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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 21 JUNE 2006.**0606.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:00pm The President declared the meeting open.

0606.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

Councillor A J Messina – President	(West Ward)
Councillor B I N Thomas – Deputy President	(East Ward)
Councillor G M Steele	(South Ward)
Councillor J L Freeman	(Central Ward)
Councillor M D Tierney	(Central Ward)
Councillor M Kerkmans	(East Ward)
Councillor L A Panting	(Central Ward)
Councillor L J Wainwright	(Central Ward)
Councillor N D Johnstone	(South Ward)

OFFICERS:

Mr T Hartman - Chief Executive Officer
Ms N J Holmes – Deputy Chief Executive Officer

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS

Mullewa District High School
Teachers: Sharon Cussons, John Elliman
Students: Jamien Papertalk, Raymond Papertalk

APPLICATION FOR LEAVE OF ABSENCE:

Nil

0606.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0606.04 PUBLIC QUESTION TIME

The visitors thanked the Council for being invited to the Meeting and allowing them the chance to speak and for the opportunity to show the Council their drumbeat skills earlier in the day. Positive comments were expressed regarding the Youth Centre and the School.

A request for the provision of a bike rack at the Youth Centre was made. The President advised that the request would be taken into consideration and be discussed with the Youth Development Officer.

Cr Thomas thanked the visitors for their encouraging comments.

1:04pm The visitors left the meeting.

0606.05 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved: *B I N Thomas* **Seconded:** *L J Wainwright*

COUNCIL DECISION: **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17 MAY 2006, AS PRINTED, BE CONFIRMED.**

CARRIED 9/0

0606.06 REPORTS OF COMMITTEES AND MEMBERS

Moved: *B I N Thomas* **Seconded:** *M D Tierney*

COUNCIL DECISION: **THAT THE MINUTES FOR THE AUDIT COMMITTEE HELD ON 22 MAY 2006 BE CONFIRMED.**

CARRIED 9/0

0606.07 REPORTS OF OFFICERS**0606.08 HEALTH BUILDING AND TOWN PLANNING**

1:40pm Trevor Brandy entered the meeting.

1. LOT 148 MULLEWA WUBIN ROAD

DATE OF MEETING: 21 June 2006
LOCATION/ADDRESS: Lot 148, Mullewa Wubin Road
NAME OF APPLICANT: MEEDAC Holdings Pty Ltd
FILE REFERENCE: 302
PREVIOUS MINUTE/S & REFERENCE: 10.2.1

DATE AND AUTHOR: 24 May 2006 – Trevor Brandy, Environmental Health Officer/Building Surveyor

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: Council resolved at its May meeting to request additional information regarding the above mentioned proposal. This information was available but not presented to Council. This information is now available for Councils consideration and is attached at **APPENDIX A**.

COMMENT: The author has no real concerns with this application being accepted other than the problems associated, the social impact of having caretakers accommodation in industrial estates.

To give Council some sort of control if approval is granted I would suggest:-

- *Reviewing the approval every two years.*
- *Limiting the roofed area to say 100m² so that out buildings and the original accommodation do not exceed the use of the industrial zoning.*

A site plan will be tabled at the Council meeting.

CONSULTATION:

STATUTORY ENVIRONMENT: There are no known statutory implications at this time.

POLICY IMPLICATIONS: There are no known policy implications at this time.

FINANCIAL IMPLICATIONS: There are no known financial implications at this time.

STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

OFFICER RECOMMENDATION

THE MEEDAC PTY LTD APPLICATION TO SITUATE TWO SELF CONTAINED TRANSPORTABLE BUILDINGS ON LOT 148 MULLEWA WUBIN ROAD BE APPROVED SUBJECT TO:-

- *REVIEWING THE APPROVAL EVERY TWO YEARS.*
- *LIMITING THE ROOFED AREA TO SAY 100M² SO THAT OUT BUILDINGS AND THE ORIGINAL ACCOMMODATION DO NOT EXCEED THE USE OF THE INDUSTRIAL ZONING.*

Moved: L A Panting

Seconded: J L Freeman

COUNCIL DECISION: **THE MEEDAC PTY LTD APPLICATION TO SITUATE TWO SELF CONTAINED TRANSPORTABLE BUILDINGS ON LOT 148 MULLEWA WUBIN ROAD BE APPROVED SUBJECT TO:-**

- ***REVIEWING THE APPROVAL EVERY TWO YEARS.***
- ***LIMITING THE ROOFED AREA TO SAY 100M² SO THAT OUT BUILDINGS AND THE ORIGINAL ACCOMMODATION DO NOT EXCEED THE USE OF THE INDUSTRIAL ZONING.***
- ***THAT THE ACCOMMODATION BE LIMITED TO ONE PERSON PER UNIT.***

CARRIED 8/1

2. DONATION OF 29 JOSE STREET

DATE OF MEETING:	21 June 2006
LOCATION/ADDRESS:	Lot 550 (29) Jose Street, Mullewa
NAME OF APPLICANT:	Mary Roach, Kumarina Station, Meekatharra
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	13 June 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	The attached letter at APPENDIX B has been received from the owner of 29 Jose Street, Mullewa.
COMMENT:	<p>This lot housed the 'Bumpa Crop' Café which was destroyed by fire around October 2005. The fire rendered the building unsafe and it was ordered to be demolished. The site was cleared and put up for sale by the owner. The lot remains unsold to date and the owners have offered the lot to the Council.</p> <p>It maybe in Council's interest to accept the offer of this land for future use. Having land in the CBD to offer a commercial or professional activity could be the incentive to build in or relocate to Mullewa.</p>
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	<p>THAT COUNCIL ACCEPT THE DONATION OF 29 JOSE STREET, TO THE SHIRE OF MULLEWA BY THE EXISTING OWNER ME ROACH, SUBJECT TO THERE BEING NO COST TO COUNCIL AND THE LAND BEING FREE OF ANY ENCUMBRANCES AND OR SERVICE FEES .</p>
Moved:	<i>J L Freeman</i>
Seconded:	<i>B I N Thomas</i>
COUNCIL DECISION:	<p>THAT COUNCIL ACCEPT THE DONATION OF 29 JOSE STREET, TO THE SHIRE OF MULLEWA BY THE EXISTING OWNER ME ROACH, SUBJECT TO THERE BEING NO COST TO COUNCIL AND THE LAND BEING FREE OF ANY ENCUMBRANCES AND OR SERVICE FEES.</p>

CARRIED 7/2

0606.09 **WORKS, PLANT, PARKS & GARDENS****1. PLANT REPLACEMENT – PROGRAM OF**

DATE OF MEETING: 21 June 2006
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: 708
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: 10 August 2006 – Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST: The Author has no Disclosure of Interest
BACKGROUND: Council has developed a rolling Plant Replacement Program. The program is designed to ensure that there is an orderly and efficient level of fleet management. Approval for the program for 2006/2007 is requested.
COMMENT: Attached at **APPENDIX A** is a copy of the Plant Replacement Program for 2006/2007.
CONSULTATION: -
STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
POLICY IMPLICATIONS: There are no known policy implications at this time.
FINANCIAL IMPLICATIONS: In accordance with the Municipal Budget 2006/2007.
STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.
VOTING REQUIREMENT: -
OFFICER RECOMMENDATION **THAT**
THE 2006/2007 PLANT REPLACEMENT PROGRAM BE ADOPTED, AND
THE CHIEF EXECUTIVE OFFICER IS AUTHORISED TO GIVE EFFECT TO PLANT PURCHASES SUBJECT TO THE FOLLOWING:
LIGHT VEHICLES TO BE CHANGED OVER AT ANY TIME IN ACCORDANCE WITH PROGRAMMING REQUIREMENTS, SATISFACTION OF THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1995 WITH RESPECT TO TENDERING, AND PRIOR BUDGETARY APPROVAL OR OTHER COUNCIL AUTHORITY.

Moved: *L A Panting***Seconded:** *G M Steele*

COUNCIL DECISION: THAT

THE 2006/2007 PLANT REPLACEMENT PROGRAM BE ADOPTED, AND

THE CHIEF EXECUTIVE OFFICER IS AUTHORISED TO GIVE EFFECT TO PLANT PURCHASES SUBJECT TO THE FOLLOWING:

LIGHT VEHICLES TO BE CHANGED OVER AT ANY TIME IN ACCORDANCE WITH PROGRAMMING REQUIREMENTS, SATISFACTION OF THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1995 WITH RESPECT TO TENDERING, AND PRIOR BUDGETARY APPROVAL OR OTHER COUNCIL AUTHORITY.

CARRIED 9/0

0606.10 FINANCE & GENERAL PURPOSE

1. MUNICIPAL SEAL – EXERCISING DELEGATED AUTHORITY TO AFFIX

DATE OF MEETING: 21 June 2006

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: 207.02.106

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 30 May 2006 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: Council resolved as part of their 2005/2006 Budget to raise a loan for financing the purchase of a new grader.

COMMENT: Quotes for loans were sought from various institutions with the WA Treasury Corporation being the competitive option. WA Treasury have now forwarded loan documents which require signatures of the President and Chief Executive Officer and the imprint of the Municipal Seal.

CONSULTATION:

STATUTORY ENVIRONMENT: There are no known statutory implications at this time.

POLICY IMPLICATIONS: There are no known policy implications at this time.

FINANCIAL IMPLICATIONS: Budgeted expenditure for the purchase of a new grader in the 2005/2006 budget.

STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE MUNICIPAL SEAL BE AFFIXED TO THE DEBENTURE FROM THE WA TREASURY CORPORATION AND BE SIGNED BY THE PRESIDENT AND CHIEF EXECUTIVE OFFICER

Moved: J L Freeman**Seconded:** M D Tierney

COUNCIL DECISION: THAT THE MUNICIPAL SEAL BE AFFIXED TO THE DEBENTURE FROM THE WA TREASURY CORPORATION AND BE SIGNED BY THE PRESIDENT AND CHIEF EXECUTIVE OFFICER.

CARRIED 9/0

2. TOWN HALL & LESSER HALL CHARGES – WAIVER OF

DATE OF MEETING: 21 June 2006

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: 603

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 30 May 2006 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND:

A letter has been received from Sharyn May, Manager of the Midwest Gascoyne and Murchison Team of the Resource Unit for Children with Special Needs Inc. and Rural Children's Support Network. The letter is requesting that Council waive the fees associated with town hall and lesser hall use.

COMMENT:

The Rural Children's Support Network (RUCSN), staff from the Department for Community Development and the Midwest Parenting Service are facilitating a Family Bonding Program in Mullewa for indigenous families. This program has been funded by a grant from the Rural Children's Support Group.

Over the remainder of the year the group are looking for a venue to facilitate the program every Wednesday from 10am to 12 noon. With the introduction of crèche legislation, they have identified the town and lesser halls as being the only suitable venue.

The group have been quoted \$90 per session for use of the town (\$50) and lesser (\$40) halls. They are requesting that Council consider waiving the fees on the understanding that they are providing a program that is aimed at working towards addressing some of the ongoing social and parenting issues within the Mullewa Community.

CONSULTATION:

STATUTORY
ENVIRONMENT:

There are no known statutory implications at this time.

POLICY
IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL
IMPLICATIONS:

Revenue to the value of approx. \$2,160 over a five month period.

STRATEGIC
IMPLICATIONS:

Contribution towards addressing social and parenting issues within Mullewa

VOTING REQUIREMENT: Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL CONSIDER REDUCING THE FEE IMPOSED FOR THE USE OF THE MULLEWA TOWN AND LESSER HALLS FOR THE FAMILY BONDING PROGRAM.

Moved: J L Freeman

Seconded: L J Wainwright

COUNCIL DECISION:

THAT COUNCIL REDUCE THE FEE IMPOSED TO \$20.00 PER SESSION, FOR THE USE OF THE MULLEWA TOWN AND LESSER HALLS FOR THE FAMILY BONDING PROGRAM; AND

THAT THE FACILITY BE LEFT CLEAN AND TIDY AFTER EACH USE.

CARRIED 5/4

3. FINANCE REPORT 31 MAY 2006

DATE OF MEETING: 21st June 2006

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTES AND
REFERENCE:

DATE AND AUTHOR: 2nd June 2006 Noelene Holmes – Deputy CEO

COMMENT:

BANK RECONCILIATION

The Bank Reconciliation for the month of May 2006 is listed below. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest. This account attracts an interest rate of 5%.

ACCOUNT	MUNICIPAL	CDA	TRUST	COMM. TRUST	RESERVE	ROAD RESEAL
BANK STATEMENT BALANCE	12,277.35	966,978.00	102,617.52	113,033.16	252,000.00	183,333.00
ADJUSTMENTS	-2,444.65	0.00	2,444.65	0.00	0.00	0.00
SUB TOTAL	9,832.70	966,978.00	105,062.17	113,033.16	252,000.00	183,333.00
ADD O/S DEPOSITS	9,723.52	0.00	80.00	0.00	0.00	0.00
LESS O/S CHEQUES	17,934.36	0.00	901.73	0.00	0.00	0.00
CASH BALANCE	1,621.86	986,978.00	104,240.44	113,033.16	252,000.00	183,333.00
CASH BALANCE 01.07.05	904,985.56	362,027.42	70,064.31	75,000.00	205,283.00	0.00
<u>ADD</u>						
RECEIPTS YTD	3,879,947.23	2,525,000.58	29,305.63	77,058.38	46,717.00	83,333.00
RECEIPTS THIS MONTH	574,268.91	100,000.00	20,940.00	0.00	0.00	100,000.00
<u>LESS</u>						
PAYMENTS TO DATE	3,771,797.88	1,900,050.00	11,868.36	26,172.83	0.00	0.00
PAYMENTS THIS MONTH	617,917.86	120,000.00	4,201.14	12,852.39	0.00	0.00
CASH BALANCE	969,485.96	966,978.00	104,240.44	113,033.16	252,000.00	183,333.00

Note: The CDA funds are included in the Municipal Cash Balance

**STATEMENT OF CASH POSITION
31ST MAY 2006**

CASH ON HAND	200.00
MUNICIPAL FUND	1,621.86
INVESTED MUNICIPAL FUNDS	966,978.00
MULLEWA COMMUNITY TRUST	113,033.16
RESERVE FUNDS	252,000.00
ROAD RESEAL FUNDS	183,333.00
TOTAL CASH FUNDS	1,517,166.02

THIS IS REPRESENTED BY:

LEAVE RESERVE	80,000.00
SERVICE GRATUITY RESERVE	10,000.00
BUILDING RESERVE	47,000.00
AERODROME RESERVE	26,000.00
MEDICAL CENTRE RESERVE	57,000.00
EFFLUENT SCHEME RESERVE	32,000.00
MULLEWA COMMUNITY TRUST	113,033.16
ROAD RESEAL FUNDS	183,333.00
AVAILABLE FUNDS	968,799.86
TOTAL FUNDS	1,517,166.02

STATUTORY
ENVIRONMENT:
POLICY IMPLICATIONS:

There are no statutory implications on this matter.

There are no policy implications on this matter.

FINANCIAL
IMPLICATIONS:

There are no financial implications on this matter.

STRATEGIC
IMPLICATIONS:

There are no strategic implications on this matter.

VOTING
REQUIREMENTS:

-

OFFICER
RECOMMENDATION :

THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST MAY 2006 BE RECEIVED.

Moved: *L J Wainwright*

Seconded: *G M Steele*

COUNCIL DECISION: THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST MAY 2006 BE RECEIVED.

CARRIED 9/0

4. 13 STEELE STREET MULLEWA – SALE OF
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DATE OF MEETING: 21ST June 2005

LOCATION/ADDRESS:

NAME OF APPLICANT: Mrs Norma Willaway

FILE REFERENCE: 303.03 H13

PREVIOUS MINUTE/S &
REFERENCE: September 2005 Agenda Item 10.2.7
October 2005 Minute 1005.07
November 2005 Agenda Item 10.2.1

DATE AND AUTHOR: Noelene Holmes – Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: At its Ordinary Meeting on 23 September 2005 the Council resolved to

approach the tenant of Lot 13 Steele Street and advise her of Councils intention to sell the property and that any offer over \$25,000 would be considered. At its Ordinary Meeting on 19 October 2005 the Council resolved to sell the property subject to satisfying the requirements of section 3.58 of the Local Government Act. At its Ordinary Meeting Council resolved to sell the property to Mrs Norma Willaway for the sum of \$28,000. Subsequently a settlement agent (Peter Groom) was appointed to deal with the sale of the property.

COMMENT: With the appointment of the agent for the contract of sale the appropriate paperwork was forwarded to Mrs Willaway for signing on a number of occasions. This paperwork has never been received by the agent and therefore the purchaser is not under any legal obligation to proceed with the transaction.

In the meantime Mrs Willaway has written to Council advising that due to financial difficulties she was unable to sign the contract of sale sent by the settlement agent and is requesting that she be given a period of 3-4 months to raise the finance to enable her to continue with the purchase of the property.

Given the response received to the availability of the property during the advertising stage it would not be unreasonable to extend a further 3-4 months to Mrs Willaway for the sale to be finalised.

CONSULTATION: Chelsea Urwin of Peter Groom Settlements

STATUTORY ENVIRONMENT: Local Government Act

Real Estate Act

POLICY IMPLICATIONS: There are no policy implications on this matter.

FINANCIAL IMPLICATIONS: Income would be received in 2006/2007

STRATEGIC IMPLICATIONS: Will result in the older housing stock being disposed of.

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION THAT MRS NORMA WILLAWAY BE GIVEN AN EXTENSION TO THE 31ST OCTOBER 2006 TO FINALISE THE TRANSACTION FOR THE SALE OF LOT 13 STEELE STREET, MULLEWA.

Moved: *B I N Thomas*

Seconded: *J L Freeman*

COUNCIL DECISION: **THAT MRS NORMA WILLAWAY BE GIVEN AN EXTENSION TO THE 31ST OCTOBER 2006 TO FINALISE THE TRANSACTION FOR THE SALE OF LOT 13 STEELE STREET, MULLEWA**

CARRIED 9/0

5. CULTURAL MAPPING ARTS PROJECT

DATE OF MEETING:	21 June 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	13 June 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	A funding application was submitted to Community Arts Network WA to part fund the costs of an artist/facilitator to work with the local community on a cultural mapping project. The application was unsuccessful. However, the funding agency did indicate that we should re-apply in the next funding round.
COMMENT:	<p>The project involves 3 stages and briefly would consist of –</p> <ol style="list-style-type: none"> 1. <i>Using disposable cameras (12), various members of the community would record their personal reflections on “sense of place” in Mullewa. Following development, the photos would be collated by the facilitator and put together and exhibited for the workshops.</i> 2. <i>“Celebrate Mullewa” workshops will be held to share thoughts, ideas and values in 3 areas –</i> <ul style="list-style-type: none"> • <i>Past, present and future of Mullewa.</i> • <i>Cultural mapping and planning thoughts and ideas development, and</i> • <i>Projects and events development.</i> 3. <i>Banner painting or mural painting – participants will have the opportunity to collaborate ideas, designs and skills to paint murals that celebrate Mullewa.</i> <p>Due to the perceived need to have a community project, I would be suggesting to Council that these workshops be commenced as soon as possible</p>
CONSULTATION:	Deputy President, various community groups.
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	The cost of the workshops total \$5,000. Council has funds available in Economic Services - Area Promotion.
STRATEGIC IMPLICATIONS:	This project will have positive implications for the community.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL AUTHORISE THE CHIEF EXECUTIVE OFFICER TO INSTIGATE THE CULTURAL MAPPING PROCESS BY ENGAGING AN ARTIST/FACILITATOR TO CARRY OUT WORKSHOPS IN MULLEWA.

COUNCIL DECISION: THAT COUNCIL WAIVE THE HIRE CHARGE OF THE RECREATION CENTRE FOR THE COMMUNITY BBQ.

CARRIED 5/4

7. DRAFT PRINCIPAL ACTIVITY PLAN – ADOPTION OF

DATE OF MEETING: 21 June 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 101.05

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 14 June 2006 - Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.

BACKGROUND: Under the Local Government Act the Council is required to prepare a plan for the next two or more financial years detailing the principal activities in the Municipality. The plan is a summary of major works to be undertaken during this time as well as major services, which the Municipality hopes to provide. It will also demonstrate the sources of these works and services and will provide some input into Council's 2006/2007 Municipal Budget.

COMMENT: A draft Plan has been prepared at **APPENDIX B** which covers the years 2006/2007 to 2009/2010 and will be advertised for public comment. The comment period closes at 4:00pm, 12 July 2006.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act Section 5.56

POLICY IMPLICATIONS: There are no known policy implications at this time.

FINANCIAL IMPLICATIONS: Part of Budget process.

STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

VOTING REQUIREMENT: Absolute majority

OFFICER RECOMMENDATION: THAT THE DRAFT PRINCIPAL ACTIVITIES PLAN FOR THE MULLEWA SHIRE COUNCIL FOR THE YEARS 2006/2007 TO 2009/2010 BE RECEIVED, AND PUBLIC COMMENT SOUGHT.

Moved: *J L Freeman*

Seconded: *L A Panting*

COUNCIL DECISION: THAT THE DRAFT PRINCIPAL ACTIVITIES PLAN FOR THE MULLEWA SHIRE COUNCIL FOR THE YEARS 2006/2007 TO 2009/2010 BE RECEIVED AND PUBLIC COMMENT SOUGHT.

CARRIED 9/0

8. STATEMENT OF FINANCIAL ACTIVITY – MAY 2006
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DATE OF MEETING: 21 June 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 15 June 2006 - Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.

BACKGROUND: Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.

COMMENT: Attached **APPENDIX C** is the Statement of Financial Activity for May 2006. The variance is calculated by using the following formula:

Sources

$(+Actual - YTD Budget) \div YTD Budget$	= % Variance
$(+175,969 - 183,455) \div 183,455$	= 4.08%

Applications

$(YTD Budget - Actual) \div YTD Budget$	= % Variance
$(66,126 - 75,925) \div 66,126$	= 14.82%

CONSULTATION: STATUTORY ENVIRONMENT: There are no known statutory implications at this time.

POLICY IMPLICATIONS: There are no known policy implications at this time.

FINANCIAL IMPLICATIONS: There are no known financial implications at this time.

STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MAY 2006 BE RECEIVED.

Moved: J L Freeman **Seconded:** G M Steele

COUNCIL DECISION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MAY 2006 BE RECEIVED.

CARRIED 9/0

0606.11 CHIEF EXECUTIVE OFFICER'S REPORT**1. FORTHCOMING MEETINGS**

MON, 19 JUNE 2006	WCRC AGREEMENT – MINISTER – 8:00AM
MON, 19 JUNE 2006	LUNCH WITH ELDERS
TUES, 20 JUNE 2006	INFORMATION SESSION – RESTRICTED ACCESS VEHICLES – GERALDTON – 1:30PM
WED, 21 JUNE 2006	COUNCIL MEETING – MULLEWA – 10:30AM
THURS, 22 JUNE 2006	KINDY/PRE-PRIMARY PLAYGROUND OPENING – MULLEWA – 10:00AM
TUES, 27 JUNE 2006	MWSIG MEETING – GERALDTON – 9:00AM
WED, 5 JULY 2006	MEET COUNCILLOR MESSINA – MULLEWA – 9:00AM
TUES, 11 JULY 2006	NORTHERN BARRIER FENCE COMMITTEE MTG – MULLEWA – 10:00AM
WED, 19 JULY 2006	COUNCIL MEETING – MULLEWA – 10:30AM
TUES, 25 JULY 2006	MWSIG MEETING – GERALDTON – 9:00AM
WED, 26 JULY 2006	ADP MEETING – MULLEWA – 10:00AM
MON, 31 JULY 2006	NORTHERN ZONE TELECONFERENCE – MULLEWA – 8:30AM
WED, 2 AUGUST 2006	MEET COUNCILLOR MESSINA – MULLEWA – 9:00AM
FRI 4 AUG – WED 9 AUG	LOCAL GOVERNMENT WEEK – PERTH
WED, 16 AUGUST 2006	COUNCIL MEETING – MULLEWA – 10:30AM
TUES, 22 AUGUST 2006	MWSIG MEETING – GERALDTON – 9:00AM
WED, 6 SEPT 2006	MEET COUNCILLOR MESSINA – MULLEWA – 9:00AM
TUES, 12 SEPT 2006	BUSH FIRE GROUP MEETING – MULLEWA REC CENTRE – 9:00AM
FRI, 15 SEPT 2006	FIRE CONTROL OFFICERS TRAINING – MULLEWA REC – 8:00AM
WED, 20 SEPT 2006	COUNCIL MEETING – MULLEWA – 10:30AM
TUES, 26 SEPT 2006	MWSIG MEETING – GERALDTON – 9:00AM

2. VOLUNTARY LIQUOR AGREEMENT

DATE OF MEETING:	21 June 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	0505.28 – Report May 18,2005
DATE AND AUTHOR:	15 June 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	Attached at APPENDIX A is a copy of the existing agreement, the April 4, 2005 meeting planner, the extract from the CEO Report May 18, 2005, and a copy of the officer report considered at the Council meeting May 18, 2005. The above documents should be again considered with the view of Council facilitating a review to re-establish the agreement.
COMMENT:	At the recent meetings of the Regional Agency Managers held on Monday May 15 and June 12, 2006 it was raised by the OIC of the Mullewa Police that Council should re-establish the local liquor “accord”. I see Councils role in this matter as being the facilitator for community consultation. The restrictions on the sale of liquor <u>OR</u> the closing of licence premises generally effects the whole of the Mullewa Community

and also the traveling public. The previous agreement, at its end, also required a review to be carried out by the Director of Liquor Licensing and the signatories to that agreement.

The principles attached to the agreement must also be reviewed to ensure that previous actions carried out under the agreement were abided by, ie consultation.

To allow all members of the community to have a say in any proposed future agreement, the review needs to be widely publicized. The signatories of the previous agreement should be advised and their input requested. All other stakeholders should also be given the opportunity for their input.

This process and any future agreement must be community driven and have the majority support of the indigenous members of the Mullewa community.

CONSULTATION:

General discussions with community members

STATUTORY
ENVIRONMENT:

There are no known statutory implications at this time.

POLICY
IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL

IMPLICATIONS:

There are no known financial implications at this time.

STRATEGIC

IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL FACILITATE A REVIEW OF THE PREVIOUS MULLEWA COMMUNITY AND LICENSEES AGREEMENT BY –

- REQUESTING A REVIEW BY THE DIRECTOR OF LIQUOR LICENSING AND ALL OTHER SIGNATORIES.
- NOTIFYING THE PUBLIC THAT A REVIEW OF THE AGREEMENT IS BEING CARRIED OUT AND HOW THEY CAN SUBMIT COMMENTS.
- ARRANGE MEETINGS, AS NECESSARY, FOR INTERESTED PERSONS AND OR GROUPS TO DISCUSS THE PROPOSED FUTURE AGREEMENT.

Moved: M D Tierney

Seconded: J L Freeman

COUNCIL DECISION:

THAT COUNCIL FACILITATE A REVIEW OF THE PREVIOUS MULLEWA COMMUNITY AND LICENSEES AGREEMENT BY

- **REQUESTING A REVIEW BY THE DIRECTOR OF LIQUOR LICENSING AND ALL OTHER SIGNATORIES.**
- **NOTIFYING THE PUBLIC THAT A REVIEW OF THE AGREEMENT IS BEING CARRIED OUT AND HOW THEY CAN SUBMIT COMMENTS.**
- **ARRANGE MEETINGS, AS NECESSARY, FOR INTERESTED PERSONS AND OR GROUPS TO DISCUSS THE PROPOSED FUTURE AGREEMENT.**

CARRIED 9/0

3. USE OF MOTOR BUS - POLICY

DATE OF MEETING: 21 June 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 708.033

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 13 June 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: The existing policy regarding the motor bus states:-

1218 **MOTOR BUSES - Usage of**

1218.1 - **Youth Programmes**

Usage of the bus is permitted for the following activities:

- *conduct and operation of the Mullewa Activity Centre*
- *all Council organised camps, excursions or events*
- *Blue Light Disco events, including trips to and from Perth, Mingenew and Geraldton*
- *employment and training courses where such courses are organised or sponsored by the Council*
- *Sporting and Personal Development Programs where such programs involve coordinating and management input by the Council*
- *any other purpose as determined by Council*

*[Adopted Y9808.17] - **Policies and Procedures***

- *21 seats are available and only 21 persons will board the bus*
- *The bus will be cleaned out after each activity by all who participated. If and when the bus is used for camps, it will be cleaned out immediately after camp or at a time determined by the Youth Development Officer*
- *Food can be eaten on the bus and a bin or rubbish bags must be provided. **NO CHEWING OR BUBBLE GUM ALLOWED***
- *A First Aid Kit must always be on the bus when travel is needed for activities and/or camps*

The policy has caused some concerns in the past due to all other uses of the bus, not involving activities at the Youth Centre or having a management component of Council, requiring Council approval.

It was a suggestion from the May "Information Session" that the policy be reviewed.

COMMENT: Councillors and both schools have been requested to provide some input into the review process of the Motor Bus policy. This information is still being received. I have also attached copies **APPENDIX B** of the hire

conditions of a “Community Bus” from two other local authorities that may assist in formulating a policy if Council sees a need to go in that direction. Council may wish to only extend the use of the bus to cover the schools **but** maintain the focus on being used for the YOUTH of Mullewa and not use it as a “community” bus. A fee may be introduced for the school use but the commercial interests in the town will need to be considered under the National Competition Policy. The existing policy may only need some fine tuning to get the result that the Council is comfortable with.

I would suggest that the policy would not be able to be finalised at this meeting. The information provided and the debate should suggest the direction Council would prefer to see the policy developed.

It could mean that from this meeting a rough draft be developed and discussed at the July information session and included in the agenda for adoption.

CONSULTATION:	Various Councillors.
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	Policy 1218
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL CONSIDER THE INFORMATION THAT IS AVAILABLE AT THIS TIME; PROVIDING THE DIRECTION THE POLICY BE DEVELOPED AND FURTHER DISCUSS THE REVIEW OF THE MOTOR BUS POLICY AT THE JULY 2006 MEETING.

Moved: *B I N Thomas* **Seconded:** *J L Freeman*

COUNCIL DECISION:

THAT THE DRAFT “USE of BUS” POLICY IS TO INCLUDE THE USE BY SCHOOLS; A HIRE RATE BEING IMPOSED AND THE COST OF FUEL TO BE BOURNE BY HIRER.

CARRIED 9/0

0606.12	MEETING ADJOURNED – MEETING RECONVENED
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Meeting adjourned 3:05pm – 3:23pm

PRESENT:

Councillor A J Messina – President	(West Ward)
Councillor B I N Thomas – Deputy President	(East Ward)
Councillor G M Steele	(South Ward)

Councillor J L Freeman	(Central Ward)
Councillor M D Tierney	(Central Ward)
Councillor M Kerkmans	(East Ward)
Councillor L A Panting	(Central Ward)
Councillor L J Wainwright	(Central Ward)
Councillor N D Johnstone	(South Ward)

OFFICERS:

Mr T Hartman - Chief Executive Officer
 Ms N J Holmes – Deputy Chief Executive Officer

0606.13 CHIEF EXECUTIVE OFFICERS REPORT - continued**4. PROPOSED DISPOSAL OF LOT 224 GRAY STREET**

DATE OF MEETING:	21 June 2006
LOCATION/ADDRESS:	Lot 224, Gray Street, Mullewa
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	16 June 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	The attached letter at APPENDIX C has been received from the Department of Planning and Infrastructure.
COMMENT:	Nil
CONSULTATION:	
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL CONSIDER THE PROPOSED DISPOSAL OF LOT 224, GRAY STREET, MULLEWA AND MAKE COMMENT AS TO WHETHER COUNCIL HAS ANY OBJECTIONS TO THE PROPOSAL PROCEEDING.

Moved: *B I N Thomas* **Seconded:** *L A Panting*

COUNCIL DECISION: **THAT COUNCIL ADVISE THAT THEY HAVE NO OBJECTIONS TO THE PROPOSED DISPOSAL OF LOT 224, GRAY STREET, MULLEWA PROCEEDING.**

CARRIED 9/0

0606.14 **NEW BUSINESS OF AN URGENT NATURE INTRODUCED
BY DECISION OF MEETING**

1. DELEGATED AUTHORITIES- REVIEW OF

DATE OF MEETING:	21 June 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Chief Executive Officer
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	See below
DATE AND AUTHOR:	20 June 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	-
BACKGROUND:	In accordance with the provision of Section 5.46 of the Local Government Act, council is required to review all delegations that it has made, at least once in every financial year.
COMMENT:	Attached at APPENDIX A is a summary of the delegations made by Council. All of the delegations are considered current.
CONSULTATION:	
STATUTORY ENVIRONMENT:	Local Government Act 5.46
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority.
OFFICER RECOMMENDATION	THAT THE DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, 39 AND 40 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.

Moved: *L A Panting* **Seconded:** *J L Freeman*

COUNCIL DECISION: **THAT THE DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, 39 AND 40 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.**

CARRIED 9/0

0606.15 CLOSURE OF MEETING
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The President closed the meeting at 3:30pm.

These minutes were confirmed at a meeting on 19 July 2006:
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Signed:

A J Messina, President

Date:
