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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 15 NOVEMBER 2006.**1106.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:00pm The President declared the meeting open.

1106.02 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 N D Johnstone	(South Ward)

OFFICERS:

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

APOLOGIES:

Councillor L J Wainwright (Central Ward)

LEAVE OF ABSENCE:

Nil

VISITORS

Mullewa District High School
Teacher: Sharon Cussons
Students: Dainira Papertalk
Lionel Kelly

1106.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

1106.04 PUBLIC QUESTION TIME

The students thanked the Council for the opportunity to ask questions and to join the Council for lunch. They informed the Council that the speed trailer that had been positioned in the school zone area had made a difference to the speed of cars travelling near the school.

The Students requested consideration be given to installing a pedestrian crossing out the front of the school as there are many students who walk or ride to school.

The President advised that Council would debate the item and inform them of its decision.

The Students thanked the Council for listening to their request and wished all a merry Christmas.

1:05pm The visitors left the meeting

1106.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

1106.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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

COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18 OCTOBER 2006, AS PRINTED BE CONFIRMED, SUBJECT TO THE FOLLOWING CORRECTIONS:-

Item 10.2.1 of the Agenda and Item 1006.06 of the unconfirmed Minutes refers to a 'Mr Evans' instead of 'Mr Allen'. This clerical error will have no effect in the process or direction of the legal action being taken against Mr Allen. The notices were duly served in the name of MR SR Allen and subsequent correspondence was addressed correctly. An unregistered courtesy letter was inadvertently addressed as Mr Evans. (This response was bought about by Mr Allen's refusal to accepted previously registered letters) The resolution will now read:

THAT COUNCIL DETERMINE THAT MR ALLEN 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 7/0

1106.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.
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Nil

1106.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
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Murchison Metals represented by Rob Vigoni, Grant Teakle, Peter George and Carolyn Nixon address the Council during the adjournment on the 'Jack Hills Iron Ore Project'.

1106.09	REPORTS OF COMMITTEES/MEMBERS
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Nil

1106.10	REPORTS OF OFFICERS
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1106.11	<u>WORKS, PLANTS, PARKS & GARDENS</u>
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1.	HEAVY VEHICLES NETWORK
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 703.04

PREVIOUS MINUTE/S & REFERENCE: 17 March 2004

DATE AND AUTHOR: 8 November 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report submits current information from MRWA database on Network access for Heavy Vehicles on Shire of Mullewa Roads.

BACKGROUND: During Councils recent "Information Sessions" in September and October, there have been discussions on which Roads are permitted to be used for Heavy Vehicle access. Information from the MRWA database has been obtained on what Multi combination vehicles are permitted to have access to Roads within the Shire of Mullewa.

Approximately 2 years ago MRWA introduced a new system granting certain Restricted Access Vehicles conditional access to specified WA Roads. The following MRWA information outlines this system –

Western Australia operates many variations of Heavy Vehicle Combinations known as Restricted Access Vehicles (RAV's), including some of the largest road train combinations in the world.

To improve flexibility and customer service, while maintaining our focus on road safety and the protection of our assets, Main Roads has in place a number of access schemes granting certain RAV's conditional access to specified Western Australian roads. These

access arrangements are controlled by a system where RAV's must operate under operating conditions outlined in a particular permit for that vehicle or combination.

Vehicles up to and including a general access (as of right) vehicle may operate on the road network without need for contact with or permission from Main Roads, and are governed by the Department for Planning and Infrastructure (DPI).

PERMITS

A permit is an instrument issued by the Commissioner of Main Roads to grant RAV's access to the road network under certain conditions. The permit is issued in accordance with either Clause 25, 30 or 34 of the Road Traffic (Vehicle Standards) Regulations 2002 for the various classes of Restricted Access Vehicles. Permits may allow for increases in dimension or mass, or both. Vehicle operators must apply for permits on a vehicle-by-vehicle basis. When an application is approved and a permit subsequently issues, it will include a set of operating conditions.

A fee is charged for each permit that is issued:

NOTICES

A notice is an instrument issued by the Commissioner of Main Roads to grant RAV's access to the road network under certain conditions, without the need for a permit. Notices are published by Main Roads in a Government Gazette and only require and operator of a Restricted Access Vehicle to purchase a Notice from WA State Law Publisher. Notices operate the same as permits and include conditions of use and restrictions on the allowable routes.

APPROVED ROAD NETWORKS

Permits issued by Main Roads will generally specify an approved road network that a particular vehicle is permitted to travel. In some cases areas are re specified. The approach depends on the type of permit issued.

Specific Journey (Single Trip) permits generally have the route specified on the permit. Period permits on the other hand may refer to Networks.

PERMIT NETWORKS

The Western Australian road network has been divided into ten (10) heavy vehicle networks for notice and permit purposes.



Network 1 is the largest and covers all roads statewide with a list of exceptions. Networks 2 to 10 progressively become more and more restricted. Network 10 is the smallest and covers specified combinations up to 53.5m in length.

COMMENT:

The situation, as it stands, from the information in the MRWA database, is all Roads North of the Geraldton-Mount Magnet Road are approved access for Network 8 vehicles, which includes –

NETWORK 8 VEHICLE CATEGORIES




Only vehicles described in the table are restricted to Permit Network 8. Please refer to the Class 2 & 3 RAV Period Permit Operating Conditions for full vehicle descriptions and conditions.

Class		July 2006					
2	VEHICLE DESCRIPTION AND CONFIGURATION	AST	L (m)	MLM (t)	H (m)	SAG	AG
		Cat. 8	(A)  Truck towing two ≤5 axle dog trailers	(A)	>27.5 ≤36.5	100.5	≤4.3
Cat. 8	(B)  Truck towing two 6 axle dog trailers	(A)	>27.5 ≤36.5	107.5	≤4.3	Either	6
KEY:		⊗ : Minimum axles required		○ : Optional Axles.			
LEGEND:		AST = Axle Spacing Table	L = Length	MLM = Loaded Mass			
		SAG = Steer Axle Group	H = Height	AG = Axle Group			

and the majority of other Roads in the Shire of Mullewa are approved access for network 7 vehicles, which includes –

NETWORK 7 VEHICLE CATEGORIES



Only vehicles described in the table are restricted to Permit Network 7. Please refer to the Class 2 & 3 RAV Period Permit Operating Conditions for full vehicle descriptions and conditions.

Class		July 2006					
2	VEHICLE DESCRIPTION AND CONFIGURATION	AST	L (m)	MLM (t)	H (m)	SAG	AG
		Cat. 7	(A)  Twin steer truck towing two 5 or 6 axle dog trailers	(A)	>27.5 ≤36.5	107.5	≤4.3
Cat. 7	(B)  Prime-mover, semi-trailer towing a 2 or 3 axle converter dolly with two semi-trailers	(A)	>27.5 ≤36.5	107.5	≤4.6 note (4)	Either	6
Cat. 7	(C)  B-double towing a 5 or 6 axle dog trailer	(A)	>27.5 ≤36.5	107.5	≤4.6 note (4)	Either	6
KEY:		⊗ : Minimum axles required		○ : Optional Axles.			


LEGEND:	AST = Axle Spacing Table	L = Length	MLM = Loaded Mass
	SAG = Steer Axle Group	H = Height	AG = Axle Group

NOTE – The difference between a category 7 vehicle and a category 8 vehicle is the Category 7 vehicle has twin steer.

The Mingenew-Mullewa road is restricted to Permit Network 6, which includes –

Class		July 2006					
2	VEHICLE DESCRIPTION AND CONFIGURATION	AST	L (m)	MLM (t)	H (m)	SAG	AG
		Cat. 6	(A)  Prime-mover, semi-trailer towing 6 axle dog trailer	(A)	>27.5 ≤36.5	87.5	≤4.6 note (4)
Cat. 6	(B)  Prime-mover towing 3 semi-trailers (b-triple)	(A)	>27.5 ≤36.5	87.5	≤4.6 note (4)	Either	5
KEY:		⊗ : Minimum axles required		○ : Optional Axles.			
LEGEND:		AST = Axle Spacing Table	L = Length	MLM = Loaded Mass			
		SAG = Steer Axle Group	H = Height	AG = Axle Group			

The Wubin-Mullewa road is restricted to Permit Network 4, which includes –

Class		July 2006					
2	VEHICLE DESCRIPTION AND CONFIGURATION	AST	L (m)	MLM (t)	H (m)	SAG	AG
		Cat. 4	(A)  Prime-mover, semi-trailer towing 6 axle dog trailer	(A)	>19.0 ≤27.5	87.5	≤4.6 note (4)
KEY:		⊗ : Minimum axles required		○ : Optional Axles.			
LEGEND:		AST = Axle Spacing Table	L = Length	MLM = Loaded Mass			
		SAG = Steer Axle Group	H = Height	AG = Axle Group			

The MRWA data base also revealed that there are **no conditions of use** specified for access by RAV's on any of Council roads. This effectively means that there is no restriction regarding speed, day/night use, operation on unsealed roads when visibly wet (unless the road has been closed), written approval from Council permitting use of the road, etc. Local Governments can also put conditions on the use of their roads in relation to school bus routes, driving with head lights on, specific cartage only, no through routes, and the list goes on.

Main roads has granted certain RAV's conditional access to specified Western Australian roads through the issue of period permits under the provisions of the Road Traffic (Vehicle Standards) Regulations 2002. Operators must comply with the requirements of the road tables for operating conditions which form part of the permit. It is the operator's responsibility to ensure they have up to date network information on hand when using a RAV. This information is available on a CD or can be downloaded from the MRWA website which permit holders are required to obtain. Each network will include –

- A road table (specifying approved roads and restrictions);
- Road Maps (Visual representation of the Road Table); and
- Information on "How to use the maps".

As can be noted from the above, operators of RAVs can–

- Operate vehicles up to class 2 category 8 on Network 8 for all roads north of the Geraldton/Mount Magnet Highway.
- Operate vehicles up to class 2 category 7 on Network 7 for roads south of the Highway.
- Operate vehicles up to class 2 category 4 on the Wubin-Mullewa road, and
- Operate vehicles up to class 2 category 6 on the Mingenew-Mullewa road.

It must also be noted that the only through road to neighbouring areas linking Network 8 is the Geraldton-Mount Magnet road and for Network 7 is the Geraldton-Mount Magnet road and the Walkaway-Nangetty Road.

Council must now be satisfied that these vehicles should be using the roads, as there is an obligation to ensure the suitability of these routes. Various criteria relating to road width, railway crossings, physical constraints, environmental considerations, other safety considerations and community consultation may need to be assessed. This assessment can be carried out by Bob Roden.

Council also should consider if conditions/restrictions need to be placed on the use of the roads by RAV's.

There is a large map that can be viewed at the meeting which will assist understanding what is in place, as it shows the roads in the Shire, the networks and their links.

In March 2004 records reveal that Council opposed the review by MRWA

to reduce the heavy vehicle multi-combinations from 36.5 metres to 27.5 metres. It would appear that this opposition resulted in the current networks being put in place. Council could “open up a can of worms” if changes are now made.

If Council accept the current situation, as per the Main Roads data, then the existing policies under 1317 will become obsolete.

CONSULTATION:	Peter Herbert, MRWA, President, Bob Roden
STATUTORY ENVIRONMENT:	Road Traffic(Vehicle Standard)Regulations 2002
POLICY IMPLICATIONS:	Policy 1317-Road Train Permits
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	<ol style="list-style-type: none"> 1. THAT COUNCIL ACKNOWLEDGE THAT HEAVY VEHICLE PERMIT NETWORKS 7 & 8 OPERATE ON THE MAJORITY OF ROADS WITHIN THE SHIRE, AND NETWORK 4 & 6 OPERATE ON THE WUBIN-MULLEWA AND THE MINGINEW-MULLEWA ROADS RESPECTIVELY. 2. THAT COUNCIL CONSIDER ANY CONDITIONS/RESTRICTIONS TO BE IMPOSED ON THE USE OF SPECIFIC ROADS BY HEAVY VEHICLES AND FORWARD TO MAIN ROADS WA FOR ENDORSEMENT ON THE NETWORKS.

Moved: G M Steele

Seconded: M Kerkmans

COUNCIL DECISION:	<ol style="list-style-type: none"> 1. THAT COUNCIL ACKNOWLEDGE THAT HEAVY VEHICLE PERMIT NETWORKS 7 & 8 OPERATE ON THE MAJORITY OF ROADS WITHIN THE SHIRE, AND NETWORK 4 & 6 OPERATE ON THE WUBIN-MULLEWA AND THE MINGENEW-MULLEWA ROADS RESPECTIVELY. 2. THAT THE FOLLOWING CONDITIONS/RESTRICTIONS TO BE IMPOSED ON THE USE OF SPECIFIC ROADS BY HEAVY VEHICLES AND FORWARD TO MAIN ROADS WA FOR ENDORSEMENT ON THE NETWORKS. <ul style="list-style-type: none"> • SPEED BE RESTRICTED TO 70KM/HR • GRAVEL ROADS NOT TO BE TRAVERSED WHEN VISIBLY WET. 3. CR STEELE & CR JOHNSTONE TO INSPECT MOORE ROAD, WITH REGARD TO HEAVY VEHICLE ACCESS AND REPORT BACK TO CHIEF EXECUTIVE OFFICER.
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CARRIED 7/0

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

COUNCIL DECISION: THAT COUNCIL APPLY TO MAIN ROADS TO HAVE THE SPEED LIMIT REDUCED ON GRAY STREET AND MAITLAND ROAD TO 50km/hr FOR LIGHT VEHICLES AND 40km/hr FOR HEAVY VEHICLES.

CARRIED 5/2

2.	TENDER 03/06 – NEW MULTI TYRED ROLLER
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 111.01

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

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

BACKGROUND: Tenders called for the purchase of a Multi Tyred roller closed on Wednesday 8th November 2006 to replace Councils 1969 Pacific 33TC Multi Tyred Roller.

COMMENT: The tenders received are being accessed against the selection criteria and the results will be tabled at the meeting.

At the conclusion of the tender period, three tenders were received for the supply of a Multi Tyred roller as specified in the tender documents. The specifications were fairly specific in identifying Council's requirements.

The budgeted amount for this item is \$160,000 for the changeover and the initial indication is that two of the tenders received are within this figure.

CONSULTATION: Works Supervisor, Mechanic.

STATUTORY ENVIRONMENT: Section 3.57 Local Government Act part 4 Local Government (Function and General) Regulations.

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

FINANCIAL IMPLICATIONS: There is currently provision within this Budget to changeover this item of plant. \$160,000 has been allowed.

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

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM WEL-QUIP TO SUPPLY AN AMMANN AP240 MULTI TYRED ROLLER, AS SPECIFIED IN THE TENDER DOCUMENTS, FOR A CHANGE OVER OF \$131,965 (EX GST)

Moved: *M Kerkmans* **Seconded:** *G M Steele*

COUNCIL DECISION: THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM WEL-QUIP TO SUPPLY AN AMMANN AP240 MULTI TYRED ROLLER, AS SPECIFIED IN THE TENDER DOCUMENTS, FOR A CHANGE OVER OF \$131,965 (EX GST)

CARRIED 7/0

1106.12 FINANCE & GENERAL PURPOSE

1. TOWN HALL CHARGES – WAIVER OF

DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: Ms Sharon Cussons – Mullewa District High School

FILE REFERENCE: 603

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 19 October 2006 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Students from Mullewa District High School using Town Hall, would like fees waived.

BACKGROUND: Correspondence has been received from Ms Sharon Cussons, Deputy Principal of the High School requesting to waive the fee for use of the Town Hall.

COMMENT: An application has been made to use the Mullewa Town Hall for the following dates to conduct a student modelling course.

Friday 17th & 24th November 2006 between 11:30am and 12:30pm.

About 20 students have been selected to participate in modelling classes. The students will be accompanied by a modelling instructor and a teacher from the school. She requests that the hire fee charge be waived as it is for student use.

Should approval be granted it can be under the condition that the venue is left clean at the conclusion of every hire and that Council support for the program through the use of the venue is promoted.

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: The cheapest hall hire rate that would be applicable to an event of this nature is \$20.00 per hire.

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

VOTING REQUIREMENT: Simple majority

**OFFICER
RECOMMENDATION**

THAT THE MULLEWA DISTRICT HIGH SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA TOWN HALL ON 17TH & 24TH NOVEMBER 2006 BETWEEN 11:30AM AND 12:30PM SUBJECT TO THE FOLLOWING:

- *THAT THE VENUE IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF EACH HIRE.*
- *THAT THE COUNCIL IS INDEMNIFIED FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING, AND*
- *THE CONTRIBUTION OF THE COUNCIL TO THIS UNDERTAKING IS PROMOTED.*

Moved: J L Freeman

Seconded: G M Steele

COUNCIL DECISION:

THAT THE MULLEWA DISTRICT HIGH SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA TOWN HALL ON 17TH & 24TH NOVEMBER 2006 BETWEEN 11:30AM AND 12:30PM SUBJECT TO THE FOLLOWING:

- ***THAT THE VENUE IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF EACH HIRE.***
- ***THAT THE COUNCIL IS INDEMNIFIED FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING, AND***
- ***THE CONTRIBUTION OF THE COUNCIL TO THIS UNDERTAKING IS PROMOTED.***

CARRIED 7/0

2.	SHIRE OFFICE CHRISTMAS/NEW YEAR– CLOSURE OF
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 108

PREVIOUS MINUTE/S &
REFERENCE: -

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

DISCLOSURE OF
INTEREST: Author has no disclosure of interest.

SUMMARY: Report requests permission to close the Shire Office over the coming Christmas/New Year period.

BACKGROUND: The majority of the Administration staff have requested leave over the Christmas/New Year break as most will be travelling away for the festivities associated with this time of the year.

COMMENT: Christmas 2006 will fall on Monday this year, which results in Monday 25th and Tuesday 26th December being public holidays. The following Monday (1st January 2007) is also a public holiday, with Tuesday (2nd

January 2007) being a day in lieu granted to local government employees.

Due to the demand for leave, staff are requesting that consideration be given to closing the office for 3 days, Wednesday 27th to Friday 29th inclusive, reopening on Wednesday 3rd January with an almost full complement of rejuvenated staff (Gaye will be on leave until 18th January). Over the past two years the level of telephone and front counter activity has been minimal during this period. This presents as an opportune time for staff to clear a small amount leave with little interruption to the organisation.

Any leave will need to be taken as either annual leave, rostered days off or leave without pay, depending on the individual officers leave accrual.

Should the request be granted the closure will be advertised extensively throughout Mullewa by way of notice boards and the Mullewa Mail.

Enquiries with the Shires of Northampton, Mingenew, Morawa, Chapman Valley, Three Springs, Irwin and Perenjori revealed that they are normally all closed over Christmas.

CONSULTATION:	Chief Executive Officer, Administration Staff, surrounding Shires
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 REQUEST FOR CLOSING THE ADMINISTRATION OFFICE FOR THE PERIOD OF 27 TH DECEMBER – 29 TH DECEMBER 2006 AND REOPENING ON WEDNESDAY 3 RD JANUARY 2007 BE APPROVED.

Moved: *J L Freeman* **Seconded:** *N D Johnstone*

COUNCIL DECISION: **THAT THE REQUEST FOR CLOSING THE ADMINISTRATION OFFICE FOR THE PERIOD OF 27TH DECEMBER – 29TH DECEMBER 2006 AND REOPENING ON WEDNESDAY 3RD JANUARY 2007 BE APPROVED.**

CARRIED 7/0

3. POLICY MANUAL – REVIEW OF

DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE:

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Review of Policy Manual

BACKGROUND: Endorsement is sought to remove outdated policies or sub-sections from Council's Policy Manual that are no longer relevant or current, or insert applicable information where required, attached as **APPENDIX A**

COMMENT: With the exception of 405.2, where the text is substituted, the following Policies or subsections of policies are no longer relevant and it is recommended that they be deleted from Council's policy manual.

<u>Policy No.</u>	<u>Policy Title</u>	<u>Reason for Deletion</u>
402.1	Hire of Chairs and Tables	Contradicts Policy No. 402.3 and 402.4
405.1	Swimming Pool – Behaviour of Patrons	Delete sub-section 4. Diving board removed from pool.
405.2	Swimming Pool – Private Hire	Delete sub-section 1. and replace with - Charges set during budget process. Delete sub-section 6. Diving board removed from pool.
409.1	Youth Centre – Stock Street	Delete sub-section 5. Hours are set to suit programs
502.1	Budget – Review	Financial Management Regulations set out monthly reporting and budget review requirements.

These Policies have been included in this Agenda for Councillors reference.

CONSULTATION: Chief Executive Officer

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

POLICY IMPLICATIONS: Deletion of Policy No's 402.1, 405.1, 405.2, 409.1 & 502.1

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

STRATEGIC IMPLICATIONS: Part of an ongoing review of Council's Policy Manual

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION THAT POLICIES OR SUB SECTIONS OF POLICIES AS LISTED BE DELETED/CHANGED FROM COUNCIL'S POLICY MANUAL:

<u>Policy No.</u>	<u>Policy Title</u>	<u>Reason for Deletion</u>
402.1	Hire of Chairs and Tables	Contradicts Policy No. 402.3 and 402.4
405.1	Swimming Pool – Behaviour of Patrons	Delete sub-section 4. Diving board removed from pool.
405.2	Swimming Pool –	Delete sub-section 1. and replace

	Private Hire	with - Charges set during budget process. Delete sub-section 6. Diving board removed from pool.
409.1	Youth Centre – Stock Street	Delete sub-section 5. Hours are set to suit programs
502.1	Budget – Review	Financial Management Regulations set out monthly reporting and budget review requirements.

Moved: *B I N Thomas*

Seconded: *N D Johnstone*

COUNCIL DECISION: THAT POLICIES OR SUB SECTIONS OF POLICIES EXCEPTING 402.01 BE DELETED/CHANGED FROM COUNCIL'S POLICY MANUAL:

<u>Policy No.</u>	<u>Policy Title</u>	<u>Reason for Deletion</u>
402.1	Hire of Chairs and Tables	Contradicts Policy No. 402.3 and 402.4
405.1	Swimming Pool – Behaviour of Patrons	Delete sub-section 4. Diving board removed from pool.
405.2	Swimming Pool – Private Hire	Delete sub-section 1. and replace with - Charges set during budget process. Delete sub-section 6. Diving board removed from pool.
409.1	Youth Centre – Stock Street	Delete sub-section 5. Hours are set to suit programs
502.1	Budget – Review	Financial Management Regulations set out monthly reporting and budget review requirements.

CARRIED 7/0

Moved: *B I N Thomas*

Seconded: *N D Johnstone*

COUNCIL DECISION: THAT POLICY NO 402.01 BE SUBJECT TO FURTHER INVESTIGATION BEFORE DELETION OR ALTERATION.

CARRIED 7/0

4. FINANCE REPORT 31st OCTOBER 2006DATE OF MEETING: 15th November 2006DATE AND AUTHOR: 8th November 2006 Noelene Holmes – Deputy Chief Executive Officer

COMMENT:

BANK RECONCILIATION

The Bank Reconciliation for the month of October 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
BANK STATEMENT BALANCE	93,400.67	1,771,978.00	55,989.58	112,331.29	357,000.00	283,333.00
ADJUSTMENTS	-3,189.00	0.00	3,189.00	0.00	0.00	0.00
ADD O/S DEPOSITS	612.95	0.00	0.00	0.00	0.00	0.00
LESS O/S CHEQUES	30,040.10	0.00	12,756.45	0.00	0.00	0.00
CASH BALANCE	60,784.52	1,771,978.00	46,422.13	112,331.29	357,000.00	283,333.00
CASH BALANCE 01.07.06	932,103.44	911,978.00	104,340.44	112,296.26	357,000.00	283,333.00
<u>ADD</u>						
RECEIPTS YTD	1,857,105.54	1,145,000.00	4,559.00	0.00	0.00	0.00
RECEIPTS THIS MONTH	209,977.92	90,000.00	120.00	1,635.03	0.00	0.00
<u>LESS</u>						
PAYMENTS TO DATE	961,111.92	240,000.00	61,677.32	0.00	0.00	0.00
PAYMENTS THIS MONTH	205,312.45	135,000.00	920.00	1,600.00	0.00	0.00
CASH BALANCE	1,832,762.53	1,771,978.00	46,422.12	112,331.29	357,000.00	283,333.00

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

STATEMENT OF CASH POSITION
31st October 2006

CASH ON HAND	200.00
MUNICIPAL FUND	60,784.52
INVESTED MUNICIPAL FUNDS	1,771,978.00
MULLEWA COMMUNITY TRUST	112,331.29
RESERVE FUNDS	357,000.00
ROAD RESEAL FUNDS	283,333.00
TOTAL CASH FUNDS	2,585,626.81

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	105,289.49
AVAILABLE FUNDS	<u>1,727,673.03</u>
TOTAL FUNDS	2,585,626.81

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: Simple Majority

OFFICER RECOMMENDATION : THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST OCTOBER 2006 BE RECEIVED.

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

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

CARRIED 7/0

2:20pm Bob Roden, Works Supervisor entered the meeting.

Cr Thomas advised that Williams Road was corrugated.
Cr Kerkmans suggested that costing be sought on installing a bore and turkeys nest on Williams Road to avoid excess travel when water is required for road works in that area.

Cr Thomas advised that the sign on Bone and Tenindewa North Road had been knocked over.

Cr Messina advised that roads in the West ward were shocking.

2:40pm Tom Hartman, Chief Executive Officer, left the meeting
2:40pm Cr Kerkmans left the meeting
2:42pm Tom Hartman, Chief Executive Officer, returned to the meeting
2:45pm Cr Kerkmans returned to the meeting
2:45pm Cr Steele left the meeting
2:46pm Cr Steele returned to the meeting

5. MULLEWA LANDCARE GROUP

DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 805.02

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 9 November 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report advises Council of the current status of the Mullewa Landcare Group and recommends suspending funding.

BACKGROUND: The following letter has been received from the Mullewa Landcare Group Committee:-

Mullewa Landcare Group, P O Box 15, Mullewa 6630

Mr Tom Hartman
Chief Executive Officer
Mullewa Shire Council
Mullewa 6630

27th October 2006

RECEIVED	
SHIRE OF MULLEWA	
FILE:	805.00
CORRO NO:	
31 OCT 2006	
ATTENTION:	CEO
COPIES TO:	
COUNCIL:	
ACTION:	

Dear Tom,

The Mullewa Landcare Group Committee wishes to inform the Mullewa Shire Council that Mullewa Landcare is scaling back its operation in an attempt to regroup and refocus our future direction.

We wish to sincerely thank the Mullewa Shire Council for the support it has given to Mullewa Landcare over the past years.

Due to the lack of need for a landcare vehicle, we are returning the Holden Rodeo provided by the Mullewa Shire Council.

It is our hope that in the future Mullewa Landcare is fortunate enough to initiate work for a full time staff member that the Shire would provide a vehicle to the same value as the one we are returning.
Once again thank-you to the Mullewa Shire for all of your past support.

Yours faithfully,

Angela Rowe
in *lieu* of the
Mullewa Landcare Group Committee

COMMENT:

Council allocates \$20,000 per year to assist the operation of the Mullewa Landcare Group. Considering the letter that has been received advising of the "scaling back its operation", and returning of the vehicle, it may be necessary for Council to re-consider its support for this financial year.

Advice from Cr Messina indicates that the group has adequate funds invested to carry it over until it "re-gains its focus".

It may be prudent that Council re-allocates the \$20,000 in its budget for other purposes.

CONSULTATION:

Cr Messina

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 COUNCIL WITHHOLD ITS CONTRIBUTION TO THE MULLEWA LANDCARE GROUP FOR THE 2006/2007 FINANCIAL YEAR AND REVIEW THE SUPPORT IF AND WHEN REQUIRED.

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

COUNCIL DECISION: THAT COUNCIL WITHHOLD ITS CONTRIBUTION TO THE MULLEWA LANDCARE GROUP FOR THE 2006/2007 FINANCIAL YEAR AND REVIEW THE SUPPORT IF AND WHEN REQUIRED.

CARRIED 6/2

1106.13	MEETING ADJOURNED – MEETING RECONVENED
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Meeting adjourned 3:05pm – 4:25pm

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 N D Johnstone	(South Ward)

OFFICERS:

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

6.	13 STEELE STREET MULLEWA – SALE OF
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: Carmen Napier

FILE REFERENCE: 303.03 H13

PREVIOUS MINUTE/S & REFERENCE: September 2005 Agenda Item 10.2.7 - October 2005 Minute 1005.07
 November 2005 Agenda Item 10.2.1 - June 21 Agenda Item 10.4.4.

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

BACKGROUND: At its Ordinary Meeting on 23 September 2005 the Council resolved to approach the tenant of Lot 13 Steele Street and advise her of Councils intention to sell the property and that any offer over \$25,000 would be considered. At its Ordinary Meeting on 19 October 2005 the Council resolved to sell the property subject to satisfying the requirements of section 3.58 of the Local Government Act. At its Ordinary Meeting in November 2005, Council resolved to sell the property to Mrs Norma Willaway for the sum of \$28,000. In June 2006, Council gave an extension to 31 October 2006 to finalise the transaction. This has not occurred. Council has now received the following offer from Carmen Napier for \$25000 to \$26000.

Linda Napier
11 Steele Street
Mullewa

RECEIVED
SHIRE OF MULLEWA
FILE: <u>Lot 13 Steele</u>
CORRC NO:
- 7 NOV 2006
ATTENTION: <u>CCO</u>
COPIES TO:
COUNCIL:
ACTION:

Postal Address: 251 Hector Street, Tuart Hill, WA 6060

Telephone: 9242 3503

Mobile: 0407566332 or 0427255306

Facsimile: 9242 3506

Tom Hartman
Chief Executive Officer
Mullewa Shire Council

02 November 2006

Dear Sir

I am writing on behalf of my daughter Carmen Napier, who would like to express an interest in purchasing the corner property adjacent to mine in Steele Street. I believe the property has been recently vacated and currently standing empty.

She would like to make an offer in the vicinity of \$25,000 – 26,000 based on external viewing only at this stage.

I hope that the Council will consider her application favourably as it would be beneficial being next door to each other. I look forward to receiving your reply.

Yours sincerely



Linda Napier

COMMENT:

If Council was to dispose of the property it would be bound by section 3.58 of the Local Government Act, which in summary states that a local government can only dispose of property to:

- The highest bidder at public auction, or
- The person who at public tender called by the Council makes what is in the opinion of the local government the most acceptable tender whether or not it is the highest tender.

However the local government can dispose of property other than by auction or tender, i.e. by private treaty where it gives state wide notice of the proposed dispositions (that is sale of the property to the individual) and considers such submissions received following that notice.

A valuation was obtained from Mid West Evaluations in mid 2005 which it advised that the property is in fair to poor condition, in need of maintenance and has a market value of between \$22,500 and \$27,000.

This particular property has always been difficult for Council in that whilst was used as a staff residence on occasions it has also been let to the general public. The nature of its construction, its location and its relative isolation has made it on occasions the target of vandalism and damage. It is not suitable as a staff residence would need to be questioned particularly in the light of the valuation advice. Currently with your desire to move towards upgrading of staff residences, serious consideration

should again be given to disposal of the property. The following recommendation will allow the matter to be advertised and will need to be considered again at the December meeting.

CONSULTATION: Nil

STATUTORY ENVIRONMENT: Local Government Act Section 3.58
Real Estate Act

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

FINANCIAL IMPLICATIONS: Income would be received in 2006/2007

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

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION THAT THE OFFER OF \$25,000.00 TO \$26000 FROM CARMEN NAPIER FOR THE PURCHASE OF 13 STEELE STREET, MULLEWA BE CONSIDERED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 3.58 OF THE LOCAL GOVERNMENT ACT.

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

COUNCIL DECISION: **THAT THE OFFER OF \$25,000.00 TO \$26000 FROM CARMEN NAPIER FOR THE PURCHASE OF 13 STEELE STREET, MULLEWA BE CONSIDERED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 3.58 OF THE LOCAL GOVERNMENT ACT.**

CARRIED 5/2

3:20pm Cr Freeman declared an interest in the following item. The interest being an employee of Our Lady of Mount Carmel School. Cr Freeman left the meeting.

7	TOWN HALL – REQUEST FOR USE
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 8 November 2006 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report requests use of the Mullewa Town Hall.

BACKGROUND: Correspondence has been received from the Principal of Our Lady of Mount Carmel School requesting free use of the Mullewa Town Hall for rehearsal leading up to the Annual end of year concert.

COMMENT: Our Lady of Mount Carmel will be holding their annual end of year concert on the 29th November and have requested free use of the hall for rehearsal on the following dates:

28th November 06 9.00am – 10.30am
 29th November 06 11.00am – 12.30pm

Should approval be granted it can be under the condition that the venue is left clean at the conclusion of every hire, Council is indemnified against accident or injury and that Council support for the School through the use of the venue is promoted.

CONSULTATION: Jodie Steel - OLMC

STATUTORY
 ENVIRONMENT:
 POLICY
 IMPLICATIONS:
 FINANCIAL
 IMPLICATIONS:

There are no known policy implications at this time.

The cheapest hall hire rate that would be applicable to an event of this nature is \$20.00 per hire.

STRATEGIC
 IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple Majority

OFFICER
 RECOMMENDATION

THAT OUR LADY OF MOUNT CARMEL SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA TOWN HALL ON 28TH & 29TH NOVEMBER FOR REHEARSAL PURPOSES SUBJECT TO THE FOLLOWING:

- THAT THE VENUE IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF EACH HIRE,
- THAT THE COUNCIL IS INDEMNIFIED FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING, AND
- THE CONTRIBUTION OF THE COUNCIL IS PROMOTED.

Moved: *M Kerkmans*

Seconded: *M D Tierney*

COUNCIL DECISION:

THAT OUR LADY OF MOUNT CARMEL SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA TOWN HALL ON 28TH & 29TH NOVEMBER FOR REHEARSAL PURPOSES SUBJECT TO THE FOLLOWING:

- **THAT THE VENUE IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF EACH HIRE,**
- **THAT THE COUNCIL IS INDEMNIFIED FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING, AND**
- **THE CONTRIBUTION OF THE COUNCIL IS PROMOTED.**

CARRIED 6/0

3:21pm

Cr Freeman returned to the meeting.

8. STATEMENT OF FINANCIAL ACTIVITY – OCTOBER 2006

DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S &
REFERENCE: -

DATE AND AUTHOR: 10 November 2006 - Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: 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 October 2006. Due to time constraints the variance explanations will be tabled at the meeting.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

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

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

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

CARRIED 7/0

1106.14 CHIEF EXECUTIVE OFFICERS REPORT**1. NO CONFIDENCE MOTION – MINISTER FOR LOCAL GOVERNMENT**

DATE OF MEETING: 15 November 2006

PREVIOUS MINUTE/S &
REFERENCE: -

DATE AND AUTHOR: 7 November 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report submits request from WALGA to consider a proposed "No Confidence Motion" in the Minister for Local Government.

BACKGROUND: The following infopage has been received from WALGA -

INFOPAGE



To:	Chief Executive Officer	RECEIVED SHIRE OF MULLEWA FILED CJ/RRO NO. _____ Date: 25 OCT 2006 ATTENTION: CEO COPIES TO: COUNCIL ACTION	CEO
Organisation:	All Councils		24 th October, 2006
Reference:	05.034.01.0001		
Subject:	Motions of No Confidence		Priority: HIGH

IN BRIEF

Policy Area:	Governance
Key Issues:	<ul style="list-style-type: none"> The Government is attempting to mandate Proportional Preferential Voting in Local Government elections This action contravenes the State/LG Partnership Agreement and the IGA. Councils have been asked to consider a vote of no-confidence in Minister Ford.
Action Required:	<ol style="list-style-type: none"> Councils to adopt proposed no-confidence motion. Councils to advise Association of their resolutions

The Association's advocacy campaign directed at the State Government's unilateral decision to impose proportional-preferential voting on Local Government elections is well underway.

One of the key aspects of the campaign is for Local Governments to express a lack of confidence in the Minister's handling of this issue. To this end we ask that your council consider, debate and pass the proposed 'NO CONFIDENCE MOTION', set out below, at its earliest opportunity.

We understand that the Minister has been contacting councils directly in an attempt to recover credibility with the sector – a sure sign that our campaign is having a strong impact. This means that the imperative for councils to send a strong message of their dissatisfaction with Minister is stronger than ever.

Advice of the outcomes of your Council's deliberations would be appreciated, and should be forwarded to our Policy Director, Wayne Scheggia at : wscoggia@walga.asn.au as soon as possible.

DRAFT MOTION OF NO CONFIDENCE

"We, the elected councillors of the... (insert name of council)... hereby express our concern and alarm at the unilateral decision of the State Government to include provisions in the Local Government Amendment Bill 2006 to impose and apply a proportional-preferential voting system to Local Government elections.

We believe that the proposed changes to the voting system will lead to factionalism and party politics in Local Government, will result in decreased voter turnout, increased informal votes and will impose substantially higher election costs on our communities.

We believe that the proposed changes to the voting system have been developed in contravention of the State Local Government Partnership Agreement and effectively contravene the intent of the tripartite Inter Governmental Agreement recently signed by the Commonwealth, all State and Territory Governments and the Australian Local Government Association.

We believe these actions to be unacceptable to the Local Government sector and to the Western Australian community at large and that the Minister for Local Government must be held accountable for them.

Therefore, we declare that we have no confidence in the Hon. Jon Ford JP MLC to continue to represent the local Government portfolio."

Local Government House
15 Albany Street
West Perth WA 6005
PO Box 1544
West Perth WA 6872
Facsimile (08) 9322 2811
Telephone (08) 9321 5055
Email info@walga.asn.au
Website www.walga.asn.au

For Further information please contact

Wayne Scheggia, Policy Director, wscoggia@walga.asn.au

The Voice of Local Government

COMMENT:

A detail of the campaign by WALGA at the State Governments decision to impose Proportional–Preferential voting on local government elections has been provided through Councils Information Bulletin.

Council also considered the matter at the October 2006, meeting, whereby Council resolved to adopt WALGA's request to oppose the proposed amendments.

This "No Confidence Motion" has been received from WALGA after Councils October meeting.

The motion follows, as submitted by WALGA for Councillors consideration. It is really up to Council to pass this motion. If there is concern about the personalisation of the motion I would suggest deleting the last paragraph.

CONSULTATION:

Nil

STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:

There are no known statutory implications at this time.

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: "WE THE ELECTED COUNCILLORS OF THE SHIRE OF MULLLEWA HEREBY EXPRESS OUR CONCERN AND ALARM AT THE UNILATERAL DECISION OF THE STATE GOVERNMENT TO INCLUDE PROVISIONS IN THE LOCAL GOVERNMENT AMENDMENT BILL 2006 TO IMPOSE AND APPLY A PROPORTIONAL-PREFERENTIAL VOTING SYSTEM TO LOCAL GOVERNMENT ELECTIONS.

WE BELIEVE THAT THE PROPOSED CHANGES TO THE VOTING SYSTEM WILL LEAD TO FACTIONALISM AND PARTY POLITICS IN LOCAL GOVERNMENT, WILL RESULT IN DECREASED VOTER TURNOUT, INCREASED INFORMAL VOTES AND WILL IMPOSE SUBSTANTIALLY HIGHER ELECTION COSTS ON OUR COMMUNITIES.

WE BELIEVE THAT THE PROPOSED CHANGES TO THE VOTING SYSTEM HAVE BEEN DEVELOPED IN CONTRAVENTION OF THE STATE LOCAL GOVERNMENT PARTNERSHIP AGREEMENT AND EFFECTIVELY CONTRAVENE THE INTENT OF THE TRIPARTITE INTER GOVERNMENTAL AGREEMENT RECENTLY SIGNED BY THE COMMONWEALTH, ALL STATE AND TERRITORY GOVERNMENTS AND THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.

WE BELIEVE THESE ACTIONS TO BE UNACCEPTABLE TO THE LOCAL GOVERNMENT SECTOR AND TO THE WESTERN AUSTRALIAN COMMUNITY AT LARGE AND THAT THE MINISTER FOR LOCAL GOVERNMENT MUST BE HELD ACCOUNTABLE FOR THEM.

THEREFORE, WE DECLARE THAT WE HAVE NO CONFIDENCE IN THE HON. JON FORD JP MLC TO CONTINUE TO REPRESENT THE LOCAL GOVERNMENT PORTFOLIO".

Moved: G M Steele **Seconded:** M Kerkmans

COUNCIL DECISION: "WE THE ELECTED COUNCILLORS OF THE SHIRE OF MULLLEWA HEREBY EXPRESS OUR CONCERN AND ALARM AT THE UNILATERAL DECISION OF THE STATE GOVERNMENT TO INCLUDE PROVISIONS IN THE LOCAL GOVERNMENT AMENDMENT BILL 2006 TO IMPOSE AND APPLY A PROPORTIONAL-PREFERENTIAL VOTING SYSTEM TO LOCAL GOVERNMENT ELECTIONS.

WE BELIEVE THAT THE PROPOSED CHANGES TO THE VOTING SYSTEM WILL LEAD TO FACTIONALISM AND PARTY POLITICS IN LOCAL GOVERNMENT, WILL RESULT IN DECREASED VOTER TURNOUT, INCREASED INFORMAL VOTES AND WILL IMPOSE SUBSTANTIALLY HIGHER ELECTION COSTS ON OUR COMMUNITIES.

WE BELIEVE THAT THE PROPOSED CHANGES TO THE VOTING SYSTEM HAVE BEEN DEVELOPED IN CONTRAVENTION OF THE STATE LOCAL GOVERNMENT PARTNERSHIP AGREEMENT AND EFFECTIVELY CONTRAVENE THE INTENT OF THE TRIPARTITE INTER GOVERNMENTAL AGREEMENT RECENTLY SIGNED BY THE COMMONWEALTH, ALL STATE AND TERRITORY GOVERNMENTS AND THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION.

WE BELIEVE THESE ACTIONS TO BE UNACCEPTABLE TO THE LOCAL GOVERNMENT SECTOR AND TO THE WESTERN AUSTRALIAN COMMUNITY AT LARGE AND THAT THE MINISTER FOR LOCAL GOVERNMENT MUST BE HELD ACCOUNTABLE FOR THEM.

THEREFORE, WE DECLARE THAT WE HAVE NO CONFIDENCE IN THE HON. JON FORD JP MLC TO CONTINUE TO REPRESENT THE LOCAL GOVERNMENT PORTFOLIO”.

CARRIED 4/3

Cr Messina requested that his vote against this motion be recorded.

2.	PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS - 2006
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DATE OF MEETING:	15 November 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	611
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	9 November 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report raises the awards for Council to select persons, group or event for the awards.
BACKGROUND:	<p>As part of Australia Day family awards the Premiers Australia Day Active Citizen awards were introduced to be announced on Australia Day.</p> <p>The awards focus on community contribution and participation rather than personal achievement:</p> <p>There are three awards –</p> <ul style="list-style-type: none"> • Outstanding contributions to community by a local citizen of 25 years of age or over. • Outstanding contributions to community by a local citizen under 25 years of age. • Outstanding contributions to community by a local group or community event. <p>The nominations are required to be submitted to the Australia Day Council by Friday December 17th.</p>

COMMENT: Advertising has been carried out over the last month. At the close of nominations no nominations have been received.

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

There would be persons under the age and the group or event categories who we could nominate.

CONSULTATION: Nil

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

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

FINANCIAL IMPLICATIONS: If Council conducts an event on Australia Day 2006 there will be costs.

STRATEGIC IMPLICATIONS: Will have positive impacts on Council and community relationships.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL NOMINATE:

_____ FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEAR OR OLDER.

_____ FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON UNDER 25 YEARS.

_____ FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A LOCAL GROUP OR COMMUNITY EVENT.

Moved: *J L Freeman*

Seconded: *M D Tierney*

COUNCIL DECISION: **THAT COUNCIL NOMINATE:**

TONY CRUDELI FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEAR OR OLDER.

MULLEWA WILDFLOWER SHOW FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A LOCAL GROUP OR COMMUNITY EVENT.

CARRIED 7/0

3.	COMMUNITY SPORT & RECREATION FACILITIES FUND – (CSRFF 2006/2007)
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DATE OF MEETING:	15 November 2006
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 November 2006 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits to Council the opportunity for applications to receive funding consideration under the 2207/2008 Department of Sport and Recreation CSRFF program.
BACKGROUND:	<p>The CSRFF funding program has been advertised for a number of months and applications closed September 30 with the local government.</p> <p>Local Government is then required to consider the applications and prioritize them before forwarding to the Department by October 31st. An extension has been given to November 30th.</p>
COMMENT:	<p>No applications were received from groups or other organisations in the Mullewa Shire, at the close of the application period.</p> <p>A late application may be submitted by the Mullewa Tennis Club to re-surface courts at the sports complex. Council may also have the opportunity to submit an application to improve lighting at the Mullewa Swimming Pool, when final estimates have been obtained</p>
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY	There are no known policy implications at this time.
IMPLICATIONS: FINANCIAL	Financial consideration would be determined in the 2007/2008 Budget.
IMPLICATIONS: STRATEGIC	There are no known strategic implications at this time.
IMPLICATIONS:	
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	<p>1. THAT COUNCIL SUPPORT THE APPLICATION TO PROVIDE IMPROVED LIGHTING AT THE MULLEWA SWIMMING POOL, SUBJECT TO A SATISFACTORY APPLICATION BEING PREPARED AND SUBMITTED.</p> <p>AND</p> <p>2. THAT COUNCIL SUPPORT THE APPLICATION FROM THE MULLEWA TENNIS CLUB TO RESURFACE COURTS AT THE SPORT COMPLEX, SUBJECT TO SATISFACTORY FUNDING CONTRIBUTIONS BEING ARRANGED.</p>

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

COUNCIL DECISION: 1. THAT COUNCIL SUPPORT THE APPLICATION TO PROVIDE IMPROVED LIGHTING AT THE MULLEWA SWIMMING POOL, SUBJECT TO A SATISFACTORY APPLICATION BEING PREPARED AND SUBMITTED.

AND

2. THAT COUNCIL SUPPORT THE APPLICATION FROM THE MULLEWA TENNIS CLUB TO RESURFACE COURTS AT THE SPORT COMPLEX, SUBJECT TO SATISFACTORY FUNDING CONTRIBUTIONS BEING ARRANGED.

CARRIED 7/0

4.	MULLEWA COMMUNITY ACTION PLAN
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report advises Council of the completion of the Mullewa Community Action Plan and submits plan for endorsement.

BACKGROUND: The Mullewa Community Action Plan has been developed over a period of years. The plan first began development through the Mullewa Indigenous Womens Group and was further developed through the Interagency Meeting Group.

The plan was finalised by Consultants, Red Ochre during their time in Mullewa working on the Community Safety and Crime Prevention Plan.

The plan sets out to address many of the social issues being facing the Mullewa Community.

COMMENT: The Mullewa Community Action Plan has been finalised and has been enhanced by Market Creations for presentation to the Government of Western Australia. Shane Hill, MLA, Member for Geraldton has accepted the role to deliver the document to Government. It is envisaged that a response to our request for assistance for the Project Officer should be forthcoming in December or early new year.

The document is supplied loose with the agenda is submitted to Council for endorsement.

CONSULTATION: Community

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 ENDORSE THE MULLEWA COMMUNITY ACTION PLAN.

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

COUNCIL DECISION: THAT COUNCIL ENDORSE THE MULLEWA COMMUNITY ACTION PLAN.

CARRIED 7/0

5.	LOCAL GOVERNMENT SCHOLARSHIP JOB PLACEMENT FOR A YOUNG INDIGENOUS PERSON
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report raises Council attention to a Local Government Scholarship of \$10,000 towards a twelve month job placement for a young indigenous person and recommends expressing an interest.

BACKGROUND: The attached letter at **APPENDIX A** has been received from the Department of Local Government and Regional Development

COMMENT: The guidelines for the scholarship are attached at **APPENDIX B**.

This may provide the opportunity to employ a young person at the Youth Centre under the guidance of Steven Jacobs. Council normally allows extra funding in the Youth Centre budget for casual staff and that funding could become part of the matching requirement under the Scholarship. I have been involved with these Scholarships before and they do allow an opportunity for involvement in recreation and youth services. Inclusion of some work at the Swimming pool is also an option.

CONSULTATION: Steven Jacobs – Youth Development Officer.

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 SUPPORTS AN EXPRESSION OF INTEREST TO THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENTS SCHOLARSHIP FOR WORKPLACE OPPORTUNITIES FOR A YOUNG INDIGENOUS PERSON IN LOCAL GOVERNMENT.

Moved: M Kerkmans

Seconded: G M Steele

COUNCIL DECISION: **THAT COUNCIL SUPPORTS AN EXPRESSION OF INTEREST TO THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENTS SCHOLARSHIP FOR WORKPLACE OPPORTUNITIES FOR A YOUNG INDIGENOUS PERSON IN LOCAL GOVERNMENT.**

CARRIED 7/0

1106.15 **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

1.	MOTION FROM CR KERKMANS – POLICY – RURAL ROAD – DUST PROBLEM
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DATE OF MEETING: 15 November 2006

LOCATION/ADDRESS: -

NAME OF APPLICANT: Cr Kerkmans.

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 7 November 2006 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report submits notice of motion from Cr Kerkmans to amend Policy No.1328 relating to Rural Road – Dust Problem.

BACKGROUND: Cr Kerkmans has submitted that he will move a motion to amend Policy No 1328 – Rural Road – Dust Problem. The following information has been received from Cr Kerkmans



MARLINGU FARMS
 P.O. Box 51, Mullewa
 North Western, W.A. 6552 6680
 Phone: (08) 9961 1242
 Fax: (08) 9961 1242
 Mobile: 0429 611242
 Email: marlingu@wn.com.au

RECEIVED
 SHIRE OF MULLEWA
 FILE: 409
 CORRO NO:
 23 OCT 2006
 ATTENTION: CEO
 COPIES TO:

Organisation/Company Mullewa Shires
 Attention Tom Warriman
 Fax _____ Date 6 Oct 06
 Subject DUST PROBLEM - AMENDMENT
1328
 Total pages including this one 1

Tom.
 I would like to change the Policy 1328
 IT READS - THAT THE FOLLOWING POLICY BE
 ADOPTED FOR THE BITUMINISING OF ROAD RESERVE
 FRONTAGE ADJOINING OCCUPIED RURAL DWELLINGS -
 I would like to change the word BITUMINISING
 TO SANDSEAL.
 UNDER THE POLICY THERE ARE SEVEN POINTS,
 I would like to change POINTS 4 & 5 TO:
 Pt 4 THE OCCUPIED RURAL RESIDENCE MUST BE NO
 MORE THAN 150 METRES FROM THE ROAD RESERVE BOUNDARY.
 Pt 5 THE WORK SHALL CONSIST OF GRAVEL FORMATION
 = THE APPLICATION OF 80-20 BITUMEN (APPLICATION
 RATE OF 1.7 LBS) + COVER WITH SAND.

ALL THIS BEST Signature [Signature]
MILKO KERKMANS,

COMMENT: Cr Kerkmans is required to move the motion and his motion is required to be seconded prior to any discussion on the matter.

The current policy No. 1328 states: -

1328 **RURAL ROAD – DUST PROBLEM**
 [Adopted 0204.34]

That the following policy be adopted for the bituminising of road reserve frontage adjoining occupied rural dwellings:

- The Council will contribute an amount of \$1,000 per linear 100 metres of day labour and plant hire to a maximum of \$4,000;
- This contribution will be indexed to CPI;
- Works will only be undertaken on a gazetted road reserve immediately adjoining an occupied rural (outside of townsite) residence;
- The occupied rural residence must be no more than 300 metres from the road reserve boundary;
- The works shall consist of gravel formation and the application of a two coat bitumen seal, with metal aggregate;
- Payment for the works shall be in full and in advance; and

- The Council will be responsible for ongoing maintenance and if necessary replacement of the works.

CONSULTATION:	nil
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	Policy 1328.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	<p>THAT POLICY NO 1328 – RURAL ROAD – DUST PROBLEM BE AMENDED BY –</p> <ol style="list-style-type: none"> 1. REPLACING “300” IN DOT POINT FOUR (4) WITH “150”, AND 2. REPLACING “A TWO COAT BITUMEN SEAL, WITH METAL AGGREGATE” IN DOT POINT FIVE (5) WITH “80/20 BITUMEN (APPLICATION RATE OF 1.7 LITRES) AND COVER WITH SAND”.

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

COUNCIL DECISION: **THAT THE MATTER LAY ON THE TABLE PENDING FURTHER INFORMATION BEING SOUGHT ON THE SUSTAINABILITY AND COST OF A SAND SEAL VERSUS BITUMEN SEAL.**

CARRIED 7/0

1106.16 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.

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

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

CARRIED 7/0

1.	TOWN SERVICE FOLDER - LOGO
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Moved: *B I N Thomas* **Seconded:** *G M Steele*

COUNCIL DECISION: **THAT THE LOGO “MULLEWA, AN EVERLASTING CULTURE” BE USED INDEPENDENTLY ON THE TOWN SERVICES FOLDER.**

CARRIED 7/0

2.	ACCOUNTS FOR PAYMENT
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DATE OF MEETING:	15 November 2006													
LOCATION/ADDRESS:	-													
NAME OF APPLICANT:	-													
FILE REFERENCE:	-													
PREVIOUS MINUTE/S & REFERENCE:	-													
DATE AND AUTHOR:	15 November 2006 – Noelene Holmes, Deputy Chief Executive Officer													
DISCLOSURE OF INTEREST:	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:	<p>APPENDIX A of this report lists details of all cheques drawn and direct debits during and since the last Council meeting.</p> <p>The summary of the schedule of accounts to be passed for payment totalling \$269,869.86 covers the following:</p> <p><u>Municipal Account</u></p> <table> <tr> <td>Cheque No.</td> <td>9314 - 9343</td> <td>\$84,726.90</td> </tr> <tr> <td>Electronic Fund Trans</td> <td>2826 - 2906</td> <td>\$131,327.34</td> </tr> <tr> <td>Payroll & Fees</td> <td></td> <td>\$53,076.37</td> </tr> </table> <p><u>Trust Account</u></p> <table> <tr> <td>Cheque No.</td> <td>288 - 290</td> <td>\$720.00</td> </tr> </table> <p style="text-align: right;">Total: \$269,869.86</p>		Cheque No.	9314 - 9343	\$84,726.90	Electronic Fund Trans	2826 - 2906	\$131,327.34	Payroll & Fees		\$53,076.37	Cheque No.	288 - 290	\$720.00
Cheque No.	9314 - 9343	\$84,726.90												
Electronic Fund Trans	2826 - 2906	\$131,327.34												
Payroll & Fees		\$53,076.37												
Cheque No.	288 - 290	\$720.00												
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	<p>THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE TOTALLING \$269,869.86 AS PRESENTED BE PASSED FOR PAYMENT.</p>													

Municipal Account

Cheque No.	9314 - 9343	\$84,726.90
Electronic Fund Trans	2826 - 2906	\$131,327.34
Payroll & Fees		\$53,076.37

Trust Account

Cheque No.	288 - 290	\$720.00
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Total: \$269,869.86

Moved: J L Freeman

Seconded: G M Steele

COUNCIL DECISION:

THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE TOTALLING \$269,869.86 AS PRESENTED BE PASSED FOR PAYMENT.

Municipal Account

Cheque No.	9314 - 9343	\$84,726.90
Electronic Fund Trans	2826 - 2906	\$131,327.34
Payroll & Fees		\$53,076.37

Trust Account

Cheque No.	288 - 290	\$720.00
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Total: \$269,869.86

CARRIED 7/0

1106.17	DELEGATED AUTHORITY
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Nil

1106.18	CLOSURE OF MEETING
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The President closed the meeting at 5:26pm.

These minutes were confirmed at a meeting on 20 December 2006:

Signed:

A J Messina, President

Date: