

**TABLE OF CONTENTS**

<b>1. DECLARATION OF OPENING</b>	<b>2</b>
<b>2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE</b>	<b>2</b>
<b>3. PUBLIC QUESTION TIME</b>	<b>2</b>
<b>4. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>2</b>
<b>5. CONFIRMATION OF PREVIOUS MINUTES</b>	<b>2</b>
<b>6. RECEIVAL OF MINUTES</b>	<b>2</b>
<b>7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS</b>	<b>3</b>
<b>8. MATTERS REQUIRING A COUNCIL DECISION</b>	<b>4</b>
<b>8.1. GOVERNANCE, ADMINISTRATION AND FINANCIAL SERVICES</b>	<b>4</b>
8.1.1 Accounts for Payment	4
8.1.2 Monthly Statement of Financial Activity – April 15	6
8.1.3 GST Reconciliation Report	8
8.1.4 Differential Rates 2015/16	9
8.1.5 Total Fire Ban Exemption – Anglogold Ashanti Australia	12
8.1.6 Review of Recordkeeping Plan	15
8.1.7 Local Government Week 2015	17
8.1.8 Clearing Permit – JALMAH Investments	19
8.1.9 Financial Assistance Grants to Local Government	21
8.1.10 Chief Executive Officer Performance Review	23
8.1.11 Chief Executive Officer Contract Review	24
<b>8.2 COMMUNITY AND REGULATORY SERVICE</b>	<b>25</b>
<b>8.3 WORKS AND SERVICES</b>	<b>26</b>
8.3.1 Creation and Dedication of Road Reserve (for Proposed Vehicle Access) over Unallocated Crown Land, Carrabin townsite.	26
<b>8.4 ENVIRONMENTAL HEALTH, PLANNING AND BUILDING SERVICES</b>	<b>31</b>
<b>9. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>32</b>
<b>10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF THE MEETING</b>	<b>32</b>
<b>11. DATE AND TIME OF NEXT MEETING</b>	<b>33</b>
<b>12. MEETING CLOSURE</b>	<b>33</b>

**1. DECLARATION OF OPENING**

The President welcomed Councillors and staff and declared the meeting open at 3.35pm.

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

Cr ML Geier	President
Cr KM Day	Deputy President
Cr D Hermon	
Cr B Huxtable	
Mr J Criddle	Chief Executive Officer

**APOLOGIES**

Cr MJ Cunningham  
Cr JJ Jefferys

**3. PUBLIC QUESTION TIME (3.36pm – 3.51pm)**

Nil

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

**5. CONFIRMATION OF PREVIOUS MINUTES**

**6. RECEIVAL OF MINUTES**

**Officer Recommendation**

That the minutes of the Ordinary Meeting of Council held on Thursday 16<sup>th</sup> April, 2015 be confirmed as a true and correct record.

**Resolution**

**01-05/15 Moved Cr Hermon, seconded Cr Huxtable that the minutes of the Ordinary Meeting of Council held on Thursday 16<sup>th</sup> April, 2015 be confirmed as a true and correct record.**

**Carried 4/0**

**Officer Recommendation**

That the minutes of the WEROC Council Meeting held at Kellerberrin Recreation and Leisure Centre on 22nd April, 2015 be received.

**Resolution**

**02-05/15 Moved Cr Day, seconded Cr Huxtable that the minutes of the WEROC Council Meeting held at Kellerberrin Recreation and Leisure Centre on 22nd April, 2015 be received**

**Carried 4/0**

**Officer Recommendation**

That the minutes of the Annual Electors Meeting held at the Old Miners Hall, Westonia on 20<sup>th</sup> November, 2014 be confirmed.

**Resolution**

**03-05/15 Moved Cr Hermon, seconded Cr Day that the minutes of the Annual Electors Meeting held at the Old Miners Hall, Westonia on 20<sup>th</sup> November, 2014 be confirmed.**

**Carried 4/0**

**7. PRESIDENT/COUNCILLORS ANNOUNCEMENTS**

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

- GECZ WALGA meeting in Kellerberrin.
- Evolution community meeting with Cr Hermon

Cr Day advised having attended the following meeting:

- Wheatbelt Development Commission Sub Economic Development Plan launch in Southern Cross with the CEO.



Cr Hermon advised having attended the following meeting:

- LEMC (Emergency Management) in Southern Cross with the CEO.

**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>5 June 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 April 15. The credit card statements currently show:-

CEO                                    **April 15 \$1984.69** associated with the purchase of; Fuel \$231.61, Flowers \$71, Teal Fabric for museum \$403.63, Vehicle Licence Coop \$635.95, Subscription \$5.50, Adobe system \$637.

Works Supervisor                **April 15 \$1159.60** associated with the purchase of; Fuel \$16.60, Tool Kit \$968, Staff Training \$175.

**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 March accounts submitted to today's meeting on Municipal vouchers 3131 to 3146 and D/Debits EFT 1159 to EFT 1226 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totaling \$290,398.17 be passed for payment.

**Resolution**

**04-05/15 Moved Cr Day, seconded Cr Huxtable that March accounts submitted to today's meeting on Municipal vouchers 3131 to 3146 and D/Debits EFT 1159 to EFT 1226 (inclusive of Department of Planning and Infrastructure / Creditor and Bank Fees Directly Debited and Visa Card Payments) totaling \$290,398.17 be passed for payment.**

**Carried 4/0**

### 8.1.2 Monthly Statement of Financial Activity – April 15

<b>File Reference</b>	<b>F1.3.3 Monthly Financial Reports</b>	
<b>Date of Report</b>	<b>5 June 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> April 15 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> April 15 and note any material variances greater than \$10,000 or 15%.

**Resolution**

**05-05/15 Moved Cr Hermon, seconded Cr Huxtable that Council adopt the Monthly Financial Report for the period ending 30<sup>th</sup> April 15 and note any material variances greater than \$10,000 or 15%.**

**Carried 4/0**

### 8.1.3 GST Reconciliation Report

<b>File Reference</b>	<b>F1.4.4 Audit Reports</b>	
<b>Date of Report</b>	<b>5 June 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 April 15 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 \$4,544.00 for the period ending 30<sup>th</sup> April 15 be adopted.


#### **Resolution**

**06-05/15 Moved Cr Day, seconded Cr Huxtable that the GST Reconciliation totaling \$4,544.00 for the period ending 30<sup>th</sup> April 15 be adopted.**

**Carried 4/0**



#### 8.1.4 Differential Rates 2015/16

<b>File Reference</b>		
<b>Date of Report</b>	<b>12 May 2015</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> 

#### **Summary:**

Council is requested to support the differential rates in the dollar and minimums proposed for the 2015/2016 financial year, and advertise the proposed rates for a 21 day comment period. Council are required to seek Minister approval for proposing to impose a Mining GRV differential rate that is more than twice the lowest rate.

#### **Background:**

In accordance with sections 1.7 and 6.36 of the Local Government Act 1995, Council is required to give local public notice of the intention of Council to impose differential rates, or a minimum payment under a differential rate category.

Local public notice includes publishing in a newspaper circulating in the district, exhibiting on the notice board of the local government office, and exhibiting on the notice board of the library inviting submissions in respect of the following information, for a minimum of 21 days;

- 1) Details of each rate or minimum payment the local government intends to impose,
- 2) Invitation for submissions to be made in respect of the proposed rate or minimum payment and any related matters.

It is recommended that Council advertise an average 5% rate increase from the 2015/2016 financial year.

#### **Community / Stakeholder Consultation:**

An advertisement on the 27<sup>th</sup> May 2015 will be included in the public notice section of the Newspaper circulated in the district. The community will have 21 days to make submissions. (17<sup>th</sup> June 2015)

#### **Comment:**

The Local Government Act 1995 provides for Councils to levy rates to fund the estimated annual budget deficiency for the forthcoming financial year.

The estimated budget deficit for the 2015/2016 financial year has not yet been finalised, as the detailed budget estimates covering various expense and revenue items are currently being prepared. At present, the amount required from rates to fund the outcomes of the draft budget is in excess of the rate increase proposed of 5%. Staff are revising the draft budget and service levels and are looking at all avenues to reduce the gap, including alternative revenue sources.

In the past Council has adopted rates that are more than twice the minimum differential rate and must therefore seek Ministerial approval, as required by the provisions of the Local Government Act 1995. The Department of Local Government has been scrutinising Council's differential rating strategy each year and may request modifications to be made, if they are not satisfied that the rating strategy is fair and equitable.

*It must be understood the purpose of this Agenda Item is to set an estimated Differential Rate so a request can be sent to the Minister after advertising and seeking submissions from the electorate. Invariable the actual rate amount set may differ from the estimate once the valuations have been received from Landgate for the next financial year. However the legislations allows these rate in dollar amounts to be adjusted to reflect the actual valuations by making notation in the Shires Adopted Budget and on the Rate Notices sent out. Such notation is to explain the reason for the difference between the advertise Differential Rate and that impose being due to valuation adjustments from Landgate. The actual Rate Revenue raised will not differ significantly.*

The table below shows the rate categories for 2014/2015 and the rate in cents and minimum amounts; GRV Rate Category

<b>Category</b>	<b>Rate in the \$</b>	<b>Minimum Rate \$</b>
GRV General	5.1699	355.00
GRV Mining	13.8366	200.00

**Statutory Environment:**

Under section 6.36 of the Local Government Act 1995, Council is required to give local public notice of the intention of Council to impose differential rates, or a minimum payment under a differential rate category. Local public notice includes publishing in a newspaper circulating in the district, exhibiting on the notice board of the local government office, and exhibiting on the notice board of the library inviting submissions in respect of the following information, for a minimum of 21 days;

- Details of each rate or minimum payment the local government intends to impose,
- Invitation for submissions to be made in respect of the proposed rate or minimum payment and any related matters.

**Financial Implications:**

The Shire's principle source of income is through rates. It is an essential part of the budget process that the Council consider the level of rates that need to be raised in the context of funding the annual budget. It must also be noted that as other income, such as fees and charges are fixed by external legislation, there is very little scope for the Shire to increase this revenue source to keep up with the rising costs of service provision, therefore, these increasing costs must be borne by increases in rates.

The Shire has until 31 August each year to adopt the Annual Budget, as the Shire is a growing organisation and as such we are heavily reliant on receiving rates income to fund our operations, including salaries. With this in mind, setting the level of rates for advertising and allowing the adoption of the annual budget in June, after the close of the advertising period, is a very high priority to enable rates notices to be issued. The Shire prepares its cash flow based on starting to receive rate payments in late August each year.

**Voting Requirements:**

Absolute Majority

**Officer Recommendation:**

It is recommended that:

1. Support the following differential rates in the dollar and minimum payments for the GRV and UV rated properties, subject to finalisation of the 2014/2015 draft budget:

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
GRV General	5.1699	355.00
GRV Mining	13.8366	200.00

2. Seek the Minister for Local Government's approval to impose differential general rates more than twice the lowest rate; and
3. That Council publicly advertises its intention to impose differential rates, pursuant to section 6.36 (1) of the Local Government Act 1995 and invites public submissions for a period of twenty one days; and
4. That Council consider any submissions in respect of imposition of differential rates as part of the 2015/2016 Budget deliberations.

### **Resolution**

**07-05/15 Moved Cr Day, seconded Cr Huxtable that Council recommends that:**


1. **Support the following differential rates in the dollar and minimum payments for the GRV and UV rated properties, subject to finalisation of the 2015/2016 draft budget:**

<i>Category</i>	<i>Rate in the \$</i>	<i>Minimum Rate \$</i>
<b>GRV General</b>	<b>5.1699</b>	<b>355.00</b>
<b>GRV Mining</b>	<b>13.8366</b>	<b>200.00</b>

2. **Seek the Minister for Local Government's approval to impose differential general rates more than twice the lowest rate; and**
3. **That Council publicly advertises its intention to impose differential rates, pursuant to section 6.36 (1) of the Local Government Act 1995 and invites public submissions for a period of twenty one days; and**
4. **That Council consider any submissions in respect of imposition of differential rates as part of the 2015/2016 Budget deliberations.**

**Carried 4/0 by Absolute Majority**

### 8.1.5 Total Fire Ban Exemption – Anglogold Ashanti Australia

<b>File Reference</b>		
<b>Date of Report</b>	<b>12 May 2015</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> 

#### **Summary:**

Anglogold Ashanti Australia is seeking an exemption from the Total Fire Ban provisions of the Bush Fires Act. FESA will approve the exemption subject to input from Local Government.

#### **Background:**

Prior to the introduction of the 2009 Legislation local government Harvest bans would control activities on agricultural and pastoral land.

A copy of the draft exemption and the request from Anglogold Ashanti Australia is included in the attachment.

#### **Statutory Environment:**

The Minister has the power to provide exemptions from Section 22B and Section 46 of The Bush Fires Act 1954.

### **22B. Lighting of fires prohibited during total fire ban**

(1) Subsection (2) —

- (a) has effect subject to subsection (4) and sections 22C and 64 and any exemption provided for in the regulations but despite any other provision of this Act; and
- (b) applies —
  - (i) in the period during which; and
  - (ii) in the area of the State in respect of which, a total fire ban has effect.

(2) A person must not —

- (a) light, maintain or use a fire in the open air; or
- (b) carry out an activity in the open air that causes, or is likely to cause, a fire. Penalty: a fine of \$25 000 or imprisonment for 12 months, or both.

(3) Without limiting subsection (2), a person commits an offence under that provision if the person

- (a) uses in the open air an appliance that consumes solid fuel; or
- (b) carries out in the open air any process or operation that is specified in regulations made under section 27A(1)(a)(ii) as being a process or operation likely to create a bush fire danger; or
- (c) carries out in the open air an activity that is prescribed by the regulations for the purposes of this subsection.

(4) Subsection (2) —

- (a) does not prohibit the use of a gas appliance as authorised under section 25(1aa); and
- (b) does not apply to an activity, or in circumstances, prescribed by the regulations for the purposes of this subsection.

[Section 22B inserted by No. 25 of 2009 s. 7.]

**46. Bush fire control officer or forest officer may postpone lighting a fire**

(1)(a) Notwithstanding any other provision of this Act —

(i) subject to the provisions of the next succeeding paragraph a bush fire control officer, or the local government in whose district the land is situated may prohibit, or from time to time postpone the lighting of a fire, where in his or its opinion the fire, if lit, would be or become a source of danger by escaping from the land on which it is proposed to be lit;

(ii) where a fire is burning on land and the bush fire control officer or the local government as the case may be is of the opinion that the fire is in danger of escaping from that land, he or it may direct that all reasonable steps be taken by the owner or occupier of the land to extinguish the fire or to prevent the fire from spreading.

(b) Where it is proposed to light a fire within 3 kilometres of a boundary of forest land, an authorised CALM Act officer may exercise the powers conferred by the last preceding paragraph to the exclusion of the exercise of those powers by a bush fire control officer or the local government but if an authorised CALM Act officer fails to exercise the powers a bush fire control officer or local government may exercise those powers.

(2) A person who lights a fire contrary to the provisions of this section or who fails to carry out any direction given to him pursuant to this section is guilty of an offence.

Penalty: \$10 000.

(3) If, as a result of the exercise of any power conferred by subsection (1), a person, who has paid a fee to a local government for a permit to light a fire, is precluded from doing so in such circumstances that the permit is of no use to him the local government shall, on being requested to do so, refund the fee to him.

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

The proposed exemption relieves some responsibility that might otherwise fall to the CBFCO.

**Consultation:**

FESA is consulting with a number of Local Governments in relation to these exemptions.

**Comment:**

The proposed approach is consistent with that used for other major mining projects.

**Voting Requirements:**

Simple Majority

**Officers Recommendation:**


That Council endorses the proposal by FESA to exempt Anglogold Ashanti Australia from the Total Fire Ban Provisions of the Bush Fires Act 1954 until 15 Feb 2017.

**Resolution**

**08-05/15 Moved Cr Hermon, seconded Cr Huxtable that Council endorses the proposal by FESA to exempt Anglogold Ashanti Australia from the Total Fire Ban Provisions of the Bush Fires Act 1954 until 15 Feb 2017.**

**Carried 4/0**

### **8.1.6 Review of Recordkeeping Plan**

<b>File Reference</b>	<b>A2.3.1</b>	
<b>Date of Report</b>	<b>10 April 2015</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> 

#### **Summary**

Council is required to consider the review of its 2010 Recordkeeping Plan (RKP) and approve minor amendments to the Plan.

#### **Background**

All local governments are required to have a RKP which is to be reviewed at least once every five years. The Shire is required to complete a review of its 2010 RKP by August of this year.

In 2010, the State Records Office (SRO) reviewed all local Government's RKP's and was required to either approve or reject them based on the plans meeting the requirement of the State Records Act 2000. The Shire's 2010 RKP was its first plan of this nature and was approved by the SRO.

#### **Comment**

A review has taken place of the Shire's 2010 RKP to update the Plan with current procedures and position titles. The proposed amendments to the current RKP is considered minor due to the Plan being considered adequate for the Shire's needs.

Whilst the review of the content of the RKP 2015 document is has been completed by the Chief Executive Officer, it still requires a couple of supporting documents such as Performance indicators attached to the plan to measure efficiency of the plan.

The State Records Office have allowed this to be completed by mid 2016.

Attached is a copy of the Shire of Westonia's Recordkeeping Plan reviewed in May 2015.

#### **Statutory Environment**

State Records Act 2000

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

#### **Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. Accept the review of the Shire's 2010 Recordkeeping Plan, and
2. Approve the 2015 Recordkeeping Plan as presented.

**Resolution**


**09-05/15 Moved Cr Day, seconded Cr Hermon that Council:**

1. Accept the review of the Shire's 2010 Recordkeeping Plan, and
2. Approve the 2015 Recordkeeping Plan as presented.

**Carried 4/0**



### **8.1.7 Local Government Week 2015**

<b>File Reference</b>	<b>A1.3.1</b>	
<b>Date of Report</b>	<b>11 May 2015</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> 

#### **Summary**

Advice from WALGA of the 2015 Annual General Meeting and Local Government Week 2015 Conference. Council to resolve who will be attending the conference.

Details have been received (attached to the agenda) from WALGA for the 2015 Local Government Week Convention and the Annual General Meeting.

The conference is to be held at the Perth Convention Exhibition Centre. The format for 2015 is summarised as per the following:

Wednesday 5 August – 1.30pm Annual General Meeting

Thursday 6 August - Main Convention sessions

Friday 7 August - Conference sessions continue

#### **Registrations close 7 July 2015.**

Councillors Geier, Day, Huxtable and Hermon attended the conference last year with Cr's Geier and Day listed as the voting delegates for the WALGA Annual General Meeting.

Council also requires delegates with voting entitlements for the WALGA Annual General Meeting, generally the President and Deputy if they attend.

In addition to the convention WALGA have provided formal notice of the Annual General Meeting and are seeking member motions.

#### **Comment**

It is recommended that a firm commitment be obtained from Councillors of who wishes to attend the convention either at the May meeting or in the week following the meeting to allow early registration.

All registrations will be undertaken by Management, Councillors are requested not to progress with registration on line as indicated within the brochure.

#### **Financial Implications**

A committed provision within the 2015/2016 budget must be made for all costs associated with attendance to the conference.

#### **Statutory Environment**

Local Government Act 1995, section 5.38 – Council is required to review the performance of the CEO at least once each year.

#### **Policy Implications**

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

**Strategic Implications**

Nil

**Voting Requirement**

*Simple Majority*

**Officer Recommendation**

That

1. Cr's (to be inserted) and the CEO attend the 2015 WA Local Government Convention.
2. Council confirms voting delegates attending the WALGA Annual General Meeting.


**Resolution**

**10-05/15 Moved Cr Hermon, seconded Cr Huxtable that:**

1. **Cr's Geier, Day & Huxtable and the CEO attend the 2015 WA Local Government Convention with the CEO to ascertain the availability of Cr's Jefferys and Cunningham.**
2. **Council confirms Cr's Geier and Day as voting delegates for the WALGA Annual General Meeting.**

**Carried 4/0**

### 8.1.8 Clearing Permit – JALMAH Investments

<b>File Reference</b>	<b>ES1.6.1</b>	
<b>Date of Report</b>	<b>11 May 2015</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 is in receipt of correspondence from the Department of Mines & Petroleum advising of an application from JALMAH Investments to clear native vegetation.

#### **Comment**

Attached is a copy of the application to clear native vegetation under the Environmental Protection Act 1986 in relation to proposed clearing at the old mine site known as “Princess Royal”, opposite Boodalin Soak on Stoneman Road.

<b>Application Name:</b>	Jalmah Investments Pty Ltd
<b>Permit Type:</b>	Purpose Permit
<b>Tenements:</b>	• Mining Lease 77/718
<b>Purpose:</b>	Mineral Production
<b>Area (ha):</b>	0.9 ha
<b>Period Applied for:</b>	1 June 2015 – 30 June 2017
<b>Shire:</b>	Shire of Westonia
<b>Clearing Permit System (CPS) No:</b>	6555/1

Council is invited to make comment on the proposal prior to the department granting a permit subject to conditions.

Council has until 1<sup>st</sup> June to make submissions to the Department.

#### **Statutory Environment**

Environmental Protection Act 1986.

#### **Policy Implications**

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

#### **Strategic Implications**

Protection of environment during the operations of the Princess Royal Mine Operation.

#### **Financial Implications**

There are no financial implications in relation to this matter.

#### **Voting Requirement**

Majority

**Officer Recommendation**

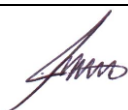
That Council make no objection to the amended application to clear native vegetation proposed for the Jalmah Investment Pty Ltd “Princess Royal Gold Project”.

**Resolution**

**11-05/15 Moved Cr Day, seconded Cr Huxtable that Council make no objection to the amended application to clear native vegetation proposed for the Jalmah Investment Pty Ltd “Princess Royal Gold Project**

**Carried 4/0**

### 8.1.9 Financial Assistance Grants to Local Government

<b>File Reference</b>	<b>F1.10.1 All Grants</b>	
<b>Date of Report</b>	<b>12 May 2015</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**

Local councils across Australia have received the third payment of Financial Assistance Grants (FAGs) for this financial year, funds that are invested in essential community infrastructure and services ranging from local roads to swimming pools and libraries.

Financial Assistance Grants (FAGs) are a vital part of the revenue base of all councils, and this year councils will receive \$2.3 billion from the Australian Government under this important program.

The Government's decision in the 2014 Federal Budget to freeze the indexation of FAGs for three years beginning 2014/15 will unfortunately cost councils across Australia an estimated \$925 million by 2017/18.

ALGA and the state local government associations are seeking the support of council for advocacy to have the Federal Government reverse the decision to freeze the indexation of FAGs.

While FAGs are paid through each state's Local Government Grants Commission, the funding originates with the Commonwealth and it is important it is recognised as such. Council, and every other council in Australia, have been asked to pass a resolution acknowledging the importance of the Commonwealth's Financial Assistance Grants in assisting Council to provide important community infrastructure.

Council is also being asked to acknowledge the receipt of Financial Assistance Grants from the Commonwealth in media releases and council publications, including our annual report and to highlight to the media a council project costing a similar size to the FAGs received by Council so that the importance of the grants can be more broadly appreciated.

#### **Comment**

The Executive share the concerns of both our Council and the Australian Local Government Association in relation to the freezing of the indexation of Federal Assistance Grants.

The proposed motion is supported as it will provide public recognition of the financial assistance provided by the Commonwealth and highlight its importance in funding activities of Council.

#### **Statutory Environment**

Nil

#### **Policy Implications**

Council does not have an existing policy in relation to this item

#### **Financial Implications**

Any reductions to this allocation will have wide ranging effects to future budgets.

**Voting Requirement**

Simple Majority

**Officer Recommendation**

That Council:

1. Acknowledge the importance of federal funding through the Financial Assistance Grants program for the continue delivery of councils services and infrastructure;
2. Acknowledge that the council will receive \$1,201,104 in 2014-15;
3. Ensure that this federal funding, and other funding provided by the Federal government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports;
4. Request the Federal Government to reinstate the indexation of Financial Assistance Grants; and
5. Write to our Federal Member Rick Wilson MP and Melissa Price MP and advise them of the above.


**Resolution**

**12-05/15 Moved Cr Hermon, seconded Cr Day that Council:**

- 1. Acknowledge the importance of federal funding through the Financial Assistance Grants program for the continue delivery of councils services and infrastructure;**
- 2. Acknowledge that the council will receive \$1,201,104 in 2014-15;**
- 3. Ensure that this federal funding, and other funding provided by the Federal government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports;**
- 4. Request the Federal Government to reinstate the indexation of Financial Assistance Grants; and**
- 5. Write to our Federal Member Rick Wilson MP and Melissa Price MP and advise them of the above.**

**Carried 4/0**


**8.1.10 Chief Executive Officer Performance Review**

<b>File Reference</b>	<b>Personnel File</b>	
<b>Date of Report</b>	<b>10 May 2015</b>	
<b>Disclosure of Interest</b>	<b>Jamie Criddle</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

*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:*

*(b) the personal affairs of any person;*

**8.1.11 Chief Executive Officer Contract Review**

<b>File Reference</b>	<b>Staff Personnel File</b>	
<b>Date of Report</b>	<b>11 May 2015</b>	
<b>Disclosure of Interest</b>	<b>Jamie Criddle, CEO</b>	
<b>Reporting Officer</b>	<b>Jamie Criddle, Chief Executive Officer</b>	
<b>Signatures</b>	<b>Officer</b>	<b>CEO</b> 

*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:*

*(b) the personal affairs of any person;*




**8.2        COMMUNITY AND REGULATORY SERVICE**

**NIL**

### 8.3 WORKS AND SERVICES

#### 8.3.1 **Creation and Dedication of Road Reserve (for Proposed Vehicle Access) over Unallocated Crown Land, Carrabin townsite.**

<b>File Reference</b>	<b>D3.1.2 Land Acquisitions</b>	
<b>Date of Report</b>	<b>12 May 2015</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> 

#### Summary

For Council to consider submitting an application to the Department of Lands for creation and dedication of a 30 metre road reserve over Unallocated Crown Land (UCL) Lot 29148 for purpose of vehicular access from the Great Eastern Highway south to the Carrabin Reveal site (CBH) and access to South Carrabin Road.

This report recommends that Council commences the formal process in accordance with the provisions of the Land Administration Act 1997, clause 56.

#### Background

Back in October 2013, several Councillors and Senior Staff met with Grenn Putland and Greg Willis, representatives from Main Roads Northam in September, to discuss a recent Black Spot proposal which is situated around the intersection of Carrabin South and the Carrabin Bin Access road.

From the discussions Main Roads then had some concept designs drawn to show the proposed route for traffic heading both north/south along the Westonia/Carrabin – Carrabin South Roads and east/west along the Great Eastern Highway.

Council resolved the following at the October 2013 meeting:

#### Resolution

**09-10/13 Moved Cr Hermon, seconded Cr Huxtable that Council endorses the concept plan for the Proposed Black Spot re-alignment on the Carrabin South/ Bin access Roads so that it can be costed for current and future Black Spot funding and also endorse the proposed Great Eastern Highway Realignment.**

**Carried 5/1**

Since then, Council has been approved funding for the first stage which involves the planning of the project, such as concept plans, engineering designs and acquisition of land.

During this process, management have been made aware of some serious problems with the original concept plans route. While acknowledging that the route was to go through the Carrabin Reserve, we were not aware that it was an “A” Class reserve.

The design concept is now proposed to traverse through Unallocated Crown Land (UCL) located south of the Carrabin Townsite (orange box).



Council resolution July 2014

**Resolution**

**11-07/14 Moved Cr Cunningham, seconded Cr Huxtable that Council endorses the revised concept plan for the Proposed Black Spot re-alignment on the Carrabin South/ Bin access Roads so that it can be costed for current and future Black Spot funding and management can begin the land negotiation process.**

**Carried 3/1**

Council resolution November 2014

**Resolution**

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

- 1. Requests the Department of Lands to dedicate 30 metre portion (total clearing allocation of 2.48ha) on the Unallocated Crown Land located immediately north of the A Class Reserve Lot 984, as road reserve to provide safe access to the CBH Receival Point and to South Carrabin Road.**
- 2. Authorises the Chief Executive Officer to commence the consultation process in accordance with the provisions of the Land Administration Act 1997 (section 56).**
- 3. Indemnifies in favour of the Minister for Lands against any claims for compensation and / or costs associated with the dedication process.**

**Carried 4/1**

**Comment**

In accordance with Council resolution of 20th November, in particular clause 2, the CEO carried out the consultation process in accordance with the provisions of the Land Administration Act 1997 (section 56).

At the close of the submission period on 18th February 2015, only five responses were received, as follows:

**Water Corporation:**

*“The Water Corporation has no objection to the abovementioned proposal.  
A plan delineating assets in the vicinity is attached for your information.”*

**Department of Mines and Petroleum:**

*“The Geological Survey of Western Australia (GSWA), on behalf of the Department of Mines and Petroleum (DMP), has assessed this proposal for road reserve dedication with respect to the access and development of minerals and petroleum resources, geothermal energy and basic raw materials, and has no concern to make in this regard.”*

**Department of Aboriginal Affairs:**

A review of the Register of Aboriginal Sites, and the DAA Aboriginal Heritage Database, indicates that there are no known registered Aboriginal heritage sites or other heritage places in the area which will become the dedicated road reserve.

It is recommended that prior to the road being constructed; reference is made to the Aboriginal Heritage Due Diligence Guidelines obtainable from the DAA website.

**Main Roads WA:**

MRWA is supportive of the proposed road dedication as it will lead to improvements on the MRWA road network. Therefore MRWA have no objection to the proposal

No submissions were received from a number of State Government Agencies and / or any of the neighbouring property owners / occupiers.

None of the submissions received objected to the road dedication proposal.

**Western Power**

We have identified that there are no assets in the scope of your working area.

**Consultation**

Main Roads Northam (Gren Putland & Greg Willis)

Surrounding property owners and State Government Agencies in accordance with legislative requirements.

**Statutory Implications**

***Land Administration Act 1995***

***56. Dedication of land as road***

*(1) If in the district of a local government —*

*(a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or*

*(b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —*

*(i) the holder of the freehold in that land applies to the local government, requesting it to do so; or*

*(ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so; or*

*(c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years, and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.*

*(2) If a local government resolves to make a request under subsection (1), it must —*

*(a) in accordance with the regulations prepare and deliver the request to the Minister; and*

*(b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.*

*(3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —*

*(a) subject to subsection (5), by order grant the request; or*

*(b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*

*(c) refuse the request.*

*(4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.*

*(5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —*

*(6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.*

### **Policy Implications**

Nil

### **Financial Implications**

Costs associated with the dedication of the road will relate to administration, staff time and advertising fees.

Costs relating to the development of road and parking area will be presented for 2014/15 budget deliberations.

### **Strategic Implications**

Westonia Strategic Community Plan

The Westonia Strategic Community Plan aims to manage growth sustainably through governance, leadership, and targeted service and economic growth. The goals to achieve the aim are:

Social

3.1 Provide a safe and efficient transport network

3.2 Provide equitable access to all Shire facilities and infrastructure

Economic

4.1 Support and strengthen local businesses and local business networks

4.2 Plan for employment, business and industry growth and change

4.3 Tell the world about the opportunities and benefits of doing business in Westonia

4.4 Advocate for infrastructure that meets the needs of contemporary business

### **Voting Requirement**

Simple Majority

### **Officer Recommendation**

That Council:

1. Receives the four submissions presented and acknowledges the comments contained therein.

2. Requests the Minister for Lands to accede dedication of a portion of Unallocated Crown Land, located immediately north of the A Class Reserve Lot 984, Carrabin, in accordance with the provisions of the Land Administration Act 1997.

**Resolution**

**19-05/15 Moved Cr Hermon, seconded Cr Huxtable that Council:**

- 1. Receives the five submissions presented and acknowledges the comments contained therein.**
- 2. Requests the Minister for Lands to accede dedication of a portion of Unallocated Crown Land, located immediately north of the A Class Reserve Lot 984, Carrabin, in accordance with the provisions of the Land Administration Act 1997.**

**Carried 3/1**

**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**

20-05/15 Moved Cr Hermon, seconded Cr Huxtable that Council accepts one item of late business.

Carried 4/0

**10.1 Request to Conduct VACSWIM**

<b>File Reference</b>	<b>RC1.1.6</b>	
<b>Date of Report</b>	<b>21 May 2015</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**

In 2015-16, the Dept of Education will be conducting its 97th annual vacation swimming program and is requesting approval to conduct VacSwim at the Westonia Swimming Pool.

**Comment**

The proposed date and time for the classes is Saturday 19th December to Wednesday 23<sup>rd</sup> December 2015.

Council also offer free entry to the Swimming Pool during the pool season.

**Financial Implications**

Nil

**Voting Requirement**

Majority

**Officer Recommendation**

That Council approve the request of the Education Department to conduct VacSwim classes at the Westonia Swimming Pool from Saturday 19<sup>th</sup> December to Wednesday 23<sup>rd</sup> December 2015.

**Resolution**

21-05/15 Moved Cr Huxtable, seconded Cr Hermon that Council approve the request of the Education Department to conduct VacSwim classes at the Westonia Swimming Pool from Saturday 19<sup>th</sup> December to Wednesday 23<sup>rd</sup> December 2015.

Carried 4/0



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

The next ordinary meeting of Council will be held on Thursday 18<sup>th</sup> June 2015, commencing at 3.30pm.

**12. MEETING CLOSURE**

There being no further business the President, Cr Geier declared the meeting closed at 6.26pm.