

Shire of Wiluna

**CONFIRMED MINUTES**



**Ordinary Meeting of Council**

**Held**

**Wednesday 28 July 2010**

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**MINUTES**

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

The meeting was opened at 10.10am.

- 1.2** Declaration was made before Cr G Harris by Elected Councillors.

Stacey Petterson  
David McCutcheon

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

Graham Harris	(Deputy President)
Jim Quadrio	(Councillor)
Chris Webb	(Councillor)
Stacey Petterson	(Councillor)
David McCutcheon	(Councillor – to 11am)

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

**Apologies**

John Kyanga (President)

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

Nil

**4. Public Question Time**

Nil

**5. Applications for Leave of Absence**

Nil

**6. Notations of Interest**

**6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct**

Nil

**6.2. Financial Interest Local Government Act Section 5.60A**

Nil

**6.3. Proximity Interest Local Government Act Section 5.60B**

Nil

**7. Petitions and Deputations**

Nil

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

**8.1** The Minutes of the Meeting held on 16 June 2010 be accepted as a true record of that meeting.

**99/10 Council Decision**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 5/0**

**8.2** The Minutes of the Special Meeting held on 30 June 2010 accepted as a true record of that meeting.

**100/10 Council Decision**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 5/0**

**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:	21 July 2010
Disclosure of Interest:	Nil

**Purpose**

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

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

The following arrangements have been completed for the Minister for Local Government John Castrilli to visit Wiluna on Thursday 26<sup>th</sup> August 2010:

1.15pm. Minister and his staff arrive at Wiluna Airport via private air charter

1.30pm. Shire President, Councillors and CEO to meet with the Minister in the Council Chambers. A light lunch will be provided.

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.

Items for discussion will include

- Wiluna Development Project – ongoing funding
- Planning for the Delivery of Local Government Services to Indigenous Communities
- Regional Collaborative Groups within the Goldfields area

If Councillors would like to discuss any other items with the Minister please raise these at the Council meeting on the 28<sup>th</sup> July 2010.

Cr J Quadrio requested that the impact of the Drought Assistance Pilot Scheme be raised with the Minister

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

The date for the Minister visit to Wiluna has been finalized however the time of arrival and departure has not been set. As soon as further information is available Councillors will be advised.

The Minister's office has asked for confirmation of the matters Council would like to discuss. The Acting CEO understands that the main purpose for the visit is to discuss the Meekatharra Road as well as the issues arising from the report "Closing the Gap & Making Connections" being prepared by URBIS for the Shire. The status of this report is referred in a later item in this report.

If Councillors would like to discuss any other items with the Minister please raise these at the Council meeting on the 28<sup>th</sup> July 2010.

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

At the Council meeting on the 19<sup>th</sup> May 2010, Councillors wishing to attend the above convention were asked to advise the CEO accordingly. Council at its meeting on the 16<sup>th</sup> June 2010 granted approval for all Councillors to attend. Given the election of two new Councillors on 3<sup>rd</sup> July 2010, Cr Petterson was given the opportunity to attend; unfortunately this was not possible for Cr Dave

McCutcheon as he is away on leave (overseas) and does not return until late July 2010. Registrations closed on the 12<sup>th</sup> July 2010.

Arrangements have now been completed for the Shire President Cr John Kyanga, Deputy Shire President Cr Graham Harris, Cr Jim Quadrio, Cr Stacey Petterson and the Acting CEO Tony Doust to attend. Those Councillors attending should have received their registration confirmation from WALGA. Accommodation has been booked at the Somerset, 185 St Georges Terrace Perth, for all the persons registered to attend the convention. The registration is in the name of the Acting CEO Tony Doust. Parking is not available at the Somerset as it is very limited.

The Acting CEO intends to drive to Perth for the convention on Wednesday 4<sup>th</sup> August 2010, leaving Wiluna at 7.00am sharp. There should have enough room in the vehicle for all the persons registered if they wish to travel with the Acting CEO. The Acting CEO will be returning to Wiluna, leaving the Somerset at 8.00am on Sunday 8<sup>th</sup> August 2010

Councillors are reminded of Council Policy 1.13 which was revised on the 17<sup>th</sup> December 2009, relating travel expenses, and of the requirements of Policy 1.12 "Councillor training and expenses". Council policy 1.12 only covers meals i.e. breakfast, lunch and dinner, for each delegate, that are not provided for in the convention program.

The Annual General Meeting Agenda has now been received. The Voting delegates at this meeting will need to be appointed.

***Council agreed to bring 10.1.2 and 10.1.3 forward as Cr D McCutcheon had to leave the meeting early.***

<b>10.1.2. Subject/Applicant:</b>	<b>Appointment of Delegates &amp; Representatives 2010/11</b>
File:	0400.08
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	19 <sup>th</sup> July 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is recommend to Council the appointment of delegates to the organisations outlined in Policy 1.11 and other organisations that have previously had Councillor representation.

### **Background**

In May 2009 Council revised Policy 1.11 and resolved that the Councillors appointed previously to be delegates and representatives on various organisations retain the existing positions and that the appointments be reviewed after the October 2009 ordinary Council Elections. This matter has been



overlooked and it is important to review the appointment of delegates and representatives on the organisations outlined in Council Policy 1.11.

### Comment

As the Policy sets out the Organisations and what positions within the Shire of Wiluna the delegates and representatives will be selected from, all that is required is the appointment of Councillors either as a Delegate or Proxy Delegate. The President and CEO will automatically be nominated unless otherwise determined by Council

It will also be necessary to amend the Policy to remove the Organisation "Murchison Zone of WALGA" as the Council is now member of the "Goldfields Esperance Country Zone of WALGA"

Cr Jim Quadrio has advised the Acting CEO that he would like to be the Councillor representative on Goldfields Voluntary Regional Organisation of Councils "GVROC".

### Consultation

Nil

### Statutory Environment

Nil

### Policy Implications

Policy 1.11 – Nomination to Boards and Committees

It is Council policy that the Council will be represented, as shown below, on the following external organisations:

<b>Organisation</b>	<b>Delegate</b>	<b>Proxy</b>	<b>Staff</b>
Murchison Zone WALGA	President Councillor	Councillor	CEO
Goldfields Voluntary Regional Organisation of Councils (GVROC)	President Councillor	Councillor	CEO
Goldfields Esperance Country Zone (GECZ) of WALGA	President	Councillor	CEO
Goldfields Esperance Regional Road Group	President	Councillor	CEO

Regional Partnership Agreement Management Committee	Councillor Councillor	Councillor	CEO
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Local Emergency Management Committee	President	Councillor	CEO
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Nominations for and the election of delegates to the above organisation is to be carried out at the Ordinary Meeting of Council held November of each year.

That delegates representing Council at Association Conferences (WALGA) shall vote and move motions as they see fit and as they believe reflects the views of Council. This authority is granted subject to the delegates reporting back to Council the proceedings of the Conference at the next Ordinary Meeting.

### Financial Implications

Nil

### Voting Requirement

Simple Majority

<b>101/10 Council Decision and Officer Recommendation</b>
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**MOVED Cr C Webb**

**SECONDED Cr D McCutcheon  
CARRIED 5/0**

Council resolves that:

1. Policy 1.11 be amended by deleting the Organisation "Murchison Zone of WALGA".
2. That the following appointments be made as Delegates, Proxy Delegates and Staff to the organisation as shown:

<b>Organisation</b>	<b>Delegate</b>	<b>Proxy</b>	<b>Staff</b>
Goldfields Voluntary Regional Operational Council (GVROC) (Two delegates)	President Cr J Quadrio	Cr G Harris	CEO
Goldfields Esperance Country Zone (GECZ) Of WALGA	President	Cr J Quadrio	CEO

Goldfields Esperance President Cr D McCutcheon CEO  
Regional Road Group  
Regional Partnership Cr D McCutcheon Cr S Petterson CEO  
Agreement Management Cr G Harris  
Committee  
(Two delegates)

Local Emergency President Cr C Webb CEO  
Management Committee Works Manager  
Leading Hand

That delegates representing Council at Association Conferences (WALGA) shall vote and move motions as they see fit and as they believe reflects the views of Council. This authority is granted subject to the delegates reporting back to Council the proceedings of the Conferences at the next Ordinary Meeting.

<b>10.1.3 Subject/Applicant:</b>	<b>Audit Committee - Appointment</b>
File:	12.00.18
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	19 <sup>th</sup> July 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to appoint members of the Council to the Audit Committee for the period up to the next ordinary elections in October 2011

### **Background**

The Audit Committee operates to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the local government's financial reporting and audit responsibilities.

Local Government Guidelines Number 9 "Audit Committees in Local Government – Their appointment, function and responsibilities" outlines the role and function of an Audit Committee.

A copy of the guidelines is attached. Appendix C (Red Pages)

### **Comment**

Section 7.1A of the Local Government Act 1960 requires that a Local Government appoint an Audit Committee comprising of at least 3 persons to be members of the Audit Committee, which may include members of the public, however this it is not compulsory. The majority of the members appointment

must be Councillors of the Shire of Wiluna. The CEO or an employee are not to be a members of the committee.

The Council is required to outline the role of the Audit Committee and it is recommended that this be as follows:

- To provide guidance and assistance to the Council in carrying out of its functions in relation to audits and to the development of a process to be used to select and appoint a person to be the auditor.
- The Audit Committee to provide guidance and assistance to the Council as to the matters to be audited, the scope of the audit, its functions under Part 6 of the Act that relate to financial management and the carrying out of its functions relating to other audits and other matters related to financial management, e.g. six monthly budget/financial review

### **Consultation**

Nil

### **Statutory Environment**

Local Government Act 1995, Part 6  
Local Government (Audit) Regulations 1996, Part 7

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Voting Requirement**

Absolute Majority

<b><i>102/10 Council Decision and Officer Recommendation</i></b>
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**MOVED Cr D McCutcheon**

**SECONDED Cr C Webb**

**CARRIED 5/0**

That Council:

1. Appoint Cr C Webb, Cr S Petterson Cr G Harris and Pr J Kyanga to the Audit Committee

2. The role and function of the audit committee be:
- (a) to provide guidance and assistance to the Council in carrying out of its functions in relation to audits and to the development of a process to be used to select and appoint a person to be the auditor.
  - (b) the Audit Committee to provide guidance and assistance to the Council as to the matters to be audited, the scope of the audit, its functions under Part 6 of the Act that relate to financial management and the carrying out of its functions relating to other audits and other matters related to financial management, e.g. six monthly budget reviews

Cr D McCutcheon withdrew from the meeting at 11 am.

<b>10.1.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	21 July 2010
Disclosure of Interest:	Nil

***Continued...***

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

Council at its last meeting considered the following report from the CEO on this matter:

#### ***Purpose***

*The purpose of this report is to present the first draft of the 'Closing the Gap and making Connections: win/win for communities in the central desert' report by consultants URBIS, proposed communication draft strategy and proposed press release to council for information, feedback and direction from council in finalising the report.*

#### ***Background***

*Council resolved to allocate funds from the Canning Stock Route Reserve to fund the writing of a paper that would highlight the Shire of Wiluna's recommendation to the State government on the State road / rail corridor and the need for the Meekatharra Road to be sealed. Council engaged URBIS to write the paper.*

### **Comment**

*The paper titled 'Closing the Gap and making Connections: win/win for communities in the central desert' has been developed for council's consideration and is attached - see Appendix D – White Pages, along with a letter from the consultants seeking direction as to the target audience council is wanting to impact on and their advice in achieving this outcome.*

*Upon reading the first draft I was alarmed that the report was not strong enough. More work has been done on that first draft report that I sent councillors in May and this is the result. Councillors gave me feedback also. I discussed this with the consultants and they advised that they have been unable to get the political promises made to the Wiluna community on public record and without that, the discussions and promises known by councillors and the Wiluna community are hearsay. URBIS will be contacting Peter Ward, ex Wiluna pastoralist and Shire President for further applicable information but if this is not on public record, they will be asked to make quotes that can be used to strengthen the argument on the political side.*

*Council's options are to:*

- 1. adopt the report, draft communication plan and press release as presented;*
- 2. Amend the report, draft communication plan and press release as presented;*
- 3. Discard the report, draft communication plan and press release as presented; or*
- 4. Adopt, amend or discard each or all presented.*

### *Council decision*

- 1. Receive the attached report closing the gap and making connections for information.*
- 2. Approve urbis approach to the report as authorized and*
- 3. recommended in the attached letter –focus on the Wiluna to Meekatharra link even though there are broader strategic directions that needs to be pursued under another paper.*
- 4. Councillors feedback to the Chief Executive Officer additional reference points and information for the Chief Executive Officer to forward the Urbis before the report is finalized; and*
- 5. Final draft be brought back to Council for sign-off.”*

The Acting CEO has not received any feedback on this from Councillors as per point (3) above.

Given that the Minister for Transport will be visiting Wiluna on the 3<sup>rd</sup> September it would seem an opportune time to have this report available for discussion with the Minister.

Mr. Ray Haeren has advised the Acting CEO that he will need to have all the information and input by the end of July if the Council wishes to release the report prior to the Ministers visit.

The Acting CEO is seeking Council input and direction on this matter

A copy of the draft report is attached as Appendix C (Peach pages)

### **GVROC Meeting and Dinner 5<sup>th</sup> August 2010**

The next GVROC Council meeting is to be held in Perth on Thursday 5<sup>th</sup> August 2010 from 7.00am to 9.00am at the Perth Convention Centre (meeting room to be advised). Breakfast will be served just prior to the meeting commencing.

Arrangements have been made for the GVROC Dinner which is to be held at the Cafe Hyatt located on the ground floor of the Hyatt Hotel at 6.30pm on Thursday 5<sup>th</sup> August 2010.

The Shire of Wiluna delegates attending the Local Government Week Convention have been registered to attend both the meeting and the Dinner. As soon as the meeting agenda is available a copy will be sent to all delegates.

#### **103/09 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 4/0**

1. Council receives the CEO's status report and endorses the Officer's actions.
2. That Cr G Harris and Cr S Petterson be appointed as Voting Delegates at the Western Australian Local Government Annual Meeting to be held on Saturday 7<sup>th</sup> August 2010 and the delegates vote as per Council policy 1.11.

<b>10.1.4. Subject/Applicant:</b>	<b>Extraordinary Election 3<sup>rd</sup> July 2010</b>
File:	
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	19 <sup>th</sup> July 2010
Disclosure of Interest:	Nil

### **Purpose**

This report is to advise elected members of the outcome of the elections held on 3<sup>rd</sup> July 2010 and to provide an overview of statistics that relate to the election.

**Background**

The election was held to fill vacancies on the Council created by the death of one Councillor and the resignation of another Councillor. One term expires in October 2011 and the other in October 2013. The elections were conducted by the CEO in the position of Returning Officer.

**Comment**

The actual turn out of electors was only 16.9% of the total registered to vote.

**RESULTS AND STATISTICS**

NUMBER OF CANDIDATES	TOTAL NUMBER ELIGIBLE VOTERS ON ROLL	TOTAL VALID VOTES CAST	TOTAL INFORMAL VOTES	TOTAL VOTES CAST	PERCENTAGE TURNOUT
4	314	51	2	53	16.9%

**VOTES RECEIVED**

Petterson Stacey	29
Ovens Deborah	10
McCutcheon David	38
Betteridge David	16

The following candidates were elected as Councillors for the Shire of Wiluna:

**Term Expiring**

McCutcheon David	October 2013
Petterson Stacey	October 2011

**Consultation**

Not applicable

**Statutory Environment**

For this election the CEO acted as returning officer. The election was conducted on the basis of electors voting in person. Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997* specify the way local government elections are to be conducted.



**Policy Implications**

No specific policies

**Financial Implications**

Funding for the election was provided in the 2009/2010 and 2010/11 Budgets.

**Strategic Implications**

Not applicable.

**Voting Requirements**

Simple majority

**104/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr S Petterson  
CARRIED 4/0**

That the information be received

<b>10.1.5. Subject/Applicant:</b>	<b>Main Roads Parking Bay Goldfields Highway Wiluna</b>
File:	
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	20 <sup>th</sup> July 2010-07-20
Disclosure of Interest:	Nil

**Purpose**

The purpose of this report is to inform Council of the Mains Roads proposal to upgrade the existing parking bay at the south/east corner of the Wiluna Townsite. Main Roads are also seeking Councils endorsement of the proposed upgrade

**Background**

As a part of the Federal Government Heavy Vehicle Safety and Productivity Program, Main Roads WA has applied and received funding to upgrade the existing gravel parking bay located on the Goldfields Highway at 608SLK. The work proposed includes the provision of hard standing (approx 5,500m2), shade shelter, seating and rubbish bins.

The primary benefit of the project relates to road safety. Research has illustrated that rest areas are needed to address the implications of fatigue on road safety. The provision of approximately spaced, quality rest areas will assist heavy vehicle drivers to comply with current driving hour's, regulations and to take refuge in adverse conditions. They also allow drivers to conduct load checks, complete log books and address operational needs. Heavy vehicle rest areas minimises dangerous parking of heavy vehicles on road shoulders or verge.

Main Roads WA seeks Councils endorsement regarding the proposed upgrade to the bay and welcomes any suggestions that can be included into the design

### **Comment**

The upgrading of this existing facility will be an improvement and contribute to the enhancement of the entrance to Wiluna Townsite.  
The Acting Chief Executive Officer is not aware of any reasons why the Council should not support the upgrade. One suggestion is that as the facility adjoins the Townsite of Wiluna that Council request that the shade and furnishings to be in keeping with the proposal for improvements of street furniture within the Townsite.

### **Consultation**

Nil

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

The Shire of Wiluna Strategic Plan 2009-2014 refers to enhancing the Wiluna Streetscape.

### Voting Requirements

Simple majority

<b>105/10 Council Decision and Officer Recommendation</b>
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**MOVED Cr J Quadrio**

**SECONDED Cr C Webb**

**CARRIED 4/0**

1. That Council endorses the proposal by Main Roads WA to upgrade the existing parking bay located at 608SLK on the Goldfields Highway.
2. Main Roads WA be requested to liaise with the Shire about the type of structure to be installed as a Shade and the provision of Seating, to ensure that it is in keeping with the proposal/standard for the Townsite of Wiluna.
3. Main Roads be requested to consider providing toilet and ablution facilities as this parking bay is close to the townsite of Wiluna.

<b>10.1.6. Subject/Applicant:</b>	<b>Provision of Local Government Services to Indigenous Communities</b>
File:	
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	20 <sup>th</sup> July 2010
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is to inform Council about recent meetings held to consider this matter and determine Goldfields representation on a planning committee to be established to progress the proposal.

### Background

In 2006 the Commonwealth Government and State Government of WA signed and bilateral agreement on Indigenous Affairs promising increased effort on the part of both Governments to improve the circumstances of Aboriginal Western Australians.

COAG's "Closing the Gap" strategy aims to reduce Indigenous disadvantage with respect to life expectancy, child mortality, access to early childhood education, educational achievement and employment outcomes.

To monitor improvements in the health and wellbeing of Indigenous Australians, targets have been developed focusing on health, housing, early childhood, education, economic participation, and remote service delivery. The achievement of substantial improvements in the health and wellbeing of Indigenous people will depend largely on the effective implementation of these targets as they reflect some of the substantial disadvantages experienced by Indigenous people.

The timeframes for the Closing the Gap targets recognize the enormity of the challenge facing governments and the nation in that effective, integrated and comprehensive strategies and policies will need to be sustained for a long time if they are to achieve their intended outcomes. It must be acknowledged that improvements to the extent set in the various targets cannot be achieved by adopting short-term strategies.

To progress the strategy several National Partnership Agreements have been entered into by the Commonwealth and the WA State Governments. These agreements are applicable from 2009. The National Partnership Agreement on Remote Service Delivery is of particular relevance to Local Government in WA.

- improve the access of Indigenous families to a full range of suitable and culturally adequate services;
- raise the standard and range of services accessible to Indigenous families to the level provided to the other Australian families;
- improve the level of governance and leadership within Indigenous communities and organisations;
- provide better and simpler access to government services in remote Indigenous communities; and
- Increase social and economic participation to promote personal engagement, responsibility and, more broadly, positive social norms.

In addition to the actions set out above, the WA State Government, through the Department of Local Government, recently offered funding to Local Governments containing Indigenous communities to develop "Business Plans" for the delivery of Local Government services to Indigenous communities. A number of the Local Governments expressed concern about undertaking such work in isolation of a broader strategic plan and agreement to the transfer of responsibility for municipal service delivery to Local Government.

In response the Department of Local Government convened a forum for affected Local Governments to discuss the issues and agree a way forward, on Monday 12 July 2010.

## Comment

At the request of the 22 affected Local Governments, the Western Australian Local Government Association (WALGA) convened a pre-meeting with the affected councils on Monday, 12 July 2010 to discuss their concerns in relation to the provision of Local Government in Indigenous communities.

The following recommendations were endorsed at the Pre-Meeting Breakfast and subsequently reported to the Department of Local Government's forum on the Provision of Local Government Services to Indigenous Communities, where they were reconfirmed and amended slightly. The final recommendations from the sector are as follows:

- a) *That the 22 affected Local Governments recommend that a new Planning Committee, separate to the Local Government Reform Implementation Committee, comprising local government representation from the affected local government and DLG, FACSIA, WALGA, the Office of the Minister for Local Government and the Director General of the Department of Indigenous Affairs be established to:*

*Develop a Memorandum of Understanding / Partnership agreement to consider:*

- i. oversight business plan process;*
  - ii. progress LGAB recommendations;*
  - iii. consider required legislative changes;*
  - iv. funding needs and implications to local government via Federal and State;*
  - v. consultation process with communities;*
  - vi. develop a whole-of-government servicing model; and*
  - vii. other issues and needs as considered required.*
- b) *That the 22 affected Local Governments secure adequate funding from the State and Federal Government to undertake recommendations contained in (a) above.*
- c) *If adequate funding and consultation has not been provided to Local Government for the business planning process and the undertaking of recommendations in the LGAB report, the 22 affected Local Governments advise the Minister for Local Government that it is not in the financial or sustainable municipal interests of the affected councils to participate in the preparation of business plans (scoping and costing exercise) and subsequent provision of Local Government Services in indigenous communities under the current parameters.*
- d) *That the 22 affected Local Governments call for realistic and adequate funding for the development of business plans for the provision of Local*

*Government Services in indigenous communities. This is to be based upon the actual scoping and tender outcome of the business planning process, once agreed.*

- e) *Subject to the above being endorsed and approved, the 22 affected councils reiterate their willingness and support for Local Government delivery of financially sustainable Local Government services in indigenous communities.*
- f) *That the affected Local Governments acknowledge and support that the Pilbara Regional Councils will proceed with the Business Planning scoping and costing exercise as a pilot project, to trial and assess whether the methodology will provide the necessary information.*
- g) *That WALGA's Chief Executive Officer be appointed to the Department of Indigenous Affairs' Director Generals Committee to ensure cross-government Co-ordination.*

**N.B.** *It is proposed that the representation from Local Government on the new Planning Committee as described at (a) above shall be as follows:*

*3 representatives from the Kimberley country zone  
1 representative from the Gascoyne country zone  
1 representative from the Pilbara country zone  
2 representatives from the Goldfields  
1 representative from WALGA*

**N.B.** *The Department of Local Government indicated 'in principle' support for the recommendation.*

The Acting CEO attended a GVROC Technical Officers meeting in Kambalda on Friday 9<sup>th</sup> July 2010 at which this matter was discussed. Wendy Murray Acting Director General of the Department of Local Government attended this meeting and provided an overview of the proposal.

The Acting CEO and Mr Alan Stewart both attended the WALGA meeting and Department of Local Government meeting in Perth on Monday 12<sup>th</sup> July 2010. The outcome of the meetings is covered by the comment section of this report. The concern of this Shire about the need for consultation with Indigenous Communities was raised and has been included in the recommendation adopted at the meetings at WALGA and with DLG.

It is recommended that Council adopt the recommendations agreed to by the delegates present at the meetings in Perth on the 12<sup>th</sup> July 2010 and nominate representative/s from the Goldfields Shires that have Indigenous Communities within their area for the new Planning Committee.

Attached is a Preliminary Aboriginal Communities list, prepared by the Department of Local Government and provided for the Delegates at the meeting on the 12<sup>th</sup> July 2010. See Appendix E (White pages)

**Consultation**

Samantha Tarling CEO Wiluna, WALGA, Department of Local Government, GVROC Technical Officers, Alan Stewart & Tracey Wongawol RPA.

**Statutory Environment**

No specific requirements at this time

**Policy Implications**

Nil

**Financial Implications**

No implications at this time

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Officer Recommendation**

1. That the Council adopts the recommendations agreed to by the Local Governments present at the meetings conducted by WALGA and the Department of Local Government in Perth on the 12<sup>th</sup> July 2010.
2. That Council nominate ..... to be a representative/s on the new Planning Committee to progress the outcomes of the recommendations adopted at the meetings conducted by WALGA and the Department of Local Government in Perth on the 12<sup>th</sup> July 2010.

**106/10 Council Decision**  
**MOVED Cr C Webb**

**SECONDED Cr S Petterson**  
**CARRIED 4/0**

1. That the Council adopts the recommendations agreed to by the Local Governments present at the meetings conducted by WALGA and the Department of Local Government in Perth on the 12<sup>th</sup> July 2010.

2. Council considers that there will be suitable nominees from other Local Governments in the Goldfields region that will look after the interest of the Shire of Wiluna on this matter.

<b>10.1.7 Subject/Applicant:</b>	<b>Country Shire Councils Representation</b>
File:	
Reporting Officer:	Acting Chief Executive Officer, Tony Doust
Date of Report:	21 <sup>st</sup> July 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to obtain Councils direction on the suggested formation of an alternative Association for Country Shire Councils. The report recommends that the Shire of Wiluna do not participate in any further discussions on this matter at this time.

### **Background**

The Chief Executive raised this matter at the Council meeting on 21<sup>st</sup> April 2010, under the Status Report section of the CEO's report:

*"Country Shire Councils Representation*

*Fitzgerald Strategies have written to council advising that a number of their client councils have commented on the perceived lack of representation of country Shires in respect of issues relevant to rural local government. Several have commented that they would prefer to see an Association representing rural interests, whether in conjunction with or independent from WALGA.*

*Fitzgerald Strategies have been asked by a few clients to canvas the thoughts of country shires to gauge the level of enthusiasm for the formation of such an organisation. They will be in our area in the near future and would like to meet with the Shire President and Deputy, and CEO.*

*I believe that the Shire of Wiluna is well represented by WALGA and has a strong voice through the RPA and would see no gain at this time in having a new representative body for country local governments or meeting with Fitzgerald Strategies. Tabled for discussion and direction by council."*

The minutes of the Council meeting for 21<sup>st</sup> April 2010 do not specifically refer to any action on this matter and the Council decision on the Status Report was that the report be received and the actions of the CEO be endorsed. In view of this no further action was taken by the CEO.



### **Comment**

Mr Mike Fitzgerald recently contacted the Acting Chief Executive Officer about this matter and asked if the Shire was going to participate in a meeting in Perth, on Wednesday 4<sup>th</sup> August 2010, the day prior to the Annual Local Government Convention. It would appear that there is some support for the formation of a new association from other Country Councils.

During the discussion Mr Fitzgerald advised the Acting CEO that he has discussed this matter with Cr Harris and Cr Quadrio in Perth some weeks ago. As the Acting CEO could not provide any advice as to the Councils intention, given the position in the minutes of the April 2010 meeting, Mr Fitzgerald advised that he would contact Cr's Harris & Quadrio about this. The Acting CEO advised Cr Harris of his discussion with Mr Fitzgerald and Cr Harris felt the matter should be placed on the Council agenda for further consideration.

Cr Harris has subsequently inform the Acting CEO that he has received a email from Mr Fitzgerald asking if Cr's Harris & Quadrio are going to attend the meeting he has arranged in Perth on the 4<sup>th</sup> August 2010. The Acting CEO has advised both Councillors that no action should be taken on this matter until the Council has considered its position at the Council Meeting on 28<sup>th</sup> July 2010.

Whilst it is the Council's decision to determine what organizations they will be a member of, Councillors need to evaluate the level of service and support they receive from WALGA and the resources that an alternative organisation may have given its potential membership. It is also important to understand the Political reality of what influence a group of Country Shires in Western Australia may have on either State or Federal Governments, in these times.

The Acting CEO agrees with the position of the CEO has outlined in the Status Report presented to April 2010 meeting of Council.

### **Consultation**

Mr M Fitzgerald, Cr Harris and Cr Quadrio

### **Statutory Environment**

Not Applicable

### **Policy Implications**

No Specific Policy relating to Memberships of Organisations

### **Financial Implications**

The cost of attending the meeting in Perth on the 4<sup>th</sup> August 2010 is \$150.00 per person.

### Strategic Implications

This matter would need to be considered given any membership might have on existing Zone arrangements through WALGA

### Voting Requirements

Simple Majority

<b>107/10 Council Decision and Officer Recommendation</b>
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**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 4/0**

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.

<b>10.1.8. Subject/Applicant:</b>	<b>Rating 2010/11</b>
File:	
Reporting Officer:	Acting Chief Executive Officer Tony Doust
Date of Report:	20 <sup>th</sup> July 2010
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is to bring to Councils notice a problem that has arisen with the rating adopted for the 2010/11 year and to obtain approval to change the table adopted and included in the Budget.

### Background

Council at its meeting on the 19<sup>th</sup> May 2010 considered a report on the implementation of differential rating for mining tenements. The report clearly outline the objectives and reasoning behind this recommendation. Council resolved accordingly:

***“That the Shire of Wiluna adopts differential rating commencing 01 July 2010 to reflect the value that mining derives from the Shire.”***

Following this decision Council consider a further report on the 19<sup>th</sup> May 2010, which outlined the proposed rate in the dollar for the 2010/11 year, including differential rate 50% above the rural UV and general GRV rate in the dollar, for mining tenements and improvements as well as a 5% increase in rates for UV General (Pastoral) and GRV General. Council resolved on this matter accordingly:

***“That Council imposes the following rates for the 2010 – 2011 financial year and advertises for public comment.***

<i>Rate Category</i>	<i>Rate in Dollar (c)</i>	<i>Minimum</i>
<i>Gross Rental Values – General</i>	<i>07.256</i>	<i>250</i>
<i>Gross Rental Values – Mining</i>	<i>10.635</i>	<i>250</i>
<i>Unimproved Values – Rural</i>	<i>12.100</i>	<i>250</i>
<i>Unimproved Values – Mining</i>	<i>17.280</i>	<i>250</i>

The proposal was advertised for public comment and no submissions were received.

Council at its meeting on the 16<sup>th</sup> June 2010 considered a report advising that no comments had been received and it was resolved:

***“That Council imposes the following rates for the 2010 – 2011 financial year.***

<i>Rate Category</i>	<i>Rate in Dollar (c)</i>	<i>Minimum</i>
<i>Gross Rental Values – General</i>	<i>07.256</i>	<i>250</i>
<i>Gross Rental Values – Mining</i>	<i>10.635</i>	<i>250</i>
<i>Unimproved Values – Rural</i>	<i>12.100</i>	<i>250</i>
<i>Unimproved Values – Mining</i>	<i>17.280</i>	<i>250</i>

### **Comment**

The budget for the year 2010/11 was adopted using the rates in the dollar adopted by Council on the 16<sup>th</sup> June 2010 including the following rating information. The rates in the dollar are as per the Council’s decision.

9A RATING INFORMATION - 2010/2011 FINANCIAL YEAR

RATE TYPE	Rate in	Number	Rateable	2010/2011	2010/2011	2010/2011	2009/2010
SHIRE OF WILUNA	\$	of Assess	Value	Budgeted Rate Revenue	Budgeted Interim Rates	Budgeted Total Revenue	Actual
	\$		\$	\$	\$	\$	\$
<b>General Rate</b>							
GRV	0.0726	96	823,525	59,755	0	59,755	66,552
GRV - Mining	0.1064	9	2,510,353	266,976		266,976	211,517
UV - Rural	0.1210	29	966,628	116,962	0	116,962	111,956
UV - Mining	0.1728	876	13,796,296	2,384,000	70,000	2,454,000	1,646,844
<b>Sub-Totals</b>		1,010	18,096,802	2,827,693	70,000	2,897,693	2,036,869
<b>Minimum Rates</b>	<b>Minimum</b>						
	\$						
GRV	250	33	8,976	8,250	0	8,250	6,200
GRV - Mining	250	1	23	250	0	250	200
UV - Rural	250	3	2,828	750	0	750	600
UV - Mining	250	316	276,732	79,000	0	79,000	80,200
<b>Sub-Totals</b>		353	288,559	88,250	0	88,250	87,200
						2,985,943	2,124,069
Discounts						(65,000)	(60,184)
<b>Totals</b>						2,920,943	2,063,885

Whilst the Council intention has been implemented, what has occurred and was not provided for are the revaluations that have been undertaken by the Valuer General for both the Gross Rental Values and the Rural Unimproved Values. There has been no revaluation for the Mining Unimproved Values. Under section 6.28 (4) & (5) of the Local Government Act 1995, the valuations to be used by a Local Government are to be the valuations in force under the "Valuation of Land Act 1978" as at 1<sup>st</sup> July 2010. The impact of this is now shown in the revised rating table:

**REVISED TABLE INCLUDING NEW VALUATIONS AND  
SAME RATE IN THE DOLLAR**

RATE TYPE	Rate in	Number	Rateable	2010/2011	2010/2011	2010/2011	2009/2010
SHIRE OF WILUNA	\$	of Assess	Value	Budgeted Rate Revenue	Budgeted Interim Rates	Budgeted Total Revenue	Actual
	\$		\$	\$	\$	\$	\$
<b>General Rate</b>							
GRV	0.0726	63	670124	48264	0	48264	66552
GRV - Mining	0.1064	6	8289760	881616	0	881616	211517
UV - Rural	0.1210	28	1853501	224274	0	224274	111956
UV - Mining	0.1728	556	13739823	2374241	70000	2444241	1646844
<b>Sub-Totals</b>		653	24553208	3528755	70000	3598755	2036869
<b>Minimum Rates</b>	<b>Minimum</b>						
	\$						
GRV	250	33	18878	8250	0	8250	6200
GRV - Mining	250	3	290	750	0	750	200
UV - Rural	250	2	1500	500	0	500	600
UV - Mining	250	305	152820	76250	0	76250	80200
<b>Sub-Totals</b>		343	173488	85750	0	87750	87200
Discounts						3684505	2124069
<b>Totals</b>						(70000)	(60184)
						3614505	2063885

When comparing the revised table with the adopted Budget table, the total rates for the Rural Ward have increased by \$107,312 (92%). The GRV Mining have increased by \$ 614,640 (230%) The General GRV Rates have been reduced by \$11,491 (27%)

Given that it was the Councils intention to raise the Rural rates and General GRV by 5% and the Mining UV & GRV by 50% above the previous year, it will now be necessary to revise the rate in the dollar to reflect this. When doing this Council is required to comply with the provisions of section 6.33 (3) of the Local Government Act 1995. This section requires that any differential rate must not be more than twice the lowest differential general rate imposed without the prior approval of the Minister. The Acting CEO has considered this matter and has prepared the revised rating to meet the requirements of the Act and also ensure that where possible the Councils intentions are implemented. The Councils intention to increase the General rate in the dollar for Mining UV has not been possible as the rate in the dollar in the table is twice the Rural UV (the maximum). In order to raise the revenue required for the year the GRV rate in the dollar for General GRV rates and Mining GRV rates is the same. The minimum rate has also been increased to \$275. It is recommended that

Council make these adjustments otherwise the reaction from ratepayers will be most unsatisfactory.

It is suggest that the rating table be amended as follows:

**REVISED TABLE INCLUDING NEW VALUATIONS AND  
REVISED RATES IN THE DOLLAR**

<b>RATE TYPE</b>	<b>Rate in</b>	<b>Number</b>	<b>Rateable</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2009/2010</b>
		<b>of</b>	<b>Value</b>	<b>Budgeted</b>	<b>Budgeted</b>	<b>Budgeted</b>	
SHIRE OF WILUNA	\$	<b>Assess</b>	\$	<b>Rate</b>	<b>Interim</b>	<b>Total</b>	<b>Actual</b>
				<b>Revenue</b>	<b>Rates</b>	<b>Revenue</b>	
				\$	\$	\$	\$
<b>General Rate</b>							
GRV	0.1064	66	679640	72314	2500	74814	66552
GRV - Mining	0.1064	6	8289760	882030	10000	892030	211517
UV - Rural	0.0631	27	1850911	116792	0	116792	111956
UV - Mining	0.1260	443	13527954	1704522	70000	1774522	1646844
<b>Sub-Totals</b>		542	24348265	2775658	82500	2858158	2036869
<b>Minimum Rates</b>	<b>Minimum</b>						
	\$						
GRV	275	30	9362	8250	0	8250	6200
GRV - Mining	275	3	290	825	0	825	200
UV - Rural	275	3	4090	825	0	825	600
UV - Mining	275	418	364689	114950	2750	117700	80200
<b>Sub-Totals</b>		454	378431	124850	2750	127600	87200
Discounts						2985758	2124069
<b>Totals</b>						(64815)	(60184)
						2920943	2,063,885

It will also be necessary to revise the dates for payment of rates, instalments and discount for early payment as shown in the adopted budget, as the above has resulted in the rate notices not being prepared and sent out. Given the time required for printing and sending out the notices and that the Local Government Act 1995 requires at least (35) days for payment from the date of issuing notices, it is recommended that the Budget be amended from the 19<sup>th</sup> & 20<sup>th</sup> August 2010 to the 6<sup>th</sup> September 2010.

With regard to the previous advertising of the proposed differential rates as these will now be different to what was included in the advertisement, sections

6.36 (4) & (5) of the Local Government Act 1995 provides the opportunity for the Council to modify the rates or minimums without having to readvertise. An officer from the Department of Local Government was consulted on this and confirmed the above.

### Consultation

CEO Samantha Tarling, Shire President, Cr Jim Quadrio and Department of Local Government

### Statutory Environment

Local Government Act 1995 – Part 6 – Division 2 – Annual Budget and Part 6 – Division 6 – Rates and Services Charges

### Policy Implications

Not applicable

### Financial Implications

Local Government Act 1995 – Part 6 – Division 2 – Annual Budget and Part 6 – Division 6 – Rates and Services Charges

### Strategic Implications

Nil

### Voting Requirements

Absolute Majority

### **108/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr S Petterson**

**CARRIED 4/0**

**By an absolute majority.**

1. That resolution 72/10 adopted at the Council Meeting on the 16 June 2010 be rescinded:

“That Council imposes the following rates for the 2010 – 2011 financial year.”

<i>Rate Category</i>	<i>Rate in Dollar (c)</i>	<i>Minimum</i>
<i>Gross Rental Values – General</i>	<i>07.256</i>	<i>250</i>

<i>Gross Rental Values – Mining</i>	<i>10.635</i>	<i>250</i>
<i>Unimproved Values – Rural</i>	<i>12.100</i>	<i>250</i>
<i>Unimproved Values – Mining</i>	<i>17.280</i>	<i>250</i>

**109/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio**

**CARRIED 4/0**

**By an absolute majority.**

2. That the following Rating Table include in the adopted Budget for 2010/11 be rescinded:

**9A RATING INFORMATION - 2010/2011 FINANCIAL YEAR**

<b>RATE TYPE</b>	<b>Rate in</b>	<b>Number</b>	<b>Rateable</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2009/2010</b>
		<b>of</b>		<b>Budgeted</b>	<b>Budgeted</b>	<b>Budgeted</b>	
		<b>Assess</b>	<b>Value</b>	<b>Rate</b>	<b>Interim</b>	<b>Total</b>	<b>Actual</b>
				<b>Revenue</b>	<b>Rates</b>	<b>Revenue</b>	
SHIRE OF WILUNA	\$		\$	\$	\$	\$	\$
<b>General Rate</b>							
GRV	0.0726	96	823,525	59,755	0	59,755	66,552
GRV - Mining	0.1064	9	2,510,353	266,976		266,976	211,517
UV - Rural	0.1210	29	966,628	116,962	0	116,962	111,956
UV - Mining	0.1728	876	13,796,296	2,384,000	70,000	2,454,000	1,646,844
<b>Sub-Totals</b>		1,010	18,096,802	2,827,693	70,000	2,897,693	2,036,869
<b>Minimum Rates</b>	<b>Minimum</b>						
	\$						
GRV	250	33	8,976	8,250	0	8,250	6,200
GRV - Mining	250	1	23	250	0	250	200
UV - Rural	250	3	2,828	750	0	750	600
UV - Mining	250	316	276,732	79,000	0	79,000	80,200
<b>Sub-Totals</b>		353	288,559	88,250	0	88,250	87,200
Discounts						2,985,943	2,124,069
<b>Totals</b>						(65,000)	(60,184)
						2,920,943	2,063,885

**110/10 Council Decision and Officer Recommendation**

**MOVED Cr J Quadrio**

**SECONDED Cr C Webb**



**CARRIED 4/0**  
**By an absolute majority.**

3. The following rating table be adopted and included in the 2010/11 Budget:

**9A RATING INFORMATION - 2010/2011 FINANCIAL YEAR**

<b>RATE TYPE</b>	<b>Rate in</b>	<b>Number</b>	<b>Rateable</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2010/2011</b>	<b>2009/2010</b>
		<b>of</b>		<b>Budgeted</b>	<b>Budgeted</b>	<b>Budgeted</b>	
		<b>Assess</b>	<b>Value</b>	<b>Rate</b>	<b>Interim</b>	<b>Total</b>	<b>Actual</b>
SHIRE OF WILUNA	\$		\$	\$	\$	\$	\$
<b>General Rate</b>							
GRV	0.1064	66	679640	72314	2500	74814	66552
GRV - Mining	0.1064	6	8289760	882030	10000	892030	211517
UV - Rural	0.0631	27	1850911	116792	0	116792	111956
UV - Mining	0.1260	443	13527954	1704522	70000	1774522	1646844
<b>Sub-Totals</b>		542	24348265	2775658	82500	2858158	2036869
<b>Minimum Rates</b>	<b>Minimum</b>						
	\$						
GRV	275	30	9362	8250	0	8250	6200
GRV - Mining	275	3	290	825	0	825	200
UV - Rural	275	3	4090	825	0	825	600
UV - Mining	275	418	364689	114950	2750	177700	80200
<b>Sub-Totals</b>		454	378431	124850	2750	127600	87200
						2985758	2124069
Discounts						(64815)	(60184)
<b>Totals</b>						2920943	2,063,885

**111/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr S Petterson**

**CARRIED 4/0**

**By an absolute majority.**

4. The due dates included in the 2010/11 Budget for payment of rates, payment of 1<sup>st</sup> installment and the period for discount allowed be amended to 6<sup>th</sup> September 2010.

Presiding Member ..... Date .....

<b>10.1.9. Subject/Applicant:</b>	<b>Release of Land Wiluna Townsite</b>
File:	
Reporting Officer:	Acting Chief Executive Officer, Tony Doust
Date of Report:	21 <sup>st</sup> July 2010
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is to advise Council of present position with the release of Land within the Townsite by State Lands.

### Background

The Acting CEO understands that Shire has been keen to see more land released in Wiluna for both Residential, Industrial and Commercial purposes. State Lands have been asked to progress this matter as a matter of urgency.

### Comment

The CEO received the following email from Manager of State Lands – Midwest on the 25<sup>th</sup> June 2010:

*"I apologise for the delay in this matter.*

*As part of a due diligence assessment prior to final release this Office has again approached relevant service providers to confirm availability of services to the lots identified for release. Despite having previously advised that services are available to the industrial lots identified, the Water Corporation has now advised that those services will require upgrade at a considerable cost before any further lots could be connected to the water supply. This cost would be in addition to any headworks charge and connection fee applicable to each lot released. Western Power has also advised that only low voltage power is available and may not be suitable to some types of industry. It has also been identified that extension of services will be required for some residential lots previously thought to have services available and that additional cost will therefore apply for these lots. Water Corporation and Western Power have also been asked to confirm how many additional lots can be developed before an upgrade to the existing headworks will be required.*

*Apart from the servicing matters, the residential and commercial lots identified for release were selected on the basis of previous past acts considered to have extinguished native title. However, current legal advice has now been provided based on recent cases elsewhere that those previous past acts might not now be considered valid and, to ensure the issue of valid titles, all lots should be subjected to a future act process under the Native Title Act 1993.*

*In light of the above recent developments it is considered prudent to withdraw all lots from release until these matters can be properly addressed. In respect to service upgrades consideration is being given to obtaining approval for the State to either expend the necessary funds on service upgrades or reduce purchase prices on the basis of purchasers meeting service upgrade costs themselves. In respect to native title the appropriate future act process will require the issue of a notice, consultation with claimants and agreement on extinguishment of native title rights and interests prior to release.*

*It is possible we could proceed to advertise for expressions of interest for the commercial lots on the basis of granting an 'option to purchase'. The option would provide that, subject to satisfactory completion of the native title process and acceptance of an agreed development plan, freehold title will be granted. While this will not provide immediate title to the land it will provide a degree of certainty that a particular proponent will get freehold at an agreed price if and when the conditions precedent is satisfied.*

*I appreciate that this late advice will disappoint some potential buyers of land in Wiluna but withdrawal from sale at this time is considered necessary in light of recent advice."*

The CEO has asked Alan Stewart to take this matter through the RPA and raise the Shire concerns with the contacts he has.

The Acting CEO recommends that the Council seek a meeting with the Minister for Regional Development and Lands, Brendon Grylls MLA to have this matter addressed as a priority to ensure that the lack of land does not impact on the potential development of residential and industrial mining facilities within the Townsite of Wiluna.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

The release of Land with the Wiluna Townsite has a high priority to provide development opportunities.

**Voting Requirements**

Nil

**112/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr S Petterson**

**CARRIED 4/0**

The Chief Executive Officer advise the Minister for Regional Development and Land of the Councils concern about the delay in Land being released in the Townsite of Wiluna and request a meeting with him at the earliest opportunity to discuss the matter as a matter of urgency.

## Adjournment

The Council agreed to adjourn for lunch at 1.10pm and reassembled at 2pm with all those being present before the adjournment.

## 10.2. Principal Environmental Health Officer Report

<b>10.1.1. Subject/Applicant:</b>	<b>Status Report</b>
File:	Various
Reporting Officer:	Bill Atyeo, Environmental Health and Safety Officer
Date of Report:	21 July 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: Wiluna Club Hotel**  
**File: Club Hotel**  
**Location: Wiluna**  
**Date: 24 June 2010**

Mr Atyeo has inspected the hotel again and has found that there are still a number of issues outstanding and indicated a number of priorities to the owner in the presence of the person he is working with to achieve compliance at the time of the inspection.

A further inspection will be undertaken between 19 and 23 July 2010, and work orders for all outstanding works will be issue. These will be forwarded to the Liquor Licensing Commission inspectors who have indicated that they will support Council in its endeavours to raise the standard of the premises by attaching conditions to the license which reflect the work orders placed.

Failure of the owners to comply with these conditions placed on the Liquor License will see license withdrawn, until such time as there is full compliance.

This will be an extensive report and will take time to complete. The possible loss of the liquor license is the best incentive for the owners to comply within the given timeframes, and should be a cost effective way of handling the situation, rather than costly court action by the Shire.

Mr Atyeo will keep Council fully informed with progress,

**113/09 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 4/0**

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

<b>10.2.1. Subject/Applicant:</b>	<b>Town Planning Approval TP01/09 – Lot 179 Wotton Street - Wiluna - ALLISON</b>
<b>File:</b>	Lot 179
<b>Reporting Officer:</b>	Bill Atyeo – Principal Environmental Health Officer
<b>Date of Report:</b>	25 June 2010
<b>Disclosure of Interest:</b>	Nil

**Purpose**

The purpose of this report is to provide an overview of the progress of the Town Planning Approval issued in regard to the proposed development on Lot 179 Wotton Street Wiluna by Bushspan Holdings Pty Ltd.

It is recommended that Council do not take legal action for a minor breach of the conditions of the Town Planning Approval TP01/09.

**Background**

Town Planning Approval TP01/09 was issued to Gail and Monty Allison, Bushspan Holdings Pty Ltd, for the development of an Office, and a Craft/Cultural Centre on Lot 179 Wotton Street in Wiluna.

Conditions were placed on the approval as follows:

1. All second-hand buildings not involved in the development or upgrading are to be removed immediately from the allotment.
2. The use hereby permitted shall not cause injury to or prejudicially effect the amenity of the locality by reason of the processes carried on, the materials, goods and machinery used and stored or by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
3. The use of the premises as applied for shall not be changed or added to without the consent of Council.
4. No incinerator is to be provided or used on the site. All refuse shall be regularly removed to Council's tip and not stored on the Lot.
5. All stormwater emanating from the lot is to be discharged to a legal

- point of disposal so that it does not cross the boundaries of any adjacent lot or cause any detriment to the adjacent lots.
6. The footpaths adjoining the lot shall be maintained by the applicant to the satisfaction of Council's Works Manager.
  7. The owner, the occupier and the manager of the premises shall at all times each make reasonable endeavours to ensure that the premises do not create a nuisance and annoyance to neighbours or otherwise disturb the amenity of the area.
  8. All parking of business vehicles, and staff vehicles, and customers/clients will at all times be within the boundaries of the allotment.
  9. The storage of any goods outside the confines of the proposed building/s is not permitted under any circumstances.
  10. The surface of the land to be utilised for car parking shall be treated so as to prevent loss of amenity to the neighbourhood by emission of dust and the discharge of drainage, and practical means shall be installed to prevent damage to the fences of adjoining properties.
  11. All buildings and access to the buildings shall be modified to comply with Australian Standard 1428 for disabled persons.
  12. This Planning Permit will become void if development has not commenced within six (6) months of the issue of permit.
  13. The time for completion of the development work is eighteen (18) months from the date of issue of the permit. Council may grant an extension of time, only on receiving written application from the developer and received at least three (3) months prior to the expiration of the time limits.
  14. The finish of the external cladding of all the proposed buildings which includes the colour of the paint applied shall be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna.
  15. All landscaping on the allotment is to be to the satisfaction of the Chief Executive Officer of the Shire of Wiluna and is to be fully maintained at all times.
  16. The developers are required to apply for all relevant building licenses from the Shire and pay all required fees.

Two major concerns have been raised:

1. That all the second-hand buildings not involved in the development or upgrading are to be removed immediately from the allotment,
2. and whether or not the developers have breached condition 12 which states:

*This Planning Permit will become void if development has not commenced within six (6) months of the issue of permit.*

Clearly the second hand buildings not to be included in the development were not removed immediately. During the week prior to writing this report that the developers tidied up the area by moving the second hand buildings around, and removing one of the buildings.

Mr Atyeo spoke with the developers on site on the 24<sup>th</sup> June 2010 and was advised that they had arranged for Mr Simon Thomas to remove the other (3) buildings and the ablution block. This work should have been completed but a death in the Mr Thomas's family had him called away from the project. Mr Thomas was due to return after the funeral scheduled for 26<sup>th</sup> June 2010. This will leave only the Centre Link Office and two other buildings.

Mr Atyeo has confirmed with Bernie from MEEDAC that a training program will begin on site on approx the 26<sup>th</sup> July 2010, which will run for 13 weeks, which will see these two buildings repaired and placed on the Lot. The course is called the Rural Operations Cert II Durac Institute. Ian from TAFE is to confirm this and provide the Shire with layout plans and specifications of the work to be completed, along with a letter from the developers explaining the outline of the program. To date we have not heard from TAFE.

In regard to condition 12 of the approval issued, some development has commenced, in that the proposed Centre Link facility has been located ready to be fitted out and that other buildings have been relocated and trenches dug for power to be re-connected to the lot.

At the request of the Chief Executive Officer the two concerns referred to above were outlined in a letter dated 21<sup>st</sup> May 2010 and sent to the developers. In that letter the developers were given 14 days to remove the second hand building that are not required for the new development.

### Comments

There has been a minor breach of the conditions placed on the Planning Approval TP01/09 in that the developers did not immediately remove from Lot 179 the second hand buildings that were not involved in the development or upgrading.

The Planning and Development Act 2005 states in Section 214 "Directions by responsible authority regarding unauthorised development":

- (1) For the purposes of subsections (2) and (3) —
  - (a) a development is undertaken in contravention of a planning scheme or an interim development order if the development —

- (i) is required to comply with the planning scheme or interim development order; and
  - (ii) is commenced, continued or carried out otherwise than in accordance with the planning scheme or interim development order or otherwise than in accordance with any condition imposed with respect to that development by the responsible authority pursuant to its powers under that planning scheme or interim development order;
- (b) a development is undertaken in contravention of planning control area requirements if the development —
  - (i) is commenced, continued or carried out in a planning control area without the prior approval of that development obtained under section 116; or
  - (ii) is commenced, continued or carried out otherwise than in accordance with the approval referred to in subparagraph (i) or otherwise than in accordance with the conditions, if any, subject to which that approval is given.
- (2) If a development, or any part of a development, is undertaken in contravention of a planning scheme or an interim development order or in contravention of planning control area requirements, the responsible authority may give a written direction to the owner or any other person undertaking that development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements.
- (3) If a development has been undertaken in contravention of a planning scheme or interim development order or in contravention of planning control area requirements, the responsible authority may give a written direction to the owner or any other person who undertook the development —
  - (a) to remove, pull down, take up, or alter the development; and
  - (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.
- (4) The responsible authority may give directions under subsections (2) and (3)(a) and (b) in respect of the same development and in the same instrument.
- (5) If it appears to a responsible authority that delay in the execution of any work to be executed under a planning scheme or interim development order would prejudice the effective operation of the



planning scheme or interim development order, the responsible authority may give a written direction to the person whose duty it is to execute the work to execute that work.

- (6) A direction under subsection (3) or (5) is to specify a time, being not less than 60 days after the service of the direction, within which the direction is to be complied with.
- (7) A person who —
  - (a) fails to comply with a direction given to the person under subsection (2); or
  - (b) fails to comply with a direction given to the person under subsection (3) or (5) within the time specified in the direction, or within any further time allowed by the responsible authority, commits an offence.

The sections underlined of the Section 214 are considered relevant.

As can be seen the Council may issue a written directive under Section 214.(2) and/or 214.(3) or 214.(5). A written direction under Section 214.(3) and 214.(5) must allow a minimum of 60 days for compliance with the directive issued. Section 214.(2) does not have this 60 day period for compliance, but the timeline must be a fair and reasonable amount of time.

Under the Planning and Development Act 2005 the developers do have the right of appeal pursuant to Section 255. This Section states:

*255. Application for review of section 214 direction*

- (1) A person to whom a direction is given under section 214 may apply to the State Administrative Tribunal for a review, in accordance with this Part, of the decision to give the direction.
- (2) If the State Administrative Tribunal confirms or varies the direction, it may, by written notice served on the person to whom the direction was given, direct the owner to comply with the direction as so confirmed or varied, within a period of not less than 40 days after service of the notice, as is specified in the notice.
- (3) Nothing in subsection (2) limits the functions of the State Administrative Tribunal under the *State Administrative Tribunal Act 2004*.

If this issue was to end up with legal action being taken, it may take considerable time for a decision by the Court. Therefore it is recommended that the report be noted and no further action be taken at this time, other than to keep reminding and requesting the developers to conclude the development within the approved completion timeframe.

**114/10 Council Decision and Officer Recommendation**

**MOVED Cr S Petterson**

**SECONDED Cr J Quadrio  
CARRIED 4/0**

1. That the developers of Lot 179 Wotton Street Wiluna be advised that they have breached the conditions placed on the Planning Approval TP01/09 issued to Bushspan Holdings Pty Ltd, in that the second hand buildings that were not involved in the development or upgrading have not been remove from Lot 179 as per condition 1 of the development approval.
2. That Council further acknowledges that the breach is a minor one, and that no legal action be taken at this time, however the matter is to be reviewed if the requirement is not met within 30 days of this date.
3. That Chief Executive Officer write to Bushspan Holdings Pty Ltd outlining Councils position in items 1 and 2 of this decision.

<b>10.2.3 Subject/Applicant:</b>	<b>Application for Planning Approval – Grouped Housing – Ngangganawili Aboriginal Community Controlled Health and Medical Services Aboriginal Corporation (NAHS) – TP01/10</b>
<b>File:</b>	Lot 5001- Cnr Scotia & Wells Streets Wiluna
<b>Reporting Officer:</b>	Bill Atyeo – Principal Environmental Health Officer
<b>Date of Report:</b>	15 July 2010
<b>Disclosure of Interest:</b>	Nil

**Purpose**

The purpose of this report is to place before Council an application by GHD Architecture on behalf of Ngangganawili Aboriginal Community Controlled Health and Medical Services Aboriginal Corporation (NAHS) for the development of a duplex for staff, in conjunction with the future development of the new AMS for Wiluna, on the Lot 5001 Cnr Scotia & Wells Streets.

The report recommends that Council approve the proposed development with conditions.

**Background**

The new clinic for Wiluna has been a very long process with many people being involved. It is only recently that the Shire has been advised that

funding for the new facility has been secured.

GHD has informed the Shire that NACCHMSAC have organised amalgamation of the 16 lots into one. As such, the correct title identification for the super-lot, which contains the proposed staff housing and eventually the whole clinic and related structures, is as follows:

- Lot 5001 on location 83335, file reference 01275-1977.

The land is a Conditional Purchase Lease to NACCHMSAC, SO2 for an Aboriginal Medical Service and the purchase was finalised on the 23<sup>rd</sup> March 2010 and recognised on invoice 68503 Department Regional Development and Lands.

In order to secure further funding for staff housing, NACCHMSAC have made application for a development approval to develop a duplex dwelling (considered to be group housing) on part of this lot.

GHD has asked Council to consider the following when making a decision on the Development Application:-

- The development is first stage of Clinic Development
- Site has been amalgamated; the current zoning is applicable for this residential use.
- Rezoning application for the total clinic site is under preparation.

Plans of the proposed development of the duplex, including the lot location, and floor plan and elevations, are attached. Appendix F (Orange pages)

### Comments

The land identified in the application is zoned as "Residential", and is included in the R10/30 category under the Residential Planning Codes. The development satisfies the requirements of the Residential Planning Codes and the Shire of Wiluna Town Planning Scheme No 1 with regard to plot ratio, area per dwelling, setbacks, and all the other requirements.

The proposed development is defined as "group dwellings", and in accordance with the Zoning Table within the Town Planning Scheme it has a "D" classification. This means that the development is not permitted unless the local government has exercised its discretion by granting planning approval. Given this requirement the application needs to be approved by Council, with or without conditions.

As stated by GHD in the application it is only the first stage of the entire development, and the application for a rezoning of the total site (lot 5001) is under preparation. As the lot is presently zoned residential, it is recommended

that the development of “group dwellings” as per the application be approved. The future rezoning of the land will need to include “staff residential development” as an approved use.

**115/10 Council Decision and Officer Recommendation**

**MOVED Cr J Quadrio**

**SECONDED Cr S Petterson**

**CARRIED 4/0**

That Council exercises its discretion and approves the proposed development of “group housing” on lot 5001 Cnr Scotia & Wells Streets, Wiluna, in accordance with the plans and application submitted by GHD for Ngangganawili Aboriginal Community Controlled Health and Medical Services Aboriginal Corporation, with the following conditions forming a part of the approval:

- a. The developers will ensure that the effluent generated by the development is disposed of to the satisfaction of the Principal Environmental Health officer, and in accordance with all relevant Health legislation.
- b. No incinerator is to be provided or used on the site and all refuse shall be regularly removed to Shire Rubbish Disposal Site.
- c. All stormwater emanating from the lot is to be discharged to a legal point of disposal so that it does not cross the boundaries of any adjacent lot or cause any detriment to the adjacent lots.
- d. This Approval will become void if development has not commenced within twelve (12) months of the issue of approval.
- e. The time for completion of the development work is two (2) years from the date of issue of the approval. Council may grant an extension of time, only on receiving written application from the developer, which must be received at least three (3) months prior to the expiration of the time limits.
- f. The footpaths adjoining the lot shall be maintained by the applicant to the satisfaction of Chief Executive Officer.

**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:	21 July 2010
Disclosure of Interest:	Nil

##### **Purpose**

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

##### **Background**

The list of accounts for the period ending 30 June 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

##### **116/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio  
CARRIED 4/0**

That the accounts paid by authority for the period ended 30 June 2010 totalling \$1,237,727.81 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:	21 July 2010
Disclosure of Interest:	Nil

### **Purpose**

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 30 June 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 30 June 2009 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

### **117/10 Council Decision and Officer Recommendation**

**MOVED Cr J Quadrio**

**SECONDED Cr C Webb  
CARRIED 4/0**

That Council adopt the Financial Reports for the period ending 30 June 2010 as presented.

<b>10.4.3 Subject/Applicant:</b>	<b>Planning Fees 2010/2011</b>
File:	Fees and charges
Reporting Officer:	Glenn Deocampo, Manager of Finance & Administration
Disclosure of Interest:	Nil

### Purpose

The purpose of this report is for Council to adopt the Planning Fees for financial year 2010/2011.

### Comment

The fees presented below are regulated planning fees for financial year 2010/2011 and is to take effect on 1 July 2010. Most of these fees are GST exempted.

### Consultation

Bill Atyeo, Environmental Health and Safety Officer

### Financial Implications

#### **PLANNING FEES FOR FINANCIAL YEAR 2010/2011**

Item	Description of planning service	
1	Determination of development application (other than for an extractive industry) where the estimated cost of the development is:	
	a) Not more than \$50,000	\$135 (GST exempt)
	b) More than \$50,00 but not more than \$500,000	0.31% of the estimated cost of the development (GST exempt)
	c) More than \$500,000 but not more than \$2.5 million	\$1,555 + 0.25% for every \$1 in excess of \$500,000 (GST exempt)
	d) More than \$2.5 million but not more than \$5 million	\$6,550 + 0.20% for every \$1 in excess of \$2.5 million (GST exempt)
	e) More than \$5 million but not more than \$21.5 million	\$11,555 + 0.12% for every \$1 in excess of \$5 million (GST exempt)

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Presiding Member ..... Date .....

	f) More than \$21.5 million	\$31,350 (GST exempt)
2	Determine a development application (other than for an extractive industry) where the development has commenced or been carried out	The fee in item 1 plus, by the way of penalty, twice that fee. (GST exempt)
3	Determining a development application for an extractive industry where the development <b>has not</b> commenced or been carried out	\$676 (GST exempt)
4	Determining a development application for an extractive industry where the development <b>has</b> commenced or been carried out	The fee in item 3 plus, by the way of penalty, twice that fee. (GST exempt)
5	Provision of a sub-division clearance:	
	a) Not more than 5 lots	\$67 per lot (GST exempt)
	a) More than 5 lots but not more than 195 lots	\$67 per lot for the first 5 lots and then \$34 per lot (GST exempt)
	b) More than 195 lots	\$6,756 (GST exempt)
6	Determine an initial application for approval of a home occupation where the home occupation <b>has not</b> commenced	\$203 (GST exempt)
7	Determine an initial application for approval of a home occupation where the home occupation <b>has</b> commenced	The fee in item 6, by way of penalty, twice that fee. (GST exempt)
8	Determining an application for the renewal of an approval of a home occupation where the application is made before the approval expires	\$67 (GST exempt)
9	Determining an application for the renewal of an approval of a home occupation where the application is made after the approval has expired	The fee in item 8 plus, by way of penalty, twice that fee (GST exempt)
10	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out	\$270 (GST exempt)
11	Determining an application for a change of use or for a change of use or for an alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out	The fee in item 10 plus, by way of penalty, twice that fee (GST exempt)
12	Providing a zoning certificate	\$67 (GST exempt)
13	Replying to a property settlement questionnaire	\$67 (GST not included)
14	Providing written planning advice	\$67 (GST not included)
	<b>Part 2 - Maximum fees: Scheme Amendments</b>	
1	Director/ City/ Shire Planner	\$80.60 (GST not included)
2	Manager/ Senior Planner	\$61.20 (GST not included)
3	Planning Officer	\$33.70 (GST not included)

Presiding Member ..... Date .....



4	Other staff eg environmental health officer	\$33.70 (GST not included)
5	Secretary/ administrative clerk	\$27.60 (GST not included)
<b>Part 3 - Maximum fees: Structure Plans</b>		
1	Director/ City/ Shire Planner	\$80.60 (GST not included)
2	Manager/ Senior Planner	\$61.20 (GST not included)
3	Planning Officer	\$33.70 (GST not included)
4	Other staff eg environmental health officer	\$33.70 (GST not included)
5	Secretary/ administrative clerk	\$27.60 (GST not included)

Note: All fees are exclusive of GST unless otherwise indicated.

### Statutory Environment

Building Code of Australia

### Voting Requirement

Absolute majority

<b>118/10 Council Decision and Officer Recommendation</b>
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**MOVED Cr C Webb**

**SECONDED Cr J Quadrio**

**CARRIED 4/0**

**By an absolute majority.**

That Council adopts the Planning Fees for the financial year 2010/2011 as stated above.

### 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:	21 July 2010
Disclosure of Interest:	Nil

### Purpose

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

## **Roads**

The maintenance grader is on the Carnegie-Glenayle Road at present grading from the Carnegie turnoff on Wongawol Road to Glenayle station access. The grader will continue along Sydney Heads Road and Lake Violet Roads onto Wongawol Road.

## **North Road**

The entire road to North Pool from the North Road turnoff into North Pool has been graded and sides cleared in some sections to widen the path into North Pool.

A Shire of Wiluna boundary sign was erected at the Rabbit Proof fence on North Road. This completes the large Boundary entry signs at 3 major arterial roads leading to Wiluna. There are a further 5 signs that will be installed along other entry points.

## **Barwidgee Road**

Sections of Barwidgee Road were spot graded along with Yandal Road up to the Shire boundary.

Sandstone-Wiluna Road/Yeelirrie Road

Sections of Sandstone Wiluna Road and Yeelirrie Road where recent road works were completed have now been guide posted and new signs erected.

## **Oval**

A new Aerator has been purchased for the use on the Oval. This will enable the new turf to be regularly aerated increasing the uptake of water and nutrients.

## **Aerodrome**

Work is still in progress at the Airport to improve its appearance. The garden has been redesigned and replanted. Many positive comments have been received from airport users.

## **Streetscape Bore**

A new second bore to service the town's reticulation need has been completed well within the budgeted amount. It is located beside the Main water storage tank. A consulting hydrologist recommended the pilot drill hole be developed into a production bore. Quotes are being gathered for pumping equipment.

**Other Matters**

Car bodies from around town have been carted away and traffic counters have been installed on the road gathering data. Gravel has been dropped off at the airport for the upcoming works.

**119/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr S Petterson**

**CARRIED 4/0**

That Council receives the Works Department information report and endorses the officers actions.

**10.6. 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:	Various
Reporting Officer:	Heather Charlton, Art Gallery Manager
Date of Report:	12 July 2010
Disclosure of Interest:	Nil

**Purpose**

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

**ANNUAL REPORT**

**TJUKURBA ART GALLERY 2009-10**

2009-10 for Tjukurba had a good start with advice from the Department of Environment, Water, Heritage & the Arts (DEWHA) that our grant application had been approved, providing funding to support gallery activities.

*Wiluna Shire Council Strategic Plan 2009-14*

*PROUD WILUNA*

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

**EXHIBITIONS**

**Desert Mob**

Our affiliation with Desert has allowed us access to the acclaimed Desert Mob Exhibition, and artists work was submitted for the first time. The Art Gallery Manager and Community Development Manager attended the Desert Symposium, the Desert Mob Exhibition, and conducted a stall at the Desert Marketplace, turning lower end works into cash for painters.

Works of several artists were entered in regional Art Awards including Port Hedland, and applications forwarded for the Western Australian Indigenous Art Award, although due to the highly competitive nature of this exhibition, these were not successful. In addition, selected works have been purchased by and consigned to city based galleries in ACT, WA and Queensland.

*Wiluna Shire Council Strategic Plan 2009-14*  
*PROUD WILUNA*

*Provide an ongoing program of art exhibitions in partnership with local mining companies*

**Newmont Perth**

Birriliburu Artists were invited to stage an Exhibition in Newmont Asia Pacific's head office in Perth.

The Art Gallery Manager attended with three Artists who painted for the duration of the exhibition.

A welcome from Jundee Operations Manager was delivered at the evening opening, with brisk sales following amounting to \$16,500.

**BHP Nickel West Mt Keith**

The Mt Keith Exhibition has become an annual event, taking place at the mine site over two days and nights. Three Artists attended with the Art Gallery Manager, where over 170 works were exhibited. Takings exceeded previous figures reaching \$17,120. This year children's paintings were included in the display, and a community BBQ with sporting activities was provided on the opening night.

### **Jundee Operations**

Two artists attended with the Art Gallery Manager for an Exhibition and Sale at the Jundee Minesite. Sales for the day/evening event amounted to \$7,160.

*Wiluna Shire Council Strategic Plan 2009-14*  
**GO-AHEAD WILUNA**  
*Support the development of creative industries in Wiluna*

### **Artstart**

The Artstart Children's Painting Group re-commenced in February with the start of the school term.

In its third year, the numbers attending are rising, currently averaging 42 child/visits per month.

The children produce work which is displayed and sold in the gallery. Recently, the Artstart group was visited by Michelle Scott, the Commissioner for Children and Young People.

### **Art Workshops**

Artist Skills Workshops were held in a variety of media, including :  
**Painting** with Paul Miller, conducted in October, with a focus on strategies to achieve high quality works.

A **Beanie Making** Workshop with Siri Omberg held in April saw artists being led to a world of make-believe, as they produced an array of felted sculptural figures to adorn their beanies.

The completed beanies will be displayed as Wiluna's contribution to the Alice Springs Beanie Festival.

We achieved wonderful promotion on the back cover of the Desert News, winter edition, with an article regarding the Beanie Workshop, and a photograph of Stacey Petterson wearing one of her creations.

**Printmaking** with Basil Hall Editions was again conducted this year in the medium of Linocuts with Mats Uden. Artists produced work which resulted in twenty-two print editions.

Unfortunately some workshops were not well attended due to differing community priorities at the time.

*Wiluna Shire Council Strategic Plan 2009-14*  
**PROUD WILUNA**  
*Support Martu traditions in the community*

### **Bush Painting**

A bush painting day was conducted combining with the Homemaker program to provide painting and cooking activities for the artists. Four artists and three community members attended. Delicious dampers were produced and several paintings commenced for later completion.

*Wiluna Shire Council Strategic Plan 2009-14  
GO-AHEAD WILUNA  
Support the development of creative industries in Wiluna*

### **PROFESSIONAL DEVELOPMENT**

#### **Arts Law**

Representatives from Arts Law and Copyright Agency Limited, under the auspices of WA Aboriginal Art Centre Hub (WAAACH) visited to provide information sessions to artists relating to the Indigenous Australian Art Commercial Code of Conduct, linking with proposed Indigenous Artist/Art Centre Agreements.

The new Artists Resale Royalty Scheme coming into effect from 9<sup>th</sup> June, 2010 was discussed as was the importance of Artists writing Wills. During their visit, Arts Law acted for four Artists in writing their wills.

#### **Business Governance**

Peter Shepherd was again engaged to provide information sessions regarding good governance of the Art Centre. As few artists attended, planning centred around recommendations for broadening the Gallery's Artist base to stimulate participation and production.

#### **Desart Art Centre Managers Conference**

The Art Gallery Manager attended the annual Desart Conference in Alice Springs which covered many issues including the Indigenous Australian Art Commercial Code of Conduct, the Resale Royalty Scheme, and the tensions in Art Centres in serving both commercial and cultural aspirations of art-making.

#### **AMS Training**

A skills development workshop in the use of the Artist Management System also provided by Desart, was attended in December.

#### **WAAACH - The Western Australian Aboriginal Art Centre Hub**

The Tjukurba Art Gallery obtained membership to the recently developed WA Aboriginal Art Centre Hub, being the new peak body for delivery of services to

WA Art Centres. As one of only seven inaugural members, the Gallery will be able to make use of resources provided on a State level.

*Wiluna Shire Council Strategic Plan 2009-14  
Go-Ahead Wiluna  
Actively promote Wiluna creative business and artists*

### **Headsox**

With the successful licensing of the first two designs, our Headsox range has expanded to four, providing a return to the Artists of ten percent of the wholesale price made on sales.

Birriliburu Artist designed Headsox can be found in airport shops around Australia, together with various tourist destinations, and most recently a design was sold to a manufacturers connection in Argentina. Birriliburu Artists are promoted on the Headsox website.

### **BANNERS IN THE TERRACE . . .** A work in progress.

Unfortunately we were unable to have the banner completed in time for inclusion in this year's display.

### **Gallery Sales**

While the number of sales has increased, the value of works sold remains at the low end of the market, this year being most evident at our Mining Exhibitions where fewer large pieces were purchased. Factors affecting this result can largely be attributed to the lack of "collectable" artworks being produced and the current economic uncertainty.

Initiatives to encourage greater artist participation is currently being explored.

Gallery turnover

1/7/08-30/6/2009            350 sales = \$165.040.

1/7/09- 25/6/2010        530 sales = \$155.858

Council commended/congratulates Art Gallery Manager for a great report.

<b>120/10 Council Decision and Officer Recommendation</b>
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**MOVED Cr C Webb**

**SECONDED Cr J Quadrio**

**CARRIED 4/0**

That Council receives the Art Gallery Manager information report and endorses the officer'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:	12 July 2010
Disclosure of Interest:	Nil

#### **Purpose**

The purpose of this report is for Council to receive the Sports & Recreational Officers report and endorse the Officers actions.

#### **Healthy Safe Fun Wiluna**

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

June 30<sup>th</sup> The Sports & Recreation Centre organised a Active After School Program where several departments in the community came together to educate themselves in basic teaching and learning the fundamentals of sports activities.

These skills build confidence and bring departments in town together whereby at the end of the day the children benefit from new, fun and exciting games to play from people who care about fitness .

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

July 27<sup>th</sup> Newmont v Wiluna Touch Rugby  
August 11<sup>th</sup> Mt Keith v Wiluna Touch Rugby  
August 17<sup>th</sup> Newmont v Wiluna Basket ball  
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.**

NAIDOC July 11<sup>th</sup> – 16<sup>th</sup>  
The Sports / Recreation Centre supported the carnival with 3 x sets of AFL Jumpers  
Basketball strips , Bibs, Umpire shirts, AFL goal post pads , Score Sheets, Whistles, Markers, Cones , Footballs, Basketballs, Softball gear, Tables, Chairs,



Extension Cords, Speakers, Microphone , Bins, Hot water urn, Toilet Facilities ,  
Still Photos and BBQ

**121/10 Council Decision and Officer Recommendation**

**MOVED Cr C Webb**

**SECONDED Cr J Quadrio**

**CARRIED 4/0**

That Council receives the Sports & Recreational Officer information report and endorses the officers 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 2.50pm.