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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16TH DECEMBER 2009.**1209.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:15pm The President declared the meeting open.

1209.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

Councillor A J (Nino) Messina – President	(West 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 B I N (Barbara) Thomas – Deputy President (East Ward)

LEAVE OF ABSENCE:

Councillor J L (Julie) Freeman (Central Ward)

VISITORS

Mullewa District High School
Students: Eliza Plewright
 Joanna Ryder
Teacher: Trish Francis

1209.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

1209.04 PUBLIC QUESTION TIME

The students from Mullewa District High School had the following questions:

Joanna – What are the blue poles for?

The President referred the question to the CEO who advised that the poles are for banners to be displayed.

Eliza – What are the new things at the pool?

The CEO listed the following items:

- Inflatable
- Shed for plant room
- New fence
- New tiles (next year)

The President wished the visitors a Merry Christmas.

The visitors thanked Council for lunch and left the meeting at 1:25pm

1209.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

1209.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COUNCIL DECISION: **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18 NOVEMBER 2009, AS PRINTED BE CONFIRMED.**

CARRIED 5/0

1209.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

1209.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

1209.09 REPORTS OF COMMITTEES/MEMBERS

Nil

1209.10 REPORTS OF OFFICERS

10.2 HEALTH, BUILDING AND TOWN PLANNING

10.2.1 NEW FENCE – APPLICATION FOR

DATE OF MEETING:	16 th December 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Our Lady of Mt Carmel School Mullewa
FILE REFERENCE:	ADM0242
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	8 th December 2009, Trevor Brandy – Environmental Health Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	
BACKGROUND:	<p>Council is in receipt of an application to construct a 1.8 meter high Netta Screen fence to replace the existing wire fence at the Principal house at 63 Maitland Street Mullewa.</p> <p>The reason for this request is that the new Principal and his family of three children are moving into the house in January 2010. They also have a large dog that they are bringing with them. The front of the house has the only grassed area and they would like to be able to use the area and that their dog and children cannot “escape” and would keep them safe from the dangerous passing traffic.</p>
COMMENT:	<p>Under Councils Bylaw relating Fencing, the height of the front fence is 0.75m to the front setback line. The applicant requests Councils permission to extend this to 1.8m.</p> <p>This is a corner Lot, being at the intersection of Doney Street and Maitland Road. And the line of sight will need to be taken in consideration. At the time of this report an onsite inspection has not been carried out.</p>
CONSULTATION:	
STATUTORY ENVIRONMENT:	Under Council By Laws Relating to Fencing 3.1 (a) No person shall commence to erect, construct, reconstruct or alter or erect, construct or alter any fence or any hood or Pergola forming part of a fence (a) exceeding .75 of a meter in height abutting or within 7.6 meters of a street alignment unless the Council has approved the said plans and specifications.
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 OUR LADY OF MT CARMEL SCHOOL BE GRANTED PERMISSION TO ERECT A NETTA SCREEN FENCE AT 63 MAITLAND STREET MULLEWA TO A HEIGHT OF 1.8 METERS CONTINUING BACK TO THE BUILDING LINE PARALLEL TO DONEY STREET, SUBJECT TO AN ONSITE INSPECTION BEING CARRIED OUT TO ENSURE SIGHT RESTRICTIONS ARE NOT EFFECTED.

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

COUNCIL DECISION: **THAT OUR LADY OF MT CARMEL SCHOOL BE GRANTED PERMISSION TO ERECT A NETTA SCREEN FENCE AT 63 MAITLAND STREET MULLEWA TO A HEIGHT OF 1.8 METERS ALONG THE DONEY STREET BOUNDARY AND SET BACK 7.6 METRES FROM THE MAITLAND ROAD BOUNDARY.**

CARRIED 5/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 REQUEST FOR WAIVING COST – TOWN HALL

DATE OF MEETING: 16th December 2009
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: Our Lady of Mt Carmel
 FILE REFERENCE: ADM0056
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: Tom Hartman, Chief Executive Officer
 DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
 SUMMARY: Report requests donation of the amount of the fee for use of the Town Hall.
 BACKGROUND: Correspondence has been received from the Principal of Our Lady of Mt Carmel School requesting that the fee charged for using the Mullewa Town Lesser Hall be waived.
 COMMENT: The letter requesting the fees to be waived was received late for the matter to be considered by Council prior to the event being held. The letter should have been received and submitted to the November meeting. However, the CEO has advised the school that the fee will need to be paid and that a report will be submitted to this meeting for council to consider donating the amount of the fee back to the school
 A copy of the letter from the school is attached at **APPENDIX A.**
 CONSULTATION: Nil
 STATUTORY ENVIRONMENT:

POLICY	There are no known policy implications at this time.
IMPLICATIONS:	
FINANCIAL	The fee for hire is \$122.85. (2 X rehearsal @ \$32.05 + Hire @ \$58.75)
IMPLICATIONS:	Matters in this report should be no cost to Council.
STRATEGIC	There are no known strategic implications at this time.
IMPLICATIONS:	
VOTING REQUIREMENT:	Simple Majority
OFFICER	
RECOMMENDATION	THAT COUNCIL DONATE \$122.85 TO OUR LADY OF MT CARMEL SCHOOL MULLEWA FOR THE HIRE FEE OF THE MULLEWA TOWN HALL FOR THEIR SCHOOL CONCERT HELD ON DECEMBER 11, 2009.
Moved:	<i>M D Tierney</i>
Seconded:	<i>Andrew J Messina</i>
COUNCIL DECISION:	THAT COUNCIL DONATE \$122.85 TO OUR LADY OF MT CARMEL SCHOOL MULLEWA FOR THE HIRE FEE OF THE MULLEWA TOWN HALL FOR THEIR SCHOOL CONCERT HELD ON DECEMBER 11, 2009.
	CARRIED 5/0

10.4.2 FINANCE REPORT – NOVEMBER 2009

DATE OF MEETING:	16 th December 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report presents a bank reconciliation of Councils bank accounts.
BACKGROUND:	A reconciliation of funds is carried out at end of each month for all of Councils bank accounts. The accounts are reconciled with the general ledger to ascertain accuracy of income and expenditure of the previous month.
COMMENT:	BANK RECONCILIATION The Bank Reconciliation for the month of November 2009 is attached at APPENDIX B . The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.
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 THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH NOVEMBER 2009 BE RECEIVED.

Moved: A J Crudeli **Seconded:** K P Keeffe

COUNCIL DECISION: **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH NOVEMBER 2009 BE RECEIVED.**

CARRIED 5/0

10.4.3 ACCOUNTS FOR PAYMENT

DATE OF MEETING: 16th December 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of 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 at **APPENDIX C** 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 \$ 441,848.80 covers the following:

Municipal Account

Cheque No.	10315 - 10342	\$ 216,288.58
Electronic Fund Trans	5509 - 5584	\$ 151,496.99
Payroll & Fees	VARIOUS	\$ 73,478.43

Trust Account

Cheque No.	406 - 409	\$ 560.00
Total:		\$ 441,848.80

CONSULTATION: Nil

STATUTORY ENVIRONMENT: Local Government Act and Regulations

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 ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT.

Municipal Account

Cheque No	10315 - 10342	\$ 216,288.58
Electronic Fund Trans	5509 - 5584	\$ 151,496.99
Payroll & Fees	VARIOUS	\$ 73,478.43

Trust Account

Cheque No.	406 - 409	\$ 560.00
Total:		\$ 441,848.80

Moved: M D Tierney **Seconded:** Andrew J Messina

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

Municipal Account

Cheque No	10315 - 10342	\$ 216,288.58
Electronic Fund Trans	5509 - 5584	\$ 151,496.99
Payroll & Fees	VARIOUS	\$ 73,478.43

Trust Account

Cheque No.	406 - 409	\$ 560.00
Total:		\$ 441,848.80

CARRIED 5/0

10.4.4 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING: 16th December 2009

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 D** is the Statement of Financial Activity for November 2009.

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	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF NOVEMBER 2009 BE RECEIVED.
Moved:	<i>A J Crudeli</i>
Seconded:	<i>M D Tierney</i>
COUNCIL DECISION:	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF NOVEMBER 2009 BE RECEIVED.
	CARRIED 5/0

1:40pm – 1:47pm Cr Messina left the meeting

10.4.5 FREEMAN OF THE MUNICIPALITY – FUNCTION

DATE OF MEETING:	16 th December 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	ADM0220
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	8 th December, 2009, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	At the November 2009 meeting Council resolved –
	THAT:
	<ul style="list-style-type: none"> • <i>IN RECOGNITION OF THE HIGH ESTEEM AND GRATITUDE OF THE RESIDENTS OF THE MULLEWA SHIRE THROUGH HIS DILIGENT SERVICE TO LOCAL GOVERNMENT AS AN ELECTED MEMBER THE COUNCIL OF THE SHIRE OF MULLEWA HAS PLEASURE IN CONFERRING UPON NINO MESSINA THE TITLE OF HONORARY FREEMAN, AND</i> • <i>THE CHIEF EXECUTIVE OFFICER IS TO UNDERTAKE ARRANGEMENTS FOR THE PRESENTATION OF A CERTIFICATE AND SUITABLE GIFT TO CR MESSINA AT A FUNCTION TO BE HELD AT A MUTUALLY ACCEPTABLE TIME OF A STANDARD AND TYPE TO BE DETERMINED BY THE COUNCIL.</i>

This report is for Council to consider a function to be held at a mutually acceptable time and of a standard and type to be determined by Council.

COMMENT:	The Chief Executive Officer has discussed this with Cr Messina who has provided information regarding a function that he would like Council to consider. At this stage it is suggested that a function be held at the Mullewa Sports Club on Saturday March 27, 2010 or Friday April 9, 2010. This function would have an invitation list totalling 87 persons. The preliminary list will be tabled at the meeting for consideration.
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It is anticipated that guests would dine at a cost of approximately \$40.00

per head plus refreshments bringing the total to say \$5,000.

STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Council would need to allocate the costs of the function from the 2009-2010 budget.
	This could have no impact on Councils budget if it is decided to use the \$5,000 that has recently been received from OPR for access by OPR onto Councils roads & reserves for impact studies for their rail development. This funding is given to Council without conditions as to where it is to be spent.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple
OFFICER RECOMMENDATION:	THAT COUNCIL AUTHORISE THE CHIEF EXECUTIVE OFFICER TO ORGANISE A FUNCTION FOR CONFERRING UPON CR NINO MESSINA THE TITLE OF HONARY FREEMAN TO BE HELD AT THE MULLEWA SPORTS CLUB IN MARCH / APRIL 2010 TO THE VALUE OF \$5,000.

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

COUNCIL DECISION: **THAT COUNCIL AUTHORISE THE CHIEF EXECUTIVE OFFICER TO ORGANISE A FUNCTION FOR CONFERRING UPON CR NINO MESSINA THE TITLE OF HONARY FREEMAN TO BE HELD AT THE MULLEWA SPORTS CLUB ON 27 MARCH 2010 TO THE VALUE OF \$5,000. DRESS – SEMI FORMAL.**

CARRIED 5/0

10.4.6 REGIONAL GRANT SCHEME- APPLICATION

DATE OF MEETING:	16 th December 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	9 December – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report submits to Council the opportunity to make application to receive funding consideration under the next round of the Regional Grant Scheme for stage further developments to compliment the Yamatji Sitting Place Project that would incorporate a Men's Shed.
BACKGROUND:	The second round of the Mid West Development Commissions Regional Grant Scheme was recently advertised and applications close Early

February 2010. These grants are also available to community organisations.

The Yamatji Sitting place was the project that was submitted to the first round of the Regional Grants Scheme along with the 'Open for Business' concept project. As Council is aware the funding for the 'Sitting Place' was successful, however, the other projects were not. The approved grant is for \$37,400 and is normally matched as part of the process.

Council has agreed to negotiate for the purchase of 29B Jose Street to allow the Yamatli Sitting Place to be developed. At the October meeting it was discussed the concept of also developing a Mens Shed on this site in conjunction with the sitting place

COMMENT:

The CEO has been having discussions with various members of the male Aboriginal community concerning a proposal for a "men's shed" type project that could be included behind the 'sitting place' on this lot. As previously advised, these initiatives are being evaluated in Queensland and are showing positive outcomes. An extract from a report that was forwarded from a group conducting research is again attached at **APPENDIX E**, for information and interest. Due to the success of the women's group building the local men are quite keen on the idea, especially a meeting place and the possibility of doing similar engagement processes as the women.

On Wednesday, 25 November the CEO attended a symposium on mens sheds at the City of Geraldton where it was again reinforced the value of these places in the health and well being of men, Australia wide.

CONSULTATION:

STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:
STRATEGIC
IMPLICATIONS:

There are no known statutory implications at this time.

There are no known policy implications at this time.

As previously advised site selected is strategic for the overall development of our town centre, especially the streetscape aspect and the site would be ideal for a project for our indigenous men.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL SUPPORT THE APPLICATION TO THE REGIONAL GRANT SCHEME FOR A MENS SHED TO COMPLIMENT THE YAMATJI SITTING PLACE ON 29B JOSE STREET MULLEWA.

Moved:

K P Keefe

Seconded:

Andrew J Messina

COUNCIL DECISION:

THAT COUNCIL SUPPORT THE APPLICATION TO THE REGIONAL GRANT SCHEME FOR A MENS SHED TO COMPLIMENT THE YAMATJI SITTING PLACE ON 29B JOSE STREET MULLEWA.

CARRIED 5/0

10.4.7 GERALDTON TO MURCHISON OPTIC FIBRE CABLE
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DATE OF MEETING: 16th December 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 17 December 2008, 16 September 2009, 21 October 2009

DATE AND AUTHOR:

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

INTEREST:

SUMMARY

Report submits the proposal to CSIRO to provide a connection to the SKA optic fibre cable.

BACKGROUND: At the October 2009 meeting Council resolved –

“THAT COUNCIL ENTER INTO AN AGREEMENT WITH CSIRO FOR A 30 YEAR LEASE FOR A PORTION OF LAND MEASURING 10MX10M SITUATED ON LOT 1 OF LOT 23 LOVERS LANE TO ERRECT A 2.5MX3.0M BUILDING FOR THE PURPOSES OF AN INTERMEDIATE HUT ASSOCIATED WITH THE OPTIC FIBRE THAT IS CONNECTED TO THE MURCHISON OBSERVATORY SITE, AND ADVISE THE CSIRO THAT THE LEASE DOCUMENT IS ACCEPTABLE SUBJECT TO INCLUDING A CLAUSE RELATING TO AN AUTOMATIC ADJUSTMENT TO THE ANNUAL RENTAL IN LINE WITH CPI.”

The October meeting was also informed that there has been developments through the City of Geraldton Greenough to commence negotiations with the Federal Government and the CSIRO regarding the optic fibre past Mullewa. Information was included in the Councillors Information Bulletin regarding the business case and strategy that has been developed. A part of these documents is to negotiate a link between the City and Mullewa.

COMMENT: Council may also recall that a previous report contained the following comment –

‘As previously advised 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’.

This comment was the basis for the contents of the letter that was forwarded to the CSIRO in December 2008, which in part stated –

‘Following consideration Council resolved to support the further discussion with the CSIRO for a long term lease of Council owned land being a portion of Lot 1, Lovers Lane, and authorise the CEO to negotiate an agreement that may include a connection to the system for Mullewa upon commissioning the optic cable’

Attached at **APPENDIX F** is the recent letter regarding Councils decision on the lease agreement and the CSIRO response by email. As can be noted the reference to having a connection is being considered.

The CEO of the City of Geraldton has advised that the City is also negotiating for a link from the Geraldton Airport to Mullewa. He indicated that the cost has been suggested to be \$100,000. The City has asked if we could commit to \$50,000 which would strengthen our case. These

costs, if expended, would be reimbursed as part of the State Government financial assistance grant for reform establishment costs.

The proposal, as outlined above, regarding a connection in return to providing the site of the "SKA Hut" may also come to fruition, which would negate the need to provide funds.

This link is vital for our future amalgamation.

Council would have these funds within its resources to partner the City in this very important project and more information will be tabled at the meeting.

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 CONSIDER ALLOCATING \$50,000 TOWARDS PROVIDING 2 LIT STRANDS OF OPTIC FIBRE IN THE MURCHISON OPTIC FIBRE CABLE CONNECTING GERALDTON AIRPORT TO MULLEWA.
Moved:	<i>M D Tierney</i>
Seconded:	<i>Andrew J Messina</i>
COUNCIL DECISION:	THAT COUNCIL ALLOCATE \$50,000 TOWARDS PROVIDING 2 LIT STRANDS OF OPTIC FIBRE IN THE MURCHISON OPTIC FIBRE CABLE CONNECTING GERALDTON AIRPORT TO MULLEWA. CARRIED 5/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS - 2010

DATE OF MEETING:	16 th December 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	ADM0220
PREVIOUS MINUTE/S & REFERENCE:	November 2006, October 2007, November 2007, November 2009.
DATE AND AUTHOR:	9 December 2009 – 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:	As part of Australia Day family awards the Premiers Australia Day Active

Citizen awards were introduced to be announced on Australia Day.

The awards focus on community contribution and participation rather than personal achievement:

There are three awards –

- 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.

The nominations are required to be submitted to the Australia Day Council by Friday 8th January, 2010.

COMMENT:

Advertising has been carried out over the two months and the matter was raised for Councils attention at the November meeting. Nominations closed Wednesday, 9th December. At the close of nominations four nominations have been received for the Citizenship Award. The nominations are for Denise Olman, Delores Bone, John Peet and Thomas McKeown. Copies of the nominations are attached at **APPENDIX A**.

At the close of nominations one nomination was received for a community group or event. The nomination is Mullewa Arts & Crafts. A copy of the nomination is attached at **APPENDIX B**.

No nominations have been received for a person under 25years. Council may wish to nominate a person/s under this age.

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 in 2010. Council may wish to consider presenting the awards on this day.

CONSULTATION:

Nil

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

If Council conducts an event on Australia Day 2010 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 :

_____ FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD.

_____ 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: A J Messina **Seconded:** K P Keeffe

COUNCIL DECISION: **THAT COUNCIL ACCEPT THE NOMINATION FOR :**

DOLORES BONE FOR THE PREMIERS AUSTRALIA DAY ACTIVE CITIZENSHIP AWARD.

CARRIED 5/0

Moved: M D Tierney **Seconded:** Andrew J Messina

COUNCIL DECISION: **THAT COUNCIL ACCEPT THE NOMINATION FOR :**

MULLEWA ARTS & CRAFT 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 5/0

10.5.2 MRWA INTEGRATED SERVICES ARRANGEMENT

DATE OF MEETING: 16th December 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18th December 2008

DATE AND AUTHOR: 7th December 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report raises questions for Council's continued involvement in the Mid West Regional Council and Main Roads WA development of the Integrated Services Arrangement. (ISA)

BACKGROUND: In a report to council for the November, 2009 meeting, concerning the Mid West Regional Council's future, the following paragraph appeared in the comment column of the report –

“Since these meetings it has been raised that the Main Roads Integrated Services Arrangement has hit a substantial snag and we have been verbally advised that the joint ownership proposal is now off the books. The President is part of a delegation from the MWRC to meet with the Minister for Transport in Perth on the 25th November to discuss the situation.” The meeting with the minister did not eventuate.

There are a number of issues that were also raised at the recent Mid West Regional Council meeting held on December, 2, 2009, that may require consideration. The agenda item minutes along with a letter from the Regional Manager, Mid West, are attached at **APPENDIX C**. Also attached at **APPENDIX D** is a copy of a recent letter from the Acting Commissioner of Main Roads concerning the ISA. In the Commissioner's letter he requests that member local governments of the MWRC advise views on being prepared to continue with the development of an arrangement outline in his letter.

COMMENT:

The proposal regarding the MRWA Integrated Services Arrangements has been in progress for the past twelve months with the appointment of Michael Keene from Greenfield Technical Services to work with the MWRC and MRWA towards a joint ownership concept. Concerns have been surfacing recently that all has not been going to plan. Both the letters from MRWA indicate that the original concept will not be achieved.

The letters also raise the prospect that local government may still have the opportunity to deliver services within the ISA, but only through the appointed Integrated Service Provider.

Participants of the MWRC are now being asked if they are prepared to continue with the development of an arrangement that, as stated in the letter, requires a considerable amount of work to be done.

Up to this stage the development of an arrangement with MRWA has not been a cost to local government; expenditure has been spent from a government grant, through the MWRC. However, as can be noted in the last report of the MWRC, approximately \$70,000 has already been expended. The grant received was for \$100,000 however, there is now some confusion on the conditions for the grant as it has been recently revealed that the grant is split between development of the MRWA concept and the setting up of an engineering unit.

It is suggested that Council consider the continuing involvement in any arrangements be limited to the remaining amount of grant money that is available for developing the MRWA concept.

It is also suggested that going forward, future arrangements be concentrated on individual Local Governments and Main Roads WA.

CONSULTATION:

President

STATUTORY
ENVIRONMENT:
POLICY

There are no known statutory implications at this time.

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 DISCUSS THE MATTERS RAISED IN THIS REPORT.

Moved: Andrew J Messina **Seconded:** A J Crudeli

COUNCIL DECISION: **THAT COUNCILS CONTINUING INVOLVEMENT IN ANY ARRANGEMENTS BE LIMITED TO THE REMAINING AMOUNT OF GRANT MONEY THAT IS AVAILABLE FOR DEVELOPING THE MRWA CONCEPT, AND IT IS SUGGESTED THAT GOING FORWARD, FUTURE ARRANGEMENTS BE CONCENTRATED ON INDIVIDUAL LOCAL GOVERNMENTS AND MAIN ROADS WA.**

CARRIED 5/0

10.5.3 MID WEST REGIONAL COUNCIL - FUTURE
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DATE OF MEETING: 16th December, 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & 18th November, 2009

REFERENCE:

DATE AND AUTHOR: 7th December, 2009

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:
SUMMARY

Report again raises a discussion item regarding the future of the Mid West Regional Council and the consideration for possible withdrawal.

BACKGROUND:

At the December, 2009 meeting of the MWRC the Shire of Mullewa submitted an item on the MWRC future for participants to discuss. A copy of the minutes of the MWRC report is attached at **APPENDIX E**.

COMMENT:

As can be noted in the minutes of the MWRC, the recommendation from the Shire of Mullewa was lost.

This decision may now put Council in the position of determining its future participation in the Mid West Regional Council. This consideration for participation in the MWRC, is due to the lack of a recommendation from the MWRC to participants to discuss its future. The push from the Shire of Mullewa is based around the impending amalgamations of the remaining five local governments (Morawa, Perenjori, Mingenew, Three Springs and City of Geraldton Greenough, Chapman Valley, Mullewa) following June 30, 2009. It is also felt that there is lingering concerns amongst other participants as to how the MWRC is travelling.

The City of Geraldton Greenough has raised the issue of the Shire of Mullewa remaining within the MWRC and has indicated that no benefits appear to be gained by remaining a member.

Council's attention is directed to the provision of the MWRC Establishment Agreement. An extract from the Establishment Agreement concerning Clause 13.....WITHDRAWAL OFF A PARTICIPANT states

—

12.3 Division of liabilities

If the WCRC is to be wound up and there remains any liability or debt in excess of the realised property and assets of the WCRC then the liability or debt is to be met by each of the Participants in the same proportions as the contributions of a particular Participant to the assets of the WCRC bear to the total of such contributions by all Participants.

13. WITHDRAWAL OF A PARTICIPANT**13.1 Withdrawal**

A Participant may, at any time between 1 July and 31 December in any year give to the WCRC and to the other Participants notice of its intention to withdraw from the WCRC.

13.2 When withdrawal to take effect

Subject to clause 13.3, the withdrawal of a Participant is to take effect from the end of the financial year after the financial year in which notice of withdrawal under clause 13.1 is given.

13.3 No withdrawal to take effect prior to 1 July 2010

If a Participant gives notice of its withdrawal under clause 13.1 prior to 1 July 2008 then the withdrawal of the Participant takes effect commencing on 1 July 2010.

13.4 Entitlement or liability of withdrawing Participant

When the withdrawal of a Participant takes effect:

- (a) the Participant is entitled to be paid an amount equal to the Proceeds and any surplus funds which would have been payable if the WCRC was wound up; or
- (b) the Participant must pay to the WCRC an amount equal to the liability or debt which would be payable by the Participant if the WCRC was wound up,

as the case may be.

13.5 Participants may be required to make payment

If the WCRC is unable to make the payment referred to in clause 13.4(a) from funds on hand then, unless the WCRC Council decides otherwise, the Participants (other than the Participant which has withdrawn) must pay the amount in the proportions equal to their respective equities in the WCRC.

As can be noted in clause 13, Council will need to give its notice between 1 July and 31 December, 2009, for a withdrawal to be effective on 1 July 2011. If notice is not given prior 31 December, 2009, the effective date of withdrawal extends a further year, to 2012.

Council may wish to consider two motions regarding this matter; the first is a motion giving the Mid West Regional Council and to the other participants notice of its intention to withdraw from the Mid West Regional Council, and

The second motion is to give the other participants the reasons for Councils decision i.e. the lack of support to have the MWRC future discussed by participants and the pending amalgamations of the 5 remaining local governments post 1 July 2010.

This matter needs to be discussed.

CONSULTATION:

President

Tony Brun City of Geraldton
Mayor City of Geraldton

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

**THAT COUNCIL DISCUSS THE FUTURE PARTICIPATION AS A
MEMBER OF THE MID WEST REGIONAL COUNCIL**

Moved:

K P Keefe

Seconded:

M D Tierney

COUNCIL DECISION:

1. **THAT COUNCIL GIVE THE MID WEST REGIONAL COUNCIL AND TO THE OTHER PARTICIPANTS NOTICE OF ITS INTENTION TO WITHDRAW FROM THE MID WEST REGIONAL COUNCIL TO TAKE EFFECT 1ST JULY 2010.**
2. **THAT COUNCIL GIVE THE PARTICIPANTS OF THE MID WEST REGIONAL COUNCIL THE REASON FOR COUNCIL'S DECISION I.E. THE LACK OF SUPPORT TH HAVE THE MWRC FUTURE DISCUSSED BY PARTICIPANTS AND THE PENDING AMALGAMATIONS OF THE 5 REMAINING LOCAL GOVERNMENTS POST 1 JULY 2010.**

CARRIED 5/0

1209.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil

1209.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

1209.13	DELEGATED AUTHORITY
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Nil

1209.14	CLOSURE OF MEETING
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The President closed the meeting at 2:18pm.

These minutes were confirmed at a meeting on 17th February 2010:

Signed:

A J Messina, President

Date: