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**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16 JULY 2008.****0708.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:12pm The President declared the meeting open.

**0708.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE****PRESENT:**

Councillor A J (Nino) Messina – President	(West Ward)
Councillor M (Mike) Kerkmans	(East Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

**OFFICERS:**

Mr TA (Tom) Hartman - Chief Executive Officer  
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer

**APOLOGIES:**

Nil

**LEAVE OF ABSENCE:**

Councillor B I N (Barbara) Thomas – Deputy President	(East Ward)
Councillor L J (Linda) Wainwright	(Central Ward)

**VISITORS**

Nil

**0708.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**0708.04 PUBLIC QUESTION TIME**

Nil

**0708.05 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**0708.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****Moved:** *J L Freeman*      **Seconded:** *M D Tierney***COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18<sup>th</sup> JUNE 2008, AS PRINTED BE CONFIRMED.****CARRIED 7/0****0708.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**0708.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**0708.09 REPORTS OF COMMITTEES/MEMBERS**

Nil

**0708.10 REPORTS OF OFFICERS****10.2 HEALTH, BUILDING AND TOWN PLANNING****10.2.1 LOT 39, NO 1 O'BREIN STREET, MULLEWA – OWNER JANET LIU FU YUE**DATE OF MEETING: 16<sup>th</sup> July 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 302

PREVIOUS MINUTE/S & REFERENCE: 16<sup>th</sup> April 2008

DATE AND AUTHOR: Rod Bayliss – Environmental Health Officer / Building Surveyor

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report provides an update on compliance with Councils Health Order and recommends an extension subject to conditions

BACKGROUND: Council at its meeting of 16 April 2008 resolved to declare several

dwellings in the town as being unfit for human habitation by way of dilapidation.

As a result of this decision notices were served on the owners of the properties indicating Council's decision and declaring that the houses should not be occupied. These notices, together with associated work orders, were posted to the owners by registered post on 10 June 2008 and gave the owners 30 days in which to upgrade the dwelling and undertake other work. The 30 days has now expired.

The following comments and recommendations are therefore provided for Council consideration.

COMMENT: A letter has been received (copy attached) requesting an extension of six months in which to undertake the works as detailed in the notice.

An inspection of the premises on 9 July, 2008 reveals that there has been a lot more vandalism and damage to the dwelling since the date of initial inspection.

The CEO will present photos of the property at the meeting of 16 July, 2008.

CONSULTATION:

CEO

STATUTORY  
ENVIRONMENT:  
POLICY

There are no known statutory implications at this time.

IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER  
RECOMMENDATION

- THAT THE OWNER, JANET LIU FU YUE, NOW OF 34 MAIN STREET, MEEKATHARRA WA 6642 BE GIVEN AN EXTENSION OF 30 DAYS TO THE CONDEMNATION NOTICE IN WHICH TO MAKE A FINAL ASSESSMENT ABOUT PRECEDING WITH AN UPGRADE OF THE BUILDING.
- THAT THE OWNER BE PROVIDED WITH PHOTOGRAPHS DETAILING THE BUILDINGS CURRENT CONDITION.
- THAT, IN THE EVENT THAT THE OWNER MAKES NO PROGRESS TOWARDS COMPLYING WITH THE NOTICE AND THE WORKS ORDER THEN COUNCIL PROCEED WITH THE OTHER REQUIREMENTS AS DETAILED IN THE NOTICE SERVED ON 10 JUNE, 2008.

**Moved:**

*J L Freeman*

**Seconded:**

*M Kerkmans*

COUNCIL DECISION:

- **THAT THE OWNER, JANET LIU FU YUE, NOW OF 34 MAIN STREET, MEEKATHARRA WA 6642 BE GIVEN AN EXTENSION OF 30 DAYS TO THE CONDEMNATION NOTICE IN WHICH TO MAKE A FINAL ASSESSMENT ABOUT PRECEDING WITH AN**

**UPGRADE OF THE BUILDING.**

- **THAT THE OWNER BE PROVIDED WITH PHOTOGRAPHS DETAILING THE BUILDINGS CURRENT CONDITION.**
- **THAT, IN THE EVENT THAT THE OWNER MAKES NO PROGRESS TOWARDS COMPLYING WITH THE NOTICE AND THE WORKS ORDER THEN COUNCIL PROCEED WITH THE OTHER REQUIREMENTS AS DETAILED IN THE NOTICE SERVED ON 10 JUNE, 2008.**

**CARRIED 7/0****10.2.2 LOT 143, NO 47 JOSE STREET, MULLEWA – OWNER MEEDAC**

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	302
PREVIOUS MINUTE/S & REFERENCE:	16 <sup>th</sup> April 2008
DATE AND AUTHOR:	Rod Bayliss – Environmental Health Officer / Building Surveyor
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report provides an update on compliance with Councils Health Order and recommends an extension subject to conditions
BACKGROUND:	<p>Council at its meeting of 16 April 2008 resolved to declare several dwellings in the town as being unfit for human habitation by way of dilapidation.</p> <p>As a result of this decision notices were served on the owners of the properties indicating Council's decision and declaring that the houses should not be occupied. These notices, together with associated work orders, were posted to the owners by registered post on 10 June 2008 and gave the owners 30 days in which to upgrade the dwelling and undertake other work. The 30 days has now expired.</p> <p>The following comments and recommendations are therefore provided for Council consideration.</p>
COMMENT:	<p>At an inspection on Wednesday 9 July, 2008 it was noted that further down age had occurred since the date of the initial inspection.</p> <p>Upon contacting Bill Bradford of MEEDAC it was revealed that removal of the internal wall cladding had been undertaken by them and they were now going to remove all floor coverings in order to be able to ascertain the economics of upgrading the dwelling.</p> <p>In discussions with the EHO/Building Surveyor Mr Bradford indicated that the building had been insured and they had received a payout and that they had obtained evidence as to who had caused the initial and subsequent damage but had decided not to pursue the persons involved.</p>

He also indicated that he was having a meeting with his superiors from Perth Head Office and because of this requested an extension of time in which to make a final decision.

## CONSULTATION:

CEO

## STATUTORY ENVIRONMENT:

There are no known statutory implications at this time.

## POLICY

There are no known policy implications at this time.

## IMPLICATIONS:

## FINANCIAL

There are no known financial implications at this time.

## IMPLICATIONS:

## STRATEGIC

There are no known strategic implications at this time.

## IMPLICATIONS:

## VOTING REQUIREMENT:

Simple majority

## OFFICER

## RECOMMENDATION

- THAT MULLEWA EMPLOYMENT AND ECONOMIC DEVELOPMENT ABORIGINAL CORPORATION (MEEDAC) OF PO BOX 296, MULLEWA WA 6630, BE GRANTED A 30 DAY EXTENSION TO THE NOTICE ISSUED ON 10 JUNE, 2008 IN ORDER TO FINALISE THEIR INTENTIONS REGARDING THE DWELLING LOCATED ON LOT 143, NO 37 JOSE STREET, MULLEWA.
- THAT IN THE EVENT THAT THE OWNERS EITHER DO NOT INDICATE THEIR INTENTIONS, OR MAKE NO PROGRESS IN COMPLYING WITH COUNCIL'S NOTICE AND WORKS ORDER, THAT COUNCIL PROCEED WITH THE OTHER REQUIREMENTS AS DETAILED IN THE NOTICE DATE 10 JUNE, 2008.

**Moved:***J L Freeman***Seconded:***M Kerkmans*

## COUNCIL DECISION:

- THAT MULLEWA EMPLOYMENT AND ECONOMIC DEVELOPMENT ABORIGINAL CORPORATION (MEEDAC) OF PO BOX 296, MULLEWA WA 6630, BE GRANTED A 30 DAY EXTENSION TO THE NOTICE ISSUED ON 10 JUNE, 2008 IN ORDER TO FINALISE THEIR INTENTIONS REGARDING THE DWELLING LOCATED ON LOT 143, NO 37 JOSE STREET, MULLEWA.
- THAT IN THE EVENT THAT THE OWNERS EITHER DO NOT INDICATE THEIR INTENTIONS, OR MAKE NO PROGRESS IN COMPLYING WITH COUNCIL'S NOTICE AND WORKS ORDER, THAT COUNCIL PROCEED WITH THE OTHER REQUIREMENTS AS DETAILED IN THE NOTICE DATE 10 JUNE, 2008.

**CARRIED 7/0**

**10.2.3 LOT 188, NO 6 MOLSTER STREET, MULLEWA – OWNER J P GODIN**

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	302
PREVIOUS MINUTE/S & REFERENCE:	16 <sup>th</sup> April 2008
DATE AND AUTHOR:	Rod Bayliss – Environmental Health Officer / Building Surveyor
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report provides an update on compliance with Councils Health Order and recommends an extension subject to conditions
BACKGROUND:	<p>Council at its meeting of 16 April 2008 resolved to declare several dwellings in the town as being unfit for human habitation by way of dilapidation.</p> <p>As a result of this decision notices were served on the owners of the properties indicating Council's decision and declaring that the houses should not be occupied. These notices, together with associated work orders, were posted to the owners by registered post on 10 June 2008 and gave the owners 30 days in which to upgrade the dwelling and undertake other work. The 30 days has now expired.</p> <p>The following comments and recommendations are therefore provided for Council consideration.</p>
COMMENT:	<p>A site meeting was held between the owner, Shires CEO and the EHO/Building Surveyor on Wednesday 9 July, 2008.</p> <p>As a result of this meeting it was determined that the owner wished to upgrade the building and in fact had commenced to do so. He has indicated that a builder has been appointed to undertake some of the works with the remainder being undertaken by him and family members.</p> <p>The owner has requested an extension of time in which to undertake the works. He is aware that a lack of progress will result in Council invoking the remainder of its Notice of 10 June, 2008.</p>
CONSULTATION:	CEO
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	<ul style="list-style-type: none"> <li>▪ THAT JP GODIN OF PO BOX 323, MULLEWA WA 6630 BE GRANTED AN EXTENSION OF 30 DAYS IN ORDER TO PROGRESS THE WORKS ORDER AS ISSUED UPON THE DWELLING LOCATED AT LOT 188, NO 6 MOLSTER STREET,</li> </ul>

MULLEWA.

- AT THE EXPIRY OF THIS TIME A FURTHER 30 DAY EXTENSION BE GRANTED SUBJECT TO THE OWNER HAVING MADE SUBSTANTIAL PROGRESS TOWARDS MEETING THE REQUIREMENTS OF THE WORKS ORDER.
- THAT IN THE EVENT THAT THE OWNER FAILS TO SUBSTANTIALLY PROGRESS THE WORKS ORDER, COUNCIL INVOKE THE BALANCE OF ITS NOTICE OF 10 JUNE, 2008.

**Moved:**

*J L Freeman*

**Seconded:**

*M Kerkmans*

**COUNCIL DECISION:**

- **THAT JP GODIN OF PO BOX 323, MULLEWA WA 6630 BE GRANTED AN EXTENSION OF 30 DAYS IN ORDER TO PROGRESS THE WORKS ORDER AS ISSUED UPON THE DWELLING LOCATED AT LOT 188, NO 6 MOLSTER STREET, MULLEWA.**
- **AT THE EXPIRY OF THIS TIME A FURTHER 30 DAY EXTENSION BE GRANTED SUBJECT TO THE OWNER HAVING MADE SUBSTANTIAL PROGRESS TOWARDS MEETING THE REQUIREMENTS OF THE WORKS ORDER.**
- **THAT IN THE EVENT THAT THE OWNER FAILS TO SUBSTANTIALLY PROGRESS THE WORKS ORDER, COUNCIL INVOKE THE BALANCE OF ITS NOTICE OF 10 JUNE, 2008.**

**CARRIED 7/0**

<b>10.2.4</b> LOT 10, NO 12 DALGETY STREET, MULLEWA – OWNER ??
--

DATE OF MEETING: 16<sup>th</sup> July 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 302

PREVIOUS MINUTE/S & REFERENCE: 16<sup>th</sup> April 2008

DATE AND AUTHOR: Rod Bayliss – Environmental Health Officer / Building Surveyor

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report provides an update on compliance with Councils Health Order.

BACKGROUND: Council at its meeting of 16 April 2008 resolved to declare several dwellings in the town as being unfit for human habitation by way of dilapidation.

As a result of this decision notices were served on the owners of the properties indicating Council's decision and declaring that the houses should not be occupied. These notices, together with associated work orders, were posted to the owners by registered post on 10 June 2008 and gave the owners 30 days in which to upgrade the dwelling and undertake other work. The 30 days has now expired.

The following comments and recommendations are therefore provided



for Council consideration.

COMMENT:	Council resolved at its meeting of 16 April, 2008 not to invoke the Notice it placed upon the dwelling located at this address until the issue of relocating the owner had been resolved. To date this matter remains outstanding.
CONSULTATION:	CEO
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 THIS REPORT BE RECEIVED FOR COUNCIL INFORMATION.

**Moved:** *J L Freeman*                      **Seconded:** *Andrew J Messina*

**COUNCIL DECISION:**                      **THAT THIS REPORT BE RECEIVED FOR COUNCIL INFORMATION.**

**CARRIED 7/0**

<b>10.2.5</b> LOT 119, NO 30 BURGESS STREET, MULLEWA—OWNERS L MERRY & J RYAN
--

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	302
PREVIOUS MINUTE/S & REFERENCE:	16 <sup>th</sup> April 2008
DATE AND AUTHOR:	Rod Bayliss – Environmental Health Officer / Building Surveyor
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report provides an update on compliance with Councils Health Order and recommends an extension subject to conditions
BACKGROUND:	Council at its meeting of 16 April 2008 resolved to declare several dwellings in the town as being unfit for human habitation by way of dilapidation.  As a result of this decision notices were served on the owners of the properties indicating Council's decision and declaring that the houses should not be occupied. These notices, together with associated work orders, were posted to the owners by registered post on 10 June 2008 and gave the owners 30 days in which to upgrade the dwelling and undertake other work. The 30 days has now expired.

The following comments and recommendations are therefore provided for Council consideration.

COMMENT: An inspection of the above property by the CEO and EHO/Building Surveyor revealed that some progress had been made towards meeting the requirements of the Notice issued on 10 June, 2008.

The CEO has made arrangements to remove the six car bodies. The owners have requested an extension of time in which to comply with the Notice and associated Works Order.

CONSULTATION:

CEO

STATUTORY ENVIRONMENT:

There are no known statutory implications at this time.

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

- THAT L MERRY AND J RYAN OF PO BOX 152, MULLEWA WA 6630 BE GRANTED AN EXTENSION OF 30 DAYS IN WHICH TO MEET THE REQUIREMENTS OF THE WORKS ORDER AS ISSUED ON 10 JUNE, 2008.
- THAT, IN THE EVENT THAT THE OWNERS HAVE MADE SIGNIFICANT PROGRESS TOWARDS COMPLYING WITH THE WORKS ORDER AT THE EXPIRY OF THE 30 DAYS THEN A FURTHER 30 DAYS EXTENSION BE GRANTED.
- THAT IN THE EVENT THAT THE OWNERS FAIL TO SUBSTANTIALLY PROGRESS THE WORKS ORDER, COUNCIL INVOKE THE BALANCE OF ITS NOTICE OF 10 JUNE, 2008.

**Moved:**

*J L Freeman*

**Seconded:**

*Andrew J Messina*

COUNCIL DECISION:

- **THAT L MERRY AND J RYAN OF PO BOX 152, MULLEWA WA 6630 BE GRANTED AN EXTENSION OF 30 DAYS IN WHICH TO MEET THE REQUIREMENTS OF THE WORKS ORDER AS ISSUED ON 10 JUNE, 2008.**
- **THAT, IN THE EVENT THAT THE OWNERS HAVE MADE SIGNIFICANT PROGRESS TOWARDS COMPLYING WITH THE WORKS ORDER AT THE EXPIRY OF THE 30 DAYS THEN A FURTHER 30 DAYS EXTENSION BE GRANTED.**
- **THAT IN THE EVENT THAT THE OWNERS FAIL TO SUBSTANTIALLY PROGRESS THE WORKS ORDER, COUNCIL INVOKE THE BALANCE OF ITS NOTICE OF 10 JUNE, 2008.**

**CARRIED 7/0**

**10.2.6 WASTE AVOIDANCE AND RECOVERY ACT, LEVY AND REGULATIONS 2008**

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	Rod Bayliss – Environmental Health Officer / Building Surveyor
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report provides information to Council regarding the coming into force of the Waste Avoidance and Recovery Act, Levy and Regulations 2008
BACKGROUND:	The above Acts and Regulations came into operation on 1 July, 2008.  Part 6 of the WARR Act allows for all waste services to be provided by local governments, and supersedes the waste service provisions formerly in the Health Act 1911.  There is also a facility for local authorities to make their own Local Laws and in the future these will replace those currently provided under the Shire of Mullewa Health Local Laws.
COMMENT:	Local Governments are now required to make rubbish charges under this new Act.
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 THIS REPORT BE RECEIVED FOR COUNCIL INFORMATION

**Moved:** *A J Crudeli*                      **Seconded:** *K P Keeffe*

**COUNCIL DECISION:**                      **THAT THIS REPORT BE RECEIVED FOR COUNCIL INFORMATION**

**CARRIED 7/0**

**10.3 WORKS, PLANT, PARKS & GARDENS****10.3.1 MWRC – REFUSE COLLECTION SERVICE DELIVERY / BUSINESS UNIT**

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-

- FILE REFERENCE: -
- PREVIOUS MINUTE/S & REFERENCE: -
- DATE AND AUTHOR: Tom Hartman, Chief Executive Officer
- DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
- SUMMARY Report submits request from the MWRC to consider the establishment of a refuse collection service.
- BACKGROUND: A copy of the minutes of the MWRC July meeting on this item is attached at **APPENDIX A**. This report provides the background for the item under consideration.
- COMMENT: At the MWRC meeting queries were made regarding the accuracy of some information contained in the consultant's report. The report is attached at **APPENDIX B**. These matters are to be followed up for clarification as they may have an impact on the final cost of the service. At the moment the cost of the service appears excessive compared to the existing service for which Council is now paying. These concerns are raised in the attached MWRC report.
- There is, however, the likelihood of the costs reducing once the queries with the consultant have been investigated.
- It may be in Council's interest to advise the MWRC of support for the continuation into the business case of the Refuse Collection Service as set out in their resolution.
- 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.
- There are no known financial implications at this time.
- There are no known strategic implications at this time.
- VOTING REQUIREMENT: Simple majority
- OFFICER RECOMMENDATION
1. THAT COUNCIL ADVISE THE MID WEST REGIONAL COUNCIL ITS SUPPORT FOR CONTINUING THE INVESTIGATION INTO THE REFUSE COLLECTION SERVICE DELIVERY /BUSINESS UNIT BY:
    - a) FORMING A WORKING GROUP TO REVIEW THE BUSINESS CASE PRESENTED BY DALLYWATER CONSULTING TO DETERMINE IF THE FINANCIAL AND LOGISTICAL ASPECTS OF THE BUSINESS CASE MAY BE ALTERED TO MAKE THE UNIT MORE VIABLE, AND;
    - b) CALLING FOR EXPRESSIONS OF INTEREST (EOI) FOR THE SUPPLY OF A REGIONAL REFUSE COLLECTION SERVICE TO MWRC SHIRES, WITH THE SPECIFICATIONS BEING BASED UPON THE REVISED BUSINESS CASE.

**Moved:** A J Crudeli                      **Seconded:** A J Messina

- COUNCIL DECISION:**
1. **THAT COUNCIL ADVISE THE MID WEST REGIONAL COUNCIL ITS SUPPORT FOR CONTINUING THE INVESTIGATION INTO THE REFUSE COLLECTION SERVICE DELIVERY /BUSINESS UNIT BY:**
    - a) **FORMING A WORKING GROUP TO REVIEW THE BUSINESS CASE PRESENTED BY DALLYWATER CONSULTING TO DETERMINE IF THE FINANCIAL AND LOGISTICAL ASPECTS OF THE BUSINESS CASE MAY BE ALTERED TO MAKE THE UNIT MORE VIABLE, AND;**
    - b) **CALLING FOR EXPRESSIONS OF INTEREST (EOI) FOR THE SUPPLY OF A REGIONAL REFUSE COLLECTION SERVICE TO MWRC SHIRES, WITH THE SPECIFICATIONS BEING BASED UPON THE REVISED BUSINESS CASE.**

**CARRIED 7/0**

### **10.3.2 MWRC STREET SWEEPING UNIT**

- DATE OF MEETING: 16<sup>th</sup> July 2008
- LOCATION/ADDRESS: -
- NAME OF APPLICANT: -
- FILE REFERENCE: -
- PREVIOUS MINUTE/S & REFERENCE: -
- DATE AND AUTHOR: Tom Hartman, Chief Executive Officer
- DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
- SUMMARY: Report submits a request from the MWRC to consider the purchase of a street sweeper to MWRC Shires.
- BACKGROUND: The attached minutes at **APPENDIX C** of the July meeting of the MWRC item on this matter is the background for consideration.
- COMMENT: The Road Sweeper proposal and Plant Replacement Program is attached at **APPENDIX D**.
- It is difficult at this stage to provide the level of interest in this proposal due to a number of matters that still require further discussion/consideration by the TAG, as the following extract from the MWRC report suggests –
- “The TAG must still deal with this Project to:***
- ***Gauge possible Shire participation;***
  - ***Determine possible usage;***
  - ***Determine content of Service Agreement;***
  - ***Determine most appropriate funding for acquisition of Sweeper;***

- **Determine most appropriate method of funding contribution by participating Shires."**

However, it should be pursued further as indicated in the MWRC report.

## CONSULTATION:

## STATUTORY

There are no known statutory implications at this time.

## ENVIRONMENT:

## POLICY

There are no known policy implications at this time.

## IMPLICATIONS:

## FINANCIAL

There are no known financial implications at this time.

## IMPLICATIONS:

## STRATEGIC

There are no known strategic implications at this time.

## IMPLICATIONS:

## VOTING REQUIREMENT:

Simple majority

## OFFICER

## RECOMMENDATION

THAT COUNCIL ADVISE THE MWRC ITS INTEREST IN PURSUING THE DEVELOPMENT OF A SERVICE PLAN TO ESTABLISH A TRUE COST OF THE SERVICE PRIOR TO MAKING ANY FIRM DECISION ON PARTICIPATING.

**Moved:**

*J L Freeman*

**Seconded:**

*K P Keefe*

## COUNCIL DECISION:

**THAT COUNCIL ADVISE THE MWRC ITS INTEREST IN PURSUING THE DEVELOPMENT OF A SERVICE PLAN TO ESTABLISH A TRUE COST OF THE SERVICE PRIOR TO MAKING ANY FIRM DECISION ON PARTICIPATING.**

**CARRIED 7/0**

## 10.4 FINANCE AND GENERAL PURPOSE

### 10.4.1 FINANCE REPORT 30<sup>th</sup> JUNE 2008

DATE OF MEETING: 16th July 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & -

REFERENCE:

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST:

SUMMARY

BACKGROUND:

COMMENT:

#### BANK RECONCILIATION

The Bank Reconciliation for the month of June 2008 are attached at **APPENDIX A**. 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 6.75%.

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 FINANCE REPORT FOR THE PERIOD ENDED 30<sup>TH</sup> JUNE 2008 BE RECEIVED.

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

**COUNCIL DECISION:** **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30<sup>TH</sup> JUNE 2008 BE RECEIVED.**

**CARRIED 7/0**

#### **10.4.2 ACCOUNTS FOR PAYMENT**

DATE OF MEETING: 16th July 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 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: Attached to this report is a list detailing all cheques drawn and direct debits since the last Council meeting.

The summary of the schedule of accounts to be passed for payment totalling \$ 419,149.59 covers the following:

Municipal Account

Cheque No.	9873 - 9895	\$	52,697.34
Electronic Fund Trans	4239 - 4321	\$	299,800.49
Payroll & Fees	VARIOUS	\$	65,606.76

Trust Account

	Cheque No.	351	\$	1,045.00
	<b>Total:</b>		<b>\$</b>	<b>419,149.59</b>
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.	9873 - 9895	\$	52,697.34
Electronic Fund Trans	4239 - 4321	\$	299,800.49
Payroll & Fees	VARIOUS	\$	65,606.76

Trust Account

Cheque No.	351	\$	1,045.00
<b>Total:</b>		<b>\$</b>	<b>419,149.59</b>

**Moved:** *Andrew J Messina*                      **Seconded:** *A J Crudeli*

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

Municipal Account

<b>Cheque No.</b>	<b>9873 - 9895</b>	<b>\$</b>	<b>52,697.34</b>
<b>Electronic Fund Trans</b>	<b>4239 - 4321</b>	<b>\$</b>	<b>299,800.49</b>
<b>Payroll &amp; Fees</b>	<b>VARIOUS</b>	<b>\$</b>	<b>65,606.76</b>

Trust Account

<b>Cheque No.</b>	<b>351</b>	<b>\$</b>	<b>1,045.00</b>
<b>Total:</b>		<b>\$</b>	<b>419,149.59</b>

**CARRIED 7/0**

<b>10.4.3 DRAFT BUDGET – 2008/2009</b>
--

DATE OF MEETING:	16 <sup>th</sup> July 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	206
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	11 July 2008 - Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	A Draft Budget (along with budget notes) is attached which has been compiled by the Deputy Chief Executive Officer for Councils consideration.



COMMENT: Members are encouraged to contact the D/CEO prior to the meeting to discuss any items in the draft budget.

It is expected that any alterations to the Budget will be made over the next week to allow staff to compile a final Draft Budget to be adopted at a Special Meeting. However, Council may choose to adopt the draft budget at this meeting therefore the requirement for a special meeting would not be necessary.

The Draft Budget has been compiled using the following rate in the \$, as resolved at the April 2008 meeting and advertised for public notice.

<u>Rate Code</u>	<u>Rate \$</u>
GRV Mullewa – General Rates	0.946
GRV Pindar – General Rates	0.12183
UV Agriculture – General Rates	0.01344
UV Mining – General Rates	0.20
GRV Mullewa – Minimum Rates	294.00
GRV Pindar – Minimum Rates	76.45
UV Agriculture - Minimum Rates	218.40
UV Mining – Minimum Rates	262.50

This represents a 5% increase for all rates except mining which has been increased from .135 to .20

CONSULTATION: CEO

STATUTORY ENVIRONMENT: Local Government Act 1995  
Local Government (Financial Management) Regulations 1996

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

FINANCIAL IMPLICATIONS: All financial implications are as identified in the document.

STRATEGIC IMPLICATIONS: All items identified by Council during the past twelve months for inclusion in the Draft Budget have been accommodated in this document.

All aspects of Council's plans and programs have been incorporated in the Preliminary Budget.

VOTING REQUIREMENT: Absolute Majority.

OFFICER RECOMMENDATION THAT:

- THE DRAFT BUDGET AS PRESENTED BE RECEIVED, AND THAT THIS DATA BE UTILISED TO FORM A BUDGET IN AAS27 FORMAT, IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995, AND LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.
- A DETERMINATION BE MADE AS TO THE APPROPRIATE RATE IN THE DOLLAR.

IF REQUIRED, A SPECIAL MEETING FOR THE PURPOSE OF ADOPTING THE 2008/2009 BUDGET BE HELD.

**Moved:** J L Freeman                      **Seconded:** Andrew J Messina

**COUNCIL DECISION:**

**THAT:**

- **THE DRAFT BUDGET AS PRESENTED BE CONSIDERED, AND THAT THIS DATA BE UTILISED TO FORM A BUDGET IN AAS27 FORMAT, IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995, AND LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.**
- **A DETERMINATION BE MADE AS TO THE APPROPRIATE RATE IN THE DOLLAR; AND**

**IF REQUIRED, A SPECIAL MEETING FOR THE PURPOSE OF ADOPTING THE 2008/2009 BUDGET BE HELD.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**NOTE**

COUNCIL DID NOT RESOLVE TO CALL A SPECIAL MEETING DUE TO CONSIDERING THAT ALL INFORMATION HAD BEEN PROVIDED, TO BE IN A POSITION TO ADOPT THE 2008/09 BUDGET AT THIS MEETING.

FOLLOWING LENGTHY DELIBERATIONS ON THE ABOVE REPORT, THE FOLLOWING REPORT WAS TABLED FOR CONSIDERATION

**MEETING ADJOURNED – MEETING RECONVENED**

Meeting adjourned 3:15pm – 3:40pm

**PRESENT:**

Councillor A J (Nino) Messina – President	(West Ward)
Councillor M (Mike) Kerkmans	(East Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

**OFFICERS:**

Mr TA (Tom) Hartman - Chief Executive Officer  
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer

<b>10.4.4 2008/2009 MUNICIPAL BUDGET – ADOPTION OF</b>
--

DATE OF MEETING:	16 <sup>th</sup> July 2007
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	206
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	16 <sup>th</sup> July 2008 – Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	The 2008/2009 Municipal Budget has been drafted in accordance with the Local Government Financial Regulations.
COMMENT:	It is necessary for Council to consider the following recommendations.
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:	As per the 2008/2009 adopted budget.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION	1. <u>Adoption of Rates 2008/2009</u>
	(a) General Rate:
	GRV Mullewa Townsite 9.46%
	GRV Other Townsites 12.183%
	UV Agriculture 1.344%
	UV Mining 20.0%
	(b) Minimum Rate:
	GRV Mullewa Townsite \$294.00
	GRV Other Townsites \$ 76.45
	UV Agriculture \$218.40
	UV Mining \$262.50

That the above rates in the dollar on rateable property within the district of the Shire of Mullewa be imposed in accordance with the Local Government Act 1995 for the 2008/2009 year.

2. Interest on Overdue Rates

(a) Administration Fee – Any Instalment Plan

A charge of \$10.00 per reminder notice per instalment for rates levied in the financial year 2008/2009.

(b) Instalment Plan Interest Rates – Late Payment of any Instalment.

A charge of 5.5% per annum, calculated daily by simple interest be imposed.

Instalments, which are not paid by the due date, will be charged

penalty interest at the rate of 10.0% per annum calculated on a daily basis and the ratepayer's instalment option may be revoked.

(c) Instalment Plans.

An Instalment Plan will be offered to amounts above \$200.00

(d) Late Payment on Rates

A charge of 10% per annum, calculated daily by simple interest be imposed.

(e) Due Dates of Rates and Instalments

Date of Issue of Rate Notices:	1 <sup>st</sup> August 2008
1 <sup>st</sup> Instalment Due Date:	5 <sup>th</sup> September 2008
2 <sup>nd</sup> Instalment Due Date:	6 <sup>th</sup> November 2008
3 <sup>rd</sup> Instalment Due Date:	7 <sup>th</sup> January 2009
4 <sup>th</sup> Instalment Due Date:	10 <sup>th</sup> March 2009

That interest and charges in accordance with the above be imposed on overdue rates for the 2008/2009 financial year.

3. Rubbish Charges – Mullewa Townsite

(a) Residential – 240 Litre

\$169.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly.

\$185 per annum per additional 240 Litre MGB (GST inclusive)

(b) Commercial – 240 Litre

\$185.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly (GST Inclusive).

(c) Commercial – 1.5m<sup>3</sup> bin

\$1,409.00 per annum per occupied Lot of one 1.5m<sup>3</sup> bin, emptied weekly (GST Inclusive)

(d) Commercial – 3.0m<sup>3</sup>

\$2,451.00 per annum per occupied Lot of one 3.0m<sup>3</sup> bin emptied weekly (GST Inclusive).

(e) Commercial – Tip Charge

\$795.00 fee to be charged in addition to any other Rubbish Charges, where rubbish is directly disposed of at the Mullewa Refuse Site (GST Inclusive).

That the above Rubbish Service Charges be imposed for the Mullewa townsite for the 2008/2009 financial year in accordance with the Waste Avoidance and Recovery Act, Levy and Regulations 2008.

4 Schedule of Fees and Charges

That the Fees and Charges for

- Governance
- Law, Order and Public Safety
- Health
- Housing
- Welfare
- Community Amenities
- Recreation and Culture
- Economic Services
- Other Property and Services

For the 2008/2009 financial year be adopted.

5. Effluent Scheme Charges

	Council Properties	Non-Council Properties
<i>Commercial Premises – Small (2 units)</i>		
Swimming Pool	458	
Tourist Centre	458	
Doctor's Surgery	458	
Town Hall	458	
Public Toilets	458	
Youth Precinct	458	
Community Centre	458	
<i>Medium (3 units)</i>		
Caravan Park	687	
Mullewa District High School		687
Railway Hotel		687
Club Hotel		687
Senior Citizens		687
<i>Large (4 units)</i>		
Homeswest Houses		916
Mullewa Health Services		916
Our Lady of Mount Carmel School		916
<i>Residential Premises (1 unit)</i>		
71 Jose Street	229	
73 Jose Street	229	
Burges Street Unit	229	
Burges Street Unit	229	
22 Fry Street		229
24 Fry Street		229
32 Birdwood Street		229
34 Birdwood Street		229
36 Birdwood Street		229
38 Birdwood Street		229
47 Jose Street		229
53 Jose Street		229
59 Jose Street		229

*Note: Charges based on a per unit multiple of \$229 (inclusive of GST)*

That the above Effluent Scheme Charges be imposed for the 2008/2009 financial year.

6. Adoption of the 2008/2009 Budget

That the 2008/2009 Municipal Fund Budget, subject to the above Rates, Rubbish, Effluent Scheme Fees and Charges being incorporated in the

document, be adopted.

7. Statutory Compliance

That Council confirms it is well satisfied that services and facilities it provides:

- (a) Integrate and coordinate, so far as is practicable, with any provided by the Commonwealth, the State or any public body;
- (b) Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private, and
- (c) Are managed efficiently and effectively,

In accordance with Section 3.18(3) of the Local Government Act 1995

8. **BUSHFIRE – SECTION 33 FIREBREAK ORDER**

That the Section 33 Bush Fires Act Firebreak Order for the 2008/2009 year be adopted.

9. MATERIAL VARIANCES

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations a percentage of 10% be adopted for highlighting material variances.

**BUSH FIRES ACT 1954  
FIREBREAK ORDER (SECTION 33)**



**NOTICE TO OWNERS AND OCCUPIERS  
OF LAND IN THE SHIRE OF MULLEWA**

PURSUANT to the powers contained in Section 33 of the above Act, you are hereby required on or before the 1<sup>st</sup> October 2008 to plough, scarify, cultivate, or otherwise clear and thereafter maintain free from all flammable material until 31<sup>st</sup> March 2009, firebreaks in accordance with the following:

**1.**

**rural land**

Owners and Occupiers of lands, other than within a townsite, shall clear of all flammable material firebreaks of at least three (3) metres width as close as practicably possible inside and along the whole of the external boundary of their property or properties.

**2.**

**TOWNSITE LAND**

Owners and Occupiers within a townsite shall:

- (a) Clear of all flammable material the whole of the area where:
  - (i) The area of the land is 2023 square metres or less or,
  - (ii) The land is used for storage of flammable liquids, or
  - (iii) There is a hotel situated thereon.
- (b) If the area of land exceeds 2023 square metres (half an acre):

- (i) Clear of all flammable material firebreaks at least two (2) metres wide immediately inside all external boundaries of the land, or
- (ii) Have the grass mown to a height of not more than 50mm over the whole of the land, except where the land is used for the storage of flammable liquids.

**3. HOMESTEADS, BUILDING, HAYSTACKS, STACKS OF FODDER, BULK FUEL, DRUMS AND LIQUID PETROLEUM**

Owners and Occupiers of land shall:

During the period from 1<sup>st</sup> day of October, 2008 to the 31<sup>st</sup> day of March 2009, inclusive, have firebreaks at least three (3) metres wide in such positions as are necessary to completely surround the perimeter of any homestead, building, fuel installation (including drums), haystack (where such a haystack is situated within 200 metres of any homestead, building, fuel installation) or group of such structures or installations.

**4.**

**harvesting**

A fully operational mobile fire-fighting unit complete with a container with at least 400 litres minimum capacity of water is to be readily available to any paddock being harvested. A fully operational plough, tillage or cultivator equipment is to be readily available, and in close proximity, to any paddock being harvested. The responsibility to supply these units being that of the landholder.

**5.**

**general information**

*If for any reason it is considered impractical to comply with any provision of this notice, a written application for a variation may be made to the Shire Council and must reach the Chief Executive Officer by the 30th day of September 2008. Any such application must bear the signature of the Fire Control Officer of the area signifying his agreement to the variation.*

***If permission for variation is not granted, the terms of this notice must be complied with, or as the Council directs.***

**6. REGISTRATION**

It is in the interest of all residents to be registered members of the Bush Fire Brigade covering the area in which they own land. Membership of a Brigade is the safest way to ensure cover under the Shire's Fire Insurance Policy which covers personal injury and damage to equipment resulting from fighting bush fires under the direction of a Fire Control Officer.

FLAMMABLE MATERIAL is defined for the purpose of this order to include bush (as defined in the Bush Fire Act), boxes, cartons, paper and like flammable materials, rubbish and also combustible matter, but does not include green standing trees or growing bushes or plants in gardens or lawns.

The penalty for failing to comply with this notice is a fine of \$250 by infringement notice or not more than \$5000 if prosecuted, and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

BY ORDER OF THE COUNCIL

Tom Hartman

**CHIEF EXECUTIVE OFFICER**

**Moved:** J L Freeman      **Seconded:** M Kerkmans

**COUNCIL DECISION:** 1. **Adoption of Rates 2008/2009**

(a)	<b>General Rate:</b>	<b>GRV Mullewa Townsite</b>	<b>9.46%</b>
		<b>GRV Other Townsites</b>	<b>12.183%</b>
		<b>UV Agriculture</b>	<b>1.344%</b>

	UV Mining	20.0%
(b) Minimum Rate:	GRV Mullewa Townsite	\$294.00
	GRV Other Townsites	\$ 76.45
	UV Agriculture	\$218.40
	UV Mining	\$262.50

That the above rates in the dollar on rateable property within the district of the Shire of Mullewa be imposed in accordance with the Local Government Act 1995 for the 2008/2009 year.

## 2. Interest on Overdue Rates

### (a) Administration Fee – Any Instalment Plan

A charge of \$10.00 per reminder notice per instalment for rates levied in the financial year 2008/2009.

### (b) Instalment Plan Interest Rates – Late Payment of any Instalment.

A charge of 5.5% per annum, calculated daily by simple interest be imposed.

Instalments, which are not paid by the due date, will be charged penalty interest at the rate of 10.0% per annum calculated on a daily basis and the ratepayer's instalment option may be revoked.

### (c) Instalment Plans.

An Instalment Plan will be offered to amounts above \$200.00

### (d) Late Payment on Rates

A charge of 10% per annum, calculated daily by simple interest be imposed.

### (e) Due Dates of Rates and Instalments

Date of Issue of Rate Notices:	1 <sup>st</sup> August 2008
1 <sup>st</sup> Instalment Due Date:	5 <sup>th</sup> September 2008
2 <sup>nd</sup> Instalment Due Date:	6 <sup>th</sup> November 2008
3 <sup>rd</sup> Instalment Due Date:	7 <sup>th</sup> January 2009
4 <sup>th</sup> Instalment Due Date:	10 <sup>th</sup> March 2009

That interest and charges in accordance with the above be imposed on overdue rates for the 2008/2009 financial year.

## 3. Rubbish Charges – Mullewa Townsite

### (a) Residential – 240 Litre

\$169.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly.  
\$185 per annum per additional 240 Litre MGB (GST inclusive)

### (b) Commercial – 240 Litre



**\$185.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly (GST Inclusive).**

**(c) Commercial – 1.5m<sup>3</sup> bin**

**\$1,409.00 per annum per occupied Lot of one 1.5m<sup>3</sup> bin, emptied weekly (GST Inclusive)**

**(d) Commercial – 3.0m<sup>3</sup>**

**\$2,451.00 per annum per occupied Lot of one 3.0m<sup>3</sup> bin emptied weekly (GST Inclusive).**

**(e) Commercial – Tip Charge**

**\$795.00 fee to be charged in addition to any other Rubbish Charges, where rubbish is directly disposed of at the Mullewa Refuse Site (GST Inclusive).**

**That the above Rubbish Service Charges be imposed for the Mullewa townsite for the 2008/2009 financial year in accordance with the Waste Avoidance and Recovery Act, Levy and Regulations 2008.**

**4 Schedule of Fees and Charges**

**That the Fees and Charges for**

- **Governance**
- **Law, Order and Public Safety**
- **Health**
- **Housing**
- **Welfare**
- **Community Amenities**
- **Recreation and Culture**
- **Economic Services**
- **Other Property and Services**

**For the 2008/2009 financial year be adopted.**

**5. Effluent Scheme Charges**

<b>Council</b>	<b>Council Properties</b>	<b>Non- Properties</b>
<b><i>Commercial Premises – Small (2 units)</i></b>		
Swimming Pool	458	
Tourist Centre	458	
Doctor's Surgery	458	
Town Hall	458	
Public Toilets	458	
Youth Precinct	458	
Community Centre	458	
<b><i>Medium (3 units)</i></b>		
Caravan Park	687	
Mullewa District High School		687
Railway Hotel		687
Club Hotel		687
Senior Citizens		687
<b><i>Large (4 units)</i></b>		

Homeswest Houses	916
Mullewa Health Services	916
Our Lady of Mount Carmel School	916

*Residential Premises (1 unit)*

71 Jose Street	229	
73 Jose Street	229	
Burges Street Unit	229	
Burges Street Unit	229	
22 Fry Street		229
24 Fry Street		229
32 Birdwood Street		229
34 Birdwood Street		229
36 Birdwood Street		229
38 Birdwood Street		229
47 Jose Street		229
53 Jose Street		229
59 Jose Street		229

*Note: Charges based on a per unit multiple of \$229 (inclusive of GST)*

That the above Effluent Scheme Charges be imposed for the 2008/2009 financial year.

**6. Adoption of the 2008/2009 Budget**

That the 2008/2009 Municipal Fund Budget, subject to the above Rates, Rubbish, Effluent Scheme Fees and Charges being incorporated in the document, be adopted.

**7. Statutory Compliance**

That Council confirms it is well satisfied that services and facilities it provides:

- (a) Integrate and coordinate, so far as is practicable, with any provided by the Commonwealth, the State or any public body;
- (b) Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private, and
- (c) Are managed efficiently and effectively,

In accordance with Section 3.18(3) of the Local Government Act 1995

**8. BUSHFIRE – SECTION 33 FIREBREAK ORDER**

That the Section 33 Bush Fires Act Firebreak Order for the 2008/2009 year be adopted.

**9. MATERIAL VARIANCES**

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations a percentage of 10% be adopted for highlighting material variances.

**CARRIED BY ABSOLUTE MAJORITY 7/0**

## 10.5 CHIEF EXECUTIVE OFFICERS REPORT

### 10.5.1 MULLEWA COMMUNITY TRUST GUIDELINES – ALTERATIONS TO

DATE OF MEETING: 16<sup>th</sup> July 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 808.05

PREVIOUS MINUTE/S & REFERENCE: MCT Minutes

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

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

SUMMARY: Report presents an item from the minutes of the Mullewa Community Trust for a review of its criteria and guidelines.

BACKGROUND: Reference is made to the Mullewa Community Trust Criteria and Guidelines which provides intending applicants with relevant details and operations of the Trust and is used by the trust committee to allocate the funds. The Committee of the Mullewa Community Trust have recommended that the MCT criteria and guidelines be reviewed to allow more flexibility regarding Council owned facilities and or services and removing the current limit on funding for projects that may warrant funds in excess of the current limit. A copy of the latest version of the criteria and guidelines are attached at **APPENDIX A**.

COMMENT: The Mullewa Community Trust was established by Council at the meeting held 20 October 2004. When establishing the committee, known as the Mullewa Community Trust (MCT) and due to the restrictions of the Local Government Act, the committee only has the power to make recommendations to Council in accordance with the criteria and guidelines, as laid down by Council from time to time.

At the meeting in October 2004 Council also resolved -

- ***That a minimum of one third of the annual contribution from Mount Gibson Mining Limited to the Structural Adjustment Fund shall be retained and invested, and***
- ***That the Mullewa Community Trust shall ensure that the maximum amount to be provided to any group within a 12-month period is \$10,000.***

At a subsequent meeting held 17 August 2005 Council resolved that -

- ***Disbursement from Mullewa Community Trust annually shall be \$50,000.***

Apart from the above, the guidelines were also amended at the 21 February 2007 meeting where Council resolved -

- **THAT THE MULLEWA COMMUNITY TRUST GUIDELINES BE AMENDED BY:**

**THAT THE FIRST DOT POINT ITEM UNDER THE HEADING "WHAT WON'T BE FUNDED" CONTAINED IN THE MULLEWA COMMUNITY TRUST GRANT GUIDELINES, BE ALTERED TO READ: "PROJECTS WHICH ARE THE OPERATIONAL RESPONSIBILITY OF FEDERAL STATE OR LOCAL GOVERNMENT", AND**

**AN ADDITIONAL DOT POINT UNDER THE HEADING "OTHER CONSIDERATIONS" BE INCLUDED WHICH READS: INCORPORATED, NOT FOR PROFIT, VOLUNTEER, COMMUNITY GROUPS, SUCH AS ASSOCIATIONS AND AUXILIARIES, WHICH ARE ATTACHED TO GOVERNMENT AND PRIVATE ORGANISATIONS, ARE ELIGIBLE TO APPLY FOR FUNDING.**

When establishing the Mullewa Community Trust the funds were to be disbursed annually in accordance with the following objectives

- **Encourage cooperation and sharing between community groups to ensure that a wide range of people can benefit from community resources.**
- **Increase the range of, and access to, quality community, recreational, social and cultural activities, programs and services.**
- **Support community development initiatives and socially responsible community activities.**
- **Support groups that are working to assist economically or socially disadvantaged people.**
- **Encourage the community to promote its region through promotional activities.**
- **Encourage the development of excellence in recreational, sporting and cultural pursuits.**

At the last meeting of the MCT it was considered that there needed to be some flexibility for the committee to make recommendations with the view to allow more flexibility regarding Council owned facilities and or services and removing the current limit on funding for projects that may warrant funds in excess of the current limit. An example was given at the meeting in relation to the Mullewa Swimming Pool where Council has allowed free entry in an effort to assist keeping young people occupied through the long hot summer. It was considered that Council could apply for the loss of the entry fees which are approximately \$8000 - \$10000.

It was also considered that the maximum limit of \$10000 restricts organisations like the Tennis or bowling club applying for additional funding to cover more of the playing surfaces which could save money. Obviously there are other examples and the committee would need to consider each application on its merits. Generally the current limits may stay in place but the wording of the guidelines and criteria should be amended to allow the committee discretion in making its recommendations.

The \$50000 annual limit appears to be arrived at using the minimum one third of the annual contribution from Mount Gibson being retained and invested. This was when the contribution was \$75000. It is now \$100000. When the Trust was first established the contribution was \$50000. Using the one third method the annual distribution should be \$66666.

It is suggested that the MCT Guidelines be amended by –

- Deleting “*or Local*” in the first dot point under **What Won’t be Funded.**
- Deleting dot point 10 that states “*Projects that require ongoing funding or support other than the initial grant*”

It is suggested that the MCT Criteria be amended by –

- In criteria 3 delete the last sentence “(Minute Ref: 0805.19) *Disbursement from the Mullewa Community Trust annually shall be \$50000*” and add “*As a general guide the annual disbursement will be \$66666 and the maximum amount to any group will be \$10,000. The MCT may recommend to the Council funding of a project that exceeds the \$10000 limit.*”

CONSULTATION:

Mullewa Community Trust

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:

Simple Majority

OFFICER

RECOMMENDATION

THAT COUNCIL AMEND THE MULLEWA COMMUNITY TRUST GUIDELINES BY

- Deleting “*or Local*” in the first dot point under What Won’t be Funded.
- Deleting dot point 10 that states “*Projects that require ongoing funding or support other than the initial grant*”

AND AMEND THE MULLEWA COMMUNITY TRUST CRITERIA BY

- In criteria 3 delete the last sentence “(Minute Ref: 0805.19) *Disbursement from the Mullewa Community Trust annually shall be \$50,000*” and add “*As a general guide the annual disbursement will be \$66,666 and the maximum amount to any group will be \$10,000. The MCT may recommend to the Council funding of a project that exceeds the \$10,000 limit*”.

**Moved:**

*Andrew J Messina*

**Seconded:**

*K P Keeffe*

COUNCIL DECISION:

THAT COUNCIL AMEND THE MULLEWA COMMUNITY TRUST GUIDELINES BY

- Deleting “*or Local*” in the first dot point under What Won’t be Funded.
- Deleting dot point 10 that states “*Projects that require ongoing funding or support other than the initial grant*”

AND AMEND THE MULLEWA COMMUNITY TRUST CRITERIA BY

- In criteria 3 delete the last sentence “(Minute Ref: 0805.19) *Disbursement from the Mullewa Community Trust annually shall be \$50,000*” and add “*As a general guide the annual disbursement will be*

*\$65,000 and the maximum amount to any group will be \$10,000. The MCT may recommend to the Council funding of a project that exceeds the \$10,000 limit".*

**CARRIED 7/0**

**NOTE**

Council changed the recommendation of the annual disbursement to round off to \$65000.

<b>0708.11</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>
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**Moved:** *J L Freeman*                      **Seconded:** *K P Keefe*

**COUNCIL DECISION:**                      **THAT THE MOTIONS TO BE SUBMITTED TO THE WA LOCAL GOVERNMENT ASSOCIATION'S ANNUAL GENERAL MEETING BE DISCUSSED FOR THE PURPOSE OF DIRECTING DELEGATES VOTING PREFERENCE.**

**CARRIED 7/0**

**Moved:** *J L Freeman*                      **Seconded:** *M Kerkmans*

**COUNCIL DECISION:**                      **3.1 ENDORSEMENT OF 'THE JOURNEY' – SUSTAINABILITY INTO THE FUTURE – DRAFT PAPER (05-034-01-0009 TB). DELEGATES TO MONITOR DEBATE AND MAKE AN INFORMED DECISION.**

**3.2 SYSTEMIC SUSTAINABILITY STUDY REPORT – SSS (05-034-01-0009 TB). DELEGATES TO MONITOR DEBATE AND MAKE AN INFORMED DECISION.**

**3.3 CLOSING OF REGIONAL PARTNERSHIPS AND THE AREA CONSULTATIVE COMMITTEES (05-055-03-0001 ID). DELEGATES TO VOTE FOR THE MOTION.**

**3.4 AUSTRALIAN BUREAU OF STATISTICS (ABS) CENSUS 2011 FLY-IN, FLY OUT (05-088-03-0002 ID). DELEGATES TO VOTE FOR THE MOTION.**

**3.5 WHEATBELT DRAINAGE COUNCIL (05-064-03-0023 MB). DELEGATES TO VOTE AGAINST THE MOTION.**

**3.6 BINDING THE CROWN – RISK PREVENTION AND MITIGATION (05-024-03-0016 JL) DELEGATES TO VOTE FOR THE MOTION.**

**3.7 ENQUIRY INTO FIRE AND EMERGENCY SERVICES LEGISLATION (05-024-01-0002 JL). DELEGATES TO VOTE FOR THE MOTION.**

**3.8 FUNDING TO THE ROYAL FLYING DOCTOR SERVICE (05-030-03-0006 JoH). DELEGATES TO VOTE FOR THE MOTION.**

**3.9 WITHDRAWAL STATE GOVERNMENT SERVICES (05-055-02-0003 JoH) DELEGATES TO VOTE FOR THE MOTION.**

**3.10 PRIVATE MEMBERS BILL TO SECURE THIRD PARTY REVIEW RIGHTS (06-13-07-01-001 BF). DELEGATES TO VOTE AGAINST THE MOTION.**

**3.11 THIRD PARTY APPEAL RIGHTS FOR THE CITY OF ALBANY (06-13-07-04-001 BF). DELEGATES TO VOTE AGAINST THE MOTION.**

**3.12 ELECTED MEMBER ALLOWANCES (05-034-01-0001 TB). DELEGATES TO MONITOR DEBATE AND MAKE AN INFORMED DECISION.**

**3.13 LOCAL GOVERNMENT (OFFICIAL CONDUCT) AMENDMENT ACT 2007 (05-034-01-0006 TB). DELEGATES TO VOTE AGAINST THE MOTION.**

**3.14 ELECTED MEMBER LEGAL REPRESENTATION (05-034-01-0003 TB). DELEGATES TO VOTE AGAINST THE MOTION.**

**3.15 RATE EXEMPTION CHARITABLE BODIES (05-034-01-0007 TB). DELEGATES TO VOTE FOR THE MOTION.**

**3.16 CAPITAL IMPROVED VALUE – BASIS OF RATING (05-061-03-0001 TB). DELEGATES TO VOTE AGAINST THE MOTION.**

**CARRIED 7/0**

<b>0708.12</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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Nil

<b>0708.13</b>	<b>DELEGATED AUTHORITY</b>
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Nil

<b>0708.14</b>	<b>CLOSURE OF MEETING</b>
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The President closed the meeting at 4:35pm.

These minutes were confirmed at a meeting on 20 August 2008:
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Signed:
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A J Messina, President

Date: