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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16TH SEPTEMBER 2009.**0909.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:00pm The President declared the meeting open

0909.02 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 A J (Andrew) Messina	(South Ward)

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer (1:15pm)

APOLOGIES:

Councillor M (Mike) Kerkmans (East Ward)

LEAVE OF ABSENCE:

Councillor K P (Kim) Keeffe (South Ward)
Councillor L J (Linda) Wainwright (Central Ward)

VISITORSOur Lady of Mt Carmel School

Teacher: Anita Krippner
Students: William Thomas
Cheyanne Crudeli
Adam Francis

Oakajee Port and Rail

Kim Pervan
Peter Spalding

0909.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0909.04 PUBLIC QUESTION TIME

The students from Our Lady of Mt Carmel School had the following questions:

We have noticed the pool fences and think they look good. What's happening with the shade sails? (Cheyanne)

The CEO advised that the shades were still under construction and will be ready for the summer.

After talking to the kids at Tardun, we were wondering if the Tardun road is getting graded. (Adam)

The CEO advised that this road is being graded now.

We have noticed the new seats on the wildflower walk and rails. Are there any plans for anything more? (Cheyanne)

The CEO advised that work is now complete.

Have the council made a decision who they are amalgamating with and if so how this will change things. (William)

The President advised that our number of Councillors will be reduced but local identity, local workforce, office will remain.

0909.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

0909.06 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 AUGUST 2009, AS PRINTED BE CONFIRMED.**

CARRIED 6/0

0909.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

0909.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Oakajee Port & Rail representatives, Kim Pervan and Peter Spalding gave an overview of the rail and port project, ownership details, the Midwest mining locations, the case for Oakajee, milestones, State Development Agreement, Bankable feasibility by first quarter 2010 and completion of project 2014.

Peter specifically spoke about the rail corridor and the consultation with farmers affected by the rail route. Other matters discussed were compensation, one off payments for the feasibility study.

The President invited Kim Pervan to draw the Commonwealth Bank's rate payer incentive prize of \$500.

The winner being A1060 – ND & JL Swift

0909.09 REPORTS OF COMMITTEES/MEMBERS

Nil

0909.10 REPORTS OF OFFICERS

10.3 WORKS, PLANT, PARKS & GARDENS

10.3.1 LOCAL GOVERNMENT ROAD ASSETS AND EXPENDITURE 2007/2008 – REPORT ON

DATE OF MEETING: 16th September 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: Western Australian Local Government Association

FILE REFERENCE: 105.01

PREVIOUS MINUTE/S & REFERENCE: 17th September 2008

DATE AND AUTHOR: 12 August 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

BACKGROUND:

A report on local government road assets expenditure 2007/2008 has been received from the Western Australian Local Government Association. The report is a snap shot of the commitment of Local Governments to maintaining and upgrading the road network. It clearly identifies where road funding is going, where it has been spent, and where more road funding is required.

It is noted in the report that in 2007/2008 local government spent:

- \$498.5m on preservation – a shortfall of \$142.6m, and

Total local government expenditure on roads was \$450.7m an increase of \$48m over the previous year.

COMMENT: The road assets and expenditure report is very detailed and covers approximately 124 pages. (This report will be tabled)

Attached **APPENDIX A** is the following information for your assistance:

- Conclusions – a summary of the report which provides various pie and bar graphs showing the shortfall in expenditure over need,
- Mid West Regional Road Group – Expenditure from own resources and required expenditure on preservation, and
- Mid West Regional Road Group – Expenditure Statistics.
- Road assets and expenditure indicators.

WALGA continues to raise a matter that Council needs to make note of in relation to Councils own expenditure being spent on Roads. This anomaly has been pointed out previously to Council and the agreement to receiving Roads to Recovery funding requires Council expenditure on roads to be at least that to which was averaged prior to the funding agreement. However, there has been an increase in expenditure over the past year (2006/2007) and it will again increase next year 2008/2009.

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 THE 2007/2008 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.

Moved:

J L Freeman

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT THE 2007/2008 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 6/0

10.3.2 REGIONAL ROAD GROUP FUNDING – SUBMISSIONS 2010/2011

DATE OF MEETING:

16th September 2009

LOCATION/ADDRESS:

-

NAME OF APPLICANT:

-

FILE REFERENCE: 706.03 2008/2009

PREVIOUS MINUTE/S &
REFERENCE:

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

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

In accordance with the timetable as established by the Mid West Regional Road Group, program submissions have been prepared by Michael Keane, Greenfield Technical Services and submitted for road projects for the 2010/2011 financial year. In accordance with Regional Road Group direction, funding submission can only be considered on roads of regional significance. Priority is normally given to preservation works over construction works. At this time there is no indication of the level of funding for the Mid West Regional Project Pool for the 2010/2011 program.

Endorsement of this project funding submission is sought.

BACKGROUND: The following road projects have been submitted for funding through the Regional Road Group for the 2010/2010 financial year.

<i>Mingenew-Mullewa Rd</i>	6km reseal SLK 12-18 plus minor shoulder work	\$138,200
<i>Mingenew-Mullewa Rd</i>	Significant shoulder renewal ahead of reseal program	\$ 126,546
<i>Yuna Tenindewa</i>	Significant shoulder renewal ahead of reseal program	\$79,869

COMMENT: Due to the importance of the Yuna Tenindewa Road, the current condition of the road shoulders and the completion of the reseal program on the Nangetty Walkaway Road it was considered appropriate to apply for the funding for this work.

CONSULTATION: Michael Keane, Greenfield Technical Services - Bob Roden, Works Supervisor.

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

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

FINANCIAL IMPLICATIONS: Funding is approved on the basis of local government contributing 1/3 of the cost.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE ACTION OF THE CHIEF EXECUTIVE OFFICER IN SUBMITTING PROJECTS FOR THE MINGENEW-MULLEWA ROAD AND THE YUNA TENINDEWA ROADS, UNDER THE REGIONAL ROAD GROUP LOCAL ROAD PROJECT FUNDING POOL FOR THE 2010/2011 FINANCIAL YEAR BE ENDORSED.

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

COUNCIL DECISION: **THAT THE ACTION OF THE CHIEF EXECUTIVE OFFICER IN SUBMITTING PROJECTS FOR THE MINGENEW-MULLEWA ROAD AND THE YUNA TENINDEWA ROADS, UNDER THE REGIONAL**

**ROAD GROUP LOCAL ROAD PROJECT FUNDING POOL FOR THE
2010/2011 FINANCIAL YEAR BE ENDORSED.**

CARRIED 6/0

10.3.3 RATIONALISATION OF CROWN LAND AT TARDUN TOWNSITE
--

DATE OF MEETING:	16 th September 2009
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	513 & 502.07 07/04
PREVIOUS MINUTE/S & REFERENCE:	17 th June 2009, November 2003 & July 2004
DATE AND AUTHOR:	9 th September 2009 - Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report continues procedure for the closure and dedication of roads within the Tardun Townsite.
BACKGROUND:	At the June 2009 Council formally resolved to: <ul style="list-style-type: none"> • Close all of those public roads as marked blue on the plan provided by the Department for Planning and Infrastructure in its correspondence of 10 June 2004, and as identified as being on the western, northern and eastern sides of Reserve 20137 and on the western and southern sides of Reserve 20136; and • To dedicate those roads as marked green on the map accompanying the correspondence from the Department for Planning and Infrastructure in its correspondence dated 10 June 2004 and identified as generally in a north-south direction from the Mullewa-Wubin Road from a point identified as K through a point identified as L to the southern boundary of Reserve 18754 and from a point identified as L to a point identified as I on the same map and that section of the Pindar-Tardun Road from the north-eastern corner of Reserve 20136 in an easterly direction to the end of the VCL boundary.
COMMENT:	In accordance with procedure, public advertising was carried out requesting submissions on the proposal to be lodged by Friday 28 th August 2009. No submissions were received by the closing date.
CONSULTATION:	CEO –Tom Hartman.
STATUTORY ENVIRONMENT:	Land Administration Act 1997 S.56 & S.58
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known policy implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT THE DEPARTMENT OF LANDS BE ADVISED THAT NO SUBMISSIONS WERE RECEIVED ON THE PROPOSAL TO

DEDICATE AND CLOSE ROADS IN THE VICINITY OF TARDUN TOWNSITE.

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

COUNCIL DECISION: THAT THE DEPARTMENT OF LANDS BE ADVISED THAT NO SUBMISSIONS WERE RECEIVED ON THE PROPOSAL TO DEDICATE AND CLOSE ROADS IN THE VICINITY OF TARDUN TOWNSITE.

CARRIED 6/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 COMMUNITY SPORT & RECREATION FACILITIES FUND – (CSRFF 2010/2011)

DATE OF MEETING: 16th September 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: 15th October 2008, 19th August 2009

DATE AND AUTHOR: 10 September 2009 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST: SUMMARY

Report provides further information to Council regarding the opportunity to make application to receive 1¹/₃ funding consideration under the 2010/2011 Department of Sport and Recreation CSRFF program for stage 2 improvements to the Mullewa Swimming Pool.

BACKGROUND:

The 2010/2011 CSRFF funding program was recently advertised and depending on the amount requested applications close August 31 and September 30th 2009 with the Local Government. Local Government is then required to consider the applications and prioritize them before forwarding to the Department by October 31st, 2009. These grants are also available to community organisations.

Council has agreed to utilise Royalties for Regions funding to stage an upgrading program over the next couple of years to improve the facilities at the pool. The plant room is being replaced in stage 1 and stage 2 involves replacing the main inlet and outlets to the pool, tiling the pool 'bowl' and replacing the scum gutters with a "level deck" (Wetdeck) and enlarging the balance tank.

COMMENT:

Tenders were accepted in May 2009 for replacing the plant room as part of stage 1 with funding being provided from a CSRFF grant and Royalties for Regions.

This matter was considered at the Council meeting held 19th August, 2009 whereby it was resolved "**THAT COUNCIL SUPPORT THE APPLICATION FOR THE STAGE 2 UPGRADE OF THE MULLEWA SWIMMING POOL TO THE DEPARTMENT OF SPORT AND RECREATION BY OCTOBER 31, 2009.**"

At the time of the August report an estimate of the cost of the stage 2 works had not been received, however, there was an indication in the report that suggested that "each stage" would cost around \$300,000.

This figure is way out, as an estimate received recently indicates a cost of \$770,000, which includes sandblasting the existing pool bowl surface and completely tiling and enlarging the balance tank, both of which were not considered in the August report. Council needs to be aware of this difference from what was originally reported.

CONSULTATION:

STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:

There are no known statutory implications at this time.

There are no known policy implications at this time.

As indicated above, stage 2 is likely to cost around \$770,000 and if an application is successful, the project will need to be considered in the 2010/2011 budget. Council's contribution will depend on the number of other partners in the project as CSRFF will only fund a third.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL SUPPORT THE APPLICATION TO THE DEPARTMENT OF SPORT AND RECREATION BY OCTOBER 31, 2009.

Moved:

Andrew J Messina

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT COUNCIL SUPPORT THE APPLICATION TO THE DEPARTMENT OF SPORT AND RECREATION BY OCTOBER 31, 2009.

CARRIED 6/0

10.4.2 FINANCE REPORT – AUGUST 2009
--

DATE OF MEETING: 16th September 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 August 2009 is attached at **APPENDIX A**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.

\$4,225.06 has been reinvested by the bank in error into the Road Reseal Term Deposit. This will be rectified when the deposit matures.

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 31st AUGUST 2009 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st AUGUST 2009 BE RECEIVED.**

CARRIED 6/0

10.4.3 ACCOUNTS FOR PAYMENT

DATE OF MEETING: 16th September 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: 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 B** 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 \$ 639,750.99 covers the following:

Municipal Account

Cheque No.	10236 - 10260	\$ 47,286.26
Electronic Fund Trans	5299 - 5363	\$ 520,924.53
Payroll & Fees	VARIOUS	\$ 71,095.00

Trust Account

	Cheque No.	395 - 397	\$ 445.20
		Total:	\$ 639,750.99
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	10236 - 10260	\$ 47,286.26
Electronic Fund Trans	5299 - 5363	\$ 520,924.53
Payroll & Fees	VARIOUS	\$ 71,095.00
<u>Trust Account</u>		
Cheque No.	395 - 397	\$ 445.20
	Total:	\$ 639,750.99

Moved: *Andrew J Messina* **Seconded:** *J L Freeman*

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

Municipal Account

Cheque No	10236 - 10260	\$ 47,286.26
Electronic Fund Trans	5299 - 5363	\$ 520,924.53
Payroll & Fees	VARIOUS	\$ 71,095.00
<u>Trust Account</u>		
Cheque No.	395 - 397	\$ 445.20
	Total:	\$ 639,750.99

CARRIED 6/0

10.4.4 REQUEST FOR WAIVING COST – LESSER HALL
--

DATE OF MEETING: 16th September 2009
LOCATION/ADDRESS: -
NAME OF APPLICANT: Mullewa Local Justice Agreement
FILE REFERENCE: 211.01
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: Tom Hartman
DISCLOSURE OF INTEREST: Author has no disclosure of interest.
SUMMARY: Report requests fee to be waived for use of The Lesser Hall.

BACKGROUND: Correspondence has been received from Bradley Mitchell, Regional Coordinator Aboriginal Services Geraldton, Local Justice Agreement, requesting that the fee charged for using the Mullewa Town and Lesser Hall for a series of workshops be waived.

COMMENT: The cost associated with this hire is \$240.25

The Mullewa Local Justice Agreement has been developed in close consultation with the Mullewa community through the Local Justice Forum. The membership of this forum represents a balance of government, Aboriginal community members, other relevant Government and Aboriginal agencies and Council. It is both the role and responsibility of the forum to ensure this agreement reflects community views and is enacted and monitored in an effective manner.

This Local Justice Agreement aims to reflect and support the requirements of the Western Australian Aboriginal Justice Agreement 2004 (AJA) by focusing on the following justice outcomes:

1. Safe and sustainable communities;
2. Reduction in the number of victims of crime; and
3. Reduction of over-representation of Aboriginal people in the criminal justice system.

The Mullewa Local Justice Agreement also intends to put *policy into action* so the justice-related issues identified in the Mullewa community can be improved in a collaborative partnership between government and non-government agencies and the Mullewa community, structured through an action planning process detailed in the Implementation Plan.

Key Strategic Focus Areas

The Mullewa Local Justice Agreement is directed towards the key strategic focus areas outlined in the Western Australian Aboriginal Justice Agreement. These are:

1. Community safety, security and well-being;
2. Individual and family well-being;
3. Criminal justice system;
4. Programs and service delivery; and
5. Public sector reform and resource flexibility.

Finally, and most importantly, this agreement is a commitment statement to ensuring that the views of the Mullewa community identified in this agreement, are heard and addressed in a timely manner through a planned process.

The provision of the venue for these workshops is a way of Council contributing towards helping resolve these social issues in partnership with other organisations.

A copy of the letter from the Mullewa local justice agreement coordinator is attached at **APPENDIX C**

CONSULTATION: Nil
STATUTORY
ENVIRONMENT:

POLICY	There are no known policy implications at this time.
IMPLICATIONS:	
FINANCIAL	The hire fee cost associated with this hire is \$240.25
IMPLICATIONS:	
STRATEGIC	There are no known strategic implications at this time.
IMPLICATIONS:	
VOTING REQUIREMENT:	Simple Majority
OFFICER	
RECOMMENDATION	THAT THE MULLEWA LOCAL JUSTICE AGREEMENT BE ADVISED THAT THE FEE OF \$240.25 WILL BE WAIVED TO HOLD COMMUNITY & FAMILY VIOLENCE WORKSHOPS ON THE 22, 23, 30 SEPTEMBER AND 7, 8, OCTOBER 2009.

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

COUNCIL DECISION: **THAT THE MULLEWA LOCAL JUSTICE AGREEMENT BE ADVISED THAT THE FEE OF \$240.25 WILL BE WAIVED TO HOLD COMMUNITY & FAMILY VIOLENCE WORKSHOPS ON THE 22, 23, 30 SEPTEMBER AND 7, 8, OCTOBER 2009.**

CARRIED 6/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 BUSH FIRE GROUP – MEETING OF

DATE OF MEETING:	16 th September 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	401
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	9 September 2009 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Deputy Chief Bush Fire Control Officer.
SUMMARY	Report submits Bush Fire Group recommendations for adoption.
BACKGROUND:	The Mullewa Bushfire Group met on Tuesday, 8 th September, 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.

The Group voted to recommend the removal of the restriction on the requirement to obtain a permit for Sunday harvesting. The reasons cited were that wheat bins are now open on Sundays and that with modern farming practices it was felt that this restriction was somewhat outdated. This removal will bring Mullewa in to line with surrounding areas that have no restrictions on Sunday harvesting.

Generally the group were also concerned that the fire that escaped in March 2009 did not have a plough readily available on the site and some farmers were not adhering to the permit conditions regarding the restriction on fire danger forecast ratings. The group also considered it

was in everyone's interest to suggest that burning of the cropping rows be carried out to ensure that the perimeter of the paddock is burnt first. This practise would assist in containing the fire if the fire rating increased the next day that would prohibit burning.

Part of the Groups recommendation will require an alteration to Councils policy on Harvesting (below)

The policy would be amended as follows:

309 **HARVESTING**

Harvesting during the Restricted and Prohibited Burning Times is prohibited on Christmas Day, Boxing Day, New Years Day, any other Public Holidays, and any days gazetted as Public Holidays, ~~and Sundays~~ (except where an appropriate permit is issued by a Fire Control Officer), unless Council specifically determines otherwise.

CONSULTATION:

-

STATUTORY

Bush Fires Act 1954

ENVIRONMENT:

POLICY IMPLICATIONS:

309 - Harvesting

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 MINUTES OF THE MULLEWA BUSHFIRE GROUP MEETING HELD ON TUESDAY, 8th SEPTEMBER 2009, BE RECEIVED AND THE FOLLOWING RECOMMENDATIONS ADOPTED –

- In future the restricted Burning Period should be extended if weather conditions remain severe.

Permits to stipulate the following;

- A fully operational plough and tractor must be in the same paddock as to which the permit relates;
- permit holder to check current fire weather rating;
- A check list be developed indicating a telephone number to obtain the fire danger forecast rating for the day and highlight the requirement not to burn during a "very high" or "extreme" fire danger forecast.
- The checklist is to also include a suggested burning pattern for cropping rows;
- The checklist to be faxed out with the permit.
- The restriction on Sunday Harvesting be removed. (Carried 7/2); AND

THAT COUNCILS POLICY 309 BE AMENDED BY REMOVING 'AND SUNDAYS'

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

COUNCIL DECISION: **THAT THE MINUTES OF THE MULLEWA BUSHFIRE GROUP MEETING HELD ON TUESDAY, 8th SEPTEMBER 2009, BE RECEIVED AND THE FOLLOWING RECOMMENDATIONS ADOPTED –**

- **In future the restricted Burning Period should be extended if weather conditions remain severe.**

Permits to stipulate the following;

- **A fully operational plough and tractor must be in the same paddock as to which the permit relates;**
- **permit holder to check current fire weather rating;**
- **A check list be developed indicating a telephone number to obtain the fire danger forecast rating for the day and highlight the requirement not to burn during a “very high” or “extreme” fire danger forecast.**
- **The checklist is to also include a suggested burning pattern for cropping rows;**
- **The checklist to be faxed out with the permit.**
- **The restriction on Sunday Harvesting be removed. (Carried 7/2); AND**

THAT COUNCILS POLICY 309 BE AMENDED BY REMOVING ‘AND SUNDAYS’

CARRIED 6/0

10.5.2 GERALDTON TO MURCHISON OPTIC FIBRE CABLE - INTERMEDIATE HUT

DATE OF MEETING: 16th September 2009

LOCATION/ADDRESS:

NAME OF APPLICANT: CSIRO

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 17 December 2008

DATE AND AUTHOR: 10 September 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report submits a proposal from the CSIRO to lease of a portion of Council land in Mullewa for a proposed hut for the SKA optic fibre cable

BACKGROUND: At the December 2008 meeting Council considered a request from CSIRO to lease a portion of Council land in Lovers Lane to site an “Intermediate Hut” associated with the optic fibre cable that runs from Geraldton to the Murchison Radio Observatory Site. At the time, CSIRO asked if Council would consider leasing an area of this land to CSIRO for its proposed purpose and reaching an agreement with Council for a 30 year lease.

At the December 2008 meeting Council resolved –

‘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.'

COMMENT:

A copy of the December 2008 report is attached at **APPENDIX B**

A recent email from Ross Stevens Manager, Property Resources, CSIRO reads –

“Further to our previous discussions and emails I have attached a copy of draft lease agreements for the proposed hut site on Shire owned land at Lot 1 on DP 60307 Lovers Land, Mullewa.

I have attached two documents.

The first is the 20 year lease which is the first lease agreement between Mullewa Shire and CSIRO. It is for an area of land no larger than 100 square metres at the front of the Lot. The second is for 30 years and is to replace the first (20 year) lease if CSIRO obtains approval from the Western Australian Planning Commission (WAPC) for the 30 year lease. I note that WAPC approval must be obtained for any lease of land greater than 20 years.

Could you please review the leases and advise if they are acceptable to your Shire.”

A copy of the proposed leases is attached separately at **APPENDIX C**

As can be noted CSIRO want to negotiate a 30 year lease of land in Mullewa. This land will be used to erect a 2.5 x 3.0 metres building on a site measuring 10 x 10 metres.

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’.

It may also be in Council’s interest to include an automatic annual revision of the consideration that is linked to CPI.

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.

The lease provides for an annual consideration to Council for \$1,000

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

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.

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

COUNCIL DECISION: **THAT COUNCIL FURTHER NEGOTIATE WITH CSIRO AT A RATE OF \$2,000 PLUS CPI PER ANNUM, AND SUGGEST LOCATING THE FACILITY AT AN ALTERNATIVE LOCATION, ACROSS THE ROAD, BEING THE EX MRWA DEPOT**

CARRIED 6/0

NOTE

The reason the officer recommendation was not accepted was because Council considered that there was evidence that two communication carriers had negotiated yearly rentals between \$2000 - \$4000 for antennas on farming properties and the land on the old Main Roads Depot site should be investigated as it would free up Lot 1 for future tourist accommodation purposes.

0909.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil

0909.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

0909.13	DELEGATED AUTHORITY
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Nil

0909.14	CLOSURE OF MEETING
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The President thanked Cr Wainwright and Cr Kerkmans for their service to the Mullewa Shire.

The President closed the meeting at 2:45pm.

These minutes were confirmed at a meeting on 21 October 2009:

Signed:

A J Messina, President

Date: