

---

## INDEX

---

1006.01	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS.....	2
1006.02	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE .....	2
1006.03	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	2
1006.04	PUBLIC QUESTION TIME .....	3
1006.05	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	3
1006.06	HEALTH, BUILDING AND TOWN PLANNING.....	3
	1. Lot 451 Mills Street – Demolition Of.....	3
	2. Lot 42 Carson Street – Demolition Of.....	5
	3. Lot 43 Carson Street .....	7
	4. Lot 116 Burges Street – Demolition Of.....	8
1006.07	WORKS, PLANTS, PARKS & GARDENS.....	10
	1. Local Government Road Assets And Expenditure 2004/2005 – Report On .....	10
	2. Tenders – New Depot Workshop .....	12
	3. tenders – Multi - Tyred Roller .....	13
	4. Murchison Land Conservation District – Nomination For Reappointment .....	14
1006.08	FINANCE & GENERAL PURPOSE.....	15
	1. Rates – Writing Off.....	15
	2. Finance Report 30 <sup>th</sup> September 2006 .....	16
	3. Auditors – Appointment Of .....	17
	4. Perth Royal Show Display – Donation For .....	19
	5. Statement Of Financial Activity – September 2006 .....	20
1006.09	CHIEF EXECUTIVE OFFICER'S REPORT .....	21
	1. Proportional Preferential Voting.....	21
	2. Appointment Of Authorised Person – Dog Act .....	22
	3. Premiers Australia Day Active Citizenship Awards - 2007 .....	23
	4. Local Government Rating Of Land Used For Charitable Purposes .....	25
1006.10	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....	26
	1. Accounts For Payment.....	26
1006.11	CLOSURE OF MEETING.....	28

**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 18 OCTOBER 2006.****1006.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:00pm The President declared the meeting open.

**1006.02 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**

Our Lady of Mount Carmel Catholic School  
Students: Keiran Crudeli  
Tristan Paradella

**1006.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

<b>1006.04</b>	<b>PUBLIC QUESTION TIME</b>
----------------	-----------------------------

The students thanked the Council for the opportunity to attend, ask questions and supplying lunch.

Keiran Crudeli asked what was happening with the bus route roads since it was bought up at the August Council meeting.

The President advised that the Council had investigated the bus route and improvements had been made.

Tristan Paradella asked what the Council was doing with water restrictions and should there be tap timers on back and front taps.

The President advised that water restrictions were the responsibility of the Water Corporation. Cr Johnstone advised that Council had reticulated the oval and water was programmed for night time which reduces water usage.

Tristan Paradella asked what was happening with abandoned, smashed and unused houses in Mullewa and if the Shire had plans to demolish the houses and turn them into vacant blocks of land.

The President advised that progress on dilapidated houses was currently in place, but the land would remain privately owned if houses were condemned.

The students thanked the Council for addressing their questions.

1:05pm Cr Freeman escorted the visitors from the meeting.  
1:06pm Cr Freeman returned to the meeting.

<b>1006.05</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b>
----------------	--

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

**COUNCIL DECISION:**            **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 SEPTEMBER 2006, AS PRINTED BE CONFIRMED.**

**CARRIED 9/0**

<b>1006.06</b>	<b><u>HEALTH, BUILDING AND TOWN PLANNING</u></b>
----------------	--

<b>1.</b>	<b>LOT 451 MILLS STREET – DEMOLITION OF</b>
-----------	---

DATE OF MEETING:            18 October 2006  
LOCATION/ADDRESS:            Lot 451 Mills Street (former Lot 81)  
NAME OF APPLICANT:            Mr SR ALLEN  
FILE REFERENCE:                H302.7

- PREVIOUS MINUTE/S & REFERENCE: Late item 11.1 – 20 September 2006
- DATE AND AUTHOR: 5<sup>th</sup> October 2006 – William V Atyeo
- DISCLOSURE INTEREST: Author has no disclosure of interest
- SUMMARY: Following the issuing of the Notice and letter to the owner, I returned to Mullewa on the 3<sup>rd</sup> October 2006. The Notice was served in accordance with the requirements of the Health Act, and these were served through registered post. However, the papers were returned to the Shire unopened and the envelope was clearly marked stating that the person had “refused” them. This is on file now and will remain unopened unless required in a Court of law.
- Council can now determine to cause the demolition of the dwelling and associated buildings pursuant to Section 140.(1) of the Health Act which clearly states that:
- “Whenever any owner fails to comply with a notice served upon him under any of the foregoing provisions of this Part, within a time therein specified, he commits an offence, and the local government may carry out the terms of the notice and recover all expenses from the owner”.*
- BACKGROUND: As stated in my last report to Council, this premise has been under scrutiny for some time now, and there have been no positive responses back from the owner. Legal action taken under the Local Government (Miscellaneous Provisions) Act has been slow and unresponsive, as well as being a financial impose on the Shire.
- Therefore the Notice and covering letter were sent to Mr Evans pursuant to the provisions of the Health Act. As well as Mr Evans “refusing” to accept the letter and Notice, he has also not contacted the office or myself on this matter, and is obviously determined not to have contact with the Shire.
- However, the Notice stands and the terms of the Notice are legally binding on him. Even though he has not received them. They are considered to have been served.
- COMMENT: The house I consider to be a danger to the health and safety of the community as it is not secure allowing easy entry by unauthorised persons.
- The covering letter advised the owner of his rights of appeal under the Health Act, and the Notice served in accordance with the requirements of the Act. The letter and copy of the Notice were posted to Mr Evans under ‘registered’ post. This was returned to the Shire as ‘refused’.
- Mr Evans has again shown contempt to Council and has chosen to be uncooperative, even to the extent of promising Mr Trevor Brandy that he would sign a letter authorising the Shire to demolish the dwelling. This has not been forthcoming.
- A further letter will be sent to Mr Evans via registered mail, advising him of my recommendation to Council that I am making this day. This may also be refused by Mr Evans, but that is his choice. I will take a copy of

the letter to Perth with me and will mail it to him through normal post, plain envelope, and addressed by me personally.

This will demonstrate to the Courts, if necessary, that we have tried every avenue to keep Mr Evans informed at all times.

CONSULTATION:	Shire President Chief Executive Officer
STATUTORY ENVIRONMENT:	The Health Act 1911 and Regulation as amended from time to time
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time. However, if the Shire was to cause the carrying out of the conditions of the Health Notice issued, then there could be costs involved to the Shire.
STRATEGIC IMPLICATIONS:	Derelict and dilapidated houses are a risk to the health and well being of the community as a whole and are required to be brought up to the required standards. The renovation or the demolition of the house will result in a healthier town which is more aesthetically pleasing and safer.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION:	THAT COUNCIL DETERMINE THAT MR EVANS HAS FAILED TO COMPLY FULLY WITH THE NOTICE DULY SERVED ON HIM AND THE DWELLING AS REQUIRED BY THE HEALTH ACT 1911, AND THAT COUNCIL NOW DETERMINES TO CARRYOUT THE TERMS OF THE NOTICE AND CAUSE THE DEMOLITION OF THE HOUSE AND ASSOCIATED BUILDINGS LOCATED ON LOT 451 MILLS STREET MULLEWA AS IS REQUIRED BY THAT NOTICE.

**Moved:** *J L Freeman*                      **Seconded:** *L J Wainwright*

COUNCIL DECISION      **THAT COUNCIL DETERMINE THAT MR EVANS HAS FAILED TO COMPLY FULLY WITH THE NOTICE DULY SERVED ON HIM AND THE DWELLING AS REQUIRED BY THE HEALTH ACT 1911, AND THAT COUNCIL NOW DETERMINES TO CARRYOUT THE TERMS OF THE NOTICE AND CAUSE THE DEMOLITION OF THE HOUSE AND ASSOCIATED BUILDINGS LOCATED ON LOT 451 MILLS STREET MULLEWA AS IS REQUIRED BY THAT NOTICE.**

**CARRIED 9/0**

<b>2.</b>	<b>LOT 42 CARSON STREET – DEMOLITION OF</b>
-----------	---

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	Lot 42 Carson Street
NAME OF APPLICANT:	Mr Ravindran ARUMUGAM
FILE REFERENCE:	H302.7
PREVIOUS MINUTE/S & REFERENCE:	Late Item 11.2 – 20 September 2006

DATE AND AUTHOR:	5 <sup>th</sup> October 2006 – William V Atyeo
DISCLOSURE INTEREST:	Author has no disclosure of interest
SUMMARY:	<p>Following the issuing of the Notice and letter to the owner, I returned to Mullewa on the 3<sup>rd</sup> October 2006. The Shire had received no correspondence from the new owner and is now in breach of the Health Act due to non-compliance with the Notice served.</p> <p>Given that the owner stated above had just purchased the property from a deceased estate, I finally was able to contact Mr Arumugam and speak with him on the matter. He was appreciative that I did contact him and stated that he did agree with the Shire in that the building did need to be demolished.</p> <p>He stated that he had asked for quotes from some local people for them to demolish the dwelling, but had not received anything back as yet. He intends to visit Mullewa soon, and will in the meantime work towards organising the demolition of the dwelling in accordance with the Notice.</p>
BACKGROUND:	<p>A Notice under the Health Act was served on the owners in late August 2006, declaring the dwelling to be Unfit for Human Habitation and calling for the demolition of the dwelling. The compliance date for this was the 3<sup>rd</sup> October 2006.</p>
COMMENT:	<p>When speaking with Mr Arumugam I did state that it was not Council's first option to demolish the dwellings, but that the building had deteriorated to such a state that it was a risk to the health and well being of the community, and was considered to be a fire trap.</p> <p>I also stated that if he had trouble arranging the demolition that he should speak with the CEO Mr Hartman to see what the Shire could arrange. I emphasised that it was imperative that the demolition occur as soon as possible, and that if it was delayed too long, then the Shire would take further action.</p> <p>I also stated that no further legal action would be taken at this time providing the progression towards demolition was ongoing and completed as soon as practicably possible. Within one month was stated as the desired time-frame.</p> <p>It is hoped that this is all arranged before this report actually goes to Council.</p>
CONSULTATION:	Chief Executive Officer
STATUTORY ENVIRONMENT: POLICY IMPLICATIONS: FINANCIAL IMPLICATIONS:	<p>The Health Act 1911 and Regulation as amended from time to time</p> <p>There are no known policy implications at this time.</p> <p>There are no known financial implications at this time. However, if the Shire was to cause the carrying out of the conditions of the Health Notice issued, then there could be costs involved to the Shire.</p>
STRATEGIC IMPLICATIONS:	<p>Derelict and dilapidated houses are a risk to the health and well being of the community as a whole and are required to be brought up to the required standards. The renovation or the demolition of the house will</p>

result in a healthier town which is more aesthetically pleasing and safer.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN REGARD TO THE PROGRESS TOWARDS THE DEMOLITION OF THE DWELLING LOCATED AT LOT 42 CARSON STREET.

**Moved:** J L Freeman

**Seconded:** L A Panting

**COUNCIL DECISION:** THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN REGARD TO THE PROGRESS TOWARDS THE DEMOLITION OF THE DWELLING LOCATED AT LOT 42 CARSON STREET.

**CARRIED 9/0**

<b>3. LOT 43 CARSON STREET</b>
--------------------------------

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: Lot 43 Carson Street

NAME OF APPLICANT: Murchison Region Aboriginal Corporation

FILE REFERENCE: H302.7

PREVIOUS MINUTE/S & REFERENCE: Late Item 11.3 – 20 September 2006

DATE AND AUTHOR: 5<sup>th</sup> October 2006 – William V Atyeo

DISCLOSURE INTEREST: Author has no disclosure of interest

SUMMARY: Following the issuing of the Notice and letter to the owner, I returned to Mullewa on the 3<sup>rd</sup> October 2006. The Shire had received no correspondence from MRAC and is now in breach of the Health Act due to non-compliance with the Notice served.

I attempted to speak with a responsible staff member of MRAC on at least four occasions but was unable to find anyone that knew of the letter and Notice that was served through registered post. I finally spoke to a finance person in the organisation, and he informed me that I needed to speak to Ashley Taylor, and he was not available at the time.

I insisted that someone from their organisation ring me, and emphasised the seriousness of the documentation I had sent. This was understood and I was assured that Mr Taylor would contact me as soon as possible on the 6<sup>th</sup> October.

Following this I drafted a letter to MRAC informing them that they were in breach of the Health Act for non-compliance with the conditions of the Notice that was issued, and again stated that they needed to contact me, otherwise further legal action would be forthcoming.

- BACKGROUND:** A Notice under the Health Act was served on the owners in late August 2006, declaring the dwelling to be Unfit for Human Habitation and calling for various works to be completed on the Lot. The compliance date for this was the 3<sup>rd</sup> October 2006.
- COMMENT:** I feel confident that I will be able to convince MRAC that they need to have specific works carried out on the premises as soon as possible, and within the month. Should my discussion with the responsible person not lead to action by MRAC, then I will advance the legislative procedures.
- It is hoped that this can be avoided. I will maintain contact with the CEO on this matter, and will further contact MRAC, should they not contact me shortly. Hopefully I will be able to inform Mr Hartman, who will be able to verbally inform Council at the meeting.
- CONSULTATION:** Chief Executive Officer
- STATUTORY ENVIRONMENT:** The Health Act 1911 and Regulation as amended from time to 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:** Derelict and dilapidated houses are a risk to the health and well being of the community as a whole and are required to be removed. Results in a more aesthetic town, and a cleaner one.
- VOTING REQUIREMENT:** Simple majority
- OFFICER RECOMMENDATION:** THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN PURSUING THE OWNERS TO ENSURE COMPLIANCE WITH THE HEALTH NOTICE ISSUED PREVIOUSLY AND IS STILL OUTSTANDING ON THE OWNERS AND PROPERTY AT LOT 43 CARSON STREET..

**Moved:** J L Freeman

**Seconded:** G M Steele

**COUNCIL DECISION:** **THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN PURSUING THE OWNERS TO ENSURE COMPLIANCE WITH THE HEALTH NOTICE ISSUED PREVIOUSLY AND IS STILL OUTSTANDING ON THE OWNERS AND PROPERTY AT LOT 43 CARSON STREET.**

**CARRIED 9/0**

4.	LOT 116 BURGES STREET – DEMOLITION OF
----	---------------------------------------

**DATE OF MEETING:** 18 October 2006

**LOCATION/ADDRESS:** Lot 116 Burges Street

**NAME OF APPLICANT:** KEYSTART as Mortgagee In Possession (MIO)

**FILE REFERENCE:** H302.7



---

PREVIOUS MINUTE/S & REFERENCE:	Late Item 11.4 – 20 September 2006
DATE AND AUTHOR:	5 <sup>th</sup> October 2006 – William V Atyeo
DISCLOSURE INTEREST:	Author has no disclosure of interest
SUMMARY:	<p>Following the issuing of the Notice and letter to the owner, I returned to Mullewa on the 3<sup>rd</sup> October 2006. Mr Hartman informed me that a local person had been contacted to submit a quote to Keystart for the demolition of the dwelling, and that the person had received the authority of Keystart to action the demolition.</p> <p>This is a good result, and I have Emailed Keystart personnel requesting that the Shire be advised in writing of the timeframe for the demolition to occur and the names of the responsible person or persons, so that this matter can be finalised as soon as possible.</p> <p>I understand that the Shire may become involved in the demolition of the premises, but we are required to be informed so that arrangements can be finalised.</p>
BACKGROUND:	<p>A Notice under the Health Act was served on the owners in late August 2006, declaring the dwelling to be Unfit for Human Habitation and calling for the demolition of the dwelling and associated buildings on the Lot. The compliance date for this was the 3<sup>rd</sup> October 2006.</p>
COMMENT:	<p>Keystart have been very accommodating in regard to this matter, and it is appreciated. If the Shire is to be involved in the demolition then it is hoped that the works can be completed quickly and safely.</p> <p>It needs to be noted that there are asbestos products throughout the house, and these will need to be handled in accordance with the proper handling techniques as outlined in the Asbestos removal Regulations, and in accordance with the requirements of the Occupational Safety and Health Act.</p>
CONSULTATION:	<p>Chief Executive Officer Gloria Vivian – for Keystart – Email</p>
STATUTORY ENVIRONMENT:	<p>The Health Act 1911 and Regulation as amended from time to time</p>
POLICY IMPLICATIONS:	<p>There are no known policy implications at this time.</p>
FINANCIAL IMPLICATIONS:	<p>There are no known financial implications at this time. However, if the Shire was to cause the carrying out of the conditions of the Health Notice issued, then there could be costs involved to the Shire.</p>
STRATEGIC IMPLICATIONS:	<p>Derelict and dilapidated houses are a risk to the health and well being of the community as a whole and are required to be brought up to the required standards. The renovation or the demolition of the house will result in a healthier town which is more aesthetically pleasing and safer.</p>

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN REGARD TO THE PROGRESS TOWARDS THE DEMOLITION OF THE DWELLING LOCATED AT LOT 116 BURGES STREET.

**Moved:** J L Freeman                      **Seconded:** L J Wainwright

**COUNCIL DECISION:** THAT COUNCIL RATIFIES THE ACTIONS TAKEN BY THE ENVIRONMENTAL HEALTH OFFICER IN REGARD TO THE PROGRESS TOWARDS THE DEMOLITION OF THE DWELLING LOCATED AT LOT 116 BURGES STREET

**CARRIED 9/0**

**1006.07**                      **WORKS, PLANTS, PARKS & GARDENS**

1.	LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE 2004/2005 – REPORT ON
----	--

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: Western Australian Local Government Association

FILE REFERENCE: 105.01

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 10 October 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: A report on local government road assets expenditure 2004/2005 has been received from the Western Australian Local Government Association. The report is a snap shot of the commitment of Local Governments to maintaining and upgrading the road network. It clearly identifies where road funding is going, where it has been spent, and where more road funding is required.

It is noted in the report that in 2004/2005 local government spent:

- \$266.4m on preservation – a shortfall of \$86.3m, and
- Total local government expenditure on roads was \$391m an increase of \$20.1m over the previous year.

COMMENT: The road assets and expenditure report is very detailed and covers approximately 88 pages. (This report will be tabled)

Attached **APPENDIX A** is the following information for your assistance:

- Conclusions – a summary of the report which provides various pie and bar graphs showing the shortfall in expenditure over need,
- Mid West Regional Road Group – The Mullewa Shire was the fourteenth (14<sup>th</sup>) highest Council based on expenditure out of the 18 members of the Mid West Regional Road Group, and
- Agricultural shires without large towns of the 67 towns in this category Mullewa was the 54<sup>th</sup> highest performer in terms of its own revenue capacity spent on roads. Mullewa was 44<sup>th</sup> in 2003/2004.

The attached **APPENDIX B** is a letter from WALGA which raises a matter that Council needs to make note of, in relation to a reduction in Councils own expenditure being spent on Roads. This anomaly was pointed out previously to Council as the following extract from last years report indicates. These comments would again be relevant

*It is interesting to note that this information was collected during the middle period of the four year Roads To Recovery and that a number of local governments, including Mullewa's expenditure from revenue capacity dropped as it sought to grapple with the influx of Federal Government funds. This has previously been pointed out to Council. Therein lies a challenge to ensure that a continuing reasonable effort from revenue is made on road works.*

## CONSULTATION:

## STATUTORY

There are no known statutory implications at this time.

## ENVIRONMENT:

## 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:

## OFFICER

## RECOMMENDATION

THAT THE 2004/2005 REPORT ON LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE BE NOTED AND THAT THE CONTINUING COMMITMENT TO THE UPGRADING, MAINTENANCE AND IMPROVEMENT OF COUNCILS ROAD NETWORK IS REAFFIRMED.

**Moved:**

*B I N Thomas*

**Seconded:**

*L A Panting*

## COUNCIL DECISION:

**THAT THE 2004/2005 REPORT ON LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE BE NOTED AND THAT THE CONTINUING COMMITMENT TO THE UPGRADING, MAINTENANCE AND IMPROVEMENT OF COUNCILS ROAD NETWORK IS REAFFIRMED.**

**CARRIED 9/0**

<b>2.</b>	<b>TENDERS – NEW DEPOT WORKSHOP</b>
-----------	-------------------------------------

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	111
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 October 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report raises the requirement to invite tenders for construction of new workshop and recommends an invitation to tender be advertised.
BACKGROUND:	Council has funding available in the 06/07 budget estimates for the construction of a new workshop at the depot. Under the provisions of the Local Government (functions and general) Regulations, tenders are required to be publicly invited if the supply of goods or services is expected to be more than \$50,000.00.
COMMENT:	The construction of the works depot shed only, is estimated to cost \$54,000.00 The cost to supply and erect the partition walls and provide the mezzanine floor is an additional \$11,000.00. The remaining work, plumbing, electrical, flooring, etc, will be undertaken by council. These estimates (totalling \$168000) were discussed onsite with available Councillors prior to the September 20, 2006 Ordinary Meeting of Council Depot inspection by Councillors September 20, 2006
CONSULTATION:	Local Government (Functions & General) Regulations.
STATUTORY ENVIRONMENT:	Local Government (Functions & General) Regulations.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Council has \$150,000.00 on the 2006/2007 budget for the new depot shed construction.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority
OFFICER RECOMMENDATION	THAT COUNCIL INVITE TENDERS FOR THE CONSTRUCTION OF A NEW WORKS DEPOT SHED AS PER DRAWINGS PREPARED BY PETER TEAKLE & CO.

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

**COUNCIL DECISION:**      **THAT COUNCIL INVITE TENDERS FOR THE CONSTRUCTION OF A NEW WORKS DEPOT SHED AS PER DRAWINGS PREPARED BY PETER TEAKLE & CO.**

**CARRIED 9/0**

**3. TENDERS – MULTI - TYRED ROLLER**

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	111
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 October 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report raises matter for Council to invite tenders for the supply of a Multi Tyred Roller and recommends that an invitation to tender be advertised.
BACKGROUND:	Council has funds on the 2006/2007 budget for the supply of a Multi Tyred Roller.
COMMENT:	The existing Multi Tyred Roller has been in service with Council for a number of years. The item of plant is becoming more difficult to keep operating as the machine ages. Estimates received from suppliers indicate that a new machine can be purchased within the budget estimate.
CONSULTATION:	Work Supervisor
STATUTORY ENVIRONMENT:	Local Government (Functions & General) Regulations.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Council has \$160,000.00 in the 2006/2007 budget estimates for the purchase of a new Multi Tyred Roller.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority
OFFICER RECOMMENDATION	THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A MULTI TYRED ROLLER IN THE 15000 to 24000KG RANGE AND OFFER FOR TRADE COUNCILS EXISTING PACIFIC 33TC MULTI ROLLER.

**Moved:** *M D Tierney***Seconded:** *G M Steele*

**COUNCIL DECISION:** **THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A MULTI TYRED ROLLER IN THE 15000 to 24000KG RANGE AND OFFER FOR TRADE COUNCILS EXISTING PACIFIC 33TC MULTI ROLLER**

**CARRIED 9/0**

<b>4.</b>	<b>MURCHISON LAND CONSERVATION DISTRICT – NOMINATION FOR REAPPOINTMENT</b>
-----------	--

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Office of Commission of Soil and Land Conservation
FILE REFERENCE:	805.02
PREVIOUS MINUTE/S & REFERENCE:	20 August 2003
DATE AND AUTHOR:	13 October 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits invitation for Council to nominate a representative on the Committee and recommends Michael Doherty be re-nominated.
BACKGROUND:	<p>Correspondence has been received from the Office of the Commission of Soil and Land Conservation advising that the appointment of Michael Doherty as the Shire of Mullewa's representative on the Murchison Land Conservation District Committee is due to expire on 31 October 2006.</p> <p>The Commission of Soil and Land Conservation is inviting the Council to provide a nomination for reappointment to the Committee. Michael Doherty is eligible for reappointment.</p>
COMMENT:	<p>One representative from the Shire of Mullewa is permitted to be a member of the Murchison Land Conservation District Committee. Should a new nominee be appointed then it will be necessary for that person to complete a nomination information sheet.</p> <p>Michael Doherty has advised that he would be happy to remain on the Committee if Council has no other nominee. He also advised that he did not attend a meeting of the committee during his tenure due to the distance needed to travel to the venue.</p>
CONSULTATION:	Michael Doherty
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, IF NO OTHER PERSON IS NOMINATED, MICHAEL DOHERTY BE REAPPOINTED AS THE SHIRE OF MULLEWA'S REPRESENTATIVE ON THE MURCHISON LAND CONSERVATION DISTRICT COMMITTEE.

**Moved:** B I N Thomas**Seconded:** G M Steele

**COUNCIL DECISION: THAT CR MIKE KERKMANS BE NOMINATED AS THE SHIRE OF MULLEWA'S REPRESENTATIVE ON THE MURCHISON LAND CONSERVATION DISTRICT COMMITTEE.**

**CARRIED 9/0**

## **1006.08**      **FINANCE & GENERAL PURPOSE**

### **1.**      **RATES – WRITING OFF**

DATE OF MEETING:      18 October 2006

FILE REFERENCE:      201.06

PREVIOUS MINUTE/S & REFERENCE:      -

DATE AND AUTHOR:      5 October 2006 – Jane Parker, Administration Officer

DISCLOSURE OF INTEREST:      The Author has no Disclosure of Interest.

SUMMARY:      Rates to be written off include Rates, ESL and ESL penalty interest.

COMMENT:

- A1416 owner is Crown therefore no ESL applicable – ESL of \$35.00 and ESL penalty interest \$5.97 to be written off.
- A473 owner is Public Transport Authority of WA who are billed by FESA direct – ESL penalty interest \$0.57 to be written off.
- A561 non-current property – ESL \$0.02 to be written off.
- A1318 property now in Shire of Murchison - Rates of \$0.03 to be written off.
- A1383 property now in Shire of Murchison - Rates of \$0.03 to be written off.
- A1041 dead mining tenement – Rates of \$0.15 to be written off.
- A949 dead mining tenement – Rates of \$1.48 to be written off

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 will be a loss of Rates of \$1.71, ESL \$35.00 and ESL penalty interest \$6.56 for 2006/07 financial year.

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

VOTING REQUIREMENT:      Absolute majority.

**OFFICER RECOMMENDATION**      **THAT THE AMOUNTS OF \$1.71 RATES, \$35.00 ESL AND \$6.56 ESL PENALTY INTEREST FOR 2006/07 FINANCIAL YEAR BE WRITTEN OFF.**

**Moved:** L A Panting

**Seconded:** J L Freeman

**COUNCIL DECISION:** THAT THE AMOUNTS OF \$1.71 RATES, \$35.00 ESL AND \$6.56 ESL PENALTY INTEREST FOR 2006/07 FINANCIAL YEAR BE WRITTEN OFF.

**CARRIED 9/0**

**2. FINANCE REPORT 30<sup>th</sup> SEPTEMBER 2006**

DATE OF MEETING: 18<sup>th</sup> October 2006

DATE AND AUTHOR: 10<sup>th</sup> October 2006 Noelene Holmes – Deputy CEO

COMMENT:

**BANK RECONCILIATION**

The Bank Reconciliation for the month of September 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 5.5%.

ACCOUNT	MUNICIPAL	CDA	TRUST	COMMUNITY TRUST	RESERVE	ROAD RESEAL
<b>BANK STATEMENT BALANCE</b>	42,243.30	1,816,978.00	59,378.58	112,331.29	357,000.00	283,333.00
ADJUSTMENTS	-3,189.00	0.0	3,189.00	0.00	0.00	0.00
SUB TOTAL	39,054.30	1,816,978.00	62,567.58	112,331.29	357,000.00	283,333.00
ADD O/S DEPOSITS	6,089.85	0.00	0.00	0.00	0.00	0.00
LESS O/S CHEQUES	34,025.10	0.00	15,345.45	0.00	0.00	0.00
<b>CASH BALANCE</b>	<b>11,119.05</b>	<b>1,816,978.00</b>	<b>47,222.13</b>	<b>112,331.29</b>	<b>357,000.00</b>	<b>283,333.00</b>
<b>CASH BALANCE 01.07.06</b>	932,103.44	911,978.00	104,340.44	112,296.26	357,000.00	283,333.00
<u>ADD</u>						
RECEIPTS YTD	915,693.01	200,000.00	1,070.00	0.00	0.00	0.00
RECEIPTS THIS MONTH	941,412.53	945,000.00	3,489.00	1,635.03	0.00	0.00
<u>LESS</u>						
PAYMENTS TO DATE	661,525.04	50,000.00	58,788.32	0.00	0.00	0.00
PAYMENTS THIS MONTH	299,586.88	190,000.00	2,889.00	1,600.00	0.00	0.00
<b>CASH BALANCE</b>	<b>1,828,097.06</b>	<b>1,816,978.00</b>	<b>47,222.12</b>	<b>112,331.29</b>	<b>357,000.00</b>	<b>283,333.00</b>

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

**STATEMENT OF CASH POSITION**  
30<sup>th</sup> September 2006

CASH ON HAND	200.00
MUNICIPAL FUND	11,119.05
INVESTED MUNICIPAL FUNDS	1,816,978.00
MULLEWA COMMUNITY TRUST	112,331.29
RESERVE FUNDS	357,000.00
ROAD RESEAL FUNDS	283,333.00
<b>TOTAL CASH FUNDS</b>	<b>2,580,961.34</b>

THIS IS REPRESENTED BY:

LEAVE RESERVE

83,000.00



SERVICE GRATUITY RESERVE	12,000.00
BUILDING RESERVE	137,000.00
AERODROME RESERVE	26,000.00
MEDICAL CENTRE RESERVE	67,000.00
EFFLUENT SCHEME RESERVE	32,000.00
MULLEWA COMMUNITY TRUST	112,331.29
ROAD RESEAL FUNDS	283,333.00
WILDFLOWER COUNTRY REGIONAL COUNCIL FUNDS	110,327.67
AVAILABLE FUNDS	<u>1,717,969.38</u>
<b>TOTAL FUNDS</b>	<b>2,580,961.34</b>

STATUTORY ENVIRONMENT:	There are no statutory implications on this matter.
POLICY IMPLICATIONS:	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 30TH SEPTEMBER 2006 BE RECEIVED.

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

**COUNCIL DECISION:**            **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH SEPTEMBER 2006 BE RECEIVED.**

**CARRIED 9/0**

### 3. AUDITORS – APPOINTMENT OF

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	204
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	27 September 2006 – Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report raises the requirement to call for quotations of auditors.
BACKGROUND:	The five year tenure for audit services currently provided by UHY Haines Norton expires following the completion of the 2005/2006 audit.
COMMENT:	In 2001 the Shire of Mullewa called for quotations of joint audit services for the Shires of Northampton, Chapman Valley, Irwin and Mullewa. The Shire of Chapman Valley has expressed a desire to participate in the joint quotation process once again with the remaining Shires having obtained their own quotations. Any appointment of auditors would

subsequently be confirmed by each Council.

With the requirement to form an audit committee, it is the responsibility of that committee to recommend to Council the appointment of the auditor. The committee will need to meet to consider a recommendation once quotations have been received.

Below are some relevant sections of the Local Government Act that deal with the appointment of auditors.

### **7.6 Term of office of auditor**

*(1) The appointment of a local government's auditor is to have effect in respect of the audit of the accounts and annual financial report of the local government for a term of not more than 5 financial years, but an auditor is eligible for re-appointment.*

### **7.3 Appointment of auditors**

(1) A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint\* a person, on the recommendation of the audit committee, to be its auditor.

CONSULTATION:	Maurice Battilana – CEO Chapman Valley
STATUTORY ENVIRONMENT:	Local Government Act and Regulations
POLICY	There are no known policy implications at this time.
IMPLICATIONS:	
FINANCIAL	Will form part of 2007/2008 budget process.
IMPLICATIONS:	
STRATEGIC	There may be a benefit in a joint approach
IMPLICATIONS:	
VOTING REQUIREMENT:	Absolute majority.
OFFICER RECOMMENDATION	<p>THAT QUOTATIONS BE SOUGHT FROM AT LEAST 4 SUITABLY QUALIFIED AUDITORS TO PROVIDE AUDIT SERVICES FOR 5 YEARS ON A JOINT BASIS TO THE SHIRES OF MULLEWA AND CHAPMAN VALLEY; AND</p> <p>THAT A MEETING OF THE AUDIT COMMITTEE BE CONVENED ONCE QUOTATIONS HAVE BEEN RECEIVED.</p>

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

**COUNCIL DECISION:**      **THAT QUOTATIONS BE SOUGHT FROM AT LEAST 4 SUITABLY QUALIFIED AUDITORS TO PROVIDE AUDIT SERVICES FOR 5 YEARS ON A JOINT BASIS TO THE SHIRES OF MULLEWA AND CHAPMAN VALLEY; AND**

**THAT A MEETING OF THE AUDIT COMMITTEE BE CONVENED ONCE QUOTATIONS HAVE BEEN RECEIVED.**

**CARRIED 9/0**

4.	PERTH ROYAL SHOW DISPLAY – DONATION FOR
----	---

DATE OF MEETING:	18 October 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	210
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	12 October 2006 – Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report requests donation for Perth Royal Show display
BACKGROUND:	<p>In the past the Shire of Mullewa has donated a sum of \$200 towards the cost of presenting the Mid West District display at the Perth Royal Show by the Mid West Group of Affiliated Agricultural Societies.</p> <p>The Society includes the groups of: Northampton, Mullewa, Chapman Valley, North Midlands, Central Midlands, Perenjori, Dalwallinu &amp; Eneabba societies</p>
COMMENT:	<p>In May 2006 a donation of \$200 was forwarded to the Mid West Group of Affiliated Agricultural Societies for the display at the 2006 Perth Royal Show.</p> <p>The Secretary for the Group, Mrs Dianne Hulme, has written to Council ..</p> <p><i>“As you have not given us a donation towards our 2006 display I am taking the liberty of writing to you to bring this to your attention, in the hope that you will contribute to our display”</i></p> <p>On contacting Mrs Hulme to advise of Councils paid donation of \$200 in May 2006 we were advised that this payment was offset against the 2005 display as a donation was not made in that year, hence the written request/reminder.</p> <p>The Mid West display was judged fourth at the recent Perth Royal Show and it is considered an excellent advertisement for the whole of the region.</p>
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:	GL 0222 Gifts & Donations – Budget 2006/2007 \$3000
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority

**OFFICER RECOMMENDATION** THAT THE SHIRE OF MULLEWA FORWARD A DONATION OF \$200 TO THE MID WEST GROUP OF AFFILIATED AGRICULTURAL SOCIETIES TOWARDS THE COST OF PRESENTING THE MID WEST DISPLAY AT THE 2006 PERTH ROYAL SHOW.

**Moved:** J L Freeman

**Seconded:** L J Wainwright

**COUNCIL DECISION:** THAT THE SHIRE OF MULLEWA FORWARD A DONATION OF \$200 TO THE MID WEST GROUP OF AFFILIATED AGRICULTURAL SOCIETIES TOWARDS THE COST OF PRESENTING THE MID WEST DISPLAY AT THE 2006 PERTH ROYAL SHOW.

**CARRIED 9/0**

**5. STATEMENT OF FINANCIAL ACTIVITY – SEPTEMBER 2006**

**DATE OF MEETING:** 18 October 2006

**LOCATION/ADDRESS:** -

**NAME OF APPLICANT:** -

**FILE REFERENCE:** -

**PREVIOUS MINUTE/S & REFERENCE:**

**DATE AND AUTHOR:** 12 October 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 A** is the Statement of Financial Activity for September 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 SEPTEMBER 2006 BE RECEIVED.

Moved: L J Wainwright

Seconded: G M Steele

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

CARRIED 9/0

1006.09

## CHIEF EXECUTIVE OFFICER'S REPORT

### 1. PROPORTIONAL PREFERENTIAL VOTING

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 105.04

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 10 October 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report raises matter concerning the Local Government Amendment Bill 2006, proposing that the current 'First Past the Post' voting system be changed to a proportional preferential voting system. The report recommends that Council oppose the proposed amendment.

BACKGROUND: The following letter has been received from WALGA:

  
WESTERN AUSTRALIAN  
LOCAL GOVERNMENT ASSOCIATION  
4 October 2006 Our Ref: 04-001-02-0020RB:VH

Mr Tom Hartman  
Chief Executive Officer  
Shire of Mullewa  
PO Box 166  
MULLEWA WA 6630

RECEIVED	
SHIRE OF MULLEWA	
FILE NO:	ISS
CORRO NO:	
- 9 OCT 2006	
ATTENTION:	CEO
COPIES TO:	
COUNCIL:	
ACTION:	

Dear Tom

I wish to seek your cooperation in encouraging Elected Members to oppose the proposed change to the Local Government election system which I believe has the potential to have a severely detrimental impact on the good management of Councils.

As you may be aware, the State Government last week introduced legislation to amend the *Local Government Act 1995* to replace the existing first-past-the-post election system with a proportional preferential system of voting without consideration or consultation with the sector.

Association President Cr Bill Mitchell has written to all Mayors and Presidents to request they lobby their Local Members of Parliament to oppose the proposed change as such a system:

- Encourages the use of factions and consequently party politics in Local Government
- Is less understood by voters and as such more open to manipulation by candidates
- Involves listing candidates rather than voters aligning with one candidate
- Results in higher error rates in completing voting cards thereby increasing the capacity for invalid votes
- Potentially increases the cost of administering the voting system.

I am certain you are able to envisage the potential implications for the effective management of Local Government processes under a voting system that is far more complex and facilitates greater involvement of party politics.

Consequently, I again request that you encourage representation by your Council to Local Members of Parliament to assist in opposing the proposed amendment and ensuring the independence of Local Government in Western Australia is protected.

Yours sincerely

  
Ricky Burges  
Chief Executive Officer

Encs

Local Government House  
15 Altona Street  
West Perth WA 6005  
PO Box 1544  
West Perth WA 6872  
Telephone: (08) 9321 5055  
Facsimile: (08) 9322 2411  
Email: info@walgpa.com.au  
Website: www.walgpa.com.au

The Voice of Local Government

COMMENT: The attached **APPENDIX A** media release has been received from WALGA

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 AND COUNCILLORS CONTACT THE LOCAL MEMBERS OF PARLIAMENT TO ASSIST IN OPPOSING THE PROPOSED AMENDMENT TO THE LOCAL GOVERNMENT ACT TO REPLACE THE EXISTING FIRST PAST THE POST ELECTION SYSTEM WITH A PROPORTIONAL PREFERENTIAL SYSTEM OF VOTING.

**Moved:** J L Freeman

**Seconded:** M D Tierney

**COUNCIL DECISION:** THAT COUNCIL AND COUNCILLORS CONTACT THE LOCAL MEMBERS OF PARLIAMENT TO ASSIST IN OPPOSING THE PROPOSED AMENDMENT TO THE LOCAL GOVERNMENT ACT TO REPLACE THE EXISTING FIRST PAST THE POST ELECTION SYSTEM WITH A PROPORTIONAL PREFERENTIAL SYSTEM OF VOTING.

**CARRIED 9/0**

<b>2.</b>	<b>APPOINTMENT OF AUTHORISED PERSON – DOG ACT</b>
-----------	---

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 404.01

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 12 October 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report raises information to Council of the engagement of Peter John Smith as an authorised person under the Dog Act and recommends endorsement of engagement and gazettal.

BACKGROUND: There have been a number of recent incidents involving dog attacks and general nuisance complaints under the Dog Act. Previous discussion with Council on this matter indicated that we needed to obtain the services of an extra person experienced in animal control.

COMMENT: I made enquiries through various venues and made contact with Peter

Smith who is servicing Morawa, Perenjori, Yalgoo and Mt Magnet. I have met with Peter and have come to an arrangement for him to commence a control program in Mullewa. There is some procedural matters to be addressed and these are being attended to. Peter will commence as soon as these matters are finalised.

## CONSULTATION:

STATUTORY  
ENVIRONMENT:  
POLICY

Dog Act 1976.

IMPLICATIONS:

FINANCIAL

There are no known policy implications at this time.

IMPLICATIONS:

STRATEGIC

IMPLICATIONS:

There are no known financial implications at this time.

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

## OFFICER

## RECOMMENDATION

THAT COUNCIL ENDORSE THE ACTION OF THE CHIEF EXECUTIVE OFFICER IN ENGAGING THE SERVICES OF PETER JOHN SMITH AND HAVING HIM GAZETTED AS AN AUTHORISED PERSON UNDER THE DOG ACT 1976.

**Moved:**

*B I N Thomas*

**Seconded:**

*J L Freeman*

## COUNCIL DECISION:

**THAT COUNCIL ENDORSE THE ACTION OF THE CHIEF EXECUTIVE OFFICER IN ENGAGING THE SERVICES OF PETER JOHN SMITH AND HAVING HIM GAZETTED AS AN AUTHORISED PERSON UNDER THE DOG ACT 1976.**

**CARRIED 9/0**

<b>3.</b>	<b>PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS - 2007</b>
-----------	--

DATE OF MEETING:

18 October 2006

LOCATION/ADDRESS:

-

NAME OF APPLICANT:

-

FILE REFERENCE:

611

PREVIOUS MINUTE/S &  
REFERENCE:

-

DATE AND AUTHOR:

12 October 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE  
INTEREST:  
SUMMARY

OF Author has no disclosure of interest.

Report raises Council attention of the Australia Day Citizenship Awards, and recommends Council to select persons, groups or events for the awards.

BACKGROUND:

As part of Australia Day awards, the Premiers Australia Day Active Citizen awards were introduced, and to be announced on Australia Day.

The awards focus on community contribution and participation rather than personal achievement:

There are three awards-

- Significant contributions to community by local citizen of 25 years of

age or over.

- Significant contributions to community by local citizen under 25 years of age.
- Significant contributions to community by a local group or community event.

The nominations period close Friday 17<sup>th</sup> November and are required to be submitted to the Australian Day Council by Friday December 15<sup>th</sup>, 2006.

## COMMENT:

Advertising has been carried out since September 18. At this stage no nominations have been received.

I consider that this is a good opportunity for Council to recognise those in the community for their valuable service.

If nominations are not forthcoming from the community; there would be individuals who we could nominate for the two citizenship awards and also for the group or event, as there would be many examples that could also be considered. I would suggest that a concerted effort be put in over the next month and selection be carried out at the November 15 meeting.

A copy of the brochure is attached at **APPENDIX B** which provides the information for nomination.

## CONSULTATION:

STATUTORY  
ENVIRONMENT:  
POLICY  
IMPLICATIONS:  
FINANCIAL  
IMPLICATIONS:  
STRATEGIC  
IMPLICATIONS:

There are no known statutory implications at this time.

There are no known policy implications at this time.

If Council conducts an event on Australia Day 2007 there will be costs.

Will have positive impacts on Council and community relationships.

## VOTING REQUIREMENT:

Simple majority

OFFICER  
RECOMMENDATION

THAT COUNCIL AND STAFF ENCOURAGE NOMINATIONS FOR THESE AWARDS AND CONSIDER THE NOMINATIONS AT THE NOVEMBER MEETING.

**Moved:** *B I N Thomas*

**Seconded:** *G M Steele*

## COUNCIL DECISION:

**THAT COUNCIL AND STAFF ENCOURAGE NOMINATIONS FOR THESE AWARDS AND CONSIDER THE NOMINATIONS AT THE NOVEMBER MEETING.**

**CARRIED 9/0**



4.	<b>LOCAL GOVERNMENT RATING OF LAND USED FOR CHARITABLE PURPOSES</b>
----	---

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report raises response from WALGA to the Minister for Local Government on "Local Government Rating of Land Used for Charitable Purposes" and recommends Council consider the response and provide support or otherwise.

BACKGROUND: The following letter has been received from WALGA.



WESTERN AUSTRALIAN  
LOCAL GOVERNMENT ASSOCIATION

5 October 2006

Our Ref: 05-034-01-0007 (JF)

Mr Tom Hartman  
Chief Executive Officer  
Shire of Mullewa  
PO Box 166  
MULLEWA WA 6630

RECEIVED	
SHIRE OF MULLEWA	
FILE:	
CORRIG NO:	
18 OCT 2006	
ATTENTION:	
COPIES TO:	
COUNCIL:	
ACTION:	

Dear Tom

**Local Government Rating of Land Used for Charitable Purposes**

The Minister for Local Government and Regional Development has invited the Western Australian Local Government Association to comment on the Report from the Local Government Advisory Board's Inquiry into the operation of section 6.26 (2) (g) of the *Local Government Act 1995* and the Minister's proposed strategies for progressing this matter.

To facilitate an industry response in the timeframe set by the Minister, the Association after negotiation with Local Government professional bodies, appointed an industry working party to examine the Inquiry Report and the Minister's proposed strategies and determine a draft whole-of-sector response.

The Working Party prepared a draft response to the Minister, which was considered by State Council at its meeting on 4 October 2006. State Council resolved to note the report and circulate it to members with a view to seeking consideration and comment prior to its finalisation. A copy of the draft response is attached to this letter.

In the meantime, the Association has sought an extension of time for finalising its response to enable all Member Councils to adequately consider and respond to the issues within the report.

It is requested that your Council given consideration to the Association's draft response and provide advice by 15 November 2006 as to your support or otherwise. If there are any additional matters that you believe should be included within the Association's response, please advise the Governance Policy Manager as soon as practicable so as to enable the consideration of its incorporation to strengthen any views expressed.

For enquires, please contact the Governance Policy Manager on 9213 2051 or by email at [jflatow@walga.asn.au](mailto:jflatow@walga.asn.au)

Yours sincerely

Ricky Burges  
Chief Executive Officer  
Attach.

Local Government Ho  
15 Altona Str

COMMENT: The WALGA response to the Minister is attached at **APPENDIX C**

CONSULTATION:  
STATUTORY ENVIRONMENT: Local Government Act Section 6.26 (2) (g) states –

*6.26. Rateable land*

*(2) The following land is not rateable land –*  
*(g) land used exclusively for charitable purposes;*

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 RESPONSE FROM WALGA TO THE MINISTER FOR LOCAL GOVERNMENT & REGIONAL DEVELOPMENT ON THE PROPOSED STRATEGIES ON THE OPERATION OF SECTION 6.26 (2)(g) OF THE LOCAL GOVERNMENT, AND ADVISE WALGA AS TO SUPPORT OR OTHERWISE.

**Moved:** B I N Thomas

**Seconded:** L J Wainwright

COUNCIL DECISION: **THAT COUNCIL CONSIDER THE RESPONSE FROM WALGA TO THE MINISTER FOR LOCAL GOVERNMENT & REGIONAL DEVELOPMENT ON THE PROPOSED STRATEGIES ON THE OPERATION OF SECTION 6.26 (2)(g) OF THE LOCAL GOVERNMENT, AND ADVISE WALGA AS TO SUPPORT OR OTHERWISE.**

**CARRIED 9/0**

**1006.10**      **NEW BUSINESS OF AN URGENT NATURE**  
**INTRODUCED BY DECISION OF MEETING**

1.	ACCOUNTS FOR PAYMENT
----	----------------------

DATE OF MEETING: 18 October 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 18 October 2006 – Noelene Holmes, Deputy Chief Executive Officer

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

**SUMMARY** The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.

**BACKGROUND:** Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.

**COMMENT:** **APPENDIX A** of this report lists details of all cheques drawn and direct debits during and since the last Council meeting.

The summary of the schedule of accounts to be passed for payment totalling \$186,058.85 covers the following:

Municipal Account

Cheque No.	9291 - 9313	\$41,028.67
Electronic Fund Trans	2754 - 2825	\$91,777.97
Payroll & Fees		\$50,008.40

Trust Account

Cheque No.	282 - 287	\$3,209.00
------------	-----------	------------

**Total: \$186,058.85**

**CONSULTATION:** Nil

**STATUTORY ENVIRONMENT:** Local Government Act and Regulations

**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 ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT:

Municipal Account

Cheque No.	9291 - 9313	\$41,028.67
Electronic Fund Trans	2754 - 2825	\$91,777.97
Payroll & Fees		\$50,008.40

Trust Account

Cheque No.	282 - 287	\$3,209.00
------------	-----------	------------

**Total: \$186,058.85**

**Moved:** *B I N Thomas*                      **Seconded:** *G M Steele*

**COUNCIL DECISION:**        **THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT:**

**Municipal Account**

Cheque No.	9291 - 9313	\$41,028.67
Electronic Fund Trans	2754 - 2825	\$91,777.97
Payroll & Fees		\$50,008.40

**Trust Account**

Cheque No.	282 - 287	\$3,209.00
------------	-----------	------------

<b>Total:</b>		<b>\$186,058.85</b>
---------------	--	---------------------

**CARRIED 9/0**

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

**COUNCIL DECISION:**        **THAT THE FOLLOWING ITEMS BE ACCEPTED AS NEW BUSINESS OF AN URGENT NATURE FOR CONSIDERATION.**

- **CR PANTING ADVISED OF HIS INTENTION TO RESIGN FROM HIS POSITION AS COUNCILLOR FOR THE CENTRAL WARD.**
- **THE PRESIDENT ADVISED THAT HE WAS SORRY TO RECEIVE CR PANTING'S RESIGNATION. THE CHIEF EXECUTIVE OFFICER REQUESTED THAT CR PANTING IS REQUIRED TO SUBMIT HIS RESIGNATION IN WRITING.**

**CARRIED 9/0**

<b>1006.11        CLOSURE OF MEETING</b>
--

The President closed the meeting at 1:50pm.

These minutes were confirmed at a meeting on 15 November 2006:
--

Signed:

A J Messina, President

Date: