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**Shire of Wiluna  
Ordinary Council Meeting 16th March 2006**

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**Appendix A – Accounts Paid by Authority – Blue Pages**

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**Appendix D – Change of Council Logo – White Pages**

## MINUTES

### 1 Declaration of Opening and Announcement of Visitors

This meeting was declared open at 10.05am

### 2 Record of Attendance/Apologies and Leave of Absence Previously Approved

**Attendance:**

Cr K Johnston (President)  
Cr J Kyanga (Deputy President)  
Cr C Carton  
Cr C Ellis

**Apology:**

Cr A Geary

**Public:**

David Betteridge  
Colin Gordon

### 3 Response to Previous Public Questions Taken on Notice

Nil

\* 10.06am Cr D Farmer arrived at meeting \*

### 4 Public Question Time

**Summary of Questions and Answers:**

**Questions submitted in writing prior to the meeting:**

Mr. D Betteridge asked if the Shire logo has changed and if the stationery was ordered before Council authorised the new logo.  
*The CEO responded that the approval of the Shire logo is being discussed today and considered for addition to the Policy Manual. Stationery with new logo was ordered to restock stationery on hand.*

Mr Betteridge also inquired who was in charge of the Shire while the CEO was away and the Acting CEO being away on training for part of the period.

*The Acting CEO took the decision to attend the training course on Local Government Record Keeping so that the Shire can comply with the legislation under the State Records Act 2000 in regards to classifying, archiving and records disposals. She was away for three days and was accessible by telephone.*

Mr Betteridge's last question was regarding the CEO's statement during the Electors' Meeting regarding the swimming pool wall having been completed when they are still working on it as of today.  
*The bulk of the wall construction was virtually finished at the time of the electors' meeting and they are currently working on the pathway or steps to the Swimming Pool. The delay in full completion has been because the contractor was ill and due to the wet weather which prevented work on the wall for two weeks.*  
*Note: CEO did not mention the weather during the meeting.*

**Question without notice:**

Councillor Ellis, assisted by the President, asked Mr Betteridge whether he would participate in a price watch scheme due to the number of complaints Councillors were receiving about the cost of goods in the store.

*Mr Betteridge agreed to participate and the CEO would gather the information for the public.*

**5 Application for Leave of Absence**

Nil

**6 Petitions and Deputations**

LionOre Mining – Honeymoon Well

\* 10.15am Cr D Farmer left the meeting \*

\* 10.17am Cr D Farmer re-entered the meeting \*

**7 Confirmation of Minutes of Previous Meeting**

The Minutes of the Ordinary Meeting Held on 16<sup>th</sup> February 2006 be accepted as a true record of that meeting.

**13/06 Council Decision**

**MOVED** Cr J Kyanga

**SECONDED** Cr D Farmer

**CARRIED** 5/0

**8 Announcements by Presiding Member Without Discussion**

**Presidents Report**

Thank you to all who contributed to bring the swimming pool to completion enabling the school kids and other members of the community to enjoy or learn swimming.

**9 Reports of Committees and Officers**

**9.1 Chief Executive Officer's Reports**

<b>9.1.1 Subject/Applicant:</b>	<b>Status Report</b>
File:	
Reporting Officer:	A. Kirwan, Chief Executive Officer
Date of Report:	7 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

### **Wiluna Recreation Centre**

Now that a number of children are swimming regularly and have regular activities in the evenings we will delay the erection of security fencing for this building.

### **Desert Gold**

A consultant has been hired to prepare a plan for Desert Gold. This person will work closely with the people of Wiluna and the Department of Planning to prepare an acceptable plan for the property. It should be remembered the main reason for this plan is to get production happening again on desert Gold.

### **Wiluna Swimming Pool**

Swimming began on Friday 3 March when all of the school children had an induction from the Pool Manager. All had a good time. An official opening of the pool is being planned for the end of March or the beginning of April although this has not yet been finalised.

