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**MINUTES**

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

The Deputy President welcomed everyone and opened the meeting at 10.00am.

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

Jim Quadrio	(Deputy President)
John Kyanga	(Councillor)
Bernie Weller	(Councillor)
Chris Webb	(Councillor)
Stacey Petterson	(Councillor)
Samantha Tarling	(Chief Executive Officer)
Glenn Deocampo	(Finance & Administration Manager)

**Apologies**

Graham Harris (President)

Cr. Webb asked for permission to leave at 12:00 noon.

**3. Response to Previous Public Question Taken on Notice**

**Extract of Minutes from December 2011 OCM minutes – question from Della Booker.**

Q3.1. On 18 August 2011, Brett Edwards collected samples of materials (asbestos) from me to be sent for testing. I have a receipt signed and dated by him. After asking at least six times for them to be sent to me, he said, he had been instructed to dispose of them. Where are they or the results? Who instructed him to dispose of them and why?

A3.1. President Harris responded that the Shire will check with Brett Edwards and find out about the samples. The CEO advised she would take the question on notice and respond at the next available opportunity when all the relevant information has been obtained.

Q3.2. Would the Shire be prepared to pay for the samples that I personally sent off for testing? I suggested that samples to be retrieved and returned to me or Shire to pay for testing of more samples.

A3.2. President Harris responded that the property is not owned by the Shire. The issue should be taken to Homeswest.

In regards to the samples, the President requested the contact details of the company and he will discuss with council and a formal decision will be made by council on the request to pay for testing.

The CEO has written to Della Booker outlining the response to the above mentioned in Q3.1 and Q3.2.

**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**

Nil

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

Nil

**7. Petitions and Deputations**

Chief Executive Officer welcomed Arianne Webb from Goldfields Tourism Network and Jack Eerbeek from Australia's Golden Outback who did a power point presentation on Tourism.

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

**8.1.** The Minutes of the Meeting held on 14 December 2011 be accepted as a true record of the meeting.

<b>OCM 01/12 Council Decision</b>
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**MOVED CR WEBB**

**SECONDED CR PETTERSON**

The Minutes of the Meeting held on 14 December 2011 be accepted as a true record of the meeting.

**CARRIED 5/0**

- 8.2. The Minutes of the Special Meeting held 11 January 2012 be accepted as a true record of the meeting – see Appendix C – white pages.

<b>OCM 02/12 Council Decision</b>
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**MOVED CR WEBB**

**SECONDED CR KYANGA**

The Minutes of the Special Meeting held 11 January 2012 be accepted as a true record of the meeting.

**CARRIED 5/0**

**9. Announcement Presiding Member without Discussion**

In view of the length of the agenda, the Deputy President suggested that some of the items will be carried forward to the next meetings, giving more time for Councillors to digest and read in order to make sound decisions.

**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:	22 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to receive the Chief Executive Officer's status report which will include items outstanding from previous meetings; and endorse the Chief Executive Officer's actions and recommendations.

**Background**

Section 3.6 of the Shire of Wiluna Local Law (Standing Orders)1999 requires the Chief Executive Officer to submit a status report to each ordinary meeting of Council on any items that are incomplete.



## Comment

### Ordinary Council Meeting 27 July 2011

#### 1. Appointment of Works Manager

File Ref: 00220

*Council resolved that the position of Works Manager be advertised and filled as a matter of urgency. This did not occur due to CEO being on LSL and Acting CEO deciding the position was filled by a competent Acting Works Manager for the interium and it was best to wait until the CEO returned from LSL to advertise and choose a Works Manager.*

The positions of Works Manager, Corporate Services Manager, Community Development Manager and Manager Sport and Recreation was advertised on Saturday, 10 February 2012 in the West Australian through the WALGA Recruitment, Workplace Solutions process.

Suitable candidates for all positions have been received. The CEO suggests the interviews be held in Wiluna in the week of 12 March 2012.

An interview selection panel from council is to be decided by council for the advertised executive positions

### Ordinary Council Meeting 24 August 2011

At the December OCM Council was informed as below:-

#### 1. Public Bus Service Wiluna

File Ref: 00581

*In response to a letter from the Minister for Transport about the provision of a public bus service to Wiluna, Council resolved that the Acting Chief Executive Officer enter into discussions with the Public Transport Authority (PTA) about the arrangements required to provide a weekly service and report back to Council.*

*The Acting Chief Executive Officer discussed this matter with Mr Peter Jones PTA and the following information was received:-*

- *The proposed service would connect to the existing Kalgoorlie Laverton Goldrush Tours Bus Service at Leonora*
- *The weekly timetable would be return from Kalgoorlie on a Thursday at 9.00am, arrive in Leonora at 11.45am and arrive in Wiluna at 4.00pm. Depart Wiluna on Friday at 7.30am, arrive Leonora at 11.30am and arrive Kalgoorlie at 2.15pm*
- *The proposed fee for the Wiluna Leonora leg (one way) would be \$52.00 per adult and \$35.00 concession. In addition to the above fees*

*the Goldrush charges of \$52.00 per adult and \$35.00 concession for the bus trip from Leonora to Kalgoorlie (one way) would also be payable. The Shire and Goldrush Tours would need to coordinate bookings and collect the fees*

- *The Shire to provide a Bus that is licensed to provide this public service, including an appropriately licensed driver and meet these costs.*

*The PTA has requested the Shire provide an estimate of the costs associated with providing the service to connect with the existing Goldrush Kalgoorlie Laverton Bus service. On receipt of this information the PTA will consider the possibility of funding to assist with the cost. The PTA also suggest that if the service is provided it be for a trial period of six months with a minimum benchmark of (4) persons per trip for the retention of the service.*

*The Acting Chief Executive Officer had some concerns about finding a suitably qualified person to drive the bus on a permanent basis. Based on the timetable it will be at least two (8) hour days per week. Prior to proceeding any further Council feedback on the proposal as outlined is sought.*

The Department of Transport have now been advised of the estimated cost to provide a weekly service to connect with the Kalgoorlie Laverton Service at Leonora. The estimated cost is \$1,316.00 per week and if there are (6) passengers, 50% full fare 50% concession, both ways, then the income is estimated at \$522.00 per week, resulting in an estimated weekly deficit of \$794.00. The PTA has been asked to consider this and advise of any subsidy that might be available. At the time the report was prepared a reply had not been received. The CEO will follow-up when staffing levels permit time to attend this matter.

## **2. Tri Drive Prime Mover – Mitchell West Application**

**File Ref: 00361**

*As a result of an application from Mitchell West to use Tri Drive Prime Mover vehicles on shire roads to deliver fuel to Jundee Mine and Horizon Power facility, the Council requested the Acting Chief Executive Officer meet with representatives from Newmont and Mitchell West to discuss the issues, including the responsibility of ongoing maintenance and damage to the roads by this type of vehicle. The Acting Chief Executive Officer has met with representatives of both organisations and informed them that the Council will require a formal agreement to cover the use of the roads by this type of RAV vehicle, clearly indentifying the responsibilities of the user and shire. The representatives have agreed to discuss the concept with their management and make further contact with the Chief Executive Officer in due course.*

No further development on this matter at the time the report was prepared. The CEO will follow-up when staffing levels permit time to attend this matter.

**3. Budget Adoption 2011/2012**

**File Ref: 00569**

*Three of the Council decisions arising from the adoption of the budget have not been implemented.*

*The decisions referred are as follows:*

*Whilst the Council has agreed to adopt the 2011/12 Budget as presented, the Chief Executive Officer is instructed not to proceed with the following item included in the budget, until the requirements shown below have been undertaken and further approval of the Council is obtained to proceed with these projects :-*

- The calling of tenders and engagement of Consultants to undertake the proposed records management until the Council has been provided with a written report, including any legislative requirements that need to be met, on why it is necessary to spend over \$300,000 during the past year and proposed this year, on this project.*

A report from Iris is attached at Appendix D – dark green pages.

If council is satisfied with the justification, the CEO recommends a motion be put to remove this item from outstanding matters to report on and Iris commence a re-engagement with the Shire to support the Records Management project.

**Ordinary Council Meeting 28 September 2011**

**1. Lot 1506 Woodley & Wells Streets Wiluna**

**File Ref: Lot 1506**

Due to limited staff resources no action has been taken on Council's decision to transfer Lot 1506 Woodley & Wells Streets, Wiluna back to the Minister for Lands and or make short term formal rental arrangements for the current use by Meedac at the time this report was prepared.

**2. Wiluna Playspace & Park Consultation & Concept Design Report 2010**

**File Ref: 00212**

Council's decision:-

*"That the Chief Executive Officer be requested to provide Council with the following information prior to any decision being made about the project:-*

1. *The total estimated capital cost for the entire proposal even though it may be undertaken on a progressive basis.*
2. *The estimated annual costs (operational) for the maintenance and operation for the completed project. (Cost be prepared on the basis of asset management).*
3. *The avenues available to obtain funding to assist with both the capital and operational costs”,*

Mary Jeavons Landscaping have been contacted to assist in answering the abovementioned, however, have not responded in time to be submitted with this report.

**5. Golden West Resources Working Party**  
**File Ref: 00277**

Mick Wilson, Director, Golden West (GWR) has advised GWR would be pleased to participate in a joint working party in respect to infrastructure. The nominees will be Paul Leidich (GWR Mining Engineer and Wiluna West Study Manager), Mick Wilson (GWR Director) and either Gary Lyons (GWR Director & Infrastructure sub-committee member) or Dave Walker (GWR Infrastructure Consultant).

A meeting will take place at the Shire on Tuesday 28 February 2012 commencing at 5.00pm and a BBQ tea will follow.

**Ordinary Council Meeting 14 December 2011**

**Council invite Toro Energy General Manager to address Council at Feb or March OCM 2012**

Vanessa has advised that she will most likely attend the March OCM.

**Land Release in Wiluna - Update**

DPI have advised recently, that they are liaising with Landgate over valuations for the 62 lots to be released in Wiluna and are having the brochure/marketing material drawn up for distribution in the near future.

**Aboriginal Councillors State Conference**

In 2005/06 the Department of Local Government made a commitment to provide ongoing support and development opportunities for all Aboriginal councillors throughout the State. As part of that commitment it undertook to hold a biennial workshop for Aboriginal councillors to provide ongoing training and establish networks as a councillor. This year the Indigenous Councillors

Workshop will be held over 3 days in Perth from 27-29 March 2012. Cr Kyanga, Wongawol and Petterson have been provided with registration

papers. The Department will meet all travel, accommodation and participation costs associated with the workshop.

### **2010/11 Dogging Budget – Acquittal Report**

Kathy Boladeras, Group Co-ordinator, Wonganoo Station, has submitted an acquittal report as requested by councillors recently – see attached at Appendix E – see gold page.

<b><i>Officer Recommendation</i></b>
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**That Council:**

- 1. receive this report and endorses the Chief Executive Officer's recommendations and actions; and**
- 2. request the CEO make arrangements for the interviews to take place on Monday, 12 March 2012.**

<b><i>OCM 03/12 Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council:**

- 1. receive this report and endorses the Chief Executive Officer's recommendations and actions; and**
- 2. nominate Cr Harris, Cr Quadrio and Cr Weller (proxy) as panel to interview the applicants, and interviews take place as determined by the selection panel between 14-16 March 2012.**
- 3. Change the date of March Ordinary Council Meeting from 28 March 2012 to 3 April 2012 at 10:00am.**

**CARRIED 5/0**

**Reason for change to Officer's Recommendation – Self explanatory**

<b>10.1.2. Subject/Applicant:</b>	<b>Annual Elector's Meeting</b>
File:	00568
Reporting Officer:	Samantha Tarling, Chief Executive Officer
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

### **Purpose**

Section 5.33 of the LGA Act requires Council to consider all decisions made at an Electors' Meeting at the next Ordinary Council Meeting. No decisions were made however the minutes of the meeting are presented for council's information.

## **Background**

A General Electors' Meeting was held at 7.00pm on Tuesday, 7 February 2012 at the Sport and Recreation Centre. All reports included in the Annual Report were received. There were many questions and comments made during the Electors' Meeting as per Appendix F – grey pages.

## **Comment**

If Council makes a decision in response to a request made at the Electors' Meeting, the reasons for the decision will be recorded in the minutes of this OCM. No decisions were made.

## **Consultation**

Nil

## **Statutory Environment**

Local Government Act 1995 S 5.33

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Voting Requirement**

Simple Majority

<b><i>OCM 04/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR WEBB**

**SECONDED CR WELLER**

**That Council:**

**Receive the Minutes of the Annual Electors Meeting held on Tuesday, 7 February 2012 for information.**

**CARRIED 5/0**

*The Deputy President appreciated Cr Petterson for chairing the Annual Meeting.*

<b>10.1.3. Subject/Applicant:</b>	<b>Common Seal Report</b>
File:	00339
Reporting Officer:	Samantha Tarling, Chief Executive Officer
Date of Report:	17 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to endorse the use of the Shire of Wiluna Common Seal on the Proposed Amendments No.3 of the Town Planning Scheme 1 - Final Approval.

### **Comment**

At the September 2011 OCM (117/11) council resolved the following:

1. That Council, pursuant to Regulation 17(1) of the Town Planning Regulations (1967) (as amended), note the submissions received and endorse the response to those submissions prepared by Shire staff.
2. That Council, pursuant to Section 75 of the Planning and Development Act (2005)(as amended) and Regulation 17(2)(a) of the Town Planning Regulations (1967)(as amended), adopt Amendment No. 3 to Town Planning Scheme No. 1, as follows:

Reclassify Lot 5001 Scotia Street, Wiluna from 'Residential R10/30' to Public Purpose 'Reserve' as indicated on the Scheme Amendment Map.

3. That Council authorise the Shire President and the Chief Executive Officer to execute the relevant documentation pursuant to Regulation 22(1) of the Town Planning Regulations (1967)(as amended).
4. That Council forwards the Schedule of Submissions and a copy of each submission to the Western Australian Planning Commission together with three copies of the signed and sealed Amendment documents for endorsement pursuant to Regulation 22(2) of the Town Planning Regulation (1967)(as amended).
5. That Council request the Honourable Minister for Planning to grant final approval to Amendment No. 3 to Town Planning Scheme No. 1.
6. That Council inform those agencies and persons who made a submission on Amendment No. 3 to Town Planning Scheme No. 1 of its decision.

Common Seal - Date Impressed: 28 September 2011

**Consultation**

Nil

**Statutory Implications**

The Shire of Wiluna Local Law (Standing Orders) 1999

**Financial Implications**

Nil

**Voting Requirement**

Simple Majority

<b>OCM 05/12 Officer Recommendation and Council Decision</b>
--

**MOVED CR KYANGA**

**SECONDED CR WELLER**

**For Council to endorse the impress of the Shire of Wiluna Common Seal on the Final Approval of Amendment No.3 of the Shire of Wiluna Town Planning Scheme 1.**

**CARRIED 5/0**

<b>10.1.4. Subject/Applicant:</b>	<b>CEO Employment Contract</b>
File:	Personal
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	4 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to advise Council of my intent to finalise the CEO Employment Contract 2011-2013 at the end of my tenure ending 17 March 2013.

**Comment**

In the CEO employment contract 2011-13 ending on 17 March 2013 it states:

There is no compulsion on either the council or the CEO to agree to a new Contract. The Council and/or the CEO shall initiate discussions not later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the council making a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this



Contract. In the event that Council and the CEO agree to a new contract, a new contract will be executed.

I am advising council at this time, to allow sufficient time for planning and recruiting a new CEO to commence in 2013 and have a handover that will allow a seamless changeover if council so desires.

A seamless handover will ensure no disruption to council operations and greater efficiencies are almost always found to be the outcome of this. Given the unique environment the incoming CEO will find themselves in, if they have not worked in a remote town like Wiluna before, I suggest a two week in-house handover.

### **Consultation**

Nil

### **Statutory Environment**

Local Government Act 1995 and Reg's 1996, section 5.36 – Local Government Employees

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

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

### **Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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### **That Council:**

1. **accepts and receives the Chief Executive Officers advice of her intent not to seek to enter into discussion regarding renewing her contract with the Shire of Wiluna after the current employment contract 2011-13 ends on 17 March 2013.**

2. requests the CEO to assist them in engaging WALGA later in the year to assist the council in recruiting a new CEO to take over from Samantha Tarling.

<b>OCM 06/12 Council Decision</b>
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**MOVED CR PETTERSON**

**SECONDED CR WEBB**

That Council notes the Chief Executive Officer intent not to seek renewal of the contract and will consider action required for a replacement of the Chief Executive Officer at a later date

**CARRIED 5/0**

**Reason for change to Officer's Recommendation – because council wish to make their own arrangements for the replacement CEO.**

<b>10.1.5. Subject/Applicant:</b>	<b>Lobbying for sealing Goldfields Highway - Update</b>
File:	00181 Vol 2
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	17 February 2012
Disclosure of Interest:	Nil



**Purpose**

The purpose of this report is to update council on Shire of Meekatharra's position on continuing to join forces with the Shire of Wiluna and lobby for the sealing of the Goldfields Highway between Meekatharra and Wiluna.

**Comment**

Excerpt from Shire of Meekatharra December 2011 OCM minutes attached at Appendix G – dark blue pages.

Excerpt from Shire of Meekatharra council minutes.

<b>Title/Subject:</b>	<b>GOLDFIELDS HIGHWAY/NATIONAL TRANSPORT ROUTE/CARNARVON LINK</b>	
<b>Agenda/Minute Number:</b>	<b>10.1.3</b>	
<b>Applicant:</b>		
<b>File Ref:</b>	ADM 285	
<b>Disclosure of Interest:</b>		
<b>Date of Report:</b>	16 January 2012	
<b>Author:</b>	Roy McClymont Chief Executive Officer	 Signature of Author
<b>Senior Officer:</b>	Roy McClymont Chief Executive Officer	 Signature Senior Officer

Summary/Matter for Consideration:

*The Shire of Wiluna has requested an in person meeting with Council to discuss our joint strategy for 2012 to ensure the desired effect is achieved for the lobbying campaign.*

Attachments:

Background:

*Council last discussed this issue at its last meeting in December 2012 when it resolved:*

*That Council write to Minister Grylls thanking him for recently meeting with Meekatharra representatives and advising him that;*

*Following the meetings in Perth attended by himself, Mr Vince Catania, Cr Norm Trenfield and Meekatharra Shire CEO Roy McClymont, Council has acted on his request for the Shire of Meekatharra to contact the City of Kalgoorlie/Boulder. The City of Kalgoorlie/Boulder advised that they “strongly support a new sealed road north from Wiluna but understand the desire for the Meeka – Wiluna connection.”*

*Council also contacted the Goldfields/Esperance Development Commission (GEDC) to establish their position on potential road routes north from Wiluna. The GEDC advised (in part) that “.... the aspirations of the PortLink vision must be met i.e. the infrastructure corridor interconnectivity that will best serve the regional, state and national interests.”*

*Given these responses from the City of Kalgoorlie and the GEDC, Council has resolved to continue discussions with the Premier and the Minister for Transport with the aim of completing the sealing of the Wiluna to Meekatharra section of the Goldfields Highway progressively over a number of years.*

*If you can support our endeavours to finally have this section of state highway sealed we will be very grateful.*

*And*

*That Council write to Minister Buswell advising of Council's progress and recent events/actions regarding the Wiluna-Meekatharra Road and requesting his continued support.*

*Comment:*

*Staff at the Wiluna and Meeka shires have kept each other informed as to the progress and lobbying efforts of the Councils.*

*At its meeting in December 2011 the Shire of Wiluna resolved (in part):*

*That Council:*

- 2. Advise Shire of Meekatharra council that Shire of Wiluna councillors are available to be involved in future meetings to be held with stakeholders;*
- 3. Request the CEO to organize an in-person meeting with Shire of Meekatharra CEO and council to discuss our joint strategy for 2012 to ensure the desired effect is achieved for the lobbying campaign; and*
- 4. Authorize the CEO to continue working closely with the Shire of Meekatharra CEO in the joint efforts to achieve a positive outcome in the lobbying of the sealing of the Goldfields Highway, Wiluna to Meekatharra section.*

*The Wiluna Shire is therefore seeking a date and location (Wiluna or Meeka) to have a meeting of the Council's.*

*The Shire of Wiluna usually meets (Ordinary Council Meetings) on the fourth Wednesday of each month.*

*Consultation:*

*Cr Hutchinson, Cr Trenfield*

*Strategic Implications:*

*Voting Requirements:*

*Simple Majority*

*Officers Recommendation / Council Resolution:*

*Moved:*

*Seconded:*

*That Council:*

- 1. Advise the Shire of Wiluna that it acknowledges that Shire of Wiluna councillors are available to be involved in future meetings with stakeholders and thanks the Shire of Wiluna councillors for offering their time for this purpose;*
- 2. Agrees to meet in person with the Shire of Wiluna; and*
- 3. Determines which Meeka Councillors will attend the meeting and their preferred meeting time/s and location/s.*

A convenient date for both shire councillor representatives will be discussed when the Shire of Meekatharra CEO returns from leave and it is anticipated to be early March.

It is recommended that council nominate representatives for the CEO to liaise with to organise this meeting.

**Consultation**

Shire of Meekatharra CEO

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Plan 2009-2014, Leading Wiluna, Strong Leadership, Governance and Planning

**Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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**For Council to:**

1. receive the report for information; and
2. nominate Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to meet with Shire of Meekatharra to discuss the Sealing of the Goldfields Highway lobbying strategy in March on a date yet to be determined.

<b>OCM 07/12 Council Decision</b>
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**MOVED CR WEBB**

**SECONDED CR KYANGA**

**For Council to:**

1. receive the report for information; and
2. nominate Cr Harris and Cr Kyanga to meet with Shire of Meekatharra to discuss the Sealing of the Goldfields Highway lobbying strategy in March on a date yet to be determined, and nominate any councilors as proxy for the said meeting.

**CARRIED 4/0**

**Reason for change to Officer's Recommendation – Self explanatory**

*Cr Webb left the meeting at 11:49 before the motion was carried.  
Cr Webb returned to the meeting at 11:51 am.*

<b>10.1.6. Subject/Applicant:</b>	<b>Murchison Aviation Community Consultation Group Minutes of meeting held 17 November 2011</b>
File:	00553
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to receive the Murchison Aviation Community Consultation Group Minutes of meeting held 17 November 2011 for information.

**Background**

The Shire has written and met with the Minister for Transport, Troy Buswell, MLA to discuss the concerns and aspirations of the community around the airport and RPT in recent times.

**Comment**

Murchison Aviation Community Consultation Group Minutes of meeting held 17 November 2011 for information - See attached Appendix H - yellow pages.

The Department of Transport has recently advised that the Director General has approved an extension of Maroomba's charter operations to Wiluna five

times per week until the end of March 2012. The extension was granted on the basis of the Department investigating the viability of Skippers' service to

Leinster and Wiluna and discussing possible options for the way forward with Skippers and the two key charter airlines (Maroomba in Wiluna and Alliance in Leinster).

Once the Department know what options are available to them, they will canvass the Shire of Leonora and Wiluna and possibly the other Shires in the Murchison Aviation Community Consultation Group as to whether these options would be suitable. It is envisaged this will happen by mid- March.

### **Consultation**

Department of Transport

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Green Wiluna, Effective Management and Planning of Transport Infrastructure

### **Voting Requirements**

Simple Majority

<b>OCM 08/12 Officer Recommendation and Council Decision</b>
--

**MOVED CR WELLER**

**SECONDED CR PETTERSON**

**That Council receive the Murchison Aviation Community Consultation Group Minutes of the meeting held 17 November 2011 for information.**

**CARRIED 5/0**

*The meeting was adjourned for lunch from 12.00 noon to 12.36 pm*

*Cr Webb left for the meeting @ 12:00 noon.*

<b>10.1.7. Subject/Applicant:</b>	<b>CASA 2011 Audit Report</b>
File:	00422 - 00269
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to receive the CASA 2011 Audit Report for information only.

### **Comment**

The CASA 2011 Audit was carried out in October 2011. The scope of the audit covered Aerodrome Management, Environment, Inspecting and Reporting and Airside Control. See Appendix I – dark green pages.

The report gave recommendations of improvements and the Acting Works Manager is across the requirements and will attend to asap in amongst competing priorities. The aerodrome is identified as a high risk asset and operation to the Shire and will the audit will be addressed with a high priority and if officers are unable to address in the near future due to competing priorities, arrangements will be made to engage consultants to assist where possible.

### **Consultation**

Nil

### **Statutory Environment**

Civil Aviation Safety Regulations 1998

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Green Wiluna, Effective Management and Planning of Transport Infrastructure



## Voting Requirements

Simple Majority

<b>OCM 09/12 Officer Recommendation and Council Decision</b>
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**MOVED CR PETTERSON**

**SECONDED CR KYANGA**

That council receive the CASA 2011 Audit Report for information.

**CARRIED 4/0**

<b>10.1.8. Subject/Applicant:</b>	<b>2011 Compliance Audit Return</b>
File:	00275
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

## Purpose

The purpose of this report is for Council to adopt the Department of Local Government 2011 Compliance Audit Return.

## Background

The Compliance Audit Return (CAR) is an annual audit of a local government's compliance with the Local Government Act 1995 and relevant regulations. The 2011 CAR pertains to 1 January 2011 to 31 December 2011 – see attached at Appendix J – ivory pages.

## Comment

Once Council has reviewed and adopted the 2011 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.

## Consultation

Manager of Finance and Administration

## Statutory Environment

Local Government (Audit) Regulations 1996, 14 & 15

## Policy Implications

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

<b>OCM 10/12 Officer Recommendation and Council Decision</b>
--

**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council:**

**Adopt the 2011 Compliance Audit Return and request the CEO to arrange a certified copy be signed by the President and CEO and sent to the Director General of the Department of Local Government.**

**CARRIED 4/0**

<b>10.1.9. Subject/Applicant:</b>	<b>Local Law Review</b>
File:	00021 - 00026
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	17 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to review the Standing Order 1999 and Bushfire Brigade Local Laws in accordance with the requirements of the Local Government Act 1995 and regulations.

**Background**

The Local Government Act 1995 requires the local laws to be reviewed every eight (8) years.

The Shire of Wiluna has 5 local laws. 2 are overdue to be reviewed in accordance with the Local Government Act 1995. These are the Bush Fire Brigade and Standing Orders 1999 local laws. See attached Appendix K – red pages.

Local Law to be reviewed every 8 years	Local Law last reviewed
Standing Orders	1999
Bushfire Brigade	2002
LG Property and Dogs	2007
Cemetery	2007
Health	2007

### Comment

The Local Laws currently meet the requirements of the Shire, however, if any changes are considered necessary the submissions will be received and reported to council for council to decide on those matters. If council consider it necessary to amend or repeal either of the local laws, the process for initiating this will be brought back to council for commencement as required under section 3.12 of the Local Government Act 1995.

### Consultation

Nil

### Statutory Environment

#### Local Government Act 1995 - Section 3.16 – Periodic Review of Local Laws

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of this local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give Statewide public notice stating that---
  - (a) The local government proposes to review the local law;
  - (b) A copy of the local law may be inspected or obtained at any place specified in the notice; and
  - (c) Submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (2a) A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine\* whether or not it considers that the local law should be repealed or amended.

\*Absolute majority required.

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Leading Wiluna - Strong Leadership, Governance and Planning

**Voting Requirements**

Simple Majority

<b>OCM 11/12 Officer Recommendation and Council Decision</b>
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**MOVED CR PETTERSON**

**SECONDED CR WELLER**

**That Council:**

**Request the CEO to commence the process as set out under section 3.16 Local Government Act 1995 – Periodic Review of Standing Orders 1999 and Bush Fire Brigades Local Laws, to allow council to determine whether or not it considers that one or both should be repealed, amended or remain as is.**

**CARRIED 4/0**

<b>10.1.10. Subject/Applicant:</b>	<b>Occupational Safety &amp; Health Policy and Fitness For Work Policy</b>
File:	00551
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to review the adoption of:

1. The Occupational Safety and Health Policy, and

2. The Fitness for Work Policy as requirements under the Occupational Safety and Health Act 1984 and Regulations 1996; Worker's Compensation and Rehabilitations Act 1981; Local Government Act.

### **Background**

At the June 2011 OCM this matter was considered by Council and Council requested the policy submitted at the time be reviewed to include several additional requirements. The report was returned to the August OCM and council agreed that the matter be held in abeyance until the Chief Executive Officer returns from Long Service leave in October 2011.

The Chief Executive Officer reported on the Policy at the October 2011 OCM and asked council what the issues were surrounding the delay in the adoption and it was explained that the councilors and officers could not recall them when considering the matter at the August 2011 OCM and thought it best to wait until the CEO returned to discuss in detail.

Council requested the report be placed on the agenda for the February 2012 OCM.

### **Comments**

#### **1. Occupational Safety & Health Policy**

The Shire of Wiluna's Occupational Safety and Health policies and procedures define the minimum safety requirements and standards. These standards and requirements apply to all employees, contractors and visitors to our workplaces. Compliance is compulsory.

The Policies are set to ensure that every employee and contractor works in an environment where every effort is made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.

The Shire of Wiluna acknowledges a duty of care to:

- Provide and maintain a safe working environment.
- Provide adequate training, instruction and supervision to enable employees
- To perform their work safely and effectively.
- Investigate all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace.
- Comply with AS/NZS 4801-2001 Occupational Health and Safety Management Systems audit requirements.
- Compliance with current Occupational Safety and Health Act 1984, and Regulations 1996, relevant Australian Standards including AS/NZS ISO 31000, 2009, Codes of Practice and Guidance Notes.

The Shire of Wiluna has developed a Safety Manual as an integral component of a staff workplace induction process.

Occupational Safety and Health Policy

**Shire of Wiluna Policy Manual**

Adopted – \*\*\*\* 2012

**POLICY: OCCUPATIONAL SAFETY & HEALTH**

**POLICY NO: 2.26**

**SECTION: ADMINISTRATION AND FINANCE**

**COUNCIL MEETING HELD: 29 FEBRUARY 2012**

**DATE TO BE REVIEWED: JANUARY 2013**

The Shire of Wiluna regards the development and implementation of best practice Occupational Safety and Health systems as a common objective for the CEO, Managers, Supervisors, Team Leaders, Employees, Contractors and Volunteers.

The Policy of the Shire of Wiluna is to ensure that every employee works in an environment where every effort is made to prevent accidents, injury and disruption to employees' health from foreseeable work hazards.

The employer acknowledges a duty of care to:

- Provide and maintaining a safe working environment.
- Providing adequate training, instruction and supervision to enable employees to perform their work safely and effectively.
- Investigating all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace
- Comply with AS/NZS 4801-2001 Occupational Health and Safety Management Systems audit requirements.
- Compliance with current Occupational Safety and Health Act 1984, and Regulations 1996, relevant Australian Standards including AS/NZS ISO 31000, 2009, Codes of Practice and Guidance Notes.

Employees have a duty of care to:

- Work with care for their own safety and that of other employees, contractors, volunteers and public who may be affected by their acts or omissions.
- Report hazards, accidents, incidents and near misses to their supervisor.
- Co-operate positively in the fulfillment of the obligations placed on their employer.
- Assist in the reporting and investigation of any accidents with the objective of introducing and reviewing controls to prevent re-occurrence.

A safe and efficient place of work is our goal, and we must all be committed to reach this outcome.

## **Fitness for Work Policy**

For the purpose of meeting our duty of care, employees who attend work under the influence of, in possession of or found to be cultivating, selling or supplying drugs and / or alcohol, or being in any other way impaired for work, will not be tolerated by the Shire of Wiluna.

This policy applies to all Shire of Wiluna premises and work sites including, mobile plant and vehicles and applies to all employees, including office and managerial staff.

The Shire of Wiluna acknowledges that employee and public safety is a priority. As part of the Occupational Safety and Health (OSH) program the Council undertakes to provide a safe work environment. Accordingly, Council will implement reasonable precautions and assistance to ensure that no one is exposed to unnecessary risk arising from impaired work performance as a result of any of the following:

- Alcohol and other Drug Use
- Emotional Stress/Overload
- Fatigue/Illness
- Psychological Impairment
- Occupational Health and Safety Issues

## **Definitions**

Impaired work performance is a sudden or gradual deterioration in personal functioning at work. Other definitions relevant to this document are as follows:

- |                 |  |
|-----------------|--|
| • Misuse        | The inappropriate use alcohol and other drugs  |
| • Alcohol       | Any beverage containing alcohol  |
| • Consumption   | Eating, drinking or using of alcohol, drugs or illegal substances  |
| • Counselling   | Advice or guidance for psychological difficulties  |
| • EAP           | Employee Assistance Program  |
| • Fatigue       | Mental or physical tiredness   |
| • Illicit Drugs | Non prescription drugs   |
| • Illness       | State of bad health or sickness  |
| • Possession    | To have as one's property  |
| • Licit Drugs   | Medications obtained on a Doctor's prescription or over the counter that can affect behaviour and/or performance |
| • Screen        | Test to detect the presence of a substance   |

The Shire of Wiluna believes that early intervention in assisting individuals who are experiencing deficiencies in their work performance can cause valuable employees to deal with a situation that may place them and fellow employees at risk.

An Employee Assistance Program (EAP) will be offered in order to support the effected employee. All matters pertaining to *fitness for work* will be treated with the utmost confidentiality.

### **Testing in the workplace**

The Shire of Wiluna has explored a range of drug & alcohol testing regimes (urine versus saliva) supported by Australian Standard's testing equipment and Pathology.

Any testing done by an employer in the workplace which gives a positive reading must also be sent to a 'workplace drugs of abuse' testing centre (Pathology) for confirmation. In addition, any staff member selected to perform workplace testing must also be an accredited "Drugs of Abuse Collector".

(1.27 - See Appendix I - peach pages)

If this policy is adopted it will become Policy 2.27 'Fitness for Work' in the Shire Policy Manual.

Council's Option are:

Option one:

For the Shire of Wiluna to select and train an employee to be responsible for all workplace drug & alcohol testing. This employee is also responsible for the 'chain of custody' and management of forwarding on positive test result to a Laboratory for confirmation.

Option Two:

To engage Western Diagnostics Pathology to provide an Occupational Pathology Testing Service to the Shire of Wiluna and its employees. This testing can be arranged in the following format:

- Initial 'blanket' drug and alcohol testing of all employees
- Four 'randomly selected' employee testings throughout the year, and
- End of year 'blanket' drug and alcohol testing of all employees.



## **Consultation**

LGIS  
WALGA – Workplace Relations  
ChemCentre – Workplace Drug Testing  
NAHS – Chris Webb  
Western Diagnostics Pathology

## **Statutory Environment**

Occupational Safety and Health Act 1984 and Regulations 1996  
Worker's Compensation and Rehabilitations Act 1981  
Local Government Act 1995

## **Policy Implications**

The Shire of Wiluna's Occupational Safety and Health policy and procedures define the minimum safety requirements and standards. These standards and requirements apply to all employees, contractors and visitors to our workplaces. Compliance is compulsory.

## **Financial Implications**

### **Option One:**

- Breathalyser instruments: \$900 + GST and freight - includes 300 tests. The instrument must be recalibrated about once every 6 months at a cost of \$100 per service.
- Urine testing kits (Box of 25) - \$425 + GST - plus an additional \$65per test for confirmation – plus freight & charges.
- Saliva instant tests (Box of 25) - \$700 + GST plus an additional \$85per test for confirmation – plus freight & charges.
- Nationally recognised AQTF 'Drugs of Abuse Collector' training is available in Perth at \$550 per person + GST and associated travel and accommodation.

### **Option Two:**

- Western Diagnostics Pathology – Specimen collection on-site
  - \$50 + GST per hour, per WDP staff member (min 3 hrs)
  - All other hours worked \$65 + GST per hour per WDP staff member
  - Travel time billed as worked hours
  - Mileage @\$0.65/km + GST
  - Any accommodation, transport, meals will be billed at cost.

### **Voting Requirement**

Simple Majority

<b><i>Officer Recommendation</i></b>
--------------------------------------

For Council to adopt the:

1. Occupational Safety and Health Policy as shown above;
2. The Fitness for Work Policy as shown in the attachments; and
3. The Shire of Wiluna engages the services of Western Diagnostics Pathology to conduct the workplace drug and alcohol testing.

<b><i>OCM 12/12 Council Decision</i></b>
--

**MOVED CR KYANGA**

**SECONDED CR WELLER**

That Council carry the items over to the April Ordinary Council meeting for council consideration.

**CARRIED 4/0**

**The Reason for change to Officer's Recommendation – because the councillors need more time to read the agenda and consider all issues to make a decision.**

<b>10.1.11. Subject/Applicant:</b>	<b>Shire Owned/Controlled Land</b>
File:	Various
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	12 February 2012
Disclosure of Interest:	Nil

### **Purpose**

To provide Council with a report on all land owned or controlled by the Shire of Wiluna to allow for a strategy to be determined in accordance with Council decision OCM 151/11.

### **Background**

Council at its meeting on the 28 September 2011 considered and adopted a Notice of Motion put forward by Cr Quadrio as follows:

Council Decision 134/11

*“(a) That the Chief Executive Officer prepare a report detailing all the freehold and reserve land that is owned/vested/managed by the Shire of Wiluna, including the purpose for which the reserve is held and if there is a power to lease.*

*(b) On Receipt of the report the Council consider the future purpose of all land and implement a strategy to achieve the use as determined.”*

At the October OCM council resolved OCM 151/11:

*For council consideration and development of a strategy at the February OCM.*

### **Comment**

A copy of the report required to make an informed decision is attached as Appendix L – white pages together with copies of maps showing the actual location of the land in the Shire.

### **Consultation**

Nil

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

### **Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
--------------------------------------

**For Council consideration and development of a strategy.**

**OCM 13/12 Council Decision**

**MOVED CR PETTERSON**

**SECONDED CR KYANGA**

**For council to carry the item over to the 3 April 2012 Ordinary Council Meeting for council consideration.**

**CARRIED 4/0**

<b>10.1.12. Subject/Applicant:</b>	<b>Record Management</b>
File:	00504 - 00028
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to inform Council of the budget spent on Records Management to date as discussed at August OCM 2011.

**Background**

At the August 2011 OCM council resolved the following:

*The calling of tenders and engagement of Consultants to undertake the proposed records management be postponed until the Council has been provided with a written report, including any legislative requirements that need to be met, on why it is necessary to spend over \$300,000 during the past year and proposed this year, on this project.*

**Comment**

Gaynor Deal, principal of Iris has provided the chronology of work undertaken by Iris in the area of Records Management for the Shire over the last eight years. The CEO believed it would be valuable for the council to see the repeated work that has been entertained over this time.

This report from Iris has not been altered except to remove individual staff member's names. The CEO felt it was important to show the constant rework that has been undertaken and the unavoidable ongoing cost to the Shire.

A Records Management Project was undertaken in 2010 with a view of stopping the abovementioned rework and cost to the Shire. This involved closing the old filing system down and commencing a new system that would be easy to use for all and follow the State Records Guidelines.

Record Management is the backbone of any organisation and if this is not in good order then this is reflected in the operations of the whole Shire and everything falls down over time. Especially with the high turn-over of staff, the keeping of organised, easy to locate, current and historic records is imperative, otherwise the cost of rework is astronomical to any organisation and new staff are frustrated by not being able to locate information in a logical fashion, which often results in officers starting their own personal filing system as is shown in Gaynor Deal's report below. This results in valuable Shire records being inaccessible to other staff and thrown out often when the person leaves.

The Shire's statutory requirements under the State Records Act require the Shire to be compliant in the areas outlined in the report below and we were not, in spite of many efforts since 2004. The only way for this to be achieved in a systematic and timely manner was to bring in outside expertise. As you can see, even with the consultant and a talented Records Officer, this has still taken 2 years. If it had been allowed to continue in the manner it was, it would never have been achieved and many valuable records may have been lost. The job undertaken now has ensured a low cost, systematic and sustainable record keeping system is in place.

Records Management is an area that is often undervalued and misunderstood by people until they are audited or they can't find a document that may have legal implications. Records management is not a junior's job of filing. It has and always will be a necessary (by law) and valuable operation of any organisation.

I have not edited the comments made at the end of the report because these are an objective observation and one that is applicable to the whole operation in the Shire of Wiluna. A combined effort from councillors and staff has to be undertaken to change the culture of the organisation because the efforts of only a few through those ranks allows for disgruntled and / or undisciplined staff to cause organisational cultural issues in the way we do business at the Shire and this practice results in rework costs for the Shire in many areas.

This has been discussed with council in the past but it is timely to raise the issue again, given that we are going into the community engagement process of developing a 10 Community Strategic Plan and if the service delivery expectations of the community remain as they are or better, the culture of the organisation needs to improve to bring about better efficiencies and effective service delivery for the residents of Wiluna Shire.

It would be valuable for the council to hear the project that the Records Officer has undertaken since she commenced in 2010 and if council decide at the meeting that this would be valuable, we will invite her in. There are many issues that haven't been detailed in this report due to the required expertise to understand it, however, a verbal report would be recommended.

## Consultation

Gaynor Deal, IRIS has prepared the below-mentioned for information.

### Chronology of Tasks, Deliverables, Progress

Approximate Dates	Task, Deliverables and Progress
2004	State Records Office (SRO) instructed Wiluna to complete their Record Keeping Plan by addressing gaps and omissions. At this time a Policy and Procedure Manual was also completed although it is unclear whether it was submitted to the SRO or not.
19 December 2005	Following State Records Office direction to the Shire, to continue with the update of their Record Keeping Plan and Policies and Procedures. The existing Policy & Procedure Manual (not developed by IRIS), only required updating and already contained clear and detailed policy and procedure directives indicating how records were to be processed by the Shire its staff and councillors. The Shire contacted IRIS and requested that we update both documents with the gaps and omissions. This task commenced in late January 2006.
3 Jan 06	Proposal sent by IRIS to Shire of Wiluna.
25 Jan 2006	Shire of Wiluna requested that IRIS amend the Shires Records Policy and Procedures Manual
8 -10 Feb 2006	Two Staff attend 2.5 days Records Management Training in Perth. Records Management Basics, Keyword Classification, Records Disposal and Electronic Recordkeeping.
14 Feb 2006	The Shire Contacted IRIS about implementing Keywords for Council because they could not find any relevant documents. We gave them some basic advice on how to do this, but this task required more support to put into practice. No action appeared to have been taken at this time.
June 2006	The Policy and Procedure manual was updated with the omissions, Metadata Management, Migration Strategy and Systems Management. This also included a CEO Authorisation Form and a staff Confirmation Form, confirming that all have received and read the manual. At that point IRIS's work for the Shire was concluded and the manual should have been implemented by the Shire's staff.
28 Nov 2006	Shire contacted IRIS again to request more work, namely the Disaster Management Plan and some provision of some training and Performance Indicators. At that time the DCEO informed IRIS another officer was taking over her role and she was going to another Shire. The Shire was given a deadline to complete this by 31 Dec 2006, which was extended by State Records Office, but not sure when too.
5 Dec 2006	Another proposal which detailed the work still not completed in the first proposal due to delays by Wiluna and reiterating the previous cost.

7 Dec 2006	Email from the Shire saying that DCEO was going to leave Wiluna and new DCEO was going to assist us with the outstanding tasks from the initial proposal.
11 Dec 2006	Shire sent an email to IRIS saying they would send a letter to the State Records Office to request an extension.
Early 2007	Shire contacted IRIS about updating the Disaster Management and Recovery Plan and apologising for the delays and the contents of the proposal submitted on 6 Dec 2006. Nothing much happened during the next few months as IRIS were waiting for Wiluna to send documents.
9 April 2007	IRIS Submitted Wiluna's Disaster Management Plan
20 April 2007	Shire sent copy for IRIS to review Wiluna's changes and then the Shire took charge of the copy, but IRIS was unsure at that time about whether it was implemented or not. Now IRIS knows it was not implemented.
11 June 2007	Email from Shire about updating Record Keeping Plan and doing Records AT Training even though the proposal was accepted in December
14 June 2007	The Shire requested that 4 staff receive online Records Awareness Training. None of the 16 staff, 4 were managers. This was provided and those staff completed the online training.
14 Nov 2007	IRIS reported back to Shire what was outstanding and what additional costs there would be.
25 Nov 2007	IRIS submitted the draft documents for his review and for Wiluna to address the gaps. This was for the work in our initial proposal on 28 Nov 2006: <ul style="list-style-type: none"> <li>• Wiluna Record Keeping Plan</li> <li>• Wiluna Disposal Program</li> <li>• Wiluna PI</li> <li>• Wiluna changes to metadata, systems and Migration Policies</li> <li>• Wiluna Updated Recordkeeping Policies &amp; Procedures</li> <li>• Notes for Staff to explain what has been updated and what Wiluna still need to do or consider.</li> </ul>
3 Dec 2007	Shire said they had received the documents and would get one of the staff to review and get back to us, but we never heard anything again.
12 March 2008	Shire staff member attended IRIS training in Perth for Records Management Basics, Keyword Classification and Records Disposal. The same training previous staff had attended.
12 May 2008	Shire called IRIS to discuss Wiluna needing help but at that time we incorrectly thought that it was just a question of staff being told step by step what to do and we submitted a proposal to help them do that using telephone support by IRIS consultants. This proved unsuccessful as staff was unable to carry out the tasks even with step by step support.
13 <sup>th</sup> Oct 2008	Received an email from Shire to ask about RAT training which had previously been completed previous staff members.
17 & 19 Dec 2008	Shire contacted IRIS to say that the only way the staff was going to be able to carry out this work was for IRIS to give training to everyone including Managers so all knew what needed to happen. IRIS submitted that proposal with a view to visiting the Shire on 23 March 2009 and carrying

	out training and one day's consulting.
6 Jan 2006	Confirmation that Wiluna accepted IRIS proposal to provide training to staff at Wiluna.
23 – 26 March 2009	IRIS visited the Shire and provided the following training to Shire staff Records Management Basics, Keyword Classification, and Records Disposal and undertook some consulting and guidance etc. The consultant then produced a brief informal report listing the issues and tasks as recalled at the time. All Staff were trained in the above training courses. All staff who attended the training were made aware of their individual responsibilities for recordkeeping and Governance within the Shire.
19 May 2009	List and proposal sent to CEO for tasks outstanding from previous visit and contact after the visit. The tasks given to managers and staff were not being completed and the CEO required more training to help them change and in addition monitoring was begun of all managers and their recordkeeping habits.
26 August 2009	The proposal above was then revised based on changing requirements of the Shire
13 Oct 2009	Finance Manager required IRIS to develop the Annual Report Statement
19 – 23 Oct 2009	In essence IRIS were to continue with the work which we had commenced in March. RAT for most staff and all managers. Examine how to establish files for the Works Manager etc. Again all staff who undertook the RAT training were made aware of their individual responsibilities for recordkeeping and Governance within the Shire. This time we used a different method to get across the message, once again. The issue of Governance seemed to be lost on staff or they appeared to act as if it did not apply to them. The consultant also visited each manager individually and examined their recordkeeping systems in brief and explained what they needed to do, all nodded sagely but it was clear that no one intended following the governance rules in place for Records Management. The culture in Wiluna appeared to be entrenched and opposed to good corporate governance practices and processes. Change needed to be effected.
25 Oct 2009	IRIS sent an email detailing some work that needed to be carried out in the Archives and File room following the 1 <sup>st</sup> visit.
18 Nov 2009	Submitted a proposal for follow on work remaining from the October visit in 2009. Update Policies and Procedures, implement the new file system Commence processing inactive files Develop required Registers, Doc Register, Contract Register, Burial Register Look at how the Shire look after electronic records Try to persuade managers and staff alike to not only use the hard copy file system but understand the role of records in their work.
7 Feb 2010	Request for a Report to Council by the Finance Manager and this was to be placed in the papers going to council and it detailed the work carried out to date and what tasks still remained.



