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MINUTES

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS:

THE PRESIDENT CR HUTCHINSON DECLARED THE MEETING OPEN AT 10:30
AM

2. RECORD OF ATTENDANCE/ APOLOGIES/ APPROVED LEAVE OF ABSENCE:

ATTENDANCE

CR HUTCHINSON (PRESIDENT)
CR O'DWYER
CR BAIN
CR SMITH
CR BURROWS
CR HOWDEN
CR BAJRAI
CR TRENFIELD
CR NICHOLS
TA HARTMAN CEO
NATALIE HOPE DEPUTY CEO

APOLOGIES

NIL

APPROVED LEAVE OF ABSENCE

NIL

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

NIL

4. PUBLIC QUESTION TIME:

NIL

5. APPLICATIONS FOR LEAVE OF ABSENCE:

NIL

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:

6.1 ORDINARY MEETING HELD 15th October 2005.

-
- * That the minutes of the ordinary meeting of the Shire of Meekatharra held in Council Chambers on 15th October be confirmed, subject to CR Nichols replacing CR O'Dwyer as seconded for the resolution for item 10.1.1; and CR Bujrai replacing CR O'Dwyer as the mover for the resolution for item 10.2.1.

Council Resolution**RESOLVED:(Moved by Cr Bajrai Seconded by Cr Burrows)**

THAT THE MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MEEKATHARRA HELD IN COUNCIL CHAMBERS ON 15TH OCTOBER BE CONFIRMED, SUBJECT TO CR NICHOLS REPLACING CR O'DWYER AS SECONDED FOR THE RESOLUTION FOR ITEM 10.1.; AND CR BUJRAI REPLACING CR O'DWYER AS THE MOVER FOR THE RESOLUTION FOR ITEM 10.2.1.

CARRIED

- 9.0
7. **PETITION/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS:**
- NIL
8. **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION:**
- PRESIDENT REPORTED ATTENDANCE AT THE RECENT CUE PARLIAMENT.
9. **REPORTS OF COUNCILLORS:**
- RECENT MRVC MEETING ATTENDED BY CR NICHOLS

10.1 CHIEF EXECUTIVE OFFICER REPORT SUBMITTED TO THE FULL COUNCIL MEETING TO BE HELD 19TH NOVEMBER 2005.

10.1.1 PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS - 2006

File Ref: A/55

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: Nil

Date of Report: 15th November 2005

Summary: Report raises the awards for Council to select persons, groups or events for the awards.

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

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

There are three awards-

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

The nominations are required to be submitted to the Australian Day Council by Friday December 16th.

Comment: Advertising has been carried out since September 16. At the close of this agenda item, the following nominations have been received –

- * Person Over 25 - Stanley John Bell
Elaine King
- * Person Under 25 - Chantel Wilson
- * Community Group - MOSAIC Group

Consultation: Nil

Statutory Environment: Nil

Policy Implications: Nil.

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 Requirements: Simple majority.

Recommendation:

THAT COUNCIL NOMINATE:

ELAINE KING FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEARS OR OLDER.

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

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

Council Resolution:

RESOLVED: (Moved by Cr Nichols Seconded by Cr O'Dwyer)

THAT COUNCIL NOMINATE:

ELAINE KING FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEARS OR OLDER.

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

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

CARRIED

9.0

10.1.2

AIRPORT SECURITY – TERMINAL BUILDING

File Ref: A/20/7

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: Nil

Date of Report: 15th November 2005

Summary: Report raises Councils awareness for security at the airport and recommends noting possible future requirements concerning passenger scanning.

Background: The Aviation Transport Security Act 2004, requires airport operators of security controlled airports to have an approved Transport Security Program

in place by March 2005. The Aviation Transport Security Regulations require security controlled regional airports to have measures in place to introduce a metal detecting capability to conduct basic passenger scanning at short notice. A further requirement is for the issuance of Aviation Security Identification Cards.

Comment: The attached appendix K forms part of Councils Transport Security Program and outlines the basic requirements when a heightened Security Alert is announced by the Government. The recent Hand Wand Metal Detecting training formed part of the requirement under the regulations to have trained people on hand for the scanning if required.

During the assessment for our Transport Security Program there was little information available on how the control of passengers was going to be handled in times of a heightened alert. At the time it was considered that portable barricades would assist in the control process. The recent “mock” exercise that was carried out at the airport, (which

was suggested by our airport manager) indicated that there was a need to investigate a more permanent solution to control the screening and clearing of passengers, then simply placing out some portable barricades.

There is now talk that since the recent London and Bali bombings and the recent arrests in Australia, that permanent passenger screening may be invoked.

A sketch of a proposal to improve the arrival and departure of passengers is attached to the agenda for consideration.

Consultation: Airport Manager
Training Provider

Statutory Environment: Aviation Transport Security Act 2004
Aviation Transport Security Regulations

Policy Implications: Nil.

Financial Implications: No costings have been investigated

Strategic Implications: Should have positive impact on conduct of screening if introduced.

Voting Requirements: Simple

Recommendation:

THAT COUNCIL NOTE THE REQUIREMENTS OF THE AVIATION TRANSPORT SECURITY ACT AND REGULATIONS AND AUTHORISE THE CEO TO FURTHER INVESTIGATE THE PROPOSED CHANGES TO THE TERMINAL BUILDING AND PURSUE THE FUNDING OPPORTUNITIES THAT ARE AVAILABLE, WITH THE VIEW THAT COUNCIL CONSIDER THE MATTER IN THE 06/07 BUDGET OR BEFORE IF CIRCUMSTANCES CHANGE

Council Resolution:
RESOLVED (Moved by Cr O'Dwyer Seconded by Cr Trenfield)

THAT COUNCIL NOTE THE REQUIREMENTS OF THE AVIATION TRANSPORT SECURITY ACT AND REGULATIONS AND AUTHORISE THE CEO TO FURTHER INVESTIGATE THE PROPOSED CHANGES TO THE TERMINAL BUILDING AND PURSUE THE FUNDING OPPORTUNITIES THAT ARE AVAILABLE, WITH THE VIEW THAT COUNCIL CONSIDER THE MATTER IN THE 06/07 BUDGET OR BEFORE IF CIRCUMSTANCES CHANGE

Voting Requirements: Simple

Recommendation:

THAT COUNCIL CONSIDER THE DESIGN CONCEPTS AND INDICATE PREFERENCES TO ALLOW THE CEO TO PROGRESS THE PROJECT DEVELOPMENT.

Council Resolution:

RESOLVED (Moved by Cr Burrows Seconded by Cr Trenfield)

THAT COUNCIL CONSIDER THE DESIGN CONCEPTS AND INDICATE PREFERENCES TO ALLOW THE CEO TO PROGRESS THE PROJECT DEVELOPMENT. COUNCIL INDICATED PREFERENCE FOR SCHEME 3,4 AND 7 TO BE FURTHER INVESTIGATED.

10.1.4 XMAS / NEW YEAR – ADMINISTRATION OFFICE CLOSURE

File Ref: C/45/11

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: CEO may or may not take the proposed leave.

Date of Report: 15TH November 2005

Summary: Report raises the closure of the office over the Xmas / New Year period.

Background: Most Local Governments in Regional areas close their administrative office for the Xmas / New Year period. This is normally the quite period when many of the towns people leave for annual leave etc.

Comment: Closure of the office allows most of the Staff to spend this period with family and or friends. Over the past two years there has been very little activity or use of the office by the Community. Most businesses and Government agencies who deal with Council over the year also close over this period.

The outside crew, apart from a town crew member, will be breaking up from Friday December 23, 2005, until the morning of Wednesday January 4, 2006.

Emergency contact details can be advertised and some members of the outside crew will remain in Meekatharra and can be called on for emergencies.

All staff have enough leave to cover this period.

Consultation: President
Staff

Statutory Environment: Local Government Act

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple

Recommendation:

THAT COUNCIL ADVERTISE THAT THE ADMINISTRATION OFFICE WILL BE CLOSED FROM 5.00 PM FRIDAY DECEMBER 23, 2005 UNTIL 8.00 AM WEDNESDAY JANUARY 4, 2006.

Council Resolution:

RESOLVED (Moved by Cr Bain Seconded by Cr Nichols)

THAT COUNCIL ADVERTISE THAT THE ADMINISTRATION OFFICE WILL BE CLOSED FROM 5.00 PM FRIDAY DECEMBER 23, 2005 UNTIL 8.00 AM WEDNESDAY JANUARY 4, 2006.

ADOPTED

8.1

10.1.5

ITINERANT TRADERS

File Ref: H/10/36

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: Nil

Date of Report: 15th November 2005

Summary: Report raises matter concerning a complaint received regarding an Itinerant Trader.

Background: The attached letter has been received objecting to a “Trader” who visited Meekatharra on the 2, 3, 4 November, 2005.

Comment: This matter was included in the Councillors Information Bulletin for information and or comment.

As pointed out in the comment in the Bulletin, the trader was moved on from trading from a residential property. Under the “Trading in thoroughfares and Public Places” Local Laws the definition of “Public Place” and “Trading” are very specific.
(See attached information)

“Public Place” does not include premises on private property from which trading is lawfully conducted and “Trading” means the selling etc, from a public place.

If the trader had remained on the residential property and continued to trade an offence was being committed. Likewise if the trading was conducted

from a street etc, with out the appropriate permit. By trading from a premises that trading is permitted, an offence has not been committed.

Further investigation will be carried out in this matter for future controls especially where the competition principles are relevant and must be considered when restricting trade.

Council may have to consider adopting a policy in the future that would assist when determining applications for trading permits.

Consultation: President

Statutory Environment: Local Laws

Policy Implications: Nil.

Financial Implications: Nil

Strategic Implications: May result in positive implications with Local businesses.

Voting Requirements: Simple

Recommendation:

THAT COUNCIL ADVISE THE PROPONENTS OF THE COMPLAINT THAT THEIR CONCERNS ARE ACKNOWLEDGED, HOWEVER, NO ACTION CAN BE TAKEN IF THE TRADERS TRADE FROM A PREMISES THAT TRADING IS LAWFULLY CONDUCTED UNDER WRITTEN LAW. COUNCIL WILL, HOWEVER, INVESTIGATE THE RELEVANT LEGISLATION TO DETERMINE THE APPROPRIATE CONDITIONS FOR ANY FUTURE APPLICANTS FOR TRADING IN MEEKATHARRA.

Council Resolution:

RESOLVED (Moved by Cr Trenfield Seconded by Cr Burrows)

THAT COUNCIL ADVISE THE PROPONENTS OF THE COMPLAINT THAT THEIR CONCERNS ARE ACKNOWLEDGED, HOWEVER, NO ACTION CAN BE TAKEN IF THE TRADERS TRADE FROM A PREMISES THAT TRADING IS LAWFULLY CONDUCTED UNDER WRITTEN LAW. COUNCIL WILL, HOWEVER, INVESTIGATE THE RELEVANT LEGISLATION TO DETERMINE THE APPROPRIATE CONDITIONS FOR ANY FUTURE APPLICANTS FOR TRADING IN MEEKATHARRA.

ADOPTED

9.0

10.1.6

REVIEW OF DOG AND LITTER INFRINGEMENT NOTICES

File Ref:

Reporting Officer: David White Ranger

Disclosure of Interest: Nil

Date of Report: 2nd November 2005

Summary: Report provides information to Council on the problem associated with the issuing of infringement notices and retrieving any outstanding monies owed.

The report also provided information regarding the use of the Fine Enforcements Registry.

Background: As part of an ongoing commitment to limit and maintain dog numbers and discourage litterbug within the Shire of Meekatharra the use of infringement notices is vital in ensuring compliance.

Presently, if an infringement is issued and subsequently not paid it would result in the Shire having to retrieve any outstanding monies through possible court action.

The use of the Fine Enforcement Registry or Debt collector would eliminate the need for Shire involvement as the Registry would pursue the matter on the Shires behalf.

Comment:

That attached information outlines how the Fine Enforcement Registry system works.

The use of the registry for unpaid infringements would limit any need for court action and any outstanding monies owed could be retrieved.

The failure by offenders to pay could result in the suspension of their drivers licence or restriction from obtaining a drivers licence until the outstanding fine is paid.

There are currently a large number of Prosecuting Authorities / Councils using the registry in WA which allows them to administer and recover costs of infringement notices more effectively.

The current system that is used by most authorities is the Ranger Infringement Notice Administration System. This system will need to be purchased by the Shire and is compatible with the Fine Enforcement Registry.

Alternately there is another system available through IT Vision called Synergy Soft Infringements. The package is similar to that of the Ranger Infringement Notice System and the Shire currently runs Synergy Soft, software so the use of IT Vision software would already be compatible with our system and uses a debt collecting agency for unpaid fines.

Consultation:

Tom Hartman

Statutory Environment:

Dog Act 1976, Litter Act 1979

Policy Implications:

Nil.

Financial Implications:

The estimated initial set up cost for the Ranger Infringement Notice System will be \$1,100 for the program and \$275 per annum for maintenance.

For the estimated initial set up cost for IT Vision Synergy Soft program (SEE ATTACHED)

There will also be costs associated with lodgement of infringement notices with Fine Enforcements. (SEE ATTACHED)

Strategic Implications: Should promote compliance within the community, limit dog numbers and discourage littering.

Voting Requirements: Simple majority

Recommendation:

THAT COUNCIL NOTE THE FINE ENFORCEMENT REGISTRY SYSTEM OR THE USE OF DEBT COLLECTORS, AND ENCOURAGE FURTHER INVESTIGATION INTO THE MOST ADVANTAGEOUS SYSTEM.

Council Resolution:

RESOLVED (Moved by Cr O'Dwyer Seconded by Cr Nichols)

THAT COUNCIL NOTE THE FINE ENFORCEMENT REGISTRY SYSTEM OR THE USE OF DEBT COLLECTORS, AND ENCOURAGE FURTHER INVESTIGATION INTO THE MOST ADVANTAGEOUS SYSTEM.

ADOPTED

9.0

10.2 DEPUTY CHIEF EXECUTIVE OFFICER REPORT SUBMITTED TO THE FULL COUNCIL MEETING TO BE HELD 19th NOVEMBER 2005

10.2.1 **Annual Report - Auditors Report**

File Ref: A/51

Reporting Officer: Natalie Hope Deputy CEO.

Disclosure of Interest: Nil.

Date of Report: 14th November 2005

Summary Annual Report – Auditors Report

Background: The Council must prepare an Annual Report in accordance with Section 5.53(1) of the Local Government Act 1995. Section 5.54(2) of the Act requires a Council to accept the Annual Report no later than the 31st December after that financial year. Section 5.55 requires the CEO to advertise that the Annual Report is available for public inspection after Council has accepted it. Section 5.27(2) Requires that a general meeting be held on a day selected by the local government but not more than 56 days after acceptance of the annual report. Financial Management Regulation 51 requires a copy of the Annual Financial Report to be forwarded to the

Executive Director within 30 days of receipt by the CEO of the Auditor's report on that financial report. This has been attended to.

Comment: The Annual Report is attached. It has been prepared and includes; Shire Presidents report; CEO's report; Financial Report; and Auditors report.

Consultation: CEO.

Statutory Environment: Local Government Act 1995 Sections 5.27(2), 5.53(1) 5.55, 6.4. Financial Management Regulations 51.

Policy Implications: Nil.

Financial Implications: Nil.

Strategic Implications: Nil.

Voting Requirements: Simple Majority

Recommendation:

THE COUNCIL IN ACCORDANCE WITH THE RELEVANT SECTIONS ;

1. ACCEPTS THE 2004/2005 ANNUAL REPORT INCORPORATING THE AUDITORS REPORT.
2. ACCEPTS THE ANNUAL AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2005.
3. ADVERTISE THAT THE ANNUAL REPORT IS AVAILABLE FOR PUBLIC INSPECTION.
4. SET THE DATE AND TIME FOR THE ANNUAL ELECTORS MEETING TO BE HELD ON 17TH DECEMBER 2005 IN THE COUNCIL CHAMBERS COMMENCING AT 1PM.

Council Resolution:**RESOLVED (Moved by Cr O'Dwyer Seconded by Cr Bujrai)****THE COUNCIL IN ACCORDANCE WITH THE RELEVANT SECTIONS ;**

5. ACCEPTS THE 2004/2005 ANNUAL REPORT INCORPORATING THE AUDITORS REPORT.
6. ACCEPTS THE ANNUAL AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30TH JUNE 2005.
7. ADVERTISE THAT THE ANNUAL REPORT IS AVAILABLE FOR PUBLIC INSPECTION.
8. SET THE DATE AND TIME FOR THE ANNUAL ELECTORS MEETING TO BE HELD ON 17TH DECEMBER 2005 IN THE COUNCIL CHAMBERS COMMENCING AT 1PM.

ADOPTED

9.0

10.2.2 Amalgamate Portion of Laneway into Lot 428**File Ref:** Lot File 428**Reporting Officer:** Natalie Hope Deputy CEO.**Disclosure of Interest:** Nil.**Date of Report:** 14th November 2005**Summary** Amalgamate Lot 428 portion of Laneway

Background: The Council received a letter dated the 17th October 2005 from the Department of Planning and Infrastructure in regards to Lot 428 Railway Street currently leased to a Graham Sisson for the purpose Light Industrial. Graham Sisson has requested that the unused portion of laneway approximately 6 metres wide on the south boundary be amalgamated into Lot 428. The Department of Planning and Infrastructure has requested the Shire's comments or objections for them to enable further action.

Comment: Attached is a copy of the requesting letter and a map showing the laneway in question.

Recent inspection of the laneway reveals that it has been physically closed for a number of years and is included within the old Main Roads Depot boundary fence.

- Consultation:** CEO, Graham Sisson and the Department of Planning and Infrastructure.
- Statutory Environment:** Land Administration Act
- Policy Implications:** Nil.
- Financial Implications:** Possible advertising costing at a later stage if approved.
- Strategic Implications:** Nil.
- Voting Requirements:** Simple Majority

Recommendation:

THAT COUNCIL ADVISE THE DEPARTMENT OF PLANNING AND INFRASTRUCTURE THAT IT HAS NO COMMENTS OR OBJECTIONS IN REGARDS TO THE AMALGAMATION OF LANEWAY INTO LOT 428 RAILWAY STREET.

Council Resolution:

RESOLVED (Moved by Cr Nichols Seconded by Cr Bain)

THAT COUNCIL ADVISE THE DEPARTMENT OF PLANNING AND INFRASTRUCTURE THAT IT HAS NO COMMENTS OR OBJECTIONS IN REGARDS TO THE AMALGAMATION OF LANEWAY INTO LOT 428 RAILWAY STREET.

ADOPTED

9.0

10.2.3

ACCOUNTS TO BE PAID

File Ref:

F/6

Reporting Officer:

Natalie Hope - Deputy CEO.

Disclosure of Interest:

Nil.

Date of Report: 14th November, 2005

Summary: The following accounts are presented to Council for payment:

Municipal	Voucher No.s 21288 - 311005	Amount:\$
717,654.42		
Trust Account	Voucher No.s None	Amount: \$
Air BP Account	Voucher No.s Various	Amount: \$
2,795.52		

Voting Requirements: Simple majority.

Recommendation:

THAT THE ACCOUNTS AS DETAILED BE PAID.

Council Resolution:

RESOLVED (Moved by Cr O'Dwyer Seconded by Cr Smith)

THAT THE ACCOUNTS AS DETAILED BE PAID.

ADOPTED

9.0

10.2.4

**MONTHLY FINANCIAL REPORT FOR THE PERIOD TO 31st
October 2005**

File Ref: F/6

Reporting Officer: Natalie Hope - Deputy CEO

Disclosure of Interest: Nil

Date of Report: 14th November 2005

Summary: Monthly Report

Background: A monthly financial report is to be presented to Council at the next ordinary meeting following the end of the reporting period.

Comment: Nil

Consultant: Nil

Statutory Environment: Local Government Act 1995 Section 6.4
Financial Management Regulations 34 & 35

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Voting Requirements: Simple majority

Recommendation:

THAT THE FINANCIAL REPORT FOR THE PERIOD ENDING 31st October 2005 BE RECEIVED.

Council Resolution:
RESOLVED (Moved by Cr O'Dwyer Seconded by Cr Bujrai)

THAT THE FINANCIAL REPORT FOR THE PERIOD ENDING 31st October 2005 BE RECEIVED.

ADOPTED

9.0

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

NIL

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING:

NIL

13. CLOSURE OF MEETING:

THE PRESIDENT CR HUTCHINSON DECLARED THE MEETING CLOSED AT 12.05 PM.