



Minutes

Of the

Ordinary Meeting of Council

Held on

Wednesday, 19 October 2011

At 10.16am

In

The Council Chambers
Maddock St, Mukinbudin

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13. Closure of Meeting

Minutes of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on 19 October 2011.

1. Declaration of Opening

1.1 The Shire President declared the Meeting open at 10.17am and welcomed the new Councillors.

2. Public Question Time

2.1 Response to previous questions taken on notice.

2.2 Declaration of public question time opened

The Shire president declared public question time open at 10.20am

Mr Brendon Jones

Questions relating to rate rises and Council decisions:

- When it comes to rate setting in the budget process does the Council consider itself to be re-active, pro-active or none of the above?
- Is any consideration given at budget time to reducing rates or putting any rates increase on hold?
- Why does the Shire of Mukinbudin need to raise rates in line with CPI when most of the indicators used for CPI do not affect Council?
- Does Council consider the impact of new projects on rates?
- Why does the Council introduce projects that no-one wants?
- Will Council consider these matters now or at budget time?
- Is it not good business to reserve money from good years to cover operational losses in bad years?

Questions relating to the payment of rates.

- Why doesn't the Shire of Mukinbudin accept the late payment of rates, either in one payment or in instalments?

The Shire President determined that all the questions would be taken on notice.

The CEO will provide a written response to Mr Jones that will also be made available to Councillors.

2.3 Declaration of public question time closed

The Shire President declared public question time closed at 10.46am

3. Record of attendance, apologies and approved leave of absence

3.1 Present:

| | | |
|--------------|-----------|----------------------------|
| GJ Shadbolt | President | Lake Brown/Dandanning Ward |
| CW Geraghty | | Town Ward |
| BE Watson | | Wilgoyne Ward |
| KD Lancaster | | Town Ward |
| RJ Comerford | | Wattoning Ward |
| SR Palm | | Bonnie Rock Ward |
| KR Sippe | | Town Ward |
| JD O'Neil | | Bonnie Rock Ward |
| SG Ventris | | Town Ward |

3.2 Apologies:

3.3 On leave of absence:

3.4 Staff:

| | |
|-----------------------------------|--------------------------------|
| Trevor Smith | Chief Executive Officer |
| Ellen Della Bosca | Deputy Chief Executive Officer |
| Bob Edwards (2.25pm-3.02pm) | Works Supervisor |
| Julian Goldacre (10.56am-11.39am) | EHO/BS |

3.5 Visitors:

Nil

3.6 Gallery:

Brendan Jones entered at 10.17am and left at 10.47am

3.7 Applications for leave of absence:

4. Petitions, deputations and presentations

4.1 Petitions

4.2 Deputations

4.3 Presentations

5. Announcements by the Presiding person without discussion

6. Confirmation of the Minutes of previous meetings

6.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 21 September 2011

Recommendation

That the Minutes of the Ordinary Meeting of Council held on the 21 September 2011 be accepted as a true and correct record of proceedings.

Council Decision Number – 521

Voting Requirements – Simple Majority

Moved: Cr Sippe

Seconded: Cr Palm

That the Minutes of the Ordinary Meeting of Council held on the 21 September 2011 be accepted as a true and correct record of proceedings.

Carried 9/0

6.1.1 Business Arising from Minutes

- 50's Farm Shed using the Railway Station
- LCDC Trust Fund monies
- Telstra pit next to the Westpac Bank
- Letters to Spring Festival and Frank and Grant of the Mukinbudin Police Station
- Transportation of Vibe Roller
- Complