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**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 17 AUGUST 2005.****0805.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:05pm The President declared the meeting open.

**0805.02 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 L J Wainwright	(Central Ward)
Councillor N D Johnstone	(South Ward)

**OFFICERS:**

Mr G S Wilks - Chief Executive Officer  
Ms N J Holmes – Deputy Chief Executive Officer

**APOLOGIES:**

Nil

**LEAVE OF ABSENCE:**

Nil

**VISITORS:**

Ms Jessica Healy – Teacher, Our Lady of Mount Carmel Convent School  
Olivia Lynch and Matt Morrissey – Students, Our Lady of Mount Carmel Convent School

**0805.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**0805.04 PUBLIC QUESTION TIME**

The President opened the meeting for public questions. The following questions were received:

**0805.05 OUR LADY OF MOUNT CARMEL CONVENT SCHOOL STUDENTS  
COUNCIL MEETING – SUGGESTIONS/REQUESTS ARISING FROM**

Olivia Lynch, requested that the footpath slabs on Doney Street be repaired.  
Matthew Morrissey, enquired as to what the yellow sand near the youth centre is to be used for. The CEO advised that the sand was intended for beach volley ball in the summer.

Matthew Morrissey, enquired if more playground equipment could be added to the existing facilities in the park.

1:10pm The CEO escorted the visitors from the meeting.

**0805.06 APPLICATION FOR LEAVE OF ABSENCE**

Nil

**0805.07 CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING**

Correction to Minute No. 0705.23: Audit Committee

Resolution should read:

That an Audit Committee be established consisting of Cr's Messina, Thomas, Steele and Panting in accordance with the Audit Regulations, and

The Committee be responsible for undertaking the functions and duties as prescribed under the Act and meet at least annually.

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

**COUNCIL DECISION:** **That the minutes of the Ordinary Meeting of Council held on 20 July 2005, as printed be confirmed.**

**CARRIED 9/0**

**0805.08 REPORT OF COMMITTEES AND MEMBERS**

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

**COUNCIL DECISION:** **That the report of the Mullewa Tourist Promotion Committee held on 1<sup>st</sup> August 2005 be received.**

**CARRIED 9/0**

**0805.09 MULLEWA YOUTH SERVICES****0805.10 YOUTH DEVELOPMENT OFFICER'S REPORT**

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

**COUNCIL DECISION:** That the report of the Youth Development Officer on activities for the month of July 2005, be received and the information noted.

**CARRIED 9/0**

**0805.11 HEALTH, BUILDING & TOWN PLANNING****0805.12 DILAPIDATED BUILDING – LOT 115 BURGESS STREET MULLEWA**

**Moved:** *J L Freeman* **Seconded:** *M D Tierney*

**COUNCIL DECISION:** That Council resolves that they are of the opinion that the building on Lot 115 (22) Bruges Street, Mullewa is a neglected building as defined by section 407 of the Local Government (miscellaneous Provisions) Act and that written notice be served on Mr Jamie Mark Kohler, the owners of the building, requiring him to take down the building.

**CARRIED 9/0**

**0805.13 MEDICAL PRACTITIONER – SERVICE OF**

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

**COUNCIL DECISION:** That, further meetings be held with Dr Stuart Adamson with a view to determining what time and the most appropriate arrangements for him to provide medical services to the Mullewa Community.

**CARRIED 9/0**

**0805.14 HOMESTEAD LOTS – POLICY CREATION**

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

**COUNCIL DECISION:** That consistent with the West 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 setback 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 request a condition be placed on the subdivision approval by the Western Australian Planning Commission requiring 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.

CARRIED 8/1

<b>0805.15</b>	<b>MANDATORY SMOKE ALARMS INSTALLATIONS – COMMENT ON</b>
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Moved: *B I N Thomas*Seconded: *L A Panting*

COUNCIL DECISION: That this Council is in support of the mandatory fitting of smoke alarms, but does not believe that Local Government should be responsible for the compliance with laws making the retrospective fitting of smoke alarms mandatory.

CARRIED 9/0

<b>0805.16</b>	<b>WORKS, PLANTS, PARKS &amp; GARDENS</b>
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<b>0805.17</b>	<b>WORKS SUPERVISORS REPORT</b>
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Moved: *L A Panting*Seconded: *M Kerkmans*

COUNCIL DECISION: That the Works Supervisor's report, including the Parks and Gardens report and the Plant Mechanic's report, for the month of July 2005 be received.

CARRIED 9/0

2:00pm Cr Panting declared a financial interest in items 10.3.3 & 10.3.4 as a service supplier to Mt Gibson Mining.

Cr Panting left the meeting.

<b>0805.18</b>	<b>PUBLIC ROAD ACCESS AGREEMENT RESEAL – DEFERRAL OF</b>
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**Moved:** *B I N Thomas*

**Seconded:** *N D Johnstone*

**COUNCIL DECISION:** **That:**

- Those sections of the Public Haul Access route currently constructed as sand sealed bitumen be maintained as such during the life of the Talling Peak Iron Ore Operation,
- Approval be given to Mt Gibson Mining Ltd to cart an amount of 3mtpa (3.3mtpa maximum in any one year) from it's Talling Peak Mining Operation along the Public Haul Route in recognition of which an additional amount of money yet to be determined will be payable to the Council for the purpose of sand reseal in accordance with similar provisions currently within the Public Road Access Agreement,
- Variations to the Public Road Access Agreement to reflect the above to be made, and
- Operative carting will only occur once the Public Road Access Agreement variations are completed.

**CARRIED 8/0**

<b>0805.19</b>	<b>PUBLIC ROAD ACCESS AGREEMENT – AMENDMENT TO</b>
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**Moved:** *N D Johnstone*

**Seconded:** *L J Wainwright*

**COUNCIL DECISION:** **That:**

- Mt Gibson Mining Ltd be advised that the Council accepts its offer to increase its annual contribution to the Structural Adjustment Fund in accordance with the Public Benefit Agreement from \$75,000 per annum to \$100,000 per annum,
- The Mullewa Community Trust Committee be directed to provide advice to the Council with respect to any alteration to the disbursement guidelines through the increase in this annual contribution, and
- Variation to the Public Benefit Agreement be undertaken to reflect the above,
- The Council notes the agreement of Mt Gibson Mining Ltd to pay an amount of \$2,500 per annum to the Mullewa Football Club for annual sports ground usage charge, and
- Disbursement from Mullewa Community Trust annually shall be

**\$50,000.****CARRIED 8/0**

2:35pm Cr Panting returned to the meeting.

2:35pm Mr Bob Roden – Works Supervisor entered the meeting.

Cr Kerkmans Requested that staff be complimented on work carried out on the East Ward roads.

Cr Thomas Enquired as to a possible date for a road inspection.

Cr Thomas Also enquired on the progress of the Mardine Spring Road.

Cr Wainwright Advised that floodways on the North Road were breaking up.

Mr Roden replied he is waiting for Mt Gibson approval before repairing the floodways.

**0805.20 MINGENEW–MULLEWA ROAD – IMPROVEMENT OF****Moved:** *A J Messina***Seconded:** *G M Steele***COUNCIL DECISION:** **That Mr John Rowe be thanked for his correspondence and advised of the proposed actions to be undertaken by the Council with respect to the improvement of the curve in front of his property on the Mingenew-Mullewa Road within this financial year.****CARRIED 9/0****MEETING ADJOURNED FROM 2:55PM TO 3:12PM****0805.21 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 L J Wainwright	(Central Ward)
Councillor N D Johnstone	(South Ward)

**OFFICERS:**

Mr G S Wilks - Chief Executive Officer  
Ms N J Holmes – Deputy Chief Executive Officer

**0805.22 FINANCE & GENERAL PURPOSE****0805.23 FINANCE REPORT 31 JULY 2005**

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

**COUNCIL DECISION:** **That the Finance Report for the period ended 31<sup>st</sup> July 2005 be received.**

**CARRIED 9/0**

**0805.24 STATEMENT OF FINANCIAL ACTIVITY – JULY 2005**

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

**COUNCIL DECISION:** **That the Statement of Financial Activity for the month of July 2005 be received.**

**CARRIED 9/0**

**0805.25 FINANCIAL MANAGEMENT REGULATIONS – MONTHLY REPORTING & MATERIALITY PERCENTAGE**

**Moved:** *J L Freeman* **Seconded:** *L J Wainwright*

**COUNCIL DECISION:** **That:**

- **The requirement of reporting on a month basis under the Financial Management Regulations be noted, and**
- **For the purpose of monthly financial reporting 10% would be a reasonable figure for highlighting variances.**

**CARRIED 9/0**

**0805.26 RECREATION CENTRE CHARGES – WAIVER OF**

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

**COUNCIL DECISION:** **That the Council is prepared to waiver Recreation Centre Dining hire charges on the occasion of the Parent Meeting held by the Mullewa District High School on 25 July 2005.**

**CARRIED 9/0**

**0805.27 CONTRACT NEGOTIATION – SENIOR STAFF****Moved:** *L A Panting***Seconded:** *J L Freeman*

**COUNCIL DECISION:** That the contract between the Mullewa Shire Council and Ms Noelene Holmes expiring on 12 December 2009 be noted, and authority be given to the Chief Executive Officer to affix the Municipal Seal.

**CARRIED 9/0****0805.28 CHIEF EXECUTIVE OFFICER'S REPORT****Moved:** *N D Johnstone***Seconded:** *M Kerkmans*

**COUNCIL DECISION:** That the Chief Executive Officer's report for the month of July 2005 be received and the recommendations arising from that report be adopted.

19 AUG 2005	CEO MEETING TO DISCUSS BROADBAND AND REGIONAL LOCAL GOVERNMENT – GERALDTON – 9:30AM
21 AUG 2005	WILDFLOWER SHOW – MULLEWA – 10:30AM
24 AUG 2005	DESIGNING OUT CRIME PLANNING MEETING – GERALDTON – 9:00AM
24 AUG 2005	DEPT OF AGRICULTURE RESTRUCTING STRATEGY FIELD DAY – MULLEWA
26 AUG 2005	FINANCE MANAGERS MEETING – THREE SPRINGS – 10:30AM
26 AUG 2005	ANNUAL AUDIT – MULLEWA – 8:00AM
26 AUG 2005	CORAL COAST BOARD MEETING – PERTH - ?
27 AUG 2005	MULLEWA AGRICULTURAL SHOW – MULLEWA
29 AUG – 2 SEPT 2005	LOCAL GOVERNMENT GRANTS COMMISSION VISIT – DATE TBA
30 AUG 2005	NMVROC MEETING – COOROW – 9:00AM
1 SEPT 2005	GRANTS COMMISSION VISIT – MULLEWA – 11:30AM
7 SEPT 2005	MEET THE PRESIDENT – MULLEWA – 9:00AM
7 SEPT 2005	GREENOUGH SUBREGION NACC MEETING – GERALDTON – 3:00PM
8 SEPT 2005	WORK SUPERVISORS MEETING – MINGENEW – 9:00AM
9 SEPT 2005	MIDWEST ECONOMIC SUMMIT – GERALDTON – 8:00AM

**CARRIED 9/0**

**0805.29** ACCOUNTS FOR PAYMENT**Moved:** *B I N Thomas***Seconded:** *L A Panting***COUNCIL DECISION:** **That:****The accounts numbered:**

<b>Electronic Funds Transfer</b>	<b>1801 - 1873</b>	<b>(inclusive)</b>
<b>Trust Fund</b>	<b>215 - 216</b>	<b>(inclusive)</b>
<b>Municipal Fund</b>	<b>8916 - 8926</b>	<b>(inclusive)</b>
<b>Municipal Fund</b>	<b>8951 - 8967</b>	<b>(inclusive)</b>
<b>Municipal Fund</b>		<b>(inclusive)</b>
<b>Direct Debits</b>	<b>27.07.2005 &amp; 10.08.2005</b>	

**totalling \$329,146.79 and Special Payments numbered**

<b>Electronic Funds Transfer</b>	<b>1801 - 1809</b>	<b>(inclusive)</b>
<b>Trust Fund</b>	<b>215 - 216</b>	<b>(inclusive)</b>
<b>Municipal Fund</b>	<b>8916 - 8926</b>	<b>(inclusive)</b>
<b>Municipal Fund</b>		<b>(inclusive)</b>
<b>Direct Debits</b>	<b>27.07.2005 &amp; 10.08.2005</b>	

**be passed for payment, and****Accounts totalling \$17, 466.50 outstanding since 17 August 2005 be received.****CARRIED 9/0****0805.30** GENERAL BUSINESS

Cr Kerkmans                      Enquired with reference to the salinity problem in the townsite. The CEO had been informed by Russell Speed that there was no cause for concern due to the preceding dry seasons.

Cr Thomas                         Suggested that tenants of shire houses be charged a fee to have Parks & Gardens staff look after front yards to present a better image.

**0805.31 CLOSURE OF MEETING**

The President closed the meeting at 4:04pm

These minutes were confirmed at a meeting on 21 September 2005

Signed:

A J Messina, President

Date: 21 September 2005