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**MINUTES**

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**APPENDIX A – Accounts paid by Authority – Blue Pages**

**APPENDIX B – Financial Report – Green Pages**

**APPENDIX C – Road Re-sheeting – Yellow Pages**

**APPENDIX D – Rates for Write Off – Orange Pages**

**MINUTES**

**1 Declaration of Opening and Announcement of Visitors**

This meeting was declared open at 10.10am

**2 Record of Attendance / Apologies and Leave of Absence Previously Approved**

**Attendance**

Cr Kerrie Johnston (Council President)

Cr John Kyanga (Deputy President)

Cr Anne Geary

Cr Darren Farmer

Cr Kenny Farmer

Anthony Kirwan (Chief Executive Officer)

Vince Bugna (Manager of Admin & Finance)

Christine Massaga (Rates & Finance Officer)

Thomas Milo (Works Foreman)

Helen Ansell (Art Gallery Manager)

Kim Ansell (Youth, Sports & Recreation Officer)

Gwen Rakabula (Homemaker)

Donna Shepherd (Development Officer)

Vanessa Elliot (Dep't of Local Gov. & Regional Development)

**Apologies**

Cr Catherine Carton

**3 Response to Previous Public Questions Taken on Notice**

Nil

**4 Public Question Time**

Nil

**5 Application for Leave of Absence**

Nil

**6 Petitions and Deputations**

Nil

**7 Confirmation of Minutes of Previous Meeting**

The Minutes of the Meeting Held on 22<sup>nd</sup> May 2007 be accepted as a true record of that meeting

**31/07 Council Decision**

**MOVED Cr A Geary**

**SECONDED Cr J Kyanga  
CARRIED 5/0**

## 8 Announcements by Presiding Member without Discussion

### Presidential Report

Cr Kerrie Johnston

Thank you to BHP Billiton for their contribution to Wiluna children's trip to Perth recently. Thanks to the Shire sports and recreation staff for organising the activities for the children for which they enjoyed the trip and sports activities.

Thank you to Tim Ackart for his visit and assistance with the Art Gallery and for the possible funding for Art Gallery activities.

## 9 Reports of Committees and Officers

### 9.1 Chief Executive Officer Reports

<b>9.1.1 Subject/Applicant:</b>	<b>Status Report</b>
Reporting Officer:	A Kirwan, Chief Executive Officer
Date of Report:	12 <sup>th</sup> June 2007
Disclosure of Interest:	Nil

#### Fire Training

FESA conducted a two-day training course for fire fighters in the Shire. There were enough volunteers for two teams. Two team leaders will be sent to Geraldton for further training in August.

#### Dogs

Dogs continue to be a problem in town despite the Shire and AMS running an information and control program. Firmer action will now be undertaken on specific properties where a large number of dogs reside.

#### Construction of Park

The construction of the park is progressing well although some vandalism has occurred.

#### Homemaker Program

The Homemaker program now has a new staff member who is expected to begin soon.

#### Literacy Program

The Shire has agreed to employment terms with a very well qualified teacher. Part of the terms of reference is that she seeks Commonwealth Government funds for the project, which she has done and an answer is expected soon.

#### Land Release

The Deed of Agreement between the Shire and the Department for Planning and Infrastructure has finally been signed and is in operation. Three people have applied for residential blocks in the new subdivision.

#### Commonwealth Agencies

The Shire of Wiluna of Wiluna has had extensive contacts with the Commonwealth including DEWR, ICC, Work for the Dole, Facsia and Centrelink. This has been in connection with CDEP and the changes to the funding rules that will occur in the new financial year.

### Wiluna Development Project

The consultant is preparing a final report for Council. The project seems to be going well but continues to take up a large amount of time of staff.

### Officer Recommendation

For information and discussion only

<b>9.1.2 Subject/Applicant:</b>	<b>Tender No 1 Unsealed Re-sheeting Program</b>
Reporting Officer:	A Kirwan, Chief Executive Officer T Milo, Works Foreman
Date of Report:	8 <sup>th</sup> June 2007
Disclosure of Interest	Nil

### Summary

Tenders were invited to supply the hourly rate for a road grader, equivalent to a 14-foot mouldboard, and a road train and loader for the unsealed road re-sheeting program in the Shire.

### Background

During 2006/07 the Shire contracted its road re-sheeting program, which it managed to complete. Approximately 77 kilometres were re-sheeted and a similar amount is planned for 2007/08.

### Comment

The Shire is planning a similar road program for 2007/2008:

1. There is a particularly bad stretch of road near Glen Ayle and the program will begin there.
2. The contract maintenance grading will continue as a separate contract.
3. If and when the price of fuel increases the length of road re-sheeted will decrease proportionately.

### Tenders

Tenders were advertised in accordance with Council policy and closed on Friday 1<sup>st</sup> June 2007. A number of inquiries were made, tender documents sent out and two tenders were received.

### Selection Criteria

The following were the Selection Criteria.

Price	60%
Machinery age, condition, backup,	15%
Accreditation of equipment	10%
Road traffic control accreditation	5%
Water/fuel capacity	5%
Communication	5%

The actual assessment is shown in the attachment.

### Comments on the Tender

1. Goodwork Holdings provided the lowest prices but was outscored on the other assessment criteria. If Goodwork Holdings had provided Road Traffic Control Accreditation the tenders would have been extremely close.
2. Northern Goldfields Earthmoving had the highest score in the tendering process. Although not the cheapest tender they outscored Goodwork Holdings in other important areas.
3. The main areas of difference were that Northern Goldfields Earthmoving scored higher in the machinery age, condition and backup services as well as Road Traffic Control Accreditation.

Scoring	Goodwork	NGE
Price	60	53
Machinery age, condition, back up	8	14
Accreditation of Equipment	10	10
Road traffic control accreditation	0	5
Water/fuel capacity	4	5
Communication	<u>4</u>	<u>5</u>
<b>Total</b>	<b>86</b>	<b>92</b>

Note 1: A 5% variation was not applied because both contractors meet the Shire definition of being a local supplier of goods and services. This definition says:

*'A local supplier of goods and services is considered to be one residing in or actively carrying on business within the Shire district.'*

Note 2: The actual assessment and notes are shown on the attachment.

NGE has also won the tender for our road maintenance-grading program. This is an advantage for the Shire because equipment can be changed around and moved where back up is required.

### Statutory Environment

Local Government Act 1995, Section 3.57 and Local Government (Functions and General) Regulations 1996, Part 4, 'Tenders for Providing Goods and Services'.

### Policy Implications

Nil

### Financial Implications

Funding for the re-sheeting is included in the 2007/08 budget estimates.

The assessment of the tenders is highlighted in the attachment and indicates that Northern Goldfields Earthmoving is the preferred tenderer.

### Strategic Implications

The re-sheeting program is important to the Shire as we continue to improve the standard of roads in the Shire.

**Voting Requirement**

Simple majority

**Officer Recommendation / Draft Motion**

That the Council accept the without fuel tender prices submitted by Northern Goldfields Earthmoving of \$159.50 per hour for the grader and \$167.50 for the road train and loader for the road re-sheeting program in the Shire of Wiluna for a period of two years 2007/08 and 2008/09.

**32/07 Council Decision**

**MOVED Cr J Kyanga**

**SECONDED Cr D Farmer**

**CARRIED 5/0**

**9.2 Manager Finance and Administration Officer Reports**

<b>9.2.1 Subject/Applicant:</b>	<b>Accounts paid by Authority</b>
File:	Finance
Reporting Officer:	Vince Bugna, Manager Finance & Admin
Date of Report:	12 <sup>th</sup> June 2007
Disclosure of Interest	Nil

**Summary**

In accordance with the Financial Management Regulations a list of accounts paid by the Chief Executive Officer is presented to Council.

**Background**

The list of accounts for the period ending 31<sup>st</sup> May 2007 is listed as Appendix A – Blue Pages.

**Comment**

Nil

**Consultation**

Nil

**Statutory Environment**

Local Government Financial Management Regulations 1996 – Regulations 34-35.l

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority

**Officer Recommendation / Draft Motion**

That the accounts paid by authority for the period ended 31<sup>st</sup> May 2007 totalling \$466,365.89 be received, noted and incorporated in the Minutes of the meeting.

**33/07 Council Decision**

**MOVED CR J Kyanga      SECONDED Cr A Geary  
CARRIED 5/0**

<b>9.2.2 Subject/Applicant:</b>	<b>Financial Report</b>
File:	Finance
Reporting Officer:	Vince Bugna, Manager Finance & Admin
Date of Report:	12 <sup>th</sup> May 2007
Disclosure of Interest:	Nil

**Summary**

Section 6.4 of the Local Government Act 1995 requires the CEO to prepare monthly/quarterly financial reports in accordance with the provisions of regulation 34 and 35 of the Local Government Act (Financial Management) Regulations 1996.

**Background**

The reports for the period ending 31<sup>st</sup> May 2007 are listed as Appendix B – Green Pages.

**Comment**

Nil

**Consultation**

Nil

**Statutory Environment**

Local Government Financial Management Regulations 1996 – Regulations 34-35

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority

**Officer Recommendation / Draft Motion**

That the Financial Reports for the period ending 31<sup>st</sup> May 2007 be received noted and incorporated in the Minutes of the Meeting.

**34/07 Council Decision**

**MOVED CR J Kyanga      SECONDED Cr D Farmer  
CARRIED 5/0**

<b>9.2.3 Subject/Applicant:</b>	<b>Sundry Debtors for Write-Off</b>
File:	12.00.22/12.00.08
Reporting Officer:	Vince Bugna, Manager Finance & Admin
Date of Report:	12 <sup>th</sup> May 2007
Disclosure of Interest	Nil

### Summary

To seek Council approval to write-off outstanding amounts owed to the Shire by Sundry Debtors.

### Background

In accordance with Section 6.12 of Local Government Act 1995, the Council is empowered to write-off monies owing to the Shire of Wiluna.

### Comment

The attached schedule entitled "Sundry Debtors for Write-Off as at 31<sup>st</sup> May 2007" details monies owing by sundry debtors that are recommended to Council for write-off.

In most cases, there is very little evidence to support debts and the cost to pursue such debts are highly likely to exceed recoverable costs. Some debtors are no longer in existence or whereabouts unknown to Shire. The age of the debts and lack of supporting evidence raises some doubt over the recoverability of these debts.

The costs to continue to research/investigate and pursue debts would be likely to exceed the actual amount of the debts.

### Consultation

Nil

### Statutory Environment

Local Government Act 1995 Section 6.12

### Policy Implications

Nil

### Financial Implications

The provision for Doubtful debts has a balance of \$5,504.48 as at 31<sup>st</sup> May 2007. Amounts to be written-off \$811.79 leaving a balance of \$4,692.69.

### Strategic Implications

Nil

### Voting Requirement

Absolute majority

### Officer Recommendation / Draft Motion

That amounts owed to the Shire by Sundry Debtors as listed in the following schedule entitled "Sundry Debtors for Write-Off as at 31<sup>st</sup> May 2007" totalling \$ 811.79 be approved for write-off

**SCHEDULE OF SUNDRY DEBTORS**  
**“SUNDRY DEBTORS FOR WRITE-OFF AS AT 31<sup>st</sup> MAY 2007”**

<b>Debtor Name</b>	<b>Total Amount for write-off</b>	<b>Reasons</b>
Robert Dodds	\$37.06	Debtor no longer exists. Virtually impossible to pursue a debtor that does not exist. Cost to attempt recovery would exceed the debt.
Mark Smith P/L	\$10.00	This amount had been set up as opening balance entry in 30 June 2002. Debtors whereabouts cannot be located. Given the age and nature of debt, write-off is recommended.
Ludzik, Stephen	\$133.82	Relates to personal Satellite Phone Calls 21.01.05 – 12.02.05. Total debt was \$261.32. As former Shire employee, he has paid \$127.50 out of his weekly allowance. His last address was at 12 Murphy St, Corrigin WA and can no longer be contacted. Given age and nature of debt, write-off recommended.
Westland Autos	\$90.91	Set up in the books since 30 June 2003. Debtor refuses payment as debt no longer in their system - therefore, write-off recommended.
Khadembachi, Sheyda	\$210.00	Relates to painting last F/Y debtor wanted to buy but later changed her mind after making \$10 deposit. Given the nature of the debt write-off is recommended.
Hayward, Cherrie	\$330.00	Debtor insisted that debt had been paid for but former Finance Officer denied receipt of payment. Since we cannot chase this money from the debtor, write-off is recommended.

***That the Officers Recommendation as stated be adopted.***

**35/07 Council Decision**

**MOVED Cr J Kyanga**

**SECONDED Cr A Geary  
CARRIED 5/0**

<b>9.2.4 Subject/Applicant:</b>	<b>Rates for Write Off</b>
File:	25.00.14
Reporting Officer:	Vince Bugna, Manager Finance and Admin
Date of Report:	14 <sup>th</sup> June 2007
Disclosure of Interest:	Nil

**Summary**

Council approval sought to write-off outstanding rates and charges totalling \$17,744.05

**Background**

During a financial year, there are rates and charges that are deemed to be unrecoverable and are recommended for write-off. At the Shire of Wiluna, this generally relates to mining tenements, however, may extend to town lots and rural/pastoral leases. When a tenement dies, the Shire can still recover rates for the period when the tenement was alive.

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**Presiding Member.....Date.....**

All other avenues for collection of outstanding rates and charges, such as summonses or seizing of land and selling to recover rates and charges, are considered before rates and charges are recommended for write-off. In this instance, these methods of collection are not possible / viable because:

- The owners of the tenements at the time of its death cannot be located by the Shire. Limited information regarding the owner is available.
- The company that owned the tenement at the time of its death no longer exists. As the tenements are dead (no longer exist) there is no one to recover the debt from.
- The debts were raised in error against non-rateable properties and therefore not payable

The following Schedule "Rates and Charges for Write-Off June 2007" fully details each amount being sought for approval to write-off.

Upon considering all situations, write-off of these debts is considered the only option to finalise the outstanding rates and charges on these properties.

#### **Comment**

Section 6.12 empowers the Council to write-off any debt owed to the Shire in respect of rates and related charges.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995

#### **Policy Implications**

Nil

#### **Financial Implications**

A provision for Doubtful Debts totalling \$38,250.92 has been included for 2006/2007 ie, the loss of potential income by write-off has been allowed for.

#### **Strategic Implications**

Nil

#### **Voting Requirement**

Absolute Majority

#### **Officer Recommendation/Draft Motion**

That rates and charges, as detailed on schedule entitled "Rates and Charges for write-off June 2007" totalling \$17,744.05 be approved for write-off.

#### **36/07 Council Decision**

**MOVED** Cr D Farmer

**SECONDED** Cr K Farmer

**CARRIED 5/0**

#### **9.3 Manager Works & Services Officer Reports**

Verbal Report by Thomas Milo

**9.4 Principal Environmental Health Officer Reports**

<b>9.4.1 Subject / Applicant:</b>	<b>Dangerous Dogs – Gilbert House</b>
File:	Lot 547 Scotia Street
Reporting Officer:	W.V. Atyeo -Principal EHO/Building Surveyor
Date of Report:	12 <sup>th</sup> June 2007
Disclosure of Interest:	Nil

**Summary**

A person was attacked by a group of dogs and filed an official complaint with the Shire. The Shire is required to declare the dogs as Dangerous and deal with the situation accordingly.

**Background**

On the morning of the 10th June 2007 a lady was walking past the property know as the “Gilbert’s House” and was attacked or harassed by four (4) dogs, one of which bit her on the leg. The person had to attend the AMS for treatment to the wound in the leg, and I saw the bandage covering the wound when the person came to the office to file the complaint on 11th June 2007.

A police officer also spoke to the CEO on the 11th regarding the attack and the problems caused by the dogs at the above address. It was stated that the people there happy to have the dogs destroyed, but as yet we do not have the written authority of the owners to carry this out.

**Comments**

There are more than the allowed numbers of dogs living at this address. Section 26.(1) of the Dog Act 1976 states that: *The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.* The owners are therefore in breach of this section of the Act.

The definition of attack in the Dog Act 1976 is as follows:

“attack”, in relation to the behaviour of a dog, does not include behaviour which was an immediate response to, and was induced by, provocation, but includes -

- (a) aggressively rushing at or harassing any person or animal; or
- (b) biting, or otherwise causing physical injury to, a person or an animal; or
- (c) tearing clothing on, or otherwise causing damage to the property of, the person attacked; or
- (d) attempting to attack, or behaving in such a manner toward a person as would cause a reasonable person to fear physical injury,

unless the owner establishes that the behaviour was justified by a reasonable cause;” The injury to the person is therefore an attack under the Dog Act. Because there was more than one dog in the attack, it indicates that the dogs on these premises have formed a pack. There have been verbal concerns raised in regard to cars passing this address that they are constantly being attacked by the dogs. I therefore feel that all the dogs should be declared “Dangerous” under the Act, and restrictions put on their movements and how they are to be handled.

The following Sections state how this is done and what the rights of the owners are:

**Section 33E. A dog may be declared to be a dangerous dog**

- (1) A local government, or on behalf of the local government an authorised person or person specifically authorised by the local government for the purposes of this section either generally or in a particular case, may, by a notice in writing given in accordance with section 33F, declare a dog to be a dangerous dog if, in the opinion of the local government or that person -
  - (a) the dog has caused injury or damage by an attack on, or chasing, a person, animal or vehicle;
  - (b) the dog has, repeatedly, shown a tendency -
    - (i) to attack, or chase, a person, animal or vehicle even though no injury has been caused by that behaviour; or
    - (ii) to threaten to attack; or
  - (c) the behaviour of the dog meets other criteria prescribed for the purpose of this section.
- (2) For the purpose of subsection (1)(b), a dog to which section 30(3) applies shall not be taken to show a tendency to attack, or chase, in carrying out the activities referred to in section 30(3) in relation to a dog of that kind.
- (3) The owner of a dog declared to be a dangerous dog, or detained under this Division, shall have the rights of objection and appeal referred to in this Division.

**Section 33F. Owner to be notified of making of declaration, and as to control requirements**

- (1) The local government, or the person by whom the declaration was made on behalf of the local government, must give written notice declaring a dog to be a dangerous dog to the owner of that dog, and may by that notice impose an order as to control requirements in respect of the dog.
- (2) A notice to be given under subsection (1) -
  - (a) shall give reasons for the making of the declaration;
  - (b) shall specify that the owner has a right under this Division, to be exercised within not more than 7 days after the giving of the notice, either -
    - (i) to lodge a written objection with the local government, with a subsequent right of appeal to a Local Court in the manner prescribed by regulations against any decision made by the local government; or
    - (ii) to appeal, directly to a Local Court, in the manner prescribed by regulations,as to the declaration or as to any control requirement imposed, or as to both; and
  - (c) if an order as to any control requirements is to be imposed on the owner, shall set out -
    - (i) the terms and conditions of that order; and
    - (ii) the date, or respective dates, by which the owner must comply with any such requirement.
- (3) Whether or not any objection is lodged or appeal made, the declaration of a dog as a dangerous dog has, subject to subsection (4) and to the terms and conditions of the order as to

- control requirements imposed by that notice, effect upon the giving of a notice under subsection (1) and thereafter -
- (a) the owner is required, in accordance with section 33K(1), to ensure that any other person liable for the control of the dog is made aware of the declaration;
  - (b) any person liable for the control of the dog shall cause the dog to be muzzled, in such a manner as will prevent it from biting a person or animal, at all times -
    - (i) in any public place; and
    - (ii) in such other circumstances as may be specified in the order as to control requirements; and
  - (c) if so required by the order, a person liable for the control of the dog shall ensure that the dog is kept -
    - (i) on a leash or chain, by a person physically able to control the dog, when in a dog exercise area and in such other circumstances as may be specified; and
    - (ii) under continuous supervision, by a person physically able to control the dog, in such circumstances as may be specified.
- (4) The terms and conditions of an order as to control requirements, other than such as have effect under subsection (3), shall have effect on such date, or respective dates, as are specified in the notice given under subsection (1) imposing the order unless an objection is lodged or an appeal is made, in which case any such term or condition of the order to which the objection or appeal relates shall not have effect until the objection, and any relevant appeal, has been determined.
- (5) In making any order imposing control requirements in respect of a dog the local government or the person giving the notice on behalf of the local government may set out any term or condition, of any kind, which is considered necessary to prevent, or reduce the likelihood of, that dog attacking, including any requirement referred to in subsection (3)(b)(ii) or (3)(c) or a requirement -
- (a) that the dog be confined in, or excluded from, any area specified;
  - (b) that any enclosure within which the dog is kept be constructed -
    - (i) so as to restrict access by young children;
    - (ii) so that the dog cannot escape from it; and
    - (iii) so that it complies with any prescribed requirement;
  - (c) that the owner ensure that at all times, or at such times as may be specified in the order, the dog wears a distinctive collar or device, of a kind prescribed or as approved by the local government, to warn people that the dog is dangerous; or
  - (d) that the owner ensure that at any entrance to premises where the dog is kept signs, of a kind prescribed or as approved by the local government, are displayed to warn people that a dangerous dog is kept there.
- (6) Where an objection is lodged with a local government in accordance with subsection (2)(b)(i) the local government shall consider it and -
- (a) if the local government dismisses the objection, the owner may appeal to a Local Court in the manner prescribed by

- regulations within 7 days after the giving of a notice by the local government as to the dismissal of the objection; or
- (b) if the local government has not given notice to the owner that the objection has been considered, and either upheld, varied or dismissed, within 35 days after the giving under subsection (1) of the notice of the making of the declaration the owner may appeal to a Local Court in the manner prescribed by regulations, within not more than 42 days after the giving of the notice under subsection (1).
- (7) Where a local government gives notice of the dismissal of an objection under this section, that notice must set out the reason for the dismissal of the objection.
- (8) The local government of a district in which the dog is at that time ordinarily kept may, by written notice to the owner of the dog, vary the terms and conditions of any order as to control requirements which has been imposed, and any such notice of variation shall be dealt with as though it were, and is subject to the same provisions as to objection and appeal as, a notice given under subsection (1).
- (9) Where a dog is declared to be a dangerous dog an authorised person may, at any reasonable time, enter any premises other than a building or part of a building that is used for residential purposes, being premises -
- (a) where the dog is ordinarily kept; or
- (b) which he has reasonable grounds to believe that it is necessary to enter for the purpose of this section, to ascertain whether or not the owner has complied with the requirements imposed by or under this section.

Council must now decide whether or not to declare all of the dogs living at Lot 547 Scotia Street to be dangerous, or to issue a warning to the people living at this address in regard to this attack. I feel that the fact someone was attacked, and that it is common knowledge that dogs from these premises are know to attack vehicles moving past the premises, the dogs should be declared dangerous under the Act and appropriate conditions placed on the owners of the property.

#### **Consultation**

Dianne Stott  
Mr A Kirwan (CEO of the Shire of Wiluna)  
Mr Bill Atyeo (EHO/BS)

#### **Statutory Environment**

The Dog Act 1976 and relevant Regulations

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

**Voting Requirement**

Simple majority

**Officer Recommendation:**

1. That Council determine that the owners of Lot 547 Scotia Street in Wiluna are in breach of Section 26.(1) of the Dog Act 1976 as amended from time to time by permitting more than 2 dogs to reside/live on the premises.
2. That Council declare all of the dogs located and living at Lot 547 Scotia Street in Wiluna to be dangerous dogs pursuant to Section 33E. of the Dog Act 1976 as amended from time to time. That the reasoning for this be the official complaint lodged with the Shire by Dianne Stott who was injured as a result of the attack as stated in the complaint.
3. That the owner of the premises, and thus the owner of the dogs living at the address, is to be issued with a written notice of the declaration of the Shire, and that the owner be informed of his/her rights to appeal.
4. That Council pursuant to Section 33F. of the Dog Act 1976 as amended from time to time set the control requirements of the dogs thus declared to include the following:
  - (a) any person liable for the control of the dogs shall cause the dogs to be muzzled, in such a manner as will prevent Them from biting a person or animal, at all times in any public place.
  - (b) Any person liable for the control of the dogs shall ensure that each of the dogs are kept -
    - (i) on a leash or chain, by a person physically able to control the dogs, when they outside of the property boundaries or in a dog exercise area; and
    - (ii) under continuous supervision, by a person physically able to control the dogs, at all times when outside of the property boundaries.
  - (c) that the owner ensure that at all times, the dog wears a distinctive collar, of a kind prescribed or as approved by the local government, to warn people that the dog is dangerous.
  - (d) at each entrance to the premises where the dangerous dogs are kept a sign, conforming to that provided for in Part 3 of the Third Schedule, is displayed to warn people that a dangerous dog is kept there.
  - (e) The fencing or enclosure of the property is to be of such a standard;
    - (i) so as to restrict access by young children;
    - (ii) so that the dogs cannot escape from it.

**37/07 Council Decision**

**MOVED**

**SECONDED**

**CARRIED**

**\* Council did not proceed with the recommendation as the dogs had already been removed from the property prior to the Council meeting \***

\*Cr Darren Farmer excused himself from the meeting for 2 minutes\*

### 9.5 Community Development Officer Reports

Verbal Report by Helen Ansell

### 9.6 Youth Sports & Recreational Officer Reports

Verbal Report by Kim Ansell

## 10 Elected Members Motion of Which Previous Notice Has Been Given

\*Cr Kerrie Johnston left meeting due to conflict of interest\*

<b>10.1 Subject/Applicant:</b>	<b>Review of Club Hotel Liquor License</b>
Reporting Officer:	Anne Geary, Shire Councillor
Date of Report:	11 <sup>th</sup> June 2007
Disclosure of Interest:	Nil

### Summary

In 2005, the Aboriginal Medical service commissioned a survey of local perceptions of health (NACCH & BHC, 2005). It focussed particularly on Martu residents. The survey found that:

1. 52.7% of adult Martu participants had negative perceptions of their health. Only 9% of participants responded that their health was 'good.'
2. All 7 Martu youth interviewed had negative perceptions of the health of their community and suggested that they needed more entertainment and recreational activities to improve health.
3. **The adult population overwhelmingly identified alcohol as the greatest cause of ill health in Wiluna, followed in distant second by nutrition.**

### Background

Councillors and many others are also overwhelmingly of the opinion 70-80% of arrests, assaults, public disorder, domestic and family violence are caused by alcohol, in particular take away alcohol.

Council is of the view that the primary way to decrease this harm is to limit take-away sales.

### Comment

Whilst Council understands, that Wiluna in an open and gazetted town, it is of the view that the current situation, where an alcohol accord is in place, is not working. There are a number of problems:

1. Sales of take-away alcohol encourage street drinking and other anti-social behaviour. This behaviour is difficult for the police to manage and the clean up cost the ratepayers of Wiluna \$60,000 in the last financial year.
2. There does not appear to be any control on who buys alcohol, which, because it is taken away, can be drunk by anyone. Council is of the view that far more attention needs to be paid to why alcohol is obtained so easily by people already under its influence.

3. There are a number of Community, Local and State Government programs that are constantly undermined by the excess sale of alcohol. This problem is particularly important in the field of health.

**Consultation**

The Aboriginal Medical Service will be conducting a bush meeting in the near future to obtain further community feedback on this problem.

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirement**

Simple majority

**Officer Recommendation/Draft Motion**

That Council:

1. Requests the Department of Racing, Gaming and Liquor to conduct an inquiry into the sale of liquor in Wiluna with a view to restricting take-away sales.
2. Instructs the CEO to prepare a letter from Council to the Minister of Local Government who is also the Minister for Racing, Gaming and Liquor to seek her support for the review of the Hotel license.

**38/07 Council Decision**

**MOVED Cr K Farmer**

**SECONDED Cr A Geary**

**CARRIED 4/0**

**11 Urgent Business Approved by the Person Presiding or by Decision of Council**

Nil

**12 Matters behind Closed Doors**

Nil

**13 Closure**

This meeting was declared close at 11.12am