

Shire of Wiluna

CONFIRMED MINUTES



Ordinary Meeting of Council

Held

Thursday 21 August 2008

TABLE OF CONTENTS

MINUTES

Item	Page
1. DECLARATION OF OPENING AND ANOUNCEMENT OF VISITORS	1
2. RECORD OF ATTENDANCE / APPOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	1
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4. PUBLIC QUESTION TIME	1
5. APPLICATIONS FOR LEAVE OF ABSENCE	1
6. PETITIONS AND DEPUTATIONS	1
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	2
9. REPORTS OF COMMITTEES AND OFFICERS	2
9.1. Acting Chief Executive Officer Reports	2
9.1.1. Status Report	2
9.1.2. Road Sign to Newmont Jundee operations	3
9.2. Manager, Finance & Administration Officer Reports	5
9.2.1. Accounts paid in by Authority	5
9.2.2. Financial Report	6
9.3. Manager Works & Services Officer Report	7
9.4. Principal Environmental Health Officer Report	7
9.4.1 M & G Marchant – Gunbarrel Laager Travel Travellers Rest	7
9.4.2 Regulation Under New Food Act	9

Item	Page
9.5. Art Gallery Manager Report	12
9.5.1. Status Report	12
9.6. Youth, Sports & Recreational Officer Report	14
9.6.1. Status Report	14
9.7. Homemaker Officer Report	15
9.7.1. Status Report	15
10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	16
11. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION OF COUNCIL	16
12. MATTERS BEHIND CLOSED DOORS	16
13. CLOSURE	16

APPENDIX A - Accounts paid by Authority (July 2008) – Blue Pages

APPENDIX B - Financial Report (July 2008) – Green Pages

APPENDIX C - Proposed Signs – Yellow Page

APPENDIX D – Photograph – White Page

MINUTES

1. Declaration of Opening and Announcement of Visitors

The meeting was opened at 10.05am.

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

Attendance

John Kyanga (President)

Kenny Farmer (Councillor)

Catherine Carton (Councillor)

Annette Williams (Councillor)

Vince Bugna (Acting Chief Executive Officer)

Glenn Deocampo (Manager, Administration and Finance)

Heather Charlton (Art Gallery Manager)

Lai Ratabua (Sport & Rec and Pool Manager) (Entered 10.15am)

Meleoni Nariro (Homemaker Assistant) (Entered 10.15am)

Apologies

Graham Harris (Councillor)

Anne Geary (Councillor)

Leanne Peck (Councillor)

3. Response to Previous Public Question Taken on Notice

Nil

4. Public Question Time

Nil

5. Applications for Leave of Absence

Nil

6. Petitions and Deputations

Nil

7. Confirmation of Minutes of Previous Meeting

The Minutes of the Meeting held on 24 July 2008 be accepted as a true record of that meeting.

55/08 Council Decision

MOVED Cr C Carlton

SECONDED Cr A Williams
CARRIED 4/0

8. Announcement Presiding Member without Discussion

Nil

9. Reports of Committees and Officers

9.1. Acting Chief Executive Officer Reports

9.1.1. Subject/Applicant:	Status Report
File:	
Reporting Officer:	V Bugna, Acting CEO
Date of Report:	11 August 2008
Disclosure of Interest:	Nil

Summary

The purpose of this report is to report on Council's operations and request Council receive this report as information.

Marruwayura Office

A positive negotiation for the purchase of Marruwayura Office had taken place. Document to facilitate transfer was executed and returned to the Settlement Agent recently. It is expected that the Shire of will receive the Title of this property in a couple of weeks. The Shire will commence upgrading this property as soon as practicable to put them to use based on Council's plan.

Meeting with DLGRD Minister

An invitation to a number of council Presidents and CEOs to meet with Minister Ravlich at the Kalgoorlie Boulder on Friday, 22 August 2008 has been postponed. An advised from Bob Thompson was received Monday, 11 August 2008. The purpose of the supposed meeting was for the mutual sharing of information on local government generally on council matters.

Electrical Submains Upgrade

With the opening of the Training Room and Wiluna Development Office, the number of Shire computers had increased dramatically. Last year, the Shire had started upgrading its electrical submains to solve its power outage problem that happened mostly during summer months. This upgrade has been budgeted and carried forward this year which was completed this month. Thanks to Ralco Australia.

Change of Satellite Provider

A bigger satellite dish was installed just recently to accommodate Council's internet/email requirement. Installed by Bluemaxx Communications Pty Ltd, a company from Queensland per recommendation of C&M Computer Solutions – Council's WA IT provider. This satellite connection is under assessment for a period of six months.

Officer Recommendation / Draft Motion

That Council receives the Acting CEO's information report.

56/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer
CARRIED 4/0

9.1.2. Subject/Applicant:	Road Signs to Newmont Jundee Operations
File:	28.00.11
Reporting Officer:	V Bugna, Acting CEO
Date of Report:	12 August 2008
Disclosure of Interest:	Nil

Summary

Newmont Yandal Operations Pty Ltd is requesting approval to erect road directional signs to Newmont mine site.

Background

The proposed road signs measure 1800mm x 600mm each. It will be located at the turnoff from the Goldfields Highway to Wiluna and along the Gunbarrel Highway at the Jundee turnoff. The signs will provide directions to the Newmont Jundee Operations especially truck drivers that make deliveries to the site.

Comment

Any road signs to be installed along the Goldfields Highway fall under the jurisdiction of Main Roads WA. Newmont was advised to contact Main Roads and make a separate application. There is no issue as to putting up road sign along the Gunbarrel Highway at the Jundee turnoff, therefore Council can consider to approve this application.

Consultation

Main Roads WA

Statutory Environment

Shire of Wiluna Town Planning Scheme

Policy Implications

Nil

Financial Implications

The costs for supplying and erecting the signs will be met by Newmont.

Strategic Implications

Nil

Voting Requirement

Simple majority.

Officer Recommendation/Draft Motion

That Council approve the request of Newmont Yandall Operations Pty Ltd to erect road sign along the Gunbarrel Highway at the Jundee turnoff.

57/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer
CARRIED 4/0

9.2. Manager Finance & Administration Officer's Reports

9.2.1. Subject/Applicant:	Accounts Paid in by Authority
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	13 August 2008
Disclosure of Interest:	Nil

Summary

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

Background

The list of accounts for the period ending 31 July 2008 are listed as Appendix A - Blue Pages.

Comment

Nil

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.

Officer Recommendation/Draft Motion

That the accounts paid by authority for the period ended 31 July 2008 totalling \$314,005.77 be received, noted and incorporated in the Minutes of the meeting.

58/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer
CARRIED 4/0

9.2.2. Subject/Applicant:	Financial Report
File:	Finance
Reporting Officer:	Glenn Deocampo – Manager, Finance & Admin
Date of Report:	13 August 2008
Disclosure of Interest:	Nil

Summary

The purpose of this report is to seek Council's adoption of the Financial Reports for the period ending 31 July 2008.

Background

Section 6.4 of the Local Government Act 1995 requires the CEO to prepare monthly/quarterly financial reports in accordance with the provisions of regulation 34 and 35 of the Local Government Act (Financial Management) Regulations 1996.

The reports for the period ending 31 July 2008 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.

Officer Recommendation/Draft Motion

That Council adopt the Financial Reports for the period ending 31 July 2008 as presented.

59/08 Council Decision

MOVED Cr C Carton

SECONDED Cr A Williams
CARRIED 4/0

9.3. Manager Works & Services Officer Report

Nil

9.4. Principal Environmental Health Officer Report

9.4.1. Subject/Applicant:	M & G Marchant – Gunbarrel Laager Travellers Rest
File:	
Reporting Officer:	John Randall – Principal EHO/Building Surveyor
Date of Report:	06 August 2008
Disclosure of Interest:	Nil

Summary

Council is to consider approval of two signs:

1. One located on the Canning Stock Route, and
2. One located within town on the corner of Wotton and Wells Street.

Background

Sign 1 – is to be located just south of the 38km mark from Wiluna in an area of naturally sparse vegetation with a minimum of a 6m setback from the road edge. The purpose of this sign is to alert the users of the stock route to the accommodation service offer at Gunbarrel Laager.

Sign 2 – is to offer directional information to the location of Gunbarrel Laager within town.

See Appendix C – Yellow Page of proposed signs attached.

Comment

I see no issue with **Sign 1**, given the proposal to sight it well back from the road and in a location that requires not interference with local vegetation. Posts will need to be frangible, that is break off at the base if hit by a car.

In relation to **sign 2** a little more care needs to be taken in considering the proposal. It is proposed to sight the sign on the North-west corner of the intersection, as other locations were dismissed as being too close to MRD directional signage or not suited to the applicants needs.

Some four signs already exist in this locality (see Appendix D – White Page Photograph). Three of the signs are for current mining operations and a Gallery, the other (Normandy Mining is now obsolete and should be removed)

If approved the Normandy Mining Sign should be removed entirely and the Gunbarrel Lager sign should only be allowed to be erected just below the Tjukurba Gallery Sign. Certainly no additional sign posts should be allowed in the locality even after the removal of the Normandy Mining Sign.

It certainly is within Council's powers to refuse and/or approve one or both of the signs requested.

Consultation

Nil

Statutory Environment

Shire of Wiluna Town Planning Scheme 1 which makes signage, located away from business premises, development that requires Council Approval.

Policy Implications

Care is required when approving signs that it does not create demand from others seeking to have similarly placed signs. Signs on one hand are essential to certain types of business on the other they can create visual pollution and sometime create traffic hazards.

Financial Implications

Nil

Strategic Implications

See Policy Implications

Voting Requirement

Simple Majority

Officer Recommendation/Draft Motion

1. Council approve the erection of a sign for Gunbarrel Lager Some 38 km up the Canning Stock Route from Wiluna provided the posts meet suitable frangibility requirements
2. Council approve the erection of a sign on the North-west corner of Wotton and Wells Streets to be erected just under the Tjukurba gallery sign.

60/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer

CARRIED 4/0

9.4.2. Subject/Applicant:	Regulation under New Food Act
File:	
Reporting Officer:	John Randall – Principal EHO/Building Surveyor
Date of Report:	29 July 20085
Disclosure of Interest:	Nil

Summary

Council is to consider providing comment on regulation options under the New Food Act.

Background

The New Food Act has been under development for a number of years and was finally passed in Parliament early in July 2008.

The passing of the Act sees WA put in place similar legislative arrangements as exist in other Australian States.

To bring full the effect of some of the provisions of the Act certain regulatory matters still need to be settled.

WALGA seeks to establish a general position for Local Governments within the State and to this effect, asks that consideration be given to a number of questions.

The questions are summarised in the comment section of this report and with the position recommended to Council being indicated in italics.

Comment

The new Food Act requires that all food businesses within the State be registered, except those associated with primary production but don't sell direct to the public or further process the primary product.

Until now only certain classes of Food premises (called eating houses) needed to be registered and only if the individual Shire elected to do so.

The requirement to register food premises will apply equally to short-term/temporary food businesses (as at fairs or festivals) as to permanent all year round operated food businesses.

1. FEES FOR INITIAL REGISTRATION

The new Food Act indicates that fees can be set under the Local Government Act to cover the costs of processing food business registration

The Council should support the imposition of fees for initial business registration with a standard fee to have application throughout the State.

2. FEES FOR ONGOING SURVEILLANCE OF FOOD PREMISES

Some Councils support the charging of such fees as food premises are seen to be providing services for a population greater than the Local Population that also pays rates, particularly in popular Tourist Areas or large Regional Shopping Centres. Similar argument can be made for Food Businesses operated at Mine Sites.

For food businesses in areas of small population any fee is likely to have greater effect on the business, but it might be hard to just target such fees to the mining industry, whilst leaving smaller businesses comparatively alone.

The Council should support the charging of fees to seek to recover the costs of ongoing surveillance of food businesses.

3. Registration/Notification Fees should be able to waived at the election of the Shire for Special or Charitable events.

Fees for short term food stalls or charitable stalls should not be waived entirely but be set at a token fee level as the financial transaction process is important in the act of registration. However, special arrangements should be put in place to allow the event organiser to hold registration to cover all stalls for events of less than three days duration.

4. Local Governments should be able to charge an annual surveillance fee based on the costs of providing inspections to a particular class of food premises.

Structure of such fee should also be able to take into account travel time and travel cost, because distances over a certain range of kilometres become a significant component of the costs of inspection in large dispersed Local Governments, eg isolated mining camps.

5. Formulae for setting of fees for annual surveillance charges should be standardised.

A standard formulae will not be able to apply across the state, but it should be required that the basis of a fee calculation should be transparent. A standard formulae that outlines what should normally be included in such cost could be considered provided it also includes consideration of travel expenses.

Further, the formulae should allow for variable setting of Community Service Obligation Allowances to allow distinction between food businesses that serve primarily a local clientele and other food businesses (mining camps) that service a transient non-local population.

6. Requirement to provide suitable information with food business notification to allow risk classification of premises should be in the form of standardised questionnaire.

Questionnaire should be as standardised as possible to allow for uniform as possible application/notification process.

It is perhaps appropriate that standard questionnaire also ask the business to provide estimate of the percentage of trade that comes from the local population.

7. A good selection of publicity tools promotional of new legislation should be made to assist with local promotion of new legislation with uniform message through Local Media.

Concept has minimal application within this Shire, but concept should be supported.

Consultation

Nil

Statutory Environment

Food Act 2008

Policy Implications

Some new formalised policies may be appropriate to support administrative processes of new legislation, but only time will tell.

Financial Implications

Will bring into place greater Statutory Obligation to carry out surveillance of a greater range of food premises including those used with farm stay on station properties and also mine sites, with greater opportunity for cost recovery.

Strategic Implications

May require allocation of more resources to EHO services, but hopefully with costs recovered

This is because new legislation will likely provide a framework that indicates the minimum number of inspections required to be made of a particular class of food premises each year, and further require that reports of such inspections be made in Local Government compliance returns.

Voting Requirement

Simple Majority

Officer Recommendation/Draft Motion

Council indicate that it generally supports the comments made within the body of the report and support the submission of the same to WALGA.

61/08 Council Decision

MOVED Cr A Williams

SECONDED Cr K Farmer
CARRIED 4/0

9.5 Art Gallery Manager Report

9.5.1. Subject/Applicant:	Status Report
File:	05.00.07
Reporting Officer:	Heather Charlton – Art Gallery Manager
Date of Report:	12 August 2008
Disclosure of Interest:	Nil

Summary

The purpose of this report is to report Council's operations in the Tjukurba Art Gallery and request Council receive this report as information.

- In July Tjukurba gallery held its second Art Show and Sales for the year at Newmont Jundee Mine. Two artists traveled out for the day to assist, with resulting sales amounting to \$4,800.00.
- Art Centre Consultants, Mr. Tim Acker and Ms. Susan Congreve, recently visited for three days, investigating all aspects of the Gallery's performance, with a view to making recommendations for improved efficiencies to align the gallery's operations with that of other Indigenous Art Centres throughout the region.
- New database software known as the Artist Management System is now installed and the long process of data-transfer is under way. When complete, our sales procedure will be greatly streamlined, with the incorporation of a more comprehensive cataloguing and artist payment system.
- Tjukurba Art Gallery has been granted an Associate Membership to Desart, the Association of Central Australian Aboriginal Art & Craft Centres, giving us access to information, networking and the annual Desert Mob Show held in Alice Springs.
- Newmont Jundee Operations have responded to our recent proposal for new Gallery workroom extensions. As the project would be larger and more complex than originally discussed, they have requested a commitment from the Shire by way of professionally drafted plans, permits, additional labour and some material input. As this would require funding from the Shire which has not been provided in the current Budget, I recommend that the matter be held over until further discussions with Jundee and the CEO can be considered.
- Dates proposed for a weekend Community Celebration, to launch the Canning Stock Route Preview Exhibition at Tjukurba Gallery, are **7th - 9th November, 2008** linking with an earlier Artist Residency and Sale at Mt Keith.

Officer Recommendation / Draft Motion

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

62/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer
CARRIED 4/0

9.6. Sports & Recreational & Pool Manager Officer Report

9.6.1. Subject/Applicant:	Status Report
Reporting Officer:	Lai Ratabua – Sports & Rec Officer & Pool Manager
Date of Report:	13 August 2008
Disclosure of Interest:	Nil

Summary

The purpose of this report is to report Council's operations in the Sport and Recreation Department and request Council receive this report as information.

Sports & Recreational

- Wilma NAIDOC carnival will be on the 1st – 4th of September. Activities include softball, football, and cultural programs which consist of storytelling, traditional dancing, traditional cooking and spear and boomerang throwing.

Swimming Pool

- Construction on the heating systems has started. The estimated time of completion is 16 September 2008. The pool will open as soon as the heating installation is completed.

Officer Recommendation / Draft Motion

That Council receives the Sport and Recreation Department information report.

63/08 Council Decision

MOVED Cr C Carton

SECONDED Cr K Farmer

CARRIED 4/0

9.7. Homemaker Officer Report

9.7.1. Subject/Applicant:	Status Report
File:	03.00.05
Reporting Officer:	Meleoni Nariro – Homemaker officer
Date of Report:	13 August 2008
Disclosure of Interest:	Nil

Summary

The purpose of this report is to report Council's operations in the Homemaker program and request council receive this report as information.

Homeswest Meeting

On Tuesday 5 August 08, the Homemaker Department together with Homewest met with all the Wiluna Homewest tenants to discuss the problems that have been happening with their homes.

Discussed at the meeting:

- The long waiting time for house maintenance.
- Fees and charges for damaging property
- The long waiting time for septic tank pump out
- Dog problems (Not more than 2 dogs per household)
- Other Issues
 - Communication between tenants and contractor:
 - Tenants complained that the contractors assigned to repair their housing problems do not communicate what they have fixed. This is a problem because they have to be called many times to fix the same problem.
- Promise of renovating old houses has changed; Homewest have decided that tenants will have to clean and look after their homes before renovation can begin.
- Cooking class on Tuesday 19 August 08 will be held at the Shire Kitchen.
- Sowing of curtains – Tenants can come to the Training room between 10am to 4pm, Monday to Friday to sow their curtains. All are encouraged to attend.

Officer Recommendation / Draft Motion

That Council receives the Homemaker Program information report.

64/08 Council Decision

MOVED Cr A Williams

SECONDED Cr K Farmer
CARRIED 4/0

10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION OF COUNCIL

Nil

12. MATTERS BEHIND CLOSED DOORS

Nil

13. CLOSURE

Meeting Closed at 10:55 am.