

# Shire of Wiluna

## **MINUTES**



**Ordinary Meeting of Council**

**Held**

**Wednesday 23 March 2011**

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**Minutes**

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**MINUTES**

**1. Declaration of Opening and Announcement of Visitors**

The meeting was opened at 10.10 am.

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

John Kyanga	(President)
Jim Quadrio	(Councillor)
Stacey Petterson	(Councillor)
Chris Webb	(Councillor)

Samantha Tarling	(Chief Executive Officer)
Tony Doust	(Project Manager)
Linda Butterly	(Deputy Chief Executive Officer)

**Apology**

Graham Harris	(Deputy President)
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**3. Response to Previous Public Question Taken on Notice**

Mr Doust responded to Ms Vincenti's question raised at the February 2011 Council meeting regarding the variation between the "other expenses" for the years shown in the Bar Charts included in the February 2011 Council Meeting Agenda Financial Statements (see attached graphs). Mr Doust outlined that the variance in the chart for year 2009/10 was a result of incorrect allocations of expenses that should have been included in the materials and contact category. When checking this it was also discovered that the years shown in the Bar Chart were incorrect and in fact the variation had occurred in 2008/09 and not 2009/10. As the financial statements for the year had been audited it was not possible to change this. The Bar Chart has been revised for the March 2011 meeting and copies of the amended chart showing the correct years is now available. The Councillors and public present were provided with a copy of the amended charts for the March 2011 Meeting.

Mr Betteridge asked "if the matter was going to be referred to the auditor?"

Mr Doust advised that whilst the auditor had not raised this matter it may have been viewed by the auditor as not significant in the audit process. The audit is conducted on the basis of material variances and this issue whilst important from a statistical point of view had no bearing on the overall financial position.

Ms Vincenti asked for an explanation of what was the \$500,000 variance for the year that was incorrect was made up of and included in the "other expenses". Mr Doust replied that he had only looked at the reasons why there was variation for the year and not actually assessed each item of expenditure.

When assessing the chart that had been raised it was very obvious when making comparisons with other years that the materials and contracts for that year were also down considerably with the other years included in the chart. Ms Vincenti accepted Mr Doust's reply.

#### 4. Public Question Time

Questions asked by David Betteridge

Q1: My question is in relation to the officer's report - Request for closure of Shire Administration Office on 26 April. I don't think it should be closed because tourists will be here. Do you councillors think it should?

A1: Councillors will answer this question when they decide on the matter at the time the report is discussed.

Q2: What is the Shire's position on the old school, given the asbestos issue?

A2. The CEO advised that councillors had considered this matter and were investigating relinquishing the school back to the State. The Department of Planning and Infrastructure had been contacted and have indicated they can't revoke the management order without first there being either a purchaser or organisation willing to accept the management order. If the Lot was vacant land it would not be a problem, however, the substantial buildings would present a day to day administrative liability for the DPI for which they do not have a budget. The DPI will seek a purchaser or management order holder for the Reserve if the Shire so desires.

Question asked by Della Vincenti

Q1: How and by whom are the minutes recorded? I find that my questions are not properly recorded and I have problems that they are not a true reflection of what I said. Do any of the Councillors or staff recall me calling the CEO a liar? Can I humbly request that the minutes are not accepted until they are corrected?

A1: The CEO advised the accuracy of the minutes will be decided when considered later in the agenda.

Question asked by David Betteridge

Q1: The south side of the swimming pool has a leak.

A1: The CEO advised that this had been investigated previously but will report the issue for investigation again.

Question asked by Della Vincenti

Q1: Why has there been a change from the previous report on legal costs – medical expenses?

A1. Mr Doust replied that he was currently undertaking a review of financial accounts and this review will be presented to Council at the April OCM. As a part of this review work completed to date it was deemed appropriate to split legal and medical for clearer identification of itemized expenditure. This change will be included in the review of the budget to presented to the Council meeting in April 2011

Q2: Why don't the statements show YTD figures for account E031803?

A2: There has been no expenditure on legal/collection costs for outstanding rates/charges. Expenditure previously allocated to this account was incorrect and has now been reallocated to account E 142478.

Question asked by David Betteridge

Q1: Given the Gunbarrel Store will close on the 4 September 2011. Will the Shire take over the fuel sales as this service will not be available to the community and/or tourists?

A1: The CEO advised that the Shire will keep an eye on the progress of this item and asked that it be put in writing. Mr Betteridge advised that he had already put this in an email to the CEO earlier in the year and advised it was now in the minutes and wouldn't that be sufficient? The CEO clarified the difference between the recording of minutes for the purpose of recording of Public Question Time and the minutes not being an acceptable mechanism for correspondence between the Shire and another party. The CEO asked Mr Betteridge to put this advice in writing, Mr Betteridge declined due to this advice being in a previous email to the CEO and that being an acceptable mechanism of correspondence.

**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**

Nil

**6.3. Proximity Interest Local Government Act Section 5.60B**

Nil

7. **Petitions and Deputations**

Nil

8. **Confirmation of Minutes of Previous Meeting**

**OCM 15/11 Council Decision and Officer Recommendation**

Moved Cr J Quadrio

**SECONDED** Cr C Webb

The Minutes of the Meeting held on 23 February 2011 be accepted as a true record of that meeting.

**CARRIED 4/0**

9. **Announcement Presiding Member without Discussion**

Nil

10. **Reports of Officers and Committees**

10.1. **Chief Executive Officer Reports**

<b>10.1.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	15 March 2011
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 and recommendations.

**OCM resolutions update**

In accordance with the Shire of Wiluna Local Law Standing Orders 1999 the CEO is to report outstanding resolutions to keep Council informed of status.

September 2010 OCM, Minute 145/10 update

Minute 145/10 read as follows:

*That GVROC support and WALGA lobby the State Govt to review the Dividing Fences Act to reflect public responsibility for fencing of Crown Land and Road Reserves and those relevant government agencies (eg. DEC, Main Roads etc) fully fund such fencing which is deemed to be in the public interest, for example safety and conservation.*

WALGA have advised it is doubtful pastoralists have been requested to erect fencing on land leased for pastoral purposes under the powers of the Dividing Fences Act. It is more likely the request is associated with the conditions associated with the lease, under the Land Administration Act 1997

(LAA). It is likely the Department of Environment and Conservation (DEC) has identified that stock exclusion on land under their management control is warranted, giving rise to the request to fence the land.

The Dividing Fences Act refers to 'owners' with respect to the requirement to fence land.

The definition of owner in the Act appears to exclude agencies such as DEC (as follows) and appears to remove them from having rights under the Act.

*'owner' .....does not include any trustees or other persons in whom land is vested as a public reserve, public park or for such other public purposes as may be prescribed, or a person who has the care, control and management of a public reserve, public park or land used for such other public purposes as may be prescribed;*

WALGA advised any request to amend the Dividing Fences Act would not be supported as it would be counter-productive to WALGA members. The Pastoral Lands Board is established under Part 94 of the LAA. Their functions under the Act are as follows and they are the body for this matter to be raised with:

Under section 95 of the Act, the functions of the Pastoral Lands Board are to:

- a) advise the Minister on policy relating to the pastoral industry and the administration of pastoral leases;
- b) administer pastoral leases in accordance with Part 7 of the Land Administration Act 1997;
- c) ensure pastoral leases are managed on an ecologically sustainable basis;
- d) develop policies to prevent the degradation of rangelands;
- e) develop policies to rehabilitate degraded or eroded rangelands and to restore their pastoral potential;
- f) consider applications for the subdivision of pastoral land and make recommendations to the Minister in relation to them;
- g) establish and evaluate a system of pastoral land monitoring sites;
- h) monitor the numbers and the effect of stock and feral animals on pastoral land;
- i) conduct or commission research into any matters that it considers are relevant to the pastoral industry;
- j) provide such other assistance or advice as the Minister may require in relation to the administration of Part 7 of the LAA; and
- k) exercise or perform such other functions as it may be given under the LAA or any other Act.



Main Roads WA (MRWA) does work in partnership with pastoral lessees to install fencing and cattle grids in strategic locations. The program is dependent upon annual State Budget allocations.

WALGA's Stock on Roads Discussion Paper (June 2010) proposes a number of policy and legislative amendments, and increased funding to MRWA, to improve the level of fencing on roads passing through pastoral lands.

### **Appointment of Deputy CEO and Manager of Works**

Linda Butterly has been appointed Deputy Chief Executive Officer and commenced her appointment on Monday, 31 January 2011.

Laurie Bresland has been appointed Manager of Works and commences his appointment on Monday, 4 April 2011.

### **Wiluna Development Project No.2**

Councillors spoke to Minister Castrilli, MLA about the 'Proposal for the continued funding of the Wiluna Development Project (WDP)' submission on his visit to Wiluna in May 2010 and he agreed to receive a copy and submit it to Treasury on the Shire's behalf.

At the June 2010 OCM council resolved to:

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.

The Department of Local Government have recently advised that Minister Castrilli has the task of convincing the Economic Expenditure Review Committee (EERC) to fund the Wiluna Development Project No.2. If he gets approval for the funding then the Department will work closely with the Shire on planning the direction of the project.

### **Whole of Government Forum: Local Government in WA – Planning for Change**

Minister Castrilli, MLA has written to the President inviting him and the CEO to attend a forum for local government to consider major demographic, environmental and economic changes likely to impact on the local government over the next 20 years and beyond. The purpose of the forum is to give local government an opportunity to identify what these challenges are likely to be and to engage with each other on these issues, and to discuss how best to respond in a way which meets the changing needs of communities.

This would be a valuable forum to attend considering the opportunity to discuss transport infrastructure and the benefits of the sealing of the 'Meeka Road'. This date clashes with a proposed road inspection by councillors and CEO. I will be guided by Councillors direction of where best to put my energies should the President and councillors wish me to attend with the President or another councillor should the President wish to ask another councillor to attend on his behalf. See Appendix C (ivory coloured pages) for more information.

### **Works Discussion Group - disbanded**

Councillors have been consulted and there are no objections to the Works Discussion Group being disbanded, to take effect immediately from 1 March 2011, in light of the new Manager of Works commencing with the Shire on 4 April 2011 and interested councillors being able to hold a round table discussion with councillors and staff after council meetings each month to cover areas of interest in all areas of the Shire's operation including Works.

### **Annual Housing Inspection – Policy 2.12**

Councillors were recently advised of the annual housing inspection in accordance with Policy 2.12. The Policy states: Council, at the Ordinary Meeting of Council held in April of each year, nominate two (2) Councillors to accompany the Chief Executive Officer on each inspection. The inspections will take three (3) days and in my recent email I have recommended we do it over two periods and suggested 28 and 29 April and the week of the 9 May as the preferred dates, in light of the heavy commitments councillors have during this period. It is unlikely I will be able to accompany councillors due to competing priorities. Therefore, Debbie McNeill will carry out the inspections, with Barry Burmeister assisting in articulating on the scope of works required for each house. This helps when quotes are called for and specific work/material is identified. Ordinarily the Works Manager would be involved in this process but due to him only just taking up his position and competing priorities he will not be involved this year.

### **Road Inspection**

A road inspection 'overnight bus trip' has been proposed in preparation for the review of the 5 Year Annual Road Construction Schedule and annual road inspection.

A number of matters can be discussed on this trip including but not limited to:

1. Tenders
2. Scope of Works for Roadworks
3. 5 year Annual Road Construction program
4. Asset Management

The trip will see, available / interested councillors, myself, Works Manager, Wayne Linke, and other nominated persons on the road trip. We will head off on a predetermined route at 8.00am one day and return late afternoon the

next. We will stop at a chosen location to camp overnight. The week commencing 9 May 2011 is proving to be a preferred time for the trip. Councillors are asked to advise the CEO asap of their availability and preferred dates if the proposed dates are not suitable. Due to the planning involved and the locking in of dates, the CEO is looking for council's support to make the organising deadline of 1 April 2011.

### **Shire of Laverton Mining Liaison Meeting**

The Shire of Laverton has extended an invitation to the Shire President, Deputy, Cr Quadrio and the CEO to attend a Mining Liaison Meeting to be held in Laverton on Tuesday, 3 May 2011. The Laverton Shire President recognises the importance of the 'Councillor Lobby Group' being invited due to Wendy Duncan MLC, Tony Crook MP and Linda Crook (no relation) being in attendance. Patrick Hill, Laverton Shire President is a supporter of the sealing of the Goldfields Highway and recognises the opportunity for Shire of Wiluna councillors and CEO to speak with the politicians personally on the matter. CEO has liaised with the President, Deputy President and Cr Quadrio and they will respond in due course.

### **Councillor Annual Governance Training**

WALGA has been engaged to provide training to councillors. The modules covered will be Councillor Roles & Responsibilities and Ethics & Conduct of an Elected Member. The training will take place at the Shire Offices 6-8 April 2011. Councillors and CEO's from the Northern Goldfields and Murchison have been invited to participate. To date – Shire of Menzies President, Greg Dwyer has indicated he is interested in attending. See Appendix D (pink pages).

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### ***OCM 16/11 Council Decision and Officer Recommendation***

**MOVED** Cr C Webb

**SECONDED** Cr S Petterson

That Council receives this report and endorses the CEO's recommendations and actions.

**CARRIED 4/0**

<b>10.1.2. Subject/Applicant:</b>	<b>Request to Close the Shire Offices on Tuesday 26 April as part of the Easter Break</b>
File:	00330
Reporting Officer:	Samantha Tarling – Chief Executive Officer
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to seek Council's approval for the closure of the Administration Office on Tuesday, 26 April 2011.

## Background

Council closed the Administration Office during the 2010 Xmas break and had a skeleton staff working at the depot on days other than the public holidays during this period.

When the office was closed the staff reported there was very little activity around the town and no complaints were received about the closure of the office.

Historically, staff and community members who are Seventh Day Adventists travel to Perth for an Annual Easter Congregation Camp and to allow them ample time to travel safely to and from Perth the office has been closed. This has been appreciated by staff wishing to attend the Seventh Day Adventist camp in the past.

## Comment

The main benefit in closing on Tuesday is to allow staff ample time to travel safely to be with family and friends for Easter due to the long distances many people have to travel.

If the officer recommendation is accepted, notice of closure will be advertised by notices placed around town.

Given that many community members leave town over the Easter period and government offices are closed, the likelihood of an adverse impact on our reputation is considered low.

It is essential that we meet the community's expectation in the delivery of services and this will be achieved with the depot operating on a skeleton staff. Whilst the Administration Office will be closed, the normal line of delegation will apply. Officers required for decision making, including myself, will be available to be contacted and therefore an emergency situation or a decision required will be covered.

## Council Options

A variety of options are available to Council. Two are presented as follows:

1. approve the closure of Shire Admin Office on Tuesday, 26 April 2011 and maintain a skeleton staff at the depot;
2. not approve the closure of the Administration Office on Tuesday, 26 April 2011.

## Consultation

Depot Staff  
Administration Staff

### Statutory Environment

Local Government Act 1995

### Policy Implications

Nil

### Financial Implications

This will assist in reducing the annual leave owing during a time of little customer activity.

### Voting Requirement

Simple Majority

The Council Decision and Officer Recommendation was not required for a decision as the matter was deemed not applicable due to the fact that Tuesday 26 April is now the official ANZAC Day public holiday.

<b>10.1.3. Subject/Applicant:</b>	<b>Approval of unbudgeted Item for 2010/11 financial year – Lobby for Sealing Goldfields Highway</b>
File:	00181 and 00016
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is for Council to authorise an unbudgeted amount of up to \$100 000 be spent in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section.

### Background

In 2010 URBIS wrote a paper titled 'Closing the Gap and making Connections: win/win for communities in the Central Desert'. This report identifies the need for and benefits associated with the delivery of critical transport infrastructure to Wiluna and the interconnectedness that transport infrastructure has with the Midwest, Pilbara and Goldfields regions. This was the next step to increase and reaffirm Council's commitment to lobbying tirelessly for the sealing of the Goldfields Highway, Wiluna to Meekatharra section.

This report was for a fixed fee of \$25,000. This fee included the preparation of the report, which included the first site visit by Ray Haeren, presentation to the RPA, meetings with Main Roads, research, preparation of the strategic mapping, and a media release.

## Comment

Funds were made available for that paper to be written and the ongoing lobbying costs were unforeseen at the time of setting the 2010/11 budget, hence, this report seeking authorisation to spend an unbudgeted amount of up to \$100 000 in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section.

The discussion of ongoing costs for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section have been ongoing between the CEO and councillors since engaging Urbis in the 2010/11 financial year. It was anticipated that the discussion of a budget would take place at the Sustainability Workshop scheduled for October 2010, however, the workshop did not take place and was rescheduled and took place in January 2011 where the matter was discussed and a recommendation put forward to take to council. In light of the costs accumulated at end of January, the amount of \$100 000 was recommended by councillors. Officers advised at this meeting that the budget would be able to absorb that amount.

As at 15 March 2011 the unbudgeted expenditure has amounted to \$12, 479. This has been for the following works carried out by Urbis:

1. Mail out of Closing the Gap report to stakeholders
2. Communication Plan
3. Brochure preparation
4. PowerPoint Presentation for Transport Forum in Bunbury
5. Preparation and mail out of stakeholders letter in December 2010
6. Follow-up consultation with stakeholders (RPA, MRWA, CME etc)
7. Additional research and weekly teleconference with CEO
8. Liaise with Cr Quadrio

The annual financial review is underway and whilst the specific accounts have not been identified as to where this unbudgeted expenditure will be offset from, the preliminary review shows, the Shire will have savings in areas like the Consultancy budget due to this budget not being fully spent in the 2010/11 for various reasons.

Council's options are to:

1. authorise an unbudgeted amount of up to \$100 000 be spent in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section;
2. not authorise an unbudgeted amount of up to \$100 000 be spent in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra;
3. authorise an unbudgeted amount of a different amount to be spent in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section.

At the Sustainability Workshop it was also resolved that to further the cause to achieve the outcome of getting the Goldfields Highway sealed, considerable

effort would have to be made to meet in person with strategically identified stakeholders who can influence the decision of government to put money to this project. These stakeholders include politicians, government agencies, etc.

Councillors present are looking for the approval of a lobby group made up of the Shire President, Deputy President and Cr Jim Quadrio to work with Urbis to develop material they will take on a 'roadshow' to their meetings with strategically identified stakeholders, whom can influence and enhance the outcome of political will to have the road sealed. Councillors present also proposed to seek Council to authorise the Councillor Lobby Group and the CEO together, to identify by consensus, the Stakeholders to be targeted in the roadshow.

### **Consultation**

Councillors

### **Statutory Environment**

Local Government Act 1995,

### **Policy Implications**

Nil

### **Financial Implications**

Local Government Act 1995 Section 6.8(1)(b) states that a local government is not to incur expenditure from its Municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution and as this expenditure was not considered within the adopted budget, Council is requested to approve the expenditure of up to \$100 000 for the said purpose. This amount can be absorbed in the Administration Consultancy due to under expenditure in this area to date and the projects budgeted for not being carried out in the 2010/11 financial year as anticipated in 2010 when the budget was being prepared.

### **Strategic Implications**

Strategic Plan 2009-14, Green Wiluna, Effective Management and Planning of Transport Infrastructure

### **Voting Requirements**

Absolute Majority

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### ***OCM 17/11 Council Decision and Officer Recommendation***

**MOVED** Cr J Quadrio

**SECONDED** Cr S Petterson

That Council:

1. Approve a lobby group made up of the Shire president, Deputy President and Cr Jim Quadrio to represent the Shire and work with Urbis to develop material they will take on a 'roadshow' to their meetings with stakeholders, whom can influence and enhance the outcome of political will being to seal the Goldfields Highway, Wiluna to Meekatharra section;
2. Authorise the Councillor Lobby Group and the CEO together, to identify by consensus, the stakeholders to be targeted in the roadshow;
3. Amends the 2010/11 budget to reflect the amount of up to \$100 000 (ex GST) be spent in the 2010/11 financial year, for the purpose of lobbying for the sealing of Goldfields Highway, Wiluna to Meekatharra section; and
4. Authorises expenditure of the funds in accordance with Section 6.8(1)(b) of the Local Government Act 1995.

**CARRIED by ABSOLUTE MAJORITY 4/0**

<b>10.1.4. Subject/Applicant:</b>	<b>Authorisation of Councillors attending conferences to represent the Shire</b>
File:	00393
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to authorise councillors to represent the Shire when attending the Uranium Summit to be held in Perth in April 2011 and a visit to Olympic Dam and Roxby Downs in South Australia on Tuesday, 22 March 2011 organised by BHP Billiton's Yeelirrie.

### **Background**

Policy 1.12 states: The Shire of Wiluna recognises the need to assist Councillors to perform their role as defined in the Local Government Act. The Council further recognises that having Councillors well trained in Local Government matters will provide many benefits for the operations of the Council and in turn this will benefit the residents and ratepayers of the Shire of Wiluna. The Council's policy is to provide funds within each budget to meet the cost of sending Councillors to recognised and appropriate training courses and/or to bring appropriate trainers to Wiluna to deliver the training.

The Shire President and Deputy Shire President travelled to Olympic Dam and Roxby Downs with BHP Billiton's Yeelirrie in 2010. Cr Harris and Quadrio attended the Australian Uranium Summit in Perth in 2010.



## Comment

Councillors have been invited to attend the Australian Uranium Summit 2011 to be held at the Pan Pacific on 13<sup>th</sup>-15<sup>th</sup> April, 2011 in Perth. See Appendix E (lilac pages). Cr Harris has liaised with the Uranium Industry Partners in the Shire and they have offered to sponsor Councillors attending this year's conference.

Councillors attended in 2010 and found the conference gave them valuable knowledge and understanding of the issues surrounding Uranium and helped in their role of informing and responding to community concerns and questions, and aided their decision making on the Shire's Uranium policy decided on in 2010.

It is unclear at present if all Councillor costs will be met and if not, Policy 1.12 will be at play and that reads as follows:

### ***POLICY 1.12 STATEMENT***

#### *Conferences*

1. *Conference expenses will only be paid or reimbursed when:*
  - a) *The attendance is authorised by Council, through a resolution passed at a Council meeting.*
  - b) *The attendance and expenses incurred comply with the requirements of this policy.*
  - c) *Due to exceptional circumstances, Council approves a reimbursement through a resolution passed at a Council meeting, of conference expenses incurred that have not been approved by Council prior to attendance.*

## Consultation

Shire President  
Deputy Shire President

## Statutory Environment

Local Government Act 1995, Section 2.10, Role of Councillors

## Policy Implications

1.12 Councillor Training and Expenses

## Financial Implications

Monies to be spent have been allocated in the 2010/11 Councillor Training budget.

### Strategic Implications

Strategic Plan 2009-14, Leading Wiluna, Strong leadership, governance and planning

### Voting Requirements

Simple Majority

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### **Council Decision and Officer Recommendation**

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That Council:

1. Authorise nominated Councillors to attend the Uranium Summit 2011 to be held at the Pan Pacific on 13<sup>th</sup>-15<sup>th</sup> April, 2011 in Perth;
2. Accept the costs of the attendance of Councillors will be met by the Uranium Industry partners in the Shire of Wiluna and those not met will be provided for in accordance with Policy 1.12.
3. Authorise interested Councillors to represent the Shire and attend the site visit at Olympic Dam, Roxby Downs in South Australia on Tuesday, 22 March 2011.
4. Accept the costs of the attendance of Councillor Petterson will be met by BHP Billiton's Yeelirrie and those not met will be provided for in accordance with Policy 1.12.

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### **OCM 18/11 Council Decision**

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**MOVED** Cr C Webb

**SECONDED** Cr S Petterson

That Council:

1. Authorise nominated Councillors to attend the Uranium Summit 2011 to be held at the Pan Pacific on 13<sup>th</sup>-15<sup>th</sup> April, 2011 in Perth;
2. Accept the costs of the attendance of Councillors will be met by the Uranium Industry partners in the Shire of Wiluna and those not met will be provided for in accordance with Policy 1.12.

**CARRIED 4/0**

A decision was not required on the site visit at Olympic Dam, Roxby Downs in South Australia on Tuesday, 22 March 2011 due to the timing had passed and no councillors attended.

### **10.2. Principal Environmental Health Officer and Building Surveyor Report**

Nil

### 10.3. Deputy CEO Report

<b>10.3.1. Subject/Applicant:</b>	<b>2010 Compliance Audit Return</b>
File:	00275
Reporting Officer:	Linda Butterly, Deputy Chief Executive Officer
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

#### Purpose

The purpose of this report is to present to and for Council to adopt the 2010 Compliance Audit Return.

#### Background

The Compliance Audit Return (CAR) is an annual audit of a local government's compliance with the Local Government Act (LGA) 1995 and relevant regulations. The 2010 CAR pertains to 1 January 2010 to 31 December 2010.

#### Comment

The CEO engaged an independent CAR auditor to critically analyse the Shire's compliance with the LGA 1995 and the executive summary of this audit is as follows:

*These notes are relevant to the Local Government Compliance Audit Return for the period 1 January 2010 to 31 December 2010. The notes include reference to specific items of non-compliance and matters of an advisory nature for the CEO and Council's consideration.*

1. **DISCLOSURE.**

*For the purposes of s5.70 I disclose that I am a Local Government Consultant involved with a wide range of local governments in the State and with associated industry issues. I am not aware of any specific matter that may create an interest that would require a financial or impartiality interest disclosure to the Council.*

*The Compliance Audit review was conducted independent of the Shire management.*

2. **STATUTORY COMPLIANCE AUDIT 2010 PROCESS**

*The CEO engaged me to conduct an independent review for the Statutory Compliance Return for 2010. The review took place on-site during the week commencing 28 February 2011.*

*An important objective of the Compliance Return process is to assist local governments to enhance or develop their internal control processes to ensure compliance with statutory requirements and improve operational management control by using "best practice" procedures. Importantly, the compliance audit provides the CEO with an independent overview of the status of her internal*

management processes, and the Council with an overview of the state of the Shire's administration.

The audit involved the records of the Shire and information and advice from relevant Shire employees and consisted of an examination, on a test basis, of evidence supporting the status of compliance. The process consisted of a comprehensive audit test check of significant items such as the various Council meeting minutes, primary and annual return registers, financial interest disclosures, and other registers. Other items in the Return were the subject of examination based upon a sample check of relevant records and/or discussion with relevant officers to ascertain compliance.

The Department of Local Government (DLG) has an electronic compliance audit return (CAR) system. The Shire is responsible for the completion and submission of the final statutory Compliance Return for 2010.

The review procedures undertaken enabled the determination of a reasonable opinion, whether in all material respects, compliance, or partial compliance was achieved and consistent based upon the records and information presented. It is also relevant that the CEO is responsible for the preparation of the Return and the Council itself is required to provide additional scrutiny, including the essential element of local firsthand knowledge of some matters, prior to its adoption as the accepted Return.

The external compliance audit process provides both the CEO and the Council with an additional element of accountability through an independent check on internal management systems, procedures and record keeping and this demonstrates the Shire's emphasis on improving its good governance, compliance, and best practice through voluntary exposure to external scrutiny.

The CEO and staff provided all necessary assistance and explanations required during the audit.

### 3. AUDIT OUTCOME

The standard of compliance was high and it is apparent that the Shire has a culture of awareness of compliance requirements. For context purposes, non-compliance or partial non-compliance related to only 10 of the total 283 items included in the Compliance Return, or an achievement of 96.5%.

The Shire has sound management systems and procedures but a high turnover of employees. Caution will be required to ensure the standard is maintained. The examples of non-compliance noted generally reflected inconsistent or incomplete compliance and human error, and not any systemic failure.

It is important to note that the actual compliance audit process is a detached, retrospective examination of minute, multifaceted, and ambiguous statutory detail specified by the Local Government Act 1995 and associated regulations. Significantly, the audit excludes the actual working environment and pressures of the day-by-day operational circumstances, and other priorities that exist in the pragmatic management of the wide range of functions and issues experienced in a remote, geographically large and diverse local government such as the Shire. The overall compliance requirement to observe "all written law" places an onerous responsibility on

*the CEO of a local government in a remote Shire and particularly with lack of resources and a relatively high turnover of employees and the added difficulty of recruiting staff due to its locality and remuneration restrictions.*

*The notes and advisory recommendations in the attachment below are for the CEO's management consideration, and provided with the objective of further improving compliance and best practice.*

Gary Martin  
Local Government Consultant  
4 March 2011

Once Council has reviewed and adopted the 2010 CAR, the President and CEO will sign a copy as the 'certified' copy and send it to the Director General of the Department of Local Government. See CAR at Appendix F (peach coloured pages)

### **Consultation**

CEO  
Gary Martin – Local Government Audit Consultant

### **Statutory Environment**

Local Government (Audit) Regulations 1996, 14 & 15

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009-14, Leading Wiluna, Strong Leadership, Governance and Planning

### **Voting Requirements**

Simple Majority

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### ***OCM 19/11 Council Decision and Officer Recommendation***

**MOVED** Cr C Webb

**SECONDED** Cr S Petterson

That Council:

Adopt the 2010 Compliance Audit Return and authorize a certified copy signed by the President and CEO be sent to the Director General of the Department of Local Government.

**CARRIED 4/0**

**10.4. Manager Finance & Administration Reports**

<b>10.4.1. Subject/Applicant:</b>	<b>Accounts Paid by Authority</b>
File:	00020 vol 2
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	
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 28 February 2011 are listed as Appendix A – 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

**OCM 20/11 Council Decision and Officer Recommendation**

**MOVED** Cr J Quadrio

**SECONDED** Cr S Petterson

That the accounts paid by authority for the period ended 28 February 2011 totalling \$544,685.52 be received endorsed and incorporated in the Minutes of the meeting.

**CARRIED 4/0**

<b>10.4.2. Subject/Applicant:</b>	<b>Financial Report</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	12 August 2009
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 28 February 2011.

### **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 28 February 2011 are listed as Appendix B (green pages).

### **Comment**

Nil

### **Consultation**

Nil

### **Statutory Environment**

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

### **Voting Requirement**

Simple majority

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### ***OCM 21/11 Council Decision and Officer Recommendation***

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**MOVED** Cr S Petterson

**SECONDED** Cr J Quadrio

That Council adopt the Financial Reports for the period ending 28 February 2011 as presented.

**CARRIED 4/0**

### 10.5. Manager of Works Report

<b>10.5.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Joe Guiliano, Leading Hand
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

#### Purpose

The purpose of this report is for council to receive the Leading Hand's report for information.

#### Roads

Due to the damage the roads received from the rain, some roads still remain closed until our grader or contract grader can get out there and fix them. Most roads at the moment are only opened to 4wd's. To give you an idea of the damage, Mingles Pool crossing is still 3 metres under water.

#### Town Bore

The Bore has not been operating due to a break down. We have now received all parts and EPE Services have been contracted to carry out the repairs this week.

#### Mosquito Fogging

There has been an ongoing problem with kids chasing the fogging machine when operating through the town. An ongoing education program will continue with parents and children. The depot is looking at ways of trying to get the message out differently to inform the community of the health risks associated with inhaling the fumes of the fogger and running around a moving vehicle. We will also advise the community to close their doors and windows between the hours of 5.30pm - 8.30pm. Fogging will be done on a regular basis on a 3-4 day cycle. Eg. Fogging 3-4 days then stop for 3-4 days then fogging 3-4 days. This will continue until winter.

#### Vehicles

10 Tonne Hino Truck is back from Kalgoorlie after having a new clutch system installed.

#### Aerodrome

Lighting is currently being updated by EPE Services. The Backup genset has arrived and is ready to be installed.

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**OCM 22/11 Council Decision and Officer Recommendation**

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**MOVED** Cr S Petterson

**SECONDED** Cr J Quadrio

For Council to receive the Leading Hand's information report and endorse the Leading Hand's actions.

**CARRIED 4/0**



## 10.6. Council Information Bulletin

<b>10.6.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Heather Charlton, Art Gallery Manager
Date of Report:	11 March 2011
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is for council to receive this report for information.

### Painting Workshop

Practicing Artist Diana Abiad was engaged to conduct a painting workshop over two weeks recently. Experimental work was carried out by artists in the use of masking techniques, and whilst the workshop was not well attended, those who did take advantage of the program enjoyed the use of different mediums.

An invitation to join the workshop was extended to the Wirnda Barna Artists of Mt. Magnet; however a funeral precluded their attendance.

### Aboriginal Art Centre Hub of WA (AACHWA)

As a foundation member of WA's peak body, we were engaged last year in the development of a business plan for AACHWA's strategic progress for the delivery of assistance to WA art centres. As part of the process, an Advisory Group of artists was formed, and Tracey Latu-Kuli-Kefu was nominated to hold the position for twelve months. Since Tracey will be overseas when the next Advisory Group are scheduled to meet, artist and Councillor Stacey Petterson will take the position.

In accordance with our Strategic Plan 2009-14 objective to provide an ongoing program of art exhibitions in partnership with local mining companies, arrangements to stage the annual Birriliburu Art Show and Sale at the BHP Mt. Keith site are in progress. As production of artworks has not reached the pace of previous years, the show is reduced to one day and night instead of the usual three. The community is invited to attend the show and a bbq hosted by Mt. Keith, on Tuesday, 22 March 2011.

### Oakajee Port and Rail (OPR) "Good Heart" Exhibition

OPR will open their fourth annual Exhibition and Sale in Perth on 27 June 2011. Discussions between the Mine, the Exhibition Convenor, AACHWA and regional art centres have continued since the 2010 Exhibition, with concerns raised regarding OPR's approach to individual artists, with the expectation that art centres should then supply goods and services to ensure that contracts are executed and works delivered. The debate continues.

### Painting Studio Upgrade

The art gallery's artists painting studio has undergone an upgrade, and water is now connected. In accordance with the "Green Wiluna" strategy, recycled materials were used in the installation of a sink, benches and re-carpeting.

In accordance with the Strategic Plan 2009-14 objective of - Actively promote Wiluna creative business and artists, the Artstart children's painting group continues its success, with the sale of thirty-five paintings to the National Rural Health Alliance, who commissioned the work to provide as gifts for delegates at their annual conference held in Perth this year. Twenty-two children were involved in producing the paintings and 35 Headsox were purchased to complete each gift.

### Wiluna Streetscape

Wiluna Remote School intends to engage students in the production of murals to decorate the school grounds. We have been liaising to assist with the process development with students.

Similarly, Durack TAFE have been approached for suggestions to produce artworks for their buildings to fit with the Wiluna Streetscape Beautification Project.

### Yiwarra Kuju

Further to the success of the Canning Stock Route Exhibition, the Australian Tapestry Workshop has made contact to progress their plans to re-produce the painting "Kunawaritji to Wajaparni", a collaborative men's work made on the Stock Route Trip 2007. The Tapestry Workshop has a long history of creative achievement, and their works are hung in prominent locations and embassies around the world. Clifford Brooks is one of the artists, and he, with other involved artists, will be flown to Melbourne to provide an account of the work for the weavers. **The tapestry is destined to be hung in The Holy Sea, Vatican, Rome.**

<b>10.6.2. Subject/Applicant:</b>	<b>Tourism Officer's Status Report</b>
File:	Various
Reporting Officer:	Debra McNeill, Tourism Officer
Date of Report:	15 March 2011
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is to inform Council of tourism projects underway.

### Walk Trail and Information Bay Shelters

An MOU has been signed between the Shire and MEEDAC for the installation of the Beadall and Canning cutouts to be placed on the corner of Wells and Wotton Street, walk trail interpretative panels, the information bay shelter and town park information bay. The installation will commence in April and the labour force will be CDEP and Centrelink participants as agreed.

I will oversee the whole project along with Barry Burmeister who Jesse Brampton has contracted to ensure that all items are installed in the correct locations and with the appropriate orientation, and in this matter it is agreed that he will have the final say in all circumstances. He will also assist with ensuring that the correct elements are applied to each part of the project. Barry, on Jesse Brampton's behalf will be ensuring that the Shire's expectations with regard to overall quality, safety and timeliness of work are met.

### **Municipal Heritage Inventory**

Annabel Wills – Annabel Wills Architecture Pty Ltd, visited Wiluna and did a presentation to Council at the February OCM regarding the Municipal Heritage Inventory project she is undertaking. I worked with her for the week she was in Wiluna and we visited many sites that may or may not get onto the inventory. A list will come back to council to determine the significance of the buildings or locations to the Shire and if they will form part of the Inventory.

Annabel Wills suggested that Council apply for a heritage grant through Lottery west for a Conservation Plan to be compiled for the preservation of the Shire Offices, which is on the Heritage List. An application has been prepared with Annabel's help and submissions open in November 2011. The CEO has spoken with Lottery west and the likelihood of the Shire being awarded the \$50,000 grant is positive.

### **Drive Trail Research Trip**

Jesse Brampton has organised a 'back to country' trip with CDNTS and local Martu families to assist with the research required for the writing of the Drive Trail Interpretative Panels. The trip is being organised for May.

Jesse Brampton will also try to meet with local interested and affected Station owners to gather their stories to be reflected along the Drive Trail.

### **New Directional Signs outside Shire Offices**

New signs have been ordered to replace the weary signs at the entrance to the Shire Offices. These are in the style shown in the information bays shelter signs as discussed and requested by locals in the focus group meetings during the strategic planning process. These will be installed in April.

### **New George Lukin lettering to be installed**

New lettering will replace the broken lettering on the archway at the front of the Shire Offices. Tourists enquire about George Lukin because they have read about him in the Edge of the Desert book and enjoy seeing him honoured.

<b>10.6.3. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Sean Lennon, Pool Manager
Date of Report:	16 March 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to receive this report for information.

### **Solar Pool Heating**

The solar heating has been fixed and the water is at a swimmable temperature of 27c due to the repairs that were made by AVP Pool Construction.

### **Shade cloth**

Shade cloth has now been installed, now shade is provided for most parts of the swimming pool.

### **Pool Cleaning Equipment – hose**

The Manual Pool Cleaner has a new vacuum hose, which allows the pool cleaner to be more efficient in the process of the manual vacuum cleaning.

### **Water Fountain**

The pool now has a chilled water fountain, so all patrons can rehydrate.

### **Pool Maintenance (AVP)**

AVP will be back to Willina to complete pool maintenance in April; Mr. Clint Hall will be completing the maintenance program.

### **Pool Closure Dates**

Pool closure dates are 10<sup>th</sup> April; from 11<sup>th</sup> to 20<sup>th</sup> is a winterising program, pool gates close on the 20<sup>th</sup> April.

<b>10.6.4. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Meleoni Nariro Acting Sport and Recreation Manager
Date of Report:	16 March 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to receive this report for information

### **Activities Calendar for February and March**

February 13<sup>th</sup> Touch football with Magellan Mine

February 20<sup>th</sup> under 15 Basketball and follow by the BBQ

February 27<sup>th</sup> kids against the parents in Softball

March the 1<sup>st</sup> cooking class for Kids  
March 5<sup>th</sup> fewer than 18 pool comp  
March 6<sup>th</sup> Family day parents with the Children playing games on this day  
follow by the BBQ and a Double further Movie  
March 11<sup>th</sup> I took some of the boys to Kalgoorlie for the Nickel West Cup

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***OCM 23/11 Council Decision and Officer Recommendation***

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**MOVED** Cr J Quadrio

**SECONDED** Cr C Webb

For Council to receive the Council Information Bulletin reports.

**CARRIED 4/0**

**10.7. Committee Report**

Nil

**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**

Questions asked by Ms Vincenti

Q1. Did you confirm the minutes in the present form?

A1. The President directed the question to the CEO and the CEO responded in the affirmative.

Q2. In addressing Council, Ms Vincenti asked "How could you confirm the minutes – related to myself calling the CEO a liar?"

A2. Cr Quadrio stated that he confirmed the minutes and with his recollection of events he felt comfortable that the minutes were true and correct.

**14. Matters Behind Closed Doors – Confidential Item**

Nil

**15. Closure**

The meeting closed at 12.05 pm.