

Shire of Wiluna

**CONFIRMED MINUTES**



**Ordinary Meeting of Council**

**Held**

**Wednesday 25 August 2010**

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## MINUTES

Minutes of the Ordinary Meeting of Shire of Wiluna held in the Council Chamber,  
Scotia Street, Wiluna on 25 August 2010

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

The meeting was opened at 10.10am.

The Shire President welcomed back the Chief Executive Officer from annual leave and expressed his appreciation to the Acting Chief Executive Officer for a job well done. He also welcomed the public to the meeting and acknowledged new Councillors who were present.

Cr Kyanga acknowledged the contribution of Cr Ken Farmer to the Council and the community as a whole and spoke of the sadness and loss the whole community are feeling at the passing of Cr Farmer recently.

President invited the CEO to say a few words. The CEO acknowledged Cr Farmer's contribution to the planning of a brighter future for Wiluna and especially its Martu families and the respect and fondness the staff held for him.

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

John Kyanga	(President)
Graham Harris	(Deputy President)
Jim Quadrio	(Councillor)
Chris Webb	(Councillor)
Stacey Petterson	(Councillor)
David McCutcheon	(Councillor)
Samantha Tarling	(Chief Executive Officer)
Tony Doust	(Acting Deputy Chief Executive Officer)
Glenn Deocampo	(Manager, Finance & Administration)

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

Nil

### **4. Public Question Time**

Questions asked by David Betteridge

Q1: Could the CEO please explain why the Shire spent thousands of dollars to acquire the Marrawayura building to use as a tourism office and yet nothing has been done to have the tourist information office move there?

A1: The CEO explained that the office had been fitted out to house the tourism office and the tourism officer was scheduled to move into the office until a decision was made a couple of days before to cancel this arrangement due to competing demand from industry partners and government agencies of the RPA to have office space in the town to deliver essential services in employment and training opportunities.

Q2: What is the council doing to address the dog problem we have had in town for the past eleven years it seems the only answer anyone ever gets is we are working on it, a prime example is last year the budget was five thousand dollars. On the average wage that's about five weeks work for one person hardly sufficient to address the problem we have in town. Surely we could work with shires in close proximity to town to hire a ranger similar to the plan we had with health inspector a few years ago. Why not hire a professional dogger, pay them a basic wage and a bounty on pairs of ears. That person may also be able to assist the local pastoralist for a small fee to them. At present it seems there is one law for a small percentage of the population and a don't care attitude about those who choose to ignore the rules.

A2: The CEO and Acting D/CEO advised that this year's budget increased the Ranger's salary from \$5,000 to \$25,000 and the total animal control budget is \$50,000 and this reflected council's commitment to manage the dog problem in town.

The Acting D/CEO advised that whilst he was the Acting CEO recently he had a contract ranger come to Wiluna and manage a couple of immediate problems and was currently negotiating with him to provide a service to Wiluna on a monthly basis and in the in-between times, the depot staff would attend spot problems where possible. The CEO advised that the out of town contract services provided will cost approx \$2600 per visit, every three weeks for one full day, two nights and two mornings work. This cost had to be considered in the overall affordability of providing a contracted service and whether it would achieve the outcome the community was demanding.

The CEO advised that the Council had trained a local person as a ranger in 2009 with the view that it would be a long term arrangement however the ranger had recently resigned leaving this position vacant without any persons in the community interested in the community because it created difficulties socially with friends and family when carrying out rangers duties.

The suggestion of a dogger being employed is not an option due to the regulations and the service being for managing wild dogs and not domestic dogs.

Questions asked by Della Booker

Q1: What is Council's official position on Uranium mining? When are you going to advise the public of your official position?

A1: Council will receive a report at the September or October council meeting and an official position will be taken. Council will publicize the decision through the Shire newsletter.

Q2: What date will the Swimming pool be opened and closed this season? Do you have a swimming pool manager employed? When are you going to test the pool water and will it be cleared before the season opens?

A1: The pool opens on 25 September 2010 and closes 10 April 2011 to the public. Opening days and time are Wednesday to Monday, 11am – 1pm and 2pm – 7pm, and closed every Tuesday. The pool manager is Sean Lennon who returns from his short stint with the Shire last season.

This information will be published in the newsletter and posters around the town.

Q3: What is the Heritage Trail Interpretation plan payment of \$83,861.25?

A1: This is a funded project under the Streetscape Beautification program. Funds for specific intended project cannot be used for any other projects or operational costs.

**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**

Mr Mick Wilson from Golden West Resources gave a presentation to update Council on the mine's Iron Ore and Gold Project.

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

**8.1** The Minutes of the Meeting held on 28 July 2010 be accepted as a true record of that meeting.

**122/10 Council Decision**

**MOVED CR. QUADRIO**

**SECONDED CR. WEBB**

**CARRIED 6/0**

**9. Announcement Presiding Member without Discussion**

Nil

**10. Reports of Committees and Officers**

**10.1. Chief Executive Officer Reports**

<b>10.1.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	16 <sup>th</sup> August 2010
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for Council to receive the CEO's status report and endorse/approve the CEO's actions/recommendations.

**Minister for Local Government's Visit - 26<sup>th</sup> August 2010**

Councillors are reminded of the arrangements for the Minister for Local Government Hon John Castrilli MLA to visit Wiluna on Thursday 26<sup>th</sup> August 2010:

12.50pm. Minister and his staff arrive at Wiluna Airport – private charter

1.15pm. Shire President, Councillors and CEO to meet with the Minister in the Council Chambers. A light lunch will be provided and inspect progress in Wiluna

2.45pm Depart for the Wiluna Airport.

Councillors will need to advise the CEO if they will not be attending this meeting with the Minister.

The main item for discussion with the Minister is the Wiluna Development Project including progress to date and future funding to continue after the 30<sup>th</sup> June 2011. At the last Council meeting Councillors requested an update on the project. A copy of the report presented to Council at its meeting on the 16<sup>th</sup> June 2010 was recently circulated to all Councillors.



### **Minister for Transport's Visit – 3<sup>rd</sup> September 2010**

The Minister for Transport's visit to Wiluna has been confirmed. The Acting CEO was advised by the Ministers Office on Tuesday 17<sup>th</sup> August 2010 that the Ministers office was waiting for information from the Shire about the matters to be discussed and the arrangements for the visit. The Acting CEO confirmed that the main reason for the visit was to discuss the Wiluna Meekatharra Road. The itinerary would include a meeting with Councillors and Staff, inspection of the Road and Town. Lunch would be provided. The final report on the Wiluna Meekatharra Road Council commissioned was being completed and as soon as it was available a copy would be sent to the Minister's Office.

The Shire President has extended an invitation to the President, Deputy Shire President and Chief Executive Officer of the Shire of Meekatharra to attend the meeting with the Minister.

### **Local Government Week Convention - 5<sup>th</sup> to 7<sup>th</sup> August 2010**

The Shire President Cr John Kyanga, Deputy Shire President Cr Graham Harris, Cr Jim Quadrio, Cr Stacey Petterson and the Acting CEO Tony Doust all attended the Local Government Week Convention.

The delegates that attended the convention may like to provide their assessment of the activities and daily sessions, however the Acting CEO felt the highlights were the inspirational address by Ms Gill Hicks MBE who lost both her legs from below the knees in the London bombings on 7<sup>th</sup> July 2005, the presentation by David Wirrpanda on his life and ambitions for the indigenous community and the contribution by our own Tracey Latu Kuli Kefu to the concurrent session on "Rural & Remote and Indigenous Local Government – Doing the business differently" on Friday afternoon. The facilitator of this session Dr Robyn Morris of Edith Cowan University has emailed Alan Stewart saying "Tracey I think stole the show!" Congratulations to Tracey. The message from these presentations and input is that you can achieve what you want if you adopt positive attitude and the dedication required.

The delegates also attended the GVROC Council meeting on morning of Thursday 5<sup>th</sup> and the dinner that evening. The meeting included several presentations from State Government Officers and the dinner provided an excellent opportunity to network with the members of the Goldfields region. The Western Australian Local Government Association meeting was held on the afternoon of Saturday 7<sup>th</sup>.

Attached to the Agenda are the following:

- WALGA - Infopage – Local Government Convention Highlights  
Appendix C – Red pages
- WALGA - Minutes Annual General Meeting 7<sup>th</sup> August 2010  
Appendix D – Pink pages

- GVROC – Minutes GCROC Council meeting 5<sup>th</sup> August 2010  
Appendix E – Gold pages

### **Closing the Gap & Making Connections**

The Acting CEO and Councillor Quadrio have provided to URBIS the input received and the document is now in the process of being finalized. Every effort is being made to be in a position to provide the Minister for Transport with a completed copy prior to his visit.

### **Chief Justice Wayne Martin - Visit to Wiluna – Tuesday 7<sup>th</sup> September 2010**

The Chief Justice of Western Australia Wayne Martin will be visiting Wiluna on Tuesday 7<sup>th</sup> September 2010. He will be meeting with the Police, Aboriginal Elders, MEEDAC and NAHS. The Manager of Aboriginal Advisory Services, Court and Tribunal Services section of the Department of Attorney General, Mr. Tony Walley, has contacted the Acting CEO seeking a meeting with the Shire President, Councillors, CEO and Senior Staff.

Arrangements have now been made for a meeting at 12.15pm. A light luncheon will be provided by the Shire in the Council Chambers. The Chief Justice will be accompanied by Mr. Ray Warnes, Executive Director of Court Services and Mr Tony Walley.

Councillors are asked to advise the Chief Executive Officer of the Shire if they will be attending.

### **Staff Resignations**

During the past month there has being a number of Staff resignations.

Ms Tania Wiley has resigned from the position of Community Development Manager as from 9<sup>th</sup> August 2010. In her letter of resignation Ms Wiley advised that in view of recent events and the impact on her she is not able to continue work now or in the future. The Acting Chief Executive Officer has accepted Ms Wiley's resignation and thanked her for her contribution to the Community of Wiluna during her time as Community Development Manager.

Ms Rebecca Barnett has resigned from the position of Casual Ranger/Cleaner as from 23<sup>rd</sup> July 2010. Ms Barnett has advised that in view of recent events she would not be able to continue her work for the Shire. The Acting Chief Executive Officer has accepted Ms Barnett's resignation and thanked her for her contribution to the Shire in the position of Ranger/Cleaner.

Two other positions have become vacant for persons employed as casual Staff. Whilst written resignations have not been received due to the casual nature of their employment, Ms Sophie Wiley, Works Office Assistant and Mr Daniel Murray, Maintenance Officer have left and the Works Manager has advised the Acting Chief Executive Officer that the reason is due to accommodation no longer being available.

The replacement of the Manager of Community Development has been held in abeyance in view of the position being funded by the Wiluna Development Project. As the present funding is due to be expended by 30<sup>th</sup> June 2011 and as no decision has been made on the request for further funding, the Acting Chief Executive Officer felt it would be appropriate to leave this until the Chief Executive Officer, Ms Tarling returns from leave.

The position of Ranger has always been a difficult one to fill and given that the majority of the work relates to dogs it is going to be hard to find someone from Wiluna that will undertake this on a long term basis. To do the job properly, a local will have to make decisions at time that will be unpopular with the community and this causes problems for the person in the position. It is also important that the ranger is trained in all areas of responsibility to ensure that the person acts within the laws and accordance with Shire policies and directives. In the short term the Acting Chief Executive Officer has engaged a Ranger used by the Shires of Meekatharra, Sandstone, Mt Magnet, Yalgoo and a number of others in the Geraldton area. Mr Peter Smith will be assisting with ranger services from the 15<sup>th</sup> August 2010 and the Acting Chief Executive Officer will be discussing with Mr Smith his availability on a more permanent basis. A final decision on this matter will be made by the Chief Executive Officer Ms Tarling on her return from leave.

The other two casual positions will be filled through the normal process of advertising and or person previously registered with the Shire for employment.

### **Country Shire Councils Association Representation**

Council at its meeting on the 28<sup>th</sup> July 2010 considered the move by a number of Local Governments that were dissatisfied with the service they receive from WALGA, to form a Country Shires Association. Mr Mike Fitzgerald from Fitzgerald Strategies had advised that a meeting was being held in Perth on Wednesday 4<sup>th</sup> August 2010 and invited Council to participate. Council when considering this matter resolved accordingly:

*“That Acting CEO advise Fitzgerald Strategies:*

- 1. That representatives of the Shire of Wiluna will not be attending the meeting on the 4<sup>th</sup> August 2010*
- 2. The Council is satisfied with the services, representation and membership that it presently receives from the Western Australian Local Government Association.”*

The Acting Chief Executive Officer advised Mr Fitzgerald of the Council’s decision.

Mr Fitzgerald has now advised of the outcome of the meeting held on the 4<sup>th</sup> August 2010. Representatives from 22 Local Governments attended the meeting and working group was appointed to pursue a range of options to improve the representation of country local governments at a State level. A copy of the report

prepared on the discussion, is attached to the agenda. Appendix F – Purple pages.

The Acting Chief Executive Officer believes the comments he provided on this proposal at the last meeting are still relevant and that any association with membership of a small percentage of the population of the State will have great difficulty in providing resources for an alternative service to that provided by WALGA and also achieve political recognition of any significance.

The Acting Chief Executive Officer recommends that the Council resolution on the 28<sup>th</sup> July 2010 be maintained.

**123/10 Council Decision and Officer Recommendation**

**MOVED CR HARRIS**

**SECONDED CR WEBB  
CARRIED 6/0**

Council receives the Acting CEO's status report, endorses the Officer's actions and adopts the recommendations included in any of the report items.

<b>10.1.2. Subject/Applicant:</b>	<b>Stock on Roads WALGA Discussion Paper</b>
File:	
Reporting Officer:	Tony Doust Acting Chief Executive Officer
Date of Report:	16 <sup>th</sup> August 2010
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to provide Council with a discussion paper prepared by WALGA on Stock on Roads. The report recommends that WALGA be advised no action be taken on this matter.

**Background**

The following executive summary and recommendations are included in the report provided:

*"A number of Local Governments throughout Western Australia (WA) have raised the issue of livestock straying onto roads. The Western Australian Local Government Association (The Association) has conducted research to determine the severity of the situation associated with livestock straying onto local and state roads, and the policies and legislation in place to deal with the situation.*

*The Association approached Local Governments and related agencies including Main Roads WA, Insurance Commission of WA, Pastoral Lands Board (Department of Regional Development and Lands), and WA Police in affected areas for comment. Feedback was sought on a on a variety of factors*

*impacting on livestock straying on to roads in rural remote areas. Further to these inquiries the Association reviewed road crash data, and current policy and legislation surrounding fencing and responsibilities for livestock.*

*Sector consultation found that although not all responded Local Governments agree about the level of concern of the situation, there was common agreement that livestock straying onto roads is a regular occurrence. Many Local Governments indicated concern regarding road safety and associated costs, including injury and death to road users in the event of crashing into a stray livestock, and damage to property by way of the vehicles and livestock involved.*

*When driving in rural and remote Western Australia there is a real risk of serious injury and even death resulting from collision with straying livestock on highways. The Association has highlighted that this situation encompasses a complex range of issues. As detailed in the discussion paper in most cases the issues occur in relation to the lack of fencing maintenance, or simply a lack of fencing.*

*Unfortunately, available statistical data is limited and does not fully identify the true extent of the problem here in WA, as WA crash results are grouped into 'single vehicle crashes with an animal' that includes but does not distinguish between livestock and native wildlife. Statistical data is also not separated to define whether crashes occur on a state or a local road. These statistics can never be used to completely assess the extent of the problem, as near misses are not recorded. Furthermore, it's impossible to measure whether fatalities as a result of run-off road crashes, often put down to fatigue, may in fact be caused by the driver leaving the road to avoid livestock on the road.*

*Data was sourced from the Insurance Commission of Western Australia (ICWA) who supplied information relating to third party insurance claims. This helped to identify that of the 194 crashes that registered for third party insurance claims involving livestock, 3 deaths were reported, and 59 resulted in injury to the occupants of the vehicle over a ten year period (2001-2010).*

*Currently there is not a co-ordinated policy to address this issue, although some state agencies are undertaking actions in this area. Main Roads WA commit funding for the provision of fencing each year, and have made many fencing agreements pastoral lease holders around the state using a basic formula of paying a fifty per cent share of fencing costs for property boundaries along the highways. However, Main Roads FWA currently has insufficient funds to fully address the issue.*

*Beware of livestock road signage is also installed on affected roads to help make road users aware of the possible hazard. Additional awareness strategies for road users include road condition notices throughout a variety of WA travel guides, which include awareness and risk statements regarding livestock on roads in rural and remote WA.*

*Responsibilities regarding keeping livestock from straying on to state and local roads vary depending on land ownership. Legislation outlining the responsibilities of fencing affecting private farms is contained in the Local Government Miscellaneous Act (1960) and Crown Pastoral Land is managed under the Land Administration Act (1997), by the Department of Regional Development and Lands.*

*While existing legislation does place obligations on land owners, the review of legislation has shown that there are gaps that restrict authorities from appropriately addressing the situation, and amendments to these Acts should be considered.*

*The size of this state is recognised as a barrier to amending these problems. However, as outline in the recommendations, there is no co-ordinate policy in place to tackle the situation. A comprehensive strategy, co-ordinated at the state level, will be needed in order to appropriately address this issue.*

*An examination of the issues involved, led to the development of the following recommendations that if implemented the Association believes would improve the situation and safety of road users.*

*The recommendations are as follows:*

**Recommendations:**

**Policy Considerations**

- 1. That a co-ordinated and comprehensive strategy be developed by the State Government and implemented to address this issue.*
- 2. That the State Government, through Main Roads WA, allocate greater funding to install fencing in remote and rural areas where stray livestock may pose a danger to road users.*
- 3. That the function of the Pastoral Lands Board (Department of Regional Development and Lands) under the Land Administration Act (1997) be amended to permit the Board to request from pastoral lessees a stock management plan that includes installation of fencing of land adjacent to public thoroughfares\* in consideration of public safety from wandering stock.*
- 4. The Main Roads WA liaises with the Pastoral Lands Board (Department of Regional Development and Lands) to determine key areas in pastoral lands where fencing along main roads will provide a significant safety benefit.*
- 5. That Main Roads WA conduct an audit of fencing installed under the 'Fencing Road Reserves on Highways and Main Roads in Pastoral Areas' Policy, to determine opportunities to extend the existing programme.*

### **Legislative Amendments**

6. That clause 4 of Schedule 9.1 of the Local Government Act (1995) be amended to permit regulations to be made requiring an owner or occupier of land adjoining a public thoroughfare\* to erect a fence.
7. That clause 4 of Schedule 3.1 of the Local Government Act (1995) be amended to permit a notice to be given to an owner of land, requiring the enclosure of private land with a fence to prevent livestock coming onto a public place.
8. That the penalty under section 483 of the Local Government (Miscellaneous Provisions) Act (1960) for the removal of fences and gates be increased from \$400 to \$1,000.
9. That the penalty under Section 484 of the Local Government (Miscellaneous Provisions) Act (1960) relating to liability for allowing livestock to stray be increased from \$200 to \$1,000.

*\*Explanatory note: this document uses the term 'public thoroughfare' to maintain consistency with language used in the relevant legislation. In this instance the reference is used to refer to state and local roads although in legislation it has a wider meaning including pedestrian walkways etc."*

A full copy of the report is attached to the agenda. Appendix G – Peach pages.

### **Comment**

The Acting Chief Executive Officer has considered the report and provides the following comments:

- Whilst the Statistics provided include the number of crashes, injuries and deaths for crashes involving animals it is not clear as to where these may have occurred. i.e. in areas where existing fences are or in areas where there are no fences.
- Any accident causing injury or death is of concern however the level of accidents attributed to livestock must be compared with other causes of accidents when determining the need for action. The statistics that have been provided are not conclusive that this is a significant problem. How do the accident statistics provided for the 10 year periods compare with other causes of accidents for the same periods?
- The level of accidents caused by wildlife in Western Australia would be far more significant than livestock. If the safety issue relating to animals both livestock and wildlife is of concern then it is important that all government held lands adjoining constructed roads also be fence. Selecting livestock and not doing anything about wildlife control would seem to be losing sight of the safety issue.
- The suggestion that Pastoralists meet any of the costs for fencing (materials erection and maintenance) is totally unreasonable given the tenure of the

land they occupy. Many Pastoralists are finding it difficult to survive and this additional burden will impact on their viability.

It is suggested that the Council oppose the recommendations raised in the WALGA discussion paper for the reasons outlined above.

The Acting Chief Executive Officer in discussions with the WALGA Officer was advised although the date for submissions closed on the 16<sup>th</sup> August 2010, submissions will be accepted up to the 20<sup>th</sup> September 2010.

### **Consultation**

Susan McDonald, Policy Officer Road Safety, WALGA

### **Statutory Environment**

Local Government Act 1960, Land Administration Act, Local Government (Miscellaneous Provisions) Act 1960

### **Policy Implications**

No specific Council Policy

### **Financial Implications**

No Financial implications on the Shire at this time.

### **Strategic Implications**

No specific strategic direction on this matter within the Shires Strategic Plan 2009-14

### **Voting Requirements**

Simple Majority

### **124/10 Council Decision and Officer Recommendation**

**MOVED CR HARRIS**

**SECONDED CR WEBB**

**CARRIED 6/0**

1. That the Chief Executive Officer advises WALGA accordingly:
  - Whilst the Statistics provided include the number of crashes, injuries and deaths for crashes involving animals it is not clear as to where these may have occurred. i.e. in areas where existing fences are or in areas where there are no fences.
  - Any accident causing injury or death is of concern however the level of accidents attributed to livestock must be compared with other causes of accidents when determining the need for action. The statistics that have been provided are not conclusive that this is a significant problem. How



do the accident statistics provided for the 10 year periods compare with other causes of accidents for the same periods?

- The level of accidents caused by wildlife in Western Australia would be far more significant than livestock. If the safety issue relating to animals both livestock and wildlife is of concern then it is important that all government held lands adjoining constructed roads also be fence. Selecting livestock and not doing anything about wildlife control would seem to be losing sight of the safety issue.
- The suggestion that Pastoralists meet any of the costs for fencing (materials erection and maintenance) is totally unreasonable given the tenure of the land they occupy. Many Pastoralists are finding it difficult to survive and this additional burden will impact on their viability.
- Council is opposed to any changes that make it compulsory for Land owners to fence Pastoral Leases.

<b>10.1.3. Subject/Applicant:</b>	<b>WA Transport and Roads Forum &amp; National Local Roads and Transport Congress – 13<sup>th</sup> to 15 October 2010</b>
File:	
Reporting Officer:	Tony Doust Acting Chief Executive Officer
Date of Report:	16 <sup>th</sup> August 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to inform Council of the above Roads Forum and Congress that will be held in Bunbury during the period 13<sup>th</sup> to 15<sup>th</sup> October 2010 and appoint delegates.

### **Background**

The Western Australian Roads Forum will be held on the Wednesday 13<sup>th</sup> October 2010 commencing at 9,00am. Both the Minister for Transport Hon Simon O'Brien MLA and Shadow Minister Hon Ken Travers MLC have been invited to address the forum.

The National Local Roads and Transport Congress will be held on Thursday and Friday following the State Forum. The Federal Minister for Infrastructure, Transport, Regional Development and Local Government has been invited to address the Congress. There are a number of other interesting sessions including an update on the Henry Tax Review.

Full details of the program for both State and National Forums/Congress are attached to the agenda. Appendix H – Orange pages

### **Comment**

Registration for the Forum and Congress are now invited. If Council wishes to nominate delegates and reserve accommodation it is important that this be completed as soon as possible.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Council Policies 1.12 & 1.13 Councillor Training and Expenses & Travel Expenses

**Financial Implications**

Provision has been made in the 2010/11 Budget for Councillors Conference and Training costs.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**125/10 Council Decision and Officer Recommendation**

**MOVED CR WEBB**

**SECONDED CR MCCUTCHEON  
CARRIED 6/0**

That Cr Quadrio, Cr Harris, and Cr Kyanga be nominated to attend the Western Australian Transport and Roads Forum and National Local Roads and Transport Congress in Bunbury during the period 13<sup>th</sup> to 15<sup>th</sup> October 2010, and that the costs for attending be paid by the Shire in accordance with Council Policies 1.12 and 1.13.

<b>10.1.4. Subject/Applicant:</b>	<b>Country Local Government Regional Funding 2010 -2011</b>
File:	
Reporting Officer:	Tony Doust Acting Chief Executive Officer
Date of Report:	16 <sup>th</sup> August 2010
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to provide Council with an overview of workshop conducted by the Midwest Development Commission in Mt Magnet on Friday 13<sup>th</sup> August 2010, relating to priorities for Regional Projects and Regional Royalties for Region Funding. The Shire delegates, Shire President Cr John

Kyanga, Deputy Shire President Graham Harris and Acting Chief Executive Officer Tony Doust, indicated support for a regional project however it is subject to Council approval.

### Background

The Royalties for Regions Local Government Fund commenced in 2008/09 and at that time Local Governments received as a direct grant 100% of the funds allocated to each Local Government under program. The Shire of Wiluna received \$753,249. No funds were made available to Local Government under the Country Local Government Program (CLGP) in the year 2009/10.

Several changes have now been made to the program and in March 2010 Local Governments were advised by the Department of Regional Development and Lands of the arrangements for Royalties for Regions funding for 2010/11. The changes to funding in 2010/11 include the manner in which the funds will be distributed to each Local Government. 65% of the total amount allocated to each Local Government will be paid directly to each Shire/Town/City for approved projects and 35% of the total amount will be available for Regional projects involving a minimum of a least two Local Governments. Whilst this funding is for regional projects it is up to each Local Government to determine the other Local Governments they wish to join with and the level of funding they wish to allocate to a project from their regional allocation. Any project that is to be funded from the Country Local Government Program, either direct or regional, must be included in each Local Government's **Forward Capital Works Plan**.

Indications are that the funding ratio under CLGP of direct and regional in future years will be 50/50 and this may even progress to where it will all be regional.

The Shire of Wiluna has been allocated a total of \$730,535 in the year 2010/11. \$474,848 (65%) will be received as a direct grant and \$255,687 (35%) for regional projects.

At the Mt Magnet workshop facilitated the Mid West Development Commission, the delegates from Yalgoo, Sandstone, Mt Magnet, Cue, Meekatharra and Wiluna considered not only those regional **infrastructure** projects that might be funded under the R4R program but also others of regional significance for consideration in the Mid West Development Commission Strategic Plans.

### Comment

The Shire delegates put forward the following items for consideration as regional projects which included items that maybe funded under the CLGP:

- Sealing the Wiluna Meekatharra Road
- Heritage Interpretative Cultural Centre for Wiluna encompassing the Canning Stock Route, Gunbarrel Highway, and local heritage.
- The need for upgrading of Power and Water in Wiluna Townsite for future development

- Land Release in the Townsite of Wiluna
- Upgrading of the Wiluna Shire Administration Centre
- Sewerage for the Townsite of Wiluna

Each Local Government present put forward the items that were important to their area and a discussion was held on the priorities and timing for the projects listed. Some of items put forward were not considered for funding under the Regional CLGP as the cost was beyond the capacity of the regional funding and or were not regional and an individual Local Government responsibility.

With regards to the projects put forward by Wiluna delegates, the sealing of the Wiluna Meekatharra Road was fully endorsed by the Local Governments present at the workshop, however funding a project of this cost was not possible under the Regional CLGP. It was agreed that it be incorporated in the Mid West Development Commission Regional Strategic priorities. The upgrading of the Shire Administration Centre was considered not to fall within the Regional concept and that it was the Shire of Wiluna's responsibility. The water, power, sewerage and land release issues raised by Wiluna were also raised by other Local Governments present. The CEO of the Mid West Development Commission has agreed to look at these with the agencies responsible. The possibility of Local Governments providing some funding towards projects could be of advantage to bring the upgrades required forward. This option will be considered during discussions between the Mid West Development Commission and the agencies. The Heritage Interpretive Cultural Centre will be considered for funding under the CLGP Regional programme for the Murchison area in 2011/12.

The project that received unanimous support from all the Local Governments was the need to upgrade the No 1 Vermin Fence from Yalgoo to North of Meekatharra. Whilst this project may not be of significant benefit to the Shire of Wiluna it embraces all the Local Governments that attended the workshop and it would allow the completion of upgrading to the fence to create an enclosure for the control of wild dogs and vermin.

The Wiluna delegates supported the concept on the basis of cooperation with a project like this was a significant step towards the true spirit of regional cooperation with the Local Governments in the area. Often projects as proposed will not be achieved due to the limitation of resources. The Shire of Wiluna project for a Heritage Interpretive Culture Centre encompassing the Canning Stock Route, Gunbarrel Highway and Local heritage, with the support of other Shires will be much more achievable if we are able to access the regional portion of the funding allocated to Wiluna.

### **Consultation**

Mid West Development Workshop at Mt Magnet on the 13<sup>th</sup> August 2010

### Statutory Environment

The requirements of the Department of Regional Development and Lands, in relation to the Country Local Government Program under the R4R funding arrangements.

### Policy Implications

Nil

### Financial Implications

Nil

### Strategic Implications

The Shire of Wiluna Strategic Plan 2009-2014

### Voting Requirements

Simple Majority

<b>126/10 Council Decision and Officer Recommendation</b>
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**MOVED CR HARRIS**

**SECONDED CR WEBB  
CARRIED 6/0**

1. That Council agrees to support the allocation of the Shire of Wiluna Regional Funding under the CLGP for 2010/11, towards the upgrading of the No.1 Vermin Fence in the Murchison area, from Yalgoo to the north of Meekatharra.
2. That this project be included in the Shire of Wiluna Forward Capital Works Plan.

## 10.2. Principal Environmental Health Officer Report

<b>10.2.1 Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Bill Atyeo – Environmental Health Officer
Date of Report:	18 August 2010
Disclosure of Interest:	Nil

### Purpose

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

**Subject: Occupation of Caravan – Durack Campus**  
**File:** Lot 501  
**Location:** Lot 501 Mudjon Street - Wiluna  
**Date:** 20 July 2010

Charles Collard from Durack Institute of Technology contacted me earlier in regard to placing a caravan on campus in Wiluna for a lecturer as there is no accommodation for this person. I indicated that this would not be possible without special permissions being issued by the appropriate authorities in accordance with the Caravan Parks and Camping Grounds legislation.

As the land is held by a State Instrumentality in freehold or leasehold, then the manager of that instrumentality can authorise its placement and occupation as per the Regulations 11. The CEO was advised of this permission being granted and the following letter was sent to them:

*“Thank you for your letter in regard to the occupation of the caravan on the Durack Campus site in Wiluna, being part of Lot 501 Mudjon Street. The authorisation to do this is duly noted under Regulation 11.(d) of the Caravan Parks and Camping Grounds Regulations 1997.*

*Please ensure that the occupant is aware of the need to maintain the site and surrounds in a clean state, and that all refuse is disposed of as required.”*

**Subject: Septic Tank Approvals**  
**File:** Bondini Community  
**Location:** Bondini Community - Wiluna  
**Date:** 19 July 2010

There were three permits granted for the installation of new septic tanks and leach drains for houses at Bondini Community.

**127/10 Council Decision and Officer Recommendation**

**MOVED CR HARRIS**

**SECONDED CR MCCUTCHEON  
CARRIED 6/0**

For Council to receive the Environmental Health and Safety Officer's information report and endorse the Officer's actions.

**10.3. Deputy CEO Reports**

Nil

#### 10.4. Manager Finance & Administration Officer Reports

<b>10.4.1. Subject/Applicant:</b>	<b>Accounts Paid by Authority</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	12 August 2009
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 31 July 2010 are listed as Appendix A – Blue pages

##### **Consultation**

Nil

##### **Statutory Environment**

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

##### **Policy Implications**

Nil

##### **Financial Implications**

Nil

##### **Strategic Implications**

Nil

##### **Voting Requirement**

Simple majority

##### **128/10 Council Decision and Officer Recommendation**

**MOVED CR QUADRIO**

**SECONDED CR HARRIS  
CARRIED 6/0**

That the accounts paid by authority for the period ended 31 July 2010 totalling \$477,027.82 be received endorsed and incorporated in the Minutes of the meeting.

<b>10.4.2. Subject/Applicant:</b>	<b>Financial Report</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	12 August 2009
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 31 July 2010.

**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 31 July 2010 are listed as Appendix B – Green pages.

**Comment**

Nil

**Consultation**

Nil

**Statutory Environment**

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

**Voting Requirement**

Simple majority

***129/10 Council Decision and Officer Recommendation***

**MOVED CR HARRIS**

**SECONDED CR WEBB**

**CARRIED 6/0**

That Council adopt the Financial Reports for the period ending 31 July 2010 as presented.



<b>10.4.3. Subject/Applicant:</b>	<b>Materiality Level of Variance in the Financial Reports</b>
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	16 August 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is for Council to approve the materiality level of variance between budget and actual in the Statement of Financial Activity.

### **Comment**

Amendments to the Financial Management Regulations require Local Governments to report on material variances between budgets and actual in the Statement of Financial Activity prepared each month. Each financial year, a local government is to adopt a percentage or value calculated in accordance with Australian Accounting Standards (AAS) to be used for reporting material variances.

According to Australian Accounting Standards Board 1031, the following are considered benchmarks in considering the materiality of amount:

- an amount which is equal to or greater than 10 per cent of the appropriate base amount may be presumed to be material unless there is a convincing argument to the contrary
- an amount which is equal to or less than 5 per cent of the appropriate base amount may be presumed not to be material unless there is evidence or convincing argument to the contrary.

Based on these guidelines, it is recommended to Council to adopt 8 per cent and/or above \$10,000 as the level of material variance for the Shire of Wiluna financial reports.

### **Consultation**

Gregory Froomes Wyllie, External Auditor of Shire of Wiluna

### **Statutory Environment**

Local Government (Financial Management) Amendment Regulations 2008-Regulation 5A

Local Government (Financial Management) Regulations 1996 – Regulations 34.  
(*Reprint 2: The regulations as at 17 February 2006*)

### **Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority

**130/10 Council Decision and Officer Recommendation**

**MOVED CR MCCUTCHEON**

**SECONDED CR WEBB  
CARRIED 6/0**

That Council approve the materiality level of variance which is equal to or greater than 8 per cent and or which is equal to or greater than \$10,000 between budget and actual amount in the Statement of Financial Activity.

**10.5. Manager Works & Services Officer Report**

<b>10.5.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	James Alagappan - Works Managers
Date of Report:	18 August 2010
Disclosure of Interest:	Nil

**Purpose**

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

**Sandstone-Yeelirrie Road**

Grading is in progress of the Sandstone-Yeelirrie Road. Maintenance grading of the entire road should be completed in a week's time.

**Aerodrome**

Repair works on the damaged sections of the runway, apron and taxiway have been completed. Line marking will be carried out on the last weekend of August, completing the project.

**Fencing**

The Shire office fence on Scotia Street was recently upgraded. The old fence was damaged in several places and had barbed wires across it. It now has pool panel fencing.

The Old Marruwayura office building fencing also was upgraded to pool panel fencing.

**Staff**

Two staff members have resigned and left employment from the depot. Sophie, the works office assistant, and the Daniel, the handyman (partners) left town as there was no accommodation available for them, since the resignation of Tania Wiley, Sophie's mother. An advertisement has been placed for a replacement Works Office Assistant (WOA).

Due to the recent death and the associated involvement of family members the depot is short staffed at the moment.

**131/10 Council Decision and Officer Recommendation**

**MOVED CR WEBB**

**SECONDED CR HARRIS  
CARRIED 6/0**

That Council receives the Works Manager's information report and endorses the Manager's actions.

**10.6.1. Community Development Manager**

Nil

**10.6.2. Tourism Officer Report**

Nil

**10.6.3. Art Gallery Manager Report**

<b>10.6.3. Subject/Applicant:</b>	<b>Status Report</b>
File:	26.00.11
Reporting Officer:	Heather Charlton – Art Gallery Manager
Date of Report:	9 August 2010
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for council to receive the Art Gallery Manager report and endorse the Art Gallery Manager's actions.

*Wiluna Shire Council Strategic Plan 2009-14*

*PROUD WILUNA*

*Develop and provide an annual program of arts & cultural events*

## The Canning Stock Route Project

The culmination of 2 ½ years working with the FORM Project Team, resulted in the official opening of the Canning Stock Route Exhibition held at the National Museum of Australia, Canberra, 29<sup>th</sup> July 2010.

Those attending included Shire President Mr. Johnny Kyanga with his wife Olive, community members who participated in the FORM trip in 2007 Vera Anderson, Kaye Bingham, Annette Williams, Lizzie Minor and Sheila Friday-Jones, with Heather Charlton, Art Gallery Manager.

The Exhibition was opened by Hon. Peter Garrett AM MP - Minister for Environment Protection, Heritage & the Arts and Professor Patrick Dodson - Aboriginal Leader and Chair of the Lingiari Foundation. The exhibition is rated world-class and is anticipated to be shown in Perth in 2011. Congratulations to the Artists, Film-makers and the FORM Team.

*Wiluna Shire Council Strategic Plan 2009-14*  
*Go-Ahead Wiluna: Facilitate opportunities for artists to promote and sell their work*

A painting by Clifford Brooks was chosen by the National Museum to be reproduced on merchandise during the Stock Route Exhibition, and posters, stationery and simple jewellery items complete the product suite.

Wiluna artists **Headsox** are also now stocked by the Museum Shop, and it is reported that good sales are being made.

A visit was made to Nomad Gallery's Canberra space to view Birriliburu artists prints displayed for the duration of the Canning Stock Route Exhibition.

## RPA

While visiting Canberra, the opportunity was taken to meet with officials from the Dept. of Industry, Tourism & Resources, DEEWR, Dept. of Family, Housing, Community Service & Indigenous Affairs, and the Indigenous Economic Development Branch of FaHCSIA.

Shire President Johnny Kyanga led the discussion, centred around the needs of the Wiluna community.

*Wiluna Shire Council Strategic Plan 2009-14*  
*Actively promote Wiluna Creative Business and Artists*

## Artstart

A painting by one of the Artstart children, Tiahnee Harris, was selected to be reproduced as a logo representing agreement between the Martu community and Telfer Mine.

**NJP Artworker**

With the employment of an Artworker at the Gallery, training is being provided in canvas stretching which will result in the provision of superior materials for artists.

**132/10 Council Decision and Officer Recommendation**

**MOVED CR MCCUTCHEON**

**SECONDED CR HARRIS**

**CARRIED 6/0**

That Council receives the Art Gallery Manager information report and endorses the Manager's actions.

**10.6.4. Swimming Pool Manager Report**

Nil

**10.6.5. Sports & Recreational Officer Report**

<b>10.6.5. Subject/Applicant:</b>	<b>Status Report</b>
File:	
Reporting Officer:	Sports & Recreational Officer – Anton Knezevich
Date of Report:	17 August 2010
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is for council to receive the Sports and Recreation Manager's report and endorse the Sports and Recreation Managers actions.

**Healthy Safe Fun Wiluna**

**Deliver an expanded range of Sports in partnership with the Ngangganawili Aboriginal Health Service through the BHC program.**

The AMS and the Sports & Recreational staff went to Meekatharra on 15 August 2010 and played Football and Netball against neighbouring towns. The last game for the season is on 29 August 2010.

On 28 August 2010, the Police, School, AMS, and the Shire will join forces to host a Blue light disco. Mt Keith and Gunbarrel Groceries Store will provide food, prizes and bubble machine and etc.

On 11 August 2010, children who achieved a 90% school attendance will be going to the Youth ball in Meekatharra.

On 25 September 2010, the Recreational Centre will be hosting a "Ladies Only Evening" and assisted by the Shire, Police, School, DCP and AMS ladies staff.

**Facilitate participation in State level games for Wiluna sports teams and players.**

August 18<sup>th</sup> Mt Keith v Wiluna Touch Rugby  
October 12<sup>th</sup> Mt Keith v Wiluna AFL  
October 26<sup>th</sup> Newmont v Wiluna AFL  
November 2<sup>nd</sup> Newmont v Wiluna AFL

**Work with the community to identify and provide ongoing sports and recreation activities.**

There are ongoing meetings to provide music related activity to the community in the future. Agencies around town are looking forward that this program will push through. We are inviting people who interested to share their talents in assisting in this project.

***133/10 Council Decision and Officer Recommendation***

**MOVED CR PETTERSON**

**SECONDED CR HARRIS  
CARRIED 6/0**

That Council receives the Sports & Recreational Officer information report and endorses the Officer's actions.

**10.6.6. Homemaker Officer**

Nil

**10.6.7. Ranger**

Nil

**10.7. Committee 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**

Nil

**13. Public Question Time**

Nil

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

Nil

**15. Closure**

The meeting was closed at 1:25pm.