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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 17 DECEMBER 2008.**1208.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:03pm The President declared the meeting open.

1208.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

Councillor A J (Nino) Messina – President	(West Ward)
Councillor B I N (Barbara) Thomas – Deputy President	(East Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer

APOLOGIES:

Councillor M (Mike) Kerkmans (East Ward)

LEAVE OF ABSENCE:

Councillor L J (Linda) Wainwright (Central Ward)

VISITORS

Nil

1208.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

1208.04 PUBLIC QUESTION TIME

Nil

1208.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

1208.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**Moved:** *J L Freeman* **Seconded:** *Andrew J Messina***COUNCIL DECISION:** **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19TH NOVEMBER 2008, AS PRINTED BE CONFIRMED.****CARRIED 7/0****1208.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

1208.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

1208.09 REPORTS OF COMMITTEES/MEMBERS

Nil

1208.10 REPORTS OF OFFICERS**10.2 HEALTH, BUILDING AND TOWN PLANNING****10.2.1 HOUSING WORK ORDER**

DATE OF MEETING: 17 December 2008

LOCATION/ADDRESS: Lot 188 (6) Molster Street, Lot 39 (1) O'Brien Street, Lot 119 (30) Burgess Street

NAME OF APPLICANT: Various

FILE REFERENCE: 302.07

PREVIOUS MINUTE/S & REFERENCE: 16 April 2008, 16 July 2008

DATE AND AUTHOR: 3 December 2008, Trevor Brandy – Health & Building Officer

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

SUMMARY Council resolved at its meeting dated 16th April 2008, to place work orders on the three above mentioned properties.

- BACKGROUND: To date:-
1. Lot 188 (6) Molster Street is at various stages of compliance.
 2. Lot 119 (30) Burgess Street – Keystart Loans has taken possession as of the 21/7/08 and is obtaining quotes from builders for compliance with works order.
 3. Lot 39 (1) O'Brien Street – Owner has carried out works request and boarded up dwelling.
- COMMENT: Due to the various levels of compliance with the works orders and the ability to obtain building quotes, the works orders be held in abeyance until further notice.
- CONSULTATION:
 STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
 POLICY: There are no known policy implications at this time.
 IMPLICATIONS: FINANCIAL: There are no known financial implications at this time.
 IMPLICATIONS: STRATEGIC: There are no known strategic implications at this time.
 IMPLICATIONS:
- VOTING REQUIREMENT: Simple majority
- OFFICER RECOMMENDATION
1. THAT THE CURRENT WORK ORDERS ON THE THREE PREMISES STAYS IN PLACE UNTIL AN APPLICATION FOR RESIDENCY IS RECEIVED.
 2. THAT COUNCIL'S ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR MONITOR THE PROGRESS OF THE THREE PREMISES.

Moved: *K P Keefe* **Seconded:** *Andrew J Messina*

- COUNCIL DECISION:
1. **THAT THE CURRENT WORK ORDERS ON THE THREE PREMISES STAYS IN PLACE UNTIL AN APPLICATION FOR RESIDENCY IS RECEIVED.**
 2. **THAT COUNCIL'S ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR MONITOR THE PROGRESS OF THE THREE PREMISES.**

CARRIED 7/0

1:10pm Trevor Brandy – Environmental Health Officer entered the meeting

1:12pm Trevor Brandy – Environmental Health Officer left the meeting

10.2.2 OVERSIZE FENCE

- DATE OF MEETING: 17 December 2008
- LOCATION/ADDRESS: 24 Short Street, Mullewa
- NAME OF APPLICANT: Ms A Shields
- FILE REFERENCE: -
- PREVIOUS MINUTE/S & REFERENCE: -

- DATE AND AUTHOR: 3 December 2008, Trevor Brandy – Health & Building Officer
- DISCLOSURE OF INTEREST: Author has no disclosure of interest.
- SUMMARY: Council is in receipt of a building application to erect a 1.8m high fence on the above mentioned property.
- BACKGROUND: Council's Local Laws relating to fencing (3(b)) specifies that no person shall commence to erect, construct, reconstruct or alter any fence or any hood or pergola or part of that fence without Council approval.
- Section (b) goes on to say exceeding 1.8m in height on the remainder of any lot boundary or adjacent thereto unless the applicant has lodged with Council two copies or plans and specifications of the proposed reconstruction or alteration unless the Council has approved the said specifications.
- COMMENT: The applicants request to have the fence at 1.8m exceeds the 750mm restriction under the Local Laws. The reason for the extra height is to prevent vandalism on her property which has been happening at regular intervals. The product that's being used for the fence is new on the market and also conflicts with Council's Local Laws referring to fencing materials ie. See building envelope 08/10. The product is vinyl V.V. coated and has a clean aesthetic appearance.
- CONSULTATION: STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
- POLICY IMPLICATIONS: There are no known policy implications at this time.
- FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
- STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.
- VOTING REQUIREMENT: Simple majority
- OFFICER RECOMMENDATION
1. THAT MS A SHIELDS OF (LOT 40) 24 SHORT STREET, MULLEWA BE PERMITTED TO ERECT A 1.8M FENCE ALONG THE BOUNDARY OF HER LOT AS PER BUILDING APPLICATION 08/10.
 2. THAT A 1.5M TRUNCATION BE IMPLEMENTED AT THE CORNER OF VIEW AND SHORT STREET TO ALLOW VISUAL ACCESS FOR MOTOR VEHICLES.
- Moved:** *J L Freeman* **Seconded:** *B I N Thomas*
- COUNCIL DECISION:
1. THAT MS A SHIELDS OF (LOT 40) 24 SHORT STREET, MULLEWA BE PERMITTED TO ERECT A 1.8M FENCE ALONG THE BOUNDARY OF HER LOT AS PER BUILDING APPLICATION 08/10.
 2. THAT A 1.5M TRUNCATION BE IMPLEMENTED AT THE CORNER OF VIEW AND SHORT STREET TO ALLOW VISUAL ACCESS FOR MOTOR VEHICLES.

CARRIED 4/3

10.3 WORKS, PLANT, PARKS & GARDENS

10.3.1 TENDER 01/08 – PRIME MOVER

DATE OF MEETING:	17 December 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	111.01
PREVIOUS MINUTE/S & REFERENCE:	19 November 2008
DATE AND AUTHOR:	8 December 2008-Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	The Author has no Disclosure of Interest.
BACKGROUND:	Tenders were called for the no trade purchase of a Prime Mover in the 435 hp range on Friday 12 th December 2008 to replace Councils P1302 International S Line, which has been written off.
COMMENT:	<p>The tenders received are being assessed against the selection criteria and the results will be tabled at the meeting.</p> <p>At the conclusion of the tender period, nine (9) tenders were received for the supply of a Prime Mover as specified in the tender documents, one (1) tender was non-compliant. The specifications were fairly specific in identifying Council's requirements.</p> <p>The budgeted amount for this item is \$133,000 for the changeover and the initial indication is that four (4) of the tenders received are within this figure.</p> <p>Following the assessment, the tender received from AV Trucks is the preferred supplier. This would allow a change over of \$28,105 under budget.</p>
CONSULTATION:	Works Supervisor, Mechanic.
STATUTORY ENVIRONMENT:	Section 3.57 Local Government Act part 4 Local Government (Function and General) Regulations.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	<p>There is currently provision within this Budget to purchase a new prime mover for \$220,000, and a disposal of the International S line for \$87,000. This allows a budget change over of \$133,000.</p> <p>The insurance payout was \$79,905 and this figure has been included as the trade-in on the assessment sheet to reflect the change over that needs to be considered against the budget.</p>
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority
OFFICER RECOMMENDATION	<ol style="list-style-type: none"> 1. THAT COUNCIL CONSIDER THE TABLED ASSESSMENT OF TENDERS RECEIVED. 2. THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM AV

TRUCKS TO SUPPLY A NISSAN UD PRIME MOVER, AS SPECIFIED IN THE TENDER DOCUMENTS, FOR \$184,800 (EX GST)

Moved: *A J Crudeli* **Seconded:** *M D Tierney*

COUNCIL DECISION: **THAT COUNCIL CONSIDER THE TABLED ASSESSMENT OF TENDERS RECEIVED.**

CARRIED 7/0

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

COUNCIL DECISION: **THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM AV TRUCKS TO SUPPLY A NISSAN UD PRIME MOVER, AS SPECIFIED IN THE TENDER DOCUMENTS, FOR \$184,800 (EX GST)**

CARRIED 7/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 FINANCE REPORT 30TH NOVEMBER 2008

DATE OF MEETING: 17 December 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
 SUMMARY
 BACKGROUND:
 COMMENT:

BANK RECONCILIATION

The Bank Reconciliation for the month of November 2008 is attached at **APPENDIX A**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest. This account attracts an interest rate of 4.75%.

CONSULTATION:
 STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
 POLICY IMPLICATIONS: There are no known policy implications at this time.
 FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
 STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH NOVEMBER 2008 BE RECEIVED.**

Moved: J L Freeman **Seconded:** K P Keeffe

COUNCIL DECISION: **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH NOVEMBER 2008 BE RECEIVED.**

CARRIED 7/0

10.4.2 ACCOUNTS FOR PAYMENT

DATE OF MEETING: 17 December 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & -

REFERENCE:

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:

SUMMARY

The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.

BACKGROUND:

Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.

COMMENT:

Attached to this report is a list detailing all cheques drawn and direct debits since the last Council meeting.

The summary of the schedule of accounts to be passed for payment totalling \$ 411,583.91 covers the following:

Municipal Account

Cheque No.	10002 - 10031	\$ 43,098.05
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Electronic Fund Trans	4642 - 4716	\$ 302,360.63
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Payroll & Fees	VARIOUS	\$ 65,960.23
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Trust Account

Cheque No.	366 - 367	\$ 165.00
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Total:		\$ 411,583.91
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CONSULTATION:

Nil

STATUTORY
ENVIRONMENT:

Local Government Act and Regulations

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE

RECOMMENDATION AS PRESENTED BE PASSED FOR PAYMENT.

Municipal Account

Cheque No	10002 - 10031	\$ 43,098.05
Electronic Fund Trans	4642 - 4716	\$ 302,360.63
Payroll & Fees	VARIOUS	\$ 65,960.23
<u>Trust Account</u>		
Cheque No.	366 - 367	\$ 165.00
	Total:	\$ 411,583.91

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

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

Municipal Account

Cheque No	10002 - 10031	\$ 43,098.05
Electronic Fund Trans	4642 - 4716	\$ 302,360.63
Payroll & Fees	VARIOUS	\$ 65,960.23
<u>Trust Account</u>		
Cheque No.	366 - 367	\$ 165.00
	Total:	\$ 411,583.91

CARRIED 7/0

10.4.3 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING: 17 December 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

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

SUMMARY

BACKGROUND: Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.

COMMENT: Attached at **APPENDIX B** is the Statement of Financial Activity for November 2008.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH

OF NOVEMBER 2008 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF NOVEMBER 2008 BE RECEIVED.**

CARRIED 7/0

10.4.4 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM 2008/09

DATE OF MEETING: 17 December 2008

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 8 December 2008, Tom Hartman, Chief Executive Officer

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:
SUMMARY

The Federal Government has made \$300 million of new infrastructure funding for local governments, conditional on it being spent by September 2009.

BACKGROUND:

The package was announced recently to council leaders in Canberra by Prime Minister Kevin Rudd who also revealed that future Commonwealth infrastructure funding may be also conditional on increased transparency from councils on asset management. The \$300 million, which was originally to be spent in 2009-2010 has been brought forward as a way of further stimulating the economy. The purpose of this action is to build local infrastructure and support local economies and jobs during the global financial crisis.

Councils can apply for the funds which will be available as part of two different programs. \$250 million is available for new initiatives separate from those already planned by councils. Councils must submit a proposal which meets program guidelines and funds will be allocated according to a Government formula based on factors such as expected population growth of the shire. Each allocation would be at least \$100,000 for smaller councils and up to \$2.9 million for the largest. Another \$50 million is available for large scale projects such as new sport of entertainment precincts, with a requirement the project totals at least \$2m.

COMMENT: Mullewa's allocation is \$100,000.

The guidelines for our funding are attached at **APPENDIX C**.

As can be noted in the guidelines Councils are required to provide the Department with details of projects that will be funded by **30 January 2009**. Councils will also be required to enter into an agreement prior to receipt of the payment. Funding must be expended by **30 September 2009**.

Funding can be spent on –

- social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Funding will not be available for activities such as ongoing costs (e.g. operational costs and maintenance); transport infrastructure, such as roads; or related infrastructure covered by the Roads to Recovery or Black Spots programs.

Council need to now develop a project/s to the value of \$100,000. At this stage estimates are being obtained to assist Council make this decision. Obviously if there are other projects that warrant investigation they need to be discussed, as Council do not meet again prior to the project/s being submitted for approval by the end of January, 2009.

At this stage I'm suggesting we consider the following projects-

- Mullewa Swimming Pool fencing and shade structures,
- Tennis court fencing,
- Refuse site fencing,
- Caravan Park lawn reticulation,
- Reticulation around town hall, youth centre,
- Reticulation of the Heart Park.

CONSULTATION:

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

THAT COUNCIL AUTHORISE THE CEO TO DEVELOP PROJECTS INVOLVING-

- MULLEWA SWIMMING POOL FENCING AND SHADE STRUCTURES,
- TENNIS COURT FENCING,
- REFUSE SITE FENCING,
- CARAVAN PARK LAWN RETICULATION,
- RETICULATION AROUND TOWN HALL, YOUTH CENTRE,
- RETICULATION OF THE HEART PARK.

AND SUBMIT FOR APPROVAL.

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

COUNCIL DECISION: **THAT COUNCIL AUTHORISE THE CEO TO DEVELOP PROJECTS INVOLVING-**

- **MULLEWA SWIMMING POOL FENCING AND SHADE STRUCTURES,**
- **TENNIS COURT FENCING,**
- **REFUSE SITE FENCING,**
- **CARAVAN PARK LAWN RETICULATION,**
- **RETICULATION AROUND TOWN HALL, YOUTH CENTRE,**
- **RETICULATION OF THE HEART PARK.**

AND SUBMIT FOR APPROVAL.

CARRIED 70

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 BUSH FIRE GROUP – MEETING OF

DATE OF MEETING:	17 December 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	401
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	8 December 2008 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	The Author has no Disclosure of Interest.
SUMMARY	Report submits Bush Fire Group recommendations for adoption.
BACKGROUND:	The Mullewa Bushfire Group met on Monday, 17 November 2008, and has provided a set of minutes with recommendations to Council.
COMMENT:	Attached at APPENDIX A is a copy of the minutes of the Group meeting for adoption.
CONSULTATION:	-
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	-
OFFICER RECOMMENDATION	THAT THE MINUTES OF THE MULLEWA BUSHFIRE GROUP

MEETING HELD ON MONDAY, 17 NOVEMBER 2008, BE RECEIVED AND THE FOLLOWING RECOMMENDATIONS ADOPTED –

- THAT THE OWNERS OF THE LAND ON WHICH THERE IS A FIRE BE ENCOURAGED TO ENSURE THAT HARVESTING CEASE ON THEIR OTHER LAND IN THE DISTRICT.
- THAT THE INITIAL COMMUNICATION FROM THE FCO AT THE SITE OF A FIRE TO OTHER FCO'S BE VIA MOBILE PHONE, BUSH FIRE RADIO AND CB CHANNEL 11.
- THAT THE REQUIREMENT FOR HAVING A FULLY OPERATIONAL PLOUGH OR SIMILAR EQUIPMENT CLOSE TO THE VICINITY OF HARVESTING BE REINFORCED.
- THAT THE CURRENT HARVEST BAN DISTANCE BE ALTERED FROM 20KM RADIUS TO 40KM RADIUS OF A FIRE. THE FIRST FIRE CONTROL OFFICER ON THE FIRE SITE IS TO ASSESS THE SITUATION AND ADVISE OTHER FCO'S, WHO WILL THEN RELAY RELEVANT INFORMATION TO FARMERS WITHIN THEIR AREA.
- THAT THE PROCEDURE FOR OBTAINING SUNDAY HARVESTING PERMITS REMAIN UNCHANGED WITH THE ADDITION OF *PERMIT HOLDER MUST ALSO NOTIFY THE FCO OF THE AREA WHEN HARVESTING IN THAT FCO'S AREA.*
- THAT A BOUNDARY REVIEW TO SIMPLIFY AREAS BE UNDERTAKEN IN THE NEAR FUTURE. A MAP WITH PROPOSED BOUNDARIES TO BE SENT OUT FOR COMMENT ONCE PREPARED.

Moved:

B I N Thomas

Seconded:

K P Keeffe

COUNCIL DECISION:

THAT THE MINUTES OF THE MULLEWA BUSHFIRE GROUP MEETING HELD ON MONDAY, 17 NOVEMBER 2008, BE RECEIVED AND THE FOLLOWING RECOMMENDATIONS ADOPTED –

- **THAT THE OWNERS OF THE LAND ON WHICH THERE IS A FIRE BE ENCOURAGED TO ENSURE THAT HARVESTING CEASE ON THEIR OTHER LAND IN THE DISTRICT.**
- **THAT THE INITIAL COMMUNICATION FROM THE FCO AT THE SITE OF A FIRE TO OTHER FCO'S BE VIA MOBILE PHONE, BUSH FIRE RADIO AND CB CHANNEL 11.**
- **THAT THE REQUIREMENT FOR HAVING A FULLY OPERATIONAL PLOUGH OR SIMILAR EQUIPMENT CLOSE TO THE VICINITY OF HARVESTING BE REINFORCED.**
- **THAT THE CURRENT HARVEST BAN DISTANCE BE ALTERED FROM 20KM RADIUS TO 40KM RADIUS OF A FIRE. THE FIRST FIRE CONTROL OFFICER ON THE FIRE SITE IS TO ASSESS THE SITUATION AND ADVISE OTHER FCO'S, WHO WILL THEN RELAY RELEVANT INFORMATION TO FARMERS WITHIN THEIR AREA.**
- **THAT THE PROCEDURE FOR OBTAINING SUNDAY HARVESTING PERMITS REMAIN UNCHANGED WITH THE ADDITION OF *PERMIT HOLDER MUST ALSO NOTIFY THE FCO OF THE AREA WHEN HARVESTING IN THAT FCO'S AREA.***
- **THAT A BOUNDARY REVIEW TO SIMPLIFY AREAS BE**

**UNDERTAKEN IN THE NEAR FUTURE. A MAP WITH
PROPOSED BOUNDARIES TO BE SENT OUT FOR
COMMENT ONCE PREPARED.**

CARRIED 7/0

10.5.2 PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS - 2009

DATE OF MEETING:	17 December 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	611
PREVIOUS MINUTE/S & REFERENCE:	November 2006, October 2007, November 2007.
DATE AND AUTHOR:	8 December 2008 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report raises the awards for Council to select persons, group or event for the awards.
BACKGROUND:	<p>As part of Australia Day family awards the Premiers Australia Day Active Citizen awards were introduced to be announced on Australia Day.</p> <p>The awards focus on community contribution and participation rather than personal achievement:</p> <p>There are three awards –</p> <ul style="list-style-type: none"> • Outstanding contributions to community by a local citizen of 25 years of age or over. • Outstanding contributions to community by a local citizen under 25 years of age. • Outstanding contributions to community by a local group or community event. <p>The nominations are required to be submitted to the Australia Day Council by Friday December 19th.</p>
COMMENT:	<p>Advertising has been carried out over the last month and the matter was raised for Councils attention at the October meeting. At the close of nominations two nominations have been received for the Citizenship Award. The nominations are for Mr Joe McHardy. No nominations have been received for the community group or event or the person under 25years.</p> <p>I consider this is again a good opportunity for Council to recognise others in the community for their valuable service.</p> <p>I suggest there would be persons under the age category and group/event who we could nominate.</p> <p>Last year the awards were presented at the Dry Season funded “Family Fun’ day held in March that also included the welcome service providers</p>

and cheer a volunteer night.

A successful function was held on Australia day last year at the Mullewa Swimming Pool and it has been decided to hold a similar function 2009. Council may wish to consider presenting the awards on this day.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

There are no known statutory implications at this time.

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

If Council conducts an event on Australia Day 2009 there will be costs.

IMPLICATIONS:

STRATEGIC

Will have positive impacts on Council and community relationships.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

THAT COUNCIL ACCEPT THE NOMINATION FOR :

JOE MCHARDY FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEAR OR OLDER, AND NOMINATE:

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

_____ FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A LOCAL GROUP OR COMMUNITY EVENT, AND PRESENT THE AWARDS DURING THE AUSTRALIA DAY FUNCTION AT THE MULLEWA SWIMMING POOL.

Moved:

J L Freeman

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT COUNCIL ACCEPT THE NOMINATION FOR :

JOE MCHARDY FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD FOR A PERSON OF 25 YEAR OR OLDER, AND NOMINATE:

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

ST JOHN AMBULANCE FOR THE PREMIERS AUSTRALIAN DAY ACTIVE CITIZENSHIP AWARD FOR A LOCAL GROUP OR COMMUNITY EVENT, AND PRESENT THE AWARDS DURING THE AUSTRALIA DAY FUNCTION AT THE MULLEWA SWIMMING POOL.

CARRIED 7/0

10.5.3 GERALDTON TO MURCHISON OPTIC FIBRE CABLE - INTERMEDIATE HUT

DATE OF MEETING:	17 December 2008
LOCATION/ADDRESS:	
NAME OF APPLICANT:	CSIRO
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	8 December 2008, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report submits a request to lease land in Mullewa for a proposed hut for the SKA optic fibre cable
BACKGROUND:	<p>The following email has been received from Ross Stevens, Manager – Property Resources, CSIRO, which states –</p> <p><i>Thank you for taking the time to meet with me on 19 November to discuss possible locations within Mullewa for CSIRO to site its Intermediate Hut associated with the optic fibre cable it intends to run from Geraldton to the Murchison Radio Observatory Site.</i></p> <p><i>During our discussions you mentioned the Mullewa Tourist / Caravan Park on the northern side of Lovers Lane. CSIRO would require an area of land approximately 10 metres x 10 metres and able to be connected to mains power. A position to the western side of the tourist park, west of the recently installed cabins, would be possibly suitable (see attached plan).</i></p> <p><i>The type of structure to be placed on the land would be a sandwich panel relocatable hut with an air-conditioning unit attached. Building size would be approx. 2.5 x 3 metres.</i></p> <p><i>It is asked if your Shire would consider leasing an area of this land to CSIRO for its proposed purpose; if the land is held in freehold with the Shire (i.e. not Crown land); and other information that would assist CSIRO in reaching an agreement with your Shire. CSIRO would be requesting a 30 year lease.</i></p>
COMMENT:	<p>The CSIRO is interested in negotiating a 30 year lease of land in Mullewa to support the Geraldton to Murchison Optic Fibre Cable. This land will be used to erect a 2.5 x 3.0 metres building on a site measuring 10 x 10 metres. As can be noted in their email the site of interest is the uncleared area west of the existing Patience Camp on Lovers Lane.</p> <p>The building will house equipment to power the cable.</p> <p>This may be a wonderful opportunity for Council to negotiate a future connection to the cable for Mullewa which would provide a very high speed internet communication service, in return for providing a site for the 'Hut'</p> <p>Attached at APPENDIX B is an aerial plan of the site, copy of Certificate of title and a copy of the letters of agreement Council has with Patience Bulk Haulage,</p>
CONSULTATION:	

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL SUPPORTS THE FURTHER DISCUSSION WITH THE CSIRO FOR A LONG TERM LEASE OF A PORTION OF LOT1 LOVERS LANE AND AUTHORISE THE CEO TO NEGOTIATE AN AGREEMENT FOR A CONNECTION TO THE SYSTEM FOR MULLEWA UPON COMMISSIONING THE OPTIC CABLE.

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

COUNCIL DECISION: **THAT COUNCIL SUPPORTS THE FURTHER DISCUSSION WITH THE CSIRO FOR A LONG TERM LEASE OF A PORTION OF LOT1 LOVERS LANE AND AUTHORISE THE CEO TO NEGOTIATE AN AGREEMENT FOR A CONNECTION TO THE SYSTEM FOR MULLEWA UPON COMMISSIONING THE OPTIC CABLE.**

CARRIED 7/0

10.5.4 REVIEW OF MWRC STRUCTURE AND OPERATIONS & MRWA INTEGRATED SERVICES AGREEMENT
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DATE OF MEETING: 17 December 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 10 December 2008, Tom Hartman, Chief Executive Officer

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

SUMMARY

BACKGROUND: There are a number of issues that were resolved at the recent Mid West Regional Council meeting held on December, 3, 2008, that may require consideration. The agenda item minutes are attached at **APPENDIX C**.

In summary the following is an extract of matters that were resolved for Council attention. Comments by the Mullewa delegates who attended the meeting are also welcome.

Review of MWRC Structure and Operations

Moved Cr. Nino Messina **Seconded** Cr. Michael Pearse

That the MWRC Structure and Operations be further considered in conjunction with the review of arrangements relating to the appointment of the Acting CEO, with no further action to be taken.

CARRIED 7/0

Alternate Motion:**Moved Cr. Brian Baxter****Seconded Cr. Moira Girando**

That the Acting CEO's position be reviewed by Council prior to the end of December, with a meeting to be held at the Mingenew Council Chambers on Friday 19th December, 2008 at 10am for this purpose.

CARRIED 7/0**MRWA- Integrated Services Agreement****Alternate Motion was put forward by the Chair:**

That the Engineering Consultant, Connell Wagnor, be appointed to liaise with the MWRC on the MRWA- ISA contract.

LOST without being seconded**Moved Cr. Moira Girando****Seconded Cr. Annie Treloar**

- 1. That the MWRC Chief Executive Officer, in consultation with the CEO's of member Shires, be given delegated authority to accept the most appropriate proposal from the Expressions of interests listed above.*
- 2. That the MWRC be represented at the MRWA – ISA Industry Briefing scheduled for 9th December 2008.*

CARRIED 6/1

Cr Messina wished to have his vote against the motion recorded.

The matter regarding the Review of MWRC Structure and Operations alternate motion will be discussed at a meeting to be held in Mingenew December 19, 2008.

The issue regarding the MRWA- Integrated Services Agreement has been progressed and the expression of interest received from Greenfield Technical Services has been accepted and its principal Michael Keane has commenced the consultancy.

COMMENT:

At the meeting there was concern raised by the Chairman regarding the report for the review of MWRC Structure & Operations on some of its contents. The Chairman specifically raised an item from the report which stated the following -

- 9 The MWRC have authorised Project Officer Murray Brown to complete the Statutory Compliance Returns and conduct grants Writing Workshops for member Shires at no cost. (To date the six Shires have accepted the offer relating to the Statutory Compliance Returns and five Shires have accepted the offer of a Grant Writing Workshop. (These tasks would cost Councils \$3,500 to \$4,000 if a Consultant was employed to complete these tasks.)*

The debate centred on the work being conducted for member councils at no cost. Once explained that the MWRC could not do this work for no cost, other members agreed that a mistake had been previously made. (incidentally, Mullewa was the Shire that never accepted the initial offer)

The next issue that was debated was the previously resolved matter regarding the Acting CEO position. The previous resolutions stated -

September meeting

The Mid West Regional Council appoint an Acting CEO as an interim measure until the Regional Council has determined its future structure and direction.'

October meeting

Council appoint Mr. Ian Fitzgerald as the MWRC Acting CEO under the following contractual conditions:

- a) *Commencing immediately on the departure of the existing CEO to the 31st December 2008 at which time this arrangement will be reviewed;*
- b) *Term of appointment will also be based upon an on-going review of how the role impacts upon his duties with the Shires of Mingenew & Three Springs;*
- c) *No remuneration will be paid to Mr. Fitzgerald for the Acting CEO position. However, all disbursements associated to the position incurred by the Shires of Mingenew & Three Springs are to be reimbursed by the MWRC;*
- d) *All other conditions of appointment to be in accordance with those stipulated in correspondence from Mr. Fitzgerald accepting the role of Acting Chief Executive Officer;*

The debate reflected differing views about when this matter should be again discussed, however, as can be noted, it was resolved a meeting be set for Friday December 19, 2008, in Mingenew. There is now conjecture as to what exactly is to be discussed. I'm of the view that it is only the continuation of the Acting CEO position due to the resolutions from the recent MWRC meeting. There are others that consider the meeting is also to discuss the structure and direction with the view of appointing a full time CEO.

This is an area that Council will need to consider and provide the direction it wishes to support at the meeting on the 19th December.

I have attached further documents at **APPENDIX D** that need to be read to get an understanding as to the concerns regarding the MRWA Intergrated Service Agreement item. The concern was that the item goes over old ground and was already set up to progress.

The first is the minutes of September 2008. The second is the letter that Maurice sent to the Local Government Department requesting a change to the funding agreement for the project, then the Departments response, which indicated agreement. I believe that this agreement has all been signed and returned to the Department. The third is the 1st four pages of the Summary of Services/Projects document that Maurice sent out in early October, 2008. As can be seen in the Summary document the final action was to work as quickly as possible on the agreement with Connell Wagner. Both these summary items have been written to satisfy the department as Maurice needed to indicate that the both the MRWA and Engineering Unit were intertwined.

I have stated previously to other MWRC CEO's I'm of the opinion that it is very clear the project, although called the "Engineer & Technical Service Unit", is completely related to the Main Roads contract and this has always been Mullewa's and others condition of funding. This view is also confirmed by the resolution of the MWRC in September, which states – **"Council agree to amend the Engineering & Technical**

Service Unit Agreement to reflect.

The original Engineering & Technical Service Unit Agreement was aimed at employing an engineer etc, to work for the members etc. This never got up as most of us did not see the benefits until the opportunity of the Main Roads contract was raised earlier this year.

Michael Keene has now been appointed to commence the work with Ian, Gavin and Main Roads, and I consider work by Michael for any individual Council will have to be outside this agreement and nothing to do with the MWRC.

The idea behind all this is to try our best to get this contract and then maybe we will be in a position to set up the unit.

This is the other area that Council will need to consider and provide the direction it wishes to support at the meeting on the 19th December, as I feel that there maybe an undercurrent to appoint a CEO/Engineer to progress the original proposal for the unit.

CONSULTATION:

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

1. THAT COUNCIL DISCUSS THE MATTERS RAISED IN THIS REPORT.
2. THAT COUNCIL SUPPORTS THE CONTINUATION OF APPOINTING AN ACTING CEO IN THE INTERIM.
3. THAT COUNCIL RECOMMENDS THE MWRC TO FOCUS ONLY ON THE MRWA INTERGRATED SERVICE ARRANGEMENTS.
4. THAT COUNCIL CONTINUE SUPPORT FOR TAG MEMBERS TO MANAGE SPECIFIC SERVICE/PROJECT PORTFOLIOS THAT HAVE ALREADY BEEN INITIATED.

Moved:

J L Freeman

Seconded:

B I N Thomas

COUNCIL DECISION:

1. THAT COUNCIL DISCUSS THE MATTERS RAISED IN THIS REPORT.
2. THAT COUNCIL SUPPORTS THE CONTINUATION OF APPOINTING AN ACTING CEO IN THE INTERIM.
3. THAT COUNCIL RECOMMENDS THE MWRC TO FOCUS ONLY ON THE MRWA INTERGRATED SERVICE ARRANGEMENTS.
4. THAT COUNCIL CONTINUE SUPPORT FOR TAG MEMBERS TO MANAGE SPECIFIC SERVICE/PROJECT PORTFOLIOS THAT HAVE ALREADY BEEN INITIATED.

CARRIED 7/0

1208.11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

1208.12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

1208.13 DELEGATED AUTHORITY

Nil

1208.14 CLOSURE OF MEETING

The President closed the meeting at 2:40pm.

These minutes were confirmed at a meeting on 18 February 2009:

Signed:

A J Messina, President

Date: