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AGENDA

- 1. **Declaration of Opening and Announcement of Visitors**
The Chairperson declared the meeting open at 12.50pm and welcomed Councillors, staff and visitors to the meeting.
- 2. **Record of Attendance / Apologies and Leave of Absence Previously Approved**

Cr Jim Quadrio President
 Cr Graham Harris Deputy President
 Cr Chris Webb
 Cr Norma Ward
 Cr Stacey Petterson

Colin Bastow Acting Chief Executive Officer
 Glenn Deocampo Executive Manager Corporate Services
 Louka Shopov Executive Manager Engineering & Development Services

Gill Marchant Member of the public

Apologies

Cr Caroline Thomas
 Tracey Luke Executive Manager Community & Economic Development

- 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**

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Jim Quadrio	10.6.1.	Financial	Significant

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Norma Ward	10.6.1.	Financial	Significant



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.

Council Decision

Item 8.1

MOVED CR HARRIS

SECONDED CR WEBB

The Minutes of the Ordinary Meeting held on 7 December 2016 be accepted as a true record of the meeting subject to the amendment of item 10.1.1.

Amendment

Item 10.1.1.

MOVED CR WEBB

SECONDED CR HARRIS

Amend the Shire's 2016/17 Budget as follows:

- 1. Include an allocation of \$60,000 for the purchase and installation of office accommodation, and***
- 2. Reduce the salary and wages expenses by \$60,000 for the Coordinator Economic Development Officer.***

CARRIED 6/0 by Absolute Majority

Resolution 116/16

CARRIED 5/0

Resolution 001/17

8.2.

Council Decision

Item 8.2

MOVED CR WEBB

SECONDED CR PETTERSON

The Minutes of the Special Meeting held on 11 January 2017 be accepted as a true record of the meeting.

CARRIED 5/0

Resolution 002/17



9. Announcement Presiding Member without Discussion

Cr Quadrio advised Council that Item 10.6.1. will be laid on the table due to a lack of quorum as a result of financial interest declarations by two Councillors.

Also, it was announced on Monday that Wiluna was in the next round of funding for the Water For Food programme and he had an interview on ABC Radio's Country Hour.

10. Reports of Officers and Committees

10.1. Chief Executive Officer

10.1.1. Subject/Applicant:	PROPOSAL TO BORROW SUBMISSION
File:	ADM 0233
Reporting Officer:	Colin Bastow – Acting Chief Executive Officer
Author:	Katrina Boylan, Senior Administration Officer
Date of Report:	9 January 2017
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to consider the submission received from the one month advertising period of the *"Proposal to Borrow"* funds for the purchase of 12 bed, 12 ensuite donga style accommodation unit/s.

Background

At its meeting on 24 August 2016, an agenda item was reported on which was to consider an opportunity to develop additional single person's accommodation for shire staff in Wiluna and it was resolved:

"That Council ;

- 1. Authorise unbudgeted expenditure of \$300,000 to be funded by additional borrowings; and*
- 2. The additional Loan to be advertised for public comment."*

The advertisement was placed in the Western Australian newspaper on 12 October 2016 and in various areas in town. The deadline for submission was 9 November 2016.

This report has been prepared for Council to consider the feedback prior to the adoption of the loan.

Comment

At the conclusion of the statutory advertisement, Council received 1 submission. (Appendix 10.1.1. yellow page.)

A submission was received from Mr. Brearley, who was concerned over the legality of the notice as it was not signed by the then Acting Chief Executive Officer, Dean



Taylor, otherwise he believed the purchase of additional accommodation was worthwhile. The physical signing of the public notice is not a legal requirement.

After considering the submission it is recommended that Council proceed with the proposal to borrow \$300,000.

Consultation

Executive Manager Corporate Services

Statutory Environment

Local Government Act 1995 (as amended)

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

Unbudgeted loan repayments.

Strategic Implications

Nil

Voting Requirement ABSOLUTE MAJORITY

Officer Recommendation & Council Decision	Item 10.1.1.
MOVED CR WARD	SECONDED CR WEBB
That Council	
1. After considering the submission received, approves the proposed unbudgeted loan of \$300,000 for a term of 10 years from the WATC,	
2. Approves the addition of the following items into the Shire's 2016/17 Budget:	
a) Capital Income - Loan funding \$300,000, and	
b) Capital Expenditure - Single person's accommodation of \$300,000.	
<u>CARRIED 5/0</u> by Absolute Majority	Resolution 003/17



10.1.2. Subject/Applicant:	2017 ORDINARY ELECTION (POSTAL)
File:	ADM 0403
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	12 January 2017
Disclosure of Interest:	Nil

Purpose

This report seeks a decision from Council on whether to engage the WA Electoral Commission to carry out a postal election for the Shire's elections on the 21 October 2017. The alternative is to continue the usual conduct of an in-person election using Shire staff and the CEO as the returning officer.

Background

The Electoral Commissioner advised the Shire on 29 November 2016 of his agreement to be responsible for the conduct of the ordinary elections in 2017 for the Shire in accordance with section 4.20(4) of the Local Government Act 1995 subject to Council resolving that the Commission undertake the election.

A Postal election can only be run by the WA Electoral Commission, who are responsible for appointing the Returning Officer, whilst in person elections can be run by either the Shire or WA Electoral Commission.

Comment

Postal Election

The benefits of postal elections are:

- Significantly better participation rates than 'in person' elections,
- Minimal disruption to day to day operations,
- Senior officers can better focus on other duties and projects,
- The election is conducted at arm's length' thus minimises any perception of inappropriate staff interference, and
- The election is core business for the Electoral Commission's experienced staff.

The main negative aspect of postal elections is the perceived high cost.

In Person Election

The benefits of an 'in person' election is:

- The social aspect of people turning out on the Saturday, and
- The perception that it is cheaper to have staff conduct the election.

The costs of an 'in person' election is:

- The cost of re-directing staff from their normal core activities, to running an election tends to exceed the cost of paying for a postal election,
- There is a high risk to staff of accusations of bias from unsuccessful candidates or voters, and
- There is a high degree of disruption during the election period that distracts staff from higher priority strategic objectives. This impact is higher for smaller local governments.



The following Information was obtained from the WAEC's website:

The Electoral Commissioner is responsible for conducting postal elections in Western Australia and conducts voting in person elections on request under the Local Government Act 1995. By making the Electoral Commissioner responsible for these elections, the local government concerned ensure that elections are conducted independently and with impartiality. In addition, these local governments have adopted a method of conducting elections that is more convenient for electors and typically achieves a higher rate of voter participation.

Postal elections for local government were first trialled by four local governments in 1995. This increased to eight in 1997, 34 in 1999, 47 in 2001, 55 in 2003, 50 in 2005, 64 in 2007, 69 in 2009, 74 in 2011, 76 in 2013 and 82 in 2015.

The attachment to this report is the written agreement of the Electoral Commissioner to be responsible for the conduct of an election. (Appendix 10.1.2. (pink page)).

Consultation

Nil

Statutory Environment

Local Government Act 1995, Part 4, Division 4:

Section 4.20 (4) - A local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections*

Section 4.61 (2) - The local government may decide to conduct the election as a postal election.*

**(absolute majority required)*

Policy Implications

Nil

Financial Implications

A postal election is estimated to cost \$14,000 by the WAEC.

Strategic Implications

Nil

Voting Requirements ABSOLUTE MAJORITY

**Officer Recommendation & Council Decision****Item 10.1.2.****MOVED CR PETERSON****SECONDED CR WEBB****That Council**

1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner is to be responsible for the conduct of the 2017 ordinary elections together with any other election or poll which may be required.
2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election. and
3. Allocates \$14,000 for election expenses in the 2017/18 draft budget.

CARRIED 5/0 by Absolute Majority**Resolution 004/17**

10.1.3. Subject/Applicant:	APPOINTMENT OF DEPUTY CHIEF BUSHFIRE CONTROL OFFICERS
File:	ADM 0154
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	12 January 2017
Disclosure of Interest:	Nil

Purpose

Council to consider the appointment of two Deputy Chief Bushfire Control Officers (DCBFCO).

Background

The Shire had appointed Mr Wade Bloffwitch at its November Ordinary Council Meeting as the Shire's Chief Bushfire Control Officer.

Comment

The Shire's current Chief Bushfire Control Officer (BFCO) is a Fly In Fly Out (FIFO) worker who may not be onsite during an bushfire emergency. It is therefore important for the Shire to appoint at least deputies just in case they are required as backup.

It is recommended that the author and Executive Manager Engineering and Development Services take on the role DCBFCO due to their ability to approve the use of Shire plant and equipment, if required.

Consultation

Mr Wade Bloffwitch, CBFCO.
Louka Shopov, EMEDS

**Statutory Environment**

Bush Fires Act 1954 - Section 38 details the appointment and duties of the Deputy Chief Bush Fire Control Officer.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Leading Wiluna – Build a culture of continual improvement across the organisation.

Voting Requirements SIMPLE MAJORITY**Officer Recommendation & Council Decision****Item 10.1.3.****MOVED CR PETERSON****SECONDED CR WARD****That Council:**

Approve the appointment of Mr. Colin Bastow and Mr. Louka Shopov as the Shire of Wiluna's Deputy Chief Bushfire Control Officer.

CARRIED 5/0**Resolution 005/17****10.1.4. Subject/Applicant:****SHIRE OF WILUNA – MANAGEMENT
REVIEW ADVISORY GROUP**

File:

ADM 0371

Reporting Officer:

Colin Bastow, Acting Chief Executive Officer

Date of Report:

15 January 2017

Disclosure of Interest:

Nil

Purpose

To recommend the closure of the Shire of Wiluna – Management Review Advisory Group.

Background

The Department of Local Government has expressed concerns about the Shire's Management Review Advisory Group as the charter is in conflict with specific clauses in the Local Government Act 1995.

