

WILUNA SHIRE COUNCIL

MINUTES

Ordinary Council Meeting 25 November 2015

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AGENDA

1. Declaration of Opening and Announcement of Visitors

The Chairperson declared the meeting open at 1pm and welcomed everyone to the meeting.

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

Cr Jim Quadrio
Cr Graham Harris
Cr Chris Webb
Cr Norma Ward
Cr Stacey Petterson
Cr Caroline Thomas

Dean Taylor Acting Chief Executive Officer
Katrina Boylan Senior Administration Officer

Gill Marchant Member of the Public

3. Response to Previous Public Question Taken on Notice

In response to a question asked by Gill Marchant at the Ordinary Council Meeting on 28 October 2015 regarding the police dropping off stranded back packers at Gunbarrel Lager, the Acting Chief Executive Officer informed Mrs Marchant that he spoken to the police sergeant and he was unaware of this practice.

4. Public Question Time

Gill Marchant asked who was responsible for the old school site in Wotton Street and who would be responsible for removing the asbestos?

The Shire President advised that as far as he was aware the land had been returned to the Lands Department and therefore was not the Shire's responsibility. Clarification on ownership would be sought. The Acting Chief Executive Officer stated that the only way the Shire would be directly involved was if the site presented a clear and present danger.

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***Council Decision******Item 8.1*****MOVED CR HARRIS****SECONDED CR PETERSON****The Minutes of the Meeting held on 28 October 2015 be accepted as a true record of the meeting.****CARRIED 6/0****Resolution 174/15*****Council Decision******Item 8.2*****MOVED CR THOMAS****SECONDED CR PETERSON****The Minutes of the Special Meeting held on 3 November 2015 be accepted as a true record of the meeting****CARRIED 6/0****Resolution 175/15****9. Announcement Presiding Member without Discussion**

Nil

10. Reports of Officers and Committees**10.1. Chief Executive Officer Reports**

10.1.1. Subject/Applicant:	CHRISTMAS CLOSURE
File:	Finance
Reporting Officer:	Dean Taylor, Contract Project Manager, Acting CEO
Date of Report:	29/10/15
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek approval for the closure of Shire facilities between the Christmas/New Year period – December 2015/January 2016.

Background

The Council has authorised the closure of facilities for the period between Christmas and New Year for a number of years and this has not caused any community disquiet or inconvenience.

Comment

The closure of specific Council facilities over the Christmas period is an opportunity for all members of staff to have a break with their families and friends

This year Christmas Day falls on a Friday. The Council will be asked to close the Council's facilities from the close of business on Monday 21 December 2015, with normal business resuming on Monday 4 January 2016.

A skeleton staff will be available during non-public holidays for Rubbish collections, watering etc. Emergency call-out contacts will be available at all other times over the Christmas/New year closure.

Closure days for the Administration Office and Library would be:

Friday 25 December 2015 Public Holiday (Christmas Day)

Saturday 26 December 2015 Public Holiday

Sunday 27 December 2015

Monday 28 December 2015 Public Holiday (in lieu of Boxing Day)

Tuesday 29 December 2015 (staff Leave/Time in Lieu)

Wednesday 30 December 2015 (staff taking Leave/Time in Lieu)

Thursday 31 December 2015 (staff taking Leave/Time in Lieu)

Friday 1 January 2016 Public Holiday (New Years Day)

Saturday 2 January 2016

Sunday 3 January 2016

Closure day for the Waste Management Facility would be:

Friday 25 December 2015

Closure day for the Swimming Pool would be:
Friday 25 December 2015
Closure days for The Rec. Centre would be:
Monday 21 December 2015 to Friday 1 January 2016 (inclusive)

Consultation

Shire President

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There is no additional cost to the Council, as staff will utilise accrued annual leave entitlements, rostered days off (RDO) or time in lieu.

Voting Requirements SIMPLE MAJORITY**Officer Recommendation & Council Decision****Item 10.1.1.****MOVED CR WEBB****SECONDED CR WARD****That council approve:**

- 1. The Shire of Wiluna's Administration Office and Wiluna Art Gallery/ Public Library be closed from close of business on Monday 21 December 2015 with the resumption of normal services on Monday 4 January 2016.**
- 2. The Recreation/Youth Centre be closed on Monday 21 December 2015 until Friday 1 January 2016 inclusive, with normal services resuming on Monday 4 January 2016.**
- 3. The Wiluna Waste Management Facility will be closed on Friday 25 December 2015.**
- 4. The Wiluna Swimming Pool will be closed on Friday 25 December 2015. (subject to availability of qualified staff)**
- 5. The notice of closures inclusive of public holidays will be placed on the Notice Board and webpage.**

CARRIED 6/0**Resolution 176/15**

10.1.2. Subject/Applicant:	2016 COUNCIL MEETING DATES
File:	Finance
Reporting Officer:	Dean Taylor, Contract Project Manager, Acting CEO
Date of Report:	29/10/15
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to consider and determine a schedule for meetings of the Councils for 2016.

Background

At present Council holds its formal decision making meetings at 1 pm on the 4th Wednesday of each month with no meeting held in January.

In addition to the formal Council meeting, forum meetings are held at 4pm on the second Wednesday of each month and at 9am immediately prior to the formal council meeting for the month.

No meetings are scheduled to be held in January to allow staff and councillors a post Christmas break.

Comment

Following the October 2015 elections it is appropriate for councillors to review and consider the timing of council meetings.

Essentially council can determine the day, time and frequency of council meetings and forums. The main consideration for councillors is to set times and dates that allow councillors to attend all meetings and the times are convenient for members of the community to attend as and when required.

Shire staff and contractors will attend council meetings at any time or day determined by the council.

Whilst it is preferable to adhere to published meeting dates and times; the schedule can be varied by council if necessary by advertising locally or by notice on the notice board.

It is anticipated that during the year work will commence on renovating the existing Administration Centre into the new Interpretive Centre. Part of that work will involve removal of asbestos and as such it will not be possible to hold council meetings in the current centre. An alternative meeting place will therefore be required. It is suggested that the Sport and Recreation Centre may provide a suitable venue.

Consultation

Nil

Statutory Environment

Local Government Act 1995 – Section 5.3 provides that a Council is to hold ordinary meetings and may hold special meetings.

Local Government Act 1995 – Section 5.5 requires the CEO to convene ordinary meetings by giving each Council member at least 72 hours notice of a date, time and place of a meeting and an agenda for the meeting.

Local Government (Administration) Regulations 1996 – regulation 12 requires that ordinary council meetings to be held in the next 12 months shall be advertised. Further, a local government is to give local public notice of any change to the date, time or place of the meeting.

Policy Implications

Nil

Financial Implications

Council staff are required to attend council and forum meetings – should council request after normal business hours meetings some staff will be entitled to receive overtime payments or time-in-lieu credits.

Strategic Implications

The council meetings are the foremost method of making decisions for the community and as such are the most important meetings on council's calendar.

Voting Requirements SIMPLE MAJORITY**Officer Recommendation****Item 10.1.2.****MOVED CR WARD****SECONDED CR WEBB****That council determines the schedule for meetings as follows;**

- 1. The ordinary meetings of the Council for February to December 2016 inclusive be held at four weekly intervals as follows:**
 - a) 24 February 2016**
 - b) 23 March 2016**
 - c) 27 April 2016**
 - d) 25 May 2016**
 - e) 22 June 2016**
 - f) 27 July 2016**
 - g) 24 August 2016**
 - h) 28 September 2016**
 - i) 26 October 2016**
 - j) 23 November 2016**
 - k) 14 December 2016**

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2. **All ordinary meetings of the Council shall commence at 1.00pm and be held in the Council Chambers, Scotia Street, Wiluna until such time as the renovations of the current Administration Centre commence. After which time the council meetings will be held at the Wiluna Sport and Recreation Centre, Scotia Street, Wiluna.**

CARRIED 6/0**Resolution 177/15****10.2. Principal Environmental Health Officer and Building Surveyor Report**

10.2.1. Subject/Applicant:	REVIEW OF CARAVAN PARKS AND CAMPING GROUNDS LEGISLATION
File:	
Reporting Officer:	David Hadden, Principle Environmental Health and Building Officer
Date of Report:	26 October 2015
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to consider approving the comments on the Consultation Paper for Holiday Parks and Camping Grounds Legislation as listed on the consultation feedback form.

Background

The State Government is undertaking a review of the Caravan and Camping Grounds Act 1995 (Caravan Parks Act) with a view to developing new legislation which provides a clear framework for operators, regulating authorities and users.

A first Consultation Paper was released by the department in May 2014 for public comment. The consultation period ended on 1st September 2014 and 127 submissions were received. These submissions can be categorised as follows:

- Caravan park users 42 submissions
- Local governments 39 submissions
- Caravan park operators 22 submissions
- Consumer representative groups 9 submissions
- State Government agencies 8 submissions
- General public 4 submissions
- Industry representatives 3 submissions

Feedback received through the consultation undertaken in 2014 has been analysed and has assisted in forming the most appropriate options and recommendations to address the specific issues, in this second paper.

Since the Caravan Parks Act took effect in 1997, no substantial amendments have been made. The result is that some provisions are no longer relevant to the current market or consumer expectation. In addition to being overly prescriptive, regulatory failure has resulted in the legislation being applied inconsistently by the local governments. As a result of the feedback received on the previous recommendations proposed and the significant nature of the changes required to the Act, it has been determined that the existing Caravan Parks Act should be repealed and a new Act developed to replace it.

The new legislation will aim to provide a more flexible operating environment, which will provide more opportunities and greater choice for consumers.

The following are the recommendations from the Department on the proposed changes to the legislation.

Submissions for this round of public consultation close on the 30th November 2015.

SUMMARY OF RECOMMENDATIONS:

- Terminology and Definitions

Before consideration is given to addressing the range of issues to be dealt with in the new legislation, the current terminology needs to be reviewed. Previous consultation proposed a raft of changes to the terminology currently used throughout the Caravan Parks Act and regulations. A key proposal was to change the definition of a 'caravan park' to 'Holiday Park', with the view that this term more accurately reflected the different types of accommodation provided by a facility:

“Holiday Park” will mean an area of land on which accommodation vehicles and/or tents are situated for habitation, primarily by short-stay occupiers, local planning schemes will dictate what buildings are allowed on the land.

“Accommodation vehicle” is the term used to reflect all types of vehicles used or capable of being used for habitation. This includes **caravans and campervans.**

The new legislation is to be titled the Holiday Parks and Camping Grounds Act.

A park home will no longer be considered to be a caravan and will instead need to be compliant with, and be regulated under, the Building Act 2011 and associated Regulations.

Whilst the term ‘Holiday Park’ may imply that residential use is not allowed, this will not be the case. Residential use will be permitted, subject to the zoning and local planning schemes.

Long term accommodation developments will be dealt with under legislation that is relevant to that type of residential development i.e. retirement villages, park home villages, lifestyle villages, etc. and will be regulated under town planning and building legislation.

- What will the legislation apply to?

Caravan parks and camping grounds have evolved in recent years towards being mixed-use, including for residential and higher tourism use. Nature based parks are also being established which offer a range of facilities, from lower level basic facilities to higher end luxury safari camps.

Feedback received noted that it should not be the responsibility of the Caravan Parks Act to determine what buildings are allowed on the land designed for caravans or camping, this should be determined through the planning process.

It is proposed that a facility that has designated two or more sites for short-stay accommodation vehicles and/or tents, the facility would be considered a holiday park, and requires approval to operate. Residential parks must provide 10 such sites, or a prescribed percentage of such sites, to be eligible for an approval to operate. Park home parks and other residential developments consisting mostly of park homes for the purpose of long term residential living, which do not provide at least 10 designated short-stay sites for tents and/or accommodation vehicles, will not be considered holiday parks for the purpose of the Caravan Parks Act.

The legislation will not specify the mix of accommodation allowed on the facility; rather it will focus on the health and safety of users and protecting the environment. The approval of buildings provided on a facility will be determined through the planning process. The mix of accommodation will be a matter for local planning schemes and regulated at the local government level.

All buildings on a facility, including transportable buildings, must be compliant with the Building Act.

This includes accommodation vehicles which have been converted into buildings for the purposes of permanent habitation.

Residential parks already established on caravan park or tourism zoned land will continue on that land; however, proposed new residential park developments should not access caravan park or tourism zoned land in the future.

Unless owned by the owner of the facility, any buildings and associated structures on the facility must be transportable.

Proposed new park home developments intended primarily for long-stay, residential or non-tourism purposes should be accessing land zoned specifically for Special Use-Park Home Park.

If a park home facility, such as a development consisting predominantly of park homes for the purposes of residential living, does not provide 10 or more short-stay sites for accommodation vehicles and or/tents, then it is not classed as a holiday park under the new Caravan Parks Act.

- Camping at a place other than an approved facility.

People camp on private property for a range of reasons and for different lengths of time. In addition to potentially disturbing neighbours, camping of this type may have a significant impact on the environment and the health and safety of the campers may not be assured, especially if there is limited

access to necessary health and hygiene facilities such as toilets, water or dump points. (Such as visiting relatives)

A person may camp for up to three nights in any 28 day period on land where the landowner has given permission.

A landowner may apply to the local government seeking approval for a person to camp longer than three nights but not more than three months.

Only one accommodation vehicle and/or tent is allowed on the property at any time without an event approval.

The local government must consult with the affected neighbours; consider the health and safety of users, impact on the environment and feasibility of staying in an approved facility before an approval can be granted.

A simplified management plan must be submitted with each application which addresses basic health and safety concerns, including waste management and access to water.

There is a financial burden on local governments to undertake inspections prior to approving an application; this will be addressed through the imposition of an appropriate fee.

NOTE!

This does not include the road reserve in the front of a property (verge).

- State government and local government facilities.

Under the current Caravans Park Act, facilities operated by public sector bodies are exempt from compliance. This means that if a local government operates a facility, it must ensure compliance with the prescribed standards, but a state government agency is not under the same obligation.

The Department of Parks and Wildlife (DPaW), owns approximately 300 facilities, directly operating 260 of those facilities (predominantly nature based parks), and are the biggest park provider in the state. Under the current Caravans Park Act, they are exempt.

The recommendation of the department is for the ‘status quo’ to continue with state government agency being exempt from compliance as they currently comply with the proposed standards.

Staff disagree with this premise; evidence of many ‘short term’ stop over points and nature based facilities that have been poorly maintained and managed have been experienced by many travellers.

As such all facilities providing sites for accommodation vehicles and/or tents should be required to comply with the same

“All providers must comply with the Caravan Parks Act and Regulations, regardless of who owns or operates them, to maintain the minimum acceptable standards for the health and safety of users and protection of the environment.”

- What will **not** be covered by the proposed legislation?

Park Home Parks: Facilities which are solely or predominantly developed for the provision of long-stay residential park homes will not be captured under this legislation or be able to access caravan park-zoned land. The same applies for other residential developments such as a collection of chalets or cottages.

Roadside Rest areas: Roadside rest areas should be dealt with under existing road and parking legislation rather than the Caravan Parks Act. Roadside rest areas are provided for fatigue management under Main Roads legislation, these areas will no longer be covered under the Caravan Parks Act.

It has been raised that due to the number of overseas and interstate users, if a local government infringes a user for overstaying, it is easy for the user to give false information, and the infringement notice is never paid and cannot be tracked. **However, if a roadside rest area or other areas where illegal camping/parking is undertaken, the infringement becomes enforceable as a parking/traffic offence, the registered owner of the vehicle could be tracked through the registration number. If the vehicle is a hire vehicle, the hire company can identify the hirer of the vehicle at the time of the offence. This will require the local governments, with the assistance of the Department, to implement a set of uniform local laws to deal with illegal camping/parking, to enable the enforcement of these actions as a traffic/parking offence.**

- Licensing of Facilities

A facility operator will be required to submit an application for approval to operate with a management plan. The management plan will be used to assess the application, set conditions under which a facility can operate, and be used as the basis for ongoing and subsequent inspections. An initial inspection will be required before an approval to operate can be granted, and subsequent inspections must then be undertaken annually. **Local governments will be able to charge inspection fees and have the discretion to extend the period between inspections to two years**, if the facility is fully compliant at the previous inspection and no substantial complaints have been received since that time.

If a new planning approval application is submitted or there are any redevelopments or substantial changes to a facility, a new application for approval to operate must be submitted. A substantial change would be defined as one requiring amendments to the management plan. Such changes may include, but are not limited to, a change of owner, operator or lessee, and the removal of facilities.

This would place the emphasis on inspections rather than licence renewals, reduce red tape and the financial impost on compliant operators, provide an incentive for remaining compliant, and ensure that operators continuously protect the health and safety of users and the environment.

- Licence Categories.

The Caravan Park Regulations currently provide for seven licence categories. These are:

- Caravan park licence
- Camping ground licence
- Caravan park and camping ground licence
- Park home park licence
- Transit park licence (stay of no longer than three consecutive nights)
- Nature based park licence
- Temporary licence

The legislation prescribes different health and safety standards for many of these categories. Most notably, nature based parks and transit parks can provide fewer facilities than caravan parks, due to the expected length of stay.

The recommended option is:

That there are three categories:

- **Holiday park**
- **Nature based park**
- **Event approval**

This option proposes that there are three approval categories; however, each facility must comply with the same minimum outcomes-based standards.

- **A holiday park approval will include caravan parks that traditionally provide mixed-use accommodation types, but specifically sites for accommodation vehicles and tents. Sites can be provided for both long-stay and short-stay.**
- **A nature based park approval will be for facilities that are not in close proximity to an area that is built up with structures used for business, industry or dwelling houses at intervals of less than 100metres for a distance of 500metres or more, and has been predominantly formed by nature and has limited or controlled artificial light and noise intrusion. Stays will be restricted to no more than 28 days in any three month period.**
- **An event approval will be special events where there is more than one accommodation vehicle and/or tent outside of an approved facility. An approval cannot be issued for any period greater than seven days and no more than four approvals can be issued for the property in a year.**
- **All facilities must abide by minimum standards as prescribed. These standards will be outcome-based, rather than prescriptive, to allow for flexibility in approach.**

Disagree that minimum standards will be outcome based, they should be prescriptive and clearly specify minimum facilities required for different facilities so there is no inconsistency.

- Conditions of Approval to Operate.

The current legislation is very prescriptive in the requirements that are placed on operators. The provisions do not allow operators the flexibility to think critically about their target market and facility, nor to develop proposals to address these and the particular risks of the location.

In addition to the new legislation setting the minimum standards to apply across all facilities, it is proposed that operators must also complete a management plan and submit it with their initial request for an approval to operate. If the application is of an event approval, a management plan will be required; however, it may not necessarily contain the same level of detail as required for a holiday park or nature based park application.

Management plans are documents providing essential details on how a facility is to be designed and managed and the type of facilities to be provided. The plan will outline how the operator will meet the minimum standards and address any risks specific to the facility.

Once agreed, the plan will form the basis of an approval to operate and will be the ongoing management tool for the operator and the local government. The approved plan will form the minimum standards with which the facility is required to comply, and compliance with these standards will be checked during inspections.

It is proposed that the regulations will prescribe what needs to be incorporated into the plan, including:

- **The number and type of proposed sites**
- **The proposed maximum capacity of the facility**
- **Environmental impact and sustainability**
- **Waste management**
- **Traffic management, and**
- **Risk management.**

A local government has the discretion to apply specific conditions to an approved management plan. A facility operator can appeal to SAT to oppose the conditions required by the local government.

Minimum health and safety standards as specified in the Regulations should not be appealable.

- Penalties

The current penalties in the legislation have not been increased for 20 years, and are therefore unlikely to act as an effective deterrent to non-compliance. It is also unlikely that such outdated penalties are above cost recovery for local governments, which may result in a lack of proactive enforcement.

It is proposed that penalties are modelled on the Food Act and Building act, as these Acts also deal with health and safety issues. Overall, this may result in a tenfold increase. For example, **court-imposed penalties may increase from \$5,000 to \$50,000 for breaching notifications and conditions.** It is crucial that the penalties effectively deter non-compliance and provide an incentive for local governments to enforce the provisions. **Disagree with the presumption that increased penalties will deter non-compliance. It may help but will not resolve the issue. Most small rural based local governments are negative about initiating prosecution proceedings due to lack of qualified staff, high administrative and legal costs. Existing regulatory failure has come about due to the current legislation being applied inconsistently by local government. Raising penalty fees will not resolve this issue alone. Local government need to be assured that they will be supported by the State Government through training and expert assistance with advice when seeking it. Not just left to interpret meaning of the legislation themselves with little or no assistance as is mostly the case with other acts and regulations in force in Western Australia.**

Further to this issue is the risk that local government will not wish to enforce new non-prescriptive replacement legislation as it is more time consuming (costly) to apply that prescriptive legislation. Qualified staff able to deal with legislative controls are in short supply with some local governments employing technical /compliance officers who are less qualified than previous enforcement staff which will result in a weakening of enforcement actions undertaken by local government leading to further inconsistency across the state.

If the issue of inconsistent enforcement is not resolved prior to the creation of replacement legislation you will create a greater problem for the caravan park industry than currently being experienced.

- Prerequisites of Accommodation Vehicles.

Holiday Parks may have residents who are permanent, or wish to become permanent, and would like to convert their vehicle into a more permanent structure, such as through the addition of an annexe or carport. Park operators may also use on-site caravans as a form of accommodation for short-term tourists. These caravans may be plumbed, have gas and electricity, and while they take the form of a caravan, they would no longer be capable of being licensed under the Road Traffic Act.

These accommodation types will either be roadworthy and/or movable in case of an emergency, or otherwise meet the compliance standards required for a building. **A person using a converted accommodation vehicle as a residence should have the same safety standards as a person living in a building. This will require the installation of smoke alarms, RCDs and insulation. The building must remain transportable.**

While it is unlikely that a converted accommodation vehicle would precisely meet the standards of a Class 1a building under the Building Code of Australia, the Code is flexible in application, as it requires that performance requirements be met. The Building Code provides flexibility for owners to

demonstrate that the broader performance requirements of the Code are met. This may be through, for example, access to communal toilet and shower facilities rather than the requirement to install a private toilet and shower in the converted accommodation vehicle.

Disagree with the proposition that a converted accommodation vehicle could be assessed for compliance against the Building Code of Australia. No Building Surveyor is likely to certify compliance using performance provisions and is ridiculous to think so. Option 3, legislation not being applied retrospectively to all converted accommodation vehicles is the best option in this instance.

- Advisory Committee.

In 2010, the Department of the Premier and Cabinet released a circular advising that Ministers and agencies are encouraged to utilise interdepartmental working groups and other forms of consultation in place of establishing a committee.

To comply with this directive, consideration must be given to abolishing the Caravan Parks and Camping Grounds Advisory Committee in favour of other means of engagement.

The objective is to introduce a mechanism which facilitates an effective, flexible and responsive approach to stakeholder engagement.

With the removal of the Committee, a variety of consultation methods can be used, dependent on the issue. This may include workshops with specific stakeholders or the development of email distribution lists for different topics.

With a range of different methods of consultation available, abolishing the Committee in favour of proactive consultation on an as needed basis would both reduce red tape and encourage a wider range of views from stakeholders across the broader caravanning and camping industry.

Believe that greater consultation with local government is more important than wider consultation with industry. Local Government are responsible for enforcement and should have a greater involvement in creation of legislation that we are expected to enforce.

- Transition Provisions.

Holiday Parks and Camping Grounds:

The objective is to ensure that operators and users have an adequate period of time to become compliant with any new legislation provisions, whilst ensuring that facilities are compliant under existing provisions in the meantime.

To enable all facilities to prepare a suitable management plan, it is proposed that an application for approval to operate can be submitted to the relevant local government at any time within the first five years (**this is too long it should be within the first two/three years**), provided that it is approved by the end of the fifth year. During this period, the annual licensing and inspection requirements as prescribed in the current legislation will continue to apply.

Converted Accommodation Vehicles:

The object is to ensure that the financial impact of the new legislation on occupiers of converted accommodation vehicles is minimal, while still introducing measures to protect their health and safety.

Any converted accommodation vehicles that are no longer licenced under the Road Traffic Act are exempt from the new provisions, subject to any future substantial modifications.

All converted accommodation vehicles must ensure that smoke alarms and RCDs are fitted within 12 months.

Converted accommodation vehicles must have smoke alarms and RCDs fitted prior to being sold, rented, leased or hired out.

Converted accommodation vehicles must be capable of assessment as a Class 1a building under the Building Code, prior to being sold.

Disagree with the provision that rigid structures (annex) attached to an accommodation vehicle will require the entire structure (including caravan) to be assessed as a Class 1 building. An annex could be assessed as a Class 10 building however it is very unlikely that a registered building surveyor will provide certification of an accommodation vehicle as a Class 1 building.

Converted accommodation vehicles must remain transportable.

Regulations:

The new Holiday Parks and Camping Grounds Act will be supported by regulations; it is expected that the regulations will prescribe the following:

- The minimum standards that facilities must abide by
- Modified penalties
- Prescribed form and content of the management plan, and
- Prescribed forms, including an infringement notice and approval to operate.

The existing Regulations will be reviewed at a later stage, during which time public input will be sought.

Comment

Nil

Consultation

Nil

Statutory Environment

Shire of Wiluna Town Planning Scheme No 1.

Policy Implications

There are no policy implications resulting from the recommendation of this report.

Financial Implications

Likely initial increased cost in assessing caravan parks and management plans until compliance is achieved.

Strategic Implications

There are no strategic implications resulting from the recommendation of this report.

Voting Requirements SIMPLE MAJORITY***Officer Recommendation*****MOVED CR****SECONDED CR****That Council:**

- a) Approve the following comments on the Consultation Paper for Holiday Parks and Camping Grounds Legislation as listed on the consultation feedback form (Appendix A) and,
- b) Request staff to forward these comments on to the Department of Local Government by 30th November, 2015.

Officer Recommendation & Council Decision***Item 10.2.1.*****MOVED CR WEBB****SECONDED CR HARRIS****That Council:**

- a) Acknowledge the following comments on the Consultation Paper for Holiday Parks and Camping Grounds Legislation as listed on the consultation feedback form (Appendix A) and,
- b) Request staff to forward these comments on to the Department of Local Government by 30th November, 2015.

CARRIED 6/0**Resolution 178/15**

Reason for change – wording changed from “Approve” to “Acknowledge”

10.3. Executive Manager of Corporate Services Reports

10.3.1. Subject/Applicant:	Financial Investments Report
File:	
Reporting Officer:	Glenn Deocampo – Executive Manager, Corporate Services
Date of Report:	19 November 2015
Disclosure of Interest:	Nil

Purpose

Information to Council regarding the current investments- October 2015.

Background

The Council policy no. 2.20 - Financial Investment Policy requires that monthly report is to be presented to “Council detailing the performance of all investments”. Further, it requires that investment register is to be maintained.

The current investments of both reserves and municipal funds are presented as Appendix 10.3.1.

Comment

Municipal Funds: The funds are currently deposited in “call deposit” and fixed term accounts. Both types of deposits yield higher interest than the normal checking account.

A total of \$4,175,901.72 fund was reinvested with NAB-Curve Securities in a fixed term, 121 days, due to mature on 29 January 2016 and the expected interest earnings at maturity is \$40,561.16. This fund includes the Asset Replacement reserve.

Reserve Funds: The reserve funds comprised of the following:

Asset Replacement Reserve	\$2,844,831.32
Leave Reserve	\$ 71,335.66
Computer Reserve	\$ 59,570.78
Airport Reserve	\$ 376,047.84
Wiluna Tele centre	\$ 15,507.61

The Leave Reserve, Computer Reserve, Airport Reserve and Wiluna Tele centre reserve funds totalling to \$522,461.89, were reinvested on 11 August 2015, 182 days, due to mature on 9 February 2016. Whereas, the asset replacement reserve, \$2,844,831.32 was reinvested in NAB, 121 days, maturing on 29 January 2016.

These reserve funds were deposited with NAB- Curve securities and AMP- Curve Securities.

All investments are done in compliance with the policy.

Consultation

Chief Executive Officer

Statutory Environment

Nil

Policy Implications

In compliance with Policy No. 2.20 - Financial Investments Policy

Financial Implications

Interest earned from investments is an income for the Council.

Strategic Implications

Effective governance and administration of Shire's services and prudent financial management all underpin the ability of the Shire to effectively deliver services and programmes.

Voting Requirements SIMPLE MAJORITY

<i>Officer Recommendation & Council Decision</i>		<i>Item 10.3.1.</i>
MOVED CR THOMAS	SECONDED CR WEBB	
1.	That information in this report is received.	
2.	That the accounts paid by authority, \$2,898,857.62, for the period ending 31 October 2015 be received. (Appendix 10.3.1.(b)).	
<u>CARRIED 6/0</u>	Resolution 178/15	

10.4. Executive Manager Technical Services 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***Officer Recommendation and Council Decision*****MOVED CR THOMAS****SECONDED CR WEBB****That the following late items be accepted by the meeting for consideration****12.1. Esperance Bushfire Appeal****12.2. Community Christmas Party****CARRIED 6/0****Resolution 1179/15**

12.1. Subject/Applicant:	Esperance Bush Fire Appeal
File:	
Reporting Officer:	Dean Taylor – Acting Chief Executive Officer
Date of Report:	25 November 2015
Disclosure of Interest:	Nil

Purpose

Council to consider making a donation to the Shire of Esperance bushfire appeal.

Background

Major bushfires have been and still are burning in Esperance. It has been declared a natural disaster which the State government will give assistance for, but funds are still needed.

Comment

The Shire of Kalgoorlie/Boulder have pledged a \$10,000 donation and the surrounding Shires of Menzies and Leonora have pledged amounts of \$2,500 each.

Consultation

Councillors

Statutory Environment

Nil

Policy Implications

The current Shire of Wiluna Donation and Sponsorship policy requires a donation/sponsorship of upwards of \$500 to be first approved by Council.

Financial Implications

Dependant on value of donation approved by Council, there is money available in both the donations fund and bushfire brigade account.

Strategic Implications

Nil

Voting Requirements SIMPLE MAJORITY

Officer Recommendation & Council Decision		Item 12.1.
MOVED CR HARRIS		SECONDED CR WEBB
That Council agree to a donation of \$2,500 be made to the Esperance Bushfire appeal.		
<u>CARRIED 6/0</u>		Resolution 180/15

12.2. Subject/Applicant:	Community Christmas Party
File:	
Reporting Officer:	Dean Taylor – Acting Chief Executive Officer
Date of Report:	25 November 2015
Disclosure of Interest:	Nil

Purpose

Council to consider making a donation to the Wiluna Remote Community School for their Christmas Party.

Background

The Shire has previously run the community Christmas Party but due to staff shortages this year we are unable. The school and Tjitji Centre are combining forces to put on this years event. Only children who have been attending the school and Tjitji Club will be receiving a gift. Parents have been asked to donate \$5 per child.

Comment

If Council were to decide on \$10 child it would be a donation of \$1,100.00

Consultation

Councillors

Statutory Environment

Nil

Policy Implications

The current Shire of Wiluna Donation and Sponsorship policy requires a donation/sponsorship of upwards of \$500 to be first approved by Council.

Financial Implications

Dependant on value of donation approved by Council, there is money available in the donations fund account.

Strategic Implications

Nil

Voting Requirements SIMPLE MAJORITY

<i>Officer Recommendation & Council Decision</i>	<i>Item 12.2.</i>
MOVED CR WEBB	SECONDED CR THOMAS
That Council agree to a donation of \$1,100.00 be made to the Wiluna Remote Community School.	
<u>CARRIED 6/0</u>	Resolution 181/15

13. Matters Behind Closed Doors

Nil

14. There being no further business the Chairperson closed the meeting at 1.33pm.

These minutes were confirmed at the Ordinary Meeting of Council on the 14 December 2015

Signed _____

(Presiding Person at the meeting of which the minutes were confirmed.)

Date: _____