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MINUTES

1. Declaration of Opening and Announcement of Visitors

The President welcomed everyone and opened the meeting at 1.02 pm.

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

Graham Harris (President)
Jim Quadrio (Deputy President)
Kim Ovens (Councillor)
Stacey Petterson (Councillor)
Bernie Weller (Councillor)

Tony Doust (Acting Chief Executive Officer)
Glenn Deocampo (Manager of Administration and Finance)

Apologies Chris Webb (Councillor)

3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

5. Applications for Leave of Absence

Nil

6. Notations of Interest

6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct

Nil

6.2. Financial Interest Local Government Act Section 5.60A

Nil

6.3. Proximity Interest Local Government Act Section 5.60B

Nil

7. Petitions and Deputations

Nil

8. Confirmation of Minutes of Previous Meeting

8.1. Ordinary Council Meeting 19th September 2012.

OCM 161/12 Council Decision

MOVED CR OVENS

SECONDED CR PETTERSON

The Minutes of the Meeting held on 19th September 2012 be accepted as a true record of the meeting.

CARRIED 5/0

9. Announcement Presiding Member without Discussion

Nil

10. Reports of Officers and Committees

10.1. Chief Executive Officer Reports

10.1.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Tony Doust Acting Chief Executive Officer
Date of Report:	16 th October 2012
Disclosure of Interest:	Nil

Purpose

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

Comments

Ordinary Council Meeting 28 September 2011

Golden West Resources Working Party

File Ref:

Council's decision:-

The Shire of Wiluna approach Golden West Resources regarding the formation of a Joint Working Party to:-

- (a) *Consider the action necessary to gain Local Government and Mining Industry support to lobby both State & Federal Governments to provide rail infrastructure to Wiluna to service bulk Iron Ore delivery to either or both Esperance and the proposed Oakajee Ports, and to make the development of the North Eastern Wiluna iron ore/manganese project made attractive for development.*
- (b) *To consider the requirements and approvals necessary to progress the establishment of Mine Workers accommodation within the townsite of Wiluna.*

At the Council meeting held on the 29th February the Chief Executive Officer reported that Mick Wilson, Director, and Golden West (GWR) had advised that 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). It was proposed to hold a meeting at the Shire on Tuesday 28 February 2012 commencing at 5.00pm and a BBQ tea to follow.

Council at its meeting on the 3rd April 2012 resolved accordingly:

"Council appoints Cr Quadrio, Cr Wongawol and Cr Petterson as members of the working party to progress matters with Golden West Resources in respect to infrastructure".

It was agreed at the Council meeting on the 27th June 2012 that as Councillors and GWR had other pressing commitments a meeting be held in October/November 2012.

The Acting Chief Executive Officer sent an email to GWR on 20th September 2012 asking when it will be suitable after the 20th October 2012 to start the process. To date a response has not been received.

Ordinary Council Meeting 23rd May 2012

Public Bus Service Wiluna File Ref: 00581

Arrangements were completed for this service and it commenced on the 4th October 2012. To date there has been no patronage. If this continues it is intended that the service will cease at the end of October 2012 as there will be a significant loss to the Shire without any fares.

Ordinary Council Meeting 27th June 2012

Digital TV Switchover File Ref: 00243

Council at its meeting on the 27th June 2012 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 helps 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."*

Recent enquiries revealed that this changeover is programmed to occur later this year. Information will be sent to all residents by the Digital Task Force.

Reserve 30771 Cnr Wall and Lennon Street Wiluna
File Ref: Lot 78

Council considered a report on all the Shire controlled land at its last meeting. Other than the above lot Council resolved that all land be retained for future requirements.

The above reserve is on the eastern boundary of the Hotel and its purpose is "Children's Playground". The property on the northern boundary was owned by the Shire some time ago and the house on this lot has been extended onto part of the Reserve.

The Department of Lands have been advised and progressing with the requirements to change the land. The Acting CEO is presently discussing with the Department of Lands the arrangements required for the survey work.

Review of Shire of Wiluna Local Laws.
File Ref: 00026

Council received a report on the Shire of Wiluna Local Laws. The report recommended that no changes were considered necessary and the Bushfire Brigades and Standing Orders Local Laws be advertised, advising that they have been reviewed and Council is satisfied that no changes are required at this time. The advertising has commenced and the period for comments closes on the 31st October 2012.

Ordinary Council Meeting 22nd August 2012

Lot 1467 (Reserve 30708) Transfer to the Ngangganawili Aboriginal Health Service (NAHS)
File Ref: 00243

The Council's decision to request the Department of Lands to transfer the above reserve to the NAHS has been implemented. A response to the request has not been received at this time.

OCM 162/12 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR QUADRIO

That Council receive this report and endorses the Chief Executive Officer's recommendations and actions that have not already been dealt with by a separate motion.

CARRIED 5 /0

10.1.2. Subject/Applicant:	Request to Close the Shire Offices during the Festive Season
File:	00330
Reporting Officer:	Tony Doust – Acting Chief Executive Officer
Date of Report:	8 October 2012
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's approval for the closure of the Administration Office during the festive season from Monday 24 December 2012 to Wednesday 2 January 2013 inclusive.

Background

The offices are traditionally closed over the festive season. In recent years the officers reported there was very little activity around the town and no complaints were received about the closure of the office during the festive season.

Comment

The main benefit in closing during this period is to allow staff ample time to travel safely to be with their families for Christmas Day.

If the officer recommendation is accepted, notice of closure will be included in the Shire Newsletter and notices placed around town.

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

It is essential that we meet the community's expectation in the delivery of services and this will be achieved with the swimming pool being open and the depot will operate on a skeleton staff.

Whilst the Administration Office will be closed, the normal line of delegation will apply. Officers required for decision making, including myself, will be available to be contacted and therefore an emergency situation or a decision required will be covered.

Council Options

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

1. Approve the closure dates recommended between Monday 24 December 2012 to Wednesday 2 January 2013 inclusive; or
2. Not approve the closure of the Administration Office.

Consultation

Depot Staff
Admin Staff

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Voting Requirement

Simple Majority

<i>OCM 163/12 Officer Recommendation & Council Decision</i>
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MOVED CR WELLER

SECONDED CR PETTERSON

That Council:

Approve the closure of the Administration Office between Monday December 24 to Wednesday 2 January 2013 inclusive.

CARRIED 5/0

10.1.3. Subject/Applicant:	RSM Bird Cameron – Financial Management Review
File:	00651
Reporting Officer:	Tony Doust – Acting Chief Executive Officer
Date of Report:	11 th October 2012
Disclosure of Interest:	Nil

Purpose

To provide Council with the review of the financial management systems and procedures used by the Shire of Wiluna.

Background

Section 5(2)(c) of the Local Government (Financial Management) Regulations require the CEO to:-

“undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.”

It has been some time since a review was conducted and the Acting Chief Executive Officer believed the timing was appropriate to undertake this. Quotations were obtained from UHY Haines Norton and RSM Bird Cameron to undertake the review and the proposal submitted by RSM Bird Cameron was accepted.

Comment

The review was conducted conjointly with the annual audit for 2011/12 and the following letter has now been received:-

“Report of Factual Findings

We have performed the procedures agreed with you to report factual finds for the purpose of assisting you in reporting to the Council on the appropriateness and effectiveness of the control environment within, as required by Local Government (Financial Management) Regulation 5(2)(c). The procedures performed are detailed in the terms of the engagement of 20 June 2012 and described below with respect to the appropriateness and effectiveness of the control environment within, as required by Local Government (Financial Management) Regulation 5(2)(c).

Management of Those Charged with Governance’s Responsibility for the Procedures Agreed

Management or Those Charged with Governance are responsible for the adequacy or otherwise of the procedures agreed to be performed by us.

*You are responsible for determining whether the factual findings provided by us, in combination with any other information obtained, provide a reasonable basis for any **conclusions which you or other intended users wish to draw on the subject matter.***

Assurance Practitioner's Responsibility

Our responsibility is to report factual findings obtained from conducting the procedures agreed. We conducted the engagement in accordance with Standard on Related Services ASRS 4400 Agreed-Upon Procedures Engagements to Report Factual Findings. We have complied with ethical requirements equivalent to those applicable to Other Assurance Engagements, including independence.

Because the agreed-upon procedures do not constitute either a reasonable or limited assurance engagement in accordance with AUASB standards, we do not express any conclusion and provide no assurance on the appropriateness and effectiveness of the control environment within, as required by Local Government (Financial Management) Regulation 5(2)(c) of the Shire of Wiluna for the period 1 July 2011 to 30 June 2012.

Restriction on Distribution and Use of Report

This report is intended solely for the use of the Acting CEO of the Shire of Wiluna for the purpose set out above. As the intended user of our report, it is for you and other intended users to assess both the procedures and our factual findings to determine whether they provide, in combination with any other information you have obtained, a reasonable basis for any conclusions which you wish to draw on the subject matter. As required by ASRS 4400, distribution of this report is restricted to those parties that have agreed the procedures to be performed with us and other intended users identified in the terms of the engagement (since others, unaware of the reasons for the procedures, may misinterpret the results). Accordingly, we expressly disclaim and do not accept any responsibility or liability to any party other than the Acting CEO of the Shire of Wiluna for any consequences of reliance on this report for any purpose.

Factual Findings

The procedures were performed solely to assist you in evaluating the appropriateness and effectiveness of the control environment within, as required by Local Government (Financial Management Regulation 5(2)(c). The procedures performed and the factual findings obtained are as outlined in the remainder of this report.

RSM Bird Cameron
S C CUBITT
Director"

A copy of the full report is attached as Appendix 10.1.3. (gold pages).

The Acting Chief Executive Officer has noted the findings and action has already or will be taken to rectify any procedures or practices that are not satisfactory, i.e. GST details on receipts, depositing cash in bank, wages and salaries authorisation for pay increases and removal of past employee and councillors returns from the financial register.

The major area of concern was the oversight by the past Chief Executive Officer not to call tenders for the maintenance grading contract work in 2011/12 the cost of which was well above the requirements to call tenders. The contract for maintenance grading has now been reviewed and the arrangements for 2012/13 and 2013/14 comply with the legislative requirements.

The omission by the past Chief Executive Officer not to advertise the date of the Annual Electors Meeting as required by the Act is noted and in future statutory advertising will be undertaken in accordance with legislation.

Consultation

Nil

Statutory Environment

Section 5(2)(c) Local Government (Financial Management) Regulations 1996

Policy Implications

No special policy with regard to the requirement to undertake the review.

Financial Implications

As per the report provided.

Strategic Implications

Shire of Wiluna Strategic Plan 2012-2023

Leading Wiluna

A strong, capable and well trained workforce and Council operating in a supportive and culturally sensitive work environment.

Voting Requirements

Simple Majority

OCM 164/12 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR WELLER

1. That Council receives and notes the content of the Financial Management Review conducted by RSM Bird Cameron.
2. Council expresses concern about the oversight by the former Chief Executive Officer not to call tenders for road maintenance grading undertaken in 2011/12, as the value of the work exceeds \$100,000 and not advertising the 2010/11 Annual Electors Meeting as required by the Local Government Act 1995.

CARRIED 5/0

10.1.4. Subject/Applicant:	Shire of Wiluna Draft Local Planning Strategy and Draft Local Planning Scheme No 2 – Final Adoption
File:	00088 & 00345
Reporting Officer:	Tony Doust – Acting Chief Executive Officer
Date of Report:	12 October 2012
Disclosure of Interest:	Nil

Purpose

For Council to:

- Consider the submissions received on the Shire's Draft Local Planning Strategy (Draft Strategy) and Draft Local Planning Scheme No.2 (Draft LPS2).
- Resolve to adopt the documents, subject to the modifications detailed in the attached Schedule of Submissions.
- Forward its resolution and recommendations to the Western Australian Planning Commission.
- Forward the Schedule of Submissions, including proposed modifications to the Draft Local Planning Strategy and Local Planning Scheme No.2, to the Western Australian Planning Commission, to seek final approval to the documents.

Background

The Shire's current Town Planning Scheme No. 1 (TPS1) has operated since its gazettal on 28 September 2001 and has controlled planning and development throughout the Shire since that time. At its ordinary Meeting held in July 2010, Council resolved to prepare a new Local Planning Scheme No.2 (LPS 2) which is intended to replace TPS1. The Shire also resolved to prepare a Local Planning Strategy to inform the preparation of LPS 2. The Shire engaged planning consultants, Urbis, to assist in preparing these 2 documents.

The preparation of these documents is a direct response to the Shire's Strategic Plan 2009-2014. This document identifies the review of TPS1 and the preparation of a Local Planning Strategy as key strategies for the Shire.