Comment

Council should close the Shire of Wiluna – Management Review Advisory Group as Councillors apparent attempt to influence the recruitment process, Regulations 7, 9 and 10 of the Rules of Conduct Regulations are likely to apply; a breach of these



Rules may result in a minor breach complaint to the Local Government Standards Panel. The Rules are:

- Regulation 7 – Securing personal advantage or disadvantaging others,
- Regulation 9 – Prohibition against involvement in administration, and
- Regulation 10 – Relations with Local Government employees.

Consultation

- David Baker, Department of Local Government.
- Ron Murphy, Department of Local Government.
- Jenny Law, Department of Local Government.

Statutory Environment

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

* Absolute majority required.

Council can only establish and delegate its responsibilities to a committee that it has the power under the Local Government Act to perform. With regards to the Shire of Wiluna – Management Review Advisory Group, Council only has the power to recruit and manager the CEO. It is the responsibility of the CEO to undertake all hiring, firing and management of all other Shire staff.

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and



- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements SIMPLE MAJORITY

Officer Recommendation & Council Decision		Item 10.1.4.
MOVED CR WEBB		SECONDED CR HARRIS
That Council closes the Shire of Wiluna – Management Review Advisory Group.		
<u>CARRIED 5/0</u>		Resolution 006/17

10.1.5. Subject/Applicant:	WILUNA PUBLIC SWIMMING POOL OPENING HOURS
File:	ADM 0265
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	16 January 2017
Disclosure of Interest:	Nil

Purpose

Council to consider changes to the Wiluna Public Swimming Pool opening hours.

Background

A number of Councillors have requested a change to the Shire’s Wiluna Public Swimming Pool opening hours.

Comment

After consultation with Council and the Shire’s Swimming Pool Coordinator the public opening hour for the Wiluna Public Swimming Pool for this season had been set as follows:

Monday	Closed	
Tuesday	Closed	
Wednesday	1.30pm-7.30pm	
Thursday	6.00am-8.00am	1.30pm-7.30pm



Friday	6.00am-7.00am	1.30pm-7.30pm
Saturday	10.00am-1.00pm	2.00pm-7.30pm
Sunday	10.00am-1.00pm	2.00pm-7.30pm

The Shire also opens the Wiluna Public Swimming Pool on Wednesday between 8.00am to 11.00am for the local preschool, however the general public are not allowed to use the pool during this time.

The Shire operated the Wiluna Public Swimming Pool between the months of October to April each year.

The Contract of Employment for the Swimming Pool Coordinator is required to work 76 hours per fortnight, which would include any setup and closure times.

The Swimming Pool Coordinator has recommended that the opening hours should be as follows:

During School Term:

Monday	Closed	
Tuesday	9.00am-11.00am	12.00pm-6.00pm
Wednesday	6.00am-8.00am	12.00pm-6.00pm
Thursday	6.00am-8.00am	12.00pm-6.00pm
Friday	6.00am-8.00am	12.00pm-6.00pm
Saturday	11.00am-4.00pm	
Sunday	11.00am-4.00pm	

The above schedule means there is 44 hours of opening time (4 hours of setup and closing time).

During Holiday Periods:

Monday	Closed	
Tuesday	10.00am-1.00pm	
Wednesday	10.00am-1.00pm	2.00pm-6.00pm
Thursday	6.00am-8.00am	10am-1.00pm 2.00pm-6.00pm
Friday	6.00am-8.00am	10am-1.00pm 2.00pm-6.00pm
Saturday	10.00am-1.00pm	2.00pm-6.00pm
Sunday	10.00am-1.00pm	2.00pm-6.00pm

The above schedule means there is 41 hours opening time (5 hours setup and closing time)

By change the opening time on the 1 February 2017 will allow the Shire time to promote any changes.

Consultation

Jonathon Morgan – Swimming Pool Coordinator.

Tracey Luke – Executive Manager Community and Economic Development.

Statutory Environment

Nil



Policy Implications

Nil

Financial Implications

The Contract of Employment for the Swimming Pool Coordinator sets the maximum wages to be paid. Additional accrued time will be taken as flexi time during the off season.

Strategic Implications

Access to Sport, recreational and cultural activities and infrastructure – Provide sports and fitness activities for the community.

Voting Requirements SIMPLE MAJORITY

Officer Recommendation & Council Decision

Item 10.1.5.

MOVED CR HARRIS

SECONDED CR PETTERSON

That Council

Endorses the following opening hours for the Wiluna Public Swimming Pool from the 1 February 2017:

Monday	Closed	
Tuesday	9.00am to 11.00am	12.00pm to 6.00pm
Wednesday	6.00am to 8.00am	12.00pm to 6.00pm
Thursday	6.00am to 8.00am	12.00pm to 6.00pm
Friday	6.00am to 8.00am	12.00pm to 6.00pm
Saturday	11.00am to 4.00pm	
Sunday	11.00am to 4.00pm	

CARRIED 5/0

Resolution 007/17



10.1.6. Subject/Applicant:	POLICY – 2.18 OUT OF DISTRICT ALLOWANCE (AMENDMENT)
File:	ADM 0318
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	17 January 2017
Disclosure of Interest:	Nil

Purpose

Council to consider amending its current Out of District Allowance policy.

Background

The Shire's policy 2.18 Out of District Allowance was intended to apply to those staff who were expected to work away from their normal place of residency.

Comment

The proposed amendments are mainly minor in nature, however the concept of working out of district has to be changed so that a second work place is now considered to be within the district.

Any proposed changes to the policy have been highlighted for Councils reference, whilst all recommended deletions have a line through their text.

Consultation

WALGA Employee Relations Service.

Statutory Environment

Local Government Act.

Policy Implications

Amendments to policy 2.18 Out of District Allowance.

Financial Implications

The proposed changes are expected to only have minor financial implications.

Strategic Implications

Leading Wiluna – A strong, capable and well trained workforce and Council operating in a supportive and culturally sensitive work environment. – Support individuals and teams to achieve their full potential.

Voting Requirements SIMPLE MAJORITY

**Officer Recommendation & Council Decision****Item 10.1.6.****MOVED CR HARRIS****SECONDED CR WEBB****That Council****Adopts the amended policy 2.18 Out of District Allowance as follows:**

POLICY: OUT OF DISTRICT ALLOWANCE

POLICY NO: 2.18

SECTION: ADMINISTRATION AND FINANCE

COUNCIL MEETING HELD

& ADOPTED: 27 NOVEMBER 2013
RES. 108/13

DATE TO BE REVIEWED: 2015

Intent – Shire staff are required, from time to time, to travel to attend meetings, training, events and conferences directly related to their role as employees. The costs in relation to these expenses are to be controlled to ensure maximisation of “value for money”, efficient allocation of Shire resources and to prevent any misappropriation of funds in relation to these costs.

Purpose – This policy outlines the Council Shires requirements in relation to payment of expenses for attendance at conferences, training, events and meetings which are outside of the Staff’s normal place of residence.

Principles –

1. Expenses for conferences, training, events and meetings are those which staff attend in their capacity as Shire employees, and are in direct relation to staff duties and/or the Shire’s scope of works and services.

2. The Chief Executive Officer is required to approve or ~~has the discretion to reject~~ all applications to attend conferences, training, events and meetings. Applications for attend conferences, training, events and meetings if the must clearly demonstrate the benefit to /need of the Shire ~~cannot be established~~ to attend.

3. Expenses related to the registration costs of attendance (inc. fees, material charges) are met in full by the Shire.

4. Travel costs related to the attendance will be met by the Shire as follows:

(a) Third-party travel such as airfares or bus fares (including travel to and from airport, taxi fares, etc.) to be paid for by the Shire, ~~using corporate credit card or purchase order;~~ or

(b) Staff issued with work vehicles for private use may use ~~these~~ this (or replacement) vehicle for their transport; fuel is provided by the Shire; or



(c) If there are Shire vehicles available for use, staff and elected members may be able to use these; fuel provided by the Shire; or

(d) Alternative travel arrangements, approved at the discretion of the Chief Executive Officer, provided that they are cost effective.

5. Expenses relating to accommodation and meals will be met by the Shire as follows:

(a) Accommodation and meals (excluding alcoholic drinks) to the value of up to \$200 per night to be paid for by the Shire, ~~using corporate credit card or purchase order;~~ or

(b) Staff will be paid an allowance of up to \$200.00 per night. Staff will then be required to arrange their own accommodation and meals for the duration of attendance; or

(c) If staff are required to attend any conference, meeting, training or other sanctioned event above the 26th parallel, then the value referred to in 5(a) and 5 (b) may be ~~is~~ increased up to \$250.00 ~~only~~.

6. Proof of purchase/cost incurred must accompany all claims for reimbursement, except for the per diem allowance claimable at 5(b).

7. Where Staff who fail to attend in full or complete any training or participation in meetings/conferences/so forth but have been paid the ~~per diem~~ clause ~~allowance as per~~ 5(b) or 5 (c) will be required to pay back the value of the accommodation and meals and/or allowance; disciplinary action may also be taken against the staff member ~~if they do not~~ have a valid reason for not attending the full training/meeting/conference/etc.

8. The Chief Executive Officer or relevant ~~staff line~~ manager reserves the right to not offer either option 5(a) or 5 (b) to a staff member and instead make the most cost effective and suitable decision regarding their meals and accommodation.

9. This policy applies to staff who are required to work away from their normal place of residence which would include the majority of Shire staff who permanently reside in Wiluna. However, in the case of a staff member who works in two separate locations, as may be the case with a Fly in Fly Out (FIFO) worker, the Shire considers their second work place to also be inside of the District and therefore this policy would not automatically apply.

CARRIED 5/0

Resolution 008/17



10.1.7. Subject/Applicant:	DONATION
File:	ADM 0108
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	17 January 2017
Disclosure of Interest:	Nil

Purpose

Council is requested to consider the donation of \$2,000 towards the production of a video that features the historic local sheep shearing industry.

Background

The Shearers & Pastoral Workers Social Club is currently visiting regional local governments, including Wiluna to gain financial support to fund the video production of an archival story to capture the era of shearing in Western Australia between 1900's to 1960's.

Each local government is being requested to contribute \$2,000 toward the production of this video.

Comment

This video would be a worthy addition to the Shires Interpretive Centre, as it would provide visitors with a unique insight into the now defunct local sheep industry. As the Shire has been advised that if it contributes to this project it will be entitled to display and reproduce copies of the video.

This project does give the Shire the rare opportunity to ensure an important industry of its day is recorded for future generations and therefore should be supported.

Consultation

Jim Quadrio, Shire President.
Graham Harris, Deputy Shire President.
Stacey Petterson, Councillor.
Norma Ward, Councillor.

Statutory Environment

Local Government Act

Policy Implications

Nil

Financial Implications

E117012 Wiluna Historical Photographs Restoration/Preservation \$4,000 (Budget),
\$0 (YTD Actual)

Strategic Implications

Proud Wiluna – Awareness and respect for Wiluna's cultural. Pastoral and industrial heritage and Martu traditions.

**Voting Requirements SIMPLE MAJORITY****Officer Recommendation & Council Decision****Item 10.1.7.****MOVED CR HARRIS****SECONDED CR WARD****That Council****Approves the donation of \$2,000 towards the production of video about the local sheep industry to the Shearers & Pastoral Workers Social Club.****CARRIED 5/0****Resolution 009/17****10.1.8. Subject/Applicant:****COMMON SEAL APPROVAL**

File:

ADM 0179

Author:

Katrina Boylan, Senior Administration Officer

Reporting Officer:

Colin Bastow, Acting Chief Executive Officer

Date of Report:

18 January 2018

Disclosure of Interest:

Nil

Purpose

The purpose of this report is to approve the use of the common seal.

Background

Council resolved at its meeting on 7 December 2016 the following:

“Officer Recommendation & Council Decision

Item 12.1

MOVED CR HARRIS

SECONDED CR WARD

That the Council resolve to:

- (1) Note the submissions received on the proposed Amendment No.1 to the Shire of Wiluna Local Planning Scheme No.2.*
- (2) Adopt the proposed Amendment No.1 for final approval to the Shire of Wiluna Local Planning Scheme No.2, as initiated by Council at its meeting of 17 June 2016, without modification.*
- (3) Forward the Amendment documentation to the Western Australian Planning Commission with a request that the Hon. Minister for Planning approve its gazettal without modification.*
- (4) Advise those who lodged a submission of Council’s decision accordingly.*

CARRIED 6/0

Resolution 121/16”

Affixing the Common Seal is now needed to forward the documentation to the Minister.

**Comment**

The Shire of Wiluna Local Law (Standing Orders) 1999 clause 19.1(2) requires that:

'The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the President and the CEO or an employee authorised by him or her'

The use of the seal will be noted in the register in accordance with clause 19(5).

Consultation

Nil

Statutory Environment

Local Law (Standing Orders) 1999 – clause 19.1(2) & (5)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements SIMPLE MAJORITY

<i>Officer Recommendation & Council Decision</i>	<i>Item 10.1.8.</i>
MOVED CR WEBB	SECONDED CR HARRIS
That Council approves the use of the Common Seal on the Shire of Wiluna Town Planning Scheme No.2 amendment as adopted by Council at the December 2016 Ordinary meeting of Council	
<u>CARRIED 5/0</u>	Resolution 010/17

10.2. Deputy Chief Executive Officer

Nil

10.3. Principal Environmental Health Officer and Building Surveyor

Nil



10.4. Executive Manager of Corporate Services Reports

10.4.1. Subject/Applicant:	FINANCIAL REPORT – NOVEMBER 2016
File:	ADM 0071
Reporting Officer:	Glenn Deocampo - Executive Manager Corporate Services
Date of Report:	16 January 2017
Disclosure of Interest:	Nil

Purpose

Presentation of the Financial Reports for the period ending 30 November 2016

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 report for the period ending 30 November 2016 is listed as Appendix 10.4.1. (green pages).

Comment

The net current asset as at 30 November is \$10,234,748. The Statement of Financial Activity and Net Current Asset reports details the composition of this surplus.

A report for variances between budgeted and actual expenditure including the required material variances is included in the monthly financial statements.

Consultation

Nil

Statutory Environment

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

Voting Requirement SIMPLE MAJORITY

Officer Recommendation & Council Decision		Item 10.4.1.
MOVED CR HARRIS	SECONDED CR PETERSON	
1	The Financial Reports, including the Statement of Financial Activity, for the period ending 30 November 2016 be received.	
2	Council receives the list of accounts paid by authority for 30 November 2016, \$8,124,726.68 and list of accounts paid by authority for 31 December 2016, \$575,688.06.	
<u>CARRIED 5/0</u>		Resolution 011/17



10.4.2. Subject/Applicant:	FINANCIAL INVESTMENTS REPORT - NOV
File:	ADM 0071
Reporting Officer:	Glenn Deocampo – Executive Manager, Corporate Services
Date of Report:	30 November 2016
Disclosure of Interest:	Nil

Purpose

Information to Council regarding the current investments – November 2016

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 10.4.2. (blue pages).

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 \$4,319,584.19 fund was reinvested with NAB-Curve Securities in a fixed term, 90 days, due to mature on 27 February 2017 and the expected interest earnings at maturity is \$28,225.23. This fund includes the Asset Replacement reserve, \$3,217,298.78 and Municipal Funds, \$1,102,285.41

Reserve Funds: The reserve funds comprised of the following:

Asset Replacement Reserve	\$3,217,298.78
Leave Reserve	\$ 73,600.16
Computer Reserve	\$ 101,849.54
Airport Reserve	\$1,094,770.41
Wiluna Tele centre	\$ 15,999.89

The Leave Reserve, Computer Reserve, Airport Reserve and Wiluna Tele centre reserve funds totalling to \$1,273,872.16, were invested in NAB, 90 days, due to mature on 08 December 2016, and expected earnings at maturity of \$8,087.33

The call account balance as at 30 November 2016 is \$6,044,491.23.

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

Items 10.4.2 and 10.4.3. were adopted by en bloc resolution

Officer Recommendation & Council Decision	Item 10.4.2.
MOVED CR HARRIS	SECONDED CR WEBB
That information in this report is received.	
<u>CARRIED 5/0</u>	Resolution 012/17

10.4.3. Subject/Applicant:	FINANCIAL INVESTMENTS REPORT - DEC
File:	ADM 0071
Reporting Officer:	Glenn Deocampo – Executive Manager, Corporate Services
Date of Report:	16 January 2017
Disclosure of Interest:	Nil

Purpose

Information to Council regarding the current investments – December 2016

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 10.4.3. (blue pages)



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 \$4,319,584.19 fund was reinvested with NAB-Curve Securities in a fixed term, 90 days, due to mature on 27 February 2017 and the expected interest earnings at maturity is \$28,225.23. This fund includes the Asset Replacement reserve, \$3,217,298.78 and Municipal Funds, \$1,102,285.41

Reserve Funds: The reserve funds comprised of the following:

Asset Replacement Reserve	\$3,217,298.78
Leave Reserve	\$ 74,062.93
Computer Reserve	\$ 102,489.93
Airport Reserve	\$1,101,653.97
Wiluna Tele centre	\$ 16,100.49

The Leave Reserve, Computer Reserve, Airport Reserve and Wiluna Tele centre reserve funds totalling to \$1,294,307.32 were invested in NAB, 90 days, due to mature on 8 March 2017, and expected earnings at maturity of \$8,297.76

The call account balance as at 31 December 2016 is \$6,050,403.24.

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**

**Officer Recommendation & Council Decision****Item 10.4.3.****MOVED CR HARRIS****SECONDED CR WEBB****That information in this report is received.****CARRIED 5/0****Resolution 012/17**

10.4.4. Subject/Applicant:	ANNUAL REPORT 2015/2016
File:	00107
Reporting Officer:	Glenn Deocampo – Executive Manager Corporate Services
Date of Report:	18 January 2016
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to adopt the Annual Report for the year ended 30 June 2016 incorporating the Audited Financial Statements and Audit report as at 30 June 2016, and to set the date and place for the Annual General Meeting of the Electors.

Background

Section 5.54 of the Local Government Act 1995 requires that the annual report for the financial year be accepted by the Local Government no later than 31 December after that financial year subject to the availability of the Auditor's report.

Section 5.54 also sets out the requirement for the preparation of Annual Reports and information to be included:

- a report from the mayor or president
- a report from the CEO
- an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- the financial report for the financial year;
- such information as may be prescribed in relation to the payments made to employees;
- the auditor's report for the financial year;
- a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
- details of entries made under section 5.121 during the financial year in the register of complaints, including the number of complaints recorded in the register, how the recorded complaints were dealt with, and any other details that regulations may require; and
- such other information as may be prescribed.



Further, the act requires that “general meeting of the electors is to be held once every financial year” on a day selected by the Council. It should not be more than 56 days after the acceptance of the annual report.

Comment

The audit was successfully completed. The Audited Financial Report and Audit report as at 30 June 2016 were received on 13 December 2016. These reports were discussed and received by the Audit Committee, and resolved to present it to the Council for adoption.

Regulation 51 (2) of the Financial Management Regulations requires Council must forward these reports to the department within 30 days of the receipt of the auditor's report on that financial report. The report was forwarded to the department on 10th January 2017.

The Annual Report presented has been prepared in accordance with the requirement of the Act.

The General Meeting of the Electors will be advertised locally.

Copies of the Annual report will be produced and be made available at the Shire's office prior to the General Meeting of the Electors. See attached appendix 10.4.4. (grey pages.)

Consultation

RSM

Acting Chief Executive Officer

Statutory Environment

Local Government Act 1995 Sections 5.53 & 5.54 Annual Report, Sections 5.27 & 5.29 Elector's Meeting

Policy Implications

No specific policy in relation the Annual Report and or Annual Electors Meeting

Strategic Implications

The report provides information about the Shire for 2015/2016 and the plan for the future.

Voting Requirement ABSOLUTE MAJORITY



Committee Recommendation & Council Decision **Item 10.4.4.**

MOVED CR WEBB

SECONDED CR WARD

1. That the Annual Report for the year ended 30 June 2016 incorporating the Audited Financial Statements and the audit report as at 30 June 2016 as endorsed by the Audit Committee be adopted.
2. That the Annual General Meeting of Electors be held on 21 February 2017, at 7pm in Shire of Wiluna Sports and Recreation Centre.

CARRIED 5/0 by Absolute Majority

Resolution 013/17

10.4.5. Subject/Applicant:	MANAGEMENT LETTER 2015/2016
File:	ADM 0332
Reporting Officer:	Glenn Deocampo – Executive Manager, Corporate Services
Date of Report:	17 January 2017
Disclosure of Interest:	Nil

Purpose

Council to accept the Management letter for the financial year 2015/2016, and endorses actions determined on the matters raised in the letter.

Background

RSM Australia Pty Ltd, Shire’s appointed auditor, has successfully completed the audit for the financial year 2015/2016. The Shire received the financial and audit reports together with Management letter on 13th December 2016.

A management letter is basically a letter from the auditors that confirms the accuracy of the audit.

This letter identifies issues during the audit that relates to organisation’s accounting policies and procedures, internal controls and operating policies. Recommendations for improvement are also cited that is worthy to consider.

Comment

A number of issues and concerns were raised during the Audit and mentioned in the Management letter (Audit Findings letter). (Circulated at meeting). The management looked into these concerns, addressed the issues and determined actions, considering the auditors’ recommendations to improve the systems.

The following are summary of findings identified during the audit and the management’s actions:

- Non-compliance with internal purchasing policy
 - Insufficient documentation to show compliance with purchasing policy
 - non-compliance to tender’s as per Act requirement



-purchase orders are dated after the invoice date, indicate no proper authorisation

The management will review its purchasing policies and procedure to ensure that such reoccurrence of such errors would be avoided. It will continue to orient the staffs that the purchasing policy should be strictly adhered to, ensuring that purchase of goods and services are properly authorised.

- Acting Chief Executive Officer Services
-failure to provide a written contract to Acting CEO

The Council and management will review its procedures and policies on employment of CEO and senior managers, and ensure its implementation is strictly followed and complies with the requirement of the Act.

- Review of journals
-Insufficient evidence to show that journals are properly reviewed

The management reviewed its procedures on this area, and have imposed a new system ensuring that journals and transactions are reviewed and properly authorised.

The budget provides for two additional finance officers and Deputy CEO that would help and allow in improving internal control and segregation of duties.

- Investment Register and bank reconciliation
-investment register reconciliation back to general ledger was not prepared and reviewed on routine basis

The management has addressed this concern by providing instructions to the staffs to reconcile banks accounts including investments on a strict monthly basis.

- Ratio benchmarks
-ratios below benchmark standard indicate adverse trends in short term sustainability of the Shire

The Council and the management will continue to review this matter and consider the potential impact of the adverse ratios when updating the Shire's long-term financial plan.

This Management letter to be tabled at the meeting as it contains sensitive and confidential matters.

Consultation

RSM Australia Pty Ltd

Acting Deputy Chief Executive Officer



Statutory Environment

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

Committee Recommendation & Council Decision	Item 10.4.5.
MOVED CR WEBB	SECONDED CR HARRIS
That Council accepts the Management letter (Audit Findings) for financial year 2015/2016 and endorses the actions taken by the Shire to address these issues.	
<u>CARRIED 5/0</u>	Resolution 014/17

10.5. Executive Manager Economic and Community Development

Nil

10.6. Executive Manager Engineering & Development Services

This item carried over due to lack of quorum

10.6.1. Subject/Applicant:	RFT 2016/04 RURAL ROADS RECONSTRUCTION-AWARD OF TENDER
File:	ADM 0399
Reporting Officer:	Louka Shopov – Executive Manager Engineering & Development Services
Date of Report:	20 December 2016
Disclosure of Interest:	Nil

Purpose

The report recommends a contract to be awarded to the preferred tenderer for the reconstruction of Wongawol Road, Granite Peak Lake Violet Road and Wiluna North Road..

Background

An advertisement for calling of tender for the reconstruction of some rural roads was placed in *The Western Australian* newspaper on Saturday, 26th, November 2016. Council's rural roads reconstruction works program includes total of 46.0 km of roads as listed in table 1.

Table 1. Shire of Wiluna 2016-17 Rural Roads Reconstruction Program..

Road	Start (SIk)	Finish (SIk)	Length (m)	Treatment
Wongawol Road	27.10	30.10	3,000	Gravel Sheeting
	33.10	34.10	1,000	
	36.60	41.60	5,000	
	75.90	78.90	3,000	
	171.00	174.00	3,000	
Granite Peak Lake Violet Rd	55.40	76.40	21,000	Gravel Sheeting
Wiluna North Road	60.00	70.00	10,000	Gravel Sheeting
Total			46,000	

The tendered prices have been assessed together with qualitative and specification criteria to determine the most advantageous outcome to the Shire.

The assessment criteria applied was:

- Cost 80%
- Relevant Experience 10%
- Organisational Capacity & Resources 5%
- Demonstrated Understanding 5%

The extent to which a Tender demonstrated greater satisfaction of each of these criteria resulted in a greater score. The aggregate score of each Tender has been used in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Comment

Eight (8) civil engineering companies have submitted tenders.

The Tenders were reviewed by an evaluation panel, which involved:

- Executive Manager Engineering and Development Services, Mr Louka Shopov
- Assets Infrastructure Officer, Mrs Kavoa Dakunimata

The evaluation panel scoring is tabulated in Table 2 below, providing the final ranking of tender submissions.

Tenderer	Total Score/Ranking
CE Centrals P/L	56.1 (7)
Red Dust Holdings P/L	57.5 (5)
Roadtech Constructions P/L	60.2 (3)
VCS Civil and Mining P/L	56.7 (6)
Quadrio Earthmoving P/L	62.6 (2)
Gencon Civil P/L	46.1 (8)
Nordern Goldfields Earthmoving P/L	58.1 (4)
Goodwork Holding P/L	63.7 (1)

Table 2: Evaluation ranking

The tendered prices were assessed together with qualitative and specification criteria to determine the most advantageous outcome to the Shire. Local knowledge and demonstrated experience in providing timely and quality service factored in the overall weighting of the tender assessment. Based on the above evaluation it is recommended that the Shire awards the contract to one tenderer.

The preferred contractor for the reconstruction of Shire of Wiluna rural roads for 2016-17 works program, is Goodwork Holding Pty. Ltd. who has a team with extensive experience within the industry. It is recommended Goodwork Holdings P/L be awarded the contract to reconstruct 46.0 km of rural roads, included in the annual works program for the total cost of \$1,379,383.00 (including GST), in accordance with Tender specification and current Australian standards and regulations

Goodwork Holding P/L is capable of completing all three projects before the end of June 2017.

Consultation

Internal: Chief Executive Officer
External: Local Civil Contractors

Statutory Environment

Local Government Act 1995
Local Government (Function and General) Regulations 1996

Policy Implications

Nil

Financial Implications

Allowance of \$ 1,300,000 (Excluding GST) has been made within the 2016-17 Budget for the reconstruction of various sections of Wongawol Road, Granite Peak Road and Wiluna North Road. The recommended submission is within the Shire budget allocations.

Strategic Implications

Shire of Wiluna Strategic Community Plan, July 2012- June 2023.
Green Wiluna-Ensure all Shire roads and streets are maintained and safe.



Voting Requirements SIMPLE MAJORITY

Officer Recommendation

MOVED CR

SECONDED CR

That:

The contract for the reconstruction of various sections (total length 15km) of Wongawol Road, 21.0km of Granite Peak Lake Violet Road and 10.0km of Wiluna North Road for the total price of \$1,379,383.00 (One Million, Three Hundred and Seventy Nine Thousand and Three Hundred and Eighty Three Australian Dollars), including GST, is awarded to Goodwork Holdings Pty. Ltd.

CARRIED.../...

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

MOVED CR PETERSON

SECONDED CR HARRIS

That the following late item be accepted by the meeting for consideration in order to adopt:-

Item 12.1. Cancellation of Local Government Advisory Services and Maintenance and Building Services Panels

CARRIED 5/0

Resolution 015/17

12.1. Subject/Applicant:	CANCELLATION OF LOCAL GOVERNMENT ADVISORY SERVICE & MAINTENANCE AND BUILDING SERVICES PANELS
File:	ADM 0359/0366
Reporting Officer:	Colin Bastow, Acting Chief Executive Officer
Date of Report:	22 January 2017
Disclosure of Interest:	Nil

Purpose

For Council to consider cancelling the Local Government Advisory Services and Maintenance and Building Services Panels.



Background

The Department of Local Government and Communities has cautioned the Shire over the use of consultants and/or contractors who may be on the Local Government Advisory and Maintenance and Building Services panels.

The Author has already instructed Shire staff to no longer use these panels. Therefore, the Shire will no longer engage consultants and/or contractors via this panel process.

Comment

The use of contractors and/or consultant's panels from the following tenders should be discontinued for the reasons stated above:

- a. RFT 2016-03 Local Government Advisory Service, and
- b. RFT 2016-01 Maintenance and Building Services.

Therefore, it is recommended to Council that both tender panels be cancelled and that Shire staff should either seek additional quotes or prepare tender documents for Councils consideration, whichever is appropriate, for any future works.

The Shire should only consider calling for similar tenders once any compliance issues are fully known by Council.

Consultation

David Baker, Department of Local Government.

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements SIMPLE MAJORITY



Officer Recommendation & Council Decision

Item 12.1

MOVED CR HARRIS

SECONDED CR PETERSON

That Council

- 1. Approves the Cancellation of the following tender panels:
 - a. RFT 2016-03 Local Government Advisory Service, and**
 - b. RFT 2016-01 Maintenance and Building Services.****
- 2. Endorse the CEO future action to engage an independent consultant to manage any future tenders preparation and assessment of a similar nature.**

CARRIED 5/0

Resolution 016/17

13. Matters Behind Closed Doors

Nil

- 14. There being no further business the Chairperson closed the meeting at 1.42pm.**

These minutes were confirmed at the Ordinary Meeting of Council on the 22 February 2017

Signed _____

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

Date: _____