

Ordinary Council Meeting

17th April 2018



Papers Relating

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10.1.1

Repeal Local Law 2018 - Adoption

Dear Mr Kohobange

This email is in response to your letter dated 8 March 2017 addressed to the Minister for Local Government regarding the Shire's proposed local law.

The Department's comments are noted below. Please contact me if you have any queries regarding the comments.

Shire of Dundas Repeal Local Law 2017

1. Citation

It is suggested that the title of this local law be changed to refer to "2018" as this is the year when the local law is likely to be made and gazetted. If this change is made, the citation in clause 1 should also be amended.

2. Enactment

The current date in the enactment clause of 19 December 2017 is incorrect.

Under section 3.12(4) of the *Local Government Act 1995*, a local law can only be made after the public submission period has closed.

The date that should appear in the enactment clause will be a date after the public submission period, when the Council considers the final copy of the proposed local law and resolves to 'make' that local law.

The Shire should ensure the correct date appears in the final copy of the local law when it is formally made by the Council. A failure to do this may result in the Delegated Legislation Committee requesting an undertaking to amend the local law.

The Shire should note that this also applies to the date stated above the common seal.

3. Clause 3 – Repeal

In line with best drafting principles:

- ☐ Citations should reflect the titles as they appear in the *Government Gazette*;
- ☐ Titles of Acts, Regulations and other Legislation should be italicised; and
- ☐ Dates should be formatted as "Day Month Year" for example, "29/03/1940" should be "29 March 1940".

It is suggested that clause 3 be redrafted. The first 2 paragraphs have been drafted as an example below for the Shire's consideration:

3. Repeal

The following local laws are repealed:

- (a) *Dundas Road Board Parking By-laws* as published in the *Government Gazette* on 29 March 1940 and as amended in the *Government Gazette* on 19 July 1940;
- (b) *Dundas Road Board Angle Parking By-laws* as published in the *Government Gazette* on 12 November 1948;

Minister's Directions – pursuant to s 3.12(7) of the *Local Government Act 1995*

Please note: once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Shire must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

Committee Clerk Joint Standing Committee on Delegated Legislation Legislative Council
Committee Office
GPO Box A11 PERTH WA 6837
Email: delleg@parliament.wa.gov.au
Tel: 9222 7404
Fax: 9222 7805

A copy of the Minister's Directions and Explanatory Memoranda forms can be downloaded from the Department of Local Government and Communities website at www.dlgc.wa.gov.au. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- ☐ have been provided to assist the Shire with drafting matters in relation to the local law;
- ☐ do not constitute legal advice;
- ☐ have been provided in good faith for the Shire's consideration; and
- ☐ should not be taken as an approval of content.

The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire policies and objectives.

Kind regards

Carmen Chia

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LOCAL GOVERNMENT ACT 1995

Shire of Dundas

REPEAL LOCAL LAW 2018

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 17 April 2018 to make the following local law.

1. Citation

This local law is cited as the *Shire of Dundas Repeal Local Law 2018*.

2. Commencement

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

3. Repeal

The following local laws are repealed:

- (a) *Dundas Road Board Parking By-law* as published in the *Government Gazette* on 29 March 1940 and as amended in the *Government Gazette* on 19 July 1940;
- (b) *Dundas Road Board Angle Parking By-laws* as published in the *Government Gazette* on 12 November 1948;
- (c) *Dundas Road Board Parking By-laws* as published in the *Government Gazette* on 29 June 1955; and
- (d) *Dundas Road Board By-law for Prevention of Damage to Roads* as published in the *Government Gazette* on 3 February 1956.

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

Laurene Bonza, Shire President.
Doug Stead, Chief Executive Officer.

Dated: 17 April 2018



10.1.2

Standing Orders Local Law 2018 - Adoption

Dear Mr Kohobange

This email is in response to your letter dated 8 March 2018 addressed to the Minister for Local Government regarding the Shire's proposed local law.

The Department's comments are noted below. Please contact me if you have any queries regarding the comments.

Shire of Dundas Standing Orders Local Law 2017

1. Enactment clause

The enactment clause currently refers to the date "19th December 2017". This date is inaccurate, since the local law is yet to be formally made by the council.

Under section 3.12(4) of the *Local Government Act 1995*, a local law can only be made after the public submission period has closed.

The date that should appear in the enactment clause will be a date after the public submission period, when the Council considers the final copy of the proposed local law and resolves to 'make' that local law.

The Shire should ensure the correct date appears in the final copy of the local law when it is formally made by the Council. A failure to do this may result in the Parliament's Delegated Legislation Committee requesting an amendment.

2. Clause structure

Several clauses in the local law contain multiple sentences.

In accordance with best drafting practices, each clause should only contain one sentence. If a clause needs to contain multiple sentences, each sentence should be placed into a subclause.

3. Clause 2.5 – Public documents

Clause 2.5(2) provides that if any additional documents are produced in a Council meeting via clause 2.5, the document won't be public unless ordered by resolution.

The Shire should note that under section 5.94 of the Act, documents that are tabled or produced at meetings will generally be inspectable unless an exemption under section 5.95 applies. If a document is inspectable under that section, it is unlikely the local law can change this.

4. Clause 6.3 – Rejection of negative questions

Clause 6.3(3) provides that public questions can be rejected if they include statements reflecting negatively upon members, officers or employees.

While there is an understandable intent behind this clause, it may result in legitimate questions being rejected if they reflect badly on the Shire.

It is suggested that subclause (3) be replaced with the standard WALGA clause as follows:

(3) The Presiding Member may decide that a public question shall not be responded to where:
(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;

(b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or

(c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

5. Clause 12.7 – References to decorum

It is suggested that all references to "decorum" be deleted from clause 12.7.

The Joint Standing Committee on Delegated Legislation has previously raised issues with this term, since it is vague and can be subject to various interpretations.

Since the clause already refers to irrelevance, repetition, unbecoming language and breaches of order, the term "decorum" is probably unnecessary.

6. Minor edits

The following minor edits are suggested:

- It is suggested that the title of the local law be changed to refer to 2018, since this is the year when the local law is likely to be made and gazetted.
- Clause 1.1 – citation title should be changed to italics
- Clause 1.2 – The words "Government Gazette" should be in italics.
- Clause 1.4 – In the definition for Act remove the quote marks around "Local Government Act, 1995" and remove the comma after "Act".
- Clause 7.3 – Replace "should" with "must" or "shall".
- Clause 8.1 – paragraphs should be moved slightly to the right to differentiate them from the subclauses. This will also match the formatting in other clauses.
- Clause 9.1(2)(a) – insert a space between "subclause" and "(3)".
- Clause 10.10 – Replace "In case of a "count-out"" with "If an adjournment under clause 3.2 occurs"
- Clause 15.6 – In subclause (3) change "12.9" to "12.10"
- All references to legislation should be in italics.
- All references to "the Standing Orders" should be replaced with references to "the local law" to ensure the terminology is consistent with the Act.
- The Shire should also double check all references and cross references, particularly if any changes are made as a result of the Department's comments.

Minister's Directions – pursuant to s 3.12(7) of the *Local Government Act 1995*

Please note: once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Shire must, within 10 working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

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PERTH WA 6837
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Fax: 9222 7805

LOCAL GOVERNMENT ACT 1995

SHIRE OF DUNDAS

STANDING ORDERS LOCAL LAW 2018

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 17 April 2018 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 2018*.

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 local laws, 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 local laws;

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 No.1 - Standing Orders* as published in the *Government Gazette* on the 4 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

(1) 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.

(2) 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.

(3) 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.

(2) In the event of notice not having been given, the proceedings of the Council shall not be unreasonably delayed while documents are obtained.

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

(1) 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.

(2) The Presiding Member shall immediately suspend the proceedings of the meeting for a period of five minutes.

(3) 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.

3.3 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

(1) 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.

(2) 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) Applications for leave of absence;
- (e) Response to previous public questions taken on notice;
- (f) Public question time;
- (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; and
- (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 and each speaker will be limited to three minutes duration to speak, except by consent of the Presiding Member;

(3) The Presiding Member may decide that a public question shall not be responded to where:

(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;

(b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or

(c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

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.
- (2) 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.
- (3) The person or persons concerned shall immediately withdraw from the Council Chamber.
- (4) This direction by the Presiding Member may not be challenged by moving dissent with the ruling and the Presiding Members ruling is final.
- (5) 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 local laws, the Presiding Member may take part in a discussion upon any question before the Council, provided that like other Councillors in accordance with these local laws, 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

- (1) 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.
- (2) This clause shall not be used by the Presiding Member to exercise the right provided in Clause 7.2, but shall be used to preserve order.

7.4 Dissent with the Presiding Members ruling

- (1) Except where expressly denied in these local laws or the Act, a member of the Council may move a procedural motion to disagree with a ruling given by the Presiding Member.
- (2) 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

- (1) 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.
- (2) 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 local laws.

10.7 Exclusion or amendment of notice

- (1) The CEO, after consultation with the President, may exclude from the Council business paper any notice of motion which may be out of order.
- (2) 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

If an adjournment under clause 3.2 occurs 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

(1) 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.

(2) 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

(1) All addresses shall be limited to a maximum of three minutes.

(2) 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 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 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.

(4) Upon moving this motion the Presiding Member must immediately call for a seconder, but there shall be no debate.

(5) 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; or

(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

(1) 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.

(2) This action cannot be challenged by any member of Council.

(3) Upon resumption, debate will continue at the point at which the meeting was adjourned.

(4) 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; and
- (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; or
- (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

(1) This motion, having been carried, will cause the debate to cease immediately and for the Council to move to the next item on the Agenda of the meeting.

(2) 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 re-opened 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 12.10 of these local laws, 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 local laws.

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 local laws.

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 and 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; or
- (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 local laws.

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

- (1) 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.
- (2) 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; or
- (c) Drawing attention to the violation of any local laws of the Council, providing that the member rising to the point of order shall state the local law 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

- (1) An objection having been taken to the ruling of the Presiding Member, the Councillor so objecting may immediately move dissent with the ruling.
- (2) 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 local laws 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

(1) No member of the Council shall speak, except under the question before the Council, unless it is to make a personal explanation.

(2) 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.

(3) 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 the 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 local laws 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 local laws,

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 local laws 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–

Laurene Bonza, President.

Doug Stead, Chief Executive Officer.

Dated: 17 April 2018



10.4.4

Officers Reports

REPORT TO COUNCIL

ORDINARY MEETING TUESDAY 17 APRIL 2018

AREA: Works and Services

OFFICER: Peter Crawford

Period of Reporting: April 2018

Norseman Aerodrome

Haulage of crushed rock base course has commenced and is being expedited after a number of false starts. Those issues surrounded the material not being able to meet the contract specifications with regard to the amount of fines in the samples. That matter has now been resolved with the contractor using fines from Kambalda and blending them with the crushed road from the OK mine to meet specifications. A further setback occurred when tests revealed that the material did not meet the strength tests which caused a complete shutdown of all operations. The consulting engineers subsequently decided that the failure of the materials to meet the criteria for this particular test did not alter the structural integrity of the material and gave the go ahead for haulage to resume. The test failure of the material may cause the final trim grading to require some "cracker dust" to be used to enable a slurry to leave a smooth surface on which to seal. The contractor has agreed to supply the necessary cracker dust at a reasonable price.

Haulage of the crushed rock is by two semis with them each delivering four loads per hour at present, a total of some 1,600 tonnes per day on average.

A final trim grader is set to commence on or about 23 April so the pressure will be on the haulage contractor to complete his end of the contract.

Eucla Airstrip

Further information is being sought in respect to this project to enable grant applications to be submitted when the funding rounds open.

Information is also being acquired from relevant bodies affected by the airstrip being unavailable during periods of inclement weather.

Town Works

A set of box culverts is in the process of being installed in Scholey Street at its junction with John Street. This will assist in relieving the flooding situation in this area. Other culverts will be scheduled for upgrading in the next Budget.

Town Gardens

It does appear that the palm trees in the Administration Centre garden beds will have to be removed to enable the brick retaining walls to be repaired. This was a last resort after staff exhausted all avenues to retain the trees. Suitable local shrubs will be installed in place of the palm trees.

Other maintenance work to the gardens and town streets is ongoing. Recent events in Norseman brought numerous previous residents back to town and many commented on how neat and clean the town looked which is a credit to the works crews.

Roads

As previously commented on, little or no work has taken place on our road network this financial year due to the airstrip upgrade. Next year's roadworks plans will be an extremely heavy schedule involving the use of contractors to enable completion of the program.

REPORT TO COUNCIL
COUNCIL ORDINARY MEETING TUESDAY 17TH April 2018
AREA: COMMUNITY DEVELOPMENT OFFICER: Pania Turner
Period of Reporting: March-April 2018

Woodland Cultural community and Visitors Centre

On 27th March 2018 at a Special Meeting of Council a resolution of Council was:

That the Council of the Shire of Dundas resolve to appoint GFG Consulting as the Project Manager to assist the Shire in managing the Woodlands Cultural, Community and Visitors Centre development project.

Following on from that resolution Woodlands Centre Project Managers Glen Flood and Charlie Reynolds of GFG Consulting conducted a site visit to Norseman on the 4th -5th April 2018.

During the visit GFG Consulting met with CEO, DCEO, Manager of Community Development, Council, Shire President, architect consultants Cartman Designs, Norseman Visitor Centre President and past Shire President. The meetings were productive with GFG gaining good information from stakeholders. Priorities are now the preparation of a feasibility report for Council regarding the Woodlands Centre, review of a variation in the concept design (as discussed with Council) and the meeting of the first two funding milestones.

Council will note a recommendation in the Agenda for the establishment of the Woodlands Centre Advisory Group. Having an Advisory Working Group has always been the intent once Council had formalised funding agreements and project management. Even though the group has not been officially formed the proposed member organisations have been approached and have expressed their willingness to be a part of the advisory committee. Most of these organisations/ groups have also been involved in community consultation and feedback in the development of the Woodlands Centre and business case for all funding bodies.

Goldfields Esperance and Development Commission

The GEDC team met in Norseman on Tuesday 10th April. The DCEO and MCD met with Acting Assistant Director, Business Management Kris Starcevich and Senior Project Officer and Acting Investment Officer Rose Riley to update them on the Norseman Airstrip and the Woodlands Cultural Community and Visitor Centre. During the visit the entire GEDC staff team requested a site visit to the Woodlands centre, they were very impressed with Council's move to repurpose an unused space. Comments were also made regarding the prime location, the potential to draw passing traffic into the town centre, the value of complimentary services being housed in the location and Norseman being able to showcase the Great Western Woodlands. It is also good for them to be able to see the asset before the refurbishment takes place.

Community Events

Chasing the Sun: Congratulations to the Norseman Historical Society, Norseman BP, Ngadju Dancers and the Shire of Dundas who worked together to put on another enjoyable evening for the golfers of Chasing the Sun. Feedback from the golfers has been that they love the vastness and diversity of our Shire. Norseman Men's Shed were a real hit with the handcrafted items made from Great Western Woodlands timbers highlighting the value of ingenuity, effort and local product.

Community groups benefitting from the event have been the Norseman Historical Society, Norseman District High School and Flying Doctor. The event uses local business across the Shire for fuel, supplies, accommodation, tourist information and souvenirs and cultural experiences.

Music in the Park: Western Australia Music in partnership with the Shire of Dundas and Norseman Community Resource Centre will have held the Music in Marks Park on Friday 13th April. This is a family friendly alcohol free event.

Ngadju Jungkajungka Culture and Community Day 21st Saturday 12:30-6:30pm Norseman Sports Complex

Hosted by the Ngadju Rangers with sponsorship from the Shire of Dundas through the Lotterywest funding.

Open to all the community this event will highlight cultural and environmental heritage of the Ngadju people with music, dance food and presentations. This is a family friendly alcohol free event.

ANZAC Dawn Service and Diggers Breakfast 5:45am (assembled by 5:40am) 25th April

All of Council is invited to attend the ANZAC Day Dawn Service. This service of remembrance is always well supported by the local community and by those visiting the town of Norseman. Following the service the Shire hosts a Diggers Breakfast for the community.

Child Protection and Child Safe Organisations

The Manager of Community Development and Youth and Children Services Officer both attended separate Child Protection training this month. Due to the nature of her work the YCS Officer completed a more comprehensive two day workshop in Kalgoorlie whilst the MCD attended evening training hosted by Norseman District High School.

The local workshop focused on the importance for communities working together in child protection and that the safety of children is the responsibility of everyone. We also looked at the requirements and process of Mandatory Reporting. Whilst Shire staff have no requirement for Mandatory Reporting it is important that we understand that it is essential to report suspected abuse to someone who can take action such as the Police. Individual reports often become jigsaw puzzle pieces that create a larger picture.

Of interest to Council will be developments coming out of the Royal Commission into Institutional Responses to Child Sexual Abuse. With the Commission's final report having been delivered containing a number of recommendations communities, State and NG organisations are now waiting for the government's response to the findings.

In particular the development of Child Safe Organisations will be an area that the Shire of Dundas can move to where the organisation is recognised as one that consciously and systematically:

- creates conditions that reduce the likelihood of harm occurring to children and young people
- creates conditions to increase the likelihood of any harm being discovered
- responds appropriately to disclosures, allegations or suspicions of harm

(The Australian Children's Commissioners and Guardians (ACCG) from Consultation Paper March 2016- The Royal Commission into Institutional Responses in Child Sexual Abuse)

Community Development will keep council updated of new developments in this area for those Councillors who are interested in reading the full report and recommendations I have included the following link:

<https://www.childabuseroyalcommission.gov.au/final-report>

Thank you to Principal Garry Walker of Norseman District high School who ensured that the training session was available to local organisations and parents.

Norseman Flower and Garden Show

Councillors may have seen the advertising around a new event for the Norseman Community. Grown (☺) by the Norseman Gardening Group the event will be supported by the Shire of Dundas by way of sponsorship coming out of Norseman Arts; Inspire Share Exhibit. It is so pleasing to see a local community group develop an idea into action. The group conducts monthly visits to local gardens and share gardening tips and ideas, they have come together through a common interest and now are inspiring gardening activity through this event. Well done to all involved, great to see another positive activity appear on the Norseman Calendar.

REPORT TO COUNCIL

COUNCIL ORDINARY MEETING TUESDAY 17th April 2018

AREA: Youth
Period of Reporting: April 2018

OFFICER: Margaret McEwan

Youth Report

Suicide Prevention Workshop hosted by Wesley Mission and Hope Community Services on the 27th March was open to all members of the community the workshop provided information on how to support someone if they are having suicidal thoughts or are going through a rough time in their lives. Everyone needs a bit of support sometimes and it is ok to ask for it when we are doing it tough. Suicide rates tend to be higher in regional, rural and remote areas of Australia. Why? Could be not having access to support agencies or not knowing who they can talk to about what's troubling them, isolation, grief or trauma, ill health etc. The workshop gave us an understanding on how people with suicidal thoughts could be feeling, what brought them to be thinking and feeling this way and us as a friend, caregiver or professional how we can help this person and get them the support they need. The S.A.L.T strategy See, Ask, Listen, Tell.

See the warning signs, notice what the person may say and notice how they may act.

Ask about suicide intent, are they thinking of taking their own life this is the most important question to ask and you may need to ask more than once.

Listen to the person, be there and have genuine care try to understand what has led this person to consider suicide as the only way out.

Tell or take the person to appropriate help and connecting them to a professional.

Remember it's OK to ask for HELP when times are TOUGH.

More information on Suicide Prevention: lifeforce@wesleymission.org.au

Child Protection Training was held in Kalgoorlie on the 4th and 5th April hosted by Department of Communities, Child Protection and Family Support, WA Health, Department of Education and WA Police. There were 60 people who attended the 2 day workshop from across the goldfields from different agencies all wanting to gain more knowledge on how "together" we can keep children safe. The purpose of the workshop is to provide essential knowledge, confidence and skills in reporting and responding to all forms of child abuse and neglect and mandatory reporting of child sexual abuse. Dr Alice Johnson from Princess Margaret Hospital Child Protection unit did a presentation on assessing inflicted injury and child sexual abuse and how they would assess a situation if they feel that the child is being abused or neglected and what effects methamphetamines have on a family with young children. Tara Taylor from CPFS talked about child abuse and child trauma and the impact it can have on the child, Marg McBride (WA Health) and Julie Gower (Dept Education) talked about disclosures and barriers to disclosure and how to respond to a disclosure of abuse. The 2 days were very intense but very interesting and had great presentations by WA Health, Child Protection and Family Support and Department of Education.

School Holidays have started and we have some cool stuff happening at the youth centre. Opening times for the school holidays are 9am to 6pm. Free style Now coming to town 27th & 28th April kids are really looking forward for them to come to town and teach new tricks, styles and to be safe and have fun. Pimp up family sport night 20th April town oval for a game of basketball, netball or volleyball 4.30pm to 6pm.

ANZAC Dawn service 25th April, service starts at 5.45am followed by a "Diggers Breakfast" all are welcome to attend.

NORSEMAN SKATEPARK

SCOOTER - SKATE - BMX



all ages and skill levels welcome

Skatepark coaching sessions

27th April

10am - 12noon and 3pm - 6pm

Skatepark competition

28th April

10am - 4pm





10.4.5

Application for Pensioner Unit Accommodation

21/3/2018

Kathleen Negus

153 Roberts Street

Norseman

WA 6443

Dear Mr Stead,

I am submitting my dads application for tenancy at the aged care units, am waiting to see Dr Rowlands to get another letter to help get my dad a unit, I would appreciate it if you could consider that he brings more money to a struggling town and a dad, grandfather for my kids, I will forward any other supporting documents as I get them .I would also like to mention the house that my dad was in was unlivable and falling down,as a result he ended up needing to be hospitalized and is still waiting for some appropriate accommodation. He has only one daughter and that's me, so I have helped him vacate lot 17 Padbury drive in ballingup at which he paid \$140 a week for approx. five years, as I and his bank statement can attest to. He is currently waiting to hear if he is successful in getting one of the units .

Thanks

Yours sincerely

A handwritten signature in cursive script that reads "K. Negus". The signature is written in dark ink and is positioned above the printed name.

K.Negus

16. Feb. 2018 14:24
12/FEB/2018/KON 11:06

BRIDGETOWN HOSPITAL

FAX No.

No. 8872 P. 2/3
P. 002

COPY



original with
pc 82

Dundas House - Units for the Aged Pensioner & Senior
Application for Tenancy

Surname NEGUS Given Name(s) TERRY

Current Residential Address LOT 2 PAOBURY ROAD, BAWBURY, WA 6253

Telephone None

Date of Birth 17.12.1942 Marital Status SINGLE

Aged/Senior Pension Number CRN 603-929-323A exp 31/12/18

Name of Next of Kin Kathleen Negus

Address of Next of Kin 153 ROBERT STREET NORSEMAN WA 6443

Relationship to Next of Kin Daughter Next of Kin Telephone 0447 684469

Name of Doctor Dr MORLING Telephone 9781 1222

Address of Doctor Shore Street, Bridgetown, WA 6255

What is your current accommodation situation:

Own Home Yes / No

Living with Relative Yes / No

Rented Room Yes / No

Living with Friend Yes / No

Renting ☒ Yes ☐ No

* see attached letter.

Declaration

I TERRY NEGUS declare that to the best of my knowledge particulars in my application are true and correct and I acknowledge and agree with the conditions set by the Shire of Dundas on the reverse side of this application.

Kathy Negus
Signed

16.2.18
Date

16. Feb. 2018 14:24
10/ FEB/ 2018/ PM 11.30

BRIDGETOWN HOSPITAL

FAX No.

No. 8872 P. 3/3
f. 001/001

Mr John Bailey

FAX no 0897641390

Toede Realty

South West Highway,

Balingup

To Mr Bailey, landlord for Terry Negus of 17 Padbury way Balingup, I hereby terminate our rental contract of \$140 a week. I will be giving notice from this day, 16/02/2018 and expect to be out of the property from this date, I will be getting my daughter, Kathleen Negus to help me in the cleaning and return of my bond, If you could send it to me, Care of my daughter at 153 Roberts street Norseman WA 6443. If you need to contact me feel free to call her on 0447684469 and she will be able to do so on my behalf.

Yours sincerely

Mr Terry Negus

16/02/2018



Oakridge Medical Trust Trading As
Norseman General Practice
Dr Graham Rowlands, MBBS, DRACOG, FRACGP
Provider # 202073AY, ABN: 29 760 883 203

Phone (08) 9039 9235
Fax (08) 9039 9232
Email - reception.norseman@goldhealth.net.au

Norseman Hospital
1 Talbot Street
PO Box 149
NORSEMAN WA 6443

5/4/2018

Mr Doug Stead
CEO
Dundas Shire Council

Dear Doug,


Re: Mr Terence Negus, D.O.B. 17/12/1942
153 Roberts Street, NORSEMAN 6443
0447684469,

Thank you for consideration for placement at the Shire Pansioner Units Mr Terence Negus.

Terrence has arrived in Norseman to be close to his daughter, Kathleen. He is a retired carpenter who has lived independently and at this stage is able to manage his own activities of daily living.

I feel that he is appropriate for accomodation in the retirement unit environment.

Yours sincerely,



Dr. Graham Rowlands



12.1

Woodlands Cultural Community and Visitors Centre



Shire of Dundas
Woodlands Cultural Community and Visitor Centre
Advisory Group
Terms of Reference

1.0 NAME

The name of the Working Group shall be the Woodlands Cultural Community and Visitor Centre Advisory Group, hereinafter referred to in its abbreviated form as the Woodlands Centre Advisory Group.

2.0 ESTABLISHMENT

The Woodlands Centre Advisory Group was established on *insert date of Council Recommendation*

3.0 OBJECTIVE

- 3.1 offer a representative voice of stakeholders and community to Council in the development and sustainability of the Woodlands Cultural, Community and Visitor Centre;
- 3.2 communicate programs, services and activities occurring in Woodlands Centre through their community networks;
- 3.3 ensure that the Woodlands Centre is a place where the environmental, cultural and community heritage of the Great Western Woodlands is acknowledged and promoted through a variety of activities, services, displays and events.

4.0 MEMBERSHIP

Membership of the Woodlands Centre Advisory Group will comprise of a total of 10 members

2x Councillors one Representative one Deputy (as per Resolution 10.3.4 in the December 2017 Ordinary Meeting of Council)

Shire of Dundas Manager of Community Development

1 x Ngadju Rangers

1x Ngadju

Norseman Visitor Centre President

Norseman Manager of Community Resource Centre

Norseman Historical Society President

Norseman Commerce Group Chairperson

Goldfields Esperance Development Commission

5.0 MEETINGS

5.1 **Annual General Meeting:** Nil

- 5.2 **Meetings:** Meetings will be held as required and can be called by the Presiding Person and/ or the Secretary.
- 5.3 **Meeting Notes:** Outcomes and decisions of the Woodlands Centre Advisory Group are to be recorded and retained on the relevant file/s
- 5.4 **Presiding Person:** The members will elect a presiding person and if required a Deputy of the Woodlands Centre Advisory Group by nomination and vote.
If the Presiding Person is not present then a nomination and from the members present to preside for that meeting will be accepted.
- 5.5 **Quorum:** At least 50% of the membership including one of the Council's elected members and the Manager of Community Development.
- 5.6 **Voting:**
- (1) Each member of the advisory group who is present a meeting is entitled to one vote.
 - (2) If the votes of members present are equally divided, the person presiding is to cast a second vote.
 - (3) A member must be present at a meeting to cast a vote.
 - (4) If a member of the Woodlands Centre Advisory Group specifically requests that there be recorded — (a) his or her vote; or (b) the vote of all members present, on a matter voted on at a meeting, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.
- 5.7 **Public Question Time:** Nil
- 5.8 **Member Conduct:** Members of the Woodlands Centre Advisory Group will operate in an environment of respect and abide by the Local Government (Rules of Conduct) Regulations 2007, operating in a
- 5.9 **Secretary:** The Shire of Dundas Manager of Community Development or that officer's nominee will fulfil the role of secretary who will also be responsible for the preparation and distribution of Agendas and any Notes.
- 5.10 **Meeting Attendance Fees:** Nil.

6.0 Strategic Alignment

The specific tasks and communication undertaken by this Advisory Group will assist the Shire of Dundas in achieving the following aspirations and objectives as contained within the Strategic Community Plan 2012-2022.

Our Vision: *"That the local Community has collectively become financially, socially and environmentally sustainable in a safe and cooperative society."*

Our Mission: *"That as a Community we work collectively within an ethical framework to enhance our Community and its social fabric by way of consultation, lobbying and promotion."*

Theme 1 – A vibrant, active and healthy socially connected Community

A strong, healthy, educated and connected Community that is actively engaged and involved.

1.3 Engagement of the Community

The Community are engaged in constructive activities that encourage social and Community development.

Theme 2 – A thriving local economy and economic base

A strong, diversified economy with a number of commercial businesses and industries providing new and varied employment opportunities for all age groups.

2.1 Opportunity for Economic Diversification	A vibrant economy that includes opportunities for mining, industry, tourism, shopping and business.
2.2 Attracting new businesses	New businesses are attracted to the area and existing ones encouraged to grow through promotion of the area as an attractive place to work and live.
2.3 Future Growth and sustainability	Our Shire will maintain the existing population and provide opportunities for future growth for continued sustainability of the Community.
2.4 Provide infrastructure that stimulates growth	To assist in the provision of infrastructure that encourages development of existing and new business opportunities.
Theme 3 – Natural & Built Environment	
A protected and enhanced environment that is aesthetically pleasing and provides benefits for the Community for generations to come.	
3.3 Enhanced transport access and infrastructure.	Improved infrastructure within the Shire and good transport access to and around Norseman.
3.4 Enhancement of natural tourist destinations.	Development of the Great Western Woodlands that maintains the overall natural beauty of the area however still provides opportunities for tourism and other uses.
3.5 Improved streetscape.	To improve the streetscape for the town sites of Norseman and Eucla

7.0 Sunset Clause

The Woodlands Centre Advisory Group will cease to exist following the final acquittal of the funding agreements in 2020.