Other key actions of the Strategic Plan that have been addressed in the Draft Strategy and LPS2 include:

- Identify priority housing areas where housing is required in the short term.
- Work with the community to identify options for a community gathering space;
- Implement the Wiluna Streetscape Renewal Initiative;
- Ensure all Shire roads and streets are maintained and safe;
- Review and update a Local Government Municipal Heritage Inventory;
- Revitalise the town centre, support tourism and small business, and plan for growth and land development;
- Develop and implement a Town Centre Development Strategy;
- Work with the State Government to release new land for small business;
- Work with neighbouring Council's, GVROC and Mid-West Development Commission to identify new initiatives for Wiluna and the region;
- Develop a Wiluna tourism development plan;
- Actively market Wiluna, including Canning Stock Route and the Gunbarrel Highway, through regional and state-wide promotions;
- Encourage new tourism ventures; and
- Reflect the site for the new Wiluna AMS clinic and identify complimentary uses around it.

The Strategy provides guidance on the future growth and development of the Shire of Wiluna for the next 10-15 years. While the Strategy sets the broad strategic direction, the Local Planning Scheme is the statutory tool that establishes specific controls for land use and development. The draft Local Planning Strategy outlines, analyses and applies the wide range of relevant State, regional and local planning policies, strategies and other documents and analyses the various economic, environmental and social issues within the Shire. The Draft Strategy provides overall strategic directions and a wide range of specific strategies addressing issues throughout the Shire and provides the rationale for the land use and development controls in Draft LPS2.

Draft LPS2 is based on the Western Australian Planning Commission (WAPC) Model Scheme Text (a template for all new local planning schemes), and has been set out to provide for improved ease of interpretation. Among the new features of Draft LPS2 are:

- the introduction of a local planning policy framework, to provide a framework for the preparation and operation of local planning policies. These policies will assist in guiding decision-making and implementing Draft LPS2.

- the introduction of a 'Settlement' zone to ensure Aboriginal Communities with an approved Layout Plans are recognised in the local planning framework.
- the introduction of a 'Residential Development' zone to set aside portions of land for future residential subdivision and development to accommodate future growth. This zone introduces a requirement for overall planning to be undertaken in the first instance through the preparation of a structure plan/s over the site.
- the introduction of a 'Tourist' zone to ensure tourism development within the townsite occurs in appropriate locations and is of a high standard.
- the introduction of a 'Town Centre' zone to facilitate a vibrant mix of retail, commercial and community land uses within the area along Wotton Street.
- the additional of several new use classes to assist in the Shire's decision-making with respect to development applications.
- specific setback, parking and landscaping requirements for key land uses.

A copy of the Draft Local Planning Strategy Map and the Draft LPS2 Scheme Maps are provided as Appendix 10.1.4.(a)

The preparation of the Draft Strategy and Draft LSP2 has involved significant input and collaboration with a number of local partners, in particular the Wiluna Regional Partnership Agreement (RPA) which includes community, industry and government stakeholders. Meetings and workshops with the Wiluna RPA and the Shire were held in July and December 2010 to identify planning issues and consider the future direction of the Shire. Consultation with community members and other local stakeholders occurred during December 2010, including advertising of Council's intentions to prepare a local planning strategy in the Shire newsletter and West Australian, and a community barbecue. One-on-one meetings with government and community organisations occurred in from October 2010 through to April 2011.

DRAFT LOCAL PLANNING STRATEGY AND DRAFT LOCAL PLANNING SCHEME NO.2 (LPS2)

At its Ordinary Council Meeting of July 2011, Council adopted the 2 draft documents for public advertising. This Agenda Item included a detailed summary of the key planning issues and the responses proposed as part of the Draft Local Planning Strategy and Draft LPS2. A summary of these issues and the associated response is provided below:

PLANNING ISSUE	STRATEGY/SCHEME RESPONSE
Residential Land Supply	<ul style="list-style-type: none"> - Identification of 5 housing precincts and priority areas for new housing. - Priority areas include 'filling in the gaps' along existing streets to the north east of town as well as near the school, Shire offices, the new Aboriginal Medical Service (AMS) facility and along Lennon Street. - Larger housing lots can be provided to the east of town, where land is contained by mining activity. - Smaller cottage lots for elderly/aged care could be provided near the new AMS facility.
Residential Density and Housing Design	<ul style="list-style-type: none"> - Provision of R10 and R10/30 residential densities, with the higher coding designated closer to health and community facilities and the lower coding (R10) applied elsewhere, where larger lots are more desirable. - The R30 areas will be subject to design assessment and consideration of streetscape, amenity, privacy, noise etc. - This is consistent with current planning practices and specifically the WAPC's Liveable Neighbourhoods documents.
Bondini	<ul style="list-style-type: none"> - Establish a 'Settlement' zone for the identification of communities to be formally incorporated into the local planning framework.
Special Control Areas for Mining	<ul style="list-style-type: none"> - The Strategy identifies townsite development as a higher priority than mining for land within the established townsite boundary and accordingly, the Draft LPS2 deleted the 3 SCA's identified for mineral prospectivity that affect land within the townsite boundary.
Retail and Commercial Development	<ul style="list-style-type: none"> - The Strategy reinforces Wotton Street as the preferred location for new shops, offices and community services. - New buildings on prominent corners should be visually attractive, with street trees and footpaths incorporated to make Wotton Street a more pleasant walking environment. - Introduction of a 'Town Centre' zone, with the intention being to define a town core for commercial, retail and community development, provide design parameters and encourage a mix of land uses. There is a requirement for the preparation of Design Guidelines to guide this.

Attracting Tourists and Providing Additional Short Term Accommodation	<ul style="list-style-type: none"> - The Strategy identifies 2 new sites for tourist accommodation; the Old Primary School site and the Roadhouse site. Development on these sites will need to be prominent and attractive, and may be used for workers accommodation for mining companies, if they need it. - Introduction of a 'Tourist' zone to ensure tourist development occurs in appropriate locations.
General and Light Industry	<ul style="list-style-type: none"> - The Draft Strategy supports the continued development of general and light industry at the western end of Thompson Street. - Clarification is provided within Draft LPS2 as to the intent of both industrial areas in terms of the zone objectives and preferred land uses within each zone. - Whilst Council, at their OCM of July 2011, resolved to permit transient workers accommodation development in the Industrial zone only, this was not supported by the Western Australian Planning Commission, due to the potential for land use conflict.
Local Roads and Footpaths	<ul style="list-style-type: none"> - The Strategy and Scheme identifies new roads that are required to clearly show the boundary between public and private land, and provide a safer local street network.
Regional Roads	<ul style="list-style-type: none"> - The Draft Strategy reinforces the Shire's priority for the sealing of the Goldfields Highway. - The Draft Strategy recognises the Canning Stock Route and Gunbarrel Highway as key tourist routes.
Environment and Conservation	<ul style="list-style-type: none"> - The Draft Strategy supports the conversion of 3 pastoral leases to Local Conservation Reserves, based on advice from the Department of Environment and Conservation. - Introduction of a Local 'Conservation' Reserve to appropriately manage conservation, some recreation, scientific research and management of Aboriginal heritage.
General Improvements to LPS2	<ul style="list-style-type: none"> - The use class table within TPS1 has been significantly expanded to provide better variety and a contemporary mix of land uses that are anticipated in Wiluna. This will provide more guidance to both Councils and Applicants on use class permissibilities and appropriateness. - Introduction of new setback requirements for non-residential development.

	<ul style="list-style-type: none">- Introduction of new parking requirements.- Introduction of new landscaping requirements.
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Comment

Planning and Development Act 2005

The *Planning and Development Act 2005* (the Act) requires local governments to review their planning scheme every five years. In accordance with the Shire's statutory requirements under the Act, the review of the Scheme needs to be informed by a Local Planning Strategy. The new Scheme must align with provisions in planning law (*Planning and Development Act 2005*) and comply with the State Government Model Scheme Text guideline. The Act and Model Scheme Text requires all new town planning schemes to be renamed 'Local Planning Schemes'.

Town Planning Regulations 1967

The Town Planning Regulations 1967 (the Regulations) govern the preparation and amendment of local planning schemes and related instruments. Further, the Regulations include a Model Scheme Text, which is a template document used by local governments to guide the preparation of their local planning schemes. The MST forms Appendix B of the Regulations.

Regulation 16(3) of the Regulations requires that 'a responsible authority shall promptly acknowledge in writing the receipt of each submission received by it'. The Shire has engaged Urbis to provide submitters with a written response, acknowledging their submission.

Regulation 17 requires that submissions shall be considered and that the responsible authority (Council) shall pass a resolution that the Scheme be:

- adopted with modifications;
- adopted without modifications; or
- not proceeded with.

This report recommends that Council resolve to adopt the Scheme subject to modifications set out in the attached Schedule of Modifications.

Regulation 18 requires the responsible authority (Council), within 28 days of passing a resolution on the adoption of the Scheme, to forward to the Commission:

- the Scheme documents;
- a Schedule of Submissions made on the Scheme;
- the Shire's recommendations made in respect of those submissions;
- the modifications (if any) recommended to the Scheme; and

- a copy of its resolution.

The attached Schedule of Submissions incorporates a recommended response to each point of each submission and accordingly, addresses the requirements of Regulation 18.

Similarly, Regulation 12B requires the local government to review the advertised Local Planning Strategy in light of any submissions made and advice received, and adopt the Local Planning Strategy with such modifications to give effect to the submissions and advice, and to then submit a copy of the Local Planning Strategy to the Commission.

It is important to highlight that, at this stage of the process, it is not necessary to alter the formal scheme documents, as a final decision on the Strategy and Scheme is yet to be made by the Minister.

Because the draft Local Planning Strategy has been advertised concurrently with Draft LPS2, many submissions relate to both documents. Accordingly, a single Schedule of Submissions, attached, includes all submissions received, whether relating to one or both of Draft LPS2 and the Draft Local Planning Strategy. The attached Schedule of Modifications separately specifies recommended modifications to Draft LPS 2 (Scheme Text and Scheme Maps) and the Draft Local Planning Strategy (Strategies Document and Background Document).

The Regulations provide that a local planning scheme is approved by the Minister and that a local planning strategy is endorsed by the Commission. In each case, these documents may be subject to required modifications, and in the case of substantial modifications, may be required to be re-advertised.

Modifications to Draft Strategy and Scheme

Based on the review and comments on the submissions received it is recommended that modifications to the Draft Strategy and LPS2 as follows:

- Classification of the Kutkububba Aboriginal Community in a 'Settlement' zone.
- Retention of 2 Special Control Areas, including the transfer of SCA provisions from TPS1, to Draft LPS2. Text amendments to the Draft Strategy will also be required.
- Removal of Local 'Conservation' Reserve from Draft LPS2 and amend text within Draft Strategy.

A number of minor modifications to the Draft Strategy and Draft LPS2 are also recommended, based on submissions received. The submitter which requested each modification is identified in brackets:

- Insertion of a transitional clause into Part 6 of the Draft LPS2, stating that all heritage places in the existing LPS2 are deemed to be included in the new Heritage List, without the need for consultation (State Heritage Office).

- Deletion of the use class 'Industry-Mining' from Table 1 of the Draft LPS2 (DMP).
- Amend the 'Shire Wide Land Use Plan' of the Draft Strategy to show the location of a geoheritage site (DMP).
- Amend the Draft Strategy to include a map showing the distribution of mines and mineral deposits within the townsite and broader Shire area (DMP).
- Amend the Draft Strategy to include text provided by the Department of Mines and Petroleum in relation to the geological context of the Shire (DMP).
- Amend Section 4.2 of the Strategy in relation to the Special Control Areas to reflect the changes stated above (DMP).
- Amend Draft Strategy to include reference to the requirement for all development to be in accordance with the *Draft Country Sewer Policy* (DoH).
- Amend Draft Strategy to include additional contextual information on public health (DoH).
- Removal of reference to discussions held with Magellan in Section in 6.9.1 of the Draft Strategy (MRWA).

Further, given the Shire will not be proceeding with the Town Park Concept Plan, prepared by Mary Jeavons Landscape Architect (2011), modifications to Section 3.3.3 and 4.7 of the Draft Strategy will be required to be undertaken.

Following Council adoption of the Draft Local Planning Strategy and Draft LPS2, The Department of Planning will assess the information received for the purpose of reporting to the WAPC, in the form of a recommendation to the Minister. This assessment will generally again include informal liaison with the Shire as necessary, to ensure the WAPC and the Minister can be made aware of any details or additional information to assist in their determination.

Following its consideration of the above information and recommendations, the WAPC will make its recommendation to the Minister. This may include recommended modifications, and in the case of substantial modifications may also include a recommendation that specific modifications to the scheme be re-advertised.

Council's endorsement of the Draft Local Planning Strategy and Draft LPS is recommended, with modifications, for the following reasons:

- The Draft Local Planning Strategy provides the planning direction for sustainable growth and development of Wiluna for the next 15 years.
- The Draft LPS will provide the legal tool for implementing the Strategy, guiding land use, development control and infrastructure coordination within the town and broader Shire.

- The modifications recommended are in accordance with State Planning Policy and other Government processes, and are not considered to be substantial in nature.

Consultation

Advertising of Draft Local Planning Strategy and Local Planning Scheme No.2

The Shire's Draft Local Planning Strategy and Draft LPS2 were formally advertised from 30 April 2012 to 30 July 2012. Advertising was undertaken by way of publication in the Government Gazette, the West Australian and the Shire's website. Throughout the advertising period, the documents were also on display at the Shire's Administration Centre.

Submissions Received

A total of 12 submissions were received during the formal advertising period, from the following Government agencies and service providers:

- State Heritage Office
- Department of Transport
- Main Roads WA (MRWA).
- Mid-West Development Commission (MWDC).
- Department of Indigenous Affairs (DIA).
- Department of Regional Development and Lands (RDL).
- Department of Water (DoW)
- Department of Agriculture
- Department of Education (DoE).
- Department of Mines and Petroleum (DMP)
- Department of Health (DoH).
- Department of Environment and Conservation (DEC)

All submissions received have been summarised into a Schedule of Submissions, which accompanies this report. (Appendix 10.1.4(b) yellow pages). All matters raised in the submissions have been responded to, with clear recommendations for modifications to the Draft Strategy and Scheme provided, where required.

An outline of the key issues raised in the submissions and the recommended response to each, is provided below.

Key Issues

Special Control Areas – Gold Mineralisation

The existing TPS1 identifies 3 Special Control Areas (SCA's) within the existing townsite boundary. These areas were chosen based on the presence of gold mineralisation and the potential for these areas to be mined in the future. The purpose of the SCA's, in accordance with TPS1, is to

‘protect the designated areas from the development of uses which may conflict with future mining activity’.

The western most SCA impacts on a portion of Industrial zoned land to the south of Paterson Street. The SCA immediately west of the school is largely contained within an area zoned for Open Space and a Public Purpose Reserve, and the SCA located south of Wells Street incorporates the Shire offices, existing Shire housing and the existing Residential zoned land to the north and south. Under TPS1, all development within this area requires planning approval, a process which requires referral to the DMP for comment. The Shire, however, has the discretion to refuse or approve the application, with or without conditions, having regard to the DMP’s comments.

An extract of TPS1 showing the current location of the 3 SCA’s is provided below:

FIGURE 1 – SHIRE OF WILUNA TPS1 EXTRACT (SOURCE: WAPC 2012)



In preparing the Draft Strategy and Draft LPS2, liaison with the DMP was undertaken. DMP indicated that the SCA’s represent a notional 250m buffer

to these mineralisation areas, however in accordance with EPA Guidelines a 500m buffer is required to protect sensitive land uses from mining activities. DMP indicated that, should the areas be developed for resource extraction, the 250m buffer would not be sufficient, however the 500m buffer would effectively cover the whole Wiluna townsite. Accordingly, given the limited benefit the SCA buffer would have, together with Council's desire for the future growth of the town to take precedent over future mining activity, both the Draft Strategy and Draft LPS2 removed reference to the 3 SCA's as previously identified in TPS1.

Through the advertising process, the DMP strongly objected to the removal of the SCA's on the basis that it may jeopardise the long term economic prosperity of the town if mining of unknown mineralisation cannot proceed due to the encroachment of sensitive land uses nearby. Whilst these concerns are acknowledged, it is highlighted that the area covered by the SCA located south of Wells Street covers a significant portion of existing townsite development, as well as a significant growth area of town. Retaining a SCA over this portion of land would present a conflicting position on the future growth of the town.

The Wiluna townsite is constrained by industrial development to the west, mineralisation to the east and cultural, tenure and servicing constraints to the north-east. Therefore, the residential precinct to the south represents a logical extension to the town, close to existing services.

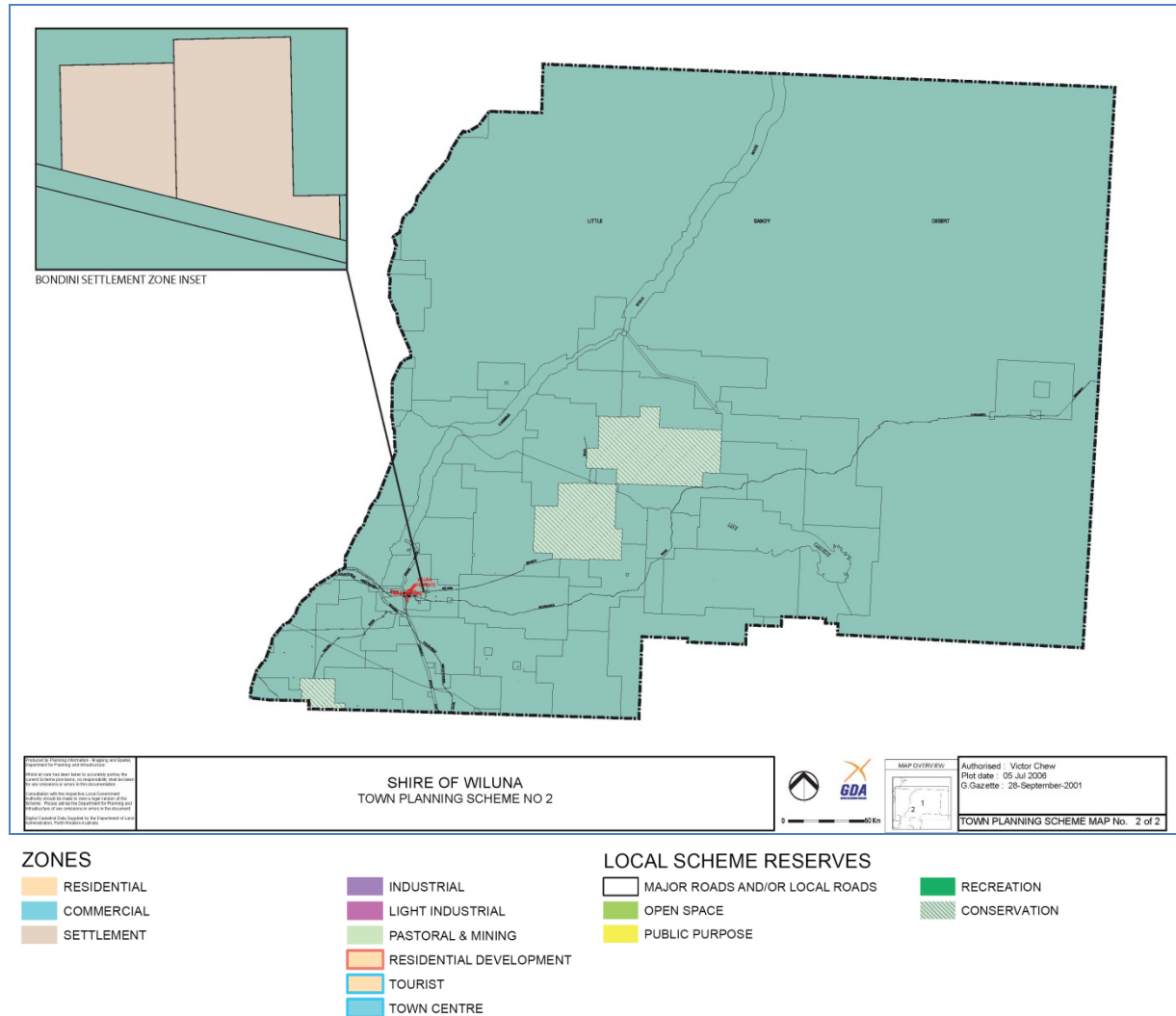
In considering the above, it is recommended the eastern SCA remains deleted to ensure the Shire takes a strong position on townsite development being a higher priority for land within the existing townsite boundary, as opposed to mining. However, given the central and western SCA's do not impede on areas identified for future residential growth, it is recommended these SCA's be reinstated. This will require an amendment to the Draft LPS2 Scheme Map to reflect this, as well as reinstating the 'Special Control Area' provisions currently provided within TPS1.

Under the Draft LPS2, planning approval will continue to be required for all development within the SCA's, requiring referral to the DMP for comment. The Shire, however, will continue to have the discretion to refuse or approve the application, with or without conditions, having regard to the DMP's comments.

Local Conservation Areas

Based on advice from the Department of Environment and Conservation, the pastoral leases of Lorna Glen, Earahedy and Kaluwiri are required for managed conservation, recreation, scientific research and management of Aboriginal heritage under a joint management agreement with Central Desert Native Title Claimant Group. To support the management and protection of sites of environmental value within the Shire, a Local 'Conservation' Reserve was introduced into Draft LPS2. An extract of Draft LPS2 showing the location of the 3 conservation areas is provided below:

FIGURE 2 – PROPOSED CONSERVATION AREAS – DRAFT LPS2 (SOURCE: SHIRE OF WILUNA 2012)



Through the submission process, the DMP advised that the reservation of local conservation areas is a process which is required to be undertaken separately to the local planning scheme review process, under the *Land Administration Act 1997*. It is understood this process requires a whole of government decision, including agreement by DMP to ensure economic considerations are addressed. Based on further discussions with the Department of Planning (DoP) with respect to this matter, it has been confirmed this is the case.

Accordingly, it is recommended these 3 areas are reinstated within the 'Pastoral and Mining' zone. This will require removal of the Local 'Conservation' reserve from the Scheme Map and Text. Whilst the Draft Local Planning Strategy can still support the conversion of these areas into Conservation Parks through its key objectives and strategies (Section 5.1 of the Draft Strategy), it is recommended the key action be amended as follows:

'Promote the classification of the Lorna Glen, Earraheedy and Kaluwiri Pastoral Leases as Conservation Parks (DEC)'.

It is recommended further liaison with the Department of Environment and Conservation (DEC) is undertaken to facilitate this process, subsequent to the gazettal of the Draft Local Planning Strategy and Draft LPS2. The reservation of these areas in the Shire's Scheme can then be facilitated through a typical scheme amendment process.

Aboriginal Communities – Settlement Zones

As part of the preparation of Draft LPS2 and Draft LPS2, a 'Settlement' zone was introduced in accordance with *State Planning Policy No.3.2 – Aboriginal Communities* (SPP 3.2). One of the key requirements of SPP 3.2 is to recognise Aboriginal settlements through local planning schemes and strategies through a designated 'Settlement Zone', in circumstances where Layout Plans have been prepared and adopted. Further, schemes are required to include relevant provisions which require development within a community to be in accordance with an endorsed Layout Plan.

In accordance with SPP 3.2, the Bondini Aboriginal Community was classified in this zone. A Layout Plan for Bondini was originally adopted by the WAPC on 24 February 2004, with an amendment recently considered by Council.

At the time of preparing the Draft Strategy, however, the Kutkububba Aboriginal Community was not subject to an adopted Layout Plan and therefore the community remained in the 'Pastoral and Mining' zone. Given we're now aware that the WAPC is in the process of adopting a Layout Plan for Kutkububba, it is recommended the Draft Scheme amended to include Kutkububba within a Settlement zone. This will also require a number of minor textual amendments to the Draft Strategy.

Mapping will be required to be obtained from the Department of Planning to ensure the zoned area accurately reflects the boundaries of the community.

Financial Implications

The Shire will incur costs for advertising the gazettal of Draft LPS2 and the Draft Local Planning Strategy. Further, the Shire will incur costs for printing copies of the final gazetted version of the documents (Scheme Text, Scheme Maps and the Local Planning Strategy Background and Strategies Documents).

Gazettal of Draft LPS2 may result in some additional subdivision and development potential. In due course, this may lead to increases in the Shire's rates base.

The Shire has an existing contract with planning consultants Urbis to manage the finalisation of the Draft Strategy and Draft LPS 2 for final adoption.

Funding has been provided in 2012/13 budget to complete and advertise as outlined.

Policy Implications

Shire of Wiluna Strategic Plan 2009-2014.
Various State Planning Policies (SPP's).
Various Development Control Policies.

Strategic Implications

Key Action of the Shire's Strategic Plan 2009-2014 is to 'review the Town Planning Scheme No.1 to work with the State Government to release new land for small business' and 'develop a Local Area Planning Strategy as a masterplan to guide town planning, land use and release, and use of Council owned buildings and facilities.

Council's consideration of the submissions made on Draft LPS2 and the Draft Local Planning Strategy will progress the documents to gazettal and operation, which will facilitate the achievement of these key strategic actions.

OCM 165/12 Officer Recommendation & Council Decision

MOVED CR HARRIS

SECONDED CR PETTERSON

That Council:

- 1. pursuant to Regulations 12B(3) and 17(1) of the Town Planning Regulations 1967, resolves to recommend that submissions on the Shire's Draft Local Planning Scheme No.2 and the Shire's Draft Local Planning Strategy be upheld (in whole or part), noted or dismissed in accordance with the Recommendations column of the Schedule of Submissions;**
- 2. pursuant to Regulations 12B(3) and 17(2) of the Town Planning Regulations 1967, resolves to finally adopt Local Planning Scheme No.2 and the Local Planning Strategy subject to the modifications set out in the Schedule of Modifications; and**
- 3. pursuant to Regulations 12B(3) and 18 of the Town Planning Regulations, forwards its resolution, along with the Schedule of Modifications, Schedule of Submissions and attachments thereto, to the Western Australian Planning Commission, seeking the approval of the Hon Minister for Planning and the Western Australian Planning Commission of Local Planning Scheme No.2 and the Local Planning Strategy respectively.**
- 4. acknowledge, in writing, the receipt of each submission received.**

CARRIED4/1

Cr Quadrio voted against the motion on the reason that he cannot support the concept of promoting the classification of Lorna Glenn, Earheedy and Kaluwin Pastoral leases as conservation parks.

10.2. Principal Environmental Health Officer and Building Surveyor Report

Nil

10.3. Manager of Corporate Services Reports

Nil

10.4. Manager Finance & Administration Reports

10.4.1. Subject/Applicant:	Accounts Paid by Authority
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	15 October 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 period ending 30 September 2012 are listed as Appendix 10.4.1. (blue pages).

Consultation

Nil

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

OCM 166/12 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR PETTERSON

That the accounts paid by authority for the period ending 30 September 2012 totalling \$864,040.98 including the funds transfer of \$550,000.00 be received, endorsed and incorporated in the Minutes of the meeting.

CARRIED 5/0

10.4.2. Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	15 October
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 30 September 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 30 September 2012 are listed as Appendix 10.4.2. (green pages).

Comment

Nil

Consultation

Nil

Statutory Environment

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

Voting Requirement

Simple majority

OCM 167/12 Officer Recommendation & Council Decision

MOVED CR WELLER

SECONDED CR HARRIS

That Council adopt the Financial Reports for the period ending 30 September 2012 as presented.

CARRIED 5/0

10.4.3. Subject/Applicant:	Sundry Debtors for Write-Off
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Administration
Date of Report:	12 October 2012
Disclosure of Interest:	Nil

Purpose

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

Background

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

Comment

On 19th June 2012 Council meeting, the Council approved the write off of sundry debtors amounting to \$3,050.43 which were unrecoverable. Further review and actions were done on the remaining debtors' accounts. Two accounts were identified and followed up. The company has gone into liquidation and whilst the majority of the debt was paid a small balance is outstanding.

The debts were provisioned in 2011/2012 and writing off have no impact on the operating result.

Consultation

Acting Chief Executive Officer

Statutory Environment

Local Government Act 1995 Section 6.12

Policy Implications

Nil

Financial Implications

The provision for Doubtful debts has a balance of \$9,450.31 as at 30 September 2012. After the amount to now be written off there will be a balance of \$8,819.01.

Strategic Implications

Nil

Voting Requirement

Absolute majority

<i>OCM 168/12 Officer Recommendation & Council Decision</i>
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MOVED CR OVENS

SECONDED CR PETTERSON

That the Council approves the write-off of the following debts considered unrecoverable totalling \$631.30.

Nooda Aboriginal Corporation	\$ 77.91
Nooda Ngulegoo Aboriginal Corporation	\$553.39

CARRIED 5/0 by Absolute Majority

10.4.4	Subject/Applicant:	Audit Report 2011/2012
	File:	00392
	Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
	Date of Report:	15 October 2012
	Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to receive the audit report for the year ended 30 June 2012 and to set the date and place of the Annual Meeting of the Electors.

Background

Section 7.9 of the Local Government Act 1995 requires that the Audit Report for the financial year ended 30 June 2012 be forwarded to the Local Government within 30 days of completion of the audit. The audit was completed on 15th October 2012.

RSM Bird Cameron was appointed by the Council in a special council meeting on 14th March 2012 as the auditors of the Shire of Wiluna for the period 1st July 2011 to 30th June 2012.

The auditors commenced with the interim audit for financial year 2011/12 on 10th -11th May 2012, and attended the Shire of Wiluna during the period of 20th -24th August 2012 to obtain final information to allow the report to be completed.

The Audited Financial Report in Appendix 10.4.3. (ivory pages) and Audit report was received on 16 October 2012.

Comment

The following audit report has been received:



RSM Bird Cameron
8 St Georges Terrace Perth WA 6000
GPO Box R1253 Perth WA 6844
T +61 8 9261 9100 F +61 8 9261 9111
www.rsmi.com.au

**INDEPENDENT AUDITOR'S REPORT
TO THE RATEPAYERS OF THE SHIRE OF WILUNA**

Report on the Financial Report

We have audited the financial report of the Shire of Wiluna (the Shire), which comprises the statement of financial position as at 30 June 2012 and the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date and a summary of significant accounting policies and other explanatory notes and the statement by the Chief Executive Officer.

Shire's Responsibility for the Financial Report

The Shire is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations), the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. Our audit has been conducted in accordance with Australian Auditing Standards. Those standards require that we comply with the relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial report.

We performed the procedures to assess whether in all material respects the financial report presents fairly, in accordance with the *Local Government Act 1995 Part 6* and Australian Accounting Standards (including the Australian Accounting Interpretations), a view which is consistent with our understanding of the Shire's financial position and of its performance.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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scheme approved under
Professional Standards
Legislation

Birdanco Nominees Pty Ltd
ABN 33 009 321 377
Practising as
RSM Bird Cameron
ABN 65 319 382 479

Major Offices in:
Perth, Sydney,
Melbourne, Adelaide
and Canberra

RSM Bird Cameron is a member of the RSM network. Each member of
the RSM network is an independent accounting and advisory firm which
practises in its own right. The RSM network is not itself a separate legal
entity in any jurisdiction.



Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

Auditor's opinion on the Financial Report

In our opinion, the financial report of the Shire of Wiluna:

- (i) gives a true and fair view of the financial position of the Shire of Wiluna as at 30 June 2012 and of its financial performance for the year ended on that date; and
- (ii) complies with the *Local Government Act 1995 Part 6* and the Regulations under that Act and Australian Accounting Standards (including the Australian Accounting Interpretations).

Statutory Compliance

We did not during the course of our audit become aware of any instances where the Shire did not comply with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* as they relate to the financial report.

RSM Bird Cameron
RSM BIRD CAMERON

SC Cubitt
S C CUBITT
Director

Perth, WA
Dated: 15 October 2012

Consultation

RSM Bird Cameron

Statutory Environment

Local Government Act 1995 – Section 7.9 “Audits to be conducted”
Local Government Act 1995 – Section 7.12A “Duties of Local Government with Respect to Audits”

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirement

Simple majority

<i>OCM 169/12 Officer Recommendation & Council Decision</i>
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MOVED CR QUADRIO

SECONDED CR PETTERSON

1. That Council receive the audit report for the year ended 30 June 2012 as presented in the comment section.
2. That the Acting Chief Executive Officer complete the Annual report for 2011/2012 for consideration by the Council at its meeting on 28th November 2012
3. That the Annual Meeting of Electors be held on 11th December 2012 at 7 pm in Wiluna Recreation Centre.

CARRIED5/0

10.5. Works Manager Report

Nil

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

Nil

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

OCM 170/12 Officer Recommendation

MOVED CR HARRIS

SECONDED CR OVENS

That Council agrees to consider the following late item.

CARRIED 5/0

12.1. Subject/Applicant:	Integrated Planning and Reporting – Requirements – Local Governments
File:	
Reporting Officer:	Tony Doust – Acting Chief Executive Officer
Date of Report:	23 rd October 2012
Disclosure of Interest:	Nil

Purpose

To receive the information provided by KPMG through the Goldfields Esperance Regional Collaborative Group for the Shire of Wiluna and the Regional Business Plan for the group.

Background

The Local Government (Administration) Regulations 1996 were amended in August 2011 to include the following requirements:

“19C. Strategic community plans, requirements for (Act s.5.56)

- 1. A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- 2. A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- 3. A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- 4. A local government is to review the current strategic community plan for its district at least once every 4 years.*
- 5. In making or reviewing a strategic community plan, a local government is to have regard to –
 - a. the capacity of its current resources and the anticipated capacity of its future resources; and*
 - b. strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - c. demographic trends.**
- 6. Subject to sub regulation (9), a local government may modify its strategic community plan; including extending the period the plan is made in respect of.*

7. *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
8. *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
9. *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
10. *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

19DA. Corporate business plans, requirements for (Act s. 5.56)

1. *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
2. *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
3. *A corporate business plan for a district is to –*
 - a. *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - b. *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - c. *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
4. *A local government is to review the current corporate business plan for its district every year.*
5. *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
6. *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
7. *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan."*

Comment

Council implemented the requirements of Section 19C of the Local Government (Administration) Regulations 1996 and adopted a Shire of Wiluna Strategic Plan 2012-2023 at its meeting on the 27th June 2012.

The Council decided in late 2011 to participate in the Goldfields Esperance Collaborative Group (GERCG) to progress the requirements of Section 19DA of the Local Government (Administration) Regulations 1996. At the meeting of the GERCG on 25th November 2011 the board resolved:

- “1. GERCG Board endorses the appointment of KPMG as the preferred consultant to undertake the following work for the Goldfields Esperance Regional Collaborative Group.*
 - a. The preparation of a Regional Business Plan that will identify core functions and services that could be delivered more efficiently through shared service arrangements at a regional level at a cost of \$460,325 (inc GST and Exp) in accordance with the submitted proposal and addendums; and*
 - b. The preparation of corporate documentation for each Member Council as per the scope of works on pages 4 and 5 of KPMG’s Revised Expression of Interest proposal, advancement in the Integrated Strategic Planning process. KPMG is therefore to take account of the work completed by individual Member Councils and is to ensure that equivalent resources are allocated to each Member Council. This may see some Member Councils being able to advance their Integrated Strategic Planning further without needing to contribute additional funding into the GERCG funding pool for this project.*
- 2. Project Officer’s report be received.”*

In accordance with this resolution KPMG commenced work on the GERCG project.

Since this time KPMG has met with Member Councils at both individual Council level and at GERCG Board level. These meetings have been conducted to allow for the completion of deliverables as they relate to the preparation of the following plans:

- Goldfields Esperance Regional Collaborative Group Regional Business Plan;
- Strategic Community Plans for all 10 GERCG Member Councils;
- Corporate Business Plans for all 10 GERCG Member Councils;
- Asset Management Plans for all 10 GERCG Member Councils;
- Workforce Plans for all 10 GERCG Member Councils; and

- Long-term Financial Management Plans for all 10 GERCG Member Councils;

KPMG has also met with the GVROC Technical Officers Working Group on a number of occasions to further progress the project. The most recent of these meetings, held on Wednesday 1 August and Thursday 24 August 2012, were to consider a draft of the GERCG's Regional Business Plan. The outcome of these meetings and additional comment provided by the GERCG's CEO and Executive Officer provide the basis for the final draft to be presented by KPMG to GERCG's Member Councils on 19th October 2012.

The GVROC Technical Officers Working Group also met with officers from the Department of Local Government on Thursday 24 August to consider the draft Regional Business Plan.

At a meeting of GERCG held on 19th October 2012 KPMG provided member local governments with copies of the Regional Business Plan and each local government with their individual, Corporate Business Plan, Long Term Financial Plan, Asset Management Plan and Work Force Plan. As significant funding was provided by the Department of Local Government to assist GERCG with the cost of both the Regional Business Plan and the individual plans for each local government the collaborative group is required to confirm with the department that the project is completed. GERCG Council requested that each council be asked to respond to the information provided by KPMG by the 23rd November 2012.

Given that the information has only been received and is based on the assessment of our position by external consultants the Acting CEO is not asking Council to consider or accept the documentation provided for the Shire for Integrated Planning, as this needs to be properly assessed prior to any public release or consideration by Council. The Council is not required to have the requirement of Section 19C and 19DA of the Local Government Act (Administration) Regulations 1996 in place until 1st July 2013.

With regard to the Regional Business Plan it is recommended that Council adopts the plan as it is a format/process and does not include any special cases for regional participation. Five business cases have been drafted and require further consideration by officers prior to making any recommendation to the GERCG Board.

Consultation

GERCG Meeting 19th October 2012.

Statutory Environment

Local Government Act 1995 – Section 5.56 and Local Government (Administration) Regulations 1996 19C and 19DA

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The Integrated Planning Process links back to the Shire of Wiluna Strategic Plan 2012-2023 and other long term financial implications.

Voting Requirements

Simple Majority

OCM 171/12 Officer Recommendation & Council Decision

MOVED CR PETTERSON

SECONDED CR WELLER

Council resolves to:

1. Note that the Acting Chief Executive Officer has received copies of the following from KPMG:
 - 1st Draft Shire of Wiluna Asset Management Plan
 - 1st Draft Shire of Wiluna Long Term Financial Plan
 - 1st Draft Shire of Wiluna Corporate Business Plan
 - 1st Draft Shire of Wiluna Work Force Plan
2. That the Acting Chief Executive Officer considers the documentation provided and report to the Council on the documents by 31st March 2013.
3. That the Goldfields Esperance Regional Collaborative Group be advised that the Council has received the Draft Plans provided (as per Item 1 above) from KPMG and will utilize/review the information to finalize and adopt an Asset Management Plan, (4) year Long Term Financial Plan, Corporate Business Plan and Work Force Plan for the Shire of Wiluna, prior to 30th June 2013.
4. That the final draft Goldfields Esperance Regional Collaborative Group Regional Business Plan (not including draft business cases) as presented by KPMG be endorsed in principal.
5. The (5) draft Regional Business Cases be considered by the GVROC Technical Officers Group for referral to the GERCG Board at a future meeting.

CARRIED 5/0

13. Public Question Time

Nil

14. Matters Behind Closed Doors

Nil

15. Closure

The meeting was closed at 2.25 pm