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## CONFIRMED MINUTES

Shire of West Arthur  
Special Council Meeting  
10 May 2022

### MISSION STATEMENT

*To value and enhance our community lifestyle and environment through strong local leadership, community involvement and effective service delivery.*

#### DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of West Arthur for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of West Arthur disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of West Arthur during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of West Arthur. The Shire of West Arthur warns that anyone who has an application lodged with the Shire of West Arthur must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of West Arthur in respect of the application.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting

These Minutes were confirmed at the ordinary council meeting on: 17 May 2022

Signed: 

Presiding Member at the meeting at which the Minutes were Confirmed.

## SHIRE OF WEST ARTHUR

Agenda for the Special Meeting of Council to be held in the Council Chambers on Tuesday 10<sup>th</sup> May 2022 – commencing at 6.00pm.

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**1. DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS**

The Presiding Member declared the meeting open at 6.03pm.

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

COUNCILLORS: Cr Neil Morrell (Shire President)  
Cr Graeme Peirce (Deputy Shire President)  
Cr Adam Squires  
Cr Karen Harrington  
Cr Robyn Lubcke  
Cr Duncan South

STAFF: Darren Friend (A/Manager Corporate Services)

## APOLOGIES:

Cr Neil Manuel  
Vin Fordham Lamont (Chief Executive Officer) *COVID-19 Protocol*

## LEAVE OF ABSENCE:

Nil

## ABSENT:

Nil

## MEMBERS OF THE PUBLIC:

Nil

**3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil

**4. PUBLIC QUESTION TIME**

Nil

**5. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. DISCLOSURES OF INTEREST**

Nil

**8. REPORTS OF OFFICERS****8.1 APPOINTMENT OF MANAGER WORKS AND SERVICES**

<b>File Reference:</b>	<b>2.15.4</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Darren Friend – Acting Manager Corporate Services</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont - Chief Executive Officer</b>
<b>Date:</b>	<b>5 May 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Advertised MWS Package</b>
<b>Previous Reference:</b>	<b>Nil</b>

**Summary:**

Following the recruitment process and in accordance with Section 5.37 of the Local Government Act 1995 Council is requested to consider endorsing the appointment of a new employee to the position of Manager Works and Services.

**Background:**

The former Manager Works and Services Jamie Muir tendered his resignation to the Chief Executive Officer on Monday 28 March 2022 giving four weeks' notice and finished his employment with Council on Friday 29 April 2022.

**Comment:**

Advertising of the vacancy commenced on Friday 1 April and closed on Wednesday 20 April 2022 with only one application being received which was considered unsuitable. The CEO then commenced contacting prospective applicants, currently engaged in a similar role at other Councils who may be ready to make a change of location.

One such applicant was asked to come in for an interview on Monday 2 May 2022 with the CEO, Shire President Neil Morrell and the Acting MCS being present. The applicant is deemed suitable for the role and in order to commence employment with the Shire of West Arthur in a timely manner (three months' notice is currently required), Council is requested to endorse the appointment of Gary Rasmussen to the role of Manager Works and Services and delegate to the Chief Executive Officer to negotiate a contract with the successful applicant, within the parameters set as part of the advertised package.

**Consultation:**

Shire President – Neil Morrell  
CEO – Vin Fordham Lamont  
A/MCS – Darren Friend

**Statutory Environment:**

Local Government Act 1995  
S5.37 – Senior Employees

**Policy Implications:**

G1.10a Human Resources Policy

**Financial Implications:**

Nil – Package is similar to outgoing MWS.

**Strategic Implications:**

Community Strategic Plan Towards 2031

Leadership and Management – inspirational, dynamic, transparent

Outcome 5.2 Shire staff are well trained, motivated and customer focused

**Risk Implications:**

Risk	N/A
Risk Likelihood (based on history and with existing controls)	5
Risk Impact / Consequence	4
Risk Rating (Prior to Treatment or Control)	20
Principal Risk Theme	Compliance Failures
Risk Action Plan (Controls or Treatment Proposed)	Invest in adequate human resources.

**Risk Matrix:**

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Absolute Majority

**Officer Recommendation:**

That Council:

1. accepts the Chief Executive Officer's recommendation to engage Gary Rasmussen as the Manager Works and Services; and
2. delegates authority to the CEO to negotiate a contract of employment with Mr Rasmussen within the parameters set in the attached advertised package.

Moved: Cr LubckeSeconded: Cr Squires**CARRIED BY ABSOLUTE MAJORITY: 6/0****ATTACHMENT**

MWS Applicant Information



## **APPLICATION PACKAGE**

# **MANAGER WORKS AND SERVICES**

Applications for this position close at 4pm on Wednesday 20 April 2022.

## Position Advertisement

Council is seeking suitably qualified applicants for the current vacancy.

Responsible for ensuring the Shire's road network and public facilities are maintained to a high standard, the successful applicant will be required to develop and implement the annual and long-term works programs and oversee all infrastructure asset management including capital works and maintenance.

Aa attractive three to five year performance based contract is offered. Salary and benefits are subject to negotiation and include:

- Cash component \$90,000 to \$110,000 per annum.
- 4 x 2 house with large shed.
- 9 day fortnight.
- Private use of vehicle.
- Up to 11.5% superannuation.
- Professional development.
- Relocation expenses.

The Shire of West Arthur is located in the south-west of the wheatbelt region. Its major population centre is the town of Darkan which is 200km south of Perth and 115km east of Bunbury.

Applications are to be submitted to [mcs@westathur.wa.gov.au](mailto:mcs@westathur.wa.gov.au) and will close at 4pm on Wednesday 20 April 2022.

Further information is available from the Shire's website [www.westarthur.wa.gov.au](http://www.westarthur.wa.gov.au) or contact CEO Vin Fordham Lamont on 9736 2222.

## Employment Application Package

Shire of West Arthur 31 Burrowes Street DARKAN WA 6392; Telephone (08) 9736 2222; email: [shire@westarthur.wa.gov.au](mailto:shire@westarthur.wa.gov.au)

## GENERAL CONDITIONS OF EMPLOYMENT

Thank you for your interest in this vacancy.

These guidelines are to assist you in preparing a written application. Also enclosed is a position description.

If you would like to find out anything further about the position, please contact the Shire's Chief Executive Officer, Vin Fordham Lamont on 9736 2222.

### General Information

Prior to any offer of employment, the applicant will be required to produce a police clearance. A criminal record does not necessarily disqualify an applicant. If rejection of your application is considered solely because of a criminal record you will be given the opportunity to discuss the matter fully before a final decision is made.

Canvassing of Councillors will disqualify.

The successful applicant will be required to provide a medical declaration and may be required to undertake a medical examination prior to an offer of employment.

### Preparing Your Application

Applicants are not required to separately address selection criteria. Applications should include a resume and information about previous employment that relates to this position including duties and achievements along with at least two recent work related referees. Written references are not required. Referees may be contacted by the selection panel as part of the selection process for this position. If there is a special need for confidentiality, please provide details with your application.

Applications should be emailed to [mcs@westarthur.wa.gov.au](mailto:mcs@westarthur.wa.gov.au) with "Application Manager Works and Services" in the subject line. Applications for this position close at 4pm on Wednesday 20 April 2022.

The preferred candidates will be required to attend an interview in Darkan with a selection panel comprising the CEO, Manager Corporate Services and Manager Financial Operations.

Originals of supporting documents must be made available on request (e.g., motor vehicle licence/s and qualifications where applicable).

### Probation Period

A probationary period of three (3) months applies to all new appointments. The probation period may be extended if necessary.

### COMPILATION OF SALARY PACKAGE (PER ANNUM)

	Min	Max
Base Salary	90,000	110,000
Superannuation – SGC (10%)	9,000	11,000
Council Matching contribution up to (1.5%)	1,350	1,650
Motor Vehicle	17,000	17,000
Fringe Benefits Tax	8,000	8,000
Professional Development	2,000	2,000
Housing (Value \$240 per week)	12,480	12,480
Utilities (power, water, phone)	2,000	2,000
Uniform/Clothing	450	450
<b>TOTAL</b>	<b>142,280</b>	<b>164,580</b>

### Superannuation

Superannuation of 10% in accordance with the Superannuation Contribution Guarantee shall apply. The Shire pays an additional 1.5% superannuation to employees contributing 5%. Salary sacrificing is available.

### Hours

The hours for this position are generally 76 hours worked Monday to Friday 7.00am to 4.00pm with a rostered day off each second Friday of the fortnight. This position requires the person to work the hours necessary to meet the requirements of the position including attendance at Council meetings. No overtime is paid for extra hours worked however, time off may be accrued in exceptional circumstances with the approval of the CEO. If required to assist with operating plant after hours, applicable casual plant operator rate is paid.

### Annual Leave

Five weeks per annum. An allowance for leave loading has been incorporated into the base salary and is therefore not applicable. The additional week of annual leave is in recognition of the requirement to attend meetings out of hours.

### Uniform

Up to \$450 per annum.



**Motor Vehicle**

A motor vehicle (currently 4 x 4 Mitsubishi Pajero) is available for private use. CEO approval is required for private use more than 700kms from Darkan. Fuel is not provided for private use when on leave.

**Housing**

A 4 x 2 house constructed in 2007 with a three bay shed is available rent free. Utilities may be subsidised subject to negotiation.

**Relocation Expenses**

- Relocation expenses may be reimbursed to new staff as follows:
  - Being limited to removal expenses only
  - Being supported by proof of expenditure
  - Limit of \$3,500

Repayable in full if resignation occurs within 2 years of appointment.

**Code of Conduct**

The successful applicant will be expected to observe the Shire's Code of Conduct, and Council policies.

**Location Amenities**

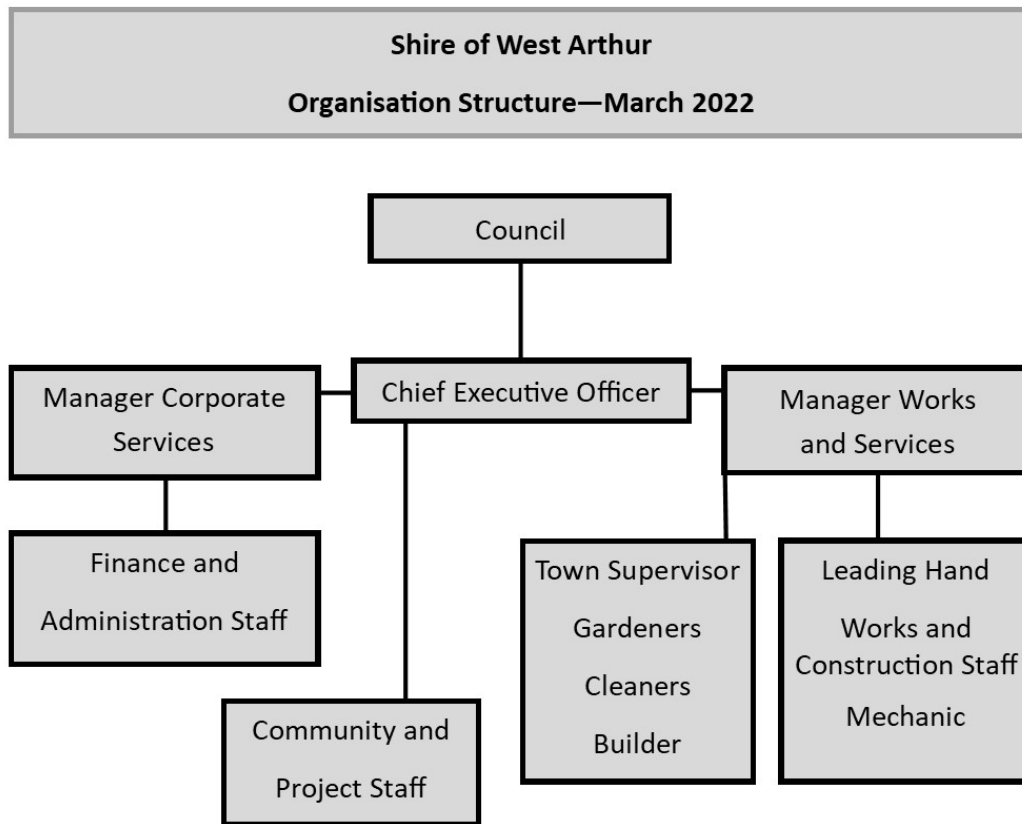
The Shire is well serviced with various recreation and amenities including supermarket, primary school, bus to high school in Collie, swimming pool, post office, childcare, playgrounds, community resource centre, visiting medical practitioners, hotel, café, and sporting facilities.

Further information is available from the Shire's web site or the Shire Office.

# ABOUT THE POSITION

Reporting directly to the Chief Executive Officer, this position is classified as a senior employee.

The Manager Works and Services is responsible for the management of up to 17 full time equivalent staff including mechanic, parks and facilities staff, and plant operators.



The Shire’s annual road construction program is \$1.139 million in the 2021/22 financial year. Shire staff carry out the majority of the program in-house. Additionally the Shire completes other infrastructure projects each year. Infrastructure projects identified in the near future include picnic upgrades at Lake Towerrinning, upgrade to town centre public open space and play areas, redevelopment of the Darkan refuse site and improvements to water availability for stock and firefighting.

The Shire has public facilities in Darkan, Duranillin, Arthur River, and Moodiarrup.

## POSITION DESCRIPTION

### 1. Position Identification

Title:	Manager of Works and Services				
Position Number:		Level:	N/A	Agreement/ Award:	3-5year performance-based contract
Department/Section:	ENGINEERING				
Section:	ENGINEERING				

### 2. Reporting Relationships

<b>Responsible To</b>	Chief Executive Officer
<b>Supervision of</b>	Outside Staff comprising: <ul style="list-style-type: none"> <li>• Leading Hand</li> <li>• Plant Operators/Labourers</li> <li>• Mechanic</li> <li>• Supervisor Town and Public Facilities</li> <li>• Gardeners</li> <li>• Builder</li> </ul>
<b>Internal &amp; External Liaison</b>	Internal: <ul style="list-style-type: none"> <li>• President and Councillors</li> <li>• Chief Executive Officer</li> <li>• Other Staff and employees</li> </ul> External: <ul style="list-style-type: none"> <li>• Public Utilities and Authorities</li> <li>• Consulting Engineer</li> <li>• Suppliers</li> <li>• Ratepayers</li> <li>• General Public</li> <li>• Government Departments</li> </ul>

### 3. POSITION OBJECTIVES:

#### 3.1 *Objectives of Position:*

Develop, supervise and control the Shire's works construction and maintenance programs which encompasses all aspects of road construction and maintenance, parks and gardens, verges, reserves, streets trees, litter management, footpaths, drainage, sporting facilities, street furniture, public facilities and any other related matters.

#### 3.2 *Within Section:*

Prepare, implement, and monitor programs for capital improvement and maintenance of all of the Shire's infrastructure, including direction and control of staff.

#### 3.3 *Within Organisation*

Liaise with the Chief Executive Officer, Council, public, public authorities, and contractors on matters required for the implementation of the works program.

**4. The key responsibilities of this position are:**

- Develop, plan and implement construction and maintenance works programs.
- Provide staff with advice and professional support to resolve issues.
- Accept responsibility for time management and project deadlines for construction programs.
- Provide guidance, advice and direction to employees within the road services unit.
- Deliver a cost effective, efficient and high-quality road construction, maintenance and management service.
- Contribute to the development of a culture of quality, industry best practice and customer focus across the works team.
- Administer and control all road construction and maintenance activities to a satisfactory standard.
- Ensure that safe work practices are adhered to and ensure safe work standards are maintained. Ensure that all accidents, workers compensation issues, and other incidents are reported and documented.
- Initiate, establish, control, organise and direct ongoing operational and forward plans and maintenance programs.
- Prepare and manage the capital works budgeted and program include forward planning.
- Consult with public utilities, other departments and instrumentalities, contractors and the public to ensure all services and contingencies affected by outside operational tasks are addressed and accordingly dealt with.
- Ensure a timely response to after hours and emergency calls.
- Supervise the mechanic to ensure the maintenance of Council's plant and equipment is in good working order.
- Prepare and implement appropriate training plans for works staff.
- Design and manage the construction of infrastructure including roads, footpaths, bridges, culverts, retaining walls etc.
- Prepare funding applications for Regional Road Group, Black Spot and other programs that may be applicable.
- Develop and implement a rolling road count program.
- Compliance with clearing legislation including compliance reporting.
- Check and ensure accuracy of accounts for payment.
- Monitor expenditure of funds against budget allocations.
- Assist in the development of strategic advice to Council on local traffic and transport related issues.
- Provide advice and reports to Council and the Chief Executive Officer in relation to Council's works programs/projects.
- Attendance at works related seminars and other conferences/training.
- Any other duties as directed by the Chief Executive Officer.

## 5. Occupational Health and Safety

The Shire is committed to Occupational Health and Safety in all areas of Council's operations.

As a Manager within the organisation, you will ensure that you represent the organisation in complying with the requirements of Section 19 of OSH Act which requires that –

“An employer to, as far as practicable:

- Provide and maintain a working environment where employees are not exposed to hazards,
- Provide and maintain workplaces, plant & systems of work, as far as practicable that employees are not exposed to hazards,
- Provide information, instruction, training & supervision to enable employees work without being exposed to hazards.”
- Consult & cooperate with safety & health representatives & employees.

As an employee of the organisation, you will ensure that you comply with the requirements of Section 19 of the OSH Act which requires that:

“An employee shall take reasonable care to:

- Ensure his/her own safety & health at work & avoid adversely affecting the safety & health of other persons,
- Comply, as far as is reasonably able, with instructions given by management,
- Use appropriate devices & protective equipment in the manner in which he/ she has been properly instructed,
- Not to interfere with or misuse anything provided in the interest of safety & health,
- Immediately report a hazard, incident or work injury to the employer.”

## 6. Equal Employment Opportunity

Employees of the Shire of West Arthur are required to adhere to the requirements of the Equal Opportunity Act 1984 (as amended) and all other associated legislation, including the Local Government Act.

## 7. Records Management

The incumbent is responsible and accountable for adequately managing the corporate records they create and receive according to relevant policies, procedures and legislation.

## 8. Extent Of Authority

Operates under *limited direction* of the Chief Executive Officer within established guidelines, procedures and policies of Council as well as statutory provisions of the Local Government Act and other legislation.

This position has authority to:

- approve expenditures on budgeted items up to an item value approved by the Chief Executive Officer.
- Develop works budget and other budgets for projects as required.
- Supervision of works crew and contractors.
- Makes recommendation to the Chief Executive Officer on the appointment of staff.
- Manage the civil and works based components of the annual budget.

## 9. Selection Criteria

### Essential:

- Developed team development and leadership skills.
- Developed time management skills.
- Developed verbal and basic written communication skills.
- Developed public relations and interpersonal skills.
- Sound knowledge of plan and design interpretation.
- Sound knowledge of Occupational Health, Safety and Welfare regulations, Equal Opportunity legislation and policies.
- Demonstrated experience in human resource management including direct supervision of staff.
- At least 3 years supervisory experience in the construction and maintenance of road works for local or public authorities or private contractor.
- Familiarity with budget principles.
- Experience in traffic management
- Ability to manage a variety of task concurrently.
- Evidence of a strong commitment to quality and customer service.
- Supervisory skills of consultants and contractors engaged on a project basis
- Skills in managing time to achieve specific and set objectives which may have competing demands in the most efficient way possible with the resources available and within set timeframes.
- Level of computer literacy with industry standard software including Microsoft Office products.

### Desirable:

- Working knowledge of the political environment that local government operates within.
- Formal qualifications in leadership, management or engineering.
- Hold a current "HC" class Motor Driver's License.
- Experience with the use of Roman.
- Understanding of MRWA Regional Road Groups, and Roads to Recovery program.
- Experience and knowledge of legislative requirements applicable to local government.
- Knowledge of the Shire district.
- Sound knowledge of the operation of heavy plant.
- Hold a current Worksafe Construction and Safety Awareness Training Card.
- Experience in preparation of asset management plans.
- Previous experience in the preparation, administration and acquittals of grant funding.
- Working knowledge of Main Roads and AUST Road Specifications.

**9. MATTERS BEHIND CLOSED DOORS**

**10. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 6.21pm.