units)									
Photo-Voltaic System 2KW		9,012.00							
Photo-Voltaic System 2KW German Inverter		11,463.00							
Photo-Voltaic System 3KW		13,511.00							
Photo-Voltaic System 3KW German Inverter		15,611.00							
Design of Dwelling	2Bed x 1 bathroom = 104.16m2 Gabled roof, 2 designs								
Floor Plan Layout	Does comply with AS1428.1 - bathroom & WC								
Proposed Site Plan Design	Fits into proposed site								
	Plum colour denotes that it complies with Tender Specifications								
	Blue colour denotes that it is just outside the Tender Specifications								
	Red colour denotes that it is outside the Tender Specifications								



**Assessment of tenders against compliance criteria:**

Tenderer	Selection Criteria and Weighting			Total weighted Score
	Experience (50%)	Personnel (25%)	Resources (25%)	
McGrath Homes	40	20	20	80
Nordic Homes	40	20	20	80
Murray River North/TR	40	20	20	80
Aussie Modular Homes	40	20	20	80
WBS Modular	40	20	20	80
Fleetwood Homes	40	20	20	80

**Statutory Environment**

Local Government Act 1995, section 3.57 – tenders for providing goods or services and the Local Government (Functions & General) Regulations, section 4.

**Policy Implications**

Council does not have a policy in relation to this matter

**Strategic Implications**

Increased housing capacity in Westonia, in particular for the aged.

**Financial Implications**

An amount of \$346,000 of Royalties for Regions funding has been allocated in the 2014/15 Budget to facilitate the purchase of additional multipurpose housing.

Council will be committed to contribute some funds to the project, both cash and in-kind.

**Voting Requirement**

Majority

**Officer Recommendation**

That Council accept the tender submitted by (*insert successful tenderer*) for the construction of a (2) 2 X 2 transportable residences at Lot 414 Quartz Street, Westonia at the tendered price of (*enter amount*) including GST and plus any additional extras.

**Resolution**

**15-12/14 Moved Cr Huxtable, seconded Cr Day that Council accept the tender submitted by (Murray River North/TR Homes) for the construction of a (2) 2 X 2 transportable residences at Lot 414 Quartz Street, Westonia at the tendered price of (\$328,034.00) including GST and plus option 2 (increase bedroom module to 13.6m long and living module to 10.6m providing an additional AS 1428.1 compliant bathroom as per plan for \$13,907.00 per unit) with the CEO to negotiate the possible installation of solar panels to the two units.**

**Carried 6/0 by Absolute Majority**

**8.3      WORKS AND SERVICES**

NIL

**8.4      ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES**


NIL.

**9. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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

**16-12/14 Moved Cr Cunningham, seconded Cr Day that Council accepts two items of late business. Carried 6/0**

**10.1.1 Westonia Town Common**

<b>File Reference</b>		
<b>Date of Report</b>	<b>17<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>Nil</b>	
<b>Reporting Officer</b>	<b>Cr Doug Hermon, Councillor Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

**Background**

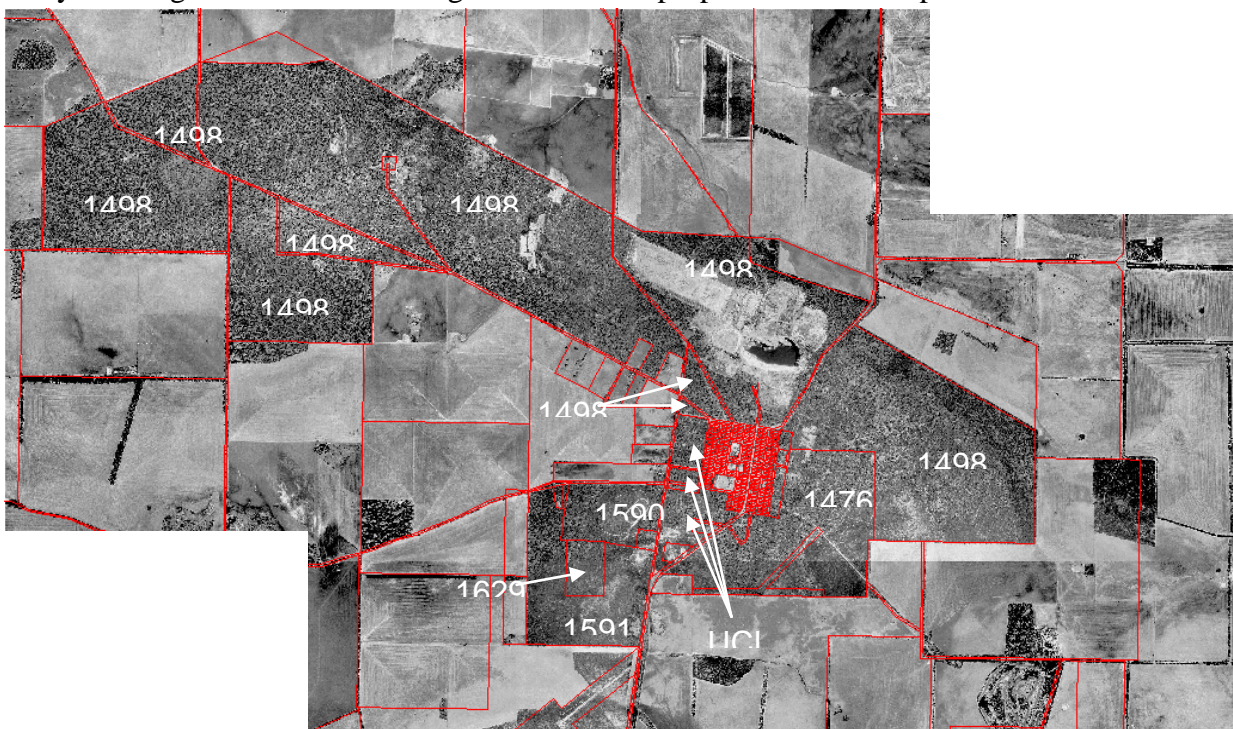
After verbal complaints from residents, I inspected areas of the town common being used by quad bikes and trail bikes.

What used to be firm tracks suitable for walking are slowly being turned to a very fine dust. New tracks are also being created by these riders and the noise disrupts the amenity of the neighbourhood.

**Comment**

I propose that Council ban the use of all vehicles in the area of the town common, inside the boundary of: Boodarockin Road, Jasper St, Della Bosca Rd Wolfram St (out past the cemetery), Westonia-Carrabin Road, also in the area of the walk trail beginning at the Caravan Park.

Only road registered vehicles being used for work purposes to be exempt.



All of the reserves numbered are Local Government Authority Reserves, except for 14764 which is an Unvested Crown Reserve. UCL indicates Unallocated Crown Land

### **CEO Comment**

In 1978 the state government introduced the *Control of Vehicles (Off-road areas) Act*. This law empowered local governments to designate certain areas as permitted off-road areas, to ensure off-road vehicles were safe and registered for off-road use. It was also to enhance the enjoyment of residents by limiting areas of use and stopping certain activities by off-road vehicle users.

The law applies to any non-road registered vehicle being used within any permitted or prohibited area. Sections of the Road Traffic Act apply to any sealed or unsealed road and the Local Government Act deals with vehicles in public areas anywhere in the shire such as parks, footpaths, reserves and beaches.

It also outlines who is authorised to administer the requirements of the Act. In the Shire of Westonia this responsibility is given to the Shire Rangers and the local Police.

While the principle of the idea is worthwhile, I feel that at this point in time, it would be near on impossible and impractical to enforce. Unallocated Crown Land (UCL) is extremely hard to enforce as that is what the land is intended for?, unfortunately we have such land located in the Westonia Townsite.

### **More Information**

#### **What is an Off-Road Vehicle?**

Off-Road Vehicles are governed under the *Control of Vehicles (Off-Road Areas) Act 1978*.

Under the Act: "Off-road vehicle means a vehicle which is not licensed, deemed to be licenced or the subject of a permit granted under the *Road Traffic Act 1974*."

Vehicles used in off-road activities can include any vehicle that is propelled by an engine or other mechanical source of power. The most common types of off-road vehicles are:

- trail bikes
- quad bikes
- buggies
- 4wd vehicles.

The City of Gosnells Rangers are authorised officers under the *Control of Vehicles (Off-Road Areas) Act 1978* and work closely with Police and other agencies to control illegal off-road vehicle activities.

#### **Where can I use my Off-Road Vehicle?**

Off-road vehicles are only permitted to be used in areas gazetted under the *Control of Vehicles (Off-Road Areas) Act 1978* and on private land with the landowner's permission. There are no gazetted areas within the Shire of Westonia; however there are areas within the State that are gazetted for off-road vehicle use.

These areas are:

- Gnangara Pine Plantation: Gnangara Road, Lexia (City of Swan)
- Pines Area: corner of Pinjar Road and Wattle Avenue, Pinjar (operated by Department of Environment and Conservation)
- Kwinana Off Road Area: Thomas Road, Medina (Town of Kwinana - managed by the Recreational Trailbike Riders' Association)
- Ledge Point (Shire of Gingin)
- Lancelin (Shire of Gingin).

For more information regarding gazetted areas please contact the relevant shire or the Department of Environment and Conservation (DEC) on 9334 0333.

### **Registration of Off-Road Vehicles**

All off-road vehicles are required to be registered in accordance with section 7(2) of the *Control of Vehicles (Off-Road Areas) Act 1978*. Vehicles can be licensed at any Department for Planning and Infrastructure Licensing Centre.

Off-road vehicle registrations expire on the 30 September of each year and must be renewed or the registration plates surrendered. Vehicles currently registered under the Road Traffic Act are not required to be registered under the *Control of Vehicles (Off-Road Areas) Act 1978*

### **Environmental Impact**

Users of off-road vehicles should be aware that noise emanating from the vehicles may constitute a disturbance for nearby residents.

Drivers and riders are also reminded that regular use of the same area not only threatens flora and fauna but may cause degradation of the land, erosion of soils and dust pollution.

Environmental impact issues, including noise, are regulated by the *Environmental Protection Act 1986*.

### **Reporting Off-Road Vehicle Activity**

If you observe an off-road vehicle in a park or on a reserve, contact Ranger Services on 9041 1611. Any activity involving off-road vehicles on the road or footpath must be reported immediately to the Police on 131 444 as these activities are offences under the *Road Traffic Act 1974*.

### **Impound of Off-Road Vehicles**

Users of off-road vehicles found to be contravening the *Control of Vehicles (Off-Road Areas) Act 1978* must provide satisfactory proof of ownership of the vehicle to a Ranger.

If proof of ownership cannot be provided, the driver may risk having the vehicle impounded for a period not exceeding 12 (twelve) months.

### **Penalties**

Under the *Control of Vehicles (Off-Road Areas) Act 1978* and the *Control of Vehicles (Off-Road Areas) Regulations 1979*, Rangers, Police Officers and other gazetted persons are authorised to issue infringement notices.

Examples of infringement notices are:

<b>Nature of Offence</b>	<b>Penalty</b>
<i>Section 6(1) Control of Vehicles (Off-Road Areas) Act 1978 - Driving or use of off-road vehicle in an area other than private land with consent or in a permitted area.</i>	\$50
<i>Section 6(2) Control of Vehicles (Off-Road Areas) Act 1978 - Driving or use of a vehicle in a prohibited area</i>	\$50
<i>Section 7(2) Control of Vehicles (Off-Road Areas) Act 1978 - Failure to register the vehicle or driving or use of an unregistered vehicle</i>	\$50
<i>Section 9 Control of Vehicles (Off-Road Areas) Act 1978 - Driving or using a vehicle which is in a dangerous condition that contravenes prescribed safety requirements</i>	\$50
<i>Section 9(c) Control of Vehicles (Off-Road Areas) Act 1978 - Failure to wear a protective helmet</i>	\$50
<i>Section 10 Control of Vehicles (Off-Road Areas) Act 1978 - Knowingly permit an under-age person to be in charge of a</i>	\$50

vehicle	
<i>Section 34 Control of Vehicles (Off-Road Areas) Act 1978 - Failure to affix a number plate</i>	\$50
<i>Regulation 7 Control of Vehicles (Off-Road Areas) Regulations 1979 - Failure to carry a registration certificate on a vehicle</i>	\$20
<i>Regulation 13(a) Control of Vehicles (Off- Road Areas) Regulations 1979 – Number plate not clearly visible and legible</i>	\$50

**Financial Implications (Annual Budget)**

If a Local Law was introduced, the cost would be in the vicinity of \$5-7,000 for the local law plus the cost of enforcement for the Ranger or out of hours staff.

**Policy Implications**

Nil

**Statutory Implications**

*Control of Vehicles (Off-Road Areas) Act 1978*

*Environmental Protection Act 1986*

*Road Traffic Act 1974*

**Voting Requirement**

Majority

**Recommendation**

That Council ban the use of all vehicles in the area of the town common, inside the boundary of: Boodarockin Road, Jasper St, Della Bosca Rd Wolfram St (out past the cemetery), Westonia-Carrabin Road, also in the area of the walk trail beginning at the Caravan Park.