### **CEO Review**

A review of the Shire of Wiluna's CEO has been organised for the 22-23 March 2006. The Local Government Act requires this review and Councillors are encouraged to express their opinions.

### **Airport**

An application for certification of the airport is currently being attended to through CASA. This is a new system that has been introduced which will require the licensing and a \$5000 fee.

### **Roads**

The heavy rainfall in February meant that most of the Shire roads were closed. There have been a number of washouts and the road re-sheeting program has been interrupted.

### **Council Owned Blocks on Wotton Street**

Council purchased these two blocks in the main street for civic developments. An offer to purchase these blocks has been made by Colin Gordon who wishes to build units on them. Council is requested to discuss the merits of Mr Gordon's proposal.

### **Officer Recommendation/Draft Motion**

For information and discussion only.

For Wiluna Swimming Pool item, that council approve the name of the new swimming pool as Wiluna Community Pool.

**14/06 Council Decision**

**MOVED** Cr D Farmer

**SECONDED** Cr C Ellis

**CARRIED** 5/0

<b>9.1.2 Subject/Applicant:</b>	<b>Proposed Closure of Various Laneways</b>
File:	Various
Reporting Officer:	A. Kirwan, Chief Executive Officer
Date of Report:	6 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

**Summary**

It is proposed that the following lanes be closed (see attached maps):

1. The laneway between Wells Street and Reserve 41125.
2. The laneway between Lots 524,525 and 526 and 527.
3. The laneway between Reserves 23797 and 34508
4. The laneway between Lots 35 and 36.
5. The laneway between Lots 1501-1505 and lease J495045 and that the laneway be added to the adjoining lease.

Re: Appendix C – Yellow Pages.

**Background**

There has been discussion over a number of years to close and/or amalgamate various laneways in Wiluna. One laneway on Lennon Street was successfully closed and we will progress to those above.

**Comment**

These laneways have been suggested due to the need for safety and town management.

**Consultation**

There has been consultation with various concerned residents.

**Statutory Environment**

Notification of the changes is required under the Local Government Act as well as under the Land Administration Regulations.

**Policy Implications**

Nil

**Financial Implications**

There will be minimum cost to the Shire as all of the Service Authorities have been previously contacted. All that remains is that the closures be advertised locally.

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

That the 'Right of Way' in following laneways be closed:

1. The laneway between Wells Street and Reserve 41125.
2. The laneway between Lots 524,525 and 526 and 527 and the area be added to the Reserve 19006.
3. The laneway between Reserves 23797 and 34508
4. The laneway between Lots 35 and 36.
5. The laneway between Lots 1501-1505 and lease J495045 and that that laneway be added to the adjoining lease.

\* 10.48am Cr C Ellis left the meeting \*

**15/06 Council Decision**

**MOVED** Cr D Farmer

**SECONDED** Cr C Carton  
**CARRIED** 4/0

<b>9.1.3 Subject/Applicant:</b>	<b>Proclamation of Goldfields Highway Leinster to Wiluna Section</b>
File:	28.00.05
Reporting Officer:	A. Kirwan, Chief Executive Officer
Date of Report:	7 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

**Summary**

As part of the project to construct and seal the road between Leinster and Wiluna a number of sections of the unsealed road were realigned and have become redundant. It is now intended to formally proclaim the new road alignments as highways under the Main Roads Act to clarify legal responsibility for them.

**Background**

Investigations of previous proclamations of the Goldfields Highway have shown some differences between the drawings of the road and what actually exists on the ground. When later works were carried out these also was not proclaimed.

With the new technology available it is now possible to very accurately locate the alignment of the Goldfields Highway.

**Comment**

This submission to Council is to request that all previous alignments where they differ from the present road be deproclaimed. This will remove all doubt regarding responsibility for old road sections.

**Consultation**

Main Roads.

**Statutory Environment**

Main Roads Act.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

1. That Council endorses the existing alignment of the Goldfields Highway as a State Road.
2. That Council accept the return of the old alignment as a Shire of Wiluna responsibility where that remains as a road.
3. That Council accept the de-proclamation of old Goldfields Highway alignments which no longer exist as road.

\* 10.53am Cr C Ellis re-entered the meeting \*

**16/06 Council Decision**

**MOVED** Cr C Carton

**SECONDED** Cr D Farmer

**CARRIED** 5/0

<b>9.1.4 Subject/Applicant:</b>	<b>Change of Policy 1.7 Use of Council Logo</b>
File:	
Reporting Officer:	A. Kirwan, Chief Executive Officer
Date of Report:	7 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

**Summary**

The current logo has been used for a number of years and it has come to the attention of staff that two versions have been in use.

Re: Appendix D – White Pages.

**Comment**

The current supply of stationary is almost finished so it was decided to seek an alternative modern design.

**Consultation**

There has been wide consultation

**Statutory Environment**

Nil

**Policy Implications**

Nil



**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

That the proposed design be accepted and that Shire of Wiluna Policy 1.7 be changed to allow the use of the new logo.

**17/06 Council Decision**

**MOVED** Cr D Farmer

**SECONDED** Cr C Ellis

**CARRIED** 5/0

**9.2 Manager Finance and Administration**

<b>9.2.1 Subject/Applicant:</b>	<b>Accounts paid by Authority</b>
File:	Finance
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	9 <sup>TH</sup> March 2006
Disclosure of Interest	Nil

**Summary**

In accordance with the Financial Management Regulations a list of accounts paid by the Chief Executive Officer is presented to Council.

**Background**

The list of accounts for the period ending 28<sup>th</sup> February 2006 is listed as Appendix A – Blue Pages.

**Comment**

Nil

**Consultation**

Nil

**Statutory Environment**

Local Government Financial Management Regulations 1996 – Regulations 34-35.l

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

That the accounts paid by authority for the period ended 28<sup>th</sup> February 2006 totalling \$223,986.22 received, noted and incorporated in the Minutes of the meeting.

**18/06 Council Decision**

**MOVED** Cr C Carton

**SECONDED** Cr D Farmer

**CARRIED** 5/0

<b>9.2.2 Subject/Applicant:</b>	<b>Financial Report</b>
File:	Finance
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	9 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

**Summary**

Regulation 34 of the Local Government (Financial Management) Regulations 1996 require local governments to prepare each month a statement of financial activity.

**Background**

The reports for the period ending 28<sup>th</sup> February 2006 are listed as Appendix B – Green Pages.

**Comment**

Nil

**Consultation**

Nil

**Statutory Environment**

Local Government Financial Management Regulations 1996 – Regulations 34

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

That the Financial Reports for the period ending 28<sup>th</sup> February 2006 be received noted and incorporated in the Minutes of the Meeting.

**19/06 Council Decision**

**MOVED** Cr J Kyanga

**SECONDED** Cr D Farmer  
**CARRIED** 5/0

<b>9.2.3 Subject/Applicant:</b>	<b>Audit Committee – Terms of Reference</b>
File:	12.00.04
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	31 <sup>ST</sup> January 2006
Disclosure of Interest:	Nil

**Summary**

The purpose of this item is for Council to adopt the Terms of Reference for the Shire of Wiluna's Audit Committee based on a model provided by the Department of Local Government. The Terms of Reference assists local governments in defining an appropriate role for their audit committees.

**Background**

Included in the Terms of Reference are specific powers and duties under Part 7 of the Act. The legislation also gives the audit committee a specific role in appointing the auditor. It is to recommend to Council who should be appointed as the auditor. The Audit Committee may base this on the Shire of Wiluna Audit Specification.

**Comment**

It is essential that the Shire of Wiluna has Delegations to its Audit Committee in writing and adopted by Council. One of the requirements of the Local Government Act 1995 is for Council to meet its Auditor at least once a year. However, the Council may formally resolve to delegate this to the Audit Committee so that the Auditor does not have to meet with the Full Council.

**Consultation**

Department of Local Government & Regional Development:  
Operational Guideline Number 9; CEO

**Statutory Environment**

Local Government Act 1995  
Local Government (Audit) Regulations 1996

**Policy Implications**

Nil

**Financial Implications**

The committee's effectiveness will be greater if it is also given responsibility for oversight of financial management processes within the local government especially if it does not have a finance committee.

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority.

**Officer Recommendation/Draft Motion**

That Council as outlined below adopt the Terms of Reference – Audit Committees:

**SHIRE OF WILUNA**

**TERMS OF REFERENCE – AUDIT COMMITTEE**

**1. Objectives of Audit Committee**

*The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.*

*Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting system and compliance with legislation.*

*The committee is to facilitate:*

- *The enhancement of the credibility and objectivity of internal and external financial reporting;*
- *Compliance with laws and regulations as well as use of best practice guidelines relative to auditing;*
- *The provision of an effective means of communication between external auditor, the CEO and the Council.*

**2. Powers of the Audit Committee**

*The committee is a formally appointed committee of council and is responsible to that body. The committee does not have executive powers of authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility, The committee does not have any management functions and cannot involve itself in management processes or procedures.*

*The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.*

**3. Membership**

*The committee will consist of at least 3 members with a minimum of 3 elected members. Elected members must compose the majority of the committee. All members shall have full voting rights.*

*Appointment of external persons shall be for a maximum of 3 years. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.*

*The CEO and employees are not members of the committee.*

*The CEO or his/her nominee is to attend all meetings to provide advice and guidance to the committee.*

*The local government shall provide secretarial and administrative support to the committee.*

**4. Meetings**

*The committee shall meet at least once a year. Additional meetings shall be convened at the discretion of the presiding person.*

**5. Reporting**

*Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.*

**6. Duties and responsibilities**

*The duties and responsibilities of the committee will be –*

- a) *Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.*
- b) *Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.*
- c) *Develop and recommend to Council –*
  - *A list of those matters to be audited; and*
  - *The scope of the audit to be undertaken.*
- d) *Recommend to Council the person or persons to be appointed as auditor.*
- e) *Recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –*
  - *The objectives of the audit;*
  - *The scope of the audit;*
  - *A plan of the audit;*

- *Details of the remuneration and expenses to be paid to the auditor; and*
- *The method to be used by the local government to communicate with, and supply information, the auditor.*
- f) *Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.*
- g) *Liase with the CEO to ensure that the local government does everything in its power to—*
  - *Assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and*
  - *Ensure that audits are conducted successfully and expeditiously.*
- h) *Examine the reports of the auditor after receiving a report from the CEO on the matters and –*
  - *Determine if any matters raised require action to be taken by the local government; and*
  - *Ensure that appropriate action is taken in respect of those matters.*
- i) *Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.*
- j) *Review the scope of the audit plan and program and its effectiveness.*
- k) *Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council.*

**20/06 Council Decision**

**MOVED** Cr J Kyanga

**SECONDED** Cr D Farmer  
**CARRIED** 5/0

<b>9.2.4 Subject/Applicant:</b>	<b>Materiality Level of Variance in the Financial Reports</b>
File:	Policy Manual
Reporting Officer:	J. Alagappan, Manager Finance & Admin
Date of Report:	9 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

**Summary**

Recent amendments to the Financial Management Regulations require Local Governments to report on material variances between budget and actual in the Statement of Financial Activity prepared each month. Each financial year, a local government is to adopt a percentage or value calculated in accordance with Australian Accounting Standards (AAS) 5 to be used for reporting material variances.

**Comment**

Australian Accounting Standards (AAS) 5, par. 4.1.6 provides the following guidance in considering the materiality of an amount:

- an amount which is equal to or greater than 10% of the appropriate base amount may be presumed to be material unless there is a convincing argument to the contrary
- an amount which is equal to or less than 5% of the appropriate base amount may be presumed not to be material unless there is evidence, or convincing argument to the contrary.

Based on this guidance, it is recommended to Council to take the middle 8% figure as the level of material variance for the Shire of Wiluna financial reports.

### Consultation

David Tomasi, Auditor for Shire of Wiluna

### Statutory Environment

Financial Management Regulations 34

### Policy Implications

To be added in the Shire of Wiluna Policy Manual

### Strategic Implications

Nil

### Voting Requirement

Simple majority.

### Officer Recommendation/Draft Motion

That Council approve that variances of more than 8% between budget and actual figures in the Financial Activity Statements be considered material and to include this decision in the Shire of Wiluna Policy Manual.

### 21/05 Council Decision

**MOVED** Cr J Kyanga

**SECONDED** Cr C Ellis  
**CARRIED** 5/0

## 9.3 Manager Works and Services

<b>9.3.1 Subject/Applicant:</b>	<b>Status Report</b>
Reporting Officer:	F. Emhofer, Works Supervisor
Date of Report:	8 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

### Capital Purchases

The replacement tip truck has been purchased and delivered last month and is working well.

### Public Facilities

The gazebo for the cemetery has been partially completed and should be erected on site this month.

Plans for the BMX track have been drawn up and work on the track will start later this month.

Seating at the airport terminal has been replaced, as the existing seats were unsafe. These match the seating in town.

### Roads

The re-sheeting program has begun with a 40km section of Wongawol Road. There will also be work done on Windidda/ Prenti Downs Road, as well as Sydney Heads Road east of the pass, as previously planned.

Maintenance grading has been hampered by the rain, but will continue when the roads dry out sufficiently.

### Town Works

The Shire was contracted to remove the concrete from the old power station site, which should be completed early this month.

After contacting Main Roads about the incorrect placement of the school zone road signs, the Shire has been requested by Main Roads to relocate them. This will be done this month also.

### Officer Recommendation/Draft Motion

For information and discussion only.

#### 9.4 Principal Environmental Health Officer

No Report

#### 9.5 Community Development Officer

<b>9.5.1 Subject/Applicant:</b>	<b>Arts, Tourism and Heritage</b>
Reporting Officer:	C. Kirwan, Community Development Officer
Date of Report:	8 <sup>TH</sup> March 2006
Disclosure of Interest:	Nil

### Heritage

The gazebo for the cemetery will be erected next week. I would like to be able to pick up a few councillors on the day so that we make a choice together about where to place it. Once it is in place the signs with the names can be ordered.

The idea for an entry statement to the town of Wiluna has been enthusiastically received. Funds must now be sought and ideas put on paper with ongoing consultation.

### Arts



Gallery sales are going well. The Tjukurba Gallery has purchased and sold approximately 38 paintings. The Gallery charges the buyer 10% commission. When an artist sells their work through us the 10% goes back to them in canvas, paint, brushes. Many more local people now feel encouraged to paint. Several people come to paint here at the gallery, a group of 5 is always busy at Bondini and Don Miller currently has 13 people working on paintings at Ululla. We are seeing visitors from the mines and many trainee staff who work short term at the AMS. I have also had enquiries via email and am taking photos to send out as well as place on the Shire web site.

The TAFE Art Course for this year is now being organised to begin in April.

**Tourism**

Two maps to encourage tourists to stay in town for 6 hours longer are being prepared. Samples are available; a few more minor changes still to be done.

**Officer Recommendation/Draft Motion**

For information and discussion only.

**9.6 Youth Sports & Recreational**

No Report

**10 Elected Members Motion of Which Previous Notice Has Been Given**

Nil

**11 Urgent Business Approved by the Person Presiding or by Decision of Council**

Nil

**12 Matters Behind Closed Doors**

Nil

**13 Closure**

This meeting was declared closed at 11.30am