

I hereby certify that the Minutes of the Special Council Meeting held are a true and accurate record of the proceedings contained therein.

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

\_\_\_\_\_  
Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES  
SPECIAL COUNCIL  
MEETING**

**1 May 2015**



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**SHIRE OF WYNDHAM EAST KIMBERLEY  
MINUTES OF THE SPECIAL COUNCIL MEETING  
KUNUNURRA COUNCIL CHAMBERS**

**HELD ON FRIDAY, 1 MAY 2015 AT 12:00 PM**

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**1. DECLARATIONS OF OPENING / ANNOUNCEMENT OF VISITORS**

The Shire President declared the meeting open at 12.00pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE  
(PREVIOUSLY APPROVED)**

Cr J Moulden	Shire President
Cr R Dessert	Deputy Shire President
Cr D Learbuch	Councillor
Cr K Wright	Councillor
Cr G King	Councillor
Cr D Spackman	Councillor
Cr S Cooke	Councillor
C Askew	Chief Executive Officer
L Gee	Director Community Development
N Octoman	Director Corporate Services
M Tonkin	Executive Assistant (Minute Taker)

**GALLERY**

Louis Franks	Shire Staff
Ebony Daniell	Shire Staff
Natika Hawes-Wright	
M Pucci	

**APOLOGIES**

Cr B Robinson	Councillor
Cr G Taylor	Councillor
D Klye	Director Infrastructure

**LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil

**3. DECLARATION OF INTEREST**

- Financial Interest

Nil

- Impartiality Interest

Nil

- Proximity Interest

Nil

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7. PETITIONS**

Nil

**8. CONFIRMATION OF MINUTES**

**8.1 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 23/04/2015**

**RECOMMENDATION**

That Council confirms the Minutes of the Special Council Meeting held on 23/04/2015, with an amendment to Minute No. 10872 – the votes against are to be recorded as Cr D Spackman, Cr K Wright, Cr G King.

**COUNCIL DECISION**

**Minute No. 10873**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council confirms the Minutes of the Special Council Meeting held on 23/04/2015, with an amendment to Minute No. 10872 – the votes against are to be recorded as Cr D Spackman, Cr K Wright, Cr G King.**

**Carried Unanimously 7/0**

**9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

## 10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

## 11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS

Nil

## 12. REPORTS

### 12.1 COMMUNITY DEVELOPMENT

#### 12.1.1 Mosquito Fogging in Wyndham

<b>DATE:</b>	1/05/2015
<b>PROPONENT:</b>	Shire of Wyndham East Kimberley
<b>LOCATION:</b>	Wyndham
<b>AUTHOR:</b>	Louis Franks, Environmental Health Officer
<b>REPORTING OFFICER:</b>	Louise Gee, Director Community Development
<b>FILE NO:</b>	PH.14.2
<b>DECLARATION OF INTERESTS:</b>	Nil

### PURPOSE

For Council to consider the matter of mosquito fogging in Wyndham.

### BACKGROUND

Wyndham is surrounded by vast expanses of flat inter-tidal salt marshes and native bush land. It is during the months of November – March that mosquito population's increase due to the favorable weather conditions and significant amount of pooling water in surrounding bush land. Due to the close proximity of Wyndham to the marshland, outbreaks of mosquitoes are also common throughout the year and are noticeably problematic after large tides.

There are times when mosquito management is not achieved or achievable in Wyndham due to environmental factors and mosquito nuisance will result.

Fogging occurs under the direction of the Environmental Health Officer after consultation with the Department of Health Mosquito-Borne Disease Control Unit. The following is a list of key triggers:-

- High number of public complaints to the Shire  
*Wet season 2014-15 (Wyndham) three complaints (two from the one complainant).  
Below average number of complaints*
- Detection of Murray Valley Encephalitis and/or Kunjin Virus  
*No detections in Wyndham sentinel chicken flock to date (2015)*
- Above average rainfall  
*Rainfall in Wyndham has been below average*

- Above average notifications of mosquito borne disease  
*Two notifications in Wyndham for Ross River Virus (below average)*
- Trapping has taken place and species of mosquito found are recommended for adult control by the Department of Health  
*Trapping has occurred at the Wyndham Port. Widespread trapping has not taken place due lack of required resources.*

If fogging does occur it can only go ahead under the following circumstances:-

- Suitable notice (1 week prior) has been given to residents that fogging is going to occur. Some residents can object to fogging and the fogger should avoid a complainant's property. The chemical can also knock down non-target species so consideration needs to be given to sensitive environmental areas and to those that keep bees.
- No rain
- Wind speeds between 5-16 kph
- Early evening

Fogging requires monitoring of the adult mosquito population to see if the chemical treatment has been successful. The Shire currently does not have the resources to monitor mosquito populations in Wyndham or Kununurra.

#### Mosquito Management Program

In 1990 the Contiguous Local Authorities Group (CLAG) scheme was introduced by the State Government in recognition of the need for local governments to receive assistance with the management of disease vector mosquitoes. Department of Health (DoH) currently coordinates a Contiguous Local Authorities Group (CLAG) funding scheme for health-driven mosquito management, promoting effective, collaborative and accountable management of mosquitoes by local governments with a source of nuisance and/or disease vector mosquitoes.

In March 2015 the Shire became a CLAG member and is now eligible to apply for funding towards mosquito management and for staff to attend any CLAG specific training opportunities. The Standard CLAG funding is available each year and this provides for 50% of chemical purchases, earthworks and some public education strategies.

A significant benefit in becoming a CLAG member is access to the Department's Mosquito Borne Disease Control Unit, and their expertise in managing mosquitoes, plus the potential for 50% cost sharing of larvicide, the chemical used to treat mosquito larvae. There are no additional costs to the Shire.

The Minister for Health's Funding Initiative for Mosquito Management in Western Australia (FIMMWA) will be available for another 2 years (2015-16 and 2016-17) and allows CLAGs to apply for funding towards capacity building. This is usually for once-off purchases to aid the CLAG in mosquito management that the local government authority otherwise may not have been able to purchase, such as chemical application equipment, officer training, conference attendance, fieldwork gear, consultants or electronic equipment. Each item requires a business case and quotes to be included as part of the application. Funding applications are assessed by the Mosquito Control Advisory Committee (MCAC), which consists of members from WA Health, Swan River Trust, other state government agencies and Local Government Authority representatives.

The Shire aims to minimise the likelihood of people being bitten by mosquitoes by doing the following:

1. Educating the public to take action to minimise their contact with mosquitoes
2. Coordinating the chicken sentinel program within the Shire
3. Application of larvicide in mosquito breeding areas
4. Larvae and mosquito trapping
5. Mosquito fogging in appropriate circumstances

It is expected that the Shire's Mosquito Management Program will be developed in time for the 2015-16 wet season. The desired result will be that fewer mosquitoes will impact the communities of Kununurra and Wyndham. Primary funding applications open in May 2015 and it is expected that the Shire will order chemicals and equipment following consultation with experts before the submission deadline of 31 July each year.

As a CLAG member it is necessary that the Shire has an adopted Mosquito Management Plan developed in consultation with the community. The initial stage of the Mosquito Management Plan development is to undertake a community survey to assess concerns from residents and stakeholders, including the subject of fogging with adulticide. A community on-line survey has been developed and will be launched in mid May 2015.

### **STATUTORY IMPLICATIONS**

*Section VII of the Health Act 1911 s.199 Local laws in respect of nuisances and offensive trades (20) The destruction of mosquitoes and Argentine ants and other insect pests as may by regulations be prescribed from time to time.*

#### **Shire of Wyndham East Kimberley Health Local Laws 2003**

*Measures to be taken to prevent mosquitoes breeding*

*6.2.2 (1) An owner or occupier of premises shall ensure that the premises are kept free from possible mosquito breeding sites and shall—*

*(a) follow any direction of an Environmental Health Officer for the purpose of— (i) controlling the prevalence of mosquitoes;*

*(ii) eradication; or*

*(iii) effectively preventing the breeding of mosquitoes.*

*(b) assist an Environmental Health Officer to locate any possible mosquito breeding sites that may be present in or about the premises.*

*(2) An owner or occupier of premises where water is kept in a horse trough, poultry drinking vessel or other receptacle shall—*

*(a) frequently change the water; and*

*(b) keep the water clean and free from vegetable matter and slime.*

*(3) An owner or occupier of premises where a septic tank is installed shall ensure the fixture is in sound condition at all times, and mesh having openings no larger than 1.2mm covers any educt vent to the system.*

*(4) An owner or occupier of land shall cause all drains and channels in or on the land to be kept in good order and free from obstruction.*

### **POLICY IMPLICATIONS**

The Shire of Wyndham East Kimberley does not currently have an adopted Mosquito Management Program. General information and advice on mosquito management practices are detailed in the Work Instruction Number; WI/HTH-5767 Mosquito Program Brief.

## **FINANCIAL IMPLICATIONS**

### **Costs of fogging in Wyndham**

The current mosquito budget for the whole Shire is \$5,500 per year. The funds available in the budget to date are \$3,557.

Estimated costs for undertaking fogging in Wyndham are as follows:-

Labour and Overheads: \$373 = \$19,396 annual cost (one fog per week)

Chemical cost fogging (1 hour) \$261.53 = \$13,599.56 annual cost (one fog per week)

Total annual cost weekly fogging: \$32,995.56

## **STRATEGIC IMPLICATIONS**

### *Strategic Community Plan 2012-2022*

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities

Objective 2.4: High standard of health and community facilities and services available to all residents

Strategy 2.4.1: Advocate for improved health and community services

## **COMMUNITY ENGAGEMENT**

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

A community mosquito survey will be undertaken to assess concerns from residents and local stakeholders. If fogging occurs a one week notice period will apply.

## **COMMENT**

It is acknowledged that mosquitoes are a nuisance, however, it is recommended that fogging in Wyndham is not initiated until the key triggers for commencing fogging are met or an integrated Mosquito Management Plan is adopted by Council. Fogging is not the only method of controlling mosquitoes and as outlined the Shire is currently developing a Mosquito Management Plan that takes into account Wyndham's mosquito issues. It will consider the use of less resource intensive mosquito control measures such as residual surface treatments, fogging in appropriate circumstances and larvicide briquettes.

Fogging needs to be a considered and planned approach to be both outcome and economically sound.

## **ATTACHMENTS**

There are no attachments associated with the report.

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council note the report.

## **MOTION**

Shire President, Cr J Moulden moves that Council:

- a) Defers item 12.1.1 Mosquito Fogging in Wyndham to the May Council Briefing session, and
- b) Invites Dr Peter Neville from the Department of Health or his nominee to travel to Kununurra at the expense of the Council to provide a briefing on this matter

## **COUNCIL DECISION**

**Minute No. 10874**

**Moved: Cr D Spackman**

**Seconded: Cr D Learbuch**

**That Council suspend Standing Orders 7.5 Limitation of Number of Speeches to discuss this item.**

**Carried 5/2**

**For: Cr D Learbuch, Cr K Wright, Cr D Spackman, Cr S Cooke, Cr G King**

**Against: Cr J Moulden, Cr R Dessert**

Standing Orders 7.5 Limitation of Number of Speeches is suspended at 12.02pm

## **COUNCIL DECISION**

**Minute No. 10875**

**Moved: Cr S Cooke**

**Seconded: Cr K Wright**

**That Council resumes Standing Orders 7.5 Limitation of Number of Speeches.**

**Carried Unanimously 7/0**

Standing Orders 7.5 Limitation of Number of Speeches resumes at 12.31pm

Cr S Cooke foreshadows a motion

## **COUNCIL DECISION**

**Minute No. 10876**

**Moved: Cr D Spackman**

**Seconded: Cr K Wright**

**That Cr S Cooke divulges the subject of her foreshadowed motion.**

**Carried Unanimously 7/0**

### **FORESHADOWED MOTION**

Cr S Cooke foreshadows a motion that Council:

- a) Defers item 12.1.1 Mosquito Fogging in Wyndham to the May Council Briefing session or earlier if convenient, and
- b) Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter

### **FORESHADOWED MOTION**

Cr K Wright foreshadows a motion that Council implement a fogging program 3 times a week for a period of 2 weeks to address the immediate problem of bothersome mosquito populations in Wyndham. This may or may not be contrary to what is dictated by the Department of Health triggers but is desirable for the comfort of the Wyndham community.

### **FORESHADOWED MOTION**

Cr D Spackman foreshadows a motion that Council:

- a) Run a mosquito fogging program, 3 times a week for 2 weeks
- b) Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter as soon as convenient

### **COUNCIL DECISION**

**Minute No. 10877**

**Moved: Cr J Moulden**

**Seconded: Cr R Dessert**

**That Council:**

- a) **Defers item 12.1.1 Mosquito Fogging in Wyndham to the May Council Briefing session, and**
- b) **Invites Dr Peter Neville from the Department of Health or his nominee to travel to Kununurra at the expense of the Council to provide a briefing on this matter**

**Lost 2/5**

**For: Cr J Moulden, Cr R Dessert**

**Against: Cr D Learbuch, Cr K Wright, Cr D Spackman, Cr S Cooke, Cr G King**

**COUNCIL DECISION**

**Minute No. 10878**

**Moved: Cr S Cooke**

**Seconded: Cr R Dessert**

**That Council:**

- a) **Defers item 12.1.1 Mosquito Fogging in Wyndham to the May Council Briefing session or earlier if convenient, and**
- b) **Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter**

**Lost 3/4**

**For: Cr J Moulden, Cr R Dessert, Cr S Cooke**

**Against: Cr D Learbuch, Cr K Wright, Cr D Spackman, Cr G King**

**COUNCIL DECISION**

**Minute No. 10879**

**Moved: Cr K Wright**

**Seconded: Cr D Spackman**

**That Council implement a fogging program 3 times a week for a period of 2 weeks to address the immediate problem of bothersome mosquito populations in Wyndham. This may or may not be contrary to what is dictated by the Department of Health triggers but is desirable for the comfort of the Wyndham community.**

**Lost 3/4**

**For: Cr K Wright, Cr G King, Cr D Spackman**

**Against: C Cr J Moulden, Cr R Dessert, Cr S Cooke, Cr D Learbuch**

**COUNCIL DECISION**

**Minute No. 10880**

**Moved: Cr D Spackman**

**Seconded: Cr K Wright**

**That Council:**

- a) **Run a mosquito fogging program, 3 times a week for 2 weeks**
- b) **Invites Dr Peter Neville from the Department of Health or his nominee to attend via video link to provide a briefing on this matter as soon as convenient**

**Carried Unanimously 7/0**

**13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY  
DECISION**

Nil

**16. MATTERS BEHIND CLOSED DOORS**

Nil

**17. CLOSURE**

The Shire President declares the meeting closed at 12.46pm