

Shire of Wiluna

MINUTES



Ordinary Meeting of Council

Held

Tuesday 9th April 2013 1.00 pm
(Rescheduled from 26th March 2013
due to lack of quorum)

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MINUTES

NOTE

The advertised OCM of 27th March 2013 was cancelled due to the lack of a quorum and was rescheduled for 9th April 2013.

1. Declaration of Opening and Announcement of Visitors

The President 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)
Chris Webb (Councillor)
Kim Ovens (Councillor)

Tony Doust (Chief Executive Officer)
Glenn Deocampo (Finance & Administration Officer)

Apologies

Stacey Petterson (Councillor)

Leave of Absence

Bernie Weller (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 27th February 2013

OCM 022/13 Council Decision

MOVED CR WEBB

SECONDED CR OVENS

The Minutes of the Meeting held on 27th February 2013 be accepted as a true record of the meeting.

CARRIED 4/0

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:	27 th March 2013
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.

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".

Mr Mick Wilson and Mr Craig Ferrier from Golden West Resources attended the Council meeting on the 28th November 2012 and addressed Council on the present state of their operations. Council resolved at its meeting on the 28th November 2012 for Cr G Harris to fill the vacancy on the working party created by Cr Wongawol no longer being a Councillor. It was also agreed to progress the working party with the first meeting to be held in early February 2013. Several dates have been sent to GWR for consideration.

The Chief Executive Officer has made several attempts (November 2012 & 22nd January 2013) by email to contact Mr Wilson to arrange a meeting and has not received any response.

Council at its meeting on the 27th February 2013 adopted the CEO recommendation that Golden West Resources be advise that as they have not proceeded as per the discussion with Council on the 28th November the Working Group will be disbanded.

Mick Wilson was informed of the Councils decision and has now advised (4th March 2013) that he wishes to continue with the Working Party. The CEO has responded to Mr Wilson advising that this is a decision that Council will have to make. If Council wishes this to occur they will need to rescind the decision made in February to disband the Working Group.

Ordinary Council Meeting 27th June 2012

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 survey work is now being undertaken which will allow the matter to be finalized.

Ordinary Council Meeting 22nd August 2012

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

The Councils decision to request the Department of Lands to transfer the above reserve to the NAHS has been implemented. The matter is progressing and further information was recently provided by the Shire to the Department of Lands.

The Vesting/Management Order has been returned to the Department of Lands for transfer to NAHS.

Ordinary Council Meeting 12th December 2012

Wiluna Cemetery Records File Ref: 00396

The Chief Executive Officer Advised Council at its last meeting as follows:-

"The Acting Chief Executive Officer has discovered that the plans for the burials at the Wiluna Cemetery (as per Section 40 (2) of the Cemeteries Act 1986 have not been updated/completed during the period commencing April 2007 until 21st March 2012. During this time (35) deceased persons have been buried in the Wiluna Cemetery and the location of the graves have not been recorded on the plans held at the Shire Office. At this time it is not possible to determine the location of each of the deceased persons. Most of the deceased persons are indigenous.

The Shire has a significant problem as the Board responsible for the Wiluna Cemetery with regard to identifying who is buried where during this period. Other than digging up each of the graves that have been used for a burial that we have no record of the deceased person in that grave, and locating the plate on the coffin, there appears to be little else that can be done to rectify the oversight by the Chief Executive Officers during the period April 2007 to March 2012.

The requirement to certify that plans have been kept and maintained, showing the location of all burials, as per section 40 (2) of the Cemeteries Act 1986, has been included in the Annual Compliance Audit Return for the years 2007, 2008, 2009 and 2010. A search of the minute book reveals that on each of these returns the officers have responded "yes" to the compliance with this requirement. Copies of the sections from the compliance return adopted by Council and sent to the Department are attached as appendix 12.1.

The Acting Chief Executive Officer recommends to Council that the public be made aware of this oversight, advise the Department of Local Government as the administration of the Cemeteries Act 1986 falls under the Minister for Local Government and seek legal advice on the matter."

Council resolved accordingly:

- 1. That the Council acknowledges the information provided by the Acting Chief Executive Officer and would like more time to consider the matter.*
- 2. The item is included on the agenda for the Council Meeting in February 2013.*

The Chief Executive Officer recommended to Council on the 12th December 2012 of the action he believed need to be taken. It is now up to Council to determine the action required.

Council at its meeting on the 27th February 2013 adopted that the CEO recommend that the Department of Local Government be advised of the position and asked to provide advice on how to deal with the matter. The Department has been advised and to date a response has not been received.

OCM 023/13 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR WEBB

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 4/0

10.1.2. Subject/Applicant:	Integrated Planning and Reporting – Requirements – Local Governments
File:	00646
Reporting Officer:	Tony Doust – Chief Executive Officer
Date of Report:	18th March 2013
Disclosure of Interest:	Nil

Purpose

To receive information on the background and progress of the Shire of Wiluna Integrated Planning and Reporting requirements.

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."*

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.

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.

At the Council on the 24th October 2012 the Chief Executive Officer advised Council that as the information had only been received several days prior to the Council meeting and it is based on the assessment of our position by external consultants, the CEO did not ask the Council at that time to either consider or accept the documentation provided as this needed to be properly assessed prior to any public release or consideration by Council. When advising the Council the CEO explained that it was not requirement to comply with Section 19C and 19DA of the Local Government Act (Administration) Regulations 1996 until 1st July 2013.

Council resolved on the 24th October 2012 accordingly:-

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.”.*

Comment

Since the October 2012 Council meeting the Chief Executive Officer has considered the information provided by KPMG and is very concerned about its accuracy and that it was not complete. The CEO has met with KPMG and discussed these issues only to be advised that the information we have was based on what was provided by the Shire and it was never intended that documents would be entirely completed by the Consultants. This was disputed with the consultants as the information the shire provided has not been used in all situations resulting in the inaccurate plans. The answer being if you want it changed then you will have to pay of this to be done. As the contract was a joint arrangement through the Goldfields Esperance Regional Collaborative Group it has been difficult to withhold payment of any account for services. It is most disappointing that this has been the outcome and it really raises the value of undertaking any consultancy arrangement for services for each member local government on a joint basis. In view of the above the Chief Executive Officer is currently reworking the documentation for the plans required and it is anticipated that a final revised draft plans will be presented to Council at the meeting of the Council on the 22nd May 2013. This is subject to other work commitments.

Consultation

Nil

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 024/13 Officer Recommendation & Council Decision

MOVED CR WEBB

SECONDED CR HARRIS

Council resolves that the information provided by the Chief Executive Officer in regard to the progress with the Integrated Planning and Reporting requirements for the Shire of Wiluna is noted and that subject to other work commitments the Council be provided with Draft Plans at the Council meeting on the 26th June 2013.

CARRIED 4/0

10.1.3. Subject/Applicant:	GVROC– Meeting Minutes
File:	00245
Reporting Officer:	Tony Doust – Chief Executive Officer
Date of Report:	18 th March 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to receive a copy of the minutes of GVROC Teleconference meeting held on the 22nd February 2013.

Background

Council resolved in September 2011 that a report be provided from Councillors and officials attending any conferences, seminars or meetings as delegates or representatives of the council.

Comment

A GVROC Council Teleconference meeting was held on the 22nd February 2013 and both the Shire President Cr. G. Harris and Chief Executive Officer Tony Doust were in attendance..

Copies of the minutes are attached as Appendix 10.1.3. No. action is required by Council on any matter raised at this meeting.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Council Policy 1.24

Councillors and Officers attending any conferences, seminars or meetings as delegates or representatives of the Council are required to provide a brief report on the issues/outcomes, to the next ordinary meeting of Council.

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

OCM 025/13 Officer Recommendation & Council Decision

MOVED CR WEBB

SECONDED CR OVENS

That the minutes of the GVROC Council Meeting held on 22nd February 2013, be received.

CARRIED 4/0

10.1.4. Subject/Applicant:	National General Assembly of Local Government – Canberra 16- 17th June 2013
File:	00338
Reporting Officer:	Tony Doust Chief Executive Officer
Date of Report:	27 th March 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to decide if they wish to participate in the 2013 National General Assembly of Local Government which will be held at the National Convention Centre in Canberra between 16-17 June 2013.

Background

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

The President of the ALGA has provided the following information in support of attendance at the assembly:-

"This year's National General Assembly (NGA) promises to be politically charged and of critical importance to local government. With the federal election announced for 14th September, ALGA anticipates key federal politicians accepting our invitation to address the NGA.

We have invited the Prime Minister, the Hon Julia Gillard, and the Minister for Regional Australia, Regional Development and Local Government, the Hon Simon Cream and the Leader of the Opposition, the Hon Tony Abbott.

We have already received acceptances from and are pleased to confirm the NGA will include addresses from the Shadow Minister for Regional Development, Local Government and Water, Senator Barnaby Joyce, the Leader of the Nationals, the Hon Warren Truss and the Leader of the Greens, Senator Christine Milne.

I am pleased to inform you that the keynote speakers at this year's NGA will include well known and highly respected Australians Geraldine Doogue AO, Fred Chaney AO and Peter FitzSimons AM. These speakers will join a number of other subject matter experts in steering the discussions at the NGA.

Enclosed is the NGA Registration Brochure which contains full details of the program, business agenda and associated events.

Your council's involvement in the NGA is vital to assist ALGA to maintain the renewed focus on local government and to drive improved outcomes for local government at the national level. A number of important policy motions

will be debated at the NGA and it is essential that every council is represented in these debates and is able to have its say."

Comment

Nominations are now being invited and early bird registration closes on 22nd April 2013. The cost of registration is \$899 fro early bird or \$999 by 31st May 2013. In addition to the registration there will be airfares, accommodation and meals. It is estimated that the cost per delegate would be in the order of \$4,000.

A copy of the Program and Registration booklet is attached as appendix 10.1.4

Any Councillor wishing to attend will need the approval of Council.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Policy 1.12 - Members Conferences and Development

Financial Implications

The adopted Budget for 2012/13 provides funding of \$49,500 for Councillors to attend Conferences and Training. To date \$15,398 has been expended.

Strategic Implications

Attendance will assist Councillors development and a greater understanding of the role of Local Government in the system of Government in Australia

Voting Requirements

Simple Majority

OCM 026/13 Officer Recommendation & Council Decision

MOVED CR QUADRIO

SECONDED CR OVENS

That the information be received.

CARRIED 4/0

10.1.5. Subject/Applicant:	Wiluna Aerodrome Landing Fees
File:	00158 & 00201
Reporting Officer:	Tony Doust Chief Executive Officer
Date of Report:	19 th March 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to raise with Council the need to review the landing fees charged for the use of the Wiluna Airstrip. The report recommends new fees be implemented as from the 1st May 2013.

Background

Each year during the budget process Council adopts a range of fees and charges for various services and use of facilities, including the Wiluna Aerodrome. The fees charged for the use of the Aerodrome have not been changed since 2009. Recent information received from Avdata, the organisation that collects the fees on behalf of the Shire, has revealed a review is timely.

The following fee structure was adopted by Council in the 2012/13 budget:-

Aerodrome	\$	\$	\$
Landing Fees - All Aircraft			
Day (6.00am - 6.00pm) - Per 1000kg pro rata	12.65	1.26	13.91
Landing Fees - All Aircraft			
Night (6.00pm - 6.00am) - Per 1000kg pro rata	20.00	1.00	21.00
Passenger Tax - RPT only - Adult	10.00	1.00	11.00
Passenger Tax -RPT only - Child up to 14 y.o.	Free		Free
Extra fees - All Aircraft - Lights - by fax and phone confirmation	100.00	10.00	110.00
Terminal Fee	500.00	50.00	550.00

Comment

Given the fees for this facility have not increased for four years and it is important to receive a reasonable level of revenue to meet the costs of operating the Aerodrome, a review is necessary.

The 2012/13 Budget estimated expenditure for the facility, including depreciation, is \$290,106. The estimated income is \$86,060.

The information obtained from Avdata shows that the fee for the size plane used by Skippers for the RPT (Metro) is \$74.84(without GST). This fee is based on the weight and at this time the passenger tax is not being collected as the Avdata are not provided with the passenger information.

As the Council is endeavouring to encourage use of the RPT service and the difficulties about obtaining reliable information on the passenger use, it is suggested that the fee structure be simplified and amended to receive a reasonable cost recovery and the need to support the RPT service.

Aerodrome	\$	\$	\$
Landing Fees - All Aircraft other than RPT Day (6.00am - 6.00pm) - Per 1000kg pro rata	30.00	3.00	33.00
Landing Fees - All Aircraft other than RPT Night (6.00pm - 6.00am) - Per 1000kg pro rata	40.00	4.00	44.00
Landing Fees – RPT Aircraft - Per 1000kg pro rata	10.00	1.00	11.00
Confirmation of lights by fax or phone for any request	100.00	10.00	110.00
Call out fee to check lights	270.00	27.00	297.00

Consultation

Nil

Statutory Environment

Subdivision 2 — Fees and charges

6.16. *Imposition of fees and charges*

(1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to section 5.94, providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and
- (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.17. *Setting level of fees and charges*

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods; and
- (b) the importance of the service or goods to the community; and

- (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. *Effect of other written laws*

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. *Local government to give notice of fees and charges*

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications

No Policy

Financial Implications

The proposal will increase revenue from the use of the Aerodrome

Strategic Implications

No Strategic implications other than to increase the revenue and or higher cost recovery basis

Voting Requirements

Absolute Majority

OCM 027/13 Officer Recommendation & Council Decision

MOVED CR OVENS

SECONDED CR WEBB

1. That Council resolves to review the fees and charges for the Wiluna Aerodrome as from 1st May 2013 as follows:-

Aerodrome	\$	\$	\$
Landing Fees - All Aircraft other than RPT Day (6.00am - 6.00pm) - Per 1000kg pro rata	30.00	3.00	33.00
Landing Fees - All Aircraft other than RPT Night (6.00pm - 6.00am) - Per 1000kg pro rata	40.00	4.00	44.00
Landing Fees - RPT Aircraft - Per 1000kg pro rata	10.00	1.00	11.00
Confirmation of lights by fax or phone for any request	100.00	10.00	110.00
Call out fee to check lights	270.00	27.00	297.00

2. The Chief Executive Officer advertise the proposed change in Wiluna Aerodrome fees and charges as required by section 6.19 of the Local Government Act 1960.

CARRIED 4/0 by Absolute Majority

10.2. Principal Environmental Health Officer and Building Surveyor Report

Nil

10.3. Community Development Managers Report

10.3.1. Subject/Applicant:	Bus Service Wiluna - Leonora and return
File:	00581
Reporting Officer:	Mick Beltran – Community Development Manager
Date of Report:	19 th March 2013
Disclosure of Interest:	Nil

Purpose

To provide Council with a report at the conclusion of the six month trial of the Wiluna – Leonora Bus Service

Background

At its meeting of 14th May 2012 Council endorsed a 6 month trial of a passenger bus service between Wiluna and Leonora (and return) to be run on Thursdays and Fridays to meet with the Goldrush Tours Kalgoorlie to Laverton (and return) service. Following delay with licencing requirements the trial began on 4th October 2012, with the 6 month trial period due to conclude at the end of March 2013.

Comment

The trial Bus Service has been poorly patronised to date with only 10 full-fare passengers and 18 concession-fare passengers over the 34 return trips to Leonora. The fares collected in this time have amounted to \$1,132 whilst the Public Transport Authority (PTA) subsidy for the 5 months to the end of February has realised \$20,582. The PTA has corresponded with the Shire to indicate as follows:

“The contract is due to expire on 31st March. As per the contract a minimum of 4 passengers per trip is required for the retention of the service. As the service did not achieve the minimum patronage requirement, the service will be terminated and funding support will be withdrawn at this time.”

The letter is attached as appendix 10.3.1.

In view of the position of the PTA the last run of the Wiluna to Leonora (return) trial bus service will be the pre-Easter service on Thursday 28th March. (The pre-Easter runs have been brought forward by one day to fit with the Railways and Gold rush Tours revised Easter time table).

Consultation

Chief Executive Officer
Public Transport Authority

Statutory Environment

Local Government Act 1995 General	Provision of Service
Transport Coordination Act 1966	Regular Passenger (RPT) Licencing Requirement

Policy Implications

No specific policy

Financial Implications

For the trial period the cost of the service has been met by the PTAs subsidy. In respect of the PTAs advice that the trial did not meet the contract minimum standards and that their subsidised service will be cancelled any further provision of a passenger bus service would remain the operational and financial responsibility of the Shire.

Strategic Implications

No specific strategy

Voting Requirements

Simple Majority

OCM 028/13 Officer Recommendation

MOVED CR QUADRIO

SECONDED CR OVENS

That Council notes the advice of the Public Transport Authority that the trial bus service between Wiluna and Leonora (and return) will be terminated when the contract expires on 31st March 2013.

CARRIED 4/0

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:	2013
Disclosure of Interest:	Nil

Purpose

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

Background

The list of accounts for the period ending 28 February 2013 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 029/13 Officer Recommendation

MOVED CR HARRIS

SECONDED CR WEBB

That the accounts paid by authority for the period ending 28 February 2013 totalling \$879,356.15 be received, endorsed and incorporated in the Minutes of the meeting.

CARRIED 4/0

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

Purpose

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 28 February 2013.

Background

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

The reports for the period ending 28 February 2013 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 030/13 Officer Recommendation

MOVED CR QUADRIO

SECONDED CR WEBB

That Council adopt the Financial Reports for the period ending 28th February 2013 as presented.

CARRIED 4/0

10.5. Works Manager Report

Nil

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

Nil

Glenn Deocampo withdrew from the meeting at 1.45 pm

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

Council agreed that the following items be considered

12.1. Subject/Applicant:	Process for Appointment of a New Chief Executive Officer
File:	00252
Reporting Officer:	Tony Doust Chief Executive Officer
Date of Report:	26 th March 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to set the requirements to be used to recruit, advertise, and establish selection criteria for the appointment of a new Chief Executive Officer.

Background

The Chief Executive Officer Mr Tony Doust has formally advised the Shire President that he will be resigning from the position to take effect from the close of business of Friday 12th July 2013.

It is appropriate for the Council to commence the requirements to fill the position of a Chief Executive Officer given the time it often takes to find a suitable person and they take up the appointment. It may also be necessary to appoint an Acting Chief Executive Officer

Comment

The Shire President recommends that Work Place Solutions (WALGA) be engaged to assist with the recruitment process.
Attached to the agenda is the Application package prepared by Workplace Solutions for the employment of a CEO in October/November 2012.
(Appendix 12.1.)

It is recommended that Council adopt the package which includes a copy of the proposed advertisement, job description (incorporating the selection criteria) and remuneration details.

The President has also suggested that the Council delegate authority to the President and Deputy President to proceed with all the requirements and negotiations with Work Place Solutions, including interviews, and make a recommendation to Council of the applicant to be appointed and remuneration package.

Consultation

Shire President

Statutory Environment

Local Government Act 1995 – Sections 5.36, 5.37 & 5.39
Local Government (Administration) Regulations 1996 – Sections 18A, 18B, 18C, 18D, 18E & 19A

Policy Implications

Shire of Wiluna Policies 2.9 & 2.10 – Housing, 2.12 - Superannuation

Financial Implications

Recruitment costs and advertising included in the 2012/13 adopted budget

Strategic Implications

It is important to Council to obtain the services of the best qualified and experienced person available to fill the position of Chief Executive Officer to ensure the objectives and requirements of the Shire of Wiluna Strategic Plan 2012-2023 are achieved.

Voting Requirements

Absolute Majority

OCM 031/13 Officer Recommendation

MOVED CR OVENS

SECONDED CR QUADRIO

- 1. Council adopts the Shire Presidents recommendation to engage Workplace Solutions to assist Council with the recruitment of a new Chief Executive Officer.**
- 2. Council adopts the package provided (as attached as appendix 12.1), for the recruitment of a Chief Executive Officer, which includes a copy of the proposed advertisement, job description (incorporating the selection criteria) and remuneration details.**
- 3. Council appoints the President and Deputy President to proceed with all the requirements and negotiations with Workplace Solutions, including interviews, and make a recommendation to Council of the applicant to be appointed as Chief Executive Officer and the remuneration package.**

CARRIED 4/0 by Absolute Majority

OCM 032/13 Officer Recommendation

MOVED CR OVENS

SECONDED CR HARIS

That the President and Chief Executive Officer make satisfactory arrangements with Mr Bruce Walker to be Acting Chief Executive Officer during the period 29th May 2013 to 19th June 2013 inclusive (CEO leave) and for the period after the 12th July 2013 until a replacement Chief Executive Officer has been appointed and taken up the position.

CARRIED 4/0 by Absolute Majority

12.2. Subject/Applicant:	Amalgamation Lots 15 & 16, Woodley Street, Wiluna
File:	Lot 15 & Lot 16 Woodley Street
Reporting Officer:	Tony Doust, Chief Executive Officer
Date of Report:	5 th April 2013
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform Council of a proposed amalgamation of two lots in Woodley Street, Wiluna and recommend that the application be approved.

Background

Lots 15 and 16 Woodley Street Wiluna are owned by Meedac Holdings Pty Ltd and the land presently includes a residential building (lot 15) and a Shed on (lot 16).

The applicant, Land West (on behalf of the owners), advise that existing buildings will be retained.

The proposed lot will be 2024m² in size. The land is all zoned "light industrial under the Shire of Wiluna Town Planning Scheme No 2. The existing uses comply with the zonings.

Comment

The amalgamation of these lots will allow better utilisation of the land and it does not appear to be any reason why the Council should not support the proposal.

Any redevelopment of the site will need to comply with the requirements under the Shire of Wiluna Town Planning Scheme and will require planning approval.

A plan of the propose amalgamation is attached as appendix 12.2

Consultation

Nil

Statutory Environment

Subdivision/ Amalgamations - Planning and Development Act 2005 and Planning and Development Regulations 2009

Land Use (zoning) – Shire of Wiluna Town Planning Scheme No2

Policy Implications

No specific policy

Financial Implications

No financial implications for the Shire of Wiluna

Strategic Implications

Shire of Wiluna Strategic Plan 2012-2021
Sustainable and Strategic Growth and Development. (Better utilisation of existing land)

Voting Requirements

Simple Majority

OCM 033/13 Officer Recommendation

MOVED CR QUADRIO

SECONDED CR HARRIS

That Council supports the proposed amalgamation of lots 15 and 16 Woodley Street, Wiluna and the Western Australian Planning Commission be advised accordingly.

CARRIED 4/0

12.3. Subject/Applicant:	Council Meetings April 24th & May 22nd 2013
File:	
Reporting Officer:	Tony Doust, Chief Executive Officer
Date of Report:	9 th April 2013
Disclosure of Interest:	Nil

Purpose

Council discussed the need for the above meetings in view of the March meeting being rescheduled due to the lack of a quorum. It was felt one meeting would be adequate and if necessary a special meeting can be called in early June 2013.

Voting Requirements

Absolute Majority

OCM 034/13 Officer Recommendation

MOVED CR WEBB

SECONDED CR HARRIS

That the Council Meetings scheduled for 24th April 2013 and 22nd May 2013 be cancelled and a meeting be held on the 8th May 2013 at 1.00 pm.

CARRIED 4/0 by Absolute Majority

12.4. Subject/Applicant:	2012/13 Budget Review
File:	
Reporting Officer:	Tony Doust, Chief Executive Officer
Date of Report:	9 th April 2013
Disclosure of Interest:	Nil

Purpose

The Chief Executive Officer advised Council that the budget review for 2012/13 was to be considered at the Council meeting on 24th April 2013. As the meeting is now cancelled the earliest opportunity will be the 8th May 2013.

Voting Requirements

Simple Majority

OCM 035/13 Officer Recommendation

MOVED CR HARRIS

SECONDED CR WEBB

That Council agrees that the 2012/13 budget review be considered at the Council meeting to be held on 8th May 2013.

CARRIED 4/0

13. Public Question Time

Nil

14. Matters Behind Closed Doors

Nil

15. Closure

The meeting was closed at 2.15 pm.