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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 21 FEBRUARY 2007.**0207.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:05pm The President declared the meeting open.

0207.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

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

OFFICERS:

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

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS

Our Lady of Mt Carmel Primary School
Teacher: Sarah Jones
Students: Stefan Crudeli
Tanya Burges

0207.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0207.04 PUBLIC QUESTION TIME

- Stefan Crudeli – *Is the mulch that is obtained from tree lopping put back into Shire gardens?* The President replied that the mulch was in fact utilised in the various Shire gardens.

- Stefan Crudeli – *Is the Council considering any recycling programs?* The President advised that the Council is in the process of formulating a zero waste plan and it may contain this request.
- Stefan Crudeli – *Is there any where that cool drink cans can be recycled?* The President advised that this can be done on an individual base at home.

1:14pm The Visitors left the meeting

0207.05 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Johnstone requested leave of absence for the next three Council meetings.

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

COUNCIL DECISION: **THAT COUNCILLOR JOHNSTONE BE GRANTED LEAVE OF
ABSENCE FROM THE MARCH, APRIL & MAY 2007 COUNCIL
MEETINGS**

CARRIED 8/0

0207.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

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

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

CARRIED 8/0

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

COUNCIL DECISION: **THAT THE MINUTES OF THE ANNUAL MEETING OF ELECTORS
HELD ON 13 FEBRUARY 2007, AS PRINTED BE CONFIRMED.**

CARRIED 8/0

0207.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

0207.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0207.09 REPORTS OF COMMITTEES/MEMBERS
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Nil

0207.10 HEALTH, BUILDING AND TOWN PLANNING

1. ITINERANT FOOD VENDOR APPLICATION

DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 301

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 14 February 2007, Trevor Brandy, EHO

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:

SUMMARY Report submits Itinerant Food Vendor Application for licence.

BACKGROUND: Mr Geoff Debeaux has purchased a food van and has made application to operate as an itinerant food vendor within the Shire of Mullewa.

COMMENT: The van has previously been registered with the Shire of Greenough, selling Malay Food and does comply with Health requirements. The applicant wishes to operate at the usual venues such as Fairs and Shows selling hamburgers and other prepared foods.

CONSULTATION: -

STATUTORY ENVIRONMENT: As per the model Health By-Laws Series "A".

POLICY

IMPLICATIONS: We normally request that they do not operate within 200m of an established business selling the same products.

FINANCIAL IMPLICATIONS: An annual fee of \$100.00 concurrent.

STRATEGIC

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

VOTING REQUIREMENT: Simple majority

OFFICER

RECOMMENDATION

THAT MR G DEBEAUX BE GRANTED A VENDORS LICENCE TO OPERATE WITHIN THE SHIRE AT SHOWS AND EVENTS SUBJECT TO BEING INVITED BY THE ORGANISORS OF THOSE SHOWS OR EVENTS.

Moved: *B I N Thomas*

Seconded: *N D Johnstone*

COUNCIL DECISION:

THAT MR G DEBEAUX BE GRANTED A VENDORS LICENCE TO OPERATE WITHIN THE SHIRE AT SHOWS AND EVENTS SUBJECT TO BEING INVITED BY THE ORGANISORS OF THOSE SHOWS OR EVENTS.

CARRIED 8/0

0207.11 WORKS, PLANTS, PARKS & GARDENS**1. ZERO WASTE PLANS – REGIONAL APPROACH**

DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & -

REFERENCE:

DATE AND AUTHOR: 12 February 2007, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report recommends that Council endorse the WCRC to produce a Regional Waste Management Plan.

BACKGROUND: The CEO of the Wildflower Country Regional Council was given approval to apply for a grant on behalf of member Councils to produce a Regional Zero Waste Management plan, rather than individual plans. To do this, the Department of Environment and Conservation requires a letter of endorsement from each Shire to have the WCRC develop the plan.

COMMENT: Attached at **APPENDIX A** is the report submitted to the February meeting of the WCRC and includes attachments.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL ENDORSE THE WILDFLOWER COUNTRY REGIONAL COUNCIL PRODUCING A REGIONAL WASTE MANAGEMENT PLAN RATHER THAN AN INDIVIDUAL PLAN.

Moved: *J L Freeman*

Seconded: *N D Johnstone*

COUNCIL DECISION: **THAT COUNCIL ENDORSE THE WILDFLOWER COUNTRY REGIONAL COUNCIL PRODUCING A REGIONAL WASTE MANAGEMENT PLAN RATHER THAN AN INDIVIDUAL PLAN.**

CARRIED 8/0

2. TENDERS – NEW DEPOT WORKSHOP

DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 111

PREVIOUS MINUTE/S &
REFERENCE: -

DATE AND AUTHOR: 15 February 2007 - Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report advises Council that tenders were invited for construction of new workshop and that no tenders were received.

BACKGROUND: Council has funding available in the 06/07 budget estimates for the construction of a new workshop at the depot. Under the provisions of the Local Government (Functions and General) Regulations, tenders are required to be publicly invited if the supply of goods or services is expected to be more than \$50,000.00.

Plans & specifications were developed by Peter Teakle & Co and tenders were invited on the 17th January 2007 and closed 4:00pm Wednesday February 14, 2007. At the close of the invitation to tender period NO tenders were received

COMMENT: The construction of the works depot shed only, is estimated to cost \$54,000.00 The cost to supply and erect the partition walls and provide the mezzanine floor is an additional \$11,000.00. The remaining work, plumbing, electrical, flooring, etc, could be undertaken by council. The previous estimate totalled \$168000.

The Local Government (Functions and General) Regulations state that-

11. Tenders to be invited for certain contracts

(1) Tenders are to be publicly invited according to the requirements of this Part before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$50 000 unless subregulation (2) states otherwise.

(2) Tenders do not have to be publicly invited according to the requirements of this Part if -

(c) within the last 6 months-

(i) the local government has, according to the requirements of this Part, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications.

It is my opinion that Council should now carry out the work by obtaining quotes from shed suppliers and the specific trades.

CONSULTATION:
STATUTORY
ENVIRONMENT:

Local Government (Functions & General) Regulations.

POLICY There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL Council has \$150,000.00 on the 2006/2007 budget for the new depot
IMPLICATIONS: shed construction.

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

VOTING REQUIREMENT: Simple majority

OFFICER
RECOMMENDATION **THAT COUNCIL OBTAIN THE NECESSARY QUOTES FROM THE
RELEVANT SUPPLIERS AND TRADES AND CARRY OUT THE WORK
FOR THE NEW WORKS DEPOT BUILDING AS PER THE PLANS &
SPECIFICATIONS DEVELOPED BY PETER TEAKLE & CO IF THE
COST IS WITHIN THE BUDGET ESTIMATE.**

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

COUNCIL DECISION: **THAT COUNCIL OBTAIN THE NECESSARY QUOTES FROM THE
RELEVANT SUPPLIERS AND TRADES AND CARRY OUT THE
WORK FOR THE NEW WORKS DEPOT BUILDING AS PER THE
PLANS & SPECIFICATIONS DEVELOPED BY PETER TEAKLE & CO
IF THE COST IS WITHIN THE BUDGET ESTIMATE**

CARRIED 8/0

0207.12 FINANCE & GENERAL PURPOSE

1.	ELECTED MEMBER TRAINING & DEVELOPMENT – APPLICATION TO ATTEND
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 101.02

REPORTING OFFICER: Noelene Holmes – Deputy Chief Executive Officer

DISCLOSURE OF
INTEREST: Author has no disclosure of interest

DATE OF REPORT: 17TH January 2007

PREVIOUS MINUTE/
REFERENCE:
SUMMARY: Report requests approval to attend training course.

BACKGROUND: An application to attend an Elected Member Development Program has
been received by Cr Julie Freeman

COMMENT: In accordance with Council’s Policy 915 “Elected Member Development”
Cr Freeman is requesting approval to attend training being conducted by
WA Local Government Association Module 5 – Meetings.

MODULE 5 - Eight (8) Hours

Meetings in Local Government

After completing this module, it is envisaged that Mayors, Presidents

and Elected Members will be better positioned to prepare for, conduct and/or participate in Council meetings, in a more methodical, effective and timely fashion, whilst adhering to the Standing Orders of their Council.

The module will be held in Perth on 1st March 2007 at a cost of \$297. A copy of Cr Freeman's 'Application to Attend' is attached at **APPENDIX A**

Given the timing of Councils meeting and the date of the course, the Training Registration Form has been forwarded to ensure a place for Cr Freeman.

CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	Policy 915 – Elected Member Training
FINANCIAL IMPLICATIONS:	Cost of course - \$297
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority
OFFICER RECOMMENDATION	THAT THE APPLICATION TO ATTEND “MODULE 5 – MEETINGS” BY CR JULIE FREEMAN ON 1 ST MARCH 2007 BE APPROVED IN ACCORDANCE WITH THE GUIDELINES OF COUNCILS POLICY ‘ELECTED MEMBER DEVELOPMENT’

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

COUNCIL DECISION: **THAT THE APPLICATION TO ATTEND “MODULE 5 – MEETINGS” BY CR JULIE FREEMAN ON 1ST MARCH 2007 BE APPROVED IN ACCORDANCE WITH THE GUIDELINES OF COUNCILS POLICY ‘ELECTED MEMBER DEVELOPMENT’**

CARRIED 8/0

2.	FINANCE REPORT 31st December 2006
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DATE OF MEETING: 21st February 2007
 DATE AND AUTHOR: 12th January 2007 Noelene Holmes – Deputy Chief Executive Officer
 COMMENT: **BANK RECONCILIATION**

The Bank Reconciliation for the month of December 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 5.75%.

ACCOUNT	MUNICIPAL	CDA	TRUST	COMMUNITY TRUST	RESERVE	ROAD RESEAL
BANK STATEMENT BALANCE	77,529.55	1,721,978.00	55,599.08	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	1,756.05	0.00	0.00	0.00	0.00	0.00

CASH BALANCE	23,250.84	1,721,978.00	46,302.13	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	2,483,481.60	1,465,000.00	4,714.00	0.00	0.00	0.00
RECEIPTS THIS MONTH	213,271.35	150,000.00	0.00	1,635.03	0.00	0.00
<u>LESS</u>						
PAYMENTS TO DATE	1,491,546.47	525,000.00	62,752.32	0.00	0.00	0.00
PAYMENTS THIS MONTH	392,081.05	280,000.00	0.00	1,600.00	0.00	0.00
CASH BALANCE	1,745,228.87	1,721,978.00	46,302.12	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 December 2006

CASH ON HAND	200.00
MUNICIPAL FUND	23,250.84
INVESTED MUNICIPAL FUNDS	1,721,978.00
MULLEWA COMMUNITY TRUST	112,331.29
RESERVE FUNDS	357,000.00
ROAD RESEAL FUNDS	283,333.00
TOTAL CASH FUNDS	2,498,093.13

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	147,938.07
AVAILABLE FUNDS	<u>1,597,490.77</u>
TOTAL FUNDS	2,498,093.13

STATUTORY
ENVIRONMENT:
POLICY IMPLICATIONS:

There are no statutory implications on this matter.

FINANCIAL
IMPLICATIONS:

There are no policy implications on this matter.

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
DECEMBER 2006 BE RECEIVED.

Moved: G M Steele

Seconded: M D Tierney

COUNCIL DECISION:

**THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST
DECEMBER 2006 BE RECEIVED**

CARRIED 8/0

3.	SUNDRY DEBTORS – WRITE OFF
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 211.01

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 15 January 2007 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

BACKGROUND:

This report submits to Council a schedule of various debtor accounts for which in-house recovery attempts have been unsuccessful and some of the amounts are too small to warrant pursuit by a debt collector. The report requests to obtain approval to write off debts to the value of \$1,121.65

COMMENT:

The majority of the debtors listed below have been billed for reimbursement of lost library items. Council has a policy with regards to the library use and the application of a deposit amount. Staff has been instructed to implement the deposit system which should result in any lost library items being covered by the user's deposit. Council has the power under section 612(1)(c) to write off debts.

<i>Date</i>	<i>Invoice No.</i>	<i>Debtor</i>	<i>Description</i>	<i>Reason</i>	<i>Amount</i>
28.06.05	6292	Angela Comeagain	Cost of replacing lost videos	Mail returned – left address	37.85
10.02.05	6054	Jennie Comeagain	Cost of replacing lost books & video	Mail returned – left address	183.90
04.10.05	6432	Karen Comeagain	Cost of replacing lost videos	Mail returned – left address	58.25
04.10.05	6433	Kristie-Ann L Comeagain	Cost of replacing lost books	Mail returned – left address	75.44
07.08.06	6802	Olivia Pollock	Cost of replacing lost books	Mail returned – left address	78.36
28.06.05	6284	Alfred Kelly	Cost of lost videos	Debt Insignificant	18.65
10.02.05	6043	Jonelle Jones	Cost of replacing lost books	Unable to locate debtor	25.30
28.06.05	6283	Cecilia Woods	Cost of replacing lost video	Debt Insignificant	22.45
30.06.97	3297	Tom Francis	Unable to trace details of debt	Mail returned – left address	371.45
28.12.05	6534	SR Allen	Bush Fire Infringment	House demolished	250.00
				TOTAL	1121.65

CONSULTATION:

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 6.12(1)(c)

POLICY

Policy No. 609 'Library Usage'

IMPLICATIONS:

FINANCIAL

Write Offs will have a negative effect on Council's income

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Absolute majority

OFFICER
RECOMMENDATION

THAT COUNCIL RESOLVE TO WRITE OFF THE VARIOUS SUNDRY DEBTORS AS DETAILED BELOW ON THE FOLLOWING LIST, TOTALLING \$1,121.65

<i>Date</i>	<i>Invoice No.</i>	<i>Debtor</i>	<i>Description</i>	<i>Reason</i>	<i>Amount</i>
28.06.05	6292	Angela Comeagain	Cost of replacing lost videos	Mail returned – left address	37.85
10.02.05	6054	Jennie Comeagain	Cost of replacing lost books & video	Mail returned – left address	183.90
04.10.05	6432	Karen Comeagain	Cost of replacing lost videos	Mail returned – left address	58.25
04.10.05	6433	Kristie-Ann L Comeagain	Cost of replacing lost books	Mail returned – left address	75.44
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28.06.05	6284	Alfred Kelly	Cost of lost videos	Debt Insignificant	18.65
10.02.05	6043	Jonelle Jones	Cost of replacing lost books	Unable to locate debtor	25.30
28.06.05	6283	Cecilia Woods	Cost of replacing lost video	Debt Insignificant	22.45
30.06.97	3297	Tom Francis	Unable to trace details of debt	Mail returned – left address	371.45
28.12.05	6534	SR Allen	Bush Fire Infringment	House demolished	250.00
				TOTAL	1121.65

Moved: *L J Wainwright*

Seconded: *J L Freeman*

COUNCIL DECISION:

THAT COUNCIL RESOLVE TO WRITE OFF THE VARIOUS SUNDRY DEBTORS AS DETAILED BELOW ON THE FOLLOWING LIST, TOTALLING \$1,121.65

<i>Date</i>	<i>Invoice No.</i>	<i>Debtor</i>	<i>Description</i>	<i>Reason</i>	<i>Amount</i>
28.06.05	6292	Angela Comeagain	Cost of replacing lost videos	Mail returned – left address	37.85
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28.06.05	6284	Alfred Kelly	Cost of lost videos	Debt Insignificant	18.65
10.02.05	6043	Jonelle Jones	Cost of replacing lost books	Unable to locate debtor	25.30
28.06.05	6283	Cecilia Woods	Cost of replacing lost video	Debt Insignificant	22.45
30.06.97	3297	Tom Francis	Unable to trace details of debt	Mail returned – left address	371.45
28.12.05	6534	SR Allen	Bush Fire Infringment	House demolished	250.00
				TOTAL	1121.65

CARRIED 8/0

4.	STATEMENT OF FINANCIAL ACTIVITY – DECEMBER 2006 AND JANUARY 2007
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 12 January 2007 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST SUMMARY: -

BACKGROUND: Financial Management Regulations 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 at **APPENDIX B** is the Statement of Financial Activity for December 2006 attached at **APPENDIX C** is the Statement of Financial Activity for January 2007.

CONSULTATION: Nil

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF DECEMBER 2006 AND JANUARY 2007 BE RECEIVED.

Moved: *N D Johnstone*

Seconded: *L J Wainwright*

COUNCIL DECISION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF DECEMBER 2006 AND JANUARY 2007 BE RECEIVED.

CARRIED 8/0

5.	BUDGET SUBMISSIONS 2007/2008 – REQUEST FOR SUBMISSIONS
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 206

PREVIOUS MINUTE/S & REFERENCE: -

REFERENCE:
DATE AND AUTHOR: 18 January 2007 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report advises of the requirement to submit projects for consideration in the forthcoming 2007/2008 budget.

BACKGROUND: In accordance with Council's Policy No. 502 - All projects which Councillors wish to be considered in the budget deliberations should be submitted to the Chief Executive Officer by the April 1.

COMMENT: Submissions should include supporting documents and detail costs to enable staff to use the information to support the projects' inclusion in the draft budget.

CONSULTATION:
STATUTORY ENVIRONMENT: Council Policy 502 Budget Preparation

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 NOTE THE CONTENTS OF THIS REPORT AND THAT SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE 2007/2008 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 1 APRIL 2007.

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

COUNCIL DECISION: THAT COUNCIL NOTE THE CONTENTS OF THIS REPORT AND THAT SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE 2007/2008 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 1 APRIL 2007.

CARRIED 8/0

6.	MULLEWA SWIMMING POOL – REVIEW of ENTRY FEE REMOVAL
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 609.01

PREVIOUS MINUTE/S & REFERENCE: 20 December 2006

DATE AND AUTHOR: 12 February 2007 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report reviews the trial period over the 2006/07 holiday period.

BACKGROUND: At the Ordinary meeting of Council held 20 December 2006, Council resolved to allow free entry to the Mullewa Swimming Pool for the remainder of the 2006/07 school holiday period. Council also resolved that it would review the trial period at the February 2007 meeting.

COMMENT: I requested the Swimming Pool Manager to record activities over this period. His report follows-

POOL MANAGERS REPORT – 09/02/2007

FREE POOL ENTRY TRIAL HELD FROM JANUARY 1ST 2007 TO FEBRUARY 3RD 2007

During the first week of the trial we had free entry all day. I found most of the kids would come in for about 20 minutes to half an hour, then go away for an hour or two, then come back. This would go on for most of the day, making it almost impossible to keep track of the number of patrons.

The second week we changed it to one free entry per day, which seemed to work a lot better. I still allowed the normal pass out time of fifteen minutes to go to the shop or home but I told the kids if they stayed away for longer they would have to pay normal entry fee. This kept them in the pool for most of the day.

Some of the good points to come out of the trial were that we had an increase of adults coming to the pool with a few locals, I had never seen in here before. It also let me leave the kiosk a lot more than normal, allowing me to do more patrols around the pool and generally keeping a closer eye on the kids.

Some of the problems I had with the trial were on really hot days; I had crowds of up to 150 patrons. I would then have to call on Steve Jacobs to come and help me, which he did, but if he had been unavailable, we could have had a few safety problems.

With the increase of adults we also had a big increase of toddlers. Some of the parents or carers would then go home without the toddlers (under 7 years) leaving them in the care of someone else without telling me. I'd then have all these little kids in the pool and not knowing who was supposed to be watching them. On one occasion I had a 17 year old girl supposedly looking after eight kids under five years of age.

**Mick Wall
POOL MANAGER**

As was noted in the above report, the attendance over this period was up and this can be verified by a comparison with same period the previous year. In January 2006; there were 152 adults, 738 children and 59 spectators for a total of 949. In January 2007; there were 388 adult and 1664 children for a total of 2052. The revenue collected for the period in 2006 was \$1470.

The police advise that over this period there was no significant reduction in anti-social behaviour amongst juveniles, in fact there may have been an increase due kids "ginging" windows etc.

Supervision was suggested as a negative when the proposal was discussed and this concern has been raised by the pool manager. The only other matter that needed addressing was to introduce rules to cover the kids wandering in and out of the pool.

The "inflatable" (on loan from the Royal Life Society) has been a hit and Council will be asked to consider purchasing our own in the next budget

considerations.

There is more positive reasons for Council to consider introducing the same concession for the next Christmas school holiday period and supervision, activities and budget adjustments should be addressed during the 2007/08 budget estimates.

CONSULTATION: Pool Manager

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

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

FINANCIAL IMPLICATIONS: Matter will require consideration at the 07/08 budget meeting.

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

VOTING REQUIREMENT: Simple Majority

OFFICER

RECOMMENDATION

THAT COUNCIL CONSIDER THE INTRODUCTION OF FREE ENTRY INTO THE MULLEWA SWIMMING POOL DURING THE 2007/2008 CHRISTMAS SCHOOL HOLIDAY PERIOD AND CONSIDER THE MATTER DURING THE 2007/2008 BUDGET DELIBERATIONS.

Moved: J L Freeman

Seconded: G M Steele

COUNCIL DECISION: THAT COUNCIL CONSIDER THE INTRODUCTION OF FREE ENTRY INTO THE MULLEWA SWIMMING POOL DURING THE 2007/2008 CHRISTMAS SCHOOL HOLIDAY PERIOD AND CONSIDER THE MATTER DURING THE 2007/2008 BUDGET DELIBERATIONS.

CARRIED 8/0

7.	MODEL PURCHASING POLICY
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 12 February 2007 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report raises Council attention for the pending changes to the Local Government (Functions & General) Regulations and the requirement for Local Governments to prepare and adopt a purchasing policy.

BACKGROUND: Pending changes to the Local Government (Functions & General) Regulations will lift the Tender threshold to \$100,000.00. The Regulations will also require Local Government to prepare and adopt a purchasing policy. To be compliant with there changes a purchasing

policy should be in place at the time the Regulation (still in draft) are envisaged to take effect on 30 March 2007.

COMMENT: To assist Local Government, WALGA have prepared a model purchasing policy (attached as **APPENDIX D**) which can be further developed to suit local conditions.

There is concern that the WALGA policy is overly prescriptive and may have the potential to “hand cuff” Shire purchasing.

Further examples of a policy that incorporates the “Buy local” requirements are attached for consideration at **APPENDIX E**.

CONSULTATION:

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

Council does not have a current policy and this will introduce a new policy.

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 CONSIDER THE MODEL PURCHASING POLICY, MAKE THE NECESSARY CHANGES TO DEVELOP THE POLICY AND CONSIDER THE MATTER AT THE MARCH 2007 MEETING.

Moved:

L J Wainwright

Seconded:

M D Tierney

COUNCIL DECISION:

THAT COUNCIL CONSIDER THE MODEL PURCHASING POLICY, MAKE THE NECESSARY CHANGES TO DEVELOP THE POLICY AND CONSIDER THE MATTER AT THE MARCH 2007 MEETING.

CARRIED 8/0

8.	MULLEWA COMMUNITY TRUST - 2007
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: 808.05

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 12 February 2007, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

Report requests Council consider increasing the 2007 annual distribution by the \$11,932.00, 2006 surplus.

BACKGROUND: Council has previously resolved that the annual distribution amount through the Mullewa Community Trust be capped at \$50,000 with the remaining annual contribution from Mt Gibson Mining being retained and invested. The amount distributed during the 2006 funding round was \$38,068.00 and the \$11,932.00 remaining was added to the funds retained and invested.

COMMENT: It has been suggested that due to the increase in the funding requested from the community this year, that the amount to be distributed be increased by the \$11,932.00 not taken up in the 2006 round.

CONSULTATION: President

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 INCREASE THE AMOUNT OF FUNDING TO BE DISTRIBUTED BY THE MULLEWA COMMUNITY TRUST FOR THE 2007 FUNDING ROUND BY \$11,932.00

Moved: A J Messina **Seconded:** B I N Thomas

COUNCIL DECISION: THAT COUNCIL INCREASE THE AMOUNT OF FUNDING TO BE DISTRIBUTED BY THE MULLEWA COMMUNITY TRUST FOR THE 2007 FUNDING ROUND BY \$11,932.00

CARRIED 8/0

9. MULLEWA COMMUNITY TRUST GUIDELINES - AMENDMENTS

DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 808.05

PREVIOUS MINUTE/S & REFERENCE: April/May 2006

DATE AND AUTHOR: 12 January 2007 – Tom Hartman, Chief Executive Officer

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

SUMMARY: Report submits response from Mt Gibson Mining for proposed amendments to the Mullewa Community Trust guidelines and membership of Committee.

BACKGROUND: Copies of the 2006 April and May Agenda Items are attached for reference at **APPENDIX F**.

At the April 2006 Ordinary Council Meeting an agenda item for the Mullewa Community Trust Guidelines to be altered was considered.

Council resolved the following:

- *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.

- *The Committee of the Mullewa Community Trust will be made up of 5 persons, consisting of the Shire President, Deputy President, 2 community members and a representative from Mount Gibson Mining Ltd.*

The tenure of a Committee member shall be two years with a retiring member being eligible to renominate to the Committee.

- *That MCT be expanded to read, Mullewa Community Trust in the guidelines.*

At the May 2006 Ordinary Council Meeting a further agenda item was considered recommending Council delaying any action regarding the April 2006 resolution pending comments being received from Mt Gibson.

The resolution states:

THAT COUNCIL DELAY ANY ACTION REGARDING THE RESOLUTION 10.4.3 OF THE MEETING HELD APRIL 19, 2006, WHICH STATES –

- *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.

- *THE COMMITTEE OF THE MULLEWA COMMUNITY TRUST WILL BE MADE UP OF 5 PERSONS, CONSISTING OF THE SHIRE PRESIDENT, DEPUTY PRESIDENT, 2 COMMUNITY MEMBERS AND A REPRESENTATIVE FROM MOUNT GIBSON MINING LTD.*

THE TENURE OF A COMMITTEE MEMBER SHALL BE TWO YEARS WITH A RETIRING MEMBER BEING ELIGIBLE TO RENOMINATE TO THE COMMITTEE.

- *THAT MCT BE EXPANDED TO READ, MULLEWA COMMUNITY TRUST IN THE GUIDELINES.*

UNTIL COMMENTS FROM MOUNT GIBSON MINING LTD HAVE BEEN RECEIVED.

CARRIED 8/0

COMMENT:

Correspondence was forwarded to Mt Gibson on May 3, 2006, requested comments on the proposed changes to the MCT guidelines and increasing the membership of the MCT Committee. No written response was received following a number of requests. A change of personnel has resulted in a response; a copy of which follows-

From: David Quinlivan [David.Quinlivan@mtgibsoniron.com.au]
Sent: Wednesday, 24 January 2007 6:31 PM
To: Tom Hartman
Cc: Luke Tonkin
Subject: RE: Meeting 23Jan

Tom,

Thanks for email and attachments.

Further to your letter to Kevin Malaxos of 3 May in relation to suggested amendments to the Community Trust Guidelines, I have no objection to the two text changes that were proposed in this letter being incorporated as specified in your letter. With regard to the proposition to increase the number of the committee under 3.4 of the Public Benefit Agreement from 3 to 5, Mt Gibson believes the current committee size of 3 has been working well to date and therefore does not support any increase in committee size at this point in time.

Regards

David Quinlivan
 Mt Gibson Mining Ltd

As can be noted in the response from Mt Gibson, there is no objection to the amendments to the MCT Guidelines that were proposed, however, Mt Gibson does not support any increase in the committee size at this point in time. As any change to the Committee structure would require an amendment to the Public Benefit Agreement Council has with Mt Gibson Mining, it would appear that progressing this particular matter at this stage, is not recommended.

CONSULTATION:

Mt Gibson Mining

STATUTORY
 ENVIRONMENT:

There are no known statutory implications at this time.

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

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 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.

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

COUNCIL DECISION: 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.

CARRIED 8/0

10.	TENDER 03/06 – 21 SEATER BUS
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: 111.01

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 12 February 2007, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

BACKGROUND: Tenders called for the purchase of a 21 seater bus closed on Friday, February 9, 2007 to replace Councils 1993 21 seater Toyota Coaster Bus.

COMMENT: The tenders received have been accessed against the selection criteria and the results are attached.

At the conclusion of the tender period, one tender was received from Scarboro Toyota for the supply of a 21 seater bus as specified in the tender documents, and two tenders for outright purchase. The specifications were fairly specific in identifying Council’s requirements.

The tender requested an amount for the supply of protective seat covers as an optional extra and it is recommended that this option be taken to protect the vinyl seats. This amount is quoted as \$2,000. This cost could be partially covered by deleting the additional spare tyre & carrier \$1,533.

This would make the purchase price \$87,284.65 (ex GST). The budgeted amount for this item is \$86,000. An offer of \$7,272.73 was made for

trade in. A delivery date for the vehicle is around May if they are unable to source one from the eastern states.

Tenders received for the outright purchase of Councils 1993 Toyota Coaster Bus are as follows:

Eastside Commercials	\$21,987.27
City Bus & Truck Centre	\$11,153.63

The budgeted amount for sale proceeds is \$30,000. (figure supplied by Toyota dealer at the time of compiling the budget). This equates to \$8,012 more than the offered price.

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 purchase this item of plant. \$86,000 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 SCARBORO TOYOTA TO SUPPLY A 2007 21 SEATER TOYOTA COASTER FOR \$87,284.65 (EX GST), AS SPECIFIED IN THE TENDER DOCUMENTS, AND ACCEPT THE TENDER FROM EAST SIDE COMMERCIALS FOR THE OUTRIGHT PURCHASE OF COUNCILS 1993 21 SEATER TOYOTA BUS \$21,987.27 (EX GST).

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

COUNCIL DECISION: **THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM SCARBORO TOYOTA TO SUPPLY A 2007 21 SEATER TOYOTA COASTER FOR \$87,284.65 (EX GST), AS SPECIFIED IN THE TENDER DOCUMENTS, AND ACCEPT THE TENDER FROM EAST SIDE COMMERCIALS FOR THE OUTRIGHT PURCHASE OF COUNCILS 1993 21 SEATER TOYOTA BUS \$21,987.27 (EX GST).**

CARRIED 8/0

11.	FINANCE REPORT 31st January 2007
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DATE OF MEETING: 21st February 2007

DATE AND AUTHOR: 9th February 2007 – Noelene Holmes, Deputy Chief Executive Officer

COMMENT: **BANK RECONCILIATION**
The Bank Reconciliation for the month of January 2007 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 5.75%.

ACCOUNT	MUNICIPAL	CDA	TRUST	COMMUNITY TRUST	RESERVE	ROAD RESEAL
BANK STATEMENT BALANCE	20,300.39	1,751,978.00	55,619.58	114,031.25	357,000.00	291,668.42
ADJUSTMENTS	-3,189.00	0.00	3,189.00	0.00	0.00	0.00
ADD O/S DEPOSITS	4,463.42	0.00	0.00	0.00	0.00	0.00
LESS O/S CHEQUES	3,379.43	0.00	12,456.45	0.00	0.00	0.00
CASH BALANCE	18,195.38	1,751,978.00	46,352.13	114,031.25	357,000.00	291,668.42
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	2,696,752.95	1,615,000.00	4,714.00	3,334.99	0.00	8,335.42
RECEIPTS THIS MONTH	229,901.51	150,000.00	490.00	0.00	0.00	0.00
<u>LESS</u>						
PAYMENTS TO DATE	1,883,627.52	805,000.00	62,752.32	1600.00	0.00	0.00
PAYMENTS THIS MONTH	204,956.97	120,000.00	440.00	0.00	0.00	0.00
CASH BALANCE	1,770,173.41	1,751,978.00	46,352.12	114,031.25	357,000.00	291,668.42

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

STATEMENT OF CASH POSITION 31st January 2007

CASH ON HAND	200.00
MUNICIPAL FUND	18,195.38
INVESTED MUNICIPAL FUNDS	1,751,978.00
MULLEWA COMMUNITY TRUST	114,031.25
RESERVE FUNDS	357,000.00
ROAD RESEAL FUNDS	291,668.42
TOTAL CASH FUNDS	2,533,073.05

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	114,031.25
ROAD RESEAL FUNDS	291,668.42
WILDFLOWER COUNTRY REGIONAL COUNCIL FUNDS	133,590.28
AVAILABLE FUNDS	1,636,783.10
TOTAL FUNDS	2,533,073.05

STATUTORY ENVIRONMENT:
POLICY IMPLICATIONS:

There are no statutory implications on this matter.

There are no policy implications on this matter.

FINANCIAL IMPLICATIONS:

There are no financial implications on this matter.

STRATEGIC IMPLICATIONS:

There are no strategic implications on this matter.

VOTING REQUIREMENTS:

Simple Majority

OFFICER

THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST

RECOMMENDATION : JANUARY 2007 BE RECEIVED.

Moved: G M Steele

Seconded: N D Johnstone

COUNCIL DECISION: THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST JANUARY 2007 BE RECEIVED.

CARRIED 8/0

12.	BUDGET – REVIEW AS AT 31 ST JANUARY 2007
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DATE OF MEETING: 21st February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 206

REPORTING OFFICER: Noelene Holmes – Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest

DATE OF REPORT: 12th February 2007

PREVIOUS MINUTE/

REFERENCE:

SUMMARY:

Report addresses requirement to conduct a budget review

BACKGROUND:

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is a requirement covered by Regulation 33A of the Local Government (Financial Management) Regulations 1996. The intention of the legislation is to ensure local governments conduct at least one review between six and nine months into a financial year.

COMMENT:

A review has been conducted as at the end of January 2007 and is presented in the 'Schedule' format with a total at the end of each program. The capital items are included on the last page of the attachment. The following items are brought to your attention:

GENERAL PURPOSE INCOME

General Purpose Income

0112	Rates Recovery – Additional cost will be offset by income	7,327
9963	Rates – Debt Collection – Additional income offset by costs	7,637
9983	Instalment Fee – Excess income	2,590
9993	Instalment Income – Excess income	4,139

GOVERNANCE

General Governance

0012	Conference Expenses – monitoring expenditure, reduced by reimbursements	10,157
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Administration General

0312	Vehicle Running Expenses – Expected to be over budget due to Depreciation percentage rate change (non-cash item)	22,775
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LAW, ORDER & PUBLIC SAFETY

Fire Prevention		
0703	Fines & Penalties – reduced income due to no infringements issued	-2,000
Animal Control		
0752	Control Officer – monitoring expenditure	8,512
<u>HEALTH</u>		
Medical Facility		
1363	Government Grants – Income exceeds budget	-9,509
<u>WELFARE SERVICES</u>		
Care of Families & Children		
1016	CYDO Small Grants – Unbudgeted costs will be offset by income	1,355
1043	Special Purpose Grants – Includes income from Grants	1,660
Other Welfare		
1672	Youth Festival Expenses – Unbudgeted costs from 05/06	349
<u>HOUSING</u>		
Housing Other		
1753	Reimbursements – Lost items replaced by tenant	-2,055
<u>COMMUNITY AMENITIES</u>		
Sanitation Household Refuse		
1833	Recycling Scrap Steel – Unbudgeted income from steel at refuse site	-8,903
<u>RECREATION & CULTURE</u>		
Other Recreation & Sport		
2915	Grants & Contributions – Additional income will be offset by costs	-42,961
	Department Of Indigenous Affairs	5,000
	Envirofund - The Mullewa Walk	32,530
	DLG& RD – Community Facilities	25,000
2722	Local Activity Grant Expenses - Additional costs offset by income	36,075
Other Culture		
2105	Grants – Other Culture – Unbudgeted income offset by costs	-6,000
	Quick Response Grant	1,000
	Dry Season Assistance Grant	5,000
3072	Grant Expenditure – Unbudgeted costs offset by income	4,779
<u>TRANSPORT</u>		
Const. Sts, Rds, Bridges, Depots		
3355	Mt Gibson Contribution – Additional \$100K not included in original Budget. Also includes interest incorrectly reinvested in term deposit by Bank – will adjusted at next maturity date	-208,335
<u>ECONOMIC SERVICES</u>		
Tourism & Area Promotion		
3993	Chgs – Caravan & Camping – Reduced income to date	-5,662
4003	50% Long Term – Income exceeds budgeted amount	-6,147
Building Control		
4143	Chgs – Build Permits – Income exceeds budgeted amount	5,122
Agricultural Development Partnership		
3832	ADP – Unbudgeted expenditure – offset by income from MWDC	14,681
3833	ADP – Income from MidWest Development Commission	-7,500
<u>OTHER PROPERTY & SERVICES</u>		

Private Works

4282	Private Works – Over expenditure offset by income	108,200
4323	Income from Private Works – offset by expenditure	-129,200

Public Works Overheads

4422	Long Service Leave – LSL paid out to employees	16,114
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Plant Operation Costs

5322	Other Plant Costs – Monitoring expenditure	13,978
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CAPITAL EXPENDITURE – ACQUISITION/CONSTRUCTION OF ASSETSUnbudgeted Expenditure - \$12,682

Youth Precinct Development –expenditure on concrete blocks to prevent erosion \$6,618

Housing – expenditure on installation of security gates at CEO's residence \$3,481

Air Compressor (Const Truck) Unbudgeted expenditure on plant item \$1,538

Fire Fighting Unit - Unbudgeted expenditure on plant item \$1,045

Unbudgeted Savings - \$11,481

Portable PA System \$2,257

MW5004 Ute \$597

MW5018 Dual Cab \$8,627

Other

73 Jose St – Heater replaced and reimbursed for by tenant \$1,070

Bolded items are currently in the process of being purchased.

The items listed above do not warrant any change to the current budget at this stage.

Regulation 33A(2) and (3) of the Regulations require that the result of the budget review to be submitted to Council within 30 days of the review. Council is then to consider the review and determine whether or not to adopt the review, any part of the review or any recommendations made in the review. Regulation 33A(4) states that within 30 days after the Council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government and Regional Development.

CONSULTATION:

STATUTORY

Local Government Act

ENVIRONMENT:

Financial Management Regulations

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Absolute Majority

OFFICER

RECOMMENDATION

THAT THE BUDGET REVIEW CARRIED OUT AS AT THE 31ST JANUARY 2007 AND AS PRESENTED BE RECEIVED; AND

THAT THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT BE ADVISED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FINANCIAL MANAGEMENT REGULATIONS.

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

COUNCIL DECISION: THAT THE BUDGET REVIEW CARRIED OUT AS AT THE 31ST JANUARY 2007 AND AS PRESENTED BE RECEIVED; AND

THAT THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT BE ADVISED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FINANCIAL MANAGEMENT REGULATIONS.

CARRIED 8/0

13.	CHANGING METHOD OF VALUATION OF LAND – MT GIBSON MINING LTD
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: March 2004 & July 2004 - April & May 2006

DATE AND AUTHOR: 13 February 2007, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report re-submits information regarding a decision to change the method of valuation of land in relation to the Mt Gibson Mining Camp.

BACKGROUND: Council has indicated that it wants to consider changing the method of valuation of land for the Mining Camp situated on Mt Gibson Mining Ltd lease at Tallering Peak. The change will be from Unimproved Value to Gross Rental Value.

Attached to this report is a copy of the relevant Council Minutes for the meetings March & July 2004 and April & May 2006, at **APPENDIX G**. Also included with the Agenda is a copy of the Local Government Operation Guidelines – November 2, 2002 – *Changing Methods of Valuation of Land*.

COMMENT: As can be noted in the report submitted to Council at the May 2006 meeting, due to the time restraints to implement the process for changing the method of valuation of land, Council resolved to introduce differential rating for unimproved value (UV) and introduced a mining rate.

Since that time, Council has indicated that information should be presented to determine if changing the rating of the Mining Camp at Tallering Peak to Gross Rental Value (GRV) would be fair and equitable.

The process to make the change is an involved process that will take time and will cost Council. The process includes-

- Obtaining an estimated Gross Rental Value for the camp,
- Having the site of the camp formally identified and described for

- gazettal purposes by way of a survey,
- Consultation with Mt Gibson, and;
 - Ministerial approval.

Prior to implementing the process, this report will endeavour to provide enough information for Council to decide whether it wants to proceed.

Generally, to be rateable, mining camps need to be constructed to a standard that gives them some permanency eg. substantial foundations, walk paths, en suites etc and be for the life of the mine. In other words not just skid mounted "donga's". The camp at Tallering Peak would satisfy this permanency requirement.

An estimate of the GRV is also required by the Department of Local Government prior to being submitted to the Minister. This estimate is normally at a cost from the Valuer Generals Department for \$2,000 - \$4,000. However, I have been able to obtain a verbal estimate from an officer of the Valuer General which will allow us to do a rate model.

Mining camp GRV's are based on a dollar figure per bed per week, multiplied by 52. The general figure used is \$25 - \$30 per bed. I was advised to model on the lower figure. The camp is a 228 man camp. To obtain a GRV for the camp the following model would be used –

$$228 \text{ (beds)} \times \$25/\text{bed} \times 52 \text{ (weeks)} = \$296,400 \text{ GRV}$$

Council would then need to determine the rate in the dollar. Council has GRV in Mullewa and Pindar at a rate of 0.11544 cents in the dollar. It might be difficult for Council to justify a similar rate in the dollar for this camp due to the lack of providing services etc as is the case for the premises in townsites. However, for modelling purposes we will use the same figure.

The result would be –

$$\text{GRV} = 296,400 \times 0.11544 = \$34,216$$

As a comparison Council has the option to increase the UV mining rate in the dollar from the current 0.065 cents to 0.20 cents. This increase would be in line with what our neighbouring Local Governments have set. Based on the total UV for mining in the 06/07 budget the result would be-

$$309\,532 \times 0.20 = \$61,906 \text{ as compared to } \$20,120 \text{ in the 06/07 budget.}$$

Specifically, Mt Gibson, this financial year have been rated on 6 assessments with a total UV of 231098 plus 5 assessments on minimum rates. These assessments currently yield a total of \$16,111 in rates. ($231098 \times 0.065 = 15021$, plus $218 \times 5 = 1090$) This yield increased from a total of \$5015 in 2005/2006.

If Council decide to apply to change the method of valuation on the mining camp, a decision will also be required for the rate in the dollar that will be applied. This information is required to advise Mt Gibson of

Councils proposal.

Taking the above model for the camp GRV, a result for discussion purposes could be-

$$\text{GRV} = 296400 \times 0.65 = \$19266.$$

This rate in the dollar is approximately half the GRV rate in the townsite and would compensate for the lack of services provided and could be justified. However, Council should take into consideration the current contribution from Mt Gibson being-

- Responsible for the cost of the Mullewa/Carnarvon road used for haulage,
- Support for the Mullewa Community Trust,
- Community support generally,
- Employment opportunities.

It must be noted that the rate yield from the camp is in addition to the UV rate yield that Council would also raise from Mt Gibson.

CONSULTATION:

STATUTORY
ENVIRONMENT:
POLICY

There are no known statutory implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known policy implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known financial implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

**OFFICER
RECOMMENDATION**

- THAT COUNCIL DETERMINE WHETHER TO CHANGE THE METHOD OF VALUATION FOR THE Mt GIBSON MINING CAMP AT TALLERING PEAK FROM UNIMPROVED VALUE TO GROSS RENTAL VALUE, AND, IF A CHANGE IS RESOLVED, DETERMINE THE RATE IN THE DOLLAR TO BE APPLIED,
- CONSULT WITH MT GIBSON MINING ABOUT THE PROPOSED CHANGE AND REQUEST THEIR COMMENTS,
- CONSIDER ANY COMMENTS RECEIVED FROM MT GIBSON MINING AT THE MARCH 2007 ORDINARY MEETING PRIOR TO SEEKING THE MINISTERS APPROVAL FOR THE PROPOSED CHANGE.

Moved: G M Steele

Seconded: B I N Thomas

COUNCIL DECISION:

- **THAT COUNCIL DETERMINE WHETHER TO CHANGE THE METHOD OF VALUATION FOR THE Mt GIBSON MINING CAMP AT TALLERING PEAK FROM UNIMPROVED VALUE TO GROSS RENTAL VALUE, AND, IF A CHANGE IS RESOLVED, DETERMINE THE RATE IN THE DOLLAR TO BE APPLIED,**

- **CONSULT WITH MT GIBSON MINING ABOUT THE PROPOSED CHANGE AND REQUEST THEIR COMMENTS,**
- **CONSIDER ANY COMMENTS RECEIVED FROM MT GIBSON MINING AT THE MARCH 2007 ORDINARY MEETING PRIOR TO SEEKING THE MINISTERS APPROVAL FOR THE PROPOSED CHANGE**

LOST 0/8

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

COUNCIL DECISION: THE REASON COUNCIL VOTED AGAINST THE MOTION WAS THAT COUNCIL WILL CONSIDER THE MATTER OF DIFFERENTIAL RATING AT A FUTURE MEETING.

CARRIED 8/0

14.	ACCOUNTS FOR PAYMENTS
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/s & REFERENCE: -

DATE AND AUTHOR: 16 February 2007 – 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: **APPENDIX H** of this report lists details of all cheques drawn and direct debits during and since the last Council meeting.

The summary of the schedule of accounts to be passed for payment totalling \$620,727.37 covers the following:

Municipal Account

Cheque No.	9380 - 9432	\$269,627.50
Electronic Fund Trans	2994 - 3129	\$211,149.98
Payroll & Fees		\$127,375.17

Trust Account

Cheque No.	293 - 297	\$ 12,574.72
Total:		\$ 620,727.37

CONSULTATION:

Nil

STATUTORY
ENVIRONMENT:
POLICY

Local Government Act and Regulations

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.	9380 - 9432	\$269,627.50
Electronic Fund Trans	2994 - 3129	\$211,149.98
Payroll & Fees		\$127,375.17

Trust Account

Cheque No.	293 - 297	\$ 12,574.72
Total:		\$ 620,727.37

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

COUNCIL DECISION:

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

Municipal Account

Cheque No.	9380 - 9432	\$269,627.50
Electronic Fund Trans	2994 - 3129	\$211,149.98
Payroll & Fees		\$127,375.17

Trust Account

Cheque No.	293 - 297	\$ 12,574.72
Total:		\$ 620,727.37

CARRIED 8/0

0207.13 WORKS, PLANTS, PARKS & GARDENS

- 2:30pm Bob Roden, Works Supervisor entered the meeting.
- Cr Thomas - Pioneer Well Road is potholed and in need of attention.
Directional signs to Mass Rock and Pioneer Well require securing.
- Cr Kerkmans - Pindar – Tardun Road is corrugated between highway and Williams Road.
- 2:40pm Bob Roden, Works Supervisor left the meeting.

0207.14 CHIEF EXECUTIVE OFFICERS REPORT

- 2:45pm Noelene Holmes, Deputy CEO, left the meeting
- 2:50pm Noelene Holmes, Deputy CEO, returned to the meeting

1.	TRAIL MASTER PLAN – FINAL REPORT
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- DATE OF MEETING: 21 February 2007-02-12
- LOCATION/ADDRESS: -
- NAME OF APPLICANT: -
- FILE REFERENCE: 509.02
- PREVIOUS MINUTE/S & REFERENCE: December 2006
- DATE AND AUTHOR: 12 February 2007, Tom Hartman, Chief Executive Officer
- DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
- SUMMARY: Report submits the Trail Master Plan final report for Council endorsement.
- BACKGROUND: The Trail Master Plan – Draft Report was submitted, received and endorsed by Council at the Ordinary meeting, held December 20, 2006. Comments on the draft report were forwarded to the consultants for inclusion in the Final Report.
- COMMENT: Following a review of the Draft Report I suggested that the Final Report contain a section on the “Project Objectives/Benefits” and noted that the costing for the Section 5 – Marketing & Promotion, did not appear in “Summary of Costs” on page 39 of the Draft Report. These two matters have been attended to and now appear in the Final Report. They are the only changes to the Draft Report that was forwarded to Councillors, and endorsed by Council.
- Attached at **APPENDIX A** is a copy of the item on “Project Objectives/Benefits” that follows the last paragraph on page 13 of the Draft Report. Attached also at **APPENDIX B** is an updated “Summary of Costs” that replaces the information on page 39 of the Draft Report. Please note the addition of project no. 18 with the inclusion of the costing for marketing and promotion. This addition also alters the final figures for

stage 1 projects.

A funding application was submitted in January to the Regional Partnership program. The results of this application should be known by early May 2007. The amount requested is \$190,748.

CONSULTATION:	Consultants – Kulbardi Hill Consulting
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 adjusted final figure for stage 1 projects has been used for the Regional Partnership funding application.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL RECEIVE AND ENDORSE THE TRAIL MASTER PLAN FINAL REPORT.

Moved: J L Freeman

Seconded: B I N Thomas

COUNCIL DECISION: THAT COUNCIL RECEIVE AND ENDORSE THE TRAIL MASTER PLAN FINAL REPORT

CARRIED 8/0

0207.15 MEETING ADJOURNED – MEETING RECONVENED

Meeting adjourned 2:55pm 3:45pm

PRESENT:

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

OFFICERS:

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

2. REQUEST FOR SMOKING BAN AT MULLEWA SWIMMING POOL
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DATE OF MEETING: 21 February 2007

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 609.01

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 14 February 2007, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report submits request to consider "banning" smoking at the Mullewa Swimming Pool.

BACKGROUND: The following request has been received from Cr Freeman for Council to consider "banning" smoking from the Mullewa Swimming Pool.

Good morning Tom

I've been approached by a few Mums about having smoking at the pool banned and I have to agree with them that it should be.

Mick does an excellent job of keeping the grounds neat and tidy, but it is not unusual to find cigarette butts littering the ground under the shelters, especially if you arrive just after a large group have left.

The butts are not only unsightly; they also present a significant risk to babies and toddlers who may put these highly toxic items in their mouths. The Rec centre and Sports Club all have smoking bans and, even though the pool is an outdoor venue, it seems highly inappropriate to allow smoking in a shire recreational facility.

I've checked the policy manual and there is no mention of smoking, other than relating to staff. I would like to include this in the agenda for the next meeting and would be happy to draft an agenda item, unless you feel there is a need for further investigation.

Thanks

Julie Freeman

COMMENT: The reasons for raising this matter are very valid and should be addressed one way or another. Firstly I will speak to our staff to ensure that suitable receptacles are placed around the pool area for receiving butts. People smoking will be encouraged to use the receptacles. We will need to also ensure that the grassed areas are inspected, when vacant and waste material collected.

To prohibit smoking in the pool area will need researching and I suggest that Council should decide if that is the direction they want to go, and have information available at a further meeting for consideration. There appears to be swimming pools in other areas where smoking on the premises is not permitted and local government is increasing being asked to promote healthy lifestyle activities throughout their communities. Our pool manager would support a move to prohibit smoking at the pool.

CONSULTATION: Cr Freeman
Swimming Pool Manager

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 HAVE BANNING SMOKING AT THE MULLEWA SWIMMING POOL FURTHER RESEARCHED AND CONSIDER THE MATTER AT A FUTURE MEETING PRIOR TO THE 07/08 SWIMMING POOL SEASON.

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

COUNCIL DECISION: **THAT COUNCIL HAVE BANNING SMOKING AT THE MULLEWA SWIMMING POOL FURTHER RESEARCHED AND CONSIDER THE MATTER AT A FUTURE MEETING PRIOR TO THE 07/08 SWIMMING POOL SEASON.**

CARRIED 8/0

3. MULLEWA CEMETERY – HOURS OF OPERATION

DATE OF MEETING:	21 February 2007
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	801
PREVIOUS MINUTE/S & REFERENCE:	17 May 2000
DATE AND AUTHOR:	14 February 2007, Tom Hartman, Chief Executive Officer
DISCLOSURE INTEREST:	OF Author has no disclosure of interest.
SUMMARY	Report submits information on the request to alter the hours of operation of the Mullewa Cemetery by excluding Fridays.
BACKGROUND:	There have been a number of verbal requests from Councillors to exclude Friday from burials at the Mullewa Cemetery. This matter has been considered by Council at a Health, Building and Town Planning Committee Meeting held on the 10 th May, 2000 and the Council meeting held on the 17 th May, 2000. Copies of those minutes are attached at APPENDIX C .
COMMENT:	When this matter was first raised for my attention I immediately advised that it was my opinion that to change the hours of operation of the cemetery would require an amendment to Councils Local Laws. My opinion still stands. Council commenced, but has not completed the review of local laws which was required to be finalised by July 2003. The local laws (By-Law) covering the Mullewa Cemetery were approved in 1938 and the last amendment carried out in 1992. The hours of operation are still within the original law, being weekdays from 8:00am to

6:00pm and Sundays 2:00pm to 6:00pm.

The operation of cemeteries comes under the Cemeteries Act 1986, whereby Section 5 vests the care, control and management to a Local Government (the Board). Section 55 allows the Local Government to make Local Laws. A copy of Section 55 follows-

55. Local laws and by-laws

(1) A Board may make local laws or by-laws, as the case may be, that are necessary or convenient for the purposes of this Act and in particular for any of the following purposes —

- (a) prescribing types of memorials permitted in different areas of a cemetery;*
- (b) prescribing the location, dimensions and preparation of graves;*
- (c) prescribing specifications and materials for memorials;*
- (d) prescribing specifications and materials for coffins for burials and cremations;*
- (e) prescribing methods for the disposal of ashes of cremated bodies in a cemetery;*
- (f) prescribing requirements for the burial and covering of coffins;*
- (g) for the protection of memorials and the land and property of a Board;*
- (h) regulating the grant of rights of burial;*
- (i) regulating the maintenance of areas for burials and empowering a Board to enter into an agreement with the holder of a right of burial for the maintenance of an area at the expense of such holder;*
- (j) regulating, subject to the provisions of the Cremation Act 1929, the operation of any crematorium used by a Board;*
- (k) convening and regulating meetings of a Board;*
- (l) for the conduct of funerals, including the conduct of funerals by a Board;*
- (m) prescribing the procedures of a Board with respect to applications for and issue of licences, permits and permissions;*
- (n) regulating the entry to and use of vehicles in a cemetery;*
- (o) regulating the manner of payment and the receipt of fees and charges;*
- (p) providing that contravention of a local law or by-law constitutes an offence and providing for penalties not exceeding a fine of \$500 and if the offence is a continuing one to a further fine not exceeding \$20 for every day or part of a day during which the offence has continued;*
- (q) prescribing offences for the purposes of sections 63 and 64 by setting out the offences or by reference to the provisions contravention of which constitutes the offences and in respect of each such offence prescribing the modified penalty, or different modified penalties according to the circumstances by which the offence is attended, applicable if the offence is dealt with under those*

sections, but so that no such modified penalty exceeds \$50; and

(r) generally for the doing of all such acts and things as are or may be necessary or convenient for the effective administration of a cemetery.

Generally, Section 55 (r) would cover matters such as operating hours etc. There does not appear to be any provision under the existing Cemeteries Act that prevents Council from making a local law that may exclude a burial on Fridays. However, making a local law requires advertising and consulting with the local community. It also allows community members to make submissions on the proposed local law and Councils are required to consider any submissions prior to requesting the relevant Ministers approval.

Obviously this process is available to ensure that those persons affected by local laws have the opportunity to voice their concerns and that those concerns are considered by the Council. The process also allows the supporters of the local law to make comment.

CONSULTATION:

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STATUTORY

Cemeteries Act 1986.

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 RE-COMMENCE ITS REVIEW OF ALL ITS LOCAL LAWS AND CONSIDER ANY MATTERS RELATING TO THE MULLEWA CEMETERY DURING THE REVIEW.

Moved:

G M Steele

Seconded:

M D Tierney

COUNCIL DECISION:

THAT COUNCIL RE-COMMENCE ITS REVIEW OF ALL ITS LOCAL LAWS AND CONSIDER ANY MATTERS RELATING TO THE MULLEWA CEMETERY DURING THE REVIEW AND;

THAT THE HOURS OF OPERATION OF THE MULLEWA CEMETERY BE AMENDED TO INCLUDE ONLY MONDAY TO THURSDAY AND;

THAT COUNCIL EXTEND AN INVITATION TO ATTEND THE MARCH MEETING OF COUNCIL TO SUPERINTENDENT GERE AND THE NEW SERGEANT IN CHARGE OF MULLEWA POLICE STATION TO DISCUSS THE CLOSURE OF LICENSED PREMISES.

CARRIED 7/1

4.	CROC FESTIVAL
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DATE OF MEETING:	21 February 2007
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	14 February 2007 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits information on the Croc Festival and Mullewa being chosen as a venue and recommends Council involvement.
BACKGROUND:	The attached information at APPENDIX D details what the Croc Festival is about.
COMMENT:	<p>Through my previous contact with the organisers whilst in Meekatharra and prior to commencing in Mullewa, a request was made that a Croc Festival be held in Mullewa. I was contacted a few months ago by the organisers and I indicated that Council <u>could</u> be interested in hosting the festival. However, as can be seen in the attached information, there is a cost both in cash and in-kind support. To balance this cost there does appear a real benefit to the community. The results from the Meekatharra event should be available for the meeting.</p> <p>The event is scheduled for August 14 – 17, 2007, if Council agrees to become involved.</p> <p>As can be seen by the notes provided, consideration will need to be given in the next budget for \$25,000 towards this event, being \$20,000 cash plus \$5,000 in-kind support. The in-kind support should be able to be provided.</p>
CONSULTATION:	Organisers.
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Will have financial impact; however other benefits will flow on to local businesses and community.
STRATEGIC IMPLICATIONS:	Should have positive impact.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL GIVE FAVOURABLE CONSIDERATION IN THE 2007/2008 BUDGET FOR \$20,000 PLUS IN-KIND SUPPORT TOWARDS THE CROC FESTIVAL BEING HELD IN MULLEWA IN AUGUST 2007.

0207.17	DELEGATED AUTHORITY
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Nil

0207.18	CLOSURE OF MEETING
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The President closed the meeting at 4:32pm.

These minutes were confirmed at a meeting on 21 March 2007:

Signed:

A J Messina, President

Date: