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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON FRIDAY 23 SEPTEMBER 2005.**0905.01 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

1:10pm The President declared the meeting open.

0905.02 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 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:

Councillor L A Panting (Central Ward)

LEAVE OF ABSENCE:

Nil

0905.03 PUBLIC QUESTION TIME

Nil

0905.04 APPLICATION FOR LEAVE OF ABSENCE

Nil

0905.05 CONFIRMATION OF MINUTES FROM THE SPECIAL MEETING**Moved:** *B I N Thomas* **Seconded:** *M D Tierney***COUNCIL DECISION:** **That the minutes of the Special Meeting of Council held on 17 August 2005, as printed be confirmed.****CARRIED 8/0****0905.06 CONFIRMATION OF MINUTES FROM THE PREVIOUS MEETING****Moved:** *J L Freeman* **Seconded:** *G M Steele***COUNCIL DECISION:** **That the minutes of the Ordinary Meeting of Council held on 17 August 2005, as printed be confirmed****CARRIED 8/0****0905.07 ROAD INSPECTION**

A road inspection will be held on Thursday, 6 October 2005. The bus will be leaving from the Administration building at 8:30am. Any specific roads to be inspected should be given to the CEO for inclusion on the tour.

0905.08 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 5 September 2005 be received.****CARRIED 8/0****0905.09 MULLEWA YOUTH SERVICES****0905.10 YOUTH DEVELOPMENT OFFICER'S REPORT****Moved:** *L J Wainwright* **Seconded:** *N D Johnstone***COUNCIL DECISION:** **That the report of the Youth Development Office on activities for the month of August 2005 be received and the information noted.****CARRIED 8/0**

1:28pm Mr Trevor Brandy, Environmental Health Officer – entered the meeting.

0905.11	HEALTH, BUILDING AND TOWN PLANNING
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0905.12	RESIDENTIAL DEVELOPMENT - PROPOSED
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Moved: *N D Johnstone*

Seconded: *J L Freeman*

COUNCIL DECISION:

That Council approve the proposed residential development upon Lots 113 & 114 corner Burges and Molster Streets, Mullewa as shown on the submitted plans dated 30 June 2005 subject to compliance with the following conditions:

- 1. The applicant must complete the amalgamation of Lots 113 and 114 at their expense, prior to Council issuing the necessary building licence so as to ensure that proposed Residence C is not constructed across an existing lot boundary**
- 2. The 3 dwellings are required to be connected to sewer to the satisfaction of the Water Corporation. Council may permit a temporary onsite effluent disposal system based on Water Corporation advice on the upcoming availability of sewer.**
- 3. A building licence shall be issued by the Council prior to the commencement of any work on the site;**
- 4. All stormwater from the development shall be retained on-site to the Council's satisfaction;**
- 5. The materials and colours used for the 3 dwellings and the street fencing shall be complementary to the satisfaction of Council;**
- 6. The installation and maintenance of landscaping shall be to the satisfaction of Council;**
- 7. The 3 driveway crossovers shall be designed and constructed to the satisfaction of Council; and**
- 8. The applicant is advised that Council would support a strata application to create a separate strata lot for each dwelling or a freehold subdivision application lodged with the Western Australian Planning Commission to create a separate green-title lot for each dwelling.**

CARRIED 6/2

0905.13 LOT 81 MILLS STREET**Moved:** *B I N Thomas***Seconded:** *J L Freeman***COUNCIL DECISION:** **That Councils solicitors be instructed to:**

- **Proceed with an application to the Magistrates Court for an order that Mr Allen comply with the Notice, and**
- **If the order is not complied with that section 408 (5) of the act be considered.**

CARRIED 8/0**0905.14** LOT 187 (4) MOLSTER STREET**Moved:** *J L Freeman***Seconded:** *L J Wainwright***COUNCIL DECISION:** **That:**

- **Section 408 (c) of the Local Government (Miscellaneous Provisions) Act be withdrawn on Nondo Pty Ltd.**
- **The stop work order under Section 401 (A) of the Act be kept in place until appropriate building plans have been received by Council, and**
- **A fresh notice under Section 408 (2) of the Act be served on Mr Royce James O'Reilly of 16 Belmont Road, Kenwick**

CARRIED 8/0**0905.15** DILAPIDATED BUILDING LOT 116 BURGES STREET MULLEWA**Moved:** *J L Freeman***Seconded:** *L J Wainwright*

COUNCIL DECISION: **That Council resolves that they are of the opinion that the building on Lot 116 Burges 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 A J Cox the owners of the building, requiring him to take down the building.**

CARRIED 8/0

Cr Freeman enquired on progress on houses on Dalgety Street. Mr Brandy advised the MEEDAC had been approached to clear the area but declined due to no monetary arrangement being offered.

Cr Wainwright advised of dilapidated house on Steele Street.

Cr Wainwright asked about constant water pooling in front of the Club Hotel.

Cr Tierney requested investigation into sewerage odour coming from the drain outside of Yarrumba Deli.

2:00pm Trevor Brandy left the meeting.

0905.16	HEALTH PROMOTION ACTIVITIES – SUPPORT FOR
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Moved: *B I N Thomas*

Seconded: *L J Wainwright*

COUNCIL DECISION: **That the Mullewa, Yalgoo Murchison MPS be advised that:**

- 1. Charges associated with the hire of the Mullewa Lesser Hall on Tuesday 6 September 2005 not be waived,**
- 2. That a free condom vending machine be placed in the Mullewa Youth Centre provided that it is in such a position that it is readily visible at all times, it can be readily moved without causing permanent damage to the facility, and Council accepts no responsibility for its contents or positioning,**
- 3. That the display of STI brochures shall be on an existing display board or on desk top or movable displays, but no such display shall be affixed in the toilets on walls back of toilet doors in either the Youth Centre or the Mullewa Recreation Centre,**
- 4. A free condom dispensing device not be sited in public open space that is readily accessible to all members of the community,**
- 5. Hire of the Mullewa Recreation Centre on Friday 28 October 2005 for the purpose of Commonwealth Games for Seniors be granted,**
- 6. The Shire President, or his Deputy if unavailable, to attend the opening of the Commonwealth Games for Seniors at approximately 10:00am and present the shield to the winning team at approximately 3:00pm.**
- 7. Permission is granted to erect a rope with various ladies bras to be pegged to it, either between the two gum trees in front of Thurkles Eziway Store on Jose Street or on the verandah of the store as part of Breast Cancer Awareness day provided that the position of the rope is not likely to cause injury to**

0905.19 WORKS, PLANT, PARK & GARDENS**0905.20 LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE 2003/2004 – REPORT ON****Moved:** *G M Steele***Seconded:** *N D Johnstone*

COUNCIL DECISION: That the 2003/2004 report on Local Government Road Assets and Expenditure be noted and that the continuing commitment to the upgrading maintenance and improvement of Councils road network is reaffirmed.

CARRIED 8/0

2:30pm Bob Roden, Works Supervisor – entered the meeting.

0905.21 MULLEWA TOWNSITE LOTS – DEVELOPMENT OF**Moved:** *N D Johnstone***Seconded:** *B I N Thomas*

COUNCIL DECISION: The Department of Planning & Infrastructure be advised that in respect of Mullewa reserve 24544 “Railway Housing” that:

- It is considered that there is no benefit to be achieved in servicing and making available for release by Landcorp for residential purposes any of the 16 lots, and
- Lot 207 could be added to the adjoining “Water and Landscape Protection”: Reserve 46907 subject to there being:
 - no contamination or adverse environmental contamination on the lot, and
 - no physical assets within the lot.

CARRIED 8/0**0905.22 WORK SUPERVISORS REPORT****Moved:** *G M Steele***Seconded:** *N D Johnstone*

COUNCIL DECISION: That the Work Supervisors report including the Parks and Gardens report and the Plant Mechanic report for the month of August 2005 be received.

CARRIED 8/0

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

COUNCIL DECISION: That 'No Standing' signs in front of Our Lady of Mount Carmel School gates, in Doney Street be erected and that angle parking bays be marked.

CARRIED 8/0

2:40pm Bob Roden, Work Supervisor left the meeting.

0905.23	LOCAL ROAD PROJECT FUNDING – SUBMISSIONS 2006/2007
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Moved: *B I N Thomas***Seconded:** *G M Steele*

COUNCIL DECISION: That the action of the Chief Executive Officer in submitting projects for Nangetty-Walkaway, Yuna-Tenindewa, Carnarvon-Mullewa, Mingenew-Mullewa, Pindar-Tardun Roads under the local road project funding pool for the 2006/2007 financial year be endorsed.

CARRIED 8/0

0905.24	PROPOSED LOCALITIES – SHIRE OF MULLEWA
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Moved: *J L Freeman***Seconded:** *L J Wainwright*

COUNCIL DECISION: **That:**

- The advice from the Department of Land Information, Geographic Names Committee that the new locality name of "West Casuarinas" has been accepted, be noted, and
- The new locality name and that of other localities within the Mullewa Shire now be promoted to residents, with an advice that they will become recognisable for address purposes through a number of government agencies.

CARRIED 7/1**MEETING ADJOURNED FROM 3:00PM – 3:20PM**

0905.30 REGIONAL LOCAL GOVERNMENT – ESTABLISHMENT OF**Moved:** *J L Freeman***Seconded:** *B I N Thomas*

COUNCIL DECISION: That the draft Establishment Agreement for the Regional Local Government to be established in the North Midlands be received and that elected members be requested to examine the document with a view to providing approval to the appending of the authority of the Council at the October Ordinary Meeting.

CARRIED 7/1**0905.31** ONLINE LICENSING AGREEMENT – RENEWAL OF**Moved:** *B I N Thomas***Seconded:** *L J Wainwright*

COUNCIL DECISION: That the interim contract from the Department for Planning and Infrastructure for the provision of online licensing and registration services by the Mullewa Shire Council which provides for an extension of the current contract until 30 may 2006 be approved and that the Chief Executive Officer be authorised to sign the contract variation.

CARRIED 8/0**0905.32** MULLEWA SPORTS CLUB LEASE AGREEMENT – ALTERATION OF**Moved:** *B I N Thomas***Seconded:** *L J Wainwright*

COUNCIL DECISION: That the Mullewa Sports Club Inc be advised that the Council acknowledges its correspondence with respect to the role that it plays within the Mullewa community and requests that a meeting be held to consider those items raised within tis correspondence with respect to:

- Repairs and maintenance to the premises
- The cost of added security, and
- The cost and duplication of insurance premiums for the facility.

CARRIED 8/0

0905.33 RECREATION CENTRE CHARGES – WAIVER OF**Moved:** *N D Johnstone***Seconded:** *J L Freeman*

COUNCIL DECISION: That Mr Jeremy Clarke be provided free usage of the Mullewa Recreation Centre Dining Room for each and every Tuesday from 11 October 2005 until 6 December 2005 for a one hour period between the hours of 3:30pm and 4:30pm subject to the following:

- That the venue is left clean and tidy at the conclusion of each hire.
- That he indemnifies the Council for any accident or injury arising from this undertaking, and
- The contribution of the Council to this undertaking is promoted.

CARRIED 8/0**0905.34** TOWN HALL CHARGES – WAIVER OF**Moved:** *G M Steele***Seconded:** *B I N Thomas*

COUNCIL DECISION: That the application by the 'The Wizard of Oz Show' to obtain a concession hall hire price for their performance in Mullewa on Tuesday 27 September 2005 be rejected.

CARRIED 8/0**0905.35** TOWN HALL CHARGES – WAIVER OF**Moved:** *N D Johnstone***Seconded:** *B I N Thomas*

COUNCIL DECISION: That the Mullewa District High School be provided free usage of the Mullewa Town Hall on October 21 & 28, November 4, 11, and 18 between 11:30am and 12:30pm subject to the following:

- That the venue is left clean and tidy at the conclusion of each hire.
- That the Council is indemnified for any accident or injury arising from this undertaking, and
- The contribution of the Council to this undertaking is promoted.

CARRIED 7/1

0905.36 CHIEF EXECUTIVE OFFICER'S REPORT**Moved:** *N D Johnstone***Seconded:** *L J Wainwright*

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

27 SEPT 2005 MID WEST DEVELOPMENT COMMISSION INFRASTRUCTURE GROUP MEETING - GERALDTON - 9:00AM
 27 SEPT 2005 NMVROC CEO'S MEETING - MORAWA - 10:00AM
 28 SEPT 2005 REGIONAL LOCAL GOVERNMENT ADDRESS - CARNAMAH - 9:00AM
 3 OCT 2005 NCZWALGA EXECUTIVE MEETING - TELECONFERENCE - 8:30AM
 5 OCT 2005 MEET THE PRESIDENT - MULLEWA - 9:00AM
 10 OCT 2005 INTERAGENCY MEETING - MULLEWA - 10:30AM
 11 OCT 2005 ADP MEETING - MULLEWA - 10:00AM
 19 OCT 2005 SMALL TOWN RURAL CONFERENCE - YORK - ALL DAY

CARRIED 8/0**0905.37 8 SEPTEMBER 2005 - MULLEWA GROUP MEETING****Moved:** *N D Johnstone***Seconded:** *G M Steele***COUNCIL DECISION:****That:**

- The minutes of the Bush Fire Group be received.
- Council to write to Mr Daniel Critch advising of his nomination as an FCO. He is to have completed an FCO Course by March 2006 before Council further considers his appointment.
- All dual FCO's within the next 6 months must demonstrate that they have done an FCO course or their authority to act in the Mullewa Shire will be withdrawn and all dual registered FCO will not have power to:
- Issue permits within the Mullewa Shire.
- Control fires in presence of a Mullewa FCO, or
- Commandeer/order plant

CARRIED 8/0

0905.38 NEW BUSINESS**0905.39 ACCOUNTS FOR PAYMENT****Moved:** *G M Steele***Seconded:** *B I N Thomas***COUNCIL DECISION: That:****The accounts numbered:**

Electronic Funds Transfer	1874 - 1961	(inclusive)
Trust Fund	217 - 223	(inclusive)
Municipal Fund	8941 - 8950	(inclusive)
Municipal Fund	8968 - 8972	(inclusive)
Municipal Fund	8982 - 8993	(inclusive)
Direct Debits	24.08.05, 07.09.05, 21.09.05	

totalling \$349,130.77 and Special Payments numbered

Electronic Funds Transfer	1874 - 1882	(inclusive)
Trust Fund	217 - 223	(inclusive)
Municipal Fund	8941 - 8950	(inclusive)
Municipal Fund	8968 - 8972	(inclusive)
Direct Debits		

be passed for payment.**CARRIED 8/0****0905.40 CLOSURE OF MEETING**

The President closed the meeting at 4:50pm

These minutes were confirmed at a meeting on 19 October 2005

Signed:

A J Messina, President

Date: 19 October 2005