25 & 26 Mar 2010	Records Officer came to Perth to be trained in Records Management Basics, Keyword Classification and Records Disposal
27 May 2010	Status Report from May visit.
3 March 2011	Another proposal for another visit to continue some of the tasks begun in the last visit and to repeat much of the work carried out with managers who required more training and more handholding to achieve the required tasks. This new proposal required 2 consultants not just one.
9 Mar 2011	The CEO requested the proposal be expanded
4 – 6 Apr 2011	On site Visit, see task list for the 16 May & 14 July 2011
9 Apr 2011	Email sent to Records Officer to assist her progress the tasks in the Archives Room which she had taken over from the previous person engaged to do this work. Work progressing well. Many calls to IRIS from the Shire were made over the ensuing months to try to get this task completed.
11 April 2011	Letter from IRIS indicating the additional hours that were required to undertake the tasks from the previous three day site visit.
12 April 2011	Email discussion with CEO about what needed to happen to commence the outstanding work from previous visit and to plan as requested by CEO for the next visit and would tasks would be carried out. The Works Depot was facing significant difficulties in managing the records and in the procedures and the CEO requested that IRIS assisted in addressing the issues.
12 April 2011	Emails to staff about undertaking the tasks we had left them to do following the last IRIS visit.
14 April 2011	Email conversation about the tasks that needed to be carried out by staff.
14 April 2011	Continuing email conversation about how to make Records Management habitual in Wiluna as CEO is fighting an ongoing battle to get staff and managers alike to do the things they should do. Lip service paid to doing RM compliantly only in getting documents written. Staff behaviours still lacking and this despite all the training, repeat training, different training, monitoring, hand holding etc.
18 April 2011	Arranging the next visit in May/June 2011 where 1 consultant spent working to get the Records Management work completed as far as possible and working with staff in the Admin building and the other consultant would work in the Works Depot trying to assist them build a good RM system and procedures to support their work and produce the records required to support corporate governance in the Shire. This work included development of a detailed procedure for managing the rental of shire properties and ensuring the process reduced risk to the shire and yielded the required records to prove the Shire's position. This included taking legal advice from McClouds the Shire Lawyers.

16 May 2011	Task list for visit, please also refer to previous task list and last task list on 4 July 2011. This details all of the work IRIS undertook and the status of the work etc.
27 May 2011	Status report for May visit issued to the CEO,
June 13 2011	Plan to monitor and meet with all managers to once again in detail explain to all staff their recordkeeping responsibilities
4 July 2011	Task list updated after last visit 13 – 17 June.
June 2011	Notes produced from the last visit by IRIS

Summary of the Issues:

- IRIS consistently repeats staff and manager training, rewrites documents multiple times and these leads to increased costs and wasted Shire money, why is this:
  - High Turnover of staff, not all staff have the same dedication to tasks
  - Managers mostly appear to be focussed on producing the documents to show compliance with the SRO Principles and Standards 2002 and Governance practices mandated under the Local Government Act 1995 etc. They are unwilling or unable to practice and apply the compliance requirements to recordkeeping and good governance in the Shire. Therefore, when any audits are undertaken, they are usually shown to be non-compliant as they have the required plans for work to be undertaken in the area of Recordkeeping but have not implemented the practice.
  - Large time delays between one Manager or staff member leaving and the new one starting severely impacts on the Shire's ability to operate and implement compliant recordkeeping capabilities which will also support good corporate governance practices.
  - Every senior manager that IRIS has worked with at the Shire placed only minimal records on file, many remain stored on personal areas of the shared drive or on non-corporate files. When one senior manager left a pile of boxes were found and they contained many records that should have been placed on file. Another later senior manager claimed to have knowledge about Recordkeeping but many documents that should have been on file were found on the Share drive. Again only lip service paid to compliance, saying they are compliant does not make them compliant.
  - Most staff are trying so hard to do the right thing and be compliant and what happens is that they get burnt out and becoming disinterested and then they adopt the Wiluna culture.
  - The 'Wiluna culture' is the pervading staff behaviour and practice, the culture appears to say that they will pick and choose what things to do correctly and compliantly. Rather than, we find out the correct way and we always do it the correct way.

- CEO appears to be driving the Wiluna ship and trying to get it to operate in a formalised Navy like manner and some staff and managers appear to behave like pirates with regards to what they will or will not be complaint with, depending upon their mood or level of interest.

Unless the culture changes, the Shire and its council will face many questions which they may find uncomfortable. The culture is at fault in the Shire not the staff. The right culture has more chance of engendering the right practices, rather than all the training and all the consultant help available in Australia. Consultant help can only succeed if the culture and behaviours will support practice over lip service to compliance.

To further support the tasks outlined above, further documentation supporting the amount of work undertaken is also provided in the attachments at Appendix M – purple pages.

### **Statutory Environment**

State Records Act  
Local Government Act 1995

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009-14, Leading Wiluna – Build a culture of continual improvement across the organisation – Review and improve Council's Records Management System

### **Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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**That council:**

- 1. Receive this report for information; and**
- 2. Authorise the CEO to continue with executing the 2011/12 Records Management budget.**

<b>OCM 14/12 Council Decision</b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**For council to carry the item over to the 3 April 2012 Ordinary Council Meeting for council consideration.**

**CARRIED 4/0**

**The Reason for change to Officer's Recommendation – because the councillors need more time to read the agenda and consider all issues to make a decision.**

<b>10.1.13. Subject/Applicant:</b>	Banners in the Terrace Competition
File:	00427
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to receive the '2012 Banners in the Terrace Competition' details received from WALGA for information and to decide if council will participate.

**Background**

The 'Banners in the Terrace competition' is one of the State's largest single community arts projects. This annual event is widely acknowledged as being one of the most colourful and vibrant displays throughout the year. Due to the upgrade of poles along one part of St Georges Terrace there are a reduced number of poles available and the submissions are first in first served.

**Comment**

The 2012 Entry Schedule is

Entry reservation form submission	by Friday, 30 March
Banner design faxed to the City of Perth	by Friday, 4 May
Banner delivery to WALGA	by Friday, 6 July
Display in the Terraces	Sunday, 29 July – Saturday 11 August
Announcement of winners	Friday, 3 August at the LG Convention

Relevant information attached at Appendix N – ivory pages.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Go-Ahead Wiluna – Boost tourist opportunities

**Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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For council consideration.

<b><i>OCM 15/12 Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**Council:**

1. nominates Cr Petterson to be the Coordinator of Banners in the Terrace competition project and;
2. Cr Petterson liaise with WALGA in submission of entry
3. Cr Petterson coordinates with Chief Executive Officer for materials, details and information of the project.

**CARRIED 4/0**

<b>10.1.14. Subject/Applicant:</b>	<b>Goldfields Tourism Network Association Inc. Membership – 2012/13 Budget Consideration</b>
File:	TBA
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to consider in-principle support for membership to the Goldfields Tourism Network Association for the 2012/13 Budget.

### **Background**

At the December 2009 OCM (197/09) council resolved the following:

*That Council:*

- 1. provide in-principle support to join the newly formed Goldfields Tourism Network and contribute \$25000 in the 2010/11 financial year if it is established; and*
- 2. provide in-principle support letter to the group so it can be submitted to assist in their application for Royalty for Regions funding in the February 2010 round.*

### **Comment**

The Goldfields Tourism Network Association Inc. was established in December 2010, to create a new direction, to become a more broadly focused tourism organisation, promoting the greater Goldfields region in a more unified manner.

Currently the Goldfields Tourism Network Association has the five local governments of Leonora, Laverton, Menzies, Kalgoorlie-Boulder and Coolgardie as the primary members. In addition to these the Board consists of various local government agencies, mining companies and a community position. See attached letter outlining milestones achieved to date at Appendix O – grey pages.

If council considers this membership favourable and would like to use the budget of the Tourism Membership budget \$5000 towards the membership to Goldfields Tourism Network Association for the remainder of the 2011/12 financial year, March – June 2012, a pro-rata scale from the annual contribution of \$25,000 of the five LGA's have contributed equates to \$8333.00 and the remainder can be an over-expenditure.

**Consultation**

Nil

**Statutory Environment**

S 5.42 – S 5.46 Local Government Act 1995; Local Government  
(Administration) Regulations 1996 18G and 19

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Go-Ahead Wiluna	Participate in regional tourism strategies Actively market Wiluna, including Canning Stock Route and the Gunbarrel Highway, through regional and state-wide promotions.
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**Voting Requirements**

Absolute Majority

<b><i>OCM 16/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR PETTERSON**

**That council:**

- 1. approve the 2012/13 membership to the Goldfields Tourism Network Association; and**
- 2. approve the over budget expenditure of \$3333.00 from account E132342 and use the \$5000 from the same account that is not needed for the Northern Goldfields Tourism group this year to contribute to the \$8333.00 for prorata membership March – June 2012.**

**CARRIED BY ABSOLUTE MAJORITY 4/0**

<b>10.1.15. Subject/Applicant:</b>	<b>Draft Tjukurba Art Gallery Business Plan 2012-2015</b>
File:	00574
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to inform council of the position of the Tjukurba Art Gallery is in at present through the information contained in the recently commissioned business plan assessment carried out by Tim Aker and for council to determine the future business structure Tjukurba Art Gallery will operate under and the location the service will be delivered from.

### **Background**

In mid 2011, in recognition of the changes at, and challenges for, Tjukurba Art Gallery, a review and planning process commenced. A draft Business Plan has been completed and recommends significant change. The draft Tjukurba Art Gallery Business Plan 2012-2015 is attached. See Appendix P – pink pages.

Many of these recommendations involve a transformation of the way Tjukurba Art Gallery works and of the relationship between the artists and the Shire of Wiluna.

This draft Plan builds on an earlier Development Plan; many of the recommendations of this initial plan remain incomplete.

At the December OCM the reports submitted in this item were submitted to council. Council resolved the following:

*That council deferred the decision to February Ordinary council meeting subject to meeting the Birriliburu artists on 24 January 2012 to discuss their aspirations.*

One councillor and two artists attended the meeting and the meeting was consequently cancelled.

### **Comment**

Over the last three years there has been a steady (and at times, rapid) decline in all of Tjukurba Art Gallery's performance indicators: participation, production and sales. These reductions come despite the increased profile of Tjukurba Art Gallery and continuing investment by various funding and industry bodies. The Shire of Wiluna has also maintained a sizeable investment (both cash and in-kind) in the Gallery.



Tjukurba Art Gallery has also initiated a series of professional development opportunities for artists, which, while creating some good quality works of art, have not created the anticipated interest or outcomes.

While there is genuine and widespread goodwill about the value of Tjukurba Art Gallery to Wiluna, both for individual artists and for the community generally, this is not translating to the levels of artists' participation necessary for a dynamic and growing art centre. There is a combination of reasons for this decline, but it is clear that without urgent attention and substantial change, the future for an 'art centre' is limited. At its simplest, the current business model is exhausted.

The theme of much of the feedback from artists throughout the consultation process was the lack of ownership and the limitations, real or perceived, of the current model – the recommendations in the draft Business Plan build on the need for independence as a condition for any future 'art centre'. While 'Tjukurba Art Gallery' has been a prominent identity for art and artists in Wiluna, a potential means for independent operations was identified some years previously: Birriliburu Artists.

There is now an urgent need to address the challenges of creating an 'art centre' in Wiluna. A crucial annual funding round closes in early February; without this support, it is almost certain Tjukurba Art Gallery will be unable to operate. The current Manager has resigned and the low levels of artists participation is likely to worsen. There is a small, and shrinking, window of time in which to address the future of Tjukurba Art Gallery.

Tjukurba Art Gallery is not the right means to establish a stable, long term enterprise. The necessary participation by artists, combined with the commercial and entrepreneurial requirements of the arts industry, cannot be sustained through the Gallery, and the restrictions that come with being fully within the Shire system. However, the Gallery provides a valuable service, and its strengths – location, profile, Shire partnership and facilities – can be retained and re-focussed, to ensure effective delivery of a retail gallery.

However, there are also significant risks – and no certainty of succeeding – with implementing the Business Plan's recommendations. While the Plan recommends a staged approach, built on a partnership with the Shire, there are no guarantees. Participation by artists, which is at the heart of creating a viable art centre, may still be too limited to create the necessary critical mass.

### Options

Council has a number of options to consider as outlined in and outside of the Plan:

1. Accept the recommendation of the report shown on page 10, recast the current Tjukurba Gallery business model;

2. Not accept the recommendation referred to in point 1 and accept that the current business model the Art Gallery operates under is exhausted and is not the right means to establish a stable long-term enterprise, however, in spite of that, continue with this model for the minor social and economic benefits to the community;
3. Decommission the Gallery as an 'Art Centre' under the current model and support the artists to be independent of a formalised structure to work within and review the recommendation in the Plan at a future date due to declining participating and producing artists. This will allow for Birriliburu Artists Steering Committee to meet and be the drivers of resurrecting the Art Centre based on proven desire by the Artists to participate and produce on a regular basis and not an aspiration expected of the Artists.
4. Recast a business model not considered in the Plan.

Option 1 will see the current users of the Marruwayura Office being advised of the change in arrangements in early 2012. The current users are: Job Service Providers - Max Employment and Skill Hire and Jundee Mine. Max Employment use the office up to four (4) days a month, Skill Hire – one (1) day a month and Jundee – up to six (6) days a month. All users have the need for this space to be able to provide employment opportunity services to the local community.

The users have not been contacted at the time this report was prepared, to discuss any issues that may arise from them not having this highly sought after and only piece of office real estate in town available to them.

There are urgent financial and community imperatives in providing clarity about Tjukurba Art Gallery and what, if any, future development will be. It is recommended that council immediately consider the options and recommendations within the Tjukurba Art Gallery Business Plan, 2012-2015.

### **Consultation**

Tim Aker – Tracker Consulting – Author of the attached Tjukurba Art Gallery Business Plan 2012 – 2015.

The Business Plan itself undertook consultations with a wide variety of stakeholders, including some councillors and artists.

### **Statutory Environment**

Local Government Act 1995, Section 1.3(3) – In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

### **Policy Implications**

Nil

### **Financial Implications**

This matter presents significant financial implications. The Shire of Wiluna provides sizeable, direct cash support to Tjukurba Art Gallery's operational costs, as well as important in-kind assistance, Art Gallery Manager housing and utilities, Art Gallery dedicated space.

If Council elects to support the development of Tjukurba Art Centre/Birriliburu Artists, this financial and in-kind commitment will continue and possibly expand. Costs over and above the existing are not expected to be major but are unknown at this time, due to any costs that are unforeseen.

Tjukurba Gallery has been a feature of the Shire of Wiluna since 2005/06, and is included in the Shire's budget.

### **Strategic Implications**

Strategic Plan 2009-14, Proud Wiluna, Provide arts and cultural activities  
Go-Ahead Wiluna, Support the development of creative industries in Wiluna

### **Voting Requirements**

Absolute Majority

<b><i>OCM 17/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR PETTERSON**

**That council:**

- 1. Adopt the recommendation in the Tjukurba Gallery Business Plan 2012 – 15 prepared by Tim Aker – Recast the current Tjukurba Art Gallery business model: the 'gallery' and the 'art centre' roles separated and given the tools that enable each to work. The Shire of Wiluna retains Tjukurba Art Gallery as a retail and display/exhibition outlet, complementing its tourism and heritage roles. In a staged approach, Birriliburu Artists are given the independence and commercial footing necessary for its development and long term viability.**
- 2. Adopt the processes outlined in the Plan as the strategic and operational future framework that the Shire of Wiluna and Birriliburu Artists will work within to achieve the outcomes set out.**
- 3. Work cooperatively with Birriliburu Artists to develop their profile, activities and incorporation over an 18-24 month period commencing April 2012.**

**CARRIED BY ABSOLUTE MAJORITY 4/0**

<b>10.1.16. Subject/Applicant:</b>	<b>Support to GVROC resolution - support to assist in the delivery of free to air digital commercial TV to the Goldfields Region</b>
File:	00243
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to decide to support the GVROC councils who wish to seek support to assist in the delivery of free to air digital commercial TV to the Goldfields Region.

### **Background**

At the GVROC meeting held recently the Shire of Coolgardie put up an item to discuss the Digital TV switchover and the GVROC resolved that:

*The TV reception in the Goldfields Esperance region be referred to each GVROC Member Council to consider the issue and the matter be referred to the next meeting of the GVROC.*

### **Comment**

The GVROC report is as follows:

*Analogue TV reception will end in June 2013 when the signal is switched off. From that time on, only digital reception will be available.*

*The Federal Government is required to provide all Australians access to the ABC and SBS broadcasts, which have already been converted to digital reception. The Federal Government, however, is not required to provide the free to air commercial TV. This has been left to the market to decide where digital free to air commercial TV will be available.*

*The communities of Coolgardie and Kambalda within the Shire of Coolgardie will be affected by this switch from analogue to digital reception. Whilst Council allocated some funds in its 2011/2012 budget to assist with the conversion to digital reception the funds will be insufficient to progress the installation of digital transmitters in both Coolgardie and Kambalda.*

*On information that the CEO, Shire of Coolgardie has received, a number of communities throughout the Goldfields Esperance Region will not receive an upgrade in reception. The map that forms an attachment to the meeting agenda shows communities throughout the Federal Electorate of O'Connor and what level of digital TV reception they are likely to receive post June 2013.*

*With access to free to air TV reception, affected residents across the region will need to pay at least \$250 per TV to access digital TV by way of the satellite reception. Though many residents have the ability to access pay TV (Foxtel etc), once the signal is converted to digital many residents will lose access to commercial free to air TV which they currently enjoy.*

*The CEO Shire of Coolgardie has had informal discussions with representatives from a number of agencies on ways the Shire can access free to air commercial digital TV. Funding from Royalties for Regions has been suggested as a possible avenue in this regard. With a transmitter costing approximately \$100,000, an investment of \$1,000,000 from the Royalties for Regions program would result in 10 communities receiving digital transmission.*

*At its September Council meeting, the Shire of Coolgardie resolved as follows:*

*That Council:*

- 1) Seek support to assist in the delivery of free to air digital commercial TV to the Goldfields Region from:
  - a. Goldfields Voluntary Regional Organisation of Councils; and*
  - b. Goldfields Esperance Development Commission; and*
  - c. Local State and Federal Members of Parliament.**
- 2) Apply to the Department of Regional Development for Royalties to Regions funds to deliver free commercial digital TV to the Goldfields Region.*

*As the Shire of Coolgardie's resolution indicates support from GVROC Council is sought in obtaining funding to enable the delivery of free to air digital commercial TV to residents with the Shire of Coolgardie and across the wider Goldfields Esperance region.*

### **Consultation**

GVROC CEO's

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### Financial Implications

Nil

### Strategic Implications

Strategic Plan 2009 – 2014, Key Result Area – Leading Wiluna, Strong Leadership, governance and planning

### Voting Requirements

Simple Majority

<b>OCM 18/12 Officer Recommendation and Council Decision</b>
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**MOVED CR PETTERSON**

**SECONDED CR KYANGA**

**That Council:**

- 1. Support GVROC councils in seeking support to assist in the delivery of free to air digital commercial TV to the Goldfields Region from:***

- **Goldfields Voluntary Regional Organisation of Councils; and**
- **Goldfields Esperance and Mid-West Development Commission; and**
- **Local State and Federal Members of Parliament.**

**CARRIED 4/0**

<b>10.1.17. Subject/Applicant:</b>	<b>Digital TV Switchover - December 2013</b>
File:	00243
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is for Council to receive for information and be kept up to date regarding new information to hand that may change council's decision from continuing to pursue the VAST option in the Digital TV Switchover. The Shire has been granted an extension on the decision to be advised to SwitchOver to the 2 March 2012.

## **Background**

At the September OCM (111/11) council resolved:

- 1. That Council at this time determines that Option 2 as outlined in the report by Mr Canny be progressed for the Shire of Wiluna residents currently covered by the Shire rebroadcasting TV & Radio services i.e.*

*“Help Residents via Coordination with DST and further Subsidising Cost”*

- 2. That the Shire of Wiluna help coordinate the transition to the VAST service to minimise the expense to local residents. The gap between actual cost per resident and the government subsidy will be determined when the Digital Switchover Taskforce completes a tender process for the purchase and installation of required equipment.*

## **Comment**

There is new information to hand that councillors have received and is attached at Appendix Q – peach pages and in essence the VAST system may not be the preferred option that council wishes to pursue.

WALGA are hosting a Digital TV Switchover Forum to be held in Perth and the Northern Goldfields Shires are pooling resources to cover costs for Peter Thompson from Satellite Television and Radio Australia P/L to represent us at the Forum because he has the knowledge to ask the right questions.

## **Consultation**

Leonora CEO

## **Statutory Environment**

Nil

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Leading Wiluna

## **Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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**That Council:**

1. receive this report and the attachments for information only at this time and endorse the CEO decision to have Peter Thompson from Satellite Television and Radio Australia P/L represent the Shire of Wiluna at the WALGA Digital TV Switchover Forum to be held in Perth; and
2. Delegate authority to the CEO and President to decide on the best outcome for the switchover so that the 2 March 2012 deadline can be met and the decision to be brought back to council to be endorsed.

<b><i>OCM 19/12 Council Decision</i></b>
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**MOVED CR PETTERSON**

**SECONDED CR WELLER**

**That Council:**

1. receive this report and the attachments for information and endorse the CEO decision to have Peter Thompson from Satellite Television and Radio Australia P/L represent the Shire of Wiluna at the WALGA Digital TV Switchover Forum to be held in Perth;
2. reverse the decision to introduce the VAST system due to new information presented and advise the Digital Switchover Taskforce that the Shire of Wiluna elects to upgrade our self-help retransmission tower; and
3. request the CEO to advise Digital Switchover Taskforce by 2 March 2012 of council's decision.

**CARRIED BY ABSOLUTE MAJORITY 4/0**



<b>10.1.18. Subject/Applicant:</b>	<b>2012 National General Assembly of Local Government – Call for Motions</b>
File:	00077
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to decide if they wish to participate in the 2012 National General Assembly of Local Government which will be held at the National Convention Centre in Canberra between 17-20 June 2012.

### **Background**

As the major event on the annual local government events calendar, the National General Assembly of Local Government typically attracts more than 700 mayors, councillors and senior officers from councils across Australia. The National General Assembly of Local Government is council's opportunity to contribute to the development of national local government policy.

### **Comment**

The Australian Local Government Association (ALGA) Board is calling for motions for the 2012 National General Assembly of Local Government under this year's theme 'National Voice, Local Voice – Infrastructure, Planning, Services'.

To be eligible for inclusion in the National General Assembly of Local Government Business papers motions must follow the principles:

- Fall under one of the themes – infrastructure, planning, services;
- Be relevant to the work of local government nationally; and
- Complement or build on the policy objectives of state and territory associations.

To assist council in preparing motions, a discussion paper has been prepared and is attached at Appendix R – ivory pages.

Motions should be submitted electronically via the online form on the website and received by ALGA no later than 27 April 2012.

### **Consultation**

Nil

### **Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Leading Wiluna

**Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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For council consideration.

<b><i>OCM 20/12 Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council receive the report for information and bring a notice of motion to the 3 April 2012 OCM for any matter for council to be considered.**

**CARRIED 4/0**

<b>10.1.19. Subject/Applicant:</b>	<b>Policy 2.12 – Housing Staff</b>
File:	00615
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for council to review Policy 2.12 – Housing Staff.

**Background**

At the Ordinary Council Meeting 28 September 2011 (OCM135/11) council resolved to:

*“Council requests the Chief Executive Officer to prepare a report outlining the tenancy arrangements for each Shire residence occupied by Shire employees, including the provision of water, gas, power, telephone, gardening etc., and on receipt of this information Council review its existing policy for the provision of housing to employees”*

### Comment

The information below shows the outgoings for each staff house that is met by the Shire as a condition of employment for each employee.

The houses with the same amount for water and electricity cost receive a total bill from each respective company due to there not being separate meters at these residence. Separate meters are budgeted for this year and it is anticipated they will be completed by 1 July 2012. These are the houses at the back of the Shire Offices.

Gardening is done at houses behind the Shire Offices to ensure the area is kept tidy and presentable to the public at all times.

Employees pay for their own gas usage and organise it with the local distributor.

Occupants	Address	Electricity	Water	Tel/Mob Broadband	Maintenance
Sione	Lot 21(1478)Lennon Street				
	July	635.2	913.5		
	August				
	September	392.62	729.3		15.75
	October				27.5
	November	348.94			120
	December				648
Vacant	Lot44(89)Lennon Street				
	July	377.85	183.5		
	August				
	September	30.51	275.7		15.75
	October				2982.61
	November	28.6			1240
Joe	Lot 67/69(116)Scotia Street				
	July	512.67	913.5		
	August				
	September	436.78	1156.2		15.75
	October				82.5
	November	459.8			327.46
	December	292.38			191
Jim	Lot 13(1506) SPQ Woodley Street				
	July	243.1			

		August	73.42			
		September	245.91	365.95		15.75
		October	64.67			27.5
		November				
		December	592.66			
Sam	U1/30(U/A1487)Scotia Street	July	382.06	147.7	89.95	
		August			311.98	
		September	317.11	79.5	492.04	15.75
		October			168.45	27.5
		November	327.45		188.51	31.7
		December			243.29	
Lynne	U2/30(U/B1487)Scotia Street	July	382.06	147.7		
		August				16.24
		September	317.1	79.5		15.75
		October				27.5
		November	327.45			
Vacant	U3/30(U/C1487)Scotia Street	July	382.06	147.7		
Art Gallery		August				577.45
Mngr		September	317.1	79.51		15.75
		October				381.41
		November	327.45			42.16
Lavenia	U4/30(U/D1487)Scotia Street	July	382.06	147.7		
		August				
		September	317.1	79.51		15.75
		October				27.5
		November	327.46			31.7
		December				35.1
Brett	U5/30(U/E1487)Scotia Street	July	382.06	147.7		
		August				577.45
		September	317.1	79.51		15.75
		October				27.5
		November	327.46			
Tevita	Lot 38(92)Lennon Street	July	577.33	183.5		
		August				
		September	164.55	165.45		15.75
		October				195.97
		November	82.39			
Vacant	U7/30(U/H1487)Scotia Street	July	382.05			4977.5
DCEO						

		August				
		September	317.1	79.51		15.75
		October				27.5
		November	327.46			31.71
Vacant	U6/30(U/G1487)Scotia Street					
Sports & Rec		July	382.05			
Mngr		August				
		September	317.11	79.51		15.75
		October				27.5
		November	327.46			31.71
		December				288
Glenn	Lot 61/63(113/114)Scotia street					
		July	274.29	814.55		21.58
		August				
		September	240.42	56.95		1115.75
		October				27.5
		November	174.01			483.03
Stewart	60A(555)Scotia Street					
		July	381.01	610.35		
		August				772.5
		September	232.55	44.2		15.75
		October				27.5
		November	282.25			
Meleoni	60B(555)Scotia Street					
		July	333.05	610.35		
		August				
		September	189.26	64.8		15.75
		October				27.5
		November	248.58			
		December				45
Kim	60C(555)Scotia Street					
		July	501.89	610.35		
		August				
		September	316.96	75		15.75
		October				117.5
		November	182.97			

## Consultation

Nil

## Policy Implications

<b>POLICY:</b>	<b>HOUSING - STAFF</b>
<b>POLICY NO:</b>	<b>2.12</b>
<b>SECTION:</b>	<b>ADMIN / FINANCE</b>
<b>COUNCIL MEETING HELD &amp; ADOPTED:</b>	<b>27 MAY 2004</b>
<b>DATE TO BE REVIEWED:</b>	<b>FEBRUARY 2012</b>

*It is Council policy where council owned housing including units, are occupied by Council employees that:*

**1. Housing is to be furnished**

*All staff housing is to be provided furnished.*

**2. Improvements to housing by tenants**

*Any improvements carried out to Council owned accommodation should only be permitted with prior approval of the Chief Executive Officer.*

**3. Tenancy Agreement**

*All Council employees occupying Council owned housing shall be required to enter into a tenancy agreement with Council, with the agreement to be in accordance with the Real Estate Institute of Western Australia Standard Tenancy Agreement.*

**4. Sub Let**

*No Council employee occupying Council owned housing shall sub let part of the premises or increase the number of occupants of the premises above that agreed to within the tenancy agreement.*

**5. Annual Inspection**

*An annual inspection is to be carried out of all council owned houses to assess condition and repairs and maintenance requirements.*

**6. Inspection Arrangements**

*Arrangements for inspections to be made in accordance with the 'Residential Tenancy Act'.*

**7. Condition Report**

*A report of the condition and repairs and maintenance requirements of all Council owned housing be prepared by the Chief Executive Officer and submitted to Council at the Ordinary Meeting of Council held May of each year for consideration in that year's budget.*

**8. Inspection Officers**

*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.*

**9. Security Bond**

*Council requires the payment of a security bond of an amount equal to four (4) weeks rent. Payment of the Bond shall be as described within the Residential Tenancies Act.*

The CEO has drafted a new policy and will discuss points with council and gain feedback to further develop the policy towards the final draft for council to adopt at the March OCM.

**Statutory Implications**

Local Government Act 1995  
Residential Tenancy Act 1987

**Financial Implications**

Nil

**Voting Requirement**

Simple Majority

<b>Officer Recommendation</b>
-------------------------------

For council consideration

**OCM 21/12 Council Decision**

**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**For council to carry the item over to April 2012 Ordinary Council Meeting for council consideration.**

**CARRIED 4/0**

<b>10.1.20. Subject/Applicant:</b>	WALGA website for Councillors
File:	00075 Vol 2
Reporting Officer:	Samantha Tarling - Chief Executive Officer
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to receive information regarding the launch of a new version of the WALGA website to facilitate communication to councils and to promote the local government sector.

**Background**

Following members feedback on the previous version of the website, WALGA have revised the login process for the Member's section to allow individuals to access their local government s' login password via an email confirmation system.

**Comment**

The content on the website such as details on Events and Training; Policy documents such as info pages or submissions and WALGA Zone material will be accessed once an individual logs on as a Member Council and will allow WALGA to provide expanded information relevant to the Shire's operations and gather feedback on policy and advocacy work undertaken on behalf of the sector.

The user name and password is available from the CEO.

**Consultation**

Nil

**Statutory Environment**

Nil



**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Strategic Plan 2009 – 2014, Key Result Area – Leading Wiluna – Strong Leadership, governance and planning

**Voting Requirements**

Simple Majority

<b>OCM 22/12 Officer Recommendation and Council Decision</b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**That council receive this report for information.**

**CARRIED 4/0**

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

<b>10.2.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	00526
Reporting Officer:	Principal Environmental Health Officer and Building Surveyor Report
Date of Report:	7 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for council to receive the Environmental Health, Building and Planning Officer's report and endorse the Officer's actions and recommendations.

### Building Licences Issued:

#### Building Licence No. 01/12

Location:	Lot 1568 Wotton Street	
Type of Construction:	Food Preparation Areae	
Builder:	Andrew Brown	
Construction cost:	\$3,000.00	
Fees:	B/L Fee -	\$85.00
	BRB -	<u>\$41.50</u>
		\$126.50

#### Building Licence No. 02/12

Location:	Lot 38, 39 & 40 Wotton Street	
Type of Construction:	Fit-out New Food Premise	
Builder:	Will Construct Pty Ltd	
Construction cost:	\$65,000.00	
Fees:	B/L Fee -	\$228.00
	Gov't BCITF Levy -	\$130.00
	BRB -	<u>\$ 41.50</u>
		\$399.50

### Building Approvals Reform

The following is advice from the WALGA President in December 2011

- a) Stakeholders involved in the building industry will have more time to prepare for the new building approvals system in WA.
- b) As the regulations and information required to implement the new system had not been released, the Local Government sector was concerned that a hurried implementation process could lead to critical failures in the approvals process for all involved in the building industry. Following advocacy by the WA Local Government Association, WALGA President Mayor Troy Pickard said Local Governments would now have an additional three months to prepare for the new legislation.
- c) "The Minister had a deadline of the New Year, but to his credit he adjusted the implementation date when made aware of the myriad of changes that would be required for Local Governments to make it work," Mayor Pickard said.
- d) "Local Governments will now be able to fully prepare for the changes required by the new Building Act to ensure customer services levels are not adversely affected."

- e) The *Building Act 2011* and accompanying regulations previously scheduled for implementation on 1 January will now come into effect from 2 April, 2012.
- f) The new Act is a major change to the building legislation for WA, with the reform comprising of new Complaint Resolution processes, registration of building practitioners and new building certifiers, new fee structure and the streamlining of the building approvals process.
- g) Mayor Pickard said the Local Government sector also welcomed the Building Commission's commitment to hold additional workshops and information sessions prior to the Act's implementation.
- h) "This Act represents a major change to the building approvals process and will have a marked impact upon the operations of Local Governments in this area," Mayor Pickard said.
- i) "The provision of additional time and information sessions will ensure the transfer to new processes is as smooth as possible for Local Government, the building industry and consumers."

<b>OCM 23/12 Officer Recommendation and Council Decision</b>
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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council receives this report and endorses the Environmental Health, Building and Planning Officer's recommendations and actions.**

**CARRIED 4/0**

*Gary Agnew (Environmental Health, Building and Planning Officer) entered into the meeting at 2:00 pm to answer Councilors' queries and to clarify issues.*

<b>10.2.2. Subject/Applicant:</b>	<b>Food Act 2008 – Prohibition Order – Club Hotel - Lots 52, 53, 54 &amp; 55 Wotton Street Wiluna</b>
File:	Lot 55
Reporting Officer:	Environmental Health, Building and Planning Officer
Date of Report:	7 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to consider endorsing the service of a 'Prohibition Order' under the Food Act 2008 on the Melissa Reilly & Elias Vlavianos in respect to the sub-standard food business (kitchen) at the Club Hotel, Wotton Street, Wiluna.

### **Background**

In May 2011 an 'Improvement Notice' under the Food Act 2008 was served on the Owners of the Club Hotel because of low facility, cleanliness and food safety standards in the hotel kitchen – see Appendix S – purple page.

Verbal encouragement to attend to the reasons for that Notice was given to the Owner/Manager on several occasions following the service of that Notice.

### **Comment**

Council will recall discussion on the matter at its February 2012 Special Meeting.

On the 12 January 2012 I again inspected the Hotel Kitchen to discuss progress on the Improvement Notice.

Council is informed that the kitchen was found in a disgusting and filthy state with intolerable food safety and food hygiene practices. As there was a professional, moral and community safety imperative to formally react a 'Prohibition Order' under the Section 65 of the Food Act 2008 was served and the kitchen closed – see Appendix T – yellow pages.

Photographs of the kitchen were taken and are available for perusal by any interested Councillor.

Food Act 2008

*Division 2 - Prohibition Order*

65. *Prohibition Order*

- (1) If the CEO or another enforcement agency believes on reasonable grounds –
  - (a) that any of the circumstances specified in section 62(a), (b), (c) or (d) exist; and*
  - (b) that –
    - (i) the proprietor of a food business has not complied with an improvement notice within the time required by section 63 for compliance, or*
    - (ii) the issue of the order is necessary to prevent or mitigate a serious danger to public health,***the CEO or other enforcement agency may serve a prohibition order on the proprietor of the food business in accordance with this Part.**
- (2) A prohibition order must take the form of an order that –
  - (a) no food intended for sale is to be handled on specified premise or a specified part of the specified premise;*
  - (b) no food intended for sale is to be conveyed in a specified vehicle;*
  - (c) specified equipment is not to be used in connection with food intended for sale;*
  - (d) no food intended for sale is to be handled by a food business in a specified way or for a specified purpose; or*
  - (e) no other specified activities in relation to food intended for sale are to be carried out on specified premise or a specified part of specified premise, until the proprietor of the food business has been given a certificate of clearance under section 66 stating that –*
  - (f) the premise, part of the premise, vehicle or equipment may be used for the handling or conveyance of food intended for sale, or in connection with such food;*
  - (g) food intended for sale may be handled in the specified way or for the specified purpose; or*
  - (h) the specified activities in relation to food intended for sale may be carried out, as the case may be.**
- (3) A prohibition order must state that it is issued under this section.*
- (4) A prohibition order may include ancillary or incidental directions.*

Consequent to enquiry by the Club Hotel Licensee as to the meaning of sale a letter defining SELL under the Food Act 2008 was provided.

### **Statutory Implications**

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Food Act 2008 – Service of Prohibition Order

### **Consultation**

Nil

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009-14

### **Voting Requirements**

Simple Majority

<b><i>OCM 24/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That the service of a ‘Prohibition Order’ under the Food Act 2008 on the Melissa Reilly & Elias Vlavianos in respect to the sub-standard food business (kitchen) at the Club Hotel Wotton Street Wiluna is endorsed by council.**

**CARRIED 4/0**

<b>10.2.3. Subject/Applicant:</b>	<b>Development Application - Deighton Pty Ltd – Mobile Phone Base Station</b>
File:	
Reporting Officer:	Environmental Health, Building and Planning Officer
Date of Report:	7 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to consider a development application for a mobile phone base station.

Comment

Council is asked to consider granting “Planning Approval” for the development of Mobile Phone Base Station at Meekatharra/Wiluna Rd, Midwells – (-26.4726 119.7133) (54kmWest of Wiluna & approximately 1.5km North of Meekatharra – Wiluna.

Council is in receipt of an application from Deighton Pty Ltd PO Box 81 North Dandalup WA 6207 for the Regional Mobile Communications Project Proposed Mobile Phone Base Station at Meekatharra/Wiluna Rd, Midwells - (-26.4726 119.7133) (54kmWest of Wiluna & approximately 1.5km North of Meekatharra – Wiluna – see attached Appendix V – grey pages and Appendix W – pink pages.

### **Consultation**

Nil

### **Statutory Environment**

Local Government Act 1995 S3.1 – the general Function of Local Government is to provide for the good government of people in its district.

Town Planning Act

Shire of Wiluna Town Planning Scheme No.1

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Strategic Plan 2009-14, Strong Leadership, Governance and Planning - Improved mobile phone communications in the region.

## Voting Requirements

Simple Majority

<b>OCM 25/12 Officer Recommendation and Council Decision</b>
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**MOVED CR PETTERSON**

**SECONDED CR WELLER**

**That:**

**Planning Approval is granted to Deighton Pty Ltd PO Box 81 North Dandalup WA 6207 for the development of a Regional Mobile Communications Project (Proposed Mobile Phone Base Station) at Meekatharra/Wiluna Rd, Midwells - (-26.4726 119.7133) (54km West of Wiluna & approximately 1.5km North of Meekatharra – Wiluna; conditional upon:**

- 1. Prior notification of the development being given to all surrounding Station Owners; and**
- 2. Submission of formal notification from the Civil Aviation Safety Authority that the development is in full compliance with the requirements and Policies of that Authority.**

**CARRIED 4/0**

<b>10.2.4. Subject/Applicant:</b>	<b>Application to Occupy Caravans for occupation of staff on part of lot 1499 Wotton Street</b>
File:	Lot 1499
Reporting Officer:	Environmental Health, Building and Planning Officer
Date of Report:	7 February 2012
Disclosure of Interest:	Nil

## **Purpose**

The purpose of this report is to advise council of a request received to occupy caravans and council to resolve to grant or deny permission to do so.

## **Comment**

Application has been received from Wiluna Traders for approval to temporarily use caravans for occupation of staff on part of lot 1499 Wotton



Street (fenced part of lot 1499 north of Wiluna Traders lot 1568; common owner) - see Appendix U – green page.

Council is informed that the caravans were not being occupied at the time of receipt of the application however when inspected on the 7 February 2012 two caravans were being occupied by two couples (Wiluna Traders staff) – Wiluna Traders Management advised that the caravans were being used for sleeping and eating purpose only for the past 3 weeks with the existing facilities at the rear of the shop for their sanitary and ablution needs.

Notwithstanding their application, the subject of this report, Wiluna Traders was advised on the 8 February 2012 that the caravans were not to be occupied.

Council is informed that the occupation of caravans is not covered by requirements under the *Health Act*, this activity is covered under the Caravan Parks and Camping Grounds Regulations 1997 (CP&CG Regs).

Response to allegations of caravan occupation in the district can be carried out by any authorised person appointed under the CP&CG Act by the Shire.

Regulation 6 of the CP&CG Regs states:

*A function conferred on a local government by these regulations may be performed by an authorised person appointed by that local government who is authorised in writing by that local government to do so.*

Regulation 11 of the CP&CG Regs states, inter-alia:

11 (1) *A person may camp –*

*(a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subsection (2) and is complying with that approval;*

11 (2) *Written approval may be given for a person to camp on land referred to in subregulation (1) (a) for a period specified in the approval which is longer than 3 nights –*

- (a) by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any one period of 12 months;*
- (b) by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
- (c) despite paragraph (b), by the local government of the district where the land is situated –*

- (i) if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
- (ii) if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.*

**Note:** Regulation 10 of the CP&CG Regs states:

*A person may camp only –*

- (a) at a site in a caravan park or camping ground, as appropriate, licensed under the Act; or*
- (b) in accordance with regulation 11.*

*Penalty: \$1,000*

Council's option are to:

1. give written approval to Wiluna Traders for the occupation of two caravans at Lot 1499 Wotton Street by Wiluna Traders Staff for a maximum period of 3 months; conditional upon:
  - (i) the two caravans being used for sleeping and eating purpose only;
  - (ii) that sanitary and ablution facilities at the rear of the Supermarket are available unrestricted at all times; and
  - (iii) that all waste from the caravan sinks is collected and discharged into the Supermarket bacteriolytic treatment system.
- or
- 2 initiate prosecution proceedings if Wiluna Traders continue to allow the occupation of caravans at Lot 1499 Wotton Street.

### **Consultation**

Nil

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

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

**Voting Requirements**

**Simple Majority**

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***Officer Recommendation***

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Submitted for council determination and direction.

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***OCM 26/12 Council Decision***

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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council:**

- 1. give written approval to Wiluna Traders for the occupation of two caravans at Lot 1499 Wotton Street by Wiluna Traders Staff for a maximum period of 35 days; conditional upon:
  - I. the two caravans being used for sleeping and eating purpose only;**
  - II. that sanitary and ablution facilities at the rear of the Supermarket are available unrestricted at all times; and**
  - III. that all waste from caravan sinks is collected and discharged into the Supermarket bacteriolytic treatment system****
- 2. Council to invite the proprietors of Wiluna Traders to meet with council to discuss the accommodation issues they currently face and discuss ways the Shire may be able to assist.**
- 3. Advertise to the community that the Shire will be actively policing caravans being used in contravention of the Caravan and Camping Act in the townsite and will apply the regulations applicable if persons are found to be in contravention without council approval after 16 April 2012.**

**CARRIED 4/0**

### 10.3. Manager of Corporate Services Reports

Nil

*Cr Petterson left the meeting at 2:34 pm and returned at 2:36 pm*

*Cr Weller left the meeting at 2:42 pm and returned at 2:44 pm*

### 10.4. Manager Finance & Administration Reports

<b>10.4.1. Subject/Applicant:</b>	<b>Accounts Paid by Authority</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	22 February 2012
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 periods ending 31 December 2011 and 31 January 2012 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

<b>OCM 27 /12 Officer Recommendation and Council Decision</b>
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**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

That the accounts paid by authority for the period ended 31 December 2011 totalling \$407,199.40 and 31 January 2012 totalling \$187,541.22 be received, endorsed and incorporated in the Minutes of the meeting.

**CARRIED 4/0**

*Cr Quadrio left the meeting at 3:04 pm and returned at 3:06 pm*

*Brett Edwards, Acting Works Manager, entered the meeting at 3:12pm.*

<b>10.4.2. Subject/Applicant:</b>	<b>Financial Report</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	22 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to seek Council's adoption of the Financial Reports for the periods ending 31 December 2011 and 31 January 2012.

**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 periods ending 31 December 2011 and 31 January 2012 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

<b>OCM 28/12 Officer Recommendation and Council Decision</b>
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**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**That Council adopt the Financial Reports for the period ending 31 December 2011 and 31 January 2012 as presented.**

**CARRIED 4/0**

## **10.5. Works Manager Report**

<b>10.5.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	00580
Reporting Officer:	Brett Edwards, Acting Manager of Works
Date of Report:	12 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for council to receive the Works Managers report and endorse the Works Managers recommendations and actions.

### **Staff**

The Works Mechanic (James Allen) resigned early in the New Year. This position has yet to be advertised or decided upon whether it will go to contract. The Works Administration Assistant also resigned in early February with Kavoa Dakunimata currently undertaking this role in an acting capacity.

Staff numbers were down during January due to leave, sickness and other medical reasons. The grass in town was growing faster than the small team could mow it. All staff are now back and working hard.

### **Roads**

Roads inspected in the last month during daylight include North, Yeelirrie, Wongawol, Barwidgee, Lake Violet/Granite Peak, Sydney Heads to Glenayle and Jundee. A night inspection was also carried out on North Road and Yeelirrie Road.

After Maintenance grading from Lake Violet to Lorna Glen then having this section washed out and the grader bogged at his camp, the Acting Works Manager decided to call a halt to the contract maintenance grader until after the wet season. However after an inspection of the roads in this area it was realised that there are numerous washouts that are dangerous and cannot be left untreated. The contractor has again been engaged to rectify this situation and has been asked to work towards Wongawol from Lorna Glen patch grading along the way. He will then work towards Carnegie along Wongawol Road. Council's grader is working from town along Wongawol Road. There have been numerous washouts signposted along Barwidgee and Wonganoo Roads also.

WANDRRA funding has been enacted for Tropical Cyclone Heidi with the southern part of the shire identified by FESA as qualifying for funding. An inspection will be carried out of this area and Lake Way with the intention of accessing funding for repairs.

### **Aerodrome**

Results of the CASA audit were received with 3 Requests for Corrective Action (RCA) received and responded to.

The first RCA was for an emergency exercise to be held within 2 years of the last, the exercise had been held but the documentation was not complete at the time of audit, this has been rectified.

The second RCA was for an Electrical Technical Inspection which has to be completed on a yearly basis and hadn't, this was completed on 1 February 2012.

The final RCA is for the installation of a second illuminated primary windsock to be located at the 33 end of runway 15/33. This is to indicate wind direction or sheer at that end of that runway. To be compliant Council must install this windsock though once installed, night operations can be advertised at this facility. Staff are putting together a costing of this installation for the budget process.

There are numerous items to be completed contained within the CASA audit, staff are at present working through the list to prioritise these works.

Follow up weed cutting after spraying around strip lighting has been completed, a better herbicide being sought as some plants do not react to Roundup. Non frangible barriers and old weather station posts removed from around tarmac. Main tarmac lighting adjusted to try and remove glare from incoming pilots.

Yet another column supporting the terminal roof has rusted away at ground level, post has been modified and new footing and fixings provided. Staff will look into treatments to save the remaining posts.

## **Waste Disposal**

A number of issues have been identified with the current waste disposal site, the most pressing being the layout of the liquid waste ponds.

These ponds need to be constructed so as the sullage flows out to form a shallow pond, the liquid then quickly evaporates out leaving a thin crust of waste material which can eventually be gathered and buried.

Council's ponds have been well constructed with a 400mm fall from the east end running west, unfortunately the ponds were then fenced with the gate and pond dumping access located at the western end. Currently only a small section of the pond fills when used with the depth at the western end in excess of 200mm when 10,000 litres is dumped. Further to that, because there is little room for a truck to turn around within the compound, a vehicle recently backed into the trench but luckily was able to get out, scour is also occurring at the dump point in each trench. Staff are at present assessing the best options to relocate the dump point to the eastern end, wheel stops and scour protection will then be installed prior to use.

There is currently approximately 3 months space left on the tipping face at the north west corner of the waste pile completing this pile at the predetermined level. There are 2 options for starting a new face being either to dump on top of the existing pile raising the level again by approximately 2m or relocate the face to ground level and work off the edge of the existing pile. There are major problems with wind-blown rubbish at the existing level with it recognised that raising the level again will increase this problem. It is therefore the intention to relocate the face to the western side of the existing waste pile and work from ground level.

Further works contemplated include the hiring of a dozer to rip and push as much cover material as possible from the open areas then bury the existing building rubble and old waste piles in the resultant hole. Areas will then be signposted so that separate piles can be maintained for the various recyclable materials.

A DEC Prescribed Premises Inspection of the refuse site has been programmed to happen on the 21 February 2012.

## **Parks and gardens**

With low staff numbers over Christmas, town's parks and lawns were not well maintained. There were also problems with irrigation in a number of locations with some lawns struggling to survive. Staff are currently getting back on top of this situation but it will be some weeks before the results of this work will be evident.

The town's irrigation pump works on a pressure switch to turn the pump on when water is required, that pump is currently turning on regularly even



though no irrigation is in use, this point to leaks in the pipework which are yet to be identified.

A substantial leak was identified in one of the irrigation pipes running under the northern driveway alongside the Administration building, when uncovered; the pipework was only an estimated 200mm below the road surface and this 4m section contained 4 joiners where leaks had occurred previously. This section was replaced, buried 500mm deep and within a hard PVC sleeve. If this pipework is an indication of how the system has been originally laid and if the repairs are typical, staff envisage further issues with the irrigation. Wet patches have now been identified in front of units 1 & 2 behind the Shire offices but they are yet to be investigated.

### **Plant**

Contract Mechanic completed various repairs to plant when last in town, repairs included:-

P29 – Hino 10t truck, the clutch in this truck required replacement even though it was replaced in March 2011. A new clutch was purchased and when replaced it was found that there was no brake clutch installed when clutch was last replaced. Discussion being held with Goldfields Truck Power as to the error and who is to pay. Parts required to get the airconditioner working in this vehicle.

P19 – John Deere grader, leaks repaired in drive hydraulics. New hoses required to get airconditioner working. This requires urgent replacement of shims and bushes in the blade.

P29 – Hino 5t truck, Air leaks repaired in braking system. Parts required to get airconditioner working.

P73 – New Tennant road sweeper, this machine wouldn't activate the hydraulics to empty the bin hopper from first use, a complaint was lodged with Tennant who wanted to take the machine away but because it took so long to get here and was lost for a month in transit, the Acting Works Manager wouldn't let it leave the yard. An agreement was reached that NJS Mechanical (the Shires Contract Mechanic) could do the work and be paid by Tennant, further that the warranty wouldn't be voided. It was found that a solenoid which activated the hydraulics was faulty, a new solenoid is in transit from Tennant in Sydney.

P67 Curtis Dyna-fog mosquito fogger, the spline on the plastic drive for the burner pump stripped and had to be repaired, during the first 20min. of use on the night of the 15 February 2012, a supply hose blew. Further to that, the pressure tank which holds the chemical is not a true pressure vessel. There is a pressure vessel in the yard not being used so the decision has been made to replace the old tank and renew the hoses and a badly functioning pressure regulator. Once this is done, there should be minimal issues with the fogger.

A check of the airconditioners in the remaining plant revealed that 1 in 2 do not work, staff will work toward rectifying this with the next visit of the contractor.

### **Private Works**

Minor private works jobs completed during the last month.

<b>OCM 29/12 Officer Recommendation and Council Decision</b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**That Council receives this report for information.**

**CARRIED 4/0**

<b>10.5.2. Subject/Applicant:</b>	<b>Septic Waste Disposal Fee</b>
File:	Finance
Reporting Officer:	Work's Manager
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to alter the charge Wiluna Shire currently levy for the disposal of Septic Waste to the Wiluna Refuse Site.

### **Background**

Currently Shire of Wiluna charges \$220.00 for the first 1000lts then \$220.00 for every 1000lts in excess. With a typical commercial Septic Waste truck having a capacity of 9000lts, a charge of \$1980.00 can be and has been levied for that disposal.

### **Comment**

Staff checked with other local Shires with some shires not charging a fee. Cue charges \$22.00 per M<sup>3</sup> or per 1000 litres which equates to 2.2 cents per litre. Laverton charges \$55.00 per M<sup>3</sup> or per 1000 litres which equates to 5.5 cents per litre. Meekatharra charge an annual fee of \$650.00 for regular users.

There are costs to Council for the maintenance of the septic ponds and for attending the site during disposal of this waste, attendance is a requirement of DEC. Council currently allocates \$4840.00 for the maintenance only of this site.

There is currently no way of measuring the amount of waste a truck dumps at the site with it a guess as to the quantity. Council could install a weighbridge which would give an accurate weight before and after dumping and the quantity calculated from there, unfortunately the cost of a weighbridge prohibits this.

If Council charged a blanket fee for access only, the current guessing of quantity or reliance on the operator's honesty would not be an issue. Quantities would still be required for the waste tracking forms and reporting to DEC.

If a blanket fee of \$220.00 was charged for each access and an average of 2 visits per month, \$5280.00 would be levied toward the maintenance of this site. There are 22 visits recorded at this site for 2011 but it should be noted that there is no record for the months of April through August. Currently the site was accessed three times in January, once in February and three times thus far in March.

### **Consultation**

Various neighbouring Shires.

### **Statutory Environment**

N.A.

### **Policy Implications**

Nil.

### **Financial Implications**

Reducing the fee would reduce the income to Council for the disposal of Septic Waste to the Wiluna refuse site.

### **Strategic Implications**

Nil.

### **Voting Requirements**

Absolute majority

**OCM 30/12 Officer Recommendation and Council Decision**

**MOVED CR WELLER**

**SECONDED CR PETTERSON**

**That Council reduces the fee for Septic Waste disposal from the current \$220.00 for the first M3 or 1000lts, and \$220.00 for every M3 or 1000lts thereafter to a \$220.00 access fee per load or truck.**

**CARRIED BY ABSOLUTE MAJORITY 4/0**

<b>10.5.3. Subject/Applicant:</b>	<b>Road Closure Criteria Discussion</b>
File:	00397
Reporting Officer:	Brett Edwards – Acting Works Manager
Date of Report:	15 February 2012
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for council to consider the points of development of a Road Closure Criteria Policy.

**Background**

The reason for closing gravel and natural surface roads when wet is to Safeguard the road user from slippery road surfaces, hidden washaways and the possibility of getting bogged in remote locations.

Protect the road surface from damage caused by vehicles travelling on sodden roads and water crossings.

Heavy rain in November resulted in staff closing most roads to traffic, every road in the shire received damage in the form of washaways at floodway's and along drains. With only 1 shire and 1 contract grader working, it took 4 weeks to repair these areas by patch grading at damaged locations only.

Due to the length of closure, minimal damage by vehicles was evident between the floodway's on those roads inspected.

If vehicles were allowed to travel on wet roads and minor tracking was to result, under council's duty of care to the road user, grading would have to occur along the full length of the damaged roads which may increase the repair time to over 3 months. If heavy vehicles were to travel on a wet road, the resultant extensive damage would take more than a maintenance grade and may entail major works to repair. Further to that, because the roads had been closed, staff were able to get out and sign dangerous washaways before traffic was allowed on the roads.

### **Criteria to Determine Road Closure**

This is very subjective and relies on a judgement call made by the Works Manager of the time at the time. There is no "Rule Book" governing this procedure.

It would be easy if a visual inspection could be carried out and the deformity of the road surface under vehicle load gauged as is the procedure with the gravel airstrip. However to do this would mean traveling these roads resulting in the damage Council are at pains to stop, further to that, staff and plant would be put at risk.

The next option would be to set a rainfall quantity from where action needed to be taken, this sounds easy but as an example, 25mm of rain in 10min on rocky ground may not adversely affect the running surface in terms of deformation but may cause extreme damage at floodway's, similar rain on clay base sandy country or area where drainage is poor would result in bad deformation if a vehicle traversed this section. Similarly 100mm over 24 hours may not cause damage at floodway's etc. but it would soak into the running surface and cause deformation if a vehicle travelled over that surface. Staff have also experienced recent heavy rainfall on the North West border of the shire which resulted in a large overland flood soaking Jundee and Wongawol Roads making them impassable yet little rain had fallen in that area.

The current Acting Works Manager firstly monitors the weather reports on a daily basis with regular updates gathered when threatening weather is forecast.

The actual call relies on the amount of rainfall received and expected, the location and extent of road flooding and lastly, communication with known reliable station owners who can provide reports of rainfall extent and local road conditions.

### **Issues**

The major issues resulting from road flooding and soft roads other than road damage and risk to road users is access to residences out of town, access to mine sites for essentials, tourist access to Gunbarrel Grapes Lager and lastly people caught in an area after heavy rain that have to be elsewhere and have no choice but to travel the road. This last scenario happened to the Acting Works Manager recently when he was 150km out of town late on a Sunday night and 20mm fell between his location and town. There was no option but to drive though fast running floodway's and very wet clay sections to get back to town. The road was closed the next morning but a station owner who had to get elsewhere drove over that section knowing it was closed, unfortunately he had no option!

Residents from Kutkabubba, caught in town after the Monday 31 November 2011 downpour bypassed the closed road sign and travelled home along

North Road. They passed over 6 Mile Crossing when it was reportedly 1m deep.

Gunbarrel Grapes Laager had tourist booked in and existing clientele, also Millbillilie residents who had to travel over the closed road and through water to get to lodgings or home.

As Jundee Road was closed from Monday and rain forecast for Tuesday through Thursday didn't eventuate, a decision was made by the Acting Works Manager to open Jundee Road to essential trucks only. Jundee Road was monitored after Friday's rains and the decision was made to allow the essential freight through on Saturday. 5 trucks were allowed through during Saturday with the drivers briefed to travel slowly and stay out of the water, the road was checked after each load. The mines were then asked to keep to essential loads only till the middle of the week which occurred with the resultant minimal damage.

After inspections and or contact with station owners, all roads were opened to 4 wheel drives by Monday the 7<sup>th</sup> and all vehicles by Friday the 11<sup>th</sup> November.

One other issue is when rain falls on roads in a neighbouring shire but a section of that road in this shire is dry, this has happened on a number of occasions to North Road and Yeelirrie Road where Meekatharra and Sandstone closed their roads. Staff had no option but to try and stop traffic before it accessed these roads knowing for well that firstly there would be no sign at the border and secondly, if a vehicle got that far down a road they wouldn't turn back!

Similarly recent heavy rain around Carnegie meant the Gunbarrel was closed for an extended period, Carnegie Station caretakers placed the shires road closed sign out and the road was shown as closed on the large information signs on the outskirts of town but traffic was still coming from the east and tourist coming from Wiluna went around the sign to continue on their journey. The option was there to close all of Wongawol Road to stop people at the edge of town but this would have meant the closure of all roads east of town. Further to this staff and for that matter Station Managers can't close the ends of roads such as Wonganoo, Barwidgee and Prenti Downs to stop traffic from Neighbouring shires entering at the border.

Finally, if enough rain has fallen to get the creeks running, all of town rushes out to picnic at places such as North Pool, Crossing Pool and the Old Crossing traversing closed roads to get there.

### **Probable Solutions**

The immediate response to flooding and wet roads is to close the road to all traffic by placing a road closed sign in the middle of the road. This has little deterrent value as they are easily driven around. Staff also uses barrier boards and witches hats to block off the road with little effect. As it stands if

you have an accident on a closed road, your insurance would be voided, unfortunately a large percentage of vehicles don't have insurance!

**Some probable solutions are:-**

1. Physical Barriers - A boom gate with trench or barrier either side would stop traffic passing the closure but unfortunately from both directions, the gate could be left unlocked so access could still be gained by emergency services and those that have to pass but locals would soon learn that they could open the gate and pass, there would also be issues with frangibility or the ability for the gate to collapse under impact. The legality of the gate within the road reserve would have to be investigated prior to installation.
2. Fines - Some shires have looked at fines with talk of \$1000.00 fines per wheel if you're caught on closed roads. Something along these lines could be organised through local laws. Staff would have to be authorised to issue infringements similar to a Ranger but this may lead to confrontations, would be very difficult to police and may end up costing more than is gained if challenged and dragged through court. Further to this staff would have to be at the location when the vehicle travelled through to be able to either stop them and give them the fine or alternatively get the vehicle details to send the fine to the vehicle owner. Sending a fine to a vehicle owner would be problematic as is the case with speed cameras, a similar system would have to be put in place where the onus is on the vehicle owner to prove who was driving the car.
3. Cameras - One shire is currently trialling motion activated cameras at road closures with the intention of fining the vehicle owner. This may be an alternative to getting staff involved and would capture all vehicle movements. The down side to this is the inevitable vandalism to or loss of cameras once they were located, also the issue of proving who was driving the vehicle.
4. Improved Signage - Replace the existing old road closure signs on the outskirts of town with larger signs that include the ability to show open to 4WD, investigate the possibility of being able to show sections of the road that are closed as in Carnegie closed but Wongawol open, North Road closed from the border through to highway etc. Include the provision of signage to suitable station owners to be installed where required throughout the shire.

**Existing Legislation**

The Main Roads Act 1930 – Section 16A , Road Closure

Part 3 allows for a \$200.00 fine for any person interfering with signage at a road closure.

Part 4 allows for a \$200.00 fine for any person who drives a vehicle or causes a person to drive a vehicle on a closed road.

Road Traffic Act 1974

The following is an extract from the Road Traffic Act 1974 with the offender prosecuted by the Police and penalties for these acts to be determined by the court.

84 Liability for damage to roads etc

- (1) Each responsible person for a vehicle shall be jointly and severally liable in damages to a road authority for any expense or loss incurred by that road authority because of damage or injury to a road caused by, or happening as a result of:
  - (a) the use of the vehicle on the road; or
  - (b) the passage along the road of the vehicle or of anything carried, drawn, or propelled by the vehicle; and those damages may be recovered by proceedings in a court of competent jurisdiction.
- (2) If any damage or injury referred to in subsection (1) is caused to any bridge or culvert, the person in charge of the vehicle shall, if the damage or injury has caused the bridge or culvert to be hazardous to other vehicles or pedestrians, immediately place a conspicuous warning mark or sign on or near the bridge or culvert, and shall, in any event, forthwith inform the officer in charge of the nearest police station of the damage or injury.
- (3) In any proceedings for the recovery of damages under this section a certificate of the kind referred to in section 98 (2b) is evidence for the purposes of proving who is a responsible person for the vehicle as though the proceedings were proceedings for an offence under this Act.
- (4) In this section:
  - *road* has the meaning set out in the definition of **road** in section 6 of the *Main Roads Act 1930* and, without limiting that definition, includes trees, plants and shrubs appurtenant to a road.
  - *road authority* means a local government or the Commissioner of Main Roads.

85 Power of local government to recover expenses of damage caused by heavy or extraordinary traffic

- (1) Where it appears to a local government which is liable or authorised or has undertaken to repair any road that, having regard to the average expense of repairing roads in the neighbourhood, extraordinary expenses have been incurred by such local government in repairing such road by reason of the damage caused by heavy traffic passing along the same, or extraordinary traffic thereon, such local government may recover in any court of competent jurisdiction



from any person by or in consequence of whose order such traffic has been conducted, the amount of such expenses as may be proved to the satisfaction of the court having cognisance of the case to have been incurred by such local government by reason of the damage arising from such traffic as aforesaid.

- (2) Any person against whom expenses are or may be recoverable under this section may enter into an agreement with such local government as is mentioned in this section for the payment to it of a composition in respect of such traffic, and thereupon the person so paying the same shall not be subject to any proceedings under this section.
- (3) For the purposes of this section the Minister shall be deemed the local government which is liable or authorised or has undertaken to repair any Government road, and he may in his name of office bring an action for recovery of expenses under this section accordingly: provided that any moneys recovered by him shall be credited to the Consolidated Fund.
- (4) Proceedings for the recovery of any expenses hereunder shall be commenced within 12 months of the time when the damage has been done, or where the damage is the consequence of any particular building contract or work extending over a long period, shall be commenced not later than 6 months after the completion of the contract or work.

#### 92 Roads may be closed

- (1) The Minister may, if he considers any road unsafe for public traffic, cause the same to be closed for such period as he considers necessary.
- (2) A local government for a period of one month may exercise a similar power with regard to any road under its control, but the exercise of such power shall not extend beyond such period, except with the approval in writing of the Minister.
- (3) No person shall drive, take, or use any vehicle on to or on any road while such road is closed under this section.

It's worthy to note that in March 2001, the Northern Territory Government increased the fine for driving on a closed road from \$50.00 to \$13,300.00 in recognition of the issue.

#### Comment

Council can provide a local law which imposes a fine for driving on a closed road, this would have a deterrent value if well-advertised but would be difficult to police. There would also be an issue with those that must travel on a closed road for access to residences, tourist accommodation etc.

The existing road closure signage at the edge of town requires upgrading to better reflect the roads that are closed and to what vehicle types the roads are closed to. I.E. open to 4wd vehicles only.

Similarly the signage that is put out at the end of the closed road needs to be upgraded to better reflect the section that is closed. I.E. North Road closed from shire border through to bitumen in Meekatharra Shire or Yeelirrie Road closed from shire border within the Sandstone Shire.

### **Consultation**

CEO

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

If signage is purchased to upgrade or replace existing signage, a budget of an estimated \$15,000 would be required.

### **Strategic Implications**

Nil

### **Voting Requirements**

Simple Majority

<b><i>Officer Recommendation</i></b>
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That Council

1. Approve the creation of a Local Law calling for a penalty of \$1000.00 per wheel for any vehicle caught traveling on a closed section of road without good reason to be on that section of road.
2. Approve the expenditure of \$15,000 for the replacement of the existing road closed entry signs, information signs and mobile signage to better convey the conditions or location of closed roads.

**OCM 31/12 Council Decision**

**MOVED CR WELLER**

**SECONDED CR KYANGA**

That Council

1. Approve the expenditure of \$15,000 for the replacement of the existing road closed entry signs, information signs and mobile signage to better convey the conditions or location of closed roads.
2. Hold over the decision on the creation of Local Law over to the April 2012 Ordinary Council Meeting.

**CARRIED 4/0**

**The Reason for change to Officer's Recommendation – because the councillors need more time to read the agenda and consider all issues to make a decision on the local law part of the report.**

**10.6. Committee Report**

**10.6.1. Goldfields Voluntary Regional Organisation of Councils (GVROC) Minutes of Special Meeting held 15 December 2011**

**Minutes of GVROC Special Meeting held 15 December 2011– see Appendix X – red pages.**

**OCM 32/12 Officer Recommendation and Council Decision**

**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**That Council:**

1. Receive the minutes of the Goldfields Voluntary Regional Organisation of Councils Special Meeting held 15 December 2011 for information; and
2. Endorse the Goldfields Voluntary Regional Organisation of Councils resolutions from the Special Meeting held 15 December 2011.

**CARRIED 4/0**

**10.6.2. Goldfields Voluntary Regional Organisation of Councils  
(GVROC) Minutes of Special Meeting held 25 January 2012**

Minutes of GVROC Special Meeting held 25 January 2012– see  
Appendix Y – blue pages.

<b><i>OCM 33/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR WELLER**

**That Council:**

- 1. Receive the minutes of the Goldfields Voluntary Regional Organisation of Councils Special Meeting held 25 January 2012 for information; and**
- 2. Endorse the Goldfields Voluntary Regional Organisation of Councils resolutions from the Special Meeting held 25 January 2012.**

**CARRIED 4/0**

**10.6.3. Goldfields Voluntary Regional Organisation of Councils  
(GVROC) Minutes of Meeting held 3 February 2012**

Minutes of GVROC Meeting held 3 February 2012 – see Appendix Z –  
oranges pages.

<b><i>OCM 34 /12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR PETTERSON**

**That Council:**

- 1. Receive the minutes of the Goldfields Voluntary Regional Organisation of Councils Meeting held 3 February 2012 for information; and**
- 2. Endorse the Goldfields Voluntary Regional Organisation of Councils resolutions from the Meeting held 3 February 2012.**

**CARRIED 4/0**

**10.6.4. Goldfields Esperance Regional Collaborative Group (GERCG)  
Minutes of Special Meeting held 25 November 2011**

Minutes of GERCG Special Meeting held 25 November 2011– see  
Appendix AA - green pages.

<b><i>OCM 35/12 Committee Recommendation and Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**That Council:**

- 1. Receive the minutes of the Goldfields Esperance Regional Collaborative Group (GERCG) Special Meeting held 25 November 2011; and**
- 2. Endorse the resolutions of the Goldfields Esperance Regional Collaborative Group (GERCG) at the Special Meeting held 25 November 2011.**

**CARRIED 4/0**

**10.6.5. Goldfields Esperance Regional Collaborative Group (GERCG)  
Minutes of Special Meeting held 15 December 2011**

Minutes of GERCG Special Meeting held 15 December 2011– see  
Appendix BB - yellow pages.

<b><i>OCM 36/12 Committee Recommendation</i></b>
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**MOVED CR PETTERSON**

**SECONDED CR WELLER**

**That Council:**

- 1. Receive the minutes of the Goldfields Esperance Regional Collaborative Group (GERCG) Special Meeting held 15 December 2011; and**
- 2. Endorse the resolutions of the Goldfields Esperance Regional Collaborative Group (GERCG) at the Special Meeting held 15 December 2011.**

**CARRIED 4/0**

**10.6.6. Goldfields Esperance Regional Collaborative Group (GERCG)  
Minutes of Meeting held 3 February 2012**

Minutes of GERCG Meeting held 3 February 2012 – see Appendix CC - purple pages and Appendix DD – pink pages.

<b><i>OCM 37/12 Committee Recommendation and Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**That Council:**

- 1. Receive the minutes of the Goldfields Esperance Regional Collaborative Group (GERCG) Meeting held 3 February 2012; and**
- 2. Endorse the resolutions of the Goldfields Esperance Regional Collaborative Group (GERCG) at the Meeting held 3 February 2012.**

**CARRIED 4/0**

**10.6.7. Audit Committee meeting held 28 February 2012**

**The meeting was not held.**

**Minutes of Audit Committee Meeting held 28 February 2012 – Appendix to be tabled.**

<b><i>Committee Recommendation</i></b>
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**That Council:**

- 1. Receive the minutes of the Audit Committee Meeting held 28 February 2012; and**
- 2. Endorse the resolutions of the Audit Committee Meeting held 28 February 2012 and appoint Grant Thornton as the Auditors for 2011/12 financial year for the amount of \$20,000.**

<b><i>OCM 38/12 Council Decision</i></b>
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**MOVED CR WELLER**

**SECONDED CR KYANGA**

**That Council:**

- 1. nominate Cr Kyanga, Cr Quadrio, and Cr Petterson to become members of the Audit Committee; and**

2. Audit Committee meeting to be held on 14 March 2012 at 10:00 am; and
3. Special Council Meeting be held to receive and endorse the minutes.

**CARRIED BY ABSOLUTE MAJORITY 4/0**

The Reason for change to Officer's Recommendation – Audit committee has been cancelled twice due to lack of quorum and more councillors are nominated on to the committee to ensure a lack of quorum does not prevent the meeting being held again. The second and third point is self-explanatory.

#### **10.7. Council Information Bulletin**

<b>10.7.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	00614
Reporting Officer:	Swimming Pool Manager
Date of Report:	9 February 2012
Disclosure of Interest:	Nil

#### **Purpose**

The purpose of this report is for council to receive information regarding the activities at the Swimming Pool.

#### **Pool Attendance**

December only had a couple of weeks of really hot weather, but numbers have been good.

There were 1015 patrons of which 151 were here for the Community Xmas party. This makes the December daily average 41 people per day.

January weather has also been quite mild. The week from the 7 - 15 the temperature was between 25 and 30 degrees which made it very quiet. There were 772 patrons with 136 at the Australia Day Breakfast. This makes the January daily average 29 per day.

#### **Events**

The Community Xmas party was held at the pool on 23 December 2011 and was a great event, with a lot of positive feedback. As this was held at very short notice it was a good turn out on the day.

The Australia Day Breakfast was also held at the pool, this was on Thursday 26 January. The decision to have a healthy breakfast was well received with 136 members of the public attending. Positive feedback was received.

### **Incidents**

A patron hurt their hand while executing a summersault and hit their hand on the edge of the pool. The parent was called and they retrieved the patron. This occurred on the 27 January. On the 30 of January the parent informed me that the patron had a fracture of the middle finger on the back of his right hand.

On Friday 27 January I twisted my left ankle, and had x-rays at the NAHS. This showed a dislodged bone fragment but no break. The Dr said that the ligaments had been torn and to try and keep off it as much as possible.

Incident reports have been filed for both of these incidents.

### **Maintenance**

During the cold weather in January maintenance on the change room/toilets was started. This consisted of bogging up the cracks and sanding back, the walls were then undercoated and sealed and painted. The floors were acid washed then painted with non-slip paint. The male and the disabled are now complete and the females have just been started. The work has been carried out by myself. The females will be completed within the next week.

The family BBQ area quotes are almost complete and hope to have full details and plans available in time for the next agenda. This is part of the Capital Expenditure for the beautification of the Wiluna pool.

Some of the brick pavers have subsided and these will also need to be relayed, this work will be completed by the end of February.

<b><i>OCM 39/12 Officer Recommendation and Council Decision</i></b>
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**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**That Council receive the "Council Information Bulletin Report."**

**CARRIED 4/0**

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

### **11.1 Notice of Motion from Shire President – Cr Harris**

Cr Harris has submitted a Notice of Motion for council to donate/forgo hire cost of \$272.00 (including \$100 bond) for the use of tables and chairs to be used at Dr Norm's funeral.



### **CEO's Comment**

In accordance with the Shire's Policy 1.10 – Donations - the CEO can't authorize a payment over \$100, therefore, the council needs to make this decision. The policy states that council will consider requests for donations from local and regional bodies and all such requests will be considered on merit.

The event has occurred and all table and chairs have been returned.

<b>OCM 40/12 Councillor Recommendation and Council Decision</b>
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**MOVED CR WEBB**

**SECONDED CR WELLER**

That Council donates Shire hire costs of \$172.00 to organisers of Dr Norm's funeral for the use of tables and chairs.

**CARRIED 4/0**

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

**Nil**

**13. Public Question Time**

**Nil**

*The meeting broke for a short recess at 4.31 pm and resume at 4.44 pm.*

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

<b>OCM 41/12 Council Decision – MEETING CLOSED TO PUBLIC</b>
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**MOVED CR KYANGA**

**SECONDED CR PETTERSON**

**That the meeting be closed to the public to deal with a confidential report dealing with a contract which may be entered into and a matter of commercially sensitive value.**

**CARRIED 4/0**

*Cr Webb joined the meeting at 4:47 pm.*

*Cr Quadrio declared a possible perceived close proximity interest on item 14.1 and left the Chambers at 4.48pm*

*Cr Quadrio returned to the Chambers at 5.40pm after item 14.1 had been dealt with.*

***OCM 44/12 Council Decision – MEETING OPEN TO PUBLIC***

**MOVED CR WEBB**

**SECONDED CR PETTERSON**

**That the meeting be re-opened to the public.**

**CARRIED 5/0**

The Chair advised that the following motions were decided when the meeting was closed to the public.

**14.1. EOC – Della Booker**

***OCM 42/12 Council Decision***

**MOVED CR PETTERSON**

**SECONDED WELLER**

That council:

Request the CEO to advise the Equal Opportunity Commission that the Shire of Wiluna offers a conciliation to Della Booker as documented and resolved behind closed doors and minuted in confidential items.

**CARRIED 4/0**

**14.2. Explanation of Cheque**

***OCM 43/12 Council Decision***

**MOVED CR PETTERSON**

**SECONDED CR WELLER**

That council receive the report explaining the nature of expenditure of a cheque presented at a previous meeting.

**CARRIED 5/0**

**15. Closure**

**The Chairman closed the meeting at 5.50 pm.**