
TABLE OF CONTENTS		Page
1.	DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS:	2
2.	RECORD OF ATTENDANCE/ APOLOGIES/ APPROVED LEAVE OF ABSENCE:	3
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:	3
4.	PUBLIC QUESTION TIME:	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE:	3
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:	
	6.1 ORDINARY MEETING HELD 16 th April 2005.	4
7.	PETITION/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS:	4
8.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION:	4
9.	REPORTS OF COUNCILLORS:	4
10.	REPORTS OF OFFICERS:	
	10.1 CHIEF EXECUTIVE OFFICER	
	<i>10.1.1 Adoption of Local Laws.</i>	5
	<i>10.1.2 Delegation Manual 2005.</i>	8
	<i>10.1.3 Policy Manual 2005.</i>	9
	<i>10.1.4 High Fence Application - 555 Oliver Street</i>	11
	10.2 MANAGER OF FINANCE AND ADMINISTRATION	
	<i>10.2.1 Accounts to be paid.</i>	13
	<i>10.2.2 Monthly Financial Report for the Period to 30 April 2005</i>	13
11.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	14
12.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING:	14
13.	CLOSURE OF MEETING:	14

MINUTES

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS:

THE MEETING WAS OPENED BY THE CEO AT 10:05 AM.

ELECTION OF PRESIDENT

THE CEO PRESIDING CALLED FOR NOMINATIONS FOR PRESIDENT. ONE NOMINATION IN WRITING WAS RECEIVED , NOMINATING CR HUTCHINSON. CR HUTCHINSON ACCEPTED THE NOMINATION AND WAS DECLARED ELECTED TO THE POSITION OF PRESIDENT. CR HUTCHINSON MADE HIS DECLARATION BEFORE THE CEO.

ELECTION OF DEPUTY PRESIDENT

THE PRESIDENT CALLED FOR NOMINATIONS FOR DEPUTY PRESIDENT. ONE NOMINATION IN WRITING WAS RECEIVED FOR CR O'DWYER. CR O'DWYER ACCEPTED THE NOMINATION AND WAS DECLARED ELECTED TO THE POSITION OF DEPUTY PRESIDENT AND MADE HIS DECLARATION BEFORE THE PRESIDENT.

ELECTION OF DELEGATES AND AUDIT COMMITTEE

- REGIONAL ROAD GROUP

Council Resolution

RESOLVED: (Moved by Cr. Bajrai Seconded By Cr. Howden)

THAT CR O'DWYER BE COUNCILS DELEGATE.

CARRIED 9.0

- MURCHISON ZONE OF WALGA

Council Resolution

RESOLVED: (Moved by Cr. O'Dwyer Seconded By Cr. Howden)

THAT THE PRESIDENT AND CEO BE COUNCILS DELEGATES.

CARRIED 9.0

- MURCHISON REGIONAL HEALTH SCHEME

Council Resolution

RESOLVED: (Moved by Cr. O'Dwyer Seconded By Cr. Howden)

THAT CR TRENFIELD BE COUNCILS DELEGATE.

CARRIED 9.0

- AUDIT COMMITTEE

Council Resolution

RESOLVED: (Moved by Cr. Trenfield Seconded By Cr. O'Dwyer)

THAT ALL MEMBERS OF COUNCIL BE APPOINTED AS MEMBERS OF THE AUDIT COMMITTEE.

CARRIED BY ABSOLUTE MAJORITY 9.0

- MURCHISON REGIONAL VERMIN COMMITTEE

Council Resolution

RESOLVED: (Moved by Cr. Bain Seconded By Cr. Burrows)

THAT CR NICHOLS AND CR HOWDEN BE COUNCILS DELEGATES.

CARRIED 9.0

CR TRENFIELD LEFT THE MEETING AT 10:20 AM.

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

CR HUTCHINSON	(PRESIDENT)
CR O'DWYER	(DEPUTY PRESIDENT)
CR BAIN	
CR SMITH	
CR BURROWS	
CR HOWDEN	
CR BAJRAI	
CR TRENFIELD	(LEFT MEETING AT 10:20 AM)
CR NICHOLS	
TA HARTMAN	CEO
KEITH ANDERSON	FINANCIAL CONSULTANT

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

NIL

4. PUBLIC QUESTION TIME:

NIL

5. APPLICATIONS FOR LEAVE OF ABSENCE:

THAT LEAVE BE GRANTED FOR CR HOWDEN FOR THE JUNE 2005 ORDINARY MEETING.

Council Resolution:

RESOLVED: (Moved by Cr Nichols Seconded by Cr Bajrai)

THAT LEAVE BE GRANTED FOR CR HOWDEN FOR THE JUNE 2005 ORDINARY MEETING.

CARRIED 8.0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:

6.1 ORDINARY MEETING HELD 16th April 2005.

Council Resolution

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

THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF MEEKATHARRA HELD IN THE COUNCIL CHAMBERS ON 16TH APRIL 2005 BE CONFIRMED

CARRIED 8.0

7. PETITION/ DEPUTATIONS/ PRESENTATIONS/ SUBMISSIONS:

NIL.

8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION:

THE PRESIDENT ADVISED ATTENDANCE AT THE RECENT MURCHISON ZONE MEETING OF WALGA IN CUE.

9. REPORTS OF COUNCILLORS:

NIL.

10.1 CHIEF EXECUTIVE OFFICER REPORT SUBMITTED TO THE FULL COUNCIL MEETING TO BE HELD 21ST MAY 2005.

10.1.1 Adoption of Local Laws

File Ref: L/52

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: Nil

Date of Report: 13th May 2005

Summary: Resolution to make Local Laws.

Background: Section 3.16 of the Local Government Act 1995 (The Act) requires that all of the Local Laws of Local Governments must be reviewed within an eight (8) year period after their commencement to determine if they should remain unchanged or be repealed or amended. For the Shire of Meekatharra the enactment of the 1995 Local Government Act which converted previous By-Laws to Local Laws resulted in a review date of 01 July 2004. The review was commenced in 2002 but never completed.

Table 1 show all current Local Laws for the Shire of Meekatharra.

Gazette Date	Title
25/02/1916	Loan Poll Special Roll
5/07/1929	Poundage Fees
3/01/1936	Stall keepers - General
19/06/1936	Dogs
11/12/1942	Employees Appointment of
7/01/1943	Roads Stock Using
8/06/1951	Long Service Leave
21/09/1951	Road Damage to
2/04/1953	Straying Stock
26/10/1962	Old Refrigerators and Cabinets - Draft Model by-law No. 8
21/07/1965	Prevention of Damage to Streets - Draft Model by-law No. 15
24/05/1966	Memorial Swimming Pool
13/07/1966	Petrol Pumps - Draft Model by-law No. 10
23/03/1967	Deposit of Refuse & Litter - Draft Model by-law No. 16
19/02/1969	Sick Leave
19/02/1969	Storage of Inflammable Liquids - Draft Model by-law No. 12
26/06/1981	Cemeteries
4/08/1995	Trading in Public Places

15/09/1995	Refuse, Rubbish, Litter, Vehicle Bodies, Disused and unsightly items or objects from land Removal of
13/03/1998	Caravan Parks

Comment:

As can be seen from the above table all of the existing laws are either redundant or out of date. Many have been incorporated into other Acts or Regulations. Rather than review existing laws which under section 3.16 of the Act requires a separate process, it is more effective, economical and time saving to simply repeal existing laws and create new ones where necessary.

The West Australian Local Government Association (formerly WAMA) developed in 2002 a Local Laws Manual which contained guidelines and “model” local laws for adaptation to each Council. Most Councils including Meekatharra have used these laws as a basis for their own. During the review in 2002 new Meekatharra Local Laws were developed in line with these guidelines and to provide conformity with neighbouring shires.

Each Local Law is approximately 30 pages in length and was attached to the March 2005 Agenda for perusal by Councillor’s under separate cover.

At the March, 2005, meeting a summary of the purpose and effect of the following proposed new laws were read aloud by the president.

Dogs Local Law

Purpose and Effect – To control the number of Dogs that can be kept on premises and the manner of keeping those dogs and to prescribe areas in which dogs are prohibited and dog exercise areas.

Bush Fire Brigades Local Law

Purpose and Effect – To provide for the organization, maintenance and equipment of Bush Fire Brigades.

Public Cemetery Local Law

Purpose and Effect - To provide for the orderly management of the Meekatharra Public Cemetery in accordance with established plans and to create offences for inappropriate behaviour within the cemetery grounds.

Activities in Thoroughfares and Public Places Local Law

To contain within one local law all local laws regulating activities in thoroughfares and public places, and trading.

Local Government Property Local Law

To regulate the care, control and management of all property of the local government other than thoroughfares.

Shire of Meekatharra Health Local Laws

To provide for proper sanitary and health requirements for people living in the shire and to maintain appropriate public health standards.

Standing Orders Local Law

To provide for the orderly conduct of meetings of the Council and committees, the manner of making an effective petition to the local government, and for the safe custody and use of the Common Seal.

Repeal Local Law 2005

To repeal local laws on a variety of subjects, considered to be superfluous, obsolete or defunct.

Councils intention to adopt the proposed Local Laws were published in the "West Australian" on Wednesday March 30 and advertised on the notice board for public comment. During the submission period closing on May 17, 2005, no submissions or comments were received.

Consultation: K E Anderson.

Statutory Environment: Local Government Act 1995 Section 3.12.
The Statutory process for making and adoption of new Local Laws is contained under Section 3.12 of the Act.
Local Government (Functions and General) Regulations 37 and 38.

Council is first required to compile the law and then

- At a Council meeting, read aloud (CEO) a summary of the purpose and effect of the Local Law,
- Give Statewide Public Notice and invite submissions,
- Provide copies to relevant Ministers,
- Adopt the law and
- Gazette the Law.

Policy Implications: New Local laws.

Financial Implications: Advertising and Gazettal Costs.

Strategic Implications: Allows Council to adequately enforce various matters if and when required.

Voting Requirements: Special Majority (if more than 11 members).
Absolute Majority (if less than 11 members).

Recommendation:

THAT COUNCIL ADOPTS AND MAKES THE FOLLOWING LOCAL LAWS -

- REPEAL LAW 2005 LOCAL LAW

- STANDING ORDERS LOCAL LAW
- LOCAL GOVERNMENT PROPERTY LOCAL LAW
- ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING LOCAL LAW
- DOGS LOCAL LAW
- MEEKATHARRA PUBLIC CEMETERY LOCAL LAW
- BUSH FIRE BRIGADES LOCAL LAW
- HEALTH LOCAL LAW

Council Resolution:**RESOLVED: (Moved Cr. Nichols Seconded Cr. Smith)****THAT THE MATTER LAY ON THE TABLE.****CARRIED 8.0**

NOTE: THE RESOLUTION DIFFERS TO THE RECOMMENDATION DUE TO THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT REQUIRING CHANGES TO THE DRAFT LOCAL LAWS.

10.1.2 Delegation Manual 2005**File Ref:** D/16**Reporting Officer:** Tom Hartman CEO.**Disclosure of Interest:** Nil.**Date of Report:** 13th May 2005.**Summary:** Report re-submits a draft for consideration for adoption of updated Delegation Manual.**Background:** Section 5.46 of the Local Government Act 1995 requires the Chief Executive Officer to keep a register of delegations made and to review the register at least once annually.**Comment:** The register has now been reviewed and is attached for Councils perusal. This review has been undertaken along with the review of Councils Policy Manual. As can be noted there has been instances in the past where some policies have been developed when it is clearly a delegation. To allow the organisation to function more efficiently, Council should consider delegating

the powers to the CEO, who then can delegate to the responsible officer. This matter was submitted to the April 2005 meeting and it was suggested that the Delegation Manual be revised and considered for adoption at the May 2005, meeting.

- Consultation:** K E Anderson.
- Statutory Environment:** Local Government Act 1995 Section 5.46
- Policy Implications:** Revised Policies 2005.
- Financial Implications:** Nil.
- Strategic Implications:** Nil.
- Voting Requirements:** Absolute Majority.

Recommendation:

1. THAT ALL DELEGATIONS OF THE SHIRE OF MEEKATHARRA DATED PRIOR TO 01 MARCH 2005 BE RESCINDED AND
2. THAT THE DELEGATIONS CONTAINED WITHIN “THE SHIRE OF MEEKATHARRA DELEGATIONS REGISTER 2005” BE ADOPTED (IN BULK).

Council Resolution:

RESOLVED: (Moved Cr. Bain Seconded Cr. Bajrai)

3. THAT ALL DELEGATIONS OF THE SHIRE OF MEEKATHARRA DATED PRIOR TO 01 MARCH 2005 BE RESCINDED AND
4. THAT THE DELEGATIONS CONTAINED WITHIN “THE SHIRE OF MEEKATHARRA DELEGATIONS REGISTER 2005” BE ADOPTED (IN BULK).

CARRIED BY ABSOLUTE MAJORITY 8.0

10.1.3 Policy Manual 2005

- File Ref:** P/22
- Reporting Officer:** Tom Hartman CEO.
- Disclosure of Interest:** Nil
- Date of Report:** 13th May 2005
- Summary:** Report re-submits a draft for consideration for adoption of updated Policy Manual.

Background:	<p>Council's Policy Manual has not been reviewed since 1998 although some additional policies have been approved from time to time. These additional policies were not incorporated into the manual. This agenda reviews all previous policies and issues new ones where considered necessary. A good workable policy allows local government perform its functions under the Act and allows the Council to ensure that there is an appropriate structure for administering the Local Government.</p>
Comment:	<p>The April agenda consisted of two (2) manuals.</p> <ul style="list-style-type: none"> • The original 1998 manual is provided to refresh Council's memories of existing policies. After each policy I have provided a note (in italics and large print) to advice of the action being taken. • The revised 2005 manual is for later adoption. The origin of the policy is shown in <i>outline</i> for Councillors information. <p>Councillors were urged to read all the above policies to ensure that they reflect Councils wishes.</p> <p>In particular in the 2005 manual Councillors should read Policies; 1.4, 1.9, 1.12, 1.13, 1.17, 2.3, 2.13, 2.24. Policy 2.13 requires Council input before adoption. Should Council wish to make changes to any policy or add new ones, the manual should be amended before adoption. There is no urgency on this matter and adoption of the manual may be left to a later meeting if required. It is suggested that the "Draft" Policy Manual be discussed and adopted at the May 2005 meeting. It must be remembered that policies can be adopted, amended or rescinded at any time.</p>
Consultation:	K E Anderson.
Statutory Environment:	Local Government Act 1995 Section 3:18 and 5.12.
Policy Implications:	Revised Policies 2005
Financial Implications:	Nil.
Strategic Implications:	Nil.
Voting Requirements:	Absolute Majority.

Recommendation:

1. THAT ALL POLICIES OF THE SHIRE OF MEEKATHARRA DATED PRIOR TO 01 MARCH 2005 BE RESCINDED AND
2. THAT THE POLICIES CONTAINED WITHIN "THE SHIRE OF MEEKATHARRA POLICY MANUAL 2005" BE ADOPTED (IN BULK).

Council Resolution:

RESOLVED: (Moved Cr. Burrows Seconded Cr. Howden)

1. THAT ALL POLICIES OF THE SHIRE OF MEEKATHARRA DATED PRIOR TO 01 MARCH 2005 BE RESCINDED AND
2. THAT THE POLICIES CONTAINED WITHIN "THE SHIRE OF MEEKATHARRA POLICY MANUAL 2005" AS AMENDED WITH THE DELETION OF POLICY 4.2 BE ADOPTED (IN BULK).

CARRIED BY ABSOLUTE MAJORITY 8.0

10.1.4 High Fence Application - 555 Oliver Street

CR BURROWS DECLARED AN INTEREST. INTEREST BEING OWNER OF LAND. CR BURROWS LEFT THE ROOM AT 12:35 PM

File Ref: Lot File: 555 Oliver Street.

Reporting Officer: Tom Hartman CEO.

Disclosure of Interest: Nil.

Date of Report: 16th May 2005

Summary: This report raises matter for Councils attention regarding an application for a high fence that conforms to an 'Acceptable Development' provision of the Residential Design Codes of WA.

Background: The occupier of 555 Oliver Street has submitted an application to erect a security fence (pool type) 1.8m high to the front of the property.

The codes require as 'Acceptable Development' front walls and fences within the primary street setback area to be no higher than 1.2 metres. Fences higher than 1.2 metres should be 'visually permeable'.

Comment: The codes have been drafted to provide a straight forward pathway to approval via the 'deemed to comply' Acceptable Development provisions where these provisions are not met an applicant may seek a discretionary approval from Council. All code provisions (except site requirements set out

in Table 1) are open to the exercise of discretion. This application complies with the code due to being visually permeable.

In all other situations the following applies -

In considering whether to grant a discretionary approval, Council should adopt a consistent approach, taking into account:

- The performance criteria eg, the need to provide protection from noise and headlight glare, security, etc.
- The provision of the Scheme
- Contents of any Local Planning Policy. (Council does not have a policy)

Council should also consider any neighbour consultation that may be required, especially where the proposal has the potential to adversely affect the amenity of any adjoining property.

Consultation: Nil

Statutory Environment: Shire of Meekatharra Town Planning Scheme No. 3
Residential Design Codes of Western Australia.

Policy Implications: Nil.

Financial Implications: Nil.

Strategic Implications: Nil.

Voting Requirements: Simple Majority.

Recommendation:

- THAT COUNCIL APPROVE THE APPLICATION

Council Resolution:

RESOLVED: (Moved Cr. Nichols Seconded Cr. Bain)

- THAT COUNCIL APPROVE THE APPLICATION

CARRIED 7.0

CR BURROWS DID NOT VOTE. RETURNED TO THE ROOM AT 12:36 PM

10.2 MANAGER OF FINANCE AND ADMINISTRATION REPORT
SUBMITTED TO THE FULL COUNCIL MEETING TO BE HELD
21ST MAY 2005

10.2.1 Accounts to Be Paid

File Ref: F/6

Reporting Officer: Rose Jones - Manager of Finance and Administration.

Disclosure of Interest: Nil.

Date of Report: 12 May, 2005

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

Municipal	Voucher No.s	Amount: \$
Trust Account	Voucher No.s	Amount: \$
Air BP Account	Voucher No.s	Amount: \$

Voting Requirements: Simple majority.

Recommendation:

- THAT THE ACCOUNTS AS DETAILED BE PAID.

Council Resolution:

RESOLVED: (Moved Cr. O'Dwyer Seconded Cr. Smith)

- THAT THE ACCOUNTS AS DETAILED BE PAID.
-

CARRIED 8.0

10.2.2 Monthly Financial Report for the period to 30 April 2005

File Ref: F/6

Reporting Officer: Rose Jones - Manager of Finance and Administration.

Disclosure of Interest: Nil.

Date of Report: 12th May 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.
Consultation:	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 30 APRIL 2005 BE RECEIVED.

Council Resolution:

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

THAT THE FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2005 BE RECEIVED.

CARRIED 8.0

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 12:40 PM.