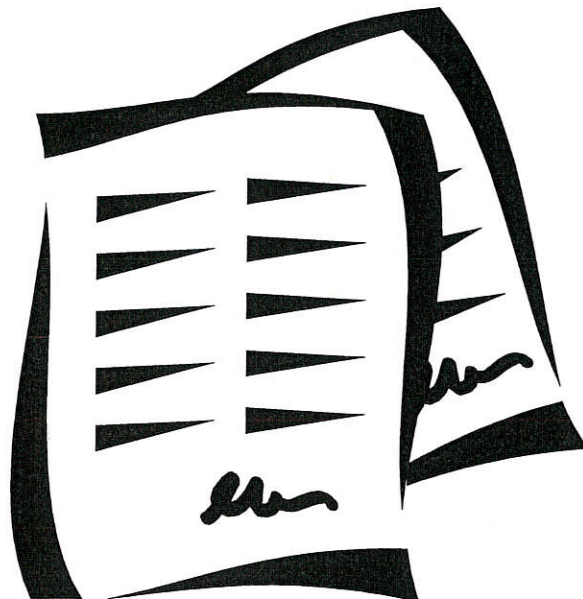




# Ordinary Council Meeting

19<sup>th</sup> December 2017



Papers Relating

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10.1.1

Town Planning Scheme Review

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## Shire of Dundas

### Town Planning Scheme No 2 Review Report

Date 1<sup>st</sup> December 2017

The Council of the Shire of Dundas resolved on the 21<sup>st</sup> November 2017 the following:  
**“That the Shire of Dundas prepare a scheme review report on the Shire of Dundas Town Planning Scheme No 2 with the view to undertaking a scheme amendment to bring the scheme into conformity with the Planning and Development (Local Planning Scheme) Regulations 2015.”**

#### Background.

The Shire of Dundas covers 92,725km<sup>2</sup> in the south east of WA. It borders the Southern Ocean, the Shires of Esperance, Ravensthorpe, Kondinin, Coolgardie, City of Kalgoorlie/Boulder and the WA/SA border. The principal town is Norseman which is the administrative centre for the Shire and houses some government employees, the district high school and hospital. The other major employers are mines operating in the area, shopping and some service industry. The town is 723 km from Perth by sealed road or 600km via Hyden, which requires 300km of gravel road travelling. Eucla, 12km from the S.A.W.A. border, the other town in the Shire and at 717 km from Norseman, is almost as far away as the State capital. The Eucla town has a population of around 50 with some government employees relating to quarantine services and the police. A motel and service station provide most of the rest of the employment. Two time zones operate within the Shire, being ¾ hour difference by changing the clock at Caiguna, about halfway along the Eyre Highway.

The major industries in the Shire are mining, pastoral, tourism and fishing. The Shire has a semi-arid climate with annual rainfall of 300 mm. Temperature ranges from high 30° to 40° in summer to between 0° & 15° in winter. Population is always fluctuating due to employment in the mining industry, but recently averages about 750.

In accordance with regulation 65(3) the following information is provided:

- 1 The local planning scheme “Shire of Dundas Town Planning Scheme No 2” was gazetted on the 13<sup>th</sup> September 1994
- 2 A list of amendments is included in the following table

Number	Gazettal date	Details
1	8 <sup>th</sup> December 1995	Amend Appendix 5
2 & 3	1 <sup>st</sup> December 1995	Insert 8.7 Delegation
4	1 <sup>st</sup> November 1996	Amend Table 1
5	28 <sup>th</sup> September 2001	Amend Appendix 5
7	23 <sup>rd</sup> August 2002	Delete clause 5.4.7 & amend clause 5.4.8

- 3 No records exist of a consolidation of the scheme having been undertaken.
- 4 There has been insignificant subdivision and development activity in the scheme area since the scheme gazettal date.  
There is sufficient and appropriately zoned land to meet current and expected needs of the Shire for the foreseeable future. There are a significant number of vacant residential lots and the commercial area has a number of empty shops and vacant land available for development. Industrial land is in short supply due in the main to the industrial zoned land being UCL and release is tied up with native title issues.

Residential development has been limited to 1-2 houses being built per year. Most of these are related to government housing upgrades of existing housing stock for staff housing.

The population has been in decline over a number of years and this has resulted in a significant supply of appropriately zoned land. This is shown in the following table

A table compiled from the ABS census data relating to population follows:

ABS	2016	2011	2006	2001
People	772	1141	1068	1628
Families	149	225	239	281
Dwellings	746*	688	696	720

\* mining camp accommodation

- 5 No scheme amendments have been undertaken to bring the scheme into conformity with other legislation.

#### Consultation

Consultation has been limited to discussions with Shire Council representatives. There are no significant land holders within the local government area.

#### Officers Comments

There is currently no pressure or foreseeable pressure in relation to any planning issue that are not identified in the current scheme. The current scheme facilitates the type of development that is currently being undertaken within the Shire.

There is no current need for land for residential development in the Shire.

This view is backed up by the "Central Regions Land Capacity Analysis undertaken for the Shire of Dundas in February 2016 which states

"Based on the current extents of zoned residential land and land identified for future residential purposes, this analysis suggests that there is a sufficient amount of land capable of substantial further development to cater for the population growth anticipated in the *Western Australia Tomorrow 2026* population forecasts for the Shire of Dundas."

The Shire of Dundas does not have a "Local Planning Strategy" and there is no pressing need for a LPS to be undertaken.

"A local planning strategy (LPS) establishes the planning framework for each local government, and provides the strategic basis for local planning schemes. It sets out the local government's objectives for future land-use planning and development, and includes a broad framework by which to pursue those objectives. A LPS needs to address the social, environmental, resource management and economic factors that affect, and are affected by, land use and development."

There is no forecast development or population increase that would require or justify the preparation of the document.

## 2 Purpose of a structure plan

2.1 A structure plan provides a basis for zoning (including residential density) and subdivision of land. Schedule 2, Part 4, clause 15 of the Regulations outlines that a structure plan may be prepared for an area that is:

- identified in a local planning scheme as being suitable for urban or industrial development (through zones such as Urban or Industrial Development);
- for other areas as identified in a scheme prior to subdivision or development of land;
- as requirement under a State Planning Policy (SPP); or
- as required by the WAPC for orderly and proper planning purposes.

It is believed that a structure plan is not necessary and the only change that is required to the current planning scheme is to bring it to conformity with the model scheme and deemed provisions.

The Shire of Dundas has prepared the scheme review report on the Shire of Dundas Town Planning Scheme No 2 with the view to undertaking a scheme amendment “omnibus” to bring the scheme into conformity with the Planning and Development (Local Planning Scheme) Regulations 2015.”

The Shire of Dundas seeks the Western Australian Planning Commission support to proceed with preparing an “omnibus” amendment to the current scheme to update the existing scheme to incorporate the main components of the model scheme (ie land use definitions and approvability) as well as the new Planning Regulations deemed provisions. This process will minimise the process and attendant costs.

Resolution

**That the Council of the Shire of Dundas pursuant to Regulation 66(3) of the Planning and Development (local planning schemes) Regulations 2015 recommend to the Western Australian Planning Commission that the Shire of Dundas Town Planning Scheme No 2 should be amended by updating the existing scheme to incorporate the main components of the model scheme as well as the new planning regulations deemed provisions.**

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## 10.2.1

Licence to Access Water from Wilgarnie Rocks Dam  
(Pioneer Dam)

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## LICENCE TO ACCESS AND INDEMNITY

Reserve 5655, Norseman & Higgensville

In consideration of the Minister for Works (**Minister**) agreeing to permit the Shire of Dundas of 88-92 Prinsep Street Norseman (**Shire**) to access the property identified as Reserve 5655 located on Coolgardie-Esperance Highway, Higgensville and Norseman (**Premises**) as shown on the attached plan for the purpose of accessing water for the period commencing 11 December 2017 (**Commencement Date**) and expiring 30 April 2018 or upon the receipt of written advice from the Minister that this Licence is terminated:

The Shire hereby covenants, agrees and undertakes with the Minister to the intent that the Shire and the Shire's, successors and assigns will be bound thereby as follows:-

- 1) The Shire uses the Premises at the Shire's risk. Neither the Shire nor the Shire's Visitors shall make any claim whatsoever against the Minister or any of its officers, employees, agents or contractors for Loss, damage or compensation by reason or arising out of any personal injury, sickness, death or loss of, or damage to any property occurring or in any way involving or related to or connected with the use of the Premises by the Shire or the Shire's Visitors, however and by whomsoever such personal injury, sickness, death or loss of, or damage to property is caused, and whether or not negligence on the part of Minister or any of the Minister's officers, employees, agents or contractors is involved.
- 2) The Shire will fully compensate the Minister on demand for any damage to the Minister's property/assets caused by the Shire or any of the Shire's Visitors.
- 3) The Shire will indemnify the Minister against any Loss or other liability and any claim, demand, action, suit or proceeding that may be made or brought by any person against the Minister or any officer, employee, agent or contractor of the Minister in respect of personal injury to or the death or illness of any person whomsoever or the loss of, or damage to any property whatsoever resulting from or in connection with the use of the Premises by the Shire or the Shire's Visitors.
- 4) This Licence to use the Premises may be terminated by the Minister writing to the Shire at its above address and advising that this Licence is terminated at any time. Upon termination of this Licence, the Shire must immediately cease using the Premises, remove any property from the Premises that does not belong to the Minister, make good any damage caused by removal of that property and leave the Premises in a clean and tidy condition and in good repair.
- 5) Whilst using the Premises, the Shire and the Shire's Visitors will comply with all lawful directions of officers of the Minister and will comply with all Laws in connection with the Premises.
- 6) The Shire will not allow the use of the Premises for any other purpose than accessing water.
- 7) The Shire will ensure that the Premises are maintained in a clean and tidy manner at all times.
- 8) The Shire will not cause any damage to the Premises or any property of the Minister located on the Premises and will promptly repair any damage that does occur.
- 9) In connection with the Premises, the Shire must not, and must not allow anyone else to
  - (a) do anything which is offensive, illegal or a nuisance and must promptly abate any nuisance which does occur;
  - (b) interfere with, or obstruct access to, any services on or in the Premises (including but not limited to water, gas or electricity);
  - (c) make any alterations or additions to the Premises;
  - (d) hold an auction, bankruptcy, fire or closing down sale; or
  - (e) place any signs on the Premises.

10) The Shire will effect and maintain whilst this Licence is current with an insurer approved by the Minister, public liability insurance for an amount of not less than TWENTY MILLION DOLLARS (\$20,000,000) in respect of any one occurrence unlimited in the aggregate which covers all claims and losses howsoever arising or caused, including but not limited to those in respect of:

- (a) any injury of, or illness to, or death of, any person;
- (b) any loss, damage or destruction to any property including to the property of the Minister;
- (c) the loss of use of any property, including the property of the Minister;
- (d) any claims, risks and events covered under the indemnities provided by the Shire to the Minister under this Licence.

11) The Shire cannot assign or grant a sublicense in respect of this Licence and sections 80 and 82 of the Property Law Act 1969 are hereby excluded.

12) In this Licence

(a) **Law** means all applicable present and future laws including:

- (i) all acts, ordinances, regulations, by-laws, orders, awards and proclamations of the State of Western Australia or the Commonwealth of Australia;
- (ii) any approval, agreement, certificate, authorisation, notification, code of conduct, government policy, consent, exemption, filing, licence, notarisation, permit, registration, waiver, compliance report or environmental consent by any governmental or other public body, local authority or other authority of any kind required under any Laws, and includes any renewal of, or variation to, any of them but does not include any act or omission by the Minister under this Licence.;
- (iii) principles of law or equity;
- (iii) standards, codes, policies and guidelines;
- (iv) the ASX listing rules; and
- (v) fees, rates, taxes, levies and charges payable in respect of those things referred to in paragraphs (a), (b), (c) and (d) of this definition, whether or not existing at the Commencement Date.

(b) **Loss** means any loss, cost (including legal costs), expense, liability (whether arising in negligence or otherwise) or damage whether direct, indirect or consequential (including pure economic loss), present or future, ascertained, unascertained, actual prospective or contingent or any fine or penalty.

(c) **Shire's Visitors** means each of the Shire's employees, agents, contractors, service suppliers, sub-lessees, lessees, customers and other visitors and any other person who at any time is on the Premises with the express or implied consent of the Shire (including members of the general public).

Executed as a Deed Poll

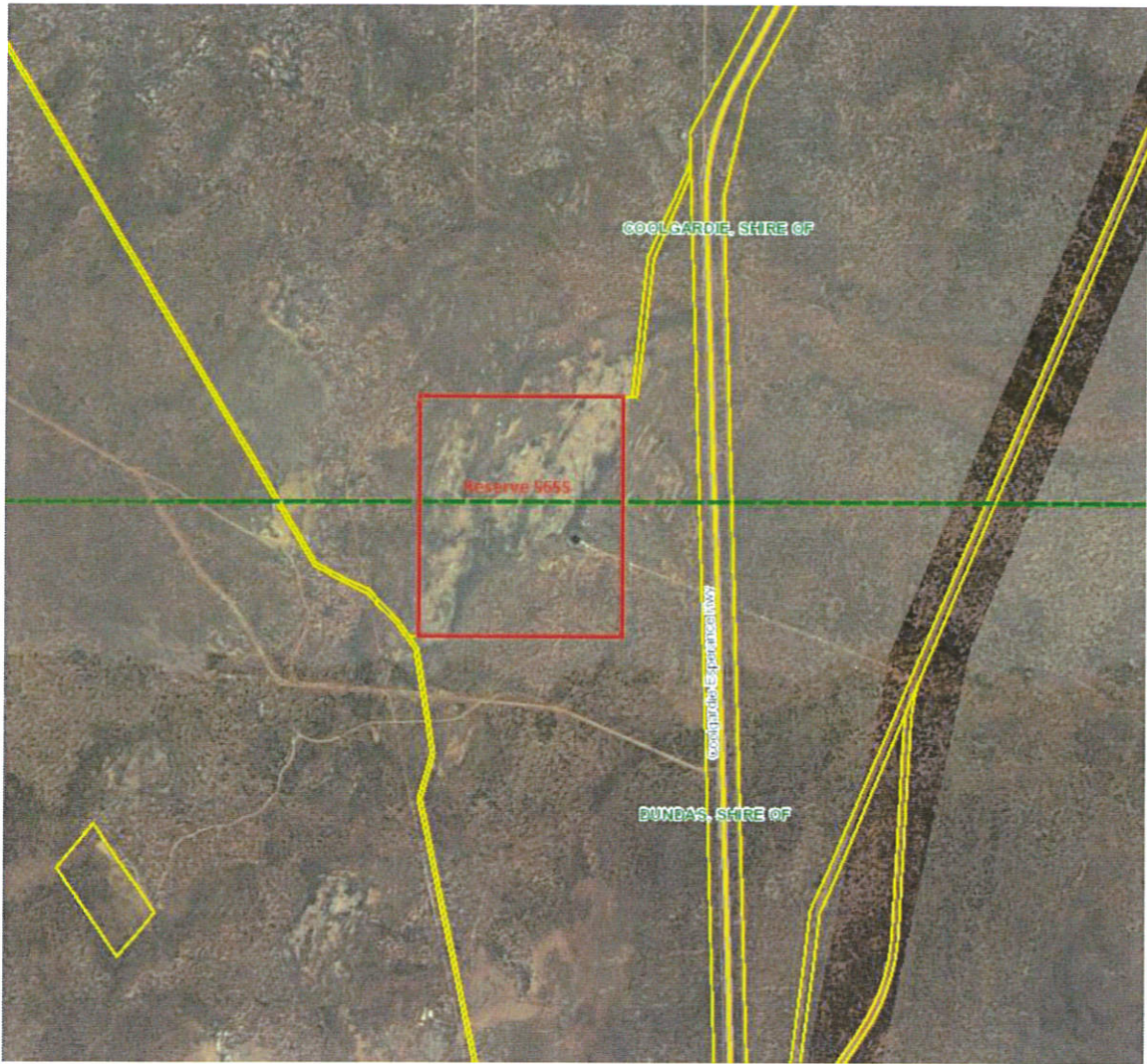
Dated.....

THE COMMON SEAL of the )  
SHIRE OF DUNDAS )  
was hereunto affixed in the presence of: )

\_\_\_\_\_ Shire President

\_\_\_\_\_ Chief Executive Officer





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### 10.3.1

Draft Policy – Council Meetings – Public Notice

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## **A.11 Council Meetings - Public Notice**

### **Objective**

To ensure that the public is advised of any proposed meetings of the Council which are open to the public.

### **Policy Statement**

This policy is to establish protocols that the Shire will undertake to maximise public participation and understanding of the Local Government decision making process. The policy outlines the advertising that the Shire will undertake to ensure that its meetings are suitably advertised to allow for maximum community participation. Notwithstanding that some meetings are not for public participation the Shire will endeavour to maximise the public's exposure to the decision making process by endeavouring to ensure that local residents are aware as much as possible of meetings that are open to the public.

For each of the following types of meeting the Shire will advertise the place, date and time of meetings as follows:

#### **1 Ordinary Council Meetings**

An annual Public Notice in a newspaper circulating in the district advising of the proposed dates, times and places of the Ordinary meetings of the Council.

At least 5 days prior to the meeting

- A notice on the Public notice board in the Shire office and in the laneway between the Shire Office and Roberts Street
- Notice on the electronic clock
- Notice on the Shire of Dundas Facebook page
- Notice on the Shire of Dundas website

#### **2 Special Council Meetings**

At least 3 days prior to the meeting where possible:

- A notice on the Public notice board in the Shire office and in the laneway between the Shire Office and Roberts Street
- Notice on the electronic clock
- Notice on the Shire of Dundas Facebook page
- Notice on the Shire of Dundas website

#### **3 Community/Public Meetings**

At least 7 days prior to the meeting where possible:

- A notice on the Public notice board in the Shire office and in the laneway between the Shire Office and Roberts Street
- Notice on the electronic clock
- Notice on the Shire of Dundas Facebook page
- Notice on the Shire of Dundas website

Notwithstanding the above, the Shire will advertise its meetings in accordance with the requirements of the Local Government Act 1995

Policy Adopted  
Reviewed



## 10.3.2

### Local Law Review – Repeal Obsolete Local Laws

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**LOCAL GOVERNMENT ACT 1995**

*Shire of Dundas*

**REPEAL LOCAL LAW 2017**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dundas resolved on \_\_\_\_\_ to make the following local law.

**1. Citation**

This local law is cited as the *Shire of Dundas Repeal Local Law 2017*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Repeal**

The following by-laws:

Parking By-Law	29/03/1940
Parking By-Laws	19/07/1940
Angle Parking By-Laws	12/11/1948
Parking By-Laws	29/06/1955
By-Law for Prevention of Damage to Roads	03/02/1956;

as published in the *Government Gazette* are repealed

Dated: \_\_\_\_\_.

The Common Seal of the Shire of Dundas was affixed by authority of a resolution of the Council in the presence of—

\_\_\_\_\_, Shire President.

\_\_\_\_\_, Chief Executive Officer.

A resolution adopting foregoing by-law was passed by the Board on the 10th day of September, 1948.

E. THORLEY LOTON,  
Chairman.

T. J. WILLIAMSON,  
Secretary.

Recommended—

(Sgd.) A. F. WATTS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of November, 1948.

(Sgd.) R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1947.

Wongan-Ballidu Road Board.

Amendment to By-laws for the Management and Use of the Ballidu, Koudut, Wongan Hills and Cadoux Halls.

P.W. 360/38.

THE by-laws made by the Wongan-Ballidu Road Board on the 9th day of August, 1930, and published in the *Government Gazette* on the 26th September, 1930, is hereby amended by repealing that portion of the Schedule of hire charges relating to the Ballidu Hall and inserting the following charges in lieu thereof:—  
Amended Rates and Charges for Hire of Ballidu Hall.

	£	s.	d.
Saturday Nights—8 p.m. till midnight ..	2	0	0
After midnight—per hour ..	2	0	0
Week Nights—8 p.m. till midnight ..	1	15	0
After midnight—per hour ..	2	0	0
(Charges not to include use of cutlery or tablecloths)			
Political Meetings—8 p.m. till midnight ..	1	5	0
Day time ..	10	0	0
Minimum Charges—Night time ..	15	0	0
Day time ..	10	0	0
Hire charges for cutlery and tablecloths to be ..	10	0	0
(All breakages and losses to be replaced or paid for)			
Deposits—A deposit of 10s. to be made with all bookings. Refund of deposit on cancelled bookings to be left to the discretion of the Committee.			

Passed by resolution of the Wongan-Ballidu Road Board at a meeting held on the 11th day of September, 1948.

J. PATTERSON,  
Chairman.

C. THOMPSON,  
Secretary.

Recommended—

(Sgd.) A. F. WATTS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 10th day of November, 1948.

(Sgd.) R. H. DOIG,  
Clerk of the Council.

THE TRAFFIC ACT, 1919-1947.

Dundas Road Board.

Angle Parking By-laws.

P.W. 1125/42.

THE Dundas Road Board, pursuant to an Order in Council under section 48 of the Traffic Act, 1919-1947, published in the *Government Gazette* on the 10th day of September, 1948, and in the exercise of the power thereby conferred, doth hereby make the following by-law prescribing rules to be observed in respect of any vehicle being driven or used on the roads and in the use of footpaths within the townsite of Norseman in the Dundas Road District:—

(1) No person in charge of any vehicle shall permit such vehicle to be parked—(a) in that portion of Roberts Street, between Ramsay Street and Austin Street,

or (b) that portion of Prinsep Street, between Snelair Street and Ailsop Street, or (c) that portion of Talbot Street, between Neville Parade and Prinsep Street, unless parked at an angle of 45 degrees.

(2) No person in charge of any vehicle with trailer or semi-trailer attached shall permit such vehicle to be parked in that portion of Roberts Street between Ramsay Street and Austin Street.

Passed by a resolution of the Dundas Road Board at a meeting held on the 9th day of October, 1948.

L. DODD,  
Chairman.

W. G. KERR,  
Secretary.

Recommended—

(Sgd.) A. F. WATTS,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 1st day of November, 1948.

(Sgd.) R. H. DOIG,  
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1947.

Upper Blackwood Road Board.

Department of Public Works,  
Perth, 9th November, 1948.

P.W. 1235/37.

IT is hereby notified for general information that His Excellency the Governor has approved of the levelling and construction of five tennis courts, cricket, football, and hockey fields on reserve A1454, Boymp Brook, as a work and undertaking for which money may be borrowed under Part VII of the Road Districts Act, 1919-1947, by the Upper Blackwood Road Board.

(Sgd.) W. C. WILLIAMS,  
Under Secretary for Works.

THE ROAD DISTRICTS ACT, 1919-1947.

Road Board Election.

Department of Public Works,  
Perth, 10th November, 1948.

IT is hereby notified, for general information, in accordance with section 92 of the Road Districts Act, 1919-1947, that the following gentleman has been elected a member of the undermentioned Road Board to fill the vacancy shown in the particulars hereunder:—

Date of Election; Member Elected—Surname, Christian Name; Ward; Occupation; How vacancy occurred: (a) Effluxion of time, (b) Resignation, (c) Death; Name of Previous Member.

Dandaragan Road Board.

30/10/48; Bower, Reginald Lawrence; —; Grazier; (c); Jones, H. A.

(Sgd.) W. C. WILLIAMS,  
Under Secretary for Public Works.

FACTORIES AND SHOPS ACT, 1920-1947.

I, THE undersigned, being the responsible Minister of the Crown charged with the administration of the Factories and Shops Act, 1920-1947, hereby appoint the undermentioned polling places for the Shop Poll in the Kalgoorlie, Boulder, Brown Hill-Ivanhoe and Hannans Shop district to be held on Saturday, 4th December, 1948.

Poll on the question—“Do you vote that shops generally throughout the district shall close at one o'clock p.m. on Saturdays.”

The following are the polling places for the above-mentioned poll.

Kalgoorlie Electoral District.

(1) Kalgoorlie—Town Hall (Chief Polling Place); Casey's Store—438 Hannan Street; 57 Boulder Road—Jordan's Residence; Brookman Street—Parish Hall; 223 Piccadilly Street—Piccadilly Store.

**By-Law for Prevention of Damage to Roads GG 3/2/1956 page 1613**

ROAD DISTRICTS ACT, 1919.

Dundas Road Board.

By-law for Prevention of Damage to Roads.

L.G. 413/52.

PURSUANT to the powers conferred by the Road Districts Act, 1919, and other powers thereto enabling it the Dundas Road Board doth hereby make the following by-law to have effect within its district:-

This by-law shall apply to the Eyre Highway in the Dundas Road District.

The Board may, for the prevention of damage or injury to the Eyre Highway, by order at any time and for such periods as the Board considers necessary, close to vehicular traffic by vehicles other than motor cars, utilities of not more than two tons gross load, or trailers and caravans of not more than one ton gross load, such road or any portion thereof, if, in the opinion of the Board, or of a committee of the Board to whom the power to close a road or any portion thereof under that by-law has been delegated under section 137 of the Act, the passing of vehicles, other than motor cars, utilities of not more than two tons gross load, or trailers and caravans of not more than one ton gross load, over such road or portion thereof is likely to cause damage or injury to such road.

Provided that no road shall be closed to traffic for a longer period than 23 days, or for periods aggregating more than 28 days in any period of 12 months, without the previous permission of the Minister. whenever an order is made by a Board in pursuance of the provisions of paragraph 2 hereof with respect to any road or portion thereof, the Board or such Committee, shall-

(i) bring to the notice of the public such order by causing a copy thereof to be affixed to the ordinary notice board of the Board;

by broadcasting the text of such order from such broadcasting stations within the State as the Board considers necessary or expedient for the purpose; and

Recommended-

(Sgd.) G. FRASER,

Minister for Local Government.

(c) by placing or erecting, where practicable, in conspicuous places in or near to such road or portion thereof such notices and signs as the Board considers necessary.

Every order made in pursuance of the provisions of paragraph 2 hereof shall cease to have effect on the date of expiry of such order if stated therein, or, if no such date is stated, on the expiration of 28 days from the making thereof, and where permission of the Minister is obtained to extend the operation of an order for a longer period than 28 days then on the expiration of such extended period for which such permission has been obtained.

Every person who drives or impels or causes to be driven or impelled any vehicle, other than motor cars, utilities of not more than two tons gross load, or trailers and caravans of not more than one ton gross load, on the Eyre Highway which has, pursuant to the provision of paragraph 2 hereof, been closed to vehicular traffic, shall be guilty of an offence.

Penalty.20.

Passed by the Dundas Road Board at a meeting held on the 9th day of December, 1955.

L. DODD, Chairman.

W. O. KERR, Secretary.

Recommended

(Sgd.) O. FRASER,

Minister for Local Government.

**Parking By-Law GG 29/3/1940 Page 431**

TRAFFIC ACT, 1919-1935.

Dundas Road Board Parking By-law.

P.W. 500/31.

THE Dundas Road Board, pursuant to an Order in Council made under section 48 of the Traffic Act, 1919-1935, doth hereby make the following by-law, to have effect in the Dundas Road District:-

1. (a) No person in charge of any vehicle shall cause or permit such vehicle to stand on the western side of Prinsep street, Norseman, from a point 90 feet north of Ramsay street, to a point 130 feet north of Ramsay street during the hours of sunset to midnight. Penalty £2.

No person in charge of any vehicle shall cause or permit such vehicle to stand on the western side of Roberts street from a point 129 feet south of Ramsay street to a point 166 feet south of Ramsay street during the hours of sunrise to midnight. Penalty £2.

No person in charge of any vehicle shall cause or permit such vehicle to stand on the western side of Roberts street from Allsop street to a point 66 feet north of Allsop street from sunrise to midnight. Penalty £2.

2. (i) No person shall ride or drive any animal, or drive any vehicle on any road which has been set apart for traffic in a specific direction, except in the direction so specified.

(ii) For the purposes of paragraph (i) the following roads and parts of roads are hereby set apart for traffic in a specified direction, according to the direction specified in relation thereto respectively in the tabulation hereunder :

-

Town of Norseman.

Road and Specified Direction.

Prinsep street: Eastern side of Memorial Park, between Ramsay and Talbot streets from south to north.

Prinsep street : Western side of Memorial Park, between Ramsay and Talbot streets from north to south.

Passed by resolution of the Dundas Road Board at a meeting held on the 17th day of January, 1940.

T. B. PARKER,

Chairman.

IV. G. KERR,

Secretary

**Parking Local Law 19-07-1940 page 1407**

TRAFFIC ACT, 1919-1935.

Dundas Road Board Parking By-laws.

P.V. 500/31.

THE Parking By-laws of the Dundas Road Board, published in the Government Gazette on the 29th March, 1910, are hereby amended by inserting an additional paragraph, to be numbered (d) :-

(d) No person in charge of any vehicle shall cause or permit such vehicle to stand in Richardson street, between Angove and Mildura streets, for a longer period than fifteen minutes.

Passed by a resolution of the Dundas Road Board at a meeting held on the 15th day of May, 1940.

(Signed) T. P. PARKER,

Chairman.

W. G. KERR,

Secretary.

Recommended-

(Sgd.) H. MILLINGTON,

Minister for Works.

Approved by His Excellency the Lieutenant-Governor in Executive Council this 3rd day of July, 1940.

(Sgd.) L. E. SHAPCOTT,

Clerk of the Council

Parking By-Laws 29/6/1955

TRAFFIC ACT, 1919-1954.

Dundas Road Board.

Parking By-laws.

L.G. 234/53.

THE Dundas Road Board, pursuant to an Order in Council under section 48 of the Traffic Act, 1919-1954, published in the *Government Gazette* on the 10th day of September, 1948, and in the exercise of the power thereby conferred, doth hereby make the following by-law prescribing rules to be observed in respect of any vehicle being driven or used on the roads and in the use of footpaths within the townsite of Salmon Gums in the Dundas Road District:—

(1) No person in charge of any vehicle shall permit such vehicle to be parked in that portion of Rogers Street (West side) between Lewis Street and Mann Street, unless parked at an angle of 45 degrees.

(2) No person in charge of any motor wagon (utility excepted) or any vehicle with trailer or semi-trailer attached shall permit such vehicle to be parked in that portion of Rogers Street (West side) between Lewis Street and Mann Street.

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Passed by resolution of the Dundas Road Board at a meeting held on the 13th day of April, 1955.

L. DODD,  
Chairman.

W. G. KERR,  
Secretary.

Recommended—

---

(Sgd.) G. FRASER,  
Minister for Local Government.

---

Approved by His Excellency the Governor in Executive Council, this 15th day of June, 1955.

(Sgd.) R. H. DOIG,  
Clerk of the Council.



10.3.3

Standing Orders Local Law 2017

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**LOCAL GOVERNMENT ACT 1995**  
**SHIRE OF DUNDAS**  
**STANDING ORDERS LOCAL LAW 2017**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dundas resolved on the \_\_\_\_\_ to make the following Local Law.

**Part 1 - Preliminary**

**1.1 Citation**

This Local Law may be cited as the Shire of Dundas Standing Orders Local Law 2017.

**1.2 Commencement**

This Local Law will come into operation 14 days after the date of publication in the Government Gazette.

**1.3 Application and intent**

- (1) The proceedings and business of the Council shall be conducted in accordance with the Act, and where not specifically prescribed, according to this local law, the clauses of which shall be referred to as "the Standing Orders".
- (2) This Local Law provides rules and guidelines which apply to the conduct of meetings of the Council, its committees and electors.
- (3) This Local Law is intended to result in—
  - (a) Better decision-making by the Council and committees;
  - (b) The orderly conduct of meetings dealing with Council business;
  - (c) Better understanding of the process of conducting meetings; and
  - (d) The more efficient and effective use of time at meetings.

**1.4 Interpretations**

(1) The following interpretations should be used in these standing orders, unless the context otherwise requires-

**Absolute majority** is more than 50% of the current number of elected Council positions whether they are vacant or not regardless of the number actually present;

**75% majority** has the meaning given to it in the Act;

**Act** means the "Local Government Act, 1995", and amendments and successors;

**CEO** means the Chief Executive Officer of the Local Government;

**Clause** means a clause of these standing orders;

**Committee** means any Committee appointed in accordance with the provisions of the Act;

**Committee meeting** means a meeting of a committee;

**Local government** means the Shire of Dundas;

**Council** means the Council of the Shire of Dundas;

**Meeting** includes any Ordinary or Special Meeting of the Council or any other meeting held in accordance with the Act and properly convened as the Act requires;

**Member** means the President, or a Councillor of the Council;

**Officer** is an employed member of the staff of the Council;

**Presiding Member** means:

(a) in respect of the Council, the person presiding under section 5.6 of the Act; and

(b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

**Regulations** means the Local Government (Administration) Regulations 1996

**Shire President** means the Shire President of the Local Government or other Presiding Member at a Council meeting under section 5.6 of the Act;

**Simple majority** is more than 50% of the Councillors present and voting;

**Substantive motion** means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

(2) Unless otherwise defined in this Local Law, the terms and expressions used in this Local Law are to have the meaning given to them in the Act and Regulations.

### **1.5 Repeal**

The Shire of Dundas Local Law No1 - Standing Orders as published in the Government Gazette on the 4<sup>th</sup> September 1997 is repealed.

## **Part 2 - Meetings – Notice and business**

### **2.1 Notice of meetings - members to receive notice**

Before any ordinary or special meeting of the Council a notice signed by the CEO, stating the place, date and hour of holding the meeting, and specifying the business to be transacted with supporting committee reports, shall be transmitted by post, email or otherwise left or delivered to each member of the Council, at least 72 hours before the meeting, at the usual or last known place of abode or business, or to another address any member may request by notice in writing to the CEO.

### **2.2 Special or emergency meetings**

A meeting of Council for the purpose of dealing with an emergency situation may be called by the President or CEO, or in their absence, any three Councillors. Members of the Council will be telephoned or contacted by facsimile or email if unavailable directly by telephone and advised of the time and place of the meeting and the nature of the emergency business. Decisions made at this meeting must be by absolute majority unless the Act specifies otherwise.

### **2.3 Business to be specified on notice paper**

No business shall be transacted at any meeting of the Council other than that specified in the notice without the approval of the Presiding Member or the approval of the majority of Councillors present determined by vote.

### **2.4 Specified papers**

Any member may, in writing addressed to the CEO and delivered to the office of the CEO at least 48 hours before any meeting of the Council, or of any committee of the Council, request that any specified papers be laid upon the table at any meeting to be named, and the papers shall be laid upon the table accordingly

### **2.5 Papers relating to matter under discussion**

(1) At any meeting of the Council, or of any committee of the Council, the Presiding Member or any member may require the production of any specified papers, documents, books or records, books of accounts, plans, or any other record or matter whatsoever relating to any question then under discussion providing that wherever possible, the notice prescribed in the preceding clause shall be given. In the event of notice not having been given, the proceedings of the Council shall not be unreasonably delayed while documents are obtained.

(2) No papers produced as described in Clause 2.4 shall be deemed to be public unless otherwise ordered by resolution of the Council.

### **2.6 Objectionable business**

(1) If the Presiding Member at any meeting of the Council is of the opinion that any motion or business proposed is of an objectionable nature, the Presiding Member may, either before or after the matter is brought forward, declare that it shall not be considered.

(2) Any member of the Council may move dissent from such a declaration made from the Chair. On the motion being seconded, the motion to dissent shall be put without debate, and in the event of the motion being carried by a majority of the members present, the business

referred to shall then be considered immediately, but if the motion is lost, the ruling of the Presiding Member shall stand.

### **Part 3 - Meetings quorum**

#### **3.1 Quorum at meetings**

In accordance with the Act, the quorum at all meetings of Council and its committees shall be a minimum of 50% of the total number of places whether vacant or not.

#### **3.2 Count-out adjournment**

At any time during any meeting of the Council any Councillor or the CEO may call the attention of the Presiding Member to the fact that a quorum is not present. The Presiding Member shall immediately suspend the proceedings of the meeting for a period of five minutes. If a quorum is not present at the end of this period, the meeting shall be deemed to have been counted out, and the Presiding Member shall adjourn it to a later hour of the same day or to any other time, not more than seven days from the date of adjournment.

#### **3.2 Absence of quorum-record in minute book**

At all the meetings of the Council when the Council is counted out, and an absence of quorum noted, the circumstances, together with the names of the members present, shall be recorded in the Minutes.

### **Part 4 - Meeting minutes**

#### **4.1 Recording and reading of minutes**

- (1) Binding or pasting or otherwise permanently affixing the minutes to the leaves of a book shall be a sufficient recording of the minutes.
- (2) Reading of the minutes of a previous meeting may be dispensed with provided that a copy of these minutes has been made available to each member at least 72 hours prior to the date of the ordinary meeting at which they are presented for confirmation.

#### **4.2 Confirmation of minutes**

The minutes of any preceding meeting or meetings as described in the Act, not previously confirmed, shall be submitted for confirmation as the first business after public question time at all meetings of the Council, and no discussion of them shall be permitted except as to their accuracy as a record of the proceedings. Each page of the minutes of the full Council meeting shall be initialled by the President or person presiding over the meeting as prescribed by the Act, except that the last page of the minutes must receive a full signature and date.

#### **4.3 Recording of proceedings**

- (1) The Local Government may direct that an audio or video recording of a meeting of the Council or a committee be made.
- (2) In the event of a recording being made under subclause (1), the Presiding Member is to advise the meeting, immediately before the meeting is commenced, that such a recording will be taking place.
- (3) A person, other than the Local Government, is not to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member.
- (4) If the Presiding Member gives permission under subclause (3), the Presiding Member is to advise the meeting, immediately before the meeting is commenced, that such permission has been given and the nature and extent of that permission.

### **Part 5 - Meeting and order of business**

#### **5.1 Ordinary meeting - Order of business**

- (1) The order of business of an ordinary meeting of Council shall be-
  - (a) Declaration of opening and announcement of visitors
  - (b) Declarations of financial, proximity, impartiality interests and gifts received
  - (c) Record of attendance and apologies
  - (d) Response to previous public questions taken on notice
  - (e) Public question time;
  - (f) Applications for leave of absence
  - (g) Confirmation of minutes of previous meetings
  - (h) Petitions and deputations or presentations
  - (i) Announcements by the presiding member without discussion
  - (j) Reports of officers
  - (k) Elected members motions of which previous notice has been given
  - (l) New business of an urgent nature
  - (m) Next meeting
  - (n) Closure of meeting
- (2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.
- (3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed.

## **5.2 New business of an urgent nature**

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), "cases of extreme urgency or other special circumstances" means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

## **Part 6 - Meetings - Public participation and conduct**

### **6.1 Meetings generally open to the public**

Meetings being generally open to the public is dealt with in the Act.

### **6.2 Meetings not open to the public**

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried-
  - (a) the Presiding Member is to direct everyone to leave the meeting except-
    - (i) the Members;
    - (ii) the CEO; and
    - (iii) any officer specified by the Presiding Member; and
  - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the Presiding Member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 12.4 is to be suspended until the Council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.

(7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a Member to be included in the minutes.

### **6.3 Public questions**

- (1) Question time for the public is dealt with in the Act
- (2) Public question time will be limited to a total of fifteen minutes of duration, except by consent of the Presiding Member. Each speaker will be limited to three minutes duration to speak, except by consent of the Presiding Member;
- (3) Questions asked by members of the public are not to be accompanied by any statement reflecting negatively or adversely upon any member, officer or employee.

### **6.4 Participation at committee meetings**

- (1) In this clause a reference to a person is to a person who—
  - (a) is entitled to attend a committee meeting;
  - (b) attends a committee meeting; and
  - (c) is not a member of that committee.
- (2) Without the consent of the Presiding Member, no person is to address a committee meeting.
- (3) The Presiding Member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
- (4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.
- (5) A person who fails to comply with a direction of the Presiding Member under subclause (4) may, by order of the Presiding Member, be removed from the committee room.
- (6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

### **6.5 Admission and removal of the public**

- (1) The public is admitted to the Council Chamber on the basis that no expression of dissent or approval, conversation or interruption to the proceedings of the Council shall take the place. In the event of any such interruption, the Presiding Member may use discretion and without a vote of the Council, require these interrupting to withdraw. The person or persons concerned shall immediately withdraw from the Council Chamber. This direction by the Presiding Member may not be challenged by moving dissent with the ruling and the Presiding Members ruling is final.
- (2) Any person, not being a member of the Council, who interrupts the orderly conduct of the business of the Council who does not withdraw immediately upon being called by the Presiding Member to withdraw from the Council Chamber may, by order of the Presiding Member, be removed from the Council Chamber.

## **Part 7 - Role of Presiding Member**

### **7.1 Directions by the Presiding Member**

- (1) At any meeting of the Council the Presiding Member shall have the right to direct attention to any matter of interest or relevance to the business of the Council or propose a change to the order of business.
- (2) Any Councillor may move that a change in order of business proposed by the Presiding Member not be accepted and if carried by a majority of Councillors present, the proposed change in order will not take place.

### **7.2 The Presiding Member to take part in debates**

Subject to the provisions of these standing orders, the Presiding Member may take part in a discussion upon any question before the Council, provided that like other Councillors in



accordance with these standing orders, the Presiding Member may only speak once and provided that this is done before the right of reply is exercised.

### **7.3 Precedence of Presiding Member**

When the Presiding Member rises during the progress of a debate, any member of the Council then speaking, or offering to speak, shall immediately cease and every member of the Council present shall preserve strict silence so that the Presiding Member may be heard without interruption. This clause should not be used by the Presiding Member to exercise the right provided in Clause 7.2, but should be used to preserve order.

### **7.4 Dissent with the Presiding Members ruling**

Except where expressly denied in these standing orders or the Act, a member of the Council may move a procedural motion to disagree with a ruling given by the Presiding Member. The Presiding Member must immediately call for a seconder and put the motion without debate.

## **Part 8 - Questions**

### **8.1 Questions by Members**

- (1) Members may ask questions relating to an item on the notice paper or on matters related to the good government of persons in the district.
- (2) A Member requesting general information from an employee at a Council meeting may ask a question without notice and with the consent of the Presiding Member, may ask one or more further questions of that employee or another employee present at the meeting.
- (3) Where possible the employee shall endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the employee may ask that—
  - (a) the question be placed on notice for the next meeting of Council; and
  - (b) the answer to the question be given to the Member who asked it within 14 days.
- (4) Every question and answer—
  - (a) is to be brief and concise; and
  - (b) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.
- (5) In answering any question, an employee may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

### **8.2 Questions not to involve argument or opinion**

In putting any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except these necessary to explain the question.

## **Part 9 - Petitions**

### **9.1 Petitions**

- (1) A petition is to be in writing and:
  - (a) be addressed to the Shire President;
  - (b) be made by electors of the district;
  - (c) state the request on each page of the petition;
  - (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
  - (e) contain a summary of the reasons for the request; and
  - (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the Local Government is to—

(a) receive the petition and submit it to the relevant officer to be included in his or her report deliberations (to be submitted within the next 2 rounds of Council meetings) on the matter that is the topic of the petition, subject to subclause(3).

(b) If in the opinion of the Presiding Member the subject or topic of the petition does not fall within the jurisdiction of the Council, reject the petition.

(3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless–

(a) the matter is the subject of a report included in the agenda; and

(b) the Council has considered the issues raised in the petition.

## **Part 10 - Notice of motion**

### **10.1 Notices of motion-ordinary and extraordinary business**

Councillors may bring forward business in the form of a written motion, of which notice shall be given in writing to the CEO, up to 24 hours before the publication of the business paper.

### **10.2 Register of notices**

The CEO shall, immediately upon the receipt of any notice of motion, enter it in the book to be provided and kept for the purpose. This book shall be open to the inspection of every member of the Council.

### **10.3 Closing of notice book**

In order to give every facility for the due issuing of notices to members of the Council by the CEO, the notice book shall be closed at noon on the day preceding the day fixed for publication of the notice paper.

### **10.4 Relevance of notice**

A notice of motion is to relate to the good governance of the district.

### **10.5 Motion to lapse**

A motion shall lapse unless the member who gave notice is present, unless another Councillor is willing to move the motion when it is called.

### **10.6 Order of notice of motion**

All notices of motion shall be dated and numbered as received and shall be entered by the CEO upon the business paper in the order in which they are received, except by permission of the Presiding Member or the Council, as outlined in accordance with Clause 7.1 of these standing orders.

### **10.7 Exclusion or amendment of notice**

The CEO, after consultation with the President, may exclude from the Council business paper any notice of motion which may be out of order. Clerical alterations or amendments which will bring the notice of motion into due form may be made by the CEO, but no notice shall be deemed invalid on the basis of the policy involved being considered objectionable, or because it relates to a matter not within the scope of the ordinary work of the Council so long as, in the opinion of the President or the CEO, the matter is one of public interest, utility or importance.

### **10.8 Limitations of notices**

No member shall have more than three notices on the business paper at the same time unless express approval of the President has been obtained.

### **10.9 Notices abandoned**

If a motion, notice of which is specified on the business paper, is not moved either by the member of the Council who has given the notice of motion, or by some other Councillor, or if

the motion is not seconded, it shall be considered as abandoned and shall not again be introduced without subsequent notice of motion being given to the CEO.

#### **10.10 Lack of quorum during discussion on motion**

In case of a "Count-out" during a discussion upon any motion, notice of which has been given, discussion on the motion shall continue when the meeting resumes or if the meeting is adjourned, at the adjourned meeting.

#### **10.11 Repetition of lost motions**

No motion which has the same specific intent to one which has been lost within the preceding three months shall be moved unless it is presented as a notice of motion and the notice is signed by one third of the offices of member of Council, whether present or not.

### **Part 11 - Conduct of members**

#### **11.1 Official titles to be used**

Members of the Council shall speak of each other in the Council during the transaction of business by their respective titles of President or Councillor. Members of the Council, in speaking of or addressing officers, shall designate them by their respective official titles.

#### **11.2 Members to occupy own seats**

In accordance with the Act, at the first meeting attended by a Councillor after election, the CEO shall allocate by random draw, a position at the Council table to each Councillor and the Councillor shall, until such time as there is a call by a majority of Councillors for a reallocation of positions, occupy that position when present at meetings of Council.

#### **11.3 Leaving meetings**

After a meeting of the Council has been formally constituted, and the business commenced, no member shall enter, leave or withdraw from the meeting without first seeking leave from the Presiding Member.

#### **11.4 Debate - Maintenance of order**

No member of Council may impute motives or use offensive or objectionable expressions in reference to any member, officer of the Council, or any other person.

#### **11.5 Alcohol**

Consumption of alcohol in Council or committee meetings is prohibited.

### **Part 12 - Conduct of members during debate**

#### **12.1 Members who wish to speak**

Every member of the Council wishing to speak shall indicate by show of hands or other method agreed upon by Council. When invited by the Presiding Member to speak, members shall address the Council through the Presiding Member.

#### **12.2 Priority**

In the event of two or more members of the Council wishing to speak at the same time, the Presiding Member shall decide which member is entitled to be heard. The decision shall not be open to discussion or dissent.

#### **12.3 Relevance**

Every member of the Council shall restrict their remarks to the motion or amendment under discussion, or to an explanation or point of order.

#### **12.4 Limitation of number of speeches**



No member of the Council shall address the full Council more than once on any motion or amendment before the Council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

#### **12.5 Limitation of duration of speeches**

All addresses shall be limited to a maximum of three minutes. Extension of time is permissible only with the agreement of the majority of Councillors present.

#### **12.6 Members not to speak after conclusion of debates**

No member of the Council may speak to any question after it has been put by the chair.

#### **12.7 Irrelevance, repetition, imputations, offensive expressions**

(1) The Presiding Member may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a member of the Council, and may direct the Councillor, if speaking to discontinue the speech, and the Councillor shall then cease speaking.

(2) A Councillor may call the attention of the Presiding Member to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a member of the Council, and may call upon the Presiding Member to direct the Councillor to cease speaking.

(3) If after a Councillor has drawn the attention of the Presiding Member according to Clause (2), a Councillor continues without alteration, a Councillor may move that the Councillor ceases to speak. Upon moving this motion the Presiding Member must immediately call for a seconder, but there shall be no debate. If carried by a majority of Councillors present, the Councillor may take no further part in debate on the question before the meeting.

#### **12.8 Members not to interrupt**

No member of the Council shall interrupt another member of the Council whilst speaking unless-

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum.

#### **12.9 Re-opening discussion on resolutions**

No member of the Council shall re-open discussion on any resolution of the Council, except for the purpose of moving that the resolution be revoked or changed.

#### **12.10 Chairs right to adjourn without explanation to regain order**

If a meeting ceases to operate in an orderly manner, the Presiding Member may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order.

This action cannot be challenged by any member of Council. Upon resumption, debate will continue at the point, which the meeting was adjourned. If, at any one meeting, the Presiding Member has cause to adjourn the meeting on two occasions, the Presiding Member has the right to adjourn the meeting for a period of no longer than seven days.

### **Part 13 - Procedures for debates on motions**

#### **13.1 Motions to be read**

Any member of the Council who intends to submit a substantive motion or amendment to a substantive motion shall read the text before speaking to it.

#### **13.2 To be seconded**

No motion or amendment to a substantive motion shall be in order, or be open to debate until it has been seconded.

### **13.3 Only one substantive motion considered**

When a substantive motion is under debate at any meeting of the Council, no further substantive motion shall be accepted.

### **13.4 Order of call in debate**

The Presiding Member will call speakers to a substantive motion in the following order-

- (a) The mover to state the motion;
- (b) A seconder to the motion;
- (c) The mover to speak the motion;
- (d) The seconder to speak the motion;
- (e) A speaker against the motion;
- (f) A speaker for the motion;
- (g) Other speakers against and for the motion, alternating in view, if any;
- (h) Mover takes right of reply which closes debate.

### **13.5 Limit of debate**

The Presiding Member may offer the right of reply and put the motion to the vote if the Presiding Member believes sufficient discussion has taken place even though all Councillors may not have spoken.

### **13.6 Secunder requesting right to speak**

A seconder may request the right to speak at a later time in debate, however the moving of any procedural motion which will close debate, or any amendment to the substantive motion is carried will automatically deny the seconder the right to speak to the substantive motion.

## **Part 14 - Procedural motions**

### **14.1 Permissible procedural motions**

In addition to the right to move an amendment to a substantive motion a Member may move the following procedural motions—

- (a) that the meeting proceed to the next item of business;
- (b) that the debate be adjourned;
- (c) that the meeting now adjourn;
- (d) that the question be now put;
- (e) that the Member be no longer heard;
- (f) that the ruling of the Presiding Member be disagreed with;
- (g) that the meeting be closed to the public;
- (h) that the motion lie on the table.

### **14.2 No debate**

(1) The mover of a motion specified in paragraph (a), (b), (c), (f), (g) or (h) of clause 14.1 may speak to the motion for not more than 2 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion specified in paragraph (d) or (e) of clause 14.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

### **14.3 Who may move**

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

### **14.4 Procedural motions - right of reply on substantive motion**

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

#### **14.5 Meeting to proceed to the next item of business**

The motion "that the meeting proceed to the next business", if carried, has the effect that—

- (a) the debate on the substantive motion or amendment ceases immediately;
- (b) no decision is made on the substantive motion;
- (c) the Council moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

#### **14.6 Debate to be adjourned**

A motion "that the debate be adjourned"—

- (a) is to state the time to which the debate is to be adjourned; and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

#### **14.7 Meeting now adjourn**

(1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.

(2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution.

(3) A motion "that the meeting now adjourn"—

- (a) is to state the time and date to which the meeting is to be adjourned; and
- (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.

(4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

#### **14.8 Question to be put**

(1) If the motion "that the question be now put", is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.

(2) If the motion "that the question be now put" is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.

(3) This motion, if lost, causes debate to continue.

#### **14.9 Member to be no longer heard**

If the motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

#### **14.10 Ruling of the Presiding Member to be disagreed with**

If the motion "that the ruling of the Presiding Member be disagreed with" is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

### **Part 15 - Effect of procedural motions**

#### **15.1 That the Council proceed to the next business**

This motion, having been carried, will cease the debate to cease immediately and for the Council to move to the next item on the Agenda of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be placed on any future notice paper.

### **15.2 That the question be adjourned**

This motion, having been carried, will cause all debate on the substantive motion or amendment to cease but to continue when the discussion is reconvened.

### **15.3 That the Council do now adjourn**

This motion, having been carried, will cause the meeting to stand adjourned until it is reopened at which time the meeting continues from the point at which it was adjourned, unless the Presiding Member or the majority of Councillors upon vote, determine otherwise.

### **15.4 That the question be now put**

(1) This motion, having been carried during discussion on a substantive motion without amendment, will cause the Presiding Member to offer the right of reply and then immediately put the question under consideration without further debate.

(2) This motion, having been carried during discussion on an amendment, will cause the Presiding Member to put the amendment to the vote without further debate.

(3) This motion, having been lost, will allow debate to continue.

### **15.5 That the Councillor be no longer heard**

This motion, having been carried, will cause the Presiding Member to not allow the speaker against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

### **15.6 That the ruling of the Presiding Member be disagreed with**

(1) This motion, having been carried, will cause the ruling of the Presiding Member about which this motion was moved, to be reversed and for the meeting to proceed accordingly.

(2) Where the Presiding Member has given the ruling in strict accordance with the Act, this motion may not be moved.

(3) Where the Presiding Member has adjourned the meeting in accordance with Clause 12.9 of these standing orders, this motion may not be moved.

### **15.7 That the motion lie on the table**

(1) This motion, having been carried, will cause debate on the substantive motion and any amendment to cease immediately and for the meeting to proceed to the next business.

(2) Any Councillor may raise the motion from the table, by giving appropriate notice of motion for any meeting in the future.

(3) When a motion is raised from the table, the mover of the original substantive motion, or in the absence of the original mover, the person moving this procedural motion, is given the opportunity to reintroduce the matter after which debate shall continue according to these standing orders.

### **15.8 That the meeting be closed to the public**

In accordance with the Act and Clause 6.2 of this Local Law, this motion, if carried, will cause the general public and any officers or employees the Council determines, to leave the room.

## **Part 16 - Decision making procedures**

### **16.1 Voting and decisions-majority to determine**

All acts of the Council, and all questions coming before the Council, may be decided by a simple majority of the members of the Council present within the Council Chamber, and voting, at a properly constituted meeting, unless otherwise provided for in the Act or these standing orders.

### **16.2 Breaking down of complex questions**

The Presiding Member may order a complex question to be broken down and put in the form of several motions, which shall be put in sequence.

### **16.3 Member may require questions to be read**

Any member of the Council may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member whilst speaking.

### **16.4 Order of amendments**

Any number of amendments may be proposed to a motion, but whenever an amendment is made upon a substantive motion, no second or subsequent amendment shall be moved or considered until the first amendment has been disposed of.

### **16.5 Substantive motion**

If an amendment to a substantive motion is carried, the motion as amended shall then be submitted as the substantive motion, and shall become the question before the Council upon which any member may speak and any further amendment may be moved.

### **16.6 Repetition of motions**

No motion or amendment shall be proposed which is the same in substance as a motion or amendment which has been resolved during the same sitting of the Council, except by agreement of the majority of Councillors present.

### **16.7 Consent of seconder required to accept alteration of wording**

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

### **16.8 Withdrawal of motion and amendments**

Council may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any Councillor, in which case discussion on the motion or amendment shall continue.

### **16.9 Limitation of withdrawal**

Where an amendment has been proposed to a substantive motion, the substantive motion shall not be withdrawn, except by consent of the majority of members of the Council present, until the amendment proposed has been withdrawn or lost.

### **16.10 Authority for withdrawal**

A motion or amendment to a motion shall not be withdrawn in the absence of any member of the Council who proposed it, except with their written authority.

### **16.11 Right of reply**

(1) The mover of a substantive motion shall have the right of reply. After the mover of the substantive motion has commenced the reply, no other member of the Council shall speak on the question.

(2) The right of reply must be confined to rebutting arguments raised by previous speakers and no new matter may be introduced.

### **16.12 Right of reply provisions**

The right of reply shall be governed by the following provisions-

(a) If there is no amendment to the substantive motion, the mover may reply at the conclusion of the discussion on the motion.

(b) If there is an amendment, the mover of the substantive motion shall take the right of reply at the conclusion of the vote on any amendments.

(c) The mover of any amendment does not have the right of reply.



(d) Once the right of reply has been taken, there can be no further discussion, nor any other amendment and the substantive motion as amended is immediately put to the vote.

#### **16.13 Motions and amendments-to be in writing**

Every substantive motion or amendment, but not procedural motions, shall, when requested by the Presiding Member, be written and shall be signed by the proposer and provided to the Presiding Member; and the CEO immediately upon being seconded.

#### **16.14 Amendments to be relevant**

Every amendment shall be relevant to the motion upon which it is moved, and be framed to show precisely which words need to be deleted.

#### **16.15 Amendments must not negate original motion**

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

#### **16.16 Mover of motion not to speak on amendment**

On an amendment being moved, any member may speak to the amendment, except the person who moved the substantive motion who is only entitled to a right of reply except, that if the person who moved the substantive motion does choose to speak to the amendment, their right of reply is forfeited.

#### **16.17 Question-when put**

When the debate upon any question is concluded and the right of reply has been exercised the Presiding Member shall immediately put the question to the Council, and, if so requested by any member of the Council, shall again state it.

#### **16.18 Question-method of putting**

If a decision is not clear or in doubt, the Presiding Member shall put the question as often as necessary to determine the decision from a show of hands or other method agreed upon by Council as determined by clause 12.1 before declaring the decision which shall be final unless a call for a recording of votes is received, as provided for in Clause 16.19 of these standing orders.

#### **16.19 Recording of votes**

(1) The number of votes for and against a motion at a meeting is to be recorded in the minutes of that meeting.

(2) A member of the Council or committee may request that his or her vote, whether in the affirmative or negative be recorded in the minutes.

#### **16.20 Revoking decisions-when this can occur**

(1) A substantive motion may be revoked at any time provided that no action in relation to the resolution being rescinded has already occurred;

(2) If a decision has been made at a Council or a committee meeting then any motion to revoke or change the decision must be supported-

(a) in the case where an attempt to revoke or change the decision has been made within the previous three months but had failed, by an absolute majority; or

(b) in any other case, by at least one third of the number of offices (whether vacant or not) of members of the Council or committee, inclusive of the mover.

(3) If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made-

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(4) This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

## **Part 17 - Points of order**

### **17.1 Points of order - When to raise**

Upon a matter of order arising during the progress of a debate, any member of the Council may raise a point of order including interrupting the speaker. Any member of the Council who is speaking when a point of order is raised, shall immediately cease speaking while the Presiding Member listens to the point of order.

### **17.2 Points of order - Definitions**

Expressing a difference of opinion or to contradict a speaker shall not be recognised as raising a point of order, but the following shall be recognised as valid points of order-

- (a) That the discussion is of a question not before the Council.
- (b) That offensive or insulting language is being used.
- (c) Drawing attention to the violation of any local law or standing order of the Council, providing that the member rising to the point of order shall state the local law standing order believed to be breached.

### **17.3 Points of order - Ruling**

The Presiding Member shall give a decision on any point of order after the point has been raised by either upholding or rejecting the point of order.

### **17.4 Points of order - Ruling conclusive, unless dissent motion is moved**

The ruling of the Presiding Member upon any question of order shall be final, unless a majority of the members of the Council support a motion of dissent with the ruling.

### **17.5 Points of order - Motion against ruling procedure**

An objection having been taken to the ruling of the Presiding Member, the Councillor so objecting may immediately move dissent with the ruling. Should the motion be seconded, it shall be put to the vote immediately and the result of the vote, whether in support of the ruling or otherwise, shall determine the action of the Council.

### **17.6 Points of order take precedence**

Notwithstanding anything contained in these standing orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other question.

## **Part 18 - Adjournment of meeting**

### **18.1 Meeting may be adjourned**

The Council may, upon a motion moved and seconded, adjourn any meeting to a later hour of the same day, or to any other time not more than seven days from the date of the adjournment.

### **18.2 Notice of adjourned meeting**

When a meeting is adjourned, if time permits, notice of the adjourned meeting shall be forwarded to each member in the manner provided in Clause 2.1.

### **18.3 Business at adjourned meeting**

At an adjourned meeting, no additional business shall be discussed except that which was on the original notice paper for that meeting.

### **18.4 Limit to moving adjournment of Council**

No member of the Council shall be allowed to move or second more than one motion of adjournment during the same sitting of the Council.

### **18.5 Withdrawal of motion for adjournment of Council**

A motion or an amendment relating to the adjournment of the Council may be withdrawn by the mover, with the consent of the seconder, except that if any Councillor objects to the withdrawal, the motion must continue to be debated.

## **Part 19 - Personal explanation**

### **19.1 Personal explanation**

No member of the Council shall speak, except under the question before the Council, unless it is to make a personal explanation. Any member of the Council who is permitted to speak under these circumstances must confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When a member of the Council wants to explain, no reference shall be made to matters unnecessary for that purpose.

### **19.2 Personal explanation - When heard**

A member of the Council wishing to make a personal explanation of matters referred to by any member of the Council then speaking shall be entitled to be heard immediately, if the member of the Council then speaking consents at the time, but if the member of the Council who is speaking declines to give way, the explanation must be offered at the conclusion of that speech.

### **19.3 Ruling on questions of personal explanation**

The ruling of the Presiding Member on the admissibility of a personal explanation shall be final unless a motion of dissent with the ruling is moved before any other business proceeds.

## **Part 20 - Committees of Council**

### **20.1 Committees**

Committees of the Council shall operate in accordance with the Act and its regulations.

### **20.2 Establishment of committees**

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include—
  - (a) the terms of reference of the committee;
  - (b) the number of council members, officers and other persons to be appointed to the committee;
  - (c) the names or titles of the council members and officers to be appointed to the committee;
  - (d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
  - (e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

### **20.3 Standing orders to apply to committees**

These standing orders shall apply generally to the proceedings of committees of the Council except that the requirement for members to speak only once shall not be applied in meetings of committees.

## **Part 21 - Suspension of standing orders**

### **21.1 Suspension of Standing Orders**



- (1) A member may at any time move that the operation of one or more of the provisions of this Local Law be suspended.
- (2) A member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion are to take place.
- (3) A motion under subclause (1) which is—
  - (a) seconded; and
  - (b) carried by an absolute majority,is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

### **21.2 Where Local Law does not apply**

- (1) In situations where –
  - (a) one or more provisions of this Local Law have been suspended; or
  - (b) a matter is not regulated by the Act, the Regulations or these Standing Orders,;the Presiding Member is to decide questions relating to the conduct of the meeting.
- (2) The decision of the Presiding Member under subclause (1) is final, except where a motion is moved and carried under clause 7.4.

### **21.3 Cases not provided for in local law**

- (1) The Presiding Member is to decide questions of order, procedure, debate, or otherwise in cases where this Local Law, the Act or the Regulations are silent.
- (2) The decision of the Presiding Member in these cases is final, except where a motion is moved and carried under clause 7.4.

## **Part 22 - Administrative matters**

### **22.1 Custody and use of the common seal**

- (1) The CEO shall have charge of the common seal of the Council, and shall be responsible for the safe custody and proper use of it.
- (2) The use of the common seal is dealt with in the Act

### **22.2 Custody of corporate property**

The custody of all property whatsoever belonging to, or held in trust by the Council shall be in the CEO, who shall be responsible to the Council therefore.

### **22.3 Duty of Chief Executive Officer**

It is the duty of the CEO to draw the attention of the Council to any breach or likely breach of these standing orders even if it requires interrupting any person speaking, including the Presiding Member.

## **Part 23 - Enforcement**

### **23.1 Penalty for breach**

A person who breaches a provision of this Local Law commits an offence.  
**Penalty: \$1,000.00 and a daily penalty of \$500.00.**

### **23.2 Who can prosecute**

Who can prosecute is dealt with in the Act.

The Common Seal of the Shire of Dundas was affixed by authority of a resolution of Council in the presence of-

\_\_\_\_\_ President.

\_\_\_\_\_ Executive Officer.

Dated .



10.4.4

Officer's Reports

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**REPORT TO COUNCIL**  
**COUNCIL ORDINARY MEETING TUESDAY 19<sup>TH</sup> December 2017**

**AREA: COMMUNITY DEVELOPMENT**

**OFFICER: Pania Turner**

**Period of Reporting: November-December 2017**

**Woodlands Mural & Norseman Town Centre Heritage Walk**

Although the process has been a lengthy one it is great to see the images in place.

Community feedback both local and regional has been extremely positive and many of those who moved on from Norseman have sent their congratulations.

The vibrant images, artwork and paint have made what was once a nondescript fence and vibrant feature as you enter into the Norseman Town Centre.

Unfortunately at time of print there has been some vandalism with a significant scratch on two of the images, including the large artwork by Valma Schultz. We do have CCTV of the site which is being reviewed and will hopefully identify the person/s responsible.

Proudly sponsored by Lotterywest I also want to acknowledge the creative contribution of the community who started painting the corner of the CRC building and kicked off the colourful project at the Jungkajungka Festival in April of this year. Also the work of photographic consultant Lynn Webb from the Gallery of Splendid Isolation, Ngadju Artist Valma Schultz, Paula Fletcher from Calypso Designs, Brad Nguyen from Jason Sign Makers and Youth & Events Coordinator Margaret McEwan who have all gone that extra mile to see the project into its final stages.

The Woodlands Mural is only the start and will connect to the new Woodlands Centre and the Woodlands Walkway link the town centre to all sites visually.

The Woodlands Walkway is part of the Norseman Town Heritage Walk funded by the Goldfields Esperance Development Commission. The project will see large heritage images installed in the town centre. Images will have reference to mining heritage, commercial and social activities, the environment and Ngadju culture. The funding was made available through a Local Skills Local Jobs grant which has outcomes focused on providing opportunity for the skills and capacity of local groups, business and individuals to be developed and promoted through local projects. This has definitely been the case with local community participation from the Norseman Historical Society, Norseman Men's Shed, Iragul Community Arts Group and Norseman District High School all involved. A sample of the images is included in this report.

With the Christmas and New Year break upon us the Image placement will progress into the new year with the goal to have the sites completed and the official opening by mid-February.

**Presentation to the Goldfields Esperance Development Commission**

On Thursday 14<sup>th</sup> December the Goldfields-Esperance Development Commission (GEDC) met in Norseman as they do annually to discuss a full and robust agenda. For Councillors information the goal of the GEDC is to make our region a great place to live, work and invest. The Commission works with business, industry, the community and government to achieve its aims.

With the aim of creating an even greater place to live, work, invest and visit, the Commission's delivery of services is managed through several strategic and target streams that assist the Commission to narrow its focus and direct effort and resources to key priorities, where the agency has a strong remit and can influence and effect change.

These streams include:

**Regional Focus Areas:**

The Commission has identified six regional focus areas to guide the delivery of regionally focused services.

These include:

- Leadership and Innovation
- Business and Industry Development



- Workforce Development
- Promote the Region
- Social Infrastructure
- Economic Infrastructure

### **State Government Regional Development Priorities and Programs:**

The Commission aims to influence the development of State Government Regional Development priorities and participate in the delivery of Strategic Programs within the Goldfields-Esperance region.

The Commission will undertake programs, initiatives or projects outside of the Regional Focus Areas, where directed or invited to, by the State Government.

### **Opportunity Business:**

The GEDC aims to be open and flexible to respond and encourage strategic opportunities and innovative solutions to regional issues. The Commission can opt to pursue opportunities, initiatives and projects with high impact outcomes or respond to critical need as it arises. Through regular stakeholder engagement, this Stream enables flexibility for the Commission to advocate on emerging issues, on behalf of the region.

*(For further reading this information is sourced from : <http://www.gedc.wa.gov.au/our-focus>)*

Funding from the GEDC has in the past come through two funding programs the Regional Grants Scheme and the Community Chest Fund. GEDC are the main funding body to the Woodlands Cultural Community and Visitors Centre and are funding the Norseman Town Precinct Heritage Walk through a Local Jobs, Local Skill Grant.

The CEO and Manager for Community Development updated the GEDC on a range of projects happening in the Shire and for Council's information all attending board members congratulated the Shire of Dundas on its proactive approach to Community Development across a range of areas. The actions that the Shire is taking to connect with the wider region through tourism, regional networks, arts and culture and our continuing focus on developing and strengthening our community does not go unnoticed.

### **Norseman Town Christmas Fayre**

Saturday 9<sup>th</sup> December saw the Norseman town centre filled with market stalls, live entertainment, elves and Santa's, carols and most importantly community. The Shire of Dundas was proud to support the efforts of the Norseman Commerce Group and the Norseman Community Markets and congratulates them on an afternoon that was entertaining and well received. Shire support was given through staff man/woman-power, financial contributions and material resources.

One of the elements that was greatly appreciated by many was the Carrols. Introduced by Father Mathew with a Christmas message and then lead by Valma Schultz it really was heart-warming to see community young and old singing together and enjoying a family friendly evening. Next year we will look at shifting the evening event to the park.

The goal is to further develop the Christmas Fayre to make it a sustainable and permanent fixture on the on our events calendar.

### **Senior's Christmas Events**

The annual senior's Christmas Dinner was once again a lovely evening out for the seniors in our community. This event is always looked forward to by our seniors and once again received much thanks and appreciation was received from those who attended. The numbers were down a little bit from last year which can be attributed to people being out of town and illness. Besides that the Norseman Town Hall was filled with laughter, great entertainment from the Norseman District High School and Norseman Dance Group, delicious food and Christmas Cheer. Many thanks to Councillors who saw the





night through handing out raffle prizes, cracking jokes, mingling with our guests and in general spreading Christmas cheer.

#### Shire of Coolgardie Senior's Luncheon

A group of 30 attended the Kambalda recreation Centre to enjoy day of Christmas entertainment hosted by the Shire of Coolgardie. As always our seniors came away with a belly full of food, arms full of prizes won and hearts warmed by Christmas cheer.



#### Norseman District High School Presentation Afternoon

In line with all the end of year functions Norseman District High School held its

Presentation Afternoon on Wednesday 6<sup>th</sup> December. The undercover area was filled with parents and families support the students and recognise the work that had done throughout the school year.

Whilst some individual students were recognised for academic, endeavour, cultural and citizenship awards congratulations should go to all students who consistently put their best effort into their education.

The Shire of Dundas and Norseman District High School have built a firm partnership of working towards improving educational outcomes for our young people and seeking opportunity helping them have clear pathways to careers and further education. In the current economic climate collaboration is essential to improve the future pathways for our young people. Although public education sits under the State Government it is local government and their residents who are impacted by the quality of the schools in their communities.

Community Development looks forward to growing that partnership even more in 2018.

#### Australia Day Awards

As we do not meet in January I would like to take this time to invite all Councillors to the Australia Day Breakfast and Citizenship Awards. Four Awards will be given next year with all recipients being invited closer to the date, it is always a juggling act to get the nominees there without them knowing they will receive recognition however we try our best to keep the awards confidential and I encourage Councillors to be extra careful at not letting anything slip!

The Australia Day Breakfast is traditionally cooked by Councillors for the community and it is a great way to connect with our local residents. Our Event Coordinator will be in contact with you early January to assign your breakfast duties☺.

#### Goldfields Tourism Association

Congratulations to Councillor Warner sitting at her first board meeting of the GTNA. Councillor Warner will represent the Shire of Dundas well and will use her knowledge and experience as the Visitor Centre Vice President to ensure that the voice of our Shire is heard. For your information the Manager of Community Development was also nominated and accepted as the secretary of the GTNA. We will look at having the CEO Mandy Reidy present to Council early in the year.

#### Lotterywest Community Workshop

Representatives from Lotterywest presented a funding workshop in November, which was quite well attended by a variety of community groups. Feedback from those who attended has been that they found the workshop very help especially the opportunity to have individual sessions. I was able to take the representatives on a tour of the town and highlight some community areas that would benefit from funding.

Managing our current project load at the moment is very important before we dive into new commitments however as we come into the second half of 2018 year opportunities may open up.

Lotterywest are one of the easier funding bodies to work with which makes them an attractive funding body for community groups. Their strong focus on community makes their ability to target a variety of projects very favourable.

The shire has benefitted greatly from funding coming from Lotterywest projects such as the Woodlands Centre, the new Eucla Community Hall, playground upgrades, the community bus, art shows, Gold Fever and other community events and many more community based projects are all made possible through Lotterywest.

**As we come to the close of the year, may I say congratulations to our whole team, we really have done some amazing things in our community and I know how privileged I am to work with such an excellent group of colleagues. I would like to acknowledge the leadership of both the CEO Doug Stead for his ongoing support of our community and DCEO Gihan Kohobange for his continued guidance in all things policy and finance and of course to our Events and Youth Coordinator Margs, who is just a great support across all areas. Merry Christmas to all Staff and Councillors may your holidays be enjoyable and safe.**



**REPORT TO COUNCIL  
COUNCIL ORDINARY MEETING TUESDAY 19<sup>th</sup> December 2017**

**AREA: Youth**  
**Period of Reporting: November - December 2017**

**OFFICER: Margaret McEwan**

**Youth Report**

Basketball has finished for the year and will return on the 2<sup>nd</sup> February 2018. Basketball starting on the 17<sup>th</sup> November 12 kids aged between 13 – 17 yrs. travels down to Esperance on Friday afternoons to play basketball as part of the Esperance junior basketball association. It has been great to see the kids develop new skills and I look forward to the New Year.

Youth Services and the Community Resource Centre have been working together to provide fun, exciting and new activities for the youth of Norseman. Drumbeat Quest (Discovering Relationships Using Music, Beliefs, Emotions, Attitudes & Thoughts) provided by the CRC this is for ages 8-16yrs it is an interactive computer game that aims to develop children's social and emotional learning, it helps to identify skills to promote a strong sense of personal identity and wellbeing. Also looking into doing after school program for ages 5 – 12yrs for homework help collaboration with school teachers and tutors, out of town excursions, movie nights, kids club and more. Afterschool programs will run twice a week Wednesday night and Friday nights from 4pm to 7pm at the Community Resource Centre.

2018 will see more programs and activities happening at the youth centre. School holiday camps, eat healthy club working with the CRC and Food Bank WA to teach kids the benefit of eating and cooking nutritious food, team building activities to build better relationships with their peers, sport nights looking at doing twice a week, Homework club working with the CRC and the School, Basketball, netball and football. Youth Centre is open Tuesday – Friday 2pm – 6pm and Saturday 10am – 7pm for ages 12-18. Ages 7-11 are welcome into the youth centre on Tuesdays and Thursdays depending on their behaviour in the park and Skate Park. At the moment the Youth Centre has a "No School No Pool or Youth Centre" but this could be an issue as it could lead to children getting up to mischief as recently kids have been seen climbing the fence to the pool and go swimming while the pool is shut, this has been reported and are looking into ways we can resolve the issue.

It is important to state that the Shire Children and Youth Services is not a day-care provider or babysitting service. Families are responsible for their children and have a duty of care to know where their children are, what they are doing and who they are with.

I look forward to 2018☺

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## 12.1

Late Item – Management Order over Reserve 5655

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<b>Agenda Reference &amp; Subject</b>	
<b>12.1 – Management Order over Reserve 5655</b>	
Location / Address	Shire of Dundas
File Reference	Reserve 5655
Author	Gihan Kohobange
Date of Report	15 <sup>th</sup> December 2017
Disclosure of Interest	Nil

### Summary

For the Council of the Shire of Dundas to consider taking over the Management Order currently held by the Department of Finance (Minister for Works) over Reserve 5655. (See Papers Relating).

### Background

Reserve 5655 is currently under a Management Order with the Department of Finance. This reserve is extended across two shires, the Shire of Dundas and the Shire of Coolgardie.

Wingarnie Rocks Dam (commonly known as Pioneer Dam) situated in the section of the reserve, falls within the boundary of the Shire of Dundas.

Water is collected in a granite outcrop and piped into the dam. Presumably this was used in operating steam trains between Kalgoorlie and Esperance.

### Statutory Environment

Land Administration Act 1997

### Policy Implications

Nil

### Financial Implications

The Shire may have to incur cost to ensure safety around the dam. However, it is estimated to not be significant.

### Strategic Implications

The Reserve provides another source of water to assist in fighting bush fires in the area and meeting fresh water requirement of various projects.

### Consultation

CEO, Department of Finance, Department of Planning, Lands and Heritage.

### Comment

The Department of Finance is looking to relinquish the Management Order over the Reserve and the Department is asking if the Shire of Dundas would be interested in taking the Management Order over the Reserve.

When contacted the Department of Planning, Lands and Heritage has confirmed that the Shire can hold the Management Order over this Reserve, despite a portion being within the Shire of Coolgardie.

Once the Department of Planning, Lands and Heritage receive a request from the Department of Finance, they will look at all the options to transfer this Management Order over this Reserve to the Shire of Dundas. Those include;

- Contacting the Shire of Coolgardie to see if they want to joint manage the Reserve
- Redefining the Reserve along the Shire boundary

The Shire has already informed the Shire of Coolgardie about this Management Order.

The Shire is under no obligation to accept the Management Order.

#### Voting Requirements

Simple majority

#### Officer Recommendation

**That the Council of the Shire of Dundas accept the Management Order over Reserve 5655 for the purpose of water supply as requested by the Minister for Works.**

Moved Cr:

Seconded Cr:

#### Resolution

Carried by: Simple Majority

For:

Against

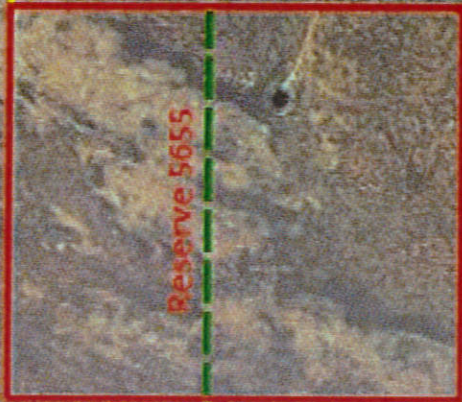


COOLGARDIE, SHIRE OF

DUNDAS, SHIRE OF

Coolgardie-Esperance Hwy

Reserve 5655





## Reserve Enquiry Detail [ 5100L ]

[Screen Friendly](#) [Pri](#)

Reserve	5655	Legal Area (ha)	182.1085
Name		Status	Current
Type		Current Purpose	WATER SUPPLY
Notes			
File Number	10437/97		

Class	Responsible Agency	Date of Last Change
C	WATER CORPORATION	17/05/2017

Management Orders	Document	Land Use	Local Government Auth
MINISTER FOR WORKS		WATER SUPPLY	DUNDAS, SHIRE OF COOLGARDIE, SHIRE O

Add Item	CLT Number	Parcel Identifier	Street Address	Suburb	File Number	PIN	Area (sqm)	Map
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Reserve Number 5655

Previous Certificates of Title	Historic Crown Allotments
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Gaz Page/Document	Date	Type	Text
308	30/01/1959	Current Vesting	VEST MINISTER FOR WORKS
311	30/01/1959	Current Purpose	WATER SUPPLY
87	26/01/1945	Historical Purposes	RAILWAY WATER SUPPLY
3018	17/08/1900	Historical Vesting	VEST MINISTER FOR WORKS
2293	05/08/1898	Class	C
2293	05/08/1898	Historical Purposes	WATER
2293	05/08/1898	Original Gazettal and page	ORIGINAL GAZETTE
	05/08/1898	Current Area	450.0.0
	05/08/1898	Correspondence File Number	10437/97
	05/08/1898	Location	DUNDAS
	05/08/1898	Public Plan	WIDGIEMOOLTHA 1:250000
	05/08/1898	Street Name	COOLGARDIE-ESPERANCE HIGHW.
	05/08/1898	Survey Number	109/25
	01/01/0002	Comment	WINGARNIE

This product is for information purposes only. A search of the original documentation is required for all legal purposes.  
Western Australian Land Information Authority (Landgate)





## 12.2

Late Item – Norseman Turf Club Sponsorship – Dundas Cup

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<b>Agenda Reference &amp; Subject</b>	
<b>12.2 – Late Item – Norseman Turf Club Sponsorship – Dundas Cup</b>	
Location / Address	Norseman
File Reference	FM.SP.1
Author	CEO
Date of Report	19/12/2017
Disclosure of Interest	Nil

### Summary

For Council to approve the annual sponsorship to the Norseman Turf Club for the Dundas Plate in 2018.

### Background

The Shire has received a letter from the Norseman Turf Club requesting continued support from the Shire by sponsoring the Dundas Plate. The annual race day will be held on Saturday 10<sup>th</sup> February 2018. The Dundas Plate is one of the feature races which has previously been presented by the Shire of Dundas.

### Statutory Environment

Nil

### Policy Implications

Nil

### Financial Implications

The Council has allocated \$3,500 for its sponsorship of the Turf Club. This amount is included in the 2017/18 budget.

### Strategic Implications

Nil

### Consultation

Council, Norseman Turf Club.

### Comment

The Shire has in the past supported the Norseman Turf Club on an annual basis by assisting with the grading of the track, maintenance to gardens and by sponsoring the Dundas Plate. This event draws visitors to the town and will be seen as part of the new fresh appreciation of what Norseman has to offer and is therefore worthy of consideration for continued support.

### Voting Requirements

Simple Majority

### Officer Recommendation

**That the Council approve the annual payment made to the Norseman Turf Club for continued sponsorship of the Dundas Plate in the amount of \$3,500.**

Moved Cr

Seconded Cr

### Resolution

Carried by: Simple Majority

For:

Against:



Lot 84 Okay Road, NORSEMAN WA 6443  
PO Box 147, NORSEMAN WA 6443  
ABN 425 8367 0322  
9039 1117

# NORSEMAN TURF CLUB INC.

December 18, 2017

Mr. D. Stead  
The Chief Executive Officer  
Shire of Dundas  
P.O. Box 163  
NORSEMAN WA 6443

Dear Doug,

RE: NORSEMAN CUP RACE DAY 2018

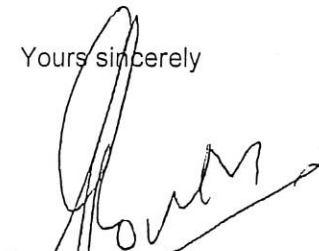
Norseman's annual racing tradition continues on Saturday February 10<sup>th</sup>, 2018. As you already know, the Norseman Turf Club commenced in 1909 and apart from a few glitches, has been hosting an annual racing event ever since. Norseman races have always been well attended by the local community and the racing fraternity, with great support coming from Esperance and Kalgoorlie. Race sponsorship is an essential element of a successful race day and we seek your support by inviting you to sponsor a race.

Sponsors are promoted in different ways and may vary between major and minor sponsorships. Major sponsors are featured by billboard on the track fence near the finish line. All sponsors appear in the Official Program and on the day by the race broadcaster. Sponsors and their partners receive a complimentary Program, free entry to the Course and access to the Sponsor's Marquee.

The 2018 program comprises six races. Ladies On-Course Fashion and Children's events and entertainment will again be a major part of this year's program. The highlight of the day's racing will be the Norseman Cup in Race 6. The day will finish with the traditional game of Two Up. Gates open at noon. Full TAB and Bookmaking services will be available on course, along with light meals and full bar facilities. Courtesy bus will again be provided from the Norseman Hotel to the race course and return, after the final race.

Thank you for considering sponsorship. Indeed sponsorship of any kind would be well received.

Yours sincerely



Graham Rowlands  
President