

Shire of Wiluna

CONFIRMED MINUTES



Ordinary Meeting of Council

Held

Wednesday 16 June 2010

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MINUTES

1. Declaration of Opening and Announcement of Visitors

The meeting was opened at 10.00am.

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

John Kyanga	(President)
Kenny Farmer	(Councillor)
Chris Webb	(Councillor)
Jim Quadrio	(Councillor)

Samantha Tarling	(Chief Executive Officer)
Glenn Deocampo	(Manager, Finance & Admin)

Apologies

Graham Harris	(Councillor)
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3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

5. Applications for Leave of Absence

Nil

6. Notations of Interest

6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct

Nil

6.2. Financial Interest Local Government Act Section 5.60A

Chief Executive Officer declared an interest in Item 14.1.3

6.3. Proximity Interest Local Government Act Section 5.60B

7. Petitions and Deputations

7.1 Cunderdin Historical Society did a presentation at 10.00am.

7.2 Mega Uranium did a presentation at 12 noon.

8. Confirmation of Minutes of Previous Meeting

8.1 The Minutes of the Meeting held on 19 May 2010 be accepted as a true record of that meeting.

70/10 Council Decision

MOVED Cr C Webb

**SECONDED Cr J Quadrio
CARRIED 4/0**

9. Announcement Presiding Member without Discussion

At the GVROC meeting held in Menzies recently, the Mayor of Kalgoorlie Boulder on behalf of WALGA, presented Shire President, Cr John Kyanga with a painting to commemorate the centenary of the Wiluna Road Board 1909-2009.

10. Reports of Committees and Officers

10.1. Chief Executive Officer Reports

10.1.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	10 July 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the CEO's status report and endorse the CEO's actions.

May OCM resolutions update

At the May OCM council resolved that reports be brought back to the June OCM. Those reports are: options available to council in making a decision on the future of the old school site, information provided allowing Council to make an informed decision in establishing their official position on uranium and a review of Policy 1.12.

Due to staffing levels being compromised through sickness and annual leave, since the May OCM, the reports are unable to be presented at this council meeting.

The reports will be presented to council as soon as possible.

Meetings attended in Perth recently

The CEO attended a round of meetings in Perth recently with the following persons.

Commissioner for Children and Youth, Michelle Scott – I together with Alan Stewart, RPA Coordinator meet with the Commissioner ahead of her visit to Wiluna the following day. I presented her with a copy of the Strategic Plan and discussed the challenges children in Wiluna face and the advances they are making in different areas. I attended this meeting, due to circumstances that saw the Shire not having a representative available to greet the Commissioner on her visit to Wiluna. The meeting was very positive and she took away a number of issues to take up with Director Generals of different State Departments, namely the support of the WDP and teacher numbers not being decreased.

Hon Wendy Duncan, MLC and Parliamentary Secretary to the Minister for Regional Development and Lands – We discussed a number of strategies to assist in getting the Meekatharra Road sealed and one was to ask the Minister of Transport's Chief of Staff to advise how to get the request for funding onto the State and Federal Infrastructure priority list. Other RPA projects were discussed. A verbal briefing will be provided to council.

Michaela Maine, Department of Regional Development and Lands – I met with Michaela to discuss the planning for the co-location project, commonly known by council as the extension at the Old Marruwayura building. Michaela advised that it is now for the Shire to manage the project and seek available funding. This was an update to what the CEO and Shire President thought was the current status. Both parties were under the impression the Department were heading this project up as a partner of the RPA.

URBIS – (consultants writing the sealing of the Meekatharra Road report) The meeting exposed the need for clarity to the consultant and an in-principle support of the draft report. This is presented for council to consider under another report heading. The consultants have been advised that, consulted councillors are agreeable to a one pager outside of this report being developed to take to meetings to show council's position on the statewide and nationwide road and rail network.

Minister for Transport, Chief of Staff and Policy Officers – Alan Stewart and I met with the group of representatives. Eacham Curry, Chief of Staff advised

the sealing of the Meekatharra Road in its entirety was unlikely due to the low numbers of users and economic advantage to be gained. The only chance for it to be sealed entirely is if it receives political backing to elevate it onto a priority list.

Department Indigenous Affairs, Executive Director, Cliff Weeks – We discussed the RPA and the representation from State Government at the table as a committed partner. We spoke about the RPA and its form and the future of its structure and how that needs to be working in harmony with government operational charter to achieve the best outcomes for the community. This raised up a bigger discussion that council needs to have to identify the boundaries and responsibility of council to RPA projects and objectives.

Department Local Government - I met with the Department to discuss the proposal for continuing funding of the Wiluna Development Project (WDP) and the status of the current WDP and the request for a revised budget. This meeting raised concerns from the Department as to the sustainability of the positions being funded and the lack of an exit strategy planned by the council when this project will no longer be funded. It raised up a bigger discussion council needs to have about council core business and sustainability. Council has indicated in recent times this discussion will be had by council in the near future.

Bruce Lorimer, WAAMI – the in-person meeting with Bruce (who was the officer who gave the presentation on Asset Management in Esperance) was cancelled. We had a telephone conference. We discussed the use of the \$35,000 CLGF forward Capital Works Plan grant council received recently and how that can be best applied towards our Asset Management Strategic Plan. This is a major piece of work and the industry is embarking on it and looking at different models to follow. I feel going towards the WAAMI model may be the best option due to the support WALGA are giving it, however, I am concerned with our limited human resources. I sent councillors a briefing note from Tony Brown, WALGA on this recently, to give it some context.

In speaking with the Murchison Shire's who have similar challenges to our Shire and resources it seems this is not the best way forward. I am unclear at this time which option to advise council to take and will seek input from more experienced colleagues, including incoming Acting CEO, Tony Doust, on the matter.

Invitations extended on behalf of Council

Minister Grylls will be visiting Karalundi on 29 June 2010 to open a R4R project. The Shire President has extended an invitation to him to take the opportunity to visit Wiluna on the same day. I have contacted the Minister's office through Wendy Duncan MLC, Parliamentary Secretary to the Minister and advised if the Minister is willing to drive to Wiluna, the Shire President would welcome the opportunity to collect him in Meekatharra and drive him

across the Goldfields Hwy to Wiluna. A response has not been received at the time of writing this report.

The CEO followed up the Minister for Transport, Simon O'Brien in regard to the invitation the Shire President extended to him at the Road/Rail Transport Forum. He has acknowledged the invitation and will confirm in the near future of a date he is available to visit Wiluna.

Intended Community Uranium Forum

Australian Uranium Association has advised that it doesn't wish to partake in a community questions and answers forum with the anti-uranium lobby in the same room, due to difficulties of opposing school of thoughts. It advised it was happy to have it at a separate time and receive the same questions from the community. The CEO advised this was not the intent of the request from the community and declined the arrangement due to ample community consultation and information session being held by both sides to date.

The CEO advised council of this verbally at the May OCM. Council advised that it was timely for council to receive an information report from the CEO that will result in Council making an official position on uranium mining in the Shire. This resulted in a motion being put and a report to come back to council and council making their position official by the September OCM.

Police Commissioner Karl O'Callaghan visit to Wiluna

The Police Commissioner visited Wiluna on Monday, 24 May 2010 and the following items were raised with the Commissioner as directed by Council:

1. Support from the Shire Councillors for Sgt Dave McCutcheon in his efforts to bring strong community and law abiding policing to the community of Wiluna. The issue surrounding a recent complaint about the Sgt to WAPOL was discussed, specifically the closing of the back track and the Commissioner was advised, Council fully support the strength and professional manner in which the Sgt went about his duties and is to be commended.
2. State or Regional Liquor Licencing Conditions Requested – the Shire President advised the Commissioner that the conditions placed on Wiluna will only be effective if they are regional due to the sly grogging occurring. The Commissioner was sympathetic and acknowledged it was a difficult issue to resolve. He advised that the Premier is investigating one option of introducing a drinking card, similar basis as the drivers licence.

The meeting was very successful from a public relations point of view with the community.

71/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr J Quadrio
CARRIED 4/0**

For Council to receive the CEO's status report and endorse the Officer's actions.

10.1.2. Subject/Applicant:	Proposed rate 2010 – 2011 Budget
File:	0297
Reporting Officer:	CEO – Samantha Tarling
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for the adoption of the rates for the 2010 – 2011 budget.

Background

This year Council has elected to impose differential rating. Accordingly as required by regulation the proposed rate was advertised for public comment.

Comment

The public comment period closed on 08 June 2010 and no submissions were received.

It is proposed to adopt the rate as advertised with no changes.

72/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr K Farmer
CARRIED 4/0**

That Council imposes the following rates for the 2010 – 2011 financial year.

Rate Category	Rate in Dollar (c)	Minimum
Gross Rental Values – General	07.256	250
Gross Rental Values – Mining	10.635	250
Unimproved Values – Rural	12.100	250
Unimproved Values – Mining	17.280	250

10.1.3. Subject/Applicant:	Budget Adoption 2010 - 2011
File:	0297
Reporting Officer:	Chief Executive Officer Samantha Tarling
Date of Report:	2 September 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to adopt the budget for the year ending 30 June 2011.

Background

Council has previously adopted the fees and charges for the year ended 30 June 2011 at resolution 65/10 of the May OCM.
Council has previously (above) adopted the Rate for the year ended 30 June 2011.

Comment

Council is now requested to adopt the Budget for the 2010 – 2011 financial year.

That Council adopt the Budget (provided under separate cover and forming part of these minutes) for the 2010 – 2011 financial year.

<i>73/10 Council Decision and Officer Recommendation</i>
MOVED Cr J Quadrio SECONDED Cr C Webb
CARRIED 4/0

That Council adopt the Budget (provided under separate cover and forming part of these minutes) for the 2010 – 2011 financial year.

10.1.4. Subject/Applicant:	Local Government Week 5-7 August 2010
File:	00054
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform Council of 2010 Local Government Week and council approve the attendance of nominated councillors in accordance with Policy 1.12.

Background

Local Government Week is an opportunity for councillors to network with Councillors from throughout the State and be abreast of issues affecting local government and be aware of products and services available to the industry.

Councillors have attended in the past and found this professional development opportunity to be valuable.

Comment

At the May OCM the CEO reported the Local Government Week will be held between 5-7 August 2010, at the Perth Convention Exhibition Centre.

No councillors have formally advised me of their intention to attend, however, councillors may, in the lead up to the time and this report is to reflect council's endorsement of all councillors attending.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Policy 1.12 – Councillor Training and Expenses see Appendix A – Pink Pages
Policy 1.13 – Travelling Expenses – see Appendix A – Pink Pages

Financial Implications

Councillor professional training by attendance at conferences will be adequately covered in the 2010/11 budget for all councillors to attend if so determined by Council.

Strategic Implications

Councillor attendance and participation in professional development conferences is aligned with council's strategic plan objective of good governance and strong leadership.

Voting Requirement

Simple Majority

74/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr K Farmer
CARRIED 4/0**

That Council endorse the attendance of all Councillors to attend Local Week 2010 in accordance with Policy 1.12 and 1.13.

10.1.5. Subject/Applicant:	Approve CEO Annual Leave and Confirmation of Acting CEO 7 July – 20 August 2010
File:	00220
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to approve the CEO's annual leave and the appointment of Mr Tony Doust as Acting Chief Executive Officer for the period 7 July to 20 August 2010 inclusive.

Background

Deputy CEO, Jean Alagappan is the next most senior officer next to the CEO and is currently on maternity leave. No other officer on staff are experienced enough to step up to the Acting CEO position, therefore, Tony Doust was approached and accepted the offer to be the Acting CEO during the period the CEO is on sick leave 7-9 July and annual leave for the period 12 July to 20 August 2010 inclusive.

Tony Doust has previously held the position of CEO with the Shire of Wiluna.

Comment

Mr Doust will have a hand over with the CEO between 21 – 30 June 2010 and return to take up the position on 5 July 2010 until 23 August 2010 when CEO returns to work.

Mr Doust will stay on upon the CEO's return and take up the Acting DCEO position until the DCEO returns to work 4 October 2010. It is anticipated he will have a 2 week handover thereafter. He will be an extra pair of hands at this time to relief the pressure in the finance department due to changing over to a new software package and the QMS project occurring.

Mr Doust will live in the CEO flat at the shire offices and his room will be cleaned on a weekly basis at council's cost. He will be responsible for food and preparation of his meals.

He will have the use of the CEO vehicle in his time as Acting CEO and use of the Ford Territory when he is Acting DCEO.

Consultation

Councillors

Statutory Environment

Section 5.36 (1)(a) of the Local Government Act 1995 requires the Council to appoint Acting CEO.

Policy Implications

Nil

Financial Implications

The CEO agreed to the following terms with the Acting CEO for the period 12 July to 20 August 2010 inclusive:

1. CEO salary rate plus 20% inclusive of superannuation.
2. Paid return airfares to Perth, to return to Boyup Brook to fulfil his duties as Shire deputy president for the Boyup Brook Shire in the third week of the months of July and August 2010. (Council staff will book this upon Mr Doust's arrival and instruction.)

Strategic Implications

Nil

Voting Requirement

Simple majority

75/10 Council Decision and Officer Recommendation
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MOVED Cr J Quadrio

SECONDED Cr C Webb

CARRIED 4/0

That council:

1. Approve the CEO's annual leave 12 July – 20 August 2010; and Approve the appointment of Mr Tony Doust as Acting Chief Executive Officer for the period 7 July to 20 August 2010 inclusive and the terms and conditions negotiated by the CEO be endorsed

10.1.6. Subject/Applicant:	CLGF – Forward Capital Works Plans
File:	00042
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform council of the arrangements for the CLGF in 2009-10, council endorse and approve the CEO's actions in applying and accepting funding to assist with the creation of a Forward Capital Works Plan and authorize the fixing of the common seal and execution of the Financial Assistance Agreement between the Department of Regional Development and Lands and the Shire of Wiluna.

Background

Since its recent introduction, the CLGF has undergone a number of changes.

In year 1 (2008/09) Shire of Wiluna received direct funding of \$753,249. This funding was allocated to the Streetscape Beautification project. The direct year 2 funds were deferred late last year. The latest information provided council with an opportunity to receive \$35,000 to complete a Forward Capital Works Plan (FCWP).

Comment

The CEO made application for \$35,000 to assist with the creation of a Forward Capital Works Plan. In order to receive the funds each local government was required to submit a proposal on how we would expend the funds in accordance with the guidelines. The proposals were due 30 April 2010, hence, the CEO actioning on behalf of council with informal consultation with councilors out of session. See Appendix B – Yellow Pages.

Professional support will be provided by Department of Regional Development and Lands (RDL) through an expert panel to assist country local governments to develop their forward capital works programs. The expert panel is not likely to be in place prior to June 2010, so we are requested by the RDL to obtain quotes or estimates from consultants working with local government that has the expertise. Alternatively WALGA has a panel of consultants already in place for asset management planning that may be of assistance. I am currently in discussion with Bruce Lorimer who runs the WAAMI program.

A FCWP will be a pre-requisite to access local governments' allocation from 65% of the total funds available from the CLGF in 2010/11. We are advised that this funding will be released as soon as a Council has submitted an acceptable FCWP.

We are advised that this funding can also be used to supplement the creation of asset management plans.

Future funding is contingent upon these plans being created to an acceptable standard.

Funding available for 2010/2011 will be known sometime after the state budget is handed down, however, WA Council's will receive directly 65% of the CLGF funding pool.

The Regional component of the CLGF is very difficult to predict. The Mid-West Development Commission will play a greater role in the management and allocation of this component and business cases will be required for all regional projects.

It is a requirement that the Capital Works Plan, Asset Management Plan and Strategic plan all be interlinked and feed into each other.

Requirements/Timelines – direct council responsibilities

Apply for funding towards FCWP -	by 30/4/2010
Complete a FCWP	by 31/12/2010
Apply for funding for Strategic Planning and Asset Management Planning	by 31/12/2010
Complete the Asset Management Plan	by 30/6/2011

Consultation

Shire President

Statutory Environment

The Shire of Wiluna Local Law (Standing Orders) 1999 – Applying the Common Seal.

Policy Implications

Nil

Financial Implications

\$40,000 has been made in the draft budget for Asset Management Plans.

Strategic Implications

Nil

Voting Requirements

Simple Majority

76/10 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

SECONDED Cr K Farmer

CARRIED 4/0

That Council:

1. Endorse and approve the CEO's actions in applying and accepting the funding to assist with the creation of a Forward Capital Works Plan;
2. Authorize the fixing of the common seal and execution of the Financial Assistance Agreement between the Department of Regional Development and Lands and the Shire of Wiluna;
3. Apply for any funding that may become available to assist with the creation of an Asset Management Plan; and
4. Commits to creating an Asset Management Plan by 30 June 2011 in accordance with State Government requirements.

10.1.7. Subject/Applicant:	CLGF - Offer of financial assistance to undertake business planning for delivery of local government services into indigenous communities
File:	00042
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to decide whether to enter into an agreement with the Department of Local Government of financial assistance to the Shire of up to \$30,000 for the Shire to undertake the preparation of a business plan for the delivery of local government services into Indigenous communities within the Shire.

Background

The Department of Local Government (DLG) is making an offer of financial assistance to the Shire of up to \$30,000 for the Shire to undertake the preparation of a business plan for the delivery of local government services into Indigenous communities within the Shire. DLG was seeking the Shire's commitment by 28 May 2010.

A letter from the Department of 12 May 2010 clearly indicates that local governments need to be ready to deliver services to Indigenous communities from 1 July 2012. To assist local governments prepare, the DLG made available financial assistance to prepare business plans that will detail costs and service standards for the delivery of the services to the Indigenous communities. Whilst the Department has made this offer, their letter has raised more questions and concerns than it has answered.

Comment

22 councils from around the State are captured in this offer. Many councils have requested more information and understanding around this matter and have not responded to the 28 May 2010 deadline.

I advised the DLG that council would not make a decision until the June OCM, therefore, we would not be entering into the Agreement by the deadline.

The Department has provided subsequent emails endeavouring to clarify and answer questions regarding the intent of the proposed business plans. It would seem that the intent of the business plan is to get a better understanding of what is required and how much it is going to cost for the delivery of local government services into Indigenous communities. If this is the case and there is no obligation placed on the Shire to implement the business plan without appropriate funding and resources then there is no reason the Shire shouldn't participate, however, I am cautious given the life these matters take when you agree to the first step and the lack of consultation with local communities in regard to this matter. Furthermore, local governments were not consulted in the Bilateral Agreement process.

See attached letter and email from the DLG to give greater clarity around this matter – Appendix C - Red Pages.

If Council conditionally agrees to proceed, the Department requires the Shire to enter into a Financial Assistance Agreement. The proposed Agreement is attached for Council's information. See Appendix C – Red Pages. The principle of entering into the agreement is standard practice, providing it is clear that there are no obligations placed on the Shire on completion of the business plan. Other concerns are that it is not known how much it will cost to prepare

the business plan and there are a number of compliance requirements that may be time consuming.

If council were to enter into this Agreement it provides an opportunity for the affected local governments within GVROC to work collaboratively on a regional basis and consider the merits of appointing the same consultancy to prepare all business plans. Council does not need to determine this now, this can be discussed at a later date. A number of GVROC councils indicated at the recent GVROC meeting held in Menzies that they require more discussion before entering into the agreements.

My recommendation is that Council doesn't agree to proceed with preparation of a business plan until a Statewide Forum is held and facilitated by WALGA and the DLG. Due to the overwhelming response from local governments who are of the same opinion, a Forum has been organised to be held in Perth on 12 July 2010. (This date is subject to change).

Concerns around the State on this matter are that local governments have not entered into an MOU with the State or Federal Government over the possible delivery of services or been given the opportunity to discuss with other local governments to get a unified approach . This is considered the first step by many local governments to be taken before business plans are written.

Consultation

Nil

Statutory Environment

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

77/10 Council Decision and Officer Recommendation
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MOVED Cr J Quadrio

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

That Council:

1. Declines the offer of entering into a “Financial Assistance Agreement” with the Department of Local Government for funding of up to \$30,000 (excl GST) to prepare a business plan that guides the introduction and ongoing delivery of local government services into some or all of the Indigenous communities within the Shire of Wiluna at this time;
2. Attend the Forum being organised by the Department Local Government in Perth in July to discuss this matter; and
3. Support a unified approach by local government in deciding on this matter.

10.1.8. Subject/Applicant:	Wiluna Strategic Positioning Road and Rail – Sealing Meeka Road Report
File:	00181
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to present the first draft of the ‘Closing the Gap and making Connections: win/win for communities in the central desert’ report by consultants URBIS, proposed communication draft strategy and proposed press release to council for information, feedback and direction from council in finalising the report.

Background

Council resolved to allocate funds from the Canning Stock Route Reserve to fund the writing of a paper that would highlight the Shire of Wiluna’s recommendation to the State government on the State road / rail corridor and the need for the Meekatharra Road to be sealed. Council engaged URBIS to write the paper.

Comment

The paper titled 'Closing the Gap and making Connections: win/win for communities in the central desert' has been developed for council's consideration and is attached - see Appendix D – White Pages, along with a letter from the consultants seeking direction as to the target audience council is wanting to impact on and their advice in achieving this outcome.

Upon reading the first draft I was alarmed that the report was not strong enough. More work has been done on that first draft report that I sent councillors in May and this is the result. Councillors gave me feedback also. I discussed this with the consultants and they advised that they have been unable to get the political promises made to the Wiluna community on public record and without that, the discussions and promises known by councillors and the Wiluna community are hearsay. URBIS will be contacting Peter Ward, ex Wiluna pastoralist and Shire President for further applicable information but if this is not on public record, they will be asked to make quotes that can be used to strengthen the argument on the political side.

Council's options are to:

1. adopt the report, draft communication plan and press release as presented;
2. Amend the report, draft communication plan and press release as presented;
3. Discard the report, draft communication plan and press release as presented; or
4. Adopt, amend or discard each or all presented.

Consultation

Cr Jim Quadrio
Chief of Staff, Minister for Transport Office
Main Roads WA

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

78/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr J Quadrio
CARRIED 4/0**

That Council

1. Receive the attached report closing the gap and making connections for information.
2. Approve urbis approach to the report as authorized and recommended in the attached letter –focus on the Wiluna to Meekatharra link even though there are broader strategic directions that needs to be pursued under another paper.
3. Councillors feedback to the Chief Executive Officer additional reference points and information for the Chief Executive Officer to forward the Urbis before the report is finalized; and
4. Final draft be brought back to Council for sign-off.

10.1.9. Subject/Applicant:	Amendment to GVROC MOU clause – Appointment of Members
File:	00074
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	9 June2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to endorse the GVROC resolution to amend the clause “Appointment of Members” in the GVROC MOU.

Comment

Following is the GVROC Executive Officer’s report to GVROC outlining the amendment to the MOU (see Appendix E – Purple Pages).

Following the elections conducted at the in-person meeting held on Friday 29 January 2010, the issue of voting arrangements for both the GVROC and the

Goldfields Esperance Country Zone of WALGA, was raised due to a degree of uncertainty about member Council voting rights at these elections.

The matter was considered at the GVROC Council at the meeting held on Wednesday 31 March 2010, where it was resolved as follows:

That:

- 1. The GVROC MOU be listed for discussion at the next in-person meeting of the GVROC Technical Officers Working Group.*
- 2. The GVROC and the Goldfields Esperance Country Zone of WALGA voting arrangements be listed for discussion at the next in-person of the GVROC Council.*

Executive Officer Comment:

The matter was considered by the Technical Officers Working Group at a meeting held on Friday 7 May 2010.

The difficulty in the current voting arrangements appear to be that the GVROC MOU refers to "The President/Mayor and Chief Executive Officer of a participating Council are members of the GVROC", with the result that the President/Mayor and Chief Executive Officer are the voting members.

The intent of the Goldfields Esperance Country Zone voting arrangements, based on the WALGA Constitution, is that there are two delegates per member and the two delegates should be elected members. The CEO of a member Council is only a delegate where there are insufficient elected members in attendance to act as delegates.

It would seem that the issue of voting entitlements is most critical when voting for WALGA State Council representative. It may therefore be necessary to include in the GVROC MOU a clause that states that where the matter relates to the election of the WALGA representative or deputy representative that the two voting delegates shall be the elected members except where the number of elected members present is insufficient and the member Council CEO is a duly appointed delegate.

Consultation: *GVROC Technical Officers Working Group*

Financial Implications: *Nil*

Voting Requirement: *Simple Majority*

RECOMMENDATION

That the GVROC Technical Officers Working Group recommend to the GVROC Council that the clause "Appointment of Members" in the Goldfields Voluntary Regional Organisation of Councils, Memorandum of Understanding be deleted and replaced with the following clause:

Appointment of Members

A participating Council is to appoint two voting members, one of whom shall be an elected member, to be members of the GVROC. Such appointments shall be at the discretion of the participating Council but can be the President/Mayor and Chief Executive Officer (CEO) of a participating Council or two other elected members.

Whilst the functions and decisions of the GECZ are incorporated into the meetings of the GVROC, each participating Council will be entitled to two voting delegates one of whom may be the CEO. If however two elected member delegates are in attendance they shall be the voting delegates.

A participating Council may appoint two other persons as Deputies from the Council who are able to attend the GVROC meetings and who may act temporarily in place of either member of the GVROC during any period in which the member of the GVROC is unable by reason of illness, temporary absence from State, conflict of interest or any other inability to attend meetings.

Policy Implications

Nil

Financial Implications

Nil

Voting Requirement

Simple Majority

79/10 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

**SECONDED Cr K farmer
CARRIED 4/0**

Council resolves that:

1. It endorses the GVROC resolution to amend the clause "Appointment of Members" in the GVROC MOU as follows:

RESOLUTION: Moved: Cr Carter Seconded: Cr Cullen

That the clause "Appointment of Members" in the Goldfields Voluntary Regional Organisation of Councils, Memorandum of Understanding be deleted and replaced with the following clause:

Appointment of Members

A participating Council is to appoint two voting members, one of whom shall be an elected member, to be members of the GVROC. Such appointments shall be at the discretion of the participating Council but can be the President/Mayor and Chief Executive Officer (CEO) of a participating Council or two other elected members.

Whilst the functions and decisions of the GECZ are incorporated into the meetings of the GVROC, each participating Council will be entitled to two voting delegates one of whom may be the CEO. If however two elected member delegates are in attendance they shall be the voting delegates.

A participating Council may appoint two other persons as Deputies from the Council who are able to attend the GVROC meetings and who may act temporarily in place of either member of the GVROC during any period in which the member of the GVROC is unable by reason of illness, temporary absence from State, conflict of interest or any other inability to attend meetings.

10.1.10. Subject/Applicant:	Adoption of the 'Proposal for the continued funding of the Wiluna Development Project' and approval for the CEO to submit to politicians, government and non government agencies in an effort to secure ongoing funding outlined in the proposal.
File:	00001
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to adopt the 'Proposal for the continued funding of the Wiluna Development Project (WDP)' submission and approve the CEO to submit to politicians, government and non-government agencies in an effort to secure ongoing funding outlined in the proposal.

Background

The funding agreement for the WDP will run out at the end of the 2009-2010 financial year but there will be sufficient funds to continue the work of the WDP until the end of June 2011 if a revised budget is accepted by the Department of Local Government. That is currently with them for consideration.

At the commencement of the RPA, it was envisaged that a Future Fund would be set up and may take carriage of a couple of the positions under the WDP, after the agreement with the State had been acquitted. The Future Fund remains a work in progress.

Regardless of this future plan to obtain funding from the Future Fund it is the Shire's responsibility to arrange an exit strategy from the WDP, as it is not sustainable under the current funding arrangement from the State Govt. In an effort to give the Shire some time to plan a sustainable exit strategy, a new proposal 'Proposal for the continued funding of the Wiluna Development Project' submission was developed. The plan was to submit to government to gauge their take-up of the proposal. Hon. John Bowler, MLA visited Wiluna recently and met with RPA partners and the Shire. The CEO gave a copy to Mr Bowler and he promised to take it to Parliament directly and support the ongoing funding of the program for another 4 years due to the objectives not being able to be met due to the timeframe being unrealistic. Whilst there has been advancement under the WDP it requires more time and resources for it to achieve its objectives and another 4 years will not do that but it will give the Shire time to plan a sustainable exit strategy without losing ground on the gains made in building community capacity under the WDP.

Comment

Accompanying the 'Proposal for the continued funding of the Wiluna Development Project (WDP)' submission is a paper which details all achievements since 2004. See attached Appendix F – Gold Pages.

What is included in this proposal?

This funding proposal has seven sections. In section 1 the WDP and its relationship to State and Australian Government priorities is described. The WDP was the State Government's response to the collapse of the Wiluna Council in 2003 and the mapping of services to Indigenous people in Wiluna by the Department of Indigenous Affairs (DIA) in 2004. As mentioned above, the WDP works across all building blocks to close the gap in Indigenous disadvantage in Wiluna.

Section 2 outlines the situation in Wiluna at the time that the DIA delivered its *Services to Indigenous People in the Shire of Wiluna Mapping and Gap*

Analysis Final Report (the DIA Report) in November 2004, focusing particularly on the areas for action by the WDP.

In Section 3 the key WDP achievements through the CDU or the CEO project management role are outlined. Section 4 outlines the areas still requiring attention by the WDP funded positions. As mentioned, the comprehensive work program to be undertaken with WDP funds is outlined in Attachment 1 to this proposal.

In Section 5 evidence of continuing disadvantage in the Martu community is documented. It underlines the need for continued WDP funding. Without funding, the opportunity to undertake the comprehensive work program mentioned above will be lost with a consequent impact on outcomes for Indigenous people.

Details of the proposed package and the budget are detailed in Section 6 and in Section 7 the Shire's organisational details are set out.

Funding package

The proposal recommends the funding of a \$2,785,539 package over the period 1 March 2011 to 30 June 2015 to support the community's work in 'Closing the Gap' in Indigenous disadvantage.

The package and budget are fully detailed in Section 6 of the proposal.

The proposed package, which includes a comprehensive work program (fully outlined in Attachment 1), will have three components:

- The work undertaken by the CDU towards improvements for the Martu in the areas of:
 - Healthy lifestyles and living environments
 - Appropriate housing and utilities
 - Strong life skills and appropriate labour market skills
 - Effective participation in the labour market and in enterprise
 - Overcoming community alcohol and other drug abuse
 - Breaking cycles of criminal behaviour
 - Developing community capacity
 - Being empowered to participate in policy making and program implementation and in governance mechanisms

- The work undertaken as part of the project management role of the CEO which facilitates problems solving, strategic responses, infrastructure projects, business development and coordination

- Approved capacity building projects such as the RPA Community Engagement Project outlined under 'Governance, leadership and community engagement' in Section 3 and a history collection project (included in Agreement budget but not yet actioned).

The funding package is for salaries and on costs for positions in the Shire's CDU, for the CEO's project management role, for operational costs and for funds for capacity building projects.

In council's discussion in planning an exit strategy from the WDP, it will need to be decided if the positions currently funded are sustainable within the Shire's budget and in fact, are they council core business. This discussion will need to form part of a bigger discussion around the future of Wiluna Shire service provision and our approach to business and sustainability.

During the proposed funding period, further work will be undertaken towards the development of the Wiluna Futures Fund. When well established, this fund may have the capacity to take up expenditure of the positions and running costs of the WDP.

Consultation

CEO met with the Department Local Government whilst in Perth recently to discuss the proposal that had been handed to them from Parliament to comment and make recommendations on. They are concerned about council not having an exit strategy at the end of the 2009/2010 WDP and that council may not be sustainable if we are looking to the State to fund salaries for positions under the proposed 2011-2015 WDP.

Statutory Environment

Local Government Act 1995

- Section 2.7(1) – Provides that Council direct and controls the local government's affairs; and

Policy Implications

Nil

Financial Implications

Funding package for the period 1 March 2011 to 30 June 2015 for the following positions and salary on costs:

- Twenty percent CEO
- Manager of the Community Development Unit
- Art Gallery Manager
- Sport and Recreation Manager
- Tourism Officer
- Support Officer Indigenous Employment

For the following operational items:

- Administration assistance
- Insurance
- Project operating costs
- Vehicle running expenses
- Audit costs – acquittal

A budget for the funds requested for the period 1 March 2011 to 30 June 2015 is \$2,785,539.

The budget submitted would need to be reconsidered if and when the State Govt accepts it, due to no consultation being done with government in the development of this plan. This would enable council to look at the finer points of the budget to match the state of play in regard to housing and other assets required to support this program. Ordinarily this would be predictable in most environments but in Wiluna this is not always the case and projects and programs need reviewing to make them relevant, given the impact changes that other agency programs and the proposed RPA Future fund may have on this proposal.

Strategic Implications

All the goals outlined in the 2009-14 Strategic Plan will be impacted with the adoption and ongoing funding of the WDP.

Voting Requirements

Simple Majority

<i>80/10 Council Decision and Officer Recommendation</i>

MOVED Cr J Quadrio

SECONDED Cr K Farmer

CARRIED 4/0

That Council:

1. adopt the 'Proposal for the continued funding of the Wiluna Development Project (WDP)' submission;
2. adopt the 'Update of developments in the Shire of Wiluna and future plans';
3. approve the CEO to submit to politicians, government and non-government agencies in an effort to secure ongoing funding outlined in the proposal.

10.2. RPA Coordinator Report

10.2.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Alan Stewart – RPA Coordinator
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to report Council's operations in the RPA program and request Council receive this report as information.

Report

Key Activities to Date (May/June)

1. Martu Co-Coordination – Tracey Latu Kuli Kefu and Anne Geary commenced work on 18/5/2010 as RPA Co-Coordination working alongside Alan Stewart. NAHS will be the host employer (many thanks to Richard Whittington for agreeing to this arrangement). Both will work part-time for the RPA Tues/Wed/Thurs each week. Tracey will continue with her art work in the remaining two days and Anne will work as Health Worker at NAHS.

Tracey and Anne have already demonstrated their effectiveness in improving communication with Martu:

- by organizing a large meeting at Bondini Wed 2/6/10, which raised the following concerns for further action:
 - rubbish collection by residents
 - drivers licences
 - bus service
 - car bodies
 - power issues
 - rights of residents/status of Bondini
 - strength of Martu standing together
 - engaging with government and mining companies
 - business development
 - CDEP (especially activity at Bondini)
- By taking the first steps towards re-establishing a school committee
 - On Thursday 3/6, 15 Martu attended a meeting at the Wiluna school to re-establish the school committee. The school

Principal was very pleased by the response after so long without a school committee.

2. Kapikarnpi Community Fund – The RPA Coordinator attended the launch of this fund in Leonora on Tuesday 1/6/2010. (Shire President and Vice-President were apologies). Nickel West is the founding donor (\$500k) and the launch was to invite other miners to contribute to the fund.

This important community fund will be managed by the WA Community Foundation on behalf of the mining industry operating in the northern goldfields (ie Menzies, Leonora, Laverton and Wiluna).

Those communities will ultimately be able to draw down from the Kapikarnpi Community Fund by application to an advisory committee. At present Wiluna does not have a presence on the advisory committee, so as an interim measure the RPA Coordinator has been invited to join the committee, pending more appropriate representation being decided by the RPA Steering Group.

Creating a Wiluna Fund - the existence of the Kapikarnpi Community Fund opens the opportunity for a separate Wiluna fund to be opened within it. That way miners operating in the Shire of Wiluna can contribute to the fund and specify that their contribution is to be spent within the Shire exclusively. On the other hand, by drawing on a larger pool of contributors, Wiluna may benefit from the fund growing quickly to a larger and more sustainable fund than may have been possible from a Wiluna-only fund. All the potential of the Kapikarnpi Community Fund has yet to be fully explored and assessed. Wiluna's presence on the advisory committee is important for that purpose.

3. Commissioner for Children and Young People – Michelle Scott visited Wiluna on Tuesday 1/6/2010. The Commissioner reports directly to the Premier on issues affecting the well-being of children and young people, and she spent the day talking to staff and community members at:

- Martu RPA Coordinators and a meeting at Bondini of representatives from all communities
- Tjukurba Art Gallery (and the Art Start kids)
- Shire Sport and Recreation centre
- NAHS
- Wiluna School
- Wiluna Action Group chairperson
- Police
- DCP
- FaHCSIA (from Kalgoorlie)
- Department of Corrections (from Meekatharra)

The Shire CEO met with the Commissioner in Perth on Monday 31/5/2010 and was able to give her a full briefing over an hour and a half.

The Commissioner's report on the visit will be available by 18/6/2010. The value to the RPA is that we now have a very senior contact close to the Premier and Directors General of key government departments who we can call on for assistance and advocacy for matters affecting the well-being of children and young people in Wiluna.

4. Durack Institute of Technology - The new Wiluna Campus Manager position has been offered to David Molloy (presently manual arts teacher at Wiluna school). There are some processes to finalise the appointment, anticipated to conclude by 18/6/2010.
5. Mid West Development Commission - Steve Douglas, CEO MWDC has assigned Mike Kendall, Senior Project Officer to prepare a status report on the level of present and planned mining activity in the Shire of Wiluna as a starting point for MWDC to plan its future role in the Shire and with the RPA. The issues Mike has been asked to address include:

- Wiluna resources projects a report outlining the major resources projects that are existing, planned and proposed for the Wiluna shire, a map of their location and info relating to:
 - Product
 - Quantity per annum
 - Water consumption pa
 - Power consumption
 - Transport – inputs (source from within WA) and outputs (export port etc)
 - No of Workers
 - No of FIFO and DIDO workers and main source (Perth, Geraldton, Adelaide?)
 - No of local workers
 - % Indigenous (if known)
 - Map of all projects and existing strategic infrastructure
 - Recommendations as to how the development of infrastructure can be undertaken in a strategic and holistic way to facilitate the development of proposed and planned projects eg can new projects share a power plant, make use of the same water pipeline, or railway etc.

The aim of this MWDC exercise is to:

- Understand the current, proposed and planned projects in the Wiluna shire and their requirements

- Identify possible synergies for project proponents to collaborate in developing strategic infrastructure
- Understand the full impact of existing, planned and proposed projects on the Wiluna Shire
- Identify education, training, employment and enterprise opportunities for the Wiluna community
- Identify areas which govt (local, state and federal) can assist to:
 - support project development
 - address negative cumulative impacts
 - capture local community benefits.

This is an important step forward in establishing a more strategic involvement of the WA government in the RPA process.

6. ICC Kalgoorlie – attended a meeting in Kalgoorlie 24/6 to re-invigorate the Australian government’s involvement in the RPA. There have been some personnel changes – now Biannka Branigan is the main day-to-day contact. Adrian Brahim ICC Manager maintains a strong interest and commitment, but there is a long way to go to establish the level of support required from Australian government agencies and programs (especially pathways to employment and business development).
7. RPA Industry Partners Group Meeting, Perth 4/6/2010 – An important step was taken with the appointment of John Yeates (Magellan) and Ken Redwood (Toro) as Co-Chairs of the Industry Partners Group. Mega Uranium provides the secretarial support. This gives the group well supported and agreed governance. The Industry Partners have identified the following agenda for future deliberation.

[The Industry Partners Group allows industry the time and space to consider their collaborative and coordinated activity within the RPA. Their discussions are brought to the RPA Steering Group by their current nominated representatives Allan James (Nickel West) and Vanessa Elliott (Newmont). The March 2010 meeting of the RPA Steering Group endorsed an additional industry partner representative and the 15/6/2010 RPA Steering Group Meeting will be asked to consider the inclusion of a representative from Magellan, Toro and Golden West Resources.]

The items on the Industry Partners Agenda at present include:

- Pathways to Employment – creating a pool of work ready Martu people in partnership with:
 - JSAs (Max Employment and Skill Hire) and the Wiluna CDEP participants (through the contracted CDEP manager MEEDAC) and
 - relevant vocational training opportunities through Wiluna-based training providers (DIT and others).

- Pathways to Aboriginal Business development – consideration of a proposal from:
 - Many Rivers Opportunities (micro-financier and business planner) to establish a primarily industry funded regular service to Wiluna, and
 - SBDC to provide a primarily government funded service in partnership with SBCMW (Geraldton), IBA and DEEWR.
 - Community investment priorities and community consultative processes.
 - Accessing the collocation facility – Toro has signed a rental agreement, others to follow.
 - Calendar of Events – Industry partners to note planned schedule of activities within the Shire to ensure they time their visits accordingly.
8. Football Game 6/6/2010- between the Wiluna Eagles Juniors and the Dalkeith-Nedlands Junior Football Club was a great success as a community event and a public relations exercise for the RPA see Appendix G – White Pages. The event has opened many doors to an extended “Friends of Wiluna” chapter in Perth, auspiced by the club management, whose office bearers include:
- Tony Gregory (Architectural Team Leader, ConocoPhillips, a major global energy company), President Dalkeith-Nedlands Junior Football Club who has offered to use the club as a vehicle for an ongoing relationship with Wiluna.
 - John Bouffler, Chief Executive Officer, St Vincent de Paul Society (WA) Inc and Vice-President, Dalkeith-Nedlands Junior Football Club, who has offered clothing via Vinnies; sent a letter of support for the Wiluna RPA to the Police Commissioner and offered to establish a chapter of “Friends of Wiluna” in Nedlands/Dalkeith
 - Leo M Crohan, President & CEO, IIR Asia Pacific Middle East, who has offered direct support to Stacey Pettersen and Sgt McCutcheon (around sport development I think).

Representatives from GWR, Toro and Nickel West met with the Works Manager on 8/6/2010 to work out how the miners will honour their undertaking to ensure the oval is returned to pre-game condition. Their commitment went further, to committing to action that all is done to ensure the oval is brought up to prime condition with the return of warmer weather (when the grass will grow again). John Yeates (Magellan) is a scientist with a background in turf management.

Key Activities Planned (June/July)

1. **15/6** RPA Steering Group Meeting in Wiluna.

2. **16/6** Job Service Providers (Max and Skill Hire) and MEEDAC (CDEP Manager) to meet in Wiluna re pathways to employment
3. **23/6** Small Business Centre Mid West visit to Wiluna'
4. **24/6** ICC visit to Wiluna (re refreshing Australian government involvement in the RPA)
5. **29/6** WA Ombudsman visit to Wiluna (Brendon Grylls to Karalundi tba)
6. **5/7** NAIDOC week
7. **16/7** RPA Industry Partners workshop in Perth (Pathways to Employment and Business Development).

81/10 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

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

That Council receives the RPA information report.

10.3. Principal Environmental Health Officer Report

10.3.1 Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Bill Atyeo – Environmental Health Officer
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to provide information to the Council in relation to Environmental Health and Building Surveyor's Department and request Council receive this report as information and endorse Officer's actions.

Subject: Planning Fees – 2010 to 2011
File: Planning
Location: Wiluna
Date: 17 May 10

Have been advised of the schedule of fees for Planning which will come into force on the 1 July 2010.

The following schedule of fees was presented to Finance for inclusion in the budget. These are fees regulated with most being GST exempt as stated:

Item	Description of planning service	
1	Determination of development application (other than for an extractive industry) where the estimated cost of the development is:	
	a) Not more than \$50,000	\$135 (GST exempt)
	b) More than \$50,00 but not more than \$500,000	0.31% of the estimated cost of the development (GST exempt)
	c) More than \$500,000 but not more than \$2.5 million	\$1,555 + 0.25% for every \$1 in excess of \$500,000 (GST exempt)
	d) More than \$2.5 million but not more than \$5 million	\$6,550 + 0.20% for every \$1 in excess of \$2.5 million (GST exempt)
	e) More than \$5 million but not more than \$21.5 million	\$11,555 + 0.12% for every \$1 in excess of \$5 million (GST exempt)
	f) More than \$21.5 million	\$31,350 (GST exempt)
2	Determine a development application (other than for an extractive industry) where the development has commenced or been carried out	The fee in item 1 plus, by the way of penalty, twice that fee. (GST exempt)
3	Determining a development application for an extractive industry where the development has not commenced or been carried out	\$676 (GST exempt)
4	Determining a development application for an extractive industry where the development has commenced or been carried out	The fee in item 3 plus, by the way of penalty, twice that fee. (GST exempt)
5	Provision of a sub-division clearance:	
	a) Not more than 5 lots	\$67 per lot (GST exempt)
	a) More than 5 lots but not more than 195 lots	\$67 per lot for the first 5 lots and then \$34 per lot (GST exempt)
	b) More than 195 lots	\$6,756 (GST exempt)
6	Determine an initial application for approval of a home occupation where the home occupation has not commenced	\$203 (GST exempt)
7	Determine an initial application for approval of a home occupation where the home occupation has commenced	The fee in item 6, by way of penalty, twice that fee. (GST exempt)
8	Determining an application for the renewal of an approval of a home occupation where the application is made before the approval expires	\$67 (GST exempt)
9	Determining an application for the renewal of an approval of a home occupation where the application is made after the approval has expired	The fee in item 8 plus, by way of penalty, twice that fee (GST exempt)
10	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not	\$270 (GST exempt)

	commenced or been carried out	
11	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out	The fee in item 10 plus, by way of penalty, twice that fee (GST exempt)
12	Providing a zoning certificate	\$67 (GST exempt)
13	Replying to a property settlement questionnaire	\$67 (GST not included)
14	Providing written planning advice	\$67 (GST not included)
Part 2 - Maximum fees: Scheme Amendments		
1	Director/ City/ Shire Planner	\$80.60 (GST not included)
2	Manager/ Senior Planner	\$61.20 (GST not included)
3	Planning Officer	\$33.70 (GST not included)
4	Other staff eg environmental health officer	\$33.70 (GST not included)
5	Secretary/ administrative clerk	\$27.60 (GST not included)
Part 3 - Maximum fees: Structure Plans		
1	Director/ City/ Shire Planner	\$80.60 (GST not included)
2	Manager/ Senior Planner	\$61.20 (GST not included)
3	Planning Officer	\$33.70 (GST not included)
4	Other staff eg environmental health officer	\$33.70 (GST not included)
5	Secretary/ administrative clerk	\$27.60 (GST not included)

Note: All fees are exclusive of GST unless otherwise indicated.

Subject: Health Officer Contract– AEHS Pty Ltd
Location: Wiluna
Date: 17 May10

I have presented the Finance Manager with the fees that my Company will be charging as from the 1 July 2010. I have also provided a projected budget figure for my services which includes extra time for Wiluna in order to carry-out much needed projects for the Community, develop waste strategy plans for the Shire, tip management plan, develop a policy on transportable buildings being placed in town, and other items as Council wishes.

The CEO will consider these fees and charges in a review of my contract with the council.

Presiding Member Date

Subject: Asbestos Removal
File: Personnel – Occupational Safety and Health - Asbestos
Location: Wiluna
Date: 19 May 10

A licence is now required in Western Australia for the removal of materials that contain asbestos. Only a licence holder or an employee of a licence holder may carry out this type of work. It has been recognised for many years that asbestos is a hazardous substance. The people who work with asbestos must be trained in the safe way of handling and transporting the material.

A person can apply to the Director, Business Services, WorkSafe Business Centre, for a restricted asbestos removal licence. WorkSafe will be issuing licences from March 2010 prior to the commencement of the new licensing regime in June 2010. A licence is valid for a period of three years, and is subject to renewal.

An applicant must first complete a WorkSafe approved Restricted Asbestos Removal Licence training course with a Registered Training Organisation. At the completion of the course, participants will be issued with a Statement of Completion, which must be forwarded to WorkSafe along with the application form and application fee, which is refunded if the application is refused.

The legislation requires that any work involving removal of greater than 10m² of non friable(bonded) asbestos or any friable asbestos, to be undertaken in accordance with WorkSafe's new licensing requirement (by a person who holds a restricted or unrestricted license). In the old legislation we were permitted to remove up to 200 M² of roofing asbestos without any licenses. As from 1st June, this changes, and WorkSafe are currently processing applications for licenses.

There are two types of licenses:

- **Unrestricted:** which allows people to remove all forms of asbestos (friable and non-friable) and replaces the current asbestos removal licence
- **Restricted:** Commencing June 2010 and allows people to remove amounts exceeding 10 square metres of bonded (non-friable) asbestos.

Subject: New Building Act for WA
File: Legislation – Building Act
Location: Wiluna
Date: 18 May 10

As you would be aware, a review of the WA building legislation was initiated by the then Departments of Housing and Works and Consumer Protection (public consultation on the New Building Act was conducted in 2005), the Department of Commerce have progress the review and are preparing the following Bills:

- *Building Bill 2010;*
- *Building Services (Registration) Bill 2010;* and
- *Building Services (Administration and Dispute Resolution) Bill 2010.*

The Department of Commerce have indicated that these Bills will be released for comment shortly. To date these documents have not been released. It is anticipated that these Bills will be open for comment prior to being debated in Parliament.

The Building Commission has informed the Shire that the Government intends to present the Building Services (Registration) Bill and the Building Services (Administration and Dispute Resolution) Bill to Parliament for debate in the second half of this year (2010) so that these reforms can commence in early 2011. The drafting of these Bills follows a discussion paper on a new Building Act for Western Australia, and reviews of the Builders Registration Act and Home Building Contracts Act in 2005 and input from stakeholders and working groups that included significant local government involvement.

The primary objectives of the Building Bill are to provide for the effective control of building and demolition work as well as the proper use and necessary maintenance of buildings. A significant feature of the proposed Building Bill is to allow any appropriately qualified building surveyor, whether employed in a local government or engaged in private practice, to certify compliance with the building codes and standards.

For Class 1 and 10 buildings the local government will also be able to undertake a compliance assessment and issue a building permit in line with the current process in Part XV of the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989.

Local government will continue to issue building permits for all classes of buildings and will retain its traditional enforcement and auditing role for buildings and building work. Local government will also issue demolition permits, and will issue occupancy permits for buildings in Classes 2 to 9, replacing the current certificates of classifications.

State government will retain its power to issue permits for its own buildings, and buildings of State significance. Special permit authorities can also be created – for example to allow a group of local governments to set up a joint building control service.

Local government is impacted by the proposed new Building Act. This includes:

- Specific requirements for local government to undertake roles and responsibilities,
- Changes to the way in which approval process has operated,

- The introduction of private certification of compliance,
- Certification requirements for all building surveyors,
- Impact on "free" services now provided to property owners,
- Changes to the balance in the rights and responsibilities of parties involved in the building process,
- Removal of regional exemptions to some statutory requirements, and
- Financial implications, including potential cost shifting.

The State Government has indicated its intention is that local government maintain its involvement in issuing building licenses. This is in contrast to some states where local government is no longer involved in the process other than being responsible for record keeping when approved plans are lodged.

The Department of Housing and Works' discussion paper states that the primary function will be to oversee the building approval process in its locality to ensure public safety and health and a continuing high level of standard over the life of buildings. This will be primarily through;

- A risk management of the certification of compliance process;
- Checking adherence to all required statutory approvals (planning, health, heritage, etc) prior to issuing building approvals, building licenses and occupancy approvals;
- Monitoring possible conflict of interest and the registration status of person/s providing certification services;
- Issuing building approvals, building licenses and occupancy approvals;
- Dealing with change of use of buildings;
- Monitoring building usage and essential service maintenance; and
- Random audits of the entire process.

It will be mandatory for local governments to engage a registered building surveyor to undertake the range of duties designated for local governments. The building surveyor may be an employee or a contractor. There is already a known shortage of building surveyors practicing in WA. In many (or most) regional areas building services are provided by environmental health officers. The proposed legislation will establish qualification requirements and certification of building surveyors. It does not present a solution for the shortage of building surveyors now available or an answer for addressing the shortage which is going to be exacerbated by the legislation.

The Department's discussion paper indicates that the fees chargeable will be regulated and is expected to be less than current levels. Although the assessment role in approval and licensing may be lessened there are additional duties and administrative requirements which the legislation will impose. Examples are:

- Random audits
- Providing written reasons for determinations, conditions or orders.

- Issuing approval to occupy and having an annual system for those buildings
- requiring annual licence renewal.
- Determining disputes over construction on boundaries.
- Enforcement and orders.
- Keeping of records, including those for which no fee is recoverable, e.g. garden sheds and patios.

All the building related processes must be taken into account when setting fees. Each duty must be accompanied with an appropriate fee structure so that local governments are not disadvantaged. This should not be allowed to be a cost shift exercise to local government. There will be additional costs to those involved in the building process as a result of this legislation and local government should be able to recover the reasonable costs of undertaking the duties imposed.

Uniform application of the Act across the State

The current legislative arrangements for regulating building activity do not apply uniformly across Western Australia. Major regional centres and all gazetted townsites are covered but it is estimated that at least 60 local government districts are not fully covered for building regulation. Areas exempt under Governor's order are subject to the building control provisions of the Health Act.

The proposed legislation is to apply to all building works in the State. This will include rural and remote locations, Aboriginal communities and to buildings owned, occupied or controlled by the Crown. The only variation will be if the Governor exempts a building from part or all of the provisions of the Building Act. The State Government will be the licence issuing authority for State buildings. Some building activity will not need a building approval or a building licence. These include minor changes to building plans agreed to by the licence issuing authority and minor works such as aials, fences and sheds.

There are two major issues I see with the above:

1. Currently there is no legislative requirement for applying for a building license for building outside of the townsite boundary. However, people do apply as it gives them legislative proof of complying with the BCA, making insurances easier to obtain, and in some cases proving compliance in regard to the requirements of the Occupational Safety and Health Act and Regulations.

It means that all building works captured by the BCA and the legislation will require Building Licenses. In our case, this means that we will be expected to conduct audits to ensure all buildings have building licenses and are registered, right throughout the Shire.

2. Currently, a person is permitted to carry out building on property without the need to secure the services of a Registered Builder, or take out an Owner Builder Registration. At this stage it is not clear whether or not this will change and require people to do this in the future with the changes proposed. It is something that needs to be watched and assessed, as there are local builders that would be unable to work on any projects that are more than \$20,000 unless they are registered with the Builders Registration Board.

Local governments will be required to use standard forms which are to be prescribed for a range of functions. The introduction of a standard form which is comprehensive in nature and supports the new system is a positive initiative. The cost of introducing the new forms and potentially changing electronic systems, especially where on line services are offered, has not been considered.

This should be addressed to avoid the typical cost shifting exercise which will impact on local government. This is a particularly important issue as the Department's view that gazetted fees for local government roles should reduce has not been justified.

Although some tasks now undertaken as part of the building approval process by local government building surveyors will be separated from the formal approval and licensing function other new responsibilities have been added.

The cost of the building assessment, certification and approval process will undoubtedly be considerably greater for consumers than the existing system. It is important that this new cost structure not be cushioned by imposing duties on local government without the corresponding fee structure.

The provisions which deal with construction on boundaries are intended to clarify the rights and obligations of all parties. They aim to protect adjoining property while not allowing the owner of adjoining property to be unreasonably obstructive. The proposals will deal with technical construction requirements as well as access and amenity issues and extend to protecting adjoining land as well as buildings. The emphasis of this part is on achieving outcomes without unreasonable delays. For example if an adjoining owner does not respond to a notification it is to be deemed that they have consented. In the event that an adjoining owner responds and disagrees with a proposal the licensing issuing authority must determine the issue.

There are many 'side' issues in relation to the proposed new Bills. They are too extensive to consider here, but will become clearer when the new Bills are presented for debate, at which time it is hoped that we will be able to submit further comment. Issues like the qualifications required to become or be appointed as Building Surveyor for a Shire or in private practice are already being done. Certificates are currently being assessed by a Committee, and I am happy to report that I have been granted a Level 2 certificate, which is

recognised right throughout the State and Australia. In order to gain a Level 1 certificate I would have to attend further education to gain a degree.

Council will be informed as information is received on these new Bills.

Subject: Demolition License
File: Lot 563 Trenton
Location: Lot 563 Trenton Street, Wiluna WA
Date: 18 May 10

I have issued Mr Paul Hunter of 265 Forrest Street Kalgoorlie with a demolition license to demolish the dwelling situated on Lot 563 Trenton Street, Wiluna.

Building License Statistics:

The statistics as required by the ABS and WorkSafe, and others were dispatched accordingly within the required framework as laid down by WorkSafe.

Subject: Wiluna Club Hotel
File: Club Hotel
Location: Wiluna
Date: 21 May10

I met with Ben at the hotel and we discussed many issues surrounding the defects that were identified in my last report. He was happy to show me the renovations that he has undertaken in the ladies toilets in the lounge bar area. I am very impressed with the renovations and the standard of such.

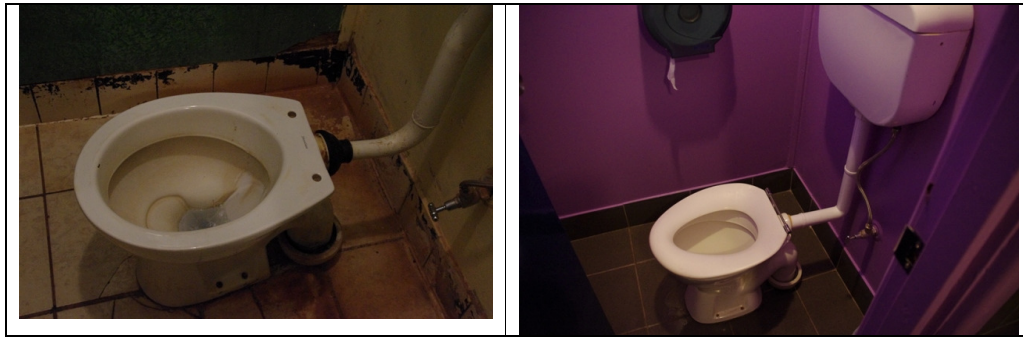
I told Ben this and stated clearly that this was the beginning, and that he would be expected to keep things going. Of course there are many areas that he is required to attend to and it will take some time, but I emphasised that he must keep going until we are satisfied.

Before:



After:





You may not like the colour scheme, but it certainly a remarkable difference than before. The photos do not truly indicate the improvement that has been made here.

I discussed other matters as well, and Ben informed me that they have purchased new urinals, handbasins, etc etc. And that he will continue to make the changes that have been identified. He also indicated that Barry would be engaged to ensure that the outside toilets are fixed and painted and kept clean with a new cleaner being engaged.

I look forward to my next visit when I am expecting a number of things to be completed or well on the way to addressing the concerns of Council and the general public.

Ben also stated that they would soon finish the ablution block at the caravan park, and he intends to paint the outside of the facility as well.

Subject: Wiluna Tip
File: Wiluna Tip
Location: Wiluna
Date: 19 May 10

On the morning of the 19 May 2010 the Works Manager and myself inspected the tip in order to determine what we thought the following budget might want to include.

I must commend the work and the standard of work that has been done at the tip, and I truly hope that the DEP has seen or inspected this facility in its present well kept condition. The only thing that we both noticed was the amount of wind-blown waste located outside of the boundary fence of the tip. This needs to be retrieved and returned to the tipping face and covered.

I explained to James what I would like to see at the tip, and we sort of agreed that we really needed a management plan for the tip to plane for the years to come, incorporating things like dedicated cells for specific waste streams, logging of hazardous wastes burial sites, etc etc. This takes time and specific allocation of time in consultation with others would be needed.

We both felt that the tipping at the current site on the land could extend for at least this year, but we would need to plan for its future expansion to other areas, and a management plan would address this. In the meantime the current standards need to be maintained, and this would be included in the tip maintenance budget.

Subject: Development of Lot 1512 Woodley Street
File: Lot 1512 Woodley Street
Location: Wiluna
Date: 20 May 10

I spoke with the owner of this Lot on the 20 May and discussed a number of issues with him.

I informed him of the fact that a caravan is not to be occupied on the Lot for more than three days unless he has the permission of the Shire. He informed me that he was removing it that day.

We also discussed drainage of his block and the covering in of the exposed scats to the leach drains that he has installed under a permit issued by the Shire. I informed him that he had enough scats over the leach drain and that all he needed to do was to level off the existing scats and cover with earth, making sure that he protected that area from ingress of stormwater.

Mick is also installing bollards to the area around the Neptune (plastic) tank to protect it from vehicular traffic as it will end up being below ground level. It was noted that stormwater sheets off the rear laneway and traverses his land, and this needed to be stopped or diverted so that it does not have adverse effects to other developments on the Lot.

He also indicated that he wanted to build a lean-to onto the shed and was aware that he required building approval to do so.

Subject: Development of Lot 179 - Allison
File: Lot 179
Location: Lot 179 Wotton Street, Wiluna
Date: 20 May 10

I followed up on my CEO's request and inspected the development of the above premises. As a result I issued the following letter to be printed and posted to the owners, Gail and Monty Allison.

I am sorry that I was unable to contact you both while in Wiluna last week. I wanted to speak with you in regard to the removal of the unwanted buildings currently on Lot 179, and the progress of the development that has received a town planning permit from the Shire.

This permit was issued to you in July 2009 and time is running out for the development to be completed. Your permit states two things in particular that I draw you attention to and require you to act on immediately.

Condition 1 states:

- 1. All second-hand buildings not involved in the development or upgrading are to be removed immediately from the allotment.**

I advise you that you are in breach of this condition of your Planning Permit and the Shire can decide to withdraw your Planning Permit as a result of this non compliance. Council has been lenient in this matter, and some could say too lenient. You are now required to remove from the lot all the buildings that are not required for your overall development on Lot 179 Wotton Street within 14 days of receiving this letter. Failure to do so will see a report submitted to Council recommending the withdrawal of the Planning Permit issued by the Council for your complete development of this lot.

Condition 16 states:

- 16. The developers are required to apply for all relevant building licenses from the Shire and pay all required fees.**

I advise you that I have the drawings and measurements for the placement of the buildings, but the application envelope has not been signed and the fees have not been paid. Along with this I require the internal layout showing means of egress from the building and the drawings showing the detail of the access ramps etc for people with disabilities to the CentreLink Office.

The fees applicable for your building license application BL04/09 will be \$125.00. Please come to the office and pay the fees, and sign the application form as required.

Your plumber is also required to draw up and have passed by me the intended installation of the system to be used for handling and disposal of the effluent generated by the facilities supplied on the lot. Please have the plumber collect and fill out the application form to install such a system.

You are also reminded that the other 14 conditions placed on your Planning Permit by the Shire are also to be complied with, and I include a full copy of those conditions for you:

Planning Permit Conditions placed on TP01/09 by the Shire of Wiluna:

- 1. All second-hand buildings not involved in the development or upgrading are to be removed immediately from the allotment.**
- 2. The use hereby permitted shall not cause injury to or prejudicially effect the amenity of the locality by reason of the processes carried on, the materials, goods and machinery used and stored or by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.**

3. *The use of the premises as applied for shall not be changed or added to without the consent of Council.*
4. *No incinerator is to be provided or used on the site. All refuse shall be regularly removed to Council's tip and not stored on the Lot.
All stormwater emanating from the lot is to be discharged to a legal point of disposal so that it does not cross the boundaries of any adjacent lot or cause any detriment to the adjacent lots.*
5. *The footpaths adjoining the lot shall be maintained by the applicant to the satisfaction of Council's Works Manager.*
6. *The owner, the occupier and the manager of the premises shall at all times each make reasonable endeavours to ensure that the premises do not create a nuisance and annoyance to neighbours or otherwise disturb the amenity of the area.*
7. *All parking of business vehicles, and staff vehicles, and customers/clients will at all times be within the boundaries of the allotment.*
8. *The storage of any goods outside the confines of the proposed building/s is not permitted under any circumstances.*
9. *The surface of the land to be utilised for car parking shall be treated so as to prevent loss of amenity to the neighbourhood by emission of dust and the discharge of drainage, and practical means shall be installed to prevent damage to the fences of adjoining properties.*
10. *All buildings and access to the buildings shall be modified to comply with Australian Standard 1428 for disabled persons.
This Planning Permit will become void if development has not commenced within six (6) months of the issue of permit.*
11. *The time for completion of the development work is eighteen (18) months from the date of issue of the permit. Council may grant an extension of time, only on receiving written application from the developer and received at least three (3) months prior to the expiration of the time limits.*
12. *The finish of the external cladding of all the proposed buildings which includes the colour of the paint applied shall be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna.*
13. *All landscaping on the allotment is to be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna and is to be fully maintained at all times.*
14. *The developers are required to apply for all relevant building licenses from the Shire and pay all required fees.*

The Shire fully understands and respects the family situation in regard to the very personal and sensitive issues you have had to face in the last few months, but now seeks your full support and co-operation in the matters listed above. Because I am not always available on site to assist you, I again stress that it is important that you communicate directly with the Shire CEO Samantha Tarling, and on a regular basis. You will note that some of the conditions refer to satisfying the CEO that the development is being undertaken to her satisfaction. This makes it even more important that you let Samantha know what you are doing, colour schemes, what landscaping you intend to do, etc.

Having said all of that, I spoke with workers on site on the 20 May 2010 and they informed me that they were preparing the ground for the relocation of the stored buildings to be used in your development, and the removal of the ones not required. I truly hope that this is the case, and that it is done immediately to save the Shire from withdrawing your Planning Permit TP01/09.

I did note the excavations for the power supply to the buildings, and am pleased that it now appears that work has started. The CentreLink office is in place, but as stated I need the internal layout plan and access details for this building.

Please contact me if you have any further inquiries on this matter. 040 998 1144

I expect a phone call while I am off-site and will report further to the CEO on developments. If nothing is done, then I will make a recommendation to Council's next meeting.

82/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr K Farmer
CARRIED 4/0**

That Council receive and endorses the Environmental Health and Building Surveyor's action and information report.

10.4. Deputy CEO Reports

Nil

10.5. Manager Finance & Administration Officer Reports

10.5.1. Subject/Applicant:	Accounts Paid by Authority
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

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

Background

The list of accounts for the period ending 31 May 2010 are listed as Appendix H – Blue pages

Consultation

Nil

Statutory Environment

Local Government (Financial Management) Regulations 1996 – Regulations 13.
(Reprint 2: The regulations as at 17 February 2006)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

83/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr K Farmer
CARRIED 4/0**

That the accounts paid by authority for the period ended 31 May 2010 totalling \$930,456.38 be received, endorsed and incorporated in the Minutes of the meeting.

10.5.2. Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 31 May 2010.

Background

Section 6.4 of the Local Government Act 1995 requires the CEO to prepare monthly/quarterly financial reports in accordance with the provisions of regulation 34 and 35 of the Local Government Act (Financial Management) Regulations 1996.

The reports for the period ending 31 May 2010 are listed as Appendix I -Green Pages.

Comment

Nil

Consultation

Nil

Statutory Environment

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

Voting Requirement

Simple majority

84/10 Council Decision and Officer Recommendation
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MOVED Cr J Quadrio

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

That Council adopt the Financial Reports for the period ending 31 May 2010 as presented.

10.5.4. Subject/Applicant:	Sundry Debtors for Write-Off
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	2 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to provide information and to seek Council's approval to write-off outstanding amounts owed to the Shire by sundry debtors.

Background

In accordance with Section 6.12 of Local Government Act 1995, the Council is empowered to write-off monies owing to the Shire of Wiluna.

Comment

The attached schedule entitled "Sundry Debtors for Write-Off as at 31 May 2010" details monies owing by sundry debtors that are recommended to Council for write-off.

In most cases, there is very little evidence to support debts and the cost to pursue such debts are highly likely to exceed recoverable costs. Some debtors are no longer in existence or their whereabouts are unknown to the Shire. The age of the debts and lack of supporting evidence raises some doubt over the recoverability of these debts.

Statutory Environment

Local Government Act 1995 Section 6.12

Policy Implications

Nil

Financial Implications

The provision for Doubtful debts has a balance of \$33,423.31 as at 31 May 2010.

Amounts to be written-off \$880.50 leaving a balance of \$32,548.81.

Strategic Implications

Nil

Voting Requirement

Absolute majority

SCHEDULE OF SUNDRY DEBTORS "SUNDRY DEBTORS FOR WRITE-OFF AS AT 31 MAY 2009"

Debtor Name	Total Amount for write-off	Reasons
Bradley Yappo	\$337.50	Relates to Septic Pump out charges

Presiding Member Date

		(June 2006). Debtor no longer exists. Cost to attempt recovery would exceed the debt.
Gary Arnold	\$200.00	Relates to Electricity charges- Dec04/Jan05. Insufficient address, person cannot be located. Given the nature of debt and its recovery, write off is recommended.
Geoff Moulds	\$140.00	Relates to clearing of front yard. Debtor no longer exists Given the nature of the debt write-off is recommended.
JB & S Bldg. Contractors	\$.50	Remaining Balance - (2008). Cost to attempt recovery would exceed the debt.
Maxine Yappo	\$202.50	Debt incurred May 2009- Private works done. Debtor no longer exists. Unknown whereabouts.

85/10 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

SECONDED Cr C Webb

CARRIED 4/0

That the amounts owed to the Shire by Sundry Debtors as listed in the following schedule entitled "Sundry Debtors for Write-Off as at 30 June 2010" totalling \$880.50 be approved for write-off.

10.5.5. Subject/Applicant:	Rates for Write-Off
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	2 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's approval to write-off outstanding rates and charges totalling \$7,048.60.

Background

During a financial year, there are rates and charges that are deemed to be unrecoverable and are recommended for write-off.

At the Shire of Wiluna, this generally relates to mining tenements, however, may extend to town lots and rural/pastoral leases. When a tenement dies, the Shire can still recover rates for the period when the tenement was alive.

All other avenues for collection of outstanding rates and charges, such as summonses or seizing of land and selling to recover rates and charges, are considered before rates and charges are recommended for write-off. In this instance, the methods of collection are not possible/ viable because:

- The owners of the tenements at the time of their death cannot be located by the Shire. Limited information regarding the owner is available.
- The company that owned the tenement at the time of their death no longer exists. As the tenements no longer exist there is no one to recover the debt from.
- The debts were raised in error against non-rateable properties and therefore not payable.

The Schedule "Rates and Charges for Write-Off for FY 2009/2010" fully details each amount being sought for approval to write-off per Appendix J - Orange pages.

Upon considering all situations, write-off of these debts is considered the only option to finalise the outstanding rates and charges on these properties.

Comment

Section 6.12 empowers the Council to write-off any debt owed to the Shire in respect of rates and related charges.

Consultation

Keith Anderson, Local Government Consultant

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

A provision for Doubtful Debts as at 31 May 2010 is \$33,423.31- the loss of potential income by write-off has been allowed for.

Strategic Implications

Nil

Voting Requirement

Absolute Majority

86/10 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

SECONDED Cr C Webb

CARRIED 4/0

That rates and charges, as detailed on schedule entitled "Rates and Charges for write-off for FY 2009/2010" totalling \$7,048.60 be approved for write-off.

10.5.6. Subject/Applicant:	Budget 2009/2010 Alteration
File:	Various
Reporting Officer:	Glenn Deocampo, Manager of Finance and Administration
Date of Report:	8 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to approve an alteration of Budget 2009/2010 for the purchase and installation of Air Conditioning system in South Wing Units and Office.

Background

The South Wing Building includes the guestrooms, development office and kitchen.

The Unit 2 has not been used for quite awhile due to defective air cons. The air con in the Development Office is also not working well. This office is being used by Consultants, RPA Coordinator and Record Officer. The kitchen area has no air con either.

The urgency of the need is to be considered. These items were not budgeted in 2009/2010.

Comment

The purchase and installation of new air cons to these units will eventually provide more comfortable working environment and guests would have pleasant and relaxing place to stay in.

Consultation

Chief Executive Officer

Statutory Environment

Local Government Act 1995, S 6.8

Policy Implications

Nil

Financial Implications

It is deemed that the \$15,000 budget for New Housing Unit furniture will not be spent by the end of the financial year. Council is requested to move a total of \$12,000 for the purchase and installation of 3 air con units.

Voting Requirement

Absolute Majority

87/10 Council Decision
MOVED Cr C Webb

SECONDED Cr K Framer
CARRIED 4/0

That Council approve the use of \$12,000 of the New Housing Units-Furniture budget 2009/2010 for the purchase and installation of air cons in Unit 2, Kitchen and Development Office

10.6. Works Manager Report

10.6.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	James Alagappan, Works Manager
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Manager of Works' report and endorse the Works Manager's actions.

Roads

Ululla

10 kms of road construction has been completed along with clearing the sides of native vegetation for visibility. Certain sections were also realigned for a smoother drive.

The maintenance grader has just completed sections of the Ululla-Sandstone Road. Yillierrie-Meekatharra from the Ululla-Sandstone Road turnoff was recently maintenance graded upto the boundary.

Wongawol

A 10km section of road around Mingal Springs is badly damaged (deep ruts) due to vehicles driving on the closed road. The contract maintenance grader recently repaired the storm damaged section between Glenn Ayle turnoff and Carnegie station and will be returning to Mingal Springs area to repair the damage shortly. The Princes Ranges is being maintenance graded.

North Road

The Shire's maintenance grader is grading the section from the Rabbit Proof fence towards the Cunyu station grid.

Backhoe

An order for a new Cat 432E backhoe recently arrived as part of the asset replacement program.

Oval

The hydromulching project of the oval was subcontracted to Tim Wiley, qualified horticulturalist. Tim was responsible for ensuring the watering cycle, the growth of the new grass until it was ready to mow.

During the summer, the single bore supplying water to the town's reticulation system was unable to cope with the increased demand and had to be shut down several times to stop it from drawing. Hence there was insufficient water to keep the soil moist at all times.

However, the couch grass has grown well in previously established areas all around the oval playing surface. It will remain in its present condition until the weather warms up again.

After winter, the grass will start growing and will be established and we will once again have a grassed playing surface.

88/10 Council Decision and Officer Recommendation
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MOVED Cr J Quadrio

SECONDED Cr K Farmer

CARRIED 4/0

For Council to receive the Works Managers information report and endorse the Officer's actions.

10.7.1 Community Development Manager

Nil

10.7.2 Tourism Officer Report

Nil

10.7.3 Art Gallery Manager Report

10.7.3. Subject/Applicant:	Status Report
File:	26.00.11
Reporting Officer:	Heather Charlton – Art Gallery Manager
Date of Report:	9 June 2010
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Art Gallery Manager's report and endorse the Art Gallery Manager's actions.

Wiluna Shire Council Strategic Plan 2009-14

Go-Ahead Wiluna
Support the development of creative industries in Wiluna

Arts Law

Representatives from Arts Law and Copyright Agency Limited, accompanied by WA Aboriginal Art Centre Hub (WAAACH) Co-ordinator visited to provide information sessions relating to the Indigenous Commercial Code of Conduct, together with associated Indigenous Artist/Art Centre Agreements, the new Artists resale royalty scheme which comes into effect from 9th June,

2010, and the importance of Artists writing wills. During their visit, four wills were written for Artists.

Business Governance

Peter Shepherd made a visit, providing recommendations for broadening the Gallery's Artist base by shifting the artists studio area to satellite spaces in town and surrounding communities. The recommendations will be investigated and developed as needs are established and positive results are achieved.

Art Gallery Brochure

The design of a brochure to advertise the Art Gallery is in process, and anticipated to be completed for production when Artists approvals can be finalised on final draft.

Wiluna Shire Council Strategic Plan 2009-14
Proud Wiluna
Provide an annual program of arts & cultural events

Canning Stock Route Exhibition

Plans are progressing for participating artists to visit Canberra for the opening of the Canning Stock Route Exhibition.

A Licencing Contract has been written between the National Museum of Australia and local artist Clifford Brooks to have an image of his work reproduced on suitable merchandise to be sold at the Museum during the exhibition.

89/10 Council Decision and Officer Recommendation
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MOVED Cr C Webb

SECONDED Cr J Quadrio
CARRIED 4/0

That Council receives the Art Gallery Manager information report and endorses the Officers actions.

10.7.4. Swimming Pool Manager Report

Nil

10.7.5 Sports & Recreational Officer Report

10.7.5. Subject/Applicant:	Status Report
File:	
Reporting Officer:	Anton Knezevich, Sport and Recreation Manager
Date of Report:	8 June 2009
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Sports and Recreation Manager's report and endorse the Sports and Recreation Manager's actions.

Building Healthy Community Program

Healthy Safe Fun Wiluna – Facilitate participation in State level games for Wiluna sports and players

The Sports and Recreation Department and Mt Keith will play an annual AFL Football game in the Month of October.

Healthy Safe Fun Wiluna – Work with the community to identify and provide ongoing sports and recreation activities

On 18 June 2010, Wiluna is expecting 5 Curtain Volunteers to come and make a short movie of events of interest. Various town agencies including the Shire along with the youth of the town will be involved in the project.

Sports/ Recreation Centre

The gym equipment was serviced on 13 May 2010. The equipment will be serviced three times a year so it will be a safe and healthy environment for the patrons of the gym. This will eliminate all wear and tear of machines and members will enjoy greater results.

Wiluna vs Dalkeith/Nedland Football game

Wiluna boys defeated Dalkeith/Nedlands in a return football match on 6 June 2010. The turnout was fantastic. The oval area had an attendance of 200 people.

The BHC program at the Recreation centre is seeing on average 30 Children per evening.

90/10 Council Decision and Officer Recommendation

MOVED Cr C Webb

**SECONDED Cr J Quadrio
CARRIED 4/0**

That Council receives the Sports and Recreation Manager's report and endorse the Sports and Recreation Manager's actions.

10.7.6 Ranger

Nil

10.8. Committee Report

Minutes GVROC Meeting held in Menzies on 28 May 2010.

11. Elected Members Motion of Which Previous Notice Has Been Given

Nil

12. Urgent Business Approved by the Person Presiding or by Decision of Council

Nil

13. Public Question Time

Nil

14. Matters Behind Closed Doors – Confidential Items

14.1 Item to be considered behind closed doors in accordance with Section 5.23(2) of the Local Government Act. Reports to be tabled.

14.2 Item to be considered behind closed doors in accordance with Section 5.23(2) of the Local Government Act. Reports to be tabled.

14.3 Item to be considered behind closed doors in accordance with Section 5.23(2) of the Local Government Act. Reports to be tabled.

Draft Motion

That Council resolved to close the meeting to the public in accordance with the Standing Orders 1999.

91/10 Council Decision

MOVED Cr J Quadrio

**SECONDED Cr K Farmer
CARRIED 4/0**

The Council went behind closed doors at 2.25pm.

Draft Motion

That Council resolved to receive the CEO confidential report at item 14.1 and endorse the Presidents and CEO's actions.

92/10 Council Decision

MOVED Cr J Quadrio

**SECONDED Cr K Farmer
CARRIED 4/0**

Draft Motion

That Council resolved to receive the CEO confidential report at items 14.2 and endorse the CEO's action.

93/10 Council Decision

MOVED Cr K Farmer

**SECONDED Cr J Quadrio
CARRIED**

Draft Motion

That Council adopt the CEO's confidential report at item 14.3.

94/10 Council Decision

MOVED Cr C Webb

**SECONDED Cr K Farmer
CARRIED**

Draft Motion

That Council resolved to resume Standing Orders of Council Meeting and invite the public to join the meeting.

95/10 Council Decision

MOVED Cr C Webb

**SECONDED Cr J Quadrio
CARRIED**

The Council came out from behind closed doors at 3.17pm.

15. Closure

The meeting was closed at 3.30pm.