Only road registered vehicles being used for work purposes to be exempt.

**Resolution**

**17-12/14 Moved Cr Hermon, seconded Cr Cunningham that Council advise the community via public notice that it wishes to restrict the use of all off road vehicles (in particular motorbikes) within the gazetted Westonia townsite boundary, which comprises of the area bounded by Boodarockin Road, Granite St, Della Bosca Rd, Wolfram St (out past the cemetery), Westonia-Carrabin Road, also in the area of the walk trail beginning at the Caravan Park. Riders are advised to use the area known as the “Race Track” on the corner of the Westonia-Carrabin Road and Leach Road or the greater common area outside of the townsite.**

**Carried 6/0**

**10.1.2 Westonia Tavern – Extension of Liquor License.**

<b>File Reference</b>	<b>D2.1.3 Liquor Licenses</b>	
<b>Date of Report</b>	<b>18<sup>th</sup> December 2014</b>	
<b>Disclosure of Interest</b>	<b>No Interest to Disclose</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

**Background**

Back in 2009, Council resolved to approve the extension of the Westonia Tavern liquor Licence to include the new ‘Alfresco Outdoor Area’ established by the Council.

**Resolution**

**23-10/09 Moved Cr Crook seconded Cr Corsini that Council grant approval under Section 40 – Certificate Planning Authority Liquor Control Act for the Westonia Tavern to have their existing Liquor License extended to incorporate the new ‘Alfresco Outdoor Area’ established by the Council.**

**Carried 6/0**

**Comment**

Following a meeting with the owners of the Westonia Tavern, Mr Stevens advised that the current liquor licence which includes the extension of the Alfresco Outdoor Area requires renewal as it expires on 29 December 2014. They wish to have the licence extended for a further five (5) years.

Until such time the as the matter can be formally decided on, the Shire of Westonia would like to acknowledge, and has only just been made aware, that the Tavern has deadline for submission of a formal application to the Department of Racing Gaming and Liquor.

To enable the application process to proceed, the Chief Executive Office wrote to the Department of Liquor and Gaming advising that

*“until such time as the matter can be formally discussed in Council, the Shire wish to advise that at this stage there doesn’t appear to be any reason as to why the extension of the licence should not be approved for a further 5 years. It is hoped that this correspondence will suffice to ensure that the formal application process proceeds in anticipation of a section 40 certificate being issued to Westonia Tavern management shortly after council resides in mid-December”.*

Council is now required to formally approve the extension of the licence, including the alfresco area for a further five (5) years.

Council’s intention in establishing the designated entertainment area was to provide a more family friendly and open air facility for patrons at the Tavern. The existing verandah areas of the Tavern (which is under the control of the Council) are currently licensed and there is no impediment for that license to be expanded to incorporate the new area. This area is easily designated as it is contained by the limestone wall constructed by the Council.

The proposal is in keeping with the streetscape developments and the tourism prospects that Council are encouraging for the Westonia townsite.



**Statutory Environment**

Liquor Control Act 1988.

**Policy Implications**

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

**Strategic Implications**

Liquor Licensing authorization of the designated 'Alfresco Area' adjoining the Westonia Tavern.

**Financial Implications**

There are no financial implications in relation to this matter.

**Voting Requirement**

Majority

**Officer Recommendation**

**18-12/14 Moved Cr Hermon, seconded Cr Cunningham that Council**

- 1. Endorse the actions of the Chief Executive Officer in corresponding to the Dept of Liquor and Gaming advising that there doesn't appear to be any reason as to why the extension of the licence should not be approved for a further 5 years and that the notice would suffice to ensure that the formal application process proceeds in anticipation of a section 40 certificate being issued to Westonia Tavern management shortly after council resides in mid-December.**
- 2. Grant approval under Section 40 – Certificate Planning Authority Liquor Control Act for the Westonia Tavern to have their existing Liquor License extended to incorporate the new 'Alfresco Outdoor Area' established by the Council for a further five (5) years.**

**Carried 5/1**

**11. DATE AND TIME OF NEXT MEETING**

The next ordinary meeting of Council will be held on Thursday 19<sup>th</sup> February 2015, commencing at 3.30pm.

**12. MEETING CLOSURE**

There being no further business the President, Cr Geier declared the meeting closed at 5.40pm.