
INDEX

| | | |
|---------|---|----|
| 0406.01 | DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS | 2 |
| 0406.02 | RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE..... | 2 |
| 0406.03 | RESPONSE TO PREVIOUS PUBLIC QUESTIONS | 2 |
| 0406.04 | CONFIRMATION OF MINUTES FOR THE PREVIOUS MEETING..... | 2 |
| 0406.05 | REPORTS OF COMMITTEES AND MEMBERS | 3 |
| 0406.06 | HEALTH, BUILDING & TOWN PLANNING | 3 |
| 0406.07 | SUBDIVISION – LOT 51 DEVILS CREEK ROAD | 3 |
| 0406.08 | COUNCILS REQUESTS – HEALTH BUILDING SURVEYORS RESPONSE TO | 5 |
| 0406.09 | DERELICT DWELLINGS..... | 6 |
| 0406.10 | WORKS, PLANT, PARKS & GARDENS | 6 |
| 0406.11 | EXPLORATION LICENCE APPLICATION 70/2941 – NOONIE ROCK..... | 6 |
| 0406.12 | WASTE OIL FACILITY | 6 |
| 0406.13 | SPEEDING IN LANEWAYS..... | 6 |
| 0406.14 | TENDER 01/06 – EVALUATION OF | 7 |
| 0406.15 | TENDER 02/06 – NEW TRI-AXLE LOADER..... | 7 |
| 0406.16 | WORKS SUPERVISORS REPORT | 7 |
| 0406.17 | MEETING RECONVENED | 8 |
| 0406.18 | FINANCIAL & GENERAL PURPOSE..... | 8 |
| 0406.19 | DONATION – REQUEST FOR..... | 8 |
| 0406.20 | MULLEWA COUNTRY WOMEN'S ASSOCIATION CENTRE – OFFER OF..... | 8 |
| 0406.21 | MULLEWA COMMUNITY TRUST GUIDELINES – ALTERATIONS TO..... | 9 |
| 0406.22 | SUNDRY DEBTORS – WRITE OFF..... | 9 |
| 0406.23 | FIRE CONTROL OFFICERS – CHANGE OF POLICY..... | 10 |
| 0406.24 | FINANCE REPORT 31 MARCH 2006..... | 10 |
| 0406.25 | WILDFLOWER COUNTRY TOURISM COMMITTEE – PART TIME PROJECT OFFICER - CONTRIBUTION | 11 |
| 0406.26 | WA LOCAL GOVERNMENT ASSOCIATION – NOTICE OF ANNUAL GENERAL MEETING 2006 – SUBMISSION OF MOTIONS..... | 11 |
| 0406.27 | UPGRADE OF GERALDTON CREMATORIUM - CONTRIBUTION | 11 |
| 0406.28 | PUBLIC ROAD ACCESS AGREEMENT RESEAL – DEFERRAL OF | 11 |
| 0406.29 | END OF FEBRUARY BUDGET – REVIEW OF..... | 12 |
| 0406.30 | CHANGING METHOD OF VALUATION OF LAND – MOUNT GIBSON MINING LTD..... | 12 |
| 0406.31 | YOUTH BUS – HIRE OF | 13 |
| 0406.32 | STATEMENT OF FINANCIAL ACTIVITY – MARCH 2006 | 13 |
| 0406.33 | CHIEF EXECUTIVE OFFICER'S REPORT | 13 |
| 0406.34 | NEW BUSINESS | 13 |
| 0406.35 | ACCOUNTS FOR PAYMENT..... | 13 |
| 0406.37 | CLOSURE OF MEETING | 14 |

**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD
IN THE COUNCIL CHAMBERS ON WEDNESDAY 19 APRIL 2006.****0406.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS****0406.02 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 A Panting | (Central Ward) |
| Councillor N D Johnstone | (South Ward) |

OFFICERS:

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

APOLOGIES:

Councillor L J Wainwright (Central Ward)

LEAVE OF ABSENCE:

Nil

APPLICATION FOR LEAVE OF ABSENCE:

Nil

0406.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS

Nil

0406.04 CONFIRMATION OF MINUTES FOR THE PREVIOUS MEETING

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

COUNCIL DECISION: **That the minutes of the Ordinary Meeting of Council held on 15
March 2006, as printed be confirmed.**

CARRIED 8/0

0306.11 WA GROWING QUARTER – LOCATION OF SIGNAGE

Cr Messina advised that the ADP Committee had advised the Mullewa Landcare Group that their services were no longer required in connection to the Agriculture Development Program and that any administration required would be done in-house, by participating member Councils.

The President welcomed Tom Hartman to his first Shire of Mullewa Council Meeting.

0406.05 REPORTS OF COMMITTEES AND MEMBERS

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

COUNCIL DECISION: **That**

- **The report of the Wildflower Country Tourism Committee Meeting be received, and**
- **The report of the Mullewa Telecentre & Tourism Committee be received.**

CARRIED 8/0

1:35pm Deputy Chief Executive Officer left the meeting
1:37pm Deputy Chief Executive Officer returned to the meeting

1:40pm Cr Gregg Steele declared a financial interest in item 10.2.2. The interest relates to an equipment share agreement. Cr Steele left the meeting.

0406.06 HEALTH, BUILDING & TOWN PLANNING**0406.07 SUBDIVISION – LOT 51 DEVILS CREEK ROAD**

Moved: *N D Johnstone* **Seconded:** *M D Tierney*

COUNCIL DECISION: The Council adopt the amended Homestead Lots Policy (as follows) and advise the WA Planning Commission and the Dept for Planning and Infrastructure accordingly:

That consistent with the Western Australian Planning Commission "Subdivision of Rural Land Policy No. DC3.4" the Council of the Shire of Mullewa has prepared the following planning policy pursuant to its Interim Development Order No. 10.

1. The Council will only support the creation of a Homestead Lot where it can be demonstrated as part of the application:

- a. a genuine need exists for the excision of the Homestead from the balance of the farming unit;*

- b. *the proposed lot does not exceed 10 hectares in area, unless additional justification is provided to demonstrate a larger area of the land is required;*
 - c. *the proposed lot will not be detrimental to the continued operation and viability of the farming unit (ie., existing farm machinery sheds are to be located within the farming unit and not the Homestead lot).*
 - d. *the homestead already exists, is sufficiently set back from proposed lot boundaries, and is adequately serviced from within the proposed lot area (ie: water supply).*
 - e. *the proposed lot has a constructed road frontage*
2. *The Council in support of a subdivision application for a Homestead Lot will require a caveat be placed on the certificate of title at the subdivider's expense restricting the sale of the Homestead Lot for a minimum of five 5 years immediately after subdivision approval has been issued by the WAPC.*

In this regard the subdivider shall place the caveat on the title to the Council's satisfaction. However, failing this the Council will proceed with placement of the caveat on title and on charge the subdivider based on cost recovery plus 10% administration charge.

LOST 0/7

Moved: M Kerkmans

Seconded: L A Panting

COUNCIL DECISION: **That the Policy be adopted with deletion of paragraph 2 in its entirety.**

Consistent with the Western Australian Planning Commission "Subdivision of Rural Land Policy No. DC3.4" the Council of the Shire of Mullewa has prepared the following planning policy pursuant to its Interim Development Order No. 10.

1. ***The Council will only support the creation of a Homestead Lot where it can be demonstrated as part of the application:***
 - a. ***a genuine need exists for the excision of the Homestead from the balance of the farming unit;***
 - b. ***the proposed lot does not exceed 10 hectares in area, unless additional justification is provided to demonstrate a larger area of the land is required;***
 - c. ***the proposed lot will not be detrimental to the continued operation and viability of the farming unit (ie., existing farm machinery sheds are to be located within the farming unit***

and not the Homestead lot).

d. the homestead already exists, is sufficiently set back from proposed lot boundaries, and is adequately serviced from within the proposed lot area (ie: water supply).

e. the proposed lot has a constructed road frontage

CARRIED 8/0

1:47pm Cr Steele returned to the meeting

1:49pm Trevor Brandy EHO entered the meeting.

| | |
|----------------|---|
| 0406.08 | COUNCILS REQUESTS – HEALTH BUILDING SURVEYORS RESPONSE TO |
|----------------|---|

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

COUNCIL DECISION: **That the Policy as below be adopted:**

Policy **Where a vacant retail building is to be secured or boarded up the following materials permitted to be used.**

- **Marine Ply to match building colour fitted within glazing bead.**
- **Crim Safe mesh.**
- **Exterior grade ply – painted to enhance the amenity of area.**
- **Murals by application and approval of Council.**
- **To Councils satisfaction.**

And

That the CEO and Health Building Surveyor be delegated authority to approve applications.

CARRIED 7/1

CLUB HOTEL:

Environmental Health Officer to investigate Septic System located between the Club Hotel and Mullewa Farm Supplies.

2:05pm Trevor Brandy, Environmental Health Officer left the meeting.

0406.09 DERELICT DWELLINGS**Moved:** *J L Freeman* **Seconded:** *L A Panting*

COUNCIL DECISION: **That Council endorse the action of the Chief Executive Officer in having the building materials and rubbish cleared from Lot 15 and Lot 13 Dalgety Streets, Mullewa.**

CARRIED 8/0**0406.10 WORKS, PLANT, PARKS & GARDENS****0406.11 EXPLORATION LICENCE APPLICATION 70/2941 – NOONIE ROCK****Moved:** *M Kerkmans* **Seconded:** *L A Panting*

COUNCIL DECISION: **That Council advise Ferrowest Ltd that exploration within Common Land, Reserves and Road Reserves is not permitted.**

CARRIED 8/0**0406.12 WASTE OIL FACILITY****Moved:** *M D Tierney* **Seconded:** *G M Steele*

COUNCIL DECISION: **That Council consider the proposal of locating the waste oil facility in the Depot and authorise the CEO to have the facility installed.**

CARRIED 8/0**0406.13 SPEEDING IN LANEWAYS****Moved:** *M D Tierney* **Seconded:** *N D Johnstone*

COUNCIL DECISION: **That Council authorise the Works Supervisor to assess the situation of speeding in laneways and where necessary install appropriate speed humps.**

CARRIED 8/0**Moved:** *L A Panting* **Seconded:** *J L Freeman*

COUNCIL DECISION: **That a proposal be presented to the May 2006 Council Meeting.**

CARRIED 8/0

0406.14 TENDER 01/06 – EVALUATION OF**Moved:** *M D Tierney* **Seconded:** *G M Steele***COUNCIL DECISION:** **That Waltons be awarded a tender to supply a 6T Isuzu FRR500 Crew Cab at a price not exceeding \$52,921 (inc GST) with a trade-in of Isuzu 3T Truck at \$29,040.****That the replacement of MW5018 Dual Cab Utility be scheduled for 2006/2007 budget year.****CARRIED 8/0****0406.15** TENDER 02/06 – NEW TRI-AXLE LOADER**Moved:** *M D Tierney* **Seconded:** *G M Steele***COUNCIL DECISION:** **That Council not accept any of the Tenders received and recall tenders for the supply of one only new tri-axle low loader and trade MW5052, 1963 Gitsham low loader.****CARRIED 8/0**2:31pm Deputy Chief Executive Officer left the meeting
2:32pm Deputy Chief Executive Officer & Bob Roden Works Supervisor entered the meeting.**0406.16** WORKS SUPERVISORS REPORT**Moved:** *M D Tierney* **Seconded:** *G M Steele***COUNCIL DECISION:** **That the Works Supervisor report including the Parks and Gardens report and the Plant Mechanic report for the month of April 2006 be received.****CARRIED 8/0**

Cr Thomas Reported on the condition of the roads out east. Mr Roden advised that these would be attended to around April 26.

Cr Kerkmans Advised that Old Pindar Road was severely washed out and needed major attention. Mr Roden will assess this road and report repair costs back to Council.

Cr Freeman Advised of lack of speed hump warning sign at the entrance to the refuse site. Mr Roden informed that this speed calming device was being removed.

Cr Steele Requested an explanation of 'sand seal'.

Cr Panting Advised that road train operators were complaining about the vehicles planing in wet weather on the Mullewa-Carnarvon Road.

Cr Tierney Requested that thought be given to a solution to stop theft of fuel from Councils Depot.

Mr Roden gave an update on the road program.

MEETING ADJOURNED FROM 3:00PM – 3:40PM

0406.17 MEETING RECONVENED

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 A Panting | (Central Ward) |
| Councillor N D Johnstone | (South Ward) |

OFFICERS:

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

0406.18 FINANCIAL & GENERAL PURPOSE

0406.19 DONATION – REQUEST FOR

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

COUNCIL DECISION: **That the Council donate the sum of \$200 to the Mid West Group of Affiliated Agricultural Societies for the purpose of presenting a display at the 2006 Perth Royal Show.**

CARRIED 8/0

0406.20 MULLEWA COUNTRY WOMEN'S ASSOCIATION CENTRE – OFFER OF

Moved: *B I N Thomas* **Seconded:** *N D Johnstone*

COUNCIL DECISION: **That Council decline the Country Women's Association gift offer of the Mullewa CWA Centre located on the corner of Molster and Jose Streets Mullewa to be used for community purposes.**

CARRIED 8/0

0406.21 MULLEWA COMMUNITY TRUST GUIDELINES – ALTERATIONS TO

3:33pm Deputy Chief Executive Officer left the meeting
3:35pm Deputy Chief Executive Officer returned to the meeting

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

COUNCIL DECISION: **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

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

COUNCIL DECISION: **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.

CARRIED 8/0

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

COUNCIL DECISION: **That MCT be expanded to read, *Mullewa Community Trust* in the guidelines.**

CARRIED 8/0

0406.22 SUNDRY DEBTORS – WRITE OFF

Moved: *B I N Thomas* **Seconded:** *L A Panting*

COUNCIL DECISION: **That Council resolve to write off the various sundry debtors as detailed below on the following list, totalling \$1,715.04**

| Date | Invoice No. | Debtor | Description | Reason | Amount |
|------------|-------------|--------------|--|-------------------------|--------|
| 30.06.2003 | 5242 | Dave Burdett | Hire of plant to excavate light concrete from house in | Unable to locate debtor | 660.00 |

| Mullewa | | | | | |
|------------|------|---------------|---------------------------|-------------------------|-------------------|
| 14.05.2004 | 5671 | Tanya Little | Balance of a/c | Debt insignificant | 1.53 |
| 11.02.2000 | 4094 | David Mowbray | Telephone Account | Unable to locate debtor | 220.28 |
| 13.03.2000 | 4120 | David Mowbray | Telephone Account | Unable to locate debtor | 371.20 |
| 14.10.1999 | 4021 | David Mowbray | Telephone Account | Unable to locate debtor | 56.17 |
| 20.06.2000 | 4194 | David Mowbray | Water Account | Unable to locate debtor | 277.48 |
| 26.02.2003 | 5074 | Donna Simpson | Cost replacing lost books | Unable to locate debtor | 67.43 |
| 22.05.2001 | 4450 | Sonia Agale | Lost/Damaged books | Unable to locate debtor | 60.95 |
| | | | | TOTAL: | \$1,715.04 |

CARRIED 8/0

| | |
|----------------|---|
| 0406.23 | FIRE CONTROL OFFICERS – CHANGE OF POLICY |
|----------------|---|

Moved: *M Kerkmans* **Seconded:** *N D Johnstone*

COUNCIL DECISION: **That policy 316 be withdrawn and the following policy be introduced:**

Fire Control Officers – Appointment of
A Fire Control Officer will not be appointed until such time as the nominated person has completed and passed the necessary training to take up the role of a Fire Control Officer.

CARRIED 8/0

| | |
|----------------|-------------------------------------|
| 0406.24 | FINANCE REPORT 31 MARCH 2006 |
|----------------|-------------------------------------|

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

COUNCIL DECISION: **That the Finance Report for the period ended 31 March 2006 be received.**

CARRIED 8/0

0406.25 WILDFLOWER COUNTRY TOURISM COMMITTEE – PART TIME PROJECT OFFICER - CONTRIBUTION

4:10pm Cr Freeman left the meeting

Moved: *M Kerkmans* **Seconded:** *L A Panting*

COUNCIL DECISION: **That Council not support the funding of a Project Officer for the Wildflower Country Tourism Steering Committee at this stage preferring that tourism become a core function of the North Midland Voluntary Regional Organisation of Councils following its implementation.**

CARRIED 7/0**0406.26** WA LOCAL GOVERNMENT ASSOCIATION – NOTICE OF ANNUAL GENERAL MEETING 2006 – SUBMISSION OF MOTIONS**Moved:** *G M Steele* **Seconded:** *N D Johnstone*

COUNCIL DECISION: **That Council consider local or regional issues that could be raised at the Annual General Meeting of the WA Local Government Association.**

CARRIED 7/0

4:12pm Cr Freeman returned to the meeting.

0406.27 UPGRADE OF GERALDTON CREMATORIUM - CONTRIBUTION**Moved:** *M Kerkmans* **Seconded:** *L A Panting*

COUNCIL DECISION: **That Council decline to make a contribution towards the upgrade of the Geraldton Crematorium**

CARRIED 6/2

4:15pm Cr Panting declared a financial interest in item 10.4.10. The interest related to being a supplier to Mt Gibson. Cr Panting left the meeting

4:15pm Cr Tierney declared a financial interest in item 10.4.10. The interest related to being a shareholder. Cr Tierney left the meeting.

0406.28 PUBLIC ROAD ACCESS AGREEMENT RESEAL – DEFERRAL OF**Moved:** *N D Johnstone* **Seconded:** *G M Steele*

COUNCIL DECISION: **That Council agree with the section of road 3 & 4 identified in clause 6.3.7(a) of the Public Road Access Agreement be a sand**

seal, subject to Mount Gibson Mining Ltd agreeing to factor the difference between a sand seal and a metal seal into the annual agreement, and that the identified sections be resealed with a metal seal at the conclusion of the mine life,

That Council authorise the President and CEO to instigate immediate negotiations with Mount Gibson Mining Ltd, and

That Council investigate best options with an Engineer and a Mt Gibson Mine representative. Options to be presented at a Special Meeting of Council.

CARRIED 6/0

4:35pm Cr Panting returned to the meeting
4:35pm Cr Tierney returned to the meeting

| | |
|----------------|------------------------------------|
| 0406.29 | END OF FEBRUARY BUDGET – REVIEW OF |
|----------------|------------------------------------|

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

COUNCIL DECISION: **That the budget review as presented be received and the Department of Local Government and Regional Development be advised in accordance with the requirements of the Financial Management Regulations.**

CARRIED 8/0

4:40pm Cr Panting declared a financial interest in item 10.4.12. The interest related to being a supplier to Mt Gibson. Cr Panting left the meeting.
4:40pm Cr Tierney declared a financial interest in item 10.4.12. The interest related to being a shareholder. Cr Tierney left the meeting.

| | |
|----------------|--|
| 0406.30 | CHANGING METHOD OF VALUATION OF LAND – MOUNT GIBSON MINING LTD |
|----------------|--|

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

COUNCIL DECISION: **That Council investigate to change the method of valuation on Mount Gibson Mining Ltd assessments and have a report prepared for consideration at the May 2006 meeting.**

CARRIED 6/0

4:55pm Cr Panting returned to the meeting
4:55pm Cr Tierney returned to the meeting

0406.31 YOUTH BUS – HIRE OF**Moved:** *J L Freeman* **Seconded:** *B I N Thomas***COUNCIL DECISION:** **That Council reject the application for hire of the Youth Bus by Shut the Gate Ag Services.****CARRIED 8/0****0406.32** STATEMENT OF FINANCIAL ACTIVITY – MARCH 2006**Moved:** *G M Steele* **Seconded:** *J L Freeman***COUNCIL DECISION:** **That the Statement of Financial Activity for the month of March 2006 be received.****CARRIED 8/0**

5:00pm Cr Freeman retired from the meeting.

0406.33 CHIEF EXECUTIVE OFFICER'S REPORT

5:20pm Cr Panting retired from the meeting

Moved: *M Kerkmans* **Seconded:** *B I N Thomas***COUNCIL DECISION:** **That the Chief Executive Officer's report for the month of April 2006 be received.****CARRIED 6/0****0406.34** NEW BUSINESS**0406.35** ACCOUNTS FOR PAYMENT**Moved:** *N D Johnstone* **Seconded:** *M D Tierney***COUNCIL DECISION:** **That:****The accounts numbered:**

| | | | |
|------------------|---------------------------|--------------------|---------------------|
| Municipal | Chq No. | 9130 – 9156 | \$102,941.76 |
| Municipal | EFT | 2344 – 2423 | \$324,893.16 |
| Municipal | Payroll & Fees | | \$48,862.87 |

Totalling \$476,697.79 be passed for payment.**CARRIED 6/0**

| |
|--|
| 0406.37 CLOSURE OF MEETING |
|--|

The President closed the meeting at 5:40pm.

| |
|---|
| These minutes were confirmed at a meeting on 17 May 2006: |
|---|

Signed:

A J Messina, President

Date: