

Shire of Wiluna

CONFIRMED MINUTES



Ordinary Meeting of Council

Held

23 February 2010

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MINUTES

Minutes of the Ordinary Council Meeting of the Shire of Wiluna held in the Council Chamber, Scotia Street, Wiluna on Wednesday, 23 February 2011.

1. Declaration of Opening and Announcement of Visitors

The meeting was opened at 10.12 am.

The Deputy President welcomed the Councillors, Officers and public to the meeting.

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

Graham Harris	(Deputy President)
Jim Quadrio	(Councillor)
Stacey Petterson	(Councillor)
Dave McCutcheon	(Councillor)
Chris Webb	(Councillor)

Samantha Tarling	(Chief Executive Officer)
Tony Doust	(Project Manager)
Linda Butterly	(Deputy Chief Executive Officer)
Glenn Deocampo	(Manager, Administration and Finance)

Apology

John Kyanga	(President)
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3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Questions asked by Della Vincenti

Q1: Why is "Other Expenses 2009/2010" on the financial report graph provided in the agenda so much higher than other years?

A1: Mr Doust responded by advising local government financial reporting requires report classified as nature and type. Other expenses are costs which have been spent which are not classified as employee costs, materials and contracts, utilities, depreciation, interest and insurance. We can see the difference you are referring to and this will require further investigation and I will respond to this to clarify the matter at the next meeting.

Q2: Why is there an over budget in legal expense-E031803 and legal expense E142474? Why is it in separate accounts?

A2: Mr Doust advised the financial management regulations requires Local Government to prepare financial reports by program. One account is for the legal expenses associated with the recovery of rates and the other is legal expenses associated with all other Shire operations. Budgets are set on historical data and events cannot be predicted which may attract legal expenses in the following year, and this is the case in this financial year where we have unforeseen legal costs incurred. I am aware that some of the costs allocated to E 031803 are incorrect and should be in account E142474. This error will be corrected however the total legal expenses have been incurred.

Q3: Could you please clarify the letter I received from the CEO recently about me as a spectator paying a dollar and jumping into the swimming pool? It seems I am being dishonest. Is there a poster that advertises the pool's rate? I haven't seen one in the pool ground and I was unaware there was a different rate for swimmer and spectator.

A3:The CEO responded that the Pool Manager had advised that Della was aware of the different rate for non swimmers, whilst it was not displayed in the pool grounds, it was reasonable to expect the user to uphold the purpose of the fee charged.

Q4: According to the letter received from the CEO, "Staff were upset by your behaviour and concerned for the fulltime Receptionist who is a younger quieter woman who ordinarily answers your queries at the reception area. She has previously expressed she was scared by your behaviour when you came to the shire". Could you tell me who this young woman is because if it is Grace Browne, the CEO is a liar, as I contacted Grace and she has denied this is true. I am considering taking this to the Ombudsman.

A4: Cr G Harris, the presiding officer, asked Della if she would like to meet with councillors outside of this meeting to clarify her intentions that she was going to take the matter up with the Ombudsman. Further to that the Chair responded that it is not appropriate to discuss that issue in the council meeting at this time and he would be happy to meet with Della after the meeting. He requested the complaints be put in writing and submit related documents.

Questions asked by David Betteridge

Q1: Does the shire have a medical and drug testing policy for all employees?

A1: Cr G Harris responded that the shire is in the process of reviewing the introduction of a policy.

Q2: The CEO sent me an email recently advising there was a risk 23 houses may not get built in Wiluna over the next three years if there was no one on

the Homeswest waiting list to take them up. My question is – Why is the Shire spending \$750,000 for 3 houses when the Shire can rent from Homeswest?

A1: CEO advised that Homeswest housing is means tested and most Shire employees would not qualify for the housing and it is not Homeswest's core business to enter into a partnership with the Shire to provide housing to Shire employees.

5. Applications for Leave of Absence

Nil

6. Notations of Interest

6.1. Interest Affecting Impartiality Shire of Wiluna Code of Conduct

Cr Chris Webb declared an interest in item 10.1.5 and 10.1.6.

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

Annabel Wills – Annabel Wills Architecture Pty Ltd on Heritage Planning and Municipal Heritage Inventory

GHD - Presentation on Ngangganawili Aboriginal Health Services' proposed medical and health buildings as shown in item 10.1.5 and 10.1.6.

8. Confirmation of Minutes of Previous Meeting

8.1. The Minutes of the Meeting held on 15 December 2010 be accepted as a true record of that meeting.

01/11 Council Decision

MOVED Cr C Webb

SECONDED Cr S Petterson
CARRIED 5/0

9. Announcement Presiding Member without Discussion

Nil

10. Reports of Officers and Committees

10.1. Chief Executive Officer Reports

10.1.1. Subject/Applicant:	Appointment of Environmental Health Officer and Building Surveyor
File:	00027
Reporting Officer:	Chief Executive Officer -Samantha Tarling,
Date of Report:	12 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to formalise its appointment of Garry Agnew as Environmental Health Officer, Authorised Officer under the Food Act 2008 and Building Surveyor for the Shire of Wiluna.

Background

Mr Bill Atyeo, previous Environmental Health Officer, Authorised Officer under the Food Act 2008 and Building Surveyor for the Shire of Wiluna resigned in late 2010 and Mr Garry Agnew will replace him in this position.

Comment

Council is aware that for a Local Government to authorise a person to perform the statutory function of Environmental Health Officer, Building Surveyor or Authorised Officer under the Food Act 2008 formal gazettal and delegation of authority must occur.

HEALTH ACT 1911

Section 27. Officers of local government

- (1) *Every local government may, and when required by the Executive Director, Public Health shall, appoint a medical practitioner as medical officer of health, and also such environmental health officers and analysts as may be deemed necessary by the Executive Director, Public Health.*
- (2) *Such medical officer of health, environmental health officers, and analysts shall perform such duties as the local government from time to time directs, and also such as are specially prescribed by any order addressed by the Executive Director, Public Health to the local government.*

Section 28. Appointments to be approved

- (1) *Every appointment by a local government of a medical officer of health, environmental health officer, or analyst shall be subject to the approval of the Executive Director, Public Health who may require satisfactory proof of competency to be supplied, and may give his approval absolutely or with any modification or condition as to the period of appointment or otherwise.*

FOOD ACT 2008

Section 122. Appointment of authorised officers

- (1) *An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act if —*
- (a) *the enforcement agency, having regard to any guidelines issued by the CEO under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or*
 - (b) *the person holds office as an environmental health officer under the Health Act 1911.*
- (2) *The CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer.*
- (3) *Each enforcement agency must prepare and maintain a list of authorised officers appointed by the agency.*

Section 123. Certificates of authority

(1) *An enforcement agency must provide each authorised officer appointed by the agency with a certificate of authority as an authorised officer.*

(2) *The certificate of authority must —*

- (a) *state that it is issued under this Act;*
 - (b) *state the name of the person to whom it is issued and bear a photograph or digital image of that person and the person's signature;*
 - (c) *state the date, if any, on which it expires;*
 - (d) *specify any conditions or limitations to which the person's authority is subject; and*
 - (e) *bear the signature of the person by whom it is issued and state the capacity in which the person is acting in issuing the certificate.*
- (3) *An authorised officer is required to produce the certificate of authority —*
- (a) *if asked to do so by the proprietor of a food business whose premises are entered by the authorised officer; or*
 - (b) *if asked to do so by a person whom the authorised officer requires to produce anything or to answer any question.*

LOCAL GOVERNMENT BUILDING SURVEYORS REGULATIONS 2008

PART 2 — Qualifications for appointment to the office of building surveyor
Regulation 4. Qualifications

- (1) For the purpose of section 373A of the Act, during the transition period a person must hold one of the following before the person is appointed to the office of building surveyor of a local government —
 - (a) a Building Surveyor Level 1 certificate;
 - (b) a Building Surveyor Level 2 certificate;
 - (c) a MBSCQ;
 - (d) a BSCQ;
 - (e) a Building Surveyor Technician certificate.
- (2) For the purpose of section 373A of the Act, after the transition period a person must hold one of the following before the person is appointed to the office of building surveyor of a local government —
 - (a) a Building Surveyor Level 1 certificate;
 - (b) a Building Surveyor Level 2 certificate.

PART 3 — Delegation of authority to approve plans of buildings or unauthorised building work

Regulation 5. Limitation on delegation of authority to approve plans of buildings or unauthorised building work

- (1) Subject to regulation 6, a person to whom a local government may delegate the authority to approve or refuse to approve —
 - (a) plans and specifications submitted under section 374 of the Act;or
 - (b) unauthorised building work, must be a person employed under a contract of service by the local government or another local government.
- (2) If a delegation of an authority is made under section 374AAB(1) of the Act to a person (the delegate), the delegation is subject to the following conditions —
 - (a) the delegate must not exercise the authority in relation to —
 - (i) plans and specifications submitted by the delegate under section 374 of the Act; or
 - (ii) an application made by the delegate for the issue of a building approval certificate under section 374AA of the Act;
 - (b) the delegate must not exercise the authority if the delegate —
 - (i) is to be the builder in relation to the building work to be carried out under plans and specifications submitted under section 374 of the Act; or
 - (ii) was the builder in relation to unauthorised building work which is the subject of an application for the issue of a building approval certificate under section 374AA of the Act;
 - (c) the delegate must not exercise the authority in relation to a matter in relation to which the delegate has or had an interest of a type referred to in the Local Government Act 1995 section 5.60(c) or (d).

- Regulation 6. Prescribed qualifications that must be held by delegate of authority to approve plans of buildings or unauthorised building work*
- (1) For the purposes of section 374AAB(2) of the Act, during the transition period, the authority to approve or refuse to approve plans and specifications submitted under section 374 of the Act or unauthorised building work in relation to any building must not be delegated to a person unless that person holds one of the following —*
 - (a) a Building Surveyor Level 1 certificate;*
 - (b) a MBSCQ;*
 - (c) a BSCQ.*
 - (2) For the purposes of section 374AAB(2) of the Act, after the transition period, the authority to approve or refuse to approve plans and specifications submitted under section 374 of the Act or unauthorised building work in relation to any building must not be delegated to a person unless that person holds a Building Surveyor Level 1 certificate.*
 - (3) Despite sub regulations (1) and (2), for the purposes of section 374AAB(2) of the Act, the section 374 of the Act or unauthorised building work in relation to a building with a maximum floor area of 2 000 m² and not more than 3 storeys may be delegated to a person if that authority to approve or refuse to approve plans and specifications submitted under person holds a Building Surveyor Level 2 certificate.*
 - (4) Despite sub regulations (1) and (2), for the purposes of section 374AAB(2) of the Act, the authority to approve or refuse to approve plans and specifications submitted under section 374 of the Act or unauthorised building work in relation to a building with a maximum floor area of 500 m² and not more than 2 storeys may be delegated to a person if that person holds a Building Surveyor Technician certificate.*
 - (5) If a delegation to an individual under section 374(1b) of the Act (as in force before the commencement day) to approve or refuse to approve plans and specifications under section 374 of the Act has not ceased to have effect immediately before the commencement day, that delegation continues to have effect on or after that day as if it had been made under section 374AAB(1)(a) of the Act.*

In terms of Mr Garry Agnew's qualifications his Curriculum Vitae is as follows

- ❖ **DIPLOMA**, Public Health (Environmental Health) - Royal Society of Health.
- ❖ **A.I.E.H PROFESSIONAL RECOGNITION** - Equivalent to WA Degree Status
- ❖ **CERTIFICATE**, Building Surveyor Level 2 (No. 026)
- ❖ **DIPLOMA**, Health Technology – Royal Society of Health
- ❖ **DIPLOMA**, Meat Inspection and Other Foods – Royal Society of Health.
- ❖ **CERTIFICATE**, Meat Inspection – Department of Primary Industry (Export)
- ❖ Food Safety Management System Auditing – RABQSA-AU.
- ❖ Community Noise Assessment.
- ❖ Advanced Noise Assessment.

- ❖ Sociology Units – Claremont Teachers College.
- ❖ Health Education Units – Claremont Teachers College.

Consultation

Mid West Regional Council CEO (current employer of Mr Garry Agnew)

Statutory Environment

Health Act 1911

Food Act 2008

Local Government (Miscellaneous Provisions) Act 1960

Local Government Building Surveyors Regulations 2008

Policy Implications

Nil

Financial Implications

Mr Garry Agnew's appointment to the Shire of Wiluna is subject to a contractual arrangement and is accounted for in the 2010/11 budget.

Strategic Implications

2009 -14 Strategic Plan alignments with:

Go-Ahead Wiluna, Respond to applications for development from business operators in a timely manner

Healthy Safe Fun Wiluna, Effective Environmental Health Management

Leading Wiluna, Ensure Effective Management of Core Business and Services

Voting Requirements

Simple Majority

<i>02/11 Council Decision and Officer Recommendation</i>

MOVED Cr D McCutcheon

SECONDED Cr J Quadrio

CARRIED 5/0

That:

1. Mr Garry Agnew is appointed Principal Environmental Health Officer for the Shire of Wiluna pursuant to Section 27 of the Health Act 1911 and that the Executive Director Public Health be requested to formally approve of Mr Agnew's gazettal under Section 28 of the Health ACT 1911 commencing 1 February 2011.
2. Mr Garry Agnew is appointed Building Surveyor for the Shire of Wiluna with delegated authority under Section 374AAB (1) of the

Local Government (Miscellaneous Provisions) Act 1960 commencing 1 February 2011.

3. Mr Garry Agnew is appointed as an Authorised Officer for the Shire of Wiluna under Section 122 of the Food Act 2008 commencing 1 February 2011.

10.1.2. Subject/Applicant:	Appointment of Delegates & Representatives 2010/11
File:	
Reporting Officer:	Chief Executive Officer – Samantha Tarling
Date of Report:	19 February 2011
Disclosure of Interest:	Nil

Purpose

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

Background

In July 2010 Council revised Policy 1.11 and resolved the following:

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:*

Organisation	Delegate	Proxy	Staff
<i>Goldfields Voluntary Regional Operational Council (GVROC) (Two delegates)</i>	<i>President Cr J Quadrio</i>	<i>Cr G Harris</i>	<i>CEO</i>
<i>Goldfields Esperance Country Zone (GECZ) Of WALGA</i>	<i>President</i>	<i>Cr J Quadrio</i>	<i>CEO</i>
<i>Goldfields Esperance Regional Road Group</i>	<i>President</i>	<i>Cr D McCutcheon</i>	<i>CEO</i>
<i>Regional Partnership Agreement Management Committee (Two delegates)</i>	<i>Cr D McCutcheon Cr G Harris</i>	<i>Cr S Petterson</i>	<i>CEO</i>

*Local Emergency Management Committee President Cr C Webb CEO
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.

Comment

Councillors realised after the nominations were resolved that some appointments were not valuable due to the councillor already having a position at the table of the organisational meeting in another capacity. Therefore, it is recommended that council consider the following revised suggested appointments:

Organisation	Delegate	Proxy	Staff
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 Regional Road Group	President	Cr J Quadrio	CEO
Regional Partnership Agreement Management Committee (Two delegates)	Cr J Quadrio Cr G Harris	Cr C Webb	CEO
Local Emergency Management Committee	President	Cr G Harris	CEO DCEO Works Manager Leading Hand

All Councillors have advised they support the review of the matter and new nominations.

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

Consultation

Nil

Statutory Implications

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:

Organisation	Delegate	Proxy	Staff
<i>Murchison Zone WALGA</i>	<i>President Councillor</i>	<i>Councillor</i>	<i>CEO</i>
<i>Goldfields Voluntary Regional Organisation of Councils (GVROC)</i>	<i>President Councillor</i>	<i>Councillor</i>	<i>CEO</i>
<i>Goldfields Esperance Country Zone (GECZ) of WALGA</i>	<i>President</i>	<i>Councillor</i>	<i>CEO</i>
<i>Goldfields Esperance Regional Road Group</i>	<i>President</i>	<i>Councillor</i>	<i>CEO</i>
<i>Regional Partnership Agreement Management Committee</i>	<i>Councillor Councillor</i>	<i>Councillor</i>	<i>CEO</i>
<i>Local Emergency Management Committee</i>	<i>President</i>	<i>Councillor</i>	<i>CEO</i>

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

03/11 Council Decision and Officer Recommendation

MOVED Cr C Webb

SECONDED Cr S Petterson

CARRIED 5/0

Council resolves that the following appointments be made as Delegates, Proxy Delegates and Staff to the organisation as shown:

Organisation	Delegate	Proxy	Staff
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 Regional Road Group	President	Cr J Quadrio	CEO
Regional Partnership Agreement Management Committee (Two delegates)	Cr J Quadrio Cr G Harris	Cr C Webb	CEO
Local Emergency Management Committee	President	Cr G Harris	CEO DCEO Works Manager Leading Hand

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 Conferences at the next Ordinary Meeting.

10.1.3.	Subject/Applicant:	Delegation Register Review
	File:	
	Reporting Officer:	Chief Executive Officer - Samantha Tarling
	Date of Report:	15 February 2011
	Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to adopt the 2011 Delegation Register.

Background

Section 5.46 of the Local Government Act requires a Register of Delegations made by Council to the Chief Executive Officer and delegations made by the Chief Executive Officer to other officers to be kept.

Comment

The Register of Delegations (see Appendix C, Sand pages) must be reviewed at least once every financial year. The register was reviewed at the October 2009 OCM in the 2009/10 financial year. The review and adoption of the register at this time will satisfy the statutory requirement for 2010/11 financial year. Midyear 2011, we will be carrying out a comprehensive review of the Delegation Register with the assistance of a consultant to ensure all relevant areas are covered and relevant to Wiluna to allow efficient and timely operations to be carried out in a compliant environment. A consultant will be used due to the specialist nature of the task and the current staffing having competing priorities to attend to. Completing this task will compliment the goal of good corporate governance documents being up to date and relevant.

The person whom a delegated power and authority is given must keep records in accordance with regulations in relation to the exercise of power and discharge of the duty.

Consultation

Nil

Statutory Environment

S 5.42 – S 5.46 Local Government Act 1995; Local Government (Administration) Regulations 1996 18G and 19

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Plan 2009 – 2014, Ensuring strong governance and management of staff responsibilities under “Leading Wiluna”. Key Result Area.

Voting Requirements

Absolute Majority

04/11 Council Decision and Officer Recommendation
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MOVED Cr D McCutcheon

SECONDED Cr J Quadrio

CARRIED 5/0

Absolute Majority

For Council to adopt the 2011 Delegation Register as outlined in the attachment.

10.1.4. Subject/Applicant:	Meetings – Timing of and Order of Business – Policy 1.2
File:	
Reporting Officer:	Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to review Policy 1.2 and amend to reflect the changes to council meeting week, day and time and order of business to reflect current practices that have been resolved by council in 2010 and not presently reflected in Policy 1.12.

Background

At the March OCM Council resolved to:

1. Hold its Ordinary Council Meetings at 10.00 a.m. every third Wednesday of each month effective April 2010.
2. Hold the Ordinary Council Meetings in July and August 2010 at 10.00 a.m. on the 4th Wednesday of the said months.
3. That a local public notice of the OCM for the next 12 months as per tabled in this report be distributed.
4. Update Council Policy 1.2 in order to reflect the change of day and time of ordinary council meetings as every third Wednesday of each month at 10.00 a.m.

Council resolved at the October OCM that Council in accordance with point 3.2 of the Shire of Wiluna (Standing Orders) local law 1999, amend the Order of Business in the Agenda and Minutes to delete 10.6 Community Development Department Reports and replace with Councillors Information Bulletin. The Councillors Information Bulletin to consist of the current Community Development Department Reports and any other information of interest to councillors so determined by the CEO and Council.

At the December 2010 OCM Council resolved to change its meeting week to the fourth week of each calendar month except for January, when no meeting is held. This item will reflect this decision in the updated proposed policy.

Comment

LG Administration regulations provide that a local public notice is to be given of any change to the date, time and place of the council meeting. This has been distributed showing the 2011 meeting dates up to and including November 2011.

The fourth week of December 2011 is 28 December 2011 and falls in the holiday period for staff and councillors. It is recommended that council resolve to hold the December OCM on the second Wednesday, 14 December 2011 to address this issue.

The addition of an extra question time shown at point 13 was not resolved by council at any time in the past and this item will endorse this change if council wishes.

At the November 2010 OCM councillors discussed the option of making officers reports, which were effectively information reports, into an Information Bulletin and withdrawing them from the monthly council agenda. Council elected to continue with receiving the information reports in the monthly agenda but bundle them up in an item 'Information Bulletin' on the agenda under the heading at item 9, Reports of Committee and Officers as reflected in the changed policy below.

Notation of Interest was not previously included in Policy 1.2. This report brings the item onto the agenda.

Consultation

Nil

Statutory Environment

Local Government Act 1995, Division 2; Local Government (Administration) Regulations 12 (2)

Policy Implications

Any amendments will require Policy 1.2 to be changed and adopted by council to reflect this.

Current Policy 1.2 – Meetings – Timing of and Order of Business

It is the Policy of the Shire of Wiluna to hold its Ordinary Meeting of Council on the third (3) Wednesday of each Calendar Month commencing at 10.00 am.

The order of business shall be:

1. Declaration of Opening and Announcement of Visitors
2. Record of Attendance/Apologies and Leave of Absence Previously Approved
3. Response to Previous Public Questions taken on Notice
4. Public Question Time
5. Applications for Leave of Absence
6. Petitions and Deputations
7. Confirmation of Minutes of Previous Meeting
8. Announcements by Presiding Member without Discussion
9. Reports of Committees and Officers
10. Elected Members Motion of which Previous Notice has been given
11. Urgent Business Approved by the Person Presiding or by decision of Council
12. Matters behind Closed Doors – Confidential Items
13. Closure

Financial Implications

Nil

Voting Requirement

Simple Majority

05/11 Council Decision and Officer Recommendation

MOVED Cr C Webb

SECONDED Cr S Petterson

CARRIED 5/0

Council resolves that:

Policy 1.2 be amended and shown as follows:

Policy 1.2 – Meetings – Timing of and Order of Business

It is the Policy of the Shire of Wiluna to hold its Ordinary Meeting of Council on the fourth (4) Wednesday of each Calendar Month commencing at 10.00am except January.

The order of business shall be:

1. Declaration of Opening and Announcement of Visitors
 2. Record of Attendance/Apologies and Leave of Absence Previously Approved
 3. Response to Previous Public Questions taken on Notice
 4. Public Question Time
 5. Applications for Leave of Absence
 6. Notation of Interest
 7. Petitions and Deputations
 8. Confirmation of Minutes of Previous Meeting
 9. Announcements by Presiding Member without Discussion
 10. Reports of Officers and Committees
 11. Elected Members Motion of which Previous Notice has been given
 12. Urgent Business Approved by the Person Presiding or by decision of Council
 13. Public Question Time
 14. Matters behind Closed Doors – Confidential Items
 15. Closure
2. Council resolve to hold the December OCM in 2011 on the second Wednesday, 14 December 2011 and not the 4th Wednesday of the month due to the holiday period.

11.45am Cr Webb left the meeting. She declared an interest in the matter.

10.1.5. Subject/Applicant:	Development Application – Health Facilities – Lot 5001, Scotia Street, Wiluna
File:	Lot 5001, Scotia Street
Reporting Officer:	Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

PURPOSE

For Council to consider a Development Application for a Health Care Facilities and other associated uses at Lot 5001 Scotia Street, Wiluna. The application is being presented to Council as it is outside of the authority delegated to Council officers.

BACKGROUND

Site Description and Location

The subject site is 1.7108ha in area and is devoid of any substantial vegetation and completely devoid of any structures. The site has been granted to Ngangganawili Aboriginal Health Service (NAHS) via a Conditional Purchase Lease under Section 80 of the *Land Administration Act 1997*.

In terms of surrounding land uses, the subject site is bound by single residential development to the north and west and Shire's administration offices to the south. The Shire's own Sport and Recreational Centre and facilities is located to the south west. To the immediate east is vacant residential zoned land.

It is also important to note that Council resolved in July 2011 to issue Development Approval for 2 duplex dwellings on the subject site. The intention being that these dwellings will be utilised for staff housing associated with the future Health Care facilities. These dwellings have not yet been constructed.

A location plan depicting the subject site is shown as Attachment D – White Page.

Ngangganawili Aboriginal Health Service

The Ngangganawili Aboriginal Health Service (NAHS) was established in 1993 as a community controlled Aboriginal Corporation and Health and Medical Service, to provide affordable and culturally appropriate services to the Indigenous and wider population of Wiluna and surrounding areas. NAHS currently operate an existing health care facility at Lot 1467 Thompson Street, Wiluna. It is intended that this proposed facility replace the existing facility at Thompson Street as it has limitations with service availability owing to inadequate space and degraded building materials.

Comment

Proposal

The Health Care Clinic component of the overall proposal consists of the following:

- 2 treatment rooms
- 1 emergency room
- 1 dental clinic and sterilisation room
- 1 consultation/examination room
- 1 minor procedures room
- 1 dialysis room
- OT workshop (plaster room) and store

- 1 X-Ray room
- 1 pathology room
- 1 sexual health gynaecology room
- 1 audiometric room
- 2 x sexual health consultation rooms
- 1 substance abuse counselling room
- 1 child health room
- 1 podiatry and physiotherapy room
- 1 health for Life (Wellness) room
- Indoor and Outdoor waiting areas
- Associated required amenities, stores, administration and utility spaces.

As well as the Health Care Clinic, the proposal also contains a Morgue, Environmental Workers Office, a Community facility, an Elderly Day Care Centre and Medical Supplies shed.

The proponent has also advised that the Health Care Clinic component of the proposal will be classified as a "Licensed Nursing Post" in accordance with the requirements of the State Health Department Licensing Review Standards Unit.

A copy of the Development Application Plans are attached as Appendix E, lilac pages.

Consultation

A small portion of the south-eastern corner of the subject site falls within the Mineral Prospectivity Special Control Area identified on the TPS 1 Scheme Map. This Special Control Area generally aims to protect identified possible future mining areas from impacting on development. As required by Clause 5.2.2 of TPS 1, due to this minor incursion into the SCA, the application was referred to the Department of Mines and Petroleum (DMP) for comment. The Department subsequently provided the following comments in relation to the proposal:

- *"The Department of Mines and Petroleum has no objections to the current proposal because all currently proposed buildings shown in the Development Application Plans are outside of the SCA as shown on the enclosed plan.*
- *There is provision on the Hydraulic Services Site Layout for possible future connections in the southeast part of Lot 5001 within or in close proximity to the SCA.*
- *DMP recommends that the SCA boundary is used to define a building envelope for Lot 5001, to ensure that all future buildings are located outside the SCA to minimise exposure to noise and dust from any future mining."*

Based on these comments, it is clear that the proposal in its current form is to the satisfaction of the DMP and should not be impacted upon should these identified resource deposits be mined in the future.

Town Planning Scheme No.1

The subject site is zoned 'Residential R10/30' under TPS 1. The proposal is being considered as a 'civic use' under the provisions of TPS 1, which is a discretionary use in the 'Residential' zone. A 'Civic use' is defined as a 'premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes.' Given this facility is being funded by both federal and state governments, NAHS itself is primarily a federally funded initiative and the proposed facility will provide a civic service to both the indigenous and non-indigenous communities of Wiluna, it is considered that 'Civic' use class designation is appropriate in this instance.

In assessing this proposal against the TPS1, Section 4.3 of the Scheme (Site and Development Requirements) requires assessment of setbacks in the residential zone to be against the Residential Design Codes. Clearly such an assessment cannot be undertaken given the proposal is not residential in nature (although the proposal does meet the basic R-Code setback requirements).

Officers consider that the proposal is more commercial in nature; however, TPS1 stipulates that setbacks in the commercial zone are at the discretion of the local government. On this basis, officers consider that the proposed structures are adequately setback from both the street and each other. Moreover, the generous setbacks provided are considered to be consistent with the spacious nature of existing development throughout Wiluna.

TPS1 does not stipulate specific parking number requirements but requires consideration of:

- Access to parking and manoeuvrability within parking areas
- The location of parking and its impact on amenity
- The proportion of parking within setback areas
- Pedestrian safety
- Landscaping and screening provided

In this regard, the location and amount of parking provided is considered to be satisfactory. Access ways (including emergency access ways) are legible and appropriately spaced to ensure adequate vehicular manoeuvrability and pedestrian safety.

Design Assessment

The proposal has been designed to primarily address Scotia and Wells Streets, as these are the only two sealed streets the subject site front (Trenton and Jones Streets are currently unsealed). All street frontages are proposed to incorporate indigenous landscaping and art work, including a 'Memory Wall,' identifying those people that have been involved with NAHS since 1993. All service and refuse areas, together with other 'back of house' functions are proposed to be sleeved from Scotia and Wells Streets, to again ensure an appropriate streetscape outcome.

Officers will work with the proponent to ensure an appropriate landscape and streetscape treatment to Trenton and Jones streets. This will be enforced by the requirement to prepare a Landscape Plan as a condition of approval.

Vehicular access to the subject site is only proposed via Wells Street. The justification provided for this approach by the proponent being that Wells Street is a higher order road in the context of Wiluna (Scotia Street is a lower order road that primarily services a residential catchment). Wells Street provides direct access to the east to the Bondini community area and numerous mining projects, and is highly connected to other higher order roads in town, including Wotton Street (Wiluna's retail core). Council Officers are satisfied with this approach.

It is also important to note that the proponent will be required to upgrade Trenton and Jones streets to a satisfactory standard. This requirement is considered reasonable given the proposal is likely to generate additional traffic on these roads in the future.

The proponent had advised that they consider this condition to be unreasonable and that the requirement to contribute to these upgrades may impact on the viability and therefore ability to provide for some of the elements of the proposal. Ultimately the imposition of the relevant condition will be at the discretion of the council.

Sustainable Design

The proponent has highlighted in responding to the climatic conditions of Wiluna, the two major largest components of the proposal, being the Health Care Clinic and Elderly Day Care building have been orientated so that their longest sides face north to ensure the heat load associated with the eastern and western sun is minimised. All buildings will also have 1.5m eaves, providing shading to windows and walls.

Officers consider responding to the climatic conditions of Wiluna critical and accordingly support the proponents design initiatives.

CONCLUSION

The proposed development is recommended for approval subject to appropriate conditions as listed in the staff recommendations for the following reasons:

- The proposal is compliant with the objectives and requirements of TPS1;
- The proposed facilities will provide much needed health services to the Shire in the context of the limited facilities associated with the existing NAHS Centre in Thompson Street, Wiluna;
- Officers do not consider the proposed development will have a detrimental impact on the amenity of the surrounding residential areas; and
- The Department of Mines and Petroleum are generally satisfied with the proposal

FINANCIAL IMPLICATIONS

All costs associated with processing the amendment are itemized within a fee schedule and payable by the proponent.

When discussing this matter, the issue of contributing towards the cost of adjoining road upgrades was discussed and it was agreed that item 8 of the Officer's Recommendation be changed accordingly; the words "it is the responsibility of" be deleted and the words "Council may require the" be included.

06/11 Council Decision and Officer Recommendation
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MOVED Cr D McCutcheon

SECONDED Cr S Petterson

CARRIED 4/0

That Council approve the application for proposed Health Care facilities and the associated uses at 5001 Scotia Street, Wiluna, subject to the following conditions and footnotes:

CONDITIONS

1. Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.
2. This approval relates to the amended attached plan dated December 2010.
3. The provision and maintenance of a total of (49) marked carparking bays on-site.
4. The parking bay(s), driveway(s) and points of ingress and egress to be designed in accordance with the Australian Standard for Off-street Carparking (AS/NZ2890.1) unless otherwise specified by this approval and are to be constructed, sealed, kerbed, drained and marked in accordance with the design and specifications approved by the Council prior to issue of a Building Licence. The car park must be completed prior to the development being occupied and thereafter maintained to the satisfaction of Shire.
5. In addition to Condition D9, a minimum of (2) disabled carparking bay(s) designed in accordance with Australian Standard 2890.1 - 2004 being provided in a location convenient to, and connected to a continuous accessible path to, the main entrance of the building or facility. Carparking bays for persons with disabilities must be clearly marked by elevated signage and signage on the pavement displaying the International Symbol for the Disabled. (Per the Standards Association of Australia AS1428.1 - 2001 Design for Access and Mobility, AS 2890.1 - 2004 Parking Facilities Part 1: Off Street Parking).

- 6.** Visitor parking bays are to be permanently marked and maintained at all times for use exclusively by visitors to the property, be clearly visible from the street or communal driveway and be located, together with the reversing area, in front of security gates or barrier for the development.
- 7.** Traffic control devices are to be designed and constructed in accordance with the requirements and specifications of the Shire, prior to the issue of a Building Licence.
- 8.** Where, as part of a development, the adjacent section of road requires modification or upgrade, the Council may require the developer to bear the cost of at least a portion of the costs of road works, including signage and road marking. In this regard, the proponent is to make a proportionate monetary contribution to the Shire for the upgrading of Jones and Trenton Streets to the satisfaction of the Shire.
- 9.** All earthworks and/or associated drainage details shall be in accordance with plans and specifications to the satisfaction of the Shire, prior to the issue of a Building Licence.
- 10.** All stormwater being contained and disposed of as agreed with the Shire, to the Jones Street natural drain line.
- 11.** Earthworks over the site being stabilised to prevent sand blowing and dust nuisance.
- 12.** The development must comply with the Environmental Protection Authority "Guideline for the Prevention of dust and smoke pollution from Land Development Sites in Western Australia 1996", to the satisfaction of Shire.
- 13.** Batters being stabilised to the Shire's specifications and satisfaction.
- 14.** Retaining wall(s) must be constructed in accordance with a suitably qualified Structural Engineer's design and a Building Licence being obtained prior to construction.
- 15.** A revised site plan showing existing and proposed contours, proposed filling and retaining walls and on-site stormwater disposal being approved by the Shire prior to the issue of a Building Licence.
- 16.** All permanent and temporary stormwater drainage basins being designed constructed and maintained to the specifications and satisfaction of the Shire to control the breeding of mosquitoes.
- 17.** The applicant engaging a suitably qualified practicing Engineer to certify that the whole of the lot is suitable for the approved development to the satisfaction of the Shire, prior to issue of a Building Licence, and before the commencement or carrying out of any work or use authorised by this approval.

18. Prior to the issue of a Building Licence and prior to the commencement of any work on the land, a detailed landscaping plan, shall be submitted to and approved by the Shire.

19. The landscaping plan must include:-

- (i) The location, number and type of existing and proposed trees and shrubs, including calculations for the landscaping area;
- (ii) Any lawns to be established;
- (iii) Any natural landscape areas to be retained;
- (iv) Those areas to be reticulated or irrigated; and
- (v) Verge treatments.

20. Prior to any occupation of the development, the works, landscaping and reticulation shown on the approved landscaping plan shall be completed, to the satisfaction of the Shire, and being maintained thereafter by the owner/occupier to the satisfaction of the Shire.

21. Prior to the issue of a Building Licence or any works commencing, the applicant is to have provided the Shire with information relating to existing contours and natural features and location of existing vegetation and the extent of earthworks and final contours for the land.

22. All advertising associated with the development, including signage painted on the building, must be to the satisfaction of the Shire and approved prior to erection or painting.

23. The proposed development shall be clad or coloured to compliment the surroundings, and/or adjoining developments.

24. A separate schedule of the colour and texture of the building materials shall be submitted and approved to the satisfaction of the Shire prior to applying for a Building Licence.

25. The development being connected to reticulated sewerage system of the Water Corporation before commencement of any use.

26. The approval of Horizon Power being obtained to determine whether special provisions exist for the connection of electricity supplies to the proposed development.

27. The provision of a refuse storage area being provided of a size suitable to service the development and screened from view of the street, to the satisfaction of the Shire.

28. The bin storage areas being constructed to the satisfaction of the Shire, to ensure the suppression of odour and ease of access for servicing.

FOOTNOTES TO APPLICANT

F1 This development has been defined as a public building and shall comply with the provisions of the Health Act 1911 relating to a public building, and the Health (Public Building) Regulations 1992.

F2 The development may require approval under the provisions of the Aboriginal Heritage Act. You are advised to contact the Department of Aboriginal Sites for further information related to this development.

F3 In relation to condition 8, the proponent is to liaise with the Shire in relation to the proportionate contribution for the upgrading of Trenton and Jones Street.

F4 (a) The occupier of premises in which clinical waste is produced shall comply in all respects with the *Environmental Protection (Controlled Waste) Regulations 2004*. For further information please contact the Department of Environment.

(b) Any liquid waste disposal via the sewer must be with approval of the Water Corporation.

F5 Condition No's [F3(a) and F3(b)] being satisfied prior to the proposed use commencing operation.

F6 The applicant is reminded of the need to obtain a permit to clear native vegetation from the Department of Environment prior to the commencement of any works, unless an exemption applies to the works under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*

Cr's McCutcheon & Quadrio left the meeting at 11.58am and returned at 12.02 pm.

10.1.6. Subject/Applicant:	Scheme Amendment to reclassify Lot 5001, Scotia Street, Wiluna
File:	Lot 5001, Scotia Street, Wiluna
Reporting Officer:	Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

PURPOSE

For Council to consider initiating an Amendment to the Shire of Wiluna Town Planning Scheme No. 1 (TPS 1), to reclassify Lot 5001 Scotia Street, Wiluna (the subject site) from 'Residential R10/30' to 'Public Purpose' reserve in order to facilitate the development of a new health care facility and other related uses onsite.

This proposed Scheme Amendment shall be known as Amendment No.1 (refer Appendix F – Yellow Page).

BACKGROUND

Site Description

The subject site is 1.7108ha in area and is devoid of any substantial vegetation and completely devoid of any structures. In terms of surrounding land uses, the subject site is bound by single residential development (single house on a single lot) to the north and west. To the east is vacant residential zoned land and the Shire's administration offices are located to the south. To the south west is the existing town Sport and Recreation Centre and associated facilities.

The site historically was also subdivided and developed for single residential purposes however these dwellings were demolished and the lots amalgamated into one large site approximately 2 years ago. The subject land has been granted to the Ngangganawili Aboriginal health Service (NAHS) through a Conditional Purchase Lease under Section 80 of the Land Administration Act 1997.

A location plan depicting the subject site is shown below.

Associated Development Application

Council recently received a Development Application for an Ngangganawili Aboriginal Health Care Clinic at Lot 5001 Scotia Street, Wiluna and this application was considered as part of Item ___ on this agenda. Whilst officers deemed that this important community service could be considered under the current residential zone as a 'civic use' under the provisions of TPS 1, it was also considered appropriate to reclassify the subject land parcel to a 'Public Purpose' reserve. Specifically, the proposed use is considered to be more consistent with the intent of the 'Public Purpose' reservation designation. Furthermore, this land use designation is consistent with the land use designation of the existing NAHS Health Care Clinic, located at Lot 1467 Thompson Street.

Accordingly, Council officers requested the proponents of the Health Care Facility and other uses, in addition to the lodging of a Development Application, also seek an amendment to TPS 1. It is also important to note that Council previously issued Development Approval for the 2 duplex dwellings on the subject site. The intention being that these dwellings be utilised for staff housing purposes associated with the future Health Care clinic.

DISCUSSION

Proposal

The proposal involves an amendment to TPS 1 to reclassify Lot 5001 Scotia Street from 'Residential 10/30' 'Public Purpose' reserve. A copy of the draft TPS amendment map is attached as Appendix___.

Appropriateness of Public Purpose Reservation

The subject site is currently zoned 'Residential R10/30 under TPS 1 and Clause 3.2 of TPS 1 stipulates that the objective of the Residential zone is '*to provide for residential development with a range of densities and a variety of housing types to meet the needs of residents, including provision of aged persons dwellings and grouped dwellings.*' Clearly, this objective is not entirely consistent with the proposed Health Care facility and other associated uses.

Whilst technically, in accordance with the provisions of TPS 1, the Development Application for these facilities can be determined by Council, given the community service function of the proposal, a 'Public Purpose' reservation is considered to be a more appropriate land use classification.

This public purpose designation is also considered to be consistent with the staff housing (2 x duplexes) recently approved over the site given their relationship with the future Health Care facility.

Compatibility with Surrounding Land Uses

As has been outlined previously, the subject site is predominantly surrounded by residential development to the north and west and vacant residential land to the east. To the south-west of the subject site is the recreation centre and associated oval and to the south is the Shire's Administration building. It is not considered that the proposed 'Public Purpose' land use designation and associated Health Care Clinic use will result in any (perceived or otherwise) land use conflicts. Furthermore, the locating the Health Care facility and other uses within the subject site is considered to be complimentary to public purpose facilities of the recreation centre and Council administration offices.

The subject site is also considered to be well located in terms of serving the town's residential catchment.

Special Control Area

A small portion of the south-eastern corner of the subject site is within the Mineral Prospectivity Special Control Area identified on the TPS 1 Scheme Map. Clause 5.2.1 of TPS 1 states that the purpose of the SCA is to *'protect the area from the development of uses which may conflict with future mining activity.'*

As part of the assessment of the development application for the Health Care Facility and other associated uses, the application was referred to the Department of Mines and Petroleum (as required by Clause 5.2.2 of TPS 1), who provided their support for the application as no structures proposed were located within the small portion of the SCA. In summary the SCA is not considered to be prohibitive to the reclassification of the subject site to 'Public Purpose' reservation.

CONCLUSION

The proposed scheme amendment, whilst not essential in order to facilitate the development of the NAHS facility at Lot 5001 Scotia Street, is considered to be necessary in achieving orderly and proper planning objectives. Following a detailed assessment of the proposal, officers consider the proposed amendment suitable for the purposes of advertising and as such recommend that Council initiate the proposed amendment at this Council meeting.

FINANCIAL IMPLICATIONS

All costs associated with processing the amendment are itemised within a fee schedule and payable by the proponent.

07/11 Council Decision and Officer Recommendation

MOVED Cr D McCutcheon

SECONDED Cr J Quadrio

CARRIED 4/0

That Council:

1. That Council, pursuant to Section 75 of the Planning and Development Act 2005 (as amended), adopt (for the purpose of advertising) Amendment No. ___ to Town Planning Scheme No. 1 by rezoning Lot 5001 Scotia Street from 'Residential R10/30' to 'Public Purpose' reserve.

2. That Council forward Amendment No. 113 to Town Planning Scheme No. 1 to:

i) The Environmental Protection Authority (EPA) for comment, pursuant to Section 81 of the Planning and Development Act 2005; and

ii) The Western Australian Planning Commission for information.

3. That Council, pursuant to Regulation 25(2) of the Town Planning Regulations 1967 as amended), subject to no objections being received from the Environmental Protection Authority, advertise the amendment for public comment for a period of 42 days to the satisfaction of the Chief Executive Officer.

Cr Webb returned to the meeting at 12.13pm

10.1.7. Subject/Applicant:	Review and Amendment to Policies
File:	321
Reporting Officer:	Chief Executive Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for Council to review Policies 1.12, 1.13, 1.19 and 2.17 and amend to reflect the changes recommended by councillors who attended the recently held Sustainability Workshop for Councillors.

Background

Councillors met for two days in January 2011 to discuss a range of issues at the Sustainability Workshop including the review of Policies 1.12, 1.13, 1.19 and 2.17.

Comment

The amendments will affect the highlighted and italicized areas in each policy.

POLICY:	COUNCILLOR TRAINING AND EXPENSES
POLICY NO:	1.12
SECTION:	COUNCIL
COUNCIL MEETING HELD:	27 MAY 2004
DATE TO BE REVIEWED:	May 2011

The Shire of Wiluna recognises the need to assist Councillors to perform their role as defined in the Local Government Act. The Council further recognises that having Councillors well trained in Local Government matters will provide many benefits for the operations of the Council and in turn this will benefit the residents and ratepayers of the Shire of Wiluna.

The Council's policy is to provide funds within each budget to meet the cost of sending Councillors to recognised and appropriate training courses and/or to bring appropriate trainers to Wiluna to deliver the training.

Following the adoption of each budget, the Chief Executive Officer is to prepare a program for Councillor training that is appropriate for the funds that are available and that will address priority and training needs at that time.

INTRODUCTION

It is important that Elected Members, as part of their roles and responsibilities as a Councillor, participate in professional development by attendance at conferences, seminars and development programs.

The intention of this policy is to ensure that Elected Members are given the opportunity to participate in professional development are not financially disadvantaged.

OBJECTIVE

To provide the opportunity for Elected Members to participate in ongoing professional development in areas directly related with the provision of local government services.

POLICY STATEMENT

Conferences

- 1 Conference expenses will only be paid or reimbursed when:
 - a) The attendance is authorised by Council, through a resolution passed at a Council meeting.
 - b) The attendance and expenses incurred comply with the requirements of this policy.
 - c) Due to exceptional circumstances, Council approves a reimbursement through a resolution passed at a Council meeting, of conference expenses incurred that have not been approved by Council prior to attendance.

- 2 The conferences to which this policy applies shall generally be confined to:
 - a) Western Australian Local Government Association (WALGA), Murchison Ward Local Government Association
 - b) Special 'one off' conferences called or sponsored by or for LGWA and/or Murchison Ward on important issues
 - c) Annual conferences of the major Professions in Local Government
 - d) Conferences, seminars or training courses which advance the development Elected Members in their role as Councillors.
 - e) Any meetings or conferences of organizations or bodies on which an elected member of the council may be elected, or appointed to be a delegate or member of the Council or LGWA.

- 3 The following shall apply for Elected Members authorised and/or appointed as delegates under this policy to attend Conferences:
 - a) Registration
 - b) The Council will pay all normal registration costs for Elected Members/Delegates, which are charged by organisers, including those relating to official luncheons, dinners and tours/inspections that are relevant to the interests of the Council.
 - c) *Accommodation*
the Council will pay reasonable double room or twin share accommodation and breakfast, lunch and dinner costs only for Elected Members including the night before and/or after the conference where this is necessary because of travel and/or after the conference where this is necessary because of travel and/or conference timetables.

- 4 Travel
 - a) All reasonable travel costs for Elected Members/delegates to and from the conference location and venue will be met by the Council. Where appropriate, travel will be provided by air and will normally be at economy rates.
 - b) Elected Members using private vehicles in accordance with this Policy may claim 'kilometre' allowance at the date of travel as per but subject to such cost not exceeding the normal full economy class airfares to and from the particular destination.
 - c) Costs of vehicle hire, taxi fares, parking and meal expenses which are reasonably required and incurred in attending conferences, will be reimbursed by the Council.

- 5 The Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organisers/travel agent in advance.

- 6 Attendance by an elected member at any conference, seminar, congress, forum, workshop, course, meeting, deputation, information or training sessions, events, etc. related to the industry of local government which are held overseas, must be authorised prior to departure by specific resolution of the Council and such resolution shall specify and detail the conditions of attendance.

- 7 Where an elected member attending an approved conference or training program requiring overnight accommodation, elects to stay with relatives or friends at private accommodation, Council will pay an allowance of \$50 per night (CPI adjusted each quarter as from 30 March 2002), to offset meals and other expenses.
- 8 Elected Members wishing to claim this allowance shall complete the 'Elected Member Conference Reimbursement' form (attachment).

Note: This Policy and 1.13 relate to elected members.

Training, conferences and reimbursements for staff is an administrative matter covered by various awards. In general Staff reimbursements are limited to that considered fair and reasonable by the Chief Executive Officer.

The proposed amendments to the highlighted and italicized abovementioned in Policy 1.12 are proposed as follows:

1. The Council will pay reasonable costs for a double room or twin share accommodation and breakfast, lunch and dinner costs for Elected Members and Partner (spouse/partner) including the night before and/or after the conference where this is necessary because of travel and/or after the conference where this is necessary because of travel and/or conference timetables. Partners cost as outlined in this policy will only be met for a maximum of two conferences/training sessions per financial year.
2. Where an elected member attending an approved conference or training program requiring overnight accommodation, elects to stay with relatives or friends at private accommodation, Council will pay an allowance of \$100 per night, to offset meals and other expenses.
3. Elected Members wishing to claim this allowance shall complete the 'Elected Member Conference Reimbursement' form (attachment) within 30 days of incurring the expense.

POLICY:	TRAVELLING EXPENSES
POLICY NO:	1.13
SECTION:	COUNCIL
COUNCIL MEETING HELD:	27 MAY 2004
DATE TO BE REVIEWED:	May 2011

OBJECTIVE

- 1 To establish the basis upon which Council will reimburse travel expenses where Members of Council attend:
 - a) Officially convened (Council) Civic receptions;
 - b) Visits y Ministers of the Crown;
 - c) Council authorised meetings with government agencies and other council;
 - d) Conferences, seminars and training courses approved by Council,

- through a resolution duly passed at a Council meeting;
- e) Meetings attended as a consequence of an appointment to a committee, organization or board, through a nomination by Council, where no travel allowance is paid by that committee, organization or board;
 - f) Meetings attended as a delegate or authorised representative of Council;
 - g) Commemorative Ceremony functions (ANZAC Service, Australia Day etc) as a nominated Council representative. The President will be deemed to be the 'nominated Council representative', unless the President requests another Member to attend in his/her absence; and
 - h) Private Citizenship Ceremonies as a nominated Council representative. The President will be deemed to be the 'nominated Council representative' unless the President requests another member to attend in his/her absence.
- 2 Reimbursement of travel expenses will not be paid where Members of Council attend;
- a) Social engagements (other councils' annual dinners, sporting clubs, community groups and other organizations' functions);
 - b) Meetings, functions etc where they are not the 'nominated Council representative'; and
 - c) Road/ward inspections that have not been convened by a resolution of Council.
- 3 Where acting as a Council representative, that requires travel outside of the Shire; and travel by motor vehicle is appropriate, travel should be undertaken by Council vehicle where available and appropriate, otherwise private vehicle use is allowed.
- 4 Where appropriate, travel will be provided by air and will normally be at economy rates.
- 5 *Members using private vehicles in accordance with this policy may claim 50% of the Local Government Officers' (Western Australia) Award 1999 motor vehicle rate applicable at the date of travel, but subject to such cost not exceeding the normal full economy class airfare, to and from the particular destination.*
- 6 Costs of taxi fares and parking which are reasonably required and incurred in attending authorised conferences, seminars, training courses, meetings and functions, will be reimbursed by the Council.
- 7 Reimbursement of travel expenses are to be paid only on receipt of a formal claim from a Member of Council and is to be calculated on the number of kilometres between the Member's principal place of residence or work within the Shire to the venue and return.

A suitable claim form will be provided by the staff upon request.

The proposed amendments to the highlighted and italicized abovementioned in Policy 1.13 are proposed as follows:

Members using private vehicles in accordance with this policy may claim motor vehicle rate applicable as per the ATO rate below, but subject to such cost not exceeding the normal full economy class airfare, to and from the particular destination.

Engine Capacity		Cents per Kilometre
Ordinary Car	Rotary Engine Car	2009/10 Income Year
1600 cc (1.6L) or less	800cc (0.8L) or less	63 cents
1601cc – 2600cc (1.601L – 2.6L)	801cc – 1300cc (0.801L – 1.3L)	74 cents
2601cc – (2.601L) and over	1301cc (1.301L) and over	75 cents

POLICY:

POLICY NO:

SECTION:

COUNCIL MEETING HELD:

DATE TO BE REVIEWED:

**COUNCILLOR TELEPHONE
ALLOWANCE**

1.19

COUNCIL

16 JUNE 2005

May 2011

The Shire of Wiluna will provide a monthly telephone allowance to each Councillor for an amount of \$50 to cover phone line rental and calls made in his/her capacity as Councillor of this Shire.

The proposed amendments to the highlighted and italicized abovementioned in Policy 1.19 are proposed as follows:

The Shire of Wiluna will provide a monthly allowance to each Councillor of \$70.00 to cover the costs of internet, phone line rental and calls made in his/her capacity as Councillor of this Shire.

Payment will be made at the same time as the sitting fees are paid to each Councillor.

POLICY:

POLICY NO:

SECTION:

COUNCIL MEETING HELD:

DATE TO BE REVIEWED:

**COUNCIL SUPERANNUATION
CONTRIBUTIONS**

2.17

ADMINISTRATION AND FINANCE

27 MAY 2004

May 2011

That Councils contribution for Superannuation be as follows: -

Maximum 5% contribution to those employees contributing to the Local Government Superannuation Voluntary Scheme *or other superannuation fund that complies with the superannuation fund legislation.*

Contribution to the Compulsory Occupational Superannuation Scheme as per statutory requirements.

Council may make additional payments as part of Salary Sacrifice arrangements - refer Policy 2.19.

The proposed amendments to the highlighted and italicized abovementioned in Policy 2.17 is proposed as follows:

The Shire contribution to the Compulsory Occupational Superannuation (SGL) will be 10% which is currently 1% above the statutory requirements.

Consultation

Nil

Statutory Environment

Local Government Act 1995, Division 2; Local Government (Administration) Regulations 12 (2)

Policy Implications

Any amendments require Policies to be updated and adopted by council.

Financial Implications

The changes will commence as at the 1 July 2011 and will be accounted for in the 2011/12 budget.

Voting Requirement

Simple Majority

<i>08/11 Council Decision and Officer Recommendation</i>

MOVED Cr J Quadrio

SECONDED Cr D McCutcheon

CARRIED 5/0

Council resolves that:

1. Policy 1.12 be amended and adopted as follows:

POLICY:

COUNCILLOR TRAINING AND EXPENSES

POLICY NO: 1.12
SECTION: COUNCIL
COUNCIL MEETING HELD: 24 May 2004
DATE TO BE REVIEWED: MAY 2012

The Shire of Wiluna recognises the need to assist Councillors to perform their role as defined in the Local Government Act. The Council further recognises that having Councillors well trained in Local Government matters will provide many benefits for the operations of the Council and in turn this will benefit the residents and ratepayers of the Shire of Wiluna. The Council's policy is to provide funds within each budget to meet the cost of sending Councillors to recognised and appropriate training courses and/or to bring appropriate trainers to Wiluna to deliver the training.

Following the adoption of each budget, the Chief Executive Officer is to prepare a program for Councillor training that is appropriate for the funds that are available and that will address priority and training needs at that time.

INTRODUCTION

It is important that Elected Members, as part of their roles and responsibilities as a Councillor, participate in professional development by attendance at conferences, seminars and development programs.

The intention of this policy is to ensure that Elected Members are given the opportunity to participate in professional development are not financially disadvantaged.

OBJECTIVE

To provide the opportunity for Elected Members to participate in ongoing professional development in areas directly related with the provision of local government services.

POLICY STATEMENT

Conferences

1. Conference expenses will only be paid or reimbursed when:
 - a) The attendance is authorised by Council, through a resolution passed at a Council meeting.
 - b) The attendance and expenses incurred comply with the requirements of this policy.
 - c) Due to exceptional circumstances, Council approves a reimbursement through a resolution passed at a Council meeting, of conference

expenses incurred that have not been approved by Council prior to attendance.

2. The conferences to which this policy applies shall generally be confined to:
 - Western Australian Local Government Association (WALGA), Goldfields Esperance Ward Local Government Association and GVROC
 - Special 'one off' conferences called or sponsored by or for WALGA, Goldfields Esperance Ward and GVROC on important issues
 - Annual conferences of the major Professions in Local Government
 - Conferences, seminars or training courses which advance the development Elected Members in their role as Councillors.
 - Any meetings or conferences of organizations or bodies on which an elected member of the council may be elected, or appointed to be a delegate or member of the Council or WALGA.

3. The following shall apply for Elected Members authorised and/or appointed as delegates under this policy to attend Conferences:

d) Registration

The Council will pay all normal registration costs for Elected Members/Delegates, which are charged by organisers, including those relating to official luncheons, dinners and tours/inspections that are relevant to the interests of the Council.

e) Accommodation

The Council will pay reasonable costs for a double room or twin share accommodation and breakfast, lunch and dinner costs for Elected Members and Partner (spouse/partner) including the night before and/or after the conference where this is necessary because of travel and/or after the conference where this is necessary because of travel and/or conference timetables. Partners cost as outlined in this policy will only be met for a maximum of two conferences/training sessions per financial year.

f) Travel

(Refer to Shire of Wiluna policy 13 – Travelling expenses.)

- 9 The Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organisers/travel agent in advance.
- 10 Attendance by an elected member at any conference, seminar, congress, forum, workshop, course, meeting, deputation, information or training sessions, events, etc. related to the industry of local government which are held overseas, must be authorised prior to departure by specific resolution of the Council and such resolution shall specify and detail the conditions of attendance.

- 11 Where an elected member attending an approved conference or training program requiring overnight accommodation, elects to stay with relatives or friends at private accommodation, Council will pay an allowance of \$100 per night, to offset meals and other expenses.
- 12 Elected Members wishing to claim this allowance shall complete the 'Elected Member Conference Reimbursement' form (attachment) within 30 days of incurring the expense.

Note: This Policy and 1.13 relate to elected members.

Training, conferences and reimbursements for staff is an administrative matter covered by various awards. In general Staff reimbursements are limited to that considered fair and reasonable by the Chief Executive Officer

2. Policy 1.13 be amended and adopted as follows:

POLICY:	TRAVELLING EXPENSES
POLICY NO:	1.13
SECTION:	COUNCIL
COUNCIL MEETING HELD:	27 MAY 2004
DATE TO BE REVIEWED:	MAY 2012

OBJECTIVE

- 1 To establish the basis upon which Council will reimburse travel expenses where Members of Council attend:
 - a) Officially convened Council Meetings and Civic receptions;
 - b) Visits by Ministers of the Crown;
 - c) Council authorised meetings with government agencies and other council;
 - d) Conferences, seminars and training courses approved by Council, through a resolution duly passed at a Council meeting;
 - e) Meetings attended as a consequence of an appointment to a committee, organization or board, through a nomination by Council, where no travel allowance is paid by that committee, organization or board;
 - f) Meetings attended as a delegate or authorised representative of Council;
 - g) Commemorative Ceremony functions (ANZAC Service, Australia Day etc) as a nominated Council representative. The President will be deemed to be the 'nominated Council representative', unless the President requests another Member to attend in his/her absence; and
 - h) Private Citizenship Ceremonies as a nominated Council representative. The President will be deemed to be the 'nominated Council representative' unless the President requests another

member to attend in his/her absence.

- 2 Reimbursement of travel expenses will not be paid where Members of Council attend;
 - a) Social engagements (other councils' annual dinners, sporting clubs, community groups and other organizations' functions);
 - b) Meetings, functions etc where they are not the 'nominated Council representative'; and
 - c) Road/ward inspections that have not been convened by a resolution of Council.

- 3 Where acting as a Council representative, that requires travel outside of the Shire; and travel by motor vehicle is appropriate, travel should be undertaken by Council vehicle where available and appropriate, otherwise private vehicle use is allowed.

- 4 Where appropriate, travel will be provided by air and will normally be at economy rates.

- 5 Members using private vehicles in accordance with this policy may claim motor vehicle rate applicable as per the ATO rate below, but subject to such cost not exceeding the normal full economy class airfare, to and from the particular destination.

Engine Capacity		Cents per Kilometre
Ordinary Car	Rotary Engine Car	2009/10 Income Year
1600 cc (1.6L) or less	800cc (0.8L) or less	63 cents
1601cc – 2600cc (1.601L – 2.6L)	801cc – 1300cc (0.801L – 1.3L)	74 cents
2601cc – (2.601L) and over	1301cc (1.301L) and over	75 cents

- 6 Costs of taxi fares and parking which are reasonably required and incurred in attending authorised conferences, seminars, training courses, meetings and functions, will be reimbursed by the Council.

- 7 Reimbursement of travel expenses are to be paid only on receipt of a formal claim from a Member of Council and is to be calculated on the number of kilometres between the Member's principal place of residence or work within the Shire to the venue and return.

A suitable claim form will be provided by the staff upon request.

3. Policy 1.19 be amended and adopted as follows:

POLICY:	COUNCILLOR COMMUNICATION ALLOWANCE
POLICY NO:	1.19
SECTION:	COUNCIL
COUNCIL MEETING HELD:	16 JUNE 2005
DATE TO BE REVIEWED:	MAY 2012

The Shire of Wiluna will provide a monthly allowance to each Councillor of \$70.00 to cover the costs of internet, phone line rental and calls made in his/her capacity as Councillor of this Shire.

Payment will be made at the same time as the sitting fees are paid to each Councillor.

4. Policy 2.17 be amended and adopted as follows:

POLICY:	SHIRE	SUPERANNUATION CONTRIBUTIONS
POLICY NO:	2.17	
SECTION:	ADMINISTRATION AND FINANCE	
COUNCIL MEETING HELD:	27 MAY 2004	
DATE TO BE REVIEWED:	MAY 2012	

That Shire contribution for Superannuation will be as follows: -

A maximum 5% contribution for those employees contributing to the Local Government Superannuation Voluntary Scheme or other eligible superannuation fund.

The Shire contribution to the Compulsory Occupational Superannuation (SGL) will be 10% which is currently 1% above the statutory requirements.

Council may make additional payments as part of Salary Sacrifice arrangements - refer Policy 2.19.

10.2. Principal Environmental Health Officer and Building Surveyor Report

Nil

10.3. Deputy CEO Reports

Nil

10.4. Manager Finance & Administration Reports

10.4.1. Subject/Applicant:	Accounts Paid by Authority
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Admin & Finance
Date of Report:	14 February 2011
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 periods ending 31 December 2010 and 31 January 2011 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

09/11 Council Decision and Officer Recommendation

MOVED Cr D McCutcheon

SECONDED Cr C Webb

CARRIED 5/0

That the accounts paid by authority for the periods ended 31 December 2010 and 31 January 2011 totalling \$623,228.62 be received endorsed and incorporated in the Minutes of the meeting.

10.4.2. Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	14 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council’s adoption of the Financial Reports for the periods ending 31 December 2010 and 31 January 2011.

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 periods ending 31 December 2010 and 31 January 2011 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

10/11 Council Decision and Officer Recommendation

MOVED Cr C Webb

SECONDED Cr S Petterson
CARRIED 5/0

That Council adopt the Financial Reports for the periods ending 31 December 2010 and 31 January 2011 as presented.

10.5. Manager of Works Report

10.5.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Joe Guilliano, Leading Hand
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Leading Hand's report for information and endorse the acting Works Manager's actions. Bruce Walker has been the Acting Works Manager from Mid December 2010 until the 11 February 2011.

Roads

Due to the recent downpour the Sandstone / Wiluna Road has been closed on the week of the 14 February. This will be closed until further repair work can be carried out.

Fencing

New fence has been put around the Oval reticulation tanks to stop kids from coming in and shutting off valves.

Maintenance schedule

All previous jobs have been caught up with, and the QMS is up to date.

Aerodrome

A new back up genset will be arriving in the near future. This will provide a backup power source for the airport.

Staff

New depot staff commencing with us recently are Dominique Allis as our new Works Manager Assistant, Joey Nobel as gardener and Richard Lawrence as general hand.

11/11 Council Decision and Officer Recommendation

MOVED Cr C Webb

SECONDED Cr D McCutcheon
CARRIED 5/0

For Council to receive the Leading Hand's information report and endorse the Leading Hand's actions.

The Council commends and acknowledges the leading hand and depot employees for the job well done.

10.6. Council Information Bulletin

10.6.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Heather Charlton, Art Gallery Manager
Date of Report:	8 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform council of operations in the Art Gallery.

Newmont - Jundee

An Art Exhibition & Sale was held at Jundee, the second for the financial year, coinciding with Jundee's Christmas Stakeholder Dinner. Two artists attended, with sales amounting to \$11,200.

Australian Art Collector Magazine

Advertising space was secured to promote Wiluna's Artstart Painting Group. This included a striking collage of the children's work. A copy will be tabled for council information of the Issue 55 Jan-March 2011. The magazine has a wide distribution, including overseas.

In addition, we have submitted the copy to Oxfam who are seeking designs for their Aboriginal Art Reconciliation 2012 calendar and cards. Selection will be made in March.

Art Gallery Assistant

Continued mentoring and skills development was provided to our artworker, including arrangements for his attendance at Desarts Artworker Training Program in Alice Springs. Unfortunately his resignation was received in November. His position will not be replaced at this time due to a review of the Art Gallery operations and needs analysis being conducted.

Wiluna Streetscape

Nine Artists have taken part in the repainting of the recreation centre, most of whom have completed a section. There are, however, finishing touches required on the front of the building and the northern end.

10.6.2. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Debra McNeill, Tourism Officer
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform council of tourism projects underway.

Walk Trail and Information Bays

Walk Trail Interpretative Panels designer, Jesse Brampton, will be visiting Wiluna in late February to meet with Tourism Officer and MEEDAC supervisor to discuss the possibility of the CDEP participants undertaking the installation of the interpretative panels and the timeframe around that.

MEEDAC have indicated they are very interested in undertaking all the streetscape projects including the installation of the Beadall and Canning

cutouts on the corner of Wells and Wotton Street and the erection of the Information Bay Shelter and Town Park Information Bay. Discussion will take place to determine the level of qualified expertise in the supervision of the project under CDEP and the qualification and skill gains the participants will receive from this project. The CEO will make the final decision on deliverables after the meeting.

Jesse Brampton will also meet with local contractors to discuss their timeframes and quotes should they be used for any of the projects or as a fallback position.

Jesse Brampton and Tourism Officer will mark out the location of the interpretative panels on this visit.

10.6.3. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Peter Smith, Ranger
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform council of Ranger Services outcomes.

Peter Smith is a contract Ranger with the Shire and visits approximately once a month.

The following were the outcomes for his visits in 2011:

January	February
<ul style="list-style-type: none"> ➤ Patrols and licensing conducted. ➤ Registrations updated. ➤ 3 unregistered dogs trapped on the outskirts of town destroyed. ➤ 4 unwanted dogs handed in by owners for destruction 	<ul style="list-style-type: none"> ➤ Patrols, licensing and trapping conducted. ➤ Nil dogs trapped. ➤ Nil outstanding complaints.

10.6.4. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Sean Lennon, Pool Manager
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to inform council of the swimming pool operations.

Relief Pool Manager

The Swimming Pool Manager has taken leave and the pool was closed between 7 and 18 February 2011. The leave was taken suddenly, hence the unplanned closure of the pool for this period. At short notice John Simmons has rearranged his commitments with his current employer and will open and work at the Wiluna pool between 18 – 28 February 2011. Thereafter Sean Lennon will return to Wiluna.

Annual Service and Equipment Upgrade

Mr Clint Hall from AVP Commercial Pool Servicing has recently completed a successful annual service and equipment upgrade at the pool. The chlorine gas dosing system was installed and is fully operational. It is forecasted the installation of this system will gain considerable savings for council for the cost of chlorine.

10.6.5. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Meleoni Nariro, Acting Sport and Rec Manager
Date of Report:	15 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is for council to receive the Acting Sport and Recreation Managers report information

Activities Calendar for January and February

December 19th Pool Competition

December 29th BBQ at the Pool

January 2th Family day with the kid's

January 8th Social night

January 12th Double further Movie

January 19th BBQ & Treasure hunt

January 27th kid's cooking classes

February 9th Cheerleading

Cheerleading programme will be on every week on Wednesday

February 14th AFL football coaching will be on every week on Monday and Wednesday

Leading Wiluna

Facilitate accredited and Professional development training opportunities for Staff

Certifications are as follows

Gemma from the Sport and Rec Department in Kalgoorlie will be here in February with her team to give us lessons in how to run activities for the kid's after School Programme, and also to do coaching for staff.

12/11 Council Decision and Officer Recommendation

MOVED Cr C Webb

SECONDED Cr S Petterson
CARRIED 5/0

For Council to receive the Council Information Bulletin reports.

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

12.1.1. Subject/Applicant:	Status Report
File:	Various
Reporting Officer:	Chief Executive Officer – Samantha Tarling
Date of Report:	22 February 2011
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 and recommendations.

Community Infrastructure Plan and Mining Needs Study

The MWDC Board has approved funding for a Community Infrastructure Plan and Mining Needs Study. Urbis have been engaged to undertake the study concurrently with the Shire's Local Planning Study. The report will show the likely impacts and community infrastructure demands arising from the eight mining companies in the Shire. The report will document the location and size of each mine's known resource, the method of extraction and processing, the labour involved in operation (and construction where applicable) and the transport, power and water requirements of the operation. Detailed understanding of the impacts and demands in the Shire and beyond will enable authorities to properly plan infrastructure development.

This is a partnership project between the MWDC and the Shire of Wiluna. Shire of Wiluna is the sponsor for the project and the MWDC are the funders and both agencies will be the recipients of the report. MWDC will add the information to their data base for further understanding of the region to

enable them to adequately plan for infrastructure and transport routes now and into the future.

Interest sought by the Shire for a proposed Alliance Group of Local Governments in 3 Development Commissions in an effort to lobby for the sealing of Goldfields Highway

A letter was sent in December 2010 to local governments from Exmouth to Ravensthorpe requesting their support to partner with the Shire of Wiluna to form an alliance group, to lobby for the sealing of the Goldfields Highway. Only three (3) councils indicated they would be interested in this proposal. The letter was to see the interest in this proposal and given the lack of response the CEO suggests we not pursue this strategy.

Response to letter sent to all Stakeholders requesting support for the sealing of Goldfields Highway

A letter was sent to politicians, State Government Departments, Development Commissions, Federal Government Departments including Infrastructure Australia, mining associations, Oakajee Port and Rail, local governments in the Gascoyne, Mid-West and Goldfields-Esperance Development Commissions and many other stakeholders in December 2010 requesting their support for the sealing of the Goldfields Highway, Wiluna to Meekatharra section.

The key points identified in the letter were as follows:

State Government infrastructure investment would result in:

- *Increased regional productivity in the mineral and pastoral industries, through reduction in transport overheads, increases in transport efficiencies and reductions in regulatory driver safety controls.*
- *Opening up of new resource deposit areas and continued economic development of the Central Desert region.*
- *Improved social and economic amenity through improved linkages between the sister towns of Wiluna and Meekatharra.*
- *Improved medical and mental health service delivery to communities in need.*
- *Certainty of goods supply and reduced isolation for remote communities.*
- *Reduction in road trauma and injury.*
- *Increased inter/intra-regional and cultural tourism opportunities.*

The response has been positive in general from local governments that have replied but not all Shires have responded. The Federal Government Department of Infrastructure and Transport responded in writing:

More broadly, the Australian Government has committed \$3.5 billion for land transport infrastructure in WA over the 2008-14 periods. As all of these funds have been allocated to specific projects, as agreed with the WA government, there is no scope at the present time to fund additional projects, such as upgrading the Goldfields highway between Wiluna and Meekatharra.

No response was forthcoming from the State Department of Transport.

The CEO and councillors will continue to work with Urbis to develop the Roadshow presentation for the Shire President, Deputy President and Cr Quadrio to take on the road and present in person to strategic stakeholders.

Industry Partner Workshop with the Shire – Local Planning Scheme

A workshop was held at the Urbis office in Perth with the eight (8) Industry Partners invited to attend on Tuesday, 15 February 2011 to discuss the mining company's plans for investment in the Shire and the town in the future. This will assist in the preparation of the Local Planning Strategy which will plan for the future growth and development of the Shire.

The workshop was attended by BHP and Mega Uranium. Magellan was interviewed before the workshop. GWR and TORO Energy had indicated they would be in attendance but were unable to make it. Urbis will follow up the 5 companies' not in attendance and interview them one on one.

BHP and Mega Uranium were committed to assisting in the growth of the town and local businesses where able but advised they are too far from town to house staff in town.

CEO Annual Appraisal

WALGA have been engaged to conduct the CEO's 2011 Appraisal and Contract Negotiations.

Councillors together with the CEO resolved at the Sustainability Workshop in January that WALGA was a preferred supplier that both parties was confident were most experienced to carry out the task.

The quote of \$3300 is accounted for in the 2010/11 budget.

The methodology to be followed will be as follows:

- Draft and distribute a questionnaire to CEO and all councillors. An option of a telephone interview for any councillor who prefers not to complete a questionnaire is available.
- WALGA officer will travel to Wiluna to carry out the appraisal. The appraisal will be as follows:
 - Meeting with the CEO to brief on process for the day and overview of the Feedback Report;

- Meeting with Council to also brief on process for the day and provide an overview of the Feedback Report;
 - Facilitate the face to face appraisal; and
 - Review and Refine KPI's for 2011/12.
- Prepare a Final Report and recommendations for Council.
- Provide a remuneration report to the Council for consideration of recommendations to Council concerning any increase to the CEO's remuneration package.

EEO Mediation – James Alagappan v Shire of Wiluna

Further to a report at the December OCM regarding the claim lodged with the EEO Commission by James Alagappan against the Shire on the grounds of religious conviction discrimination in his employment, the mediation sessions have continued without resolution at this time.

The second mediation session took place on Wednesday, 9 February 2011 at the State Administrative Tribunal in Perth. Allion Legal was in attendance as the Shire legal representative. The points discussed were a letter of apology to James Alagappan for the distress this matter has caused him, memorandum to staff and a council agenda item that reflects the position reached in the mediation.

A third mediation session has been scheduled for Tuesday, 22 March 2011. The refinement of the wording in the abovementioned documents are in negotiation at this time and it is trusted that this matter can be resolved between the two parties before the third mediation session.

The estimated legal costs defending this matter, including the third mediation session are nearing \$20 000.

OCM resolutions update

In accordance with the Shire of Wiluna Local Law Standing Orders 1999 the CEO is to report outstanding works to keep Council informed of status.

September OCM resolutions update

Minute 145/10 regarding Dividing Fences Act is currently being actioned by WALGA officers.

CEO spoke with WALGA officer James McGovern at GVROC meeting in Esperance recently and in response to our question of whether a process can be commenced to make an amendment to the Dividing Fences Act to provide for the occasions when government departments put a demand on private landholders to fence their property for public purpose. Mr McGovern advised that DEC and MRWA are the two current government departments that take this action at this time and MRWA have a fund set up for this purpose so no impost is placed on the private land holder. DEC requests are currently factored into the lease arrangement with landowners and are dealt

with through this mechanism, however, to ensure clarity of the matter WALGA will respond to the Shire in writing to allow council to make a decision as to whether to pursue this matter again through WALGA.

May OCM resolutions update

At the May OCM council resolved that the following reports be brought back to the June OCM – ‘a review of Policy 1.12’.

Policy 1.12 was reviewed at the Sustainability Workshop in January 2011 and is presented in this agenda.

Relinquishment of Management Order over Old School Site, Reserve 23797

At the Sustainability Workshop held in January 2011 councillors present discussed their intentions for the future of the old school site. Councillors decided the site would not be developed by the Shire and the cost of refurbishing and maintaining the buildings was cost prohibitive. Councillors decided to investigate the Revocation of Management Order process with the view of supporting this decision in a formal motion should Landgate support the relinquishment. It was the councillors’ intention to support this site being taken up by a community group or developer that can afford to develop the site for the social and economic benefit of the community.

The CEO has advised Department of Planning and Infrastructure of Council’s intent and the advice has been lodged. Landgate will advise of its support for the proposal in due course.

Community Events Calender

At the Sustainability Workshop held in January 2011 councillors present discussed the Community Calender of Events. It was decided that community bbq’s would not be held on a adhoc basis throughout the year and incorporated into the Australia Day, Anzac Day, Mid Year Community Celebration Event (theme to be decided annually), Annual Electors Meeting and the Christmas Party.

13/11 Council Decision and Officer Recommendation

MOVED Cr J Quadrio

SECONDED Cr D McCutcheon
CARRIED 5/0

For Council to receive the CEO’s status report and endorse the Officer’s actions and recommendations.

12.1.2. Subject/Applicant:	Policy 1.10 - Donations
File:	00150
Reporting Officer:	Samantha Tarling, CEO
Date of Report:	22 February 2011
Disclosure of Interest:	Nil

Purpose

The purpose of this report is to seek Council's support to make a donation to Constable Care and the Local Government Managers Association, Women in Local Government Conference.

Comment

Constable Care has requested the support of the Shire for their visit to Wiluna School. In their presentation they will do a puppet show and it plays to reinforce the message of 'Teaching kids to do the right thing'. Thereafter a pencil case will be given to 50 children and this is the item they are looking for the Shire to sponsor to the value of \$510.

The Local Government Managers Association (LGMA) Women's Conference does not attract support from commercial sponsors and they are approaching Local Governments for specific support because it is essential that we increase the number of professional women in local government to combat the many officers being lured into the mining industry. Sponsorship means LGMA can reduce the registration impost on delegates and therefore increase the attendance numbers for the benefit of all especially small Shires like ours.

LGMA have two categories available for Local Government Support Sponsorship, level 1 being \$1000 and level 2 at \$500.

Consultation

Nil

Statutory Environment

Local Government Act 1995, Sec 2.7(2) oversee the allocation of the local government's finances and resources.

Policy Implications

Policy 1.10 Donations

1. Council policy is to not make donations to religious or charitable organisations.
2. Council declines under any circumstances to provide standing or annual donations, referring to re-assess the needs of individual organisations in

such cases as and when appropriate.

3. Council will consider requests for donations from local and regional bodies and all such requests will be considered on merits.
4. Donations of \$100 or less may be made at the discretion of the Chief Executive Officer.

Financial Implications

The cost to council sought will be \$1010 and it will come from the public relations budget that has ample funds available to support this donation.

Strategic Implications

Strategic Plan 2009-14, Leading Wiluna, Facilitate accredited and professional development training opportunities for staff.

Voting Requirements

Simple Majority

14/11 Council Decision and Officer Recommendation

MOVED Cr D McCutcheon

SECONDED Cr C Webb

CARRIED 5/0

For Council:

1. To support a donation of \$510 to Constable Care to purchase pencil cases for the children at the Wiluna School; and
2. To support LGMA Women in Local Government Conference to the value of \$500.

13. Public Question Time

Questions asked by Della Vincenti

Q1: Cr J Quadrio, did you ever get the breakdown of the cost of the bore that you requested?

A1: Cr J Quadrio responded yes.

Q2: Mr T Doust, in respect to variation in other expenses, are you going to provide me a letter to answer to that query?

A2: Mr Doust responded to the question indicating of the need to research the matter and if it was not possible for the answer to be given in writing prior to the next Council meeting the answer would be provided at the next Council meeting.

Q3: Are the Councillors fully satisfied adopting the previous minutes without having seen the minutes?

A3: Councillors indicated that they were satisfied with the minutes that had been provided to the meeting today. Cr Chris Webb said she was sent the minutes and was happy to move them.

14. Matters Behind Closed Doors – Confidential Item

Nil

15. Closure

The meeting closed at 1.24 p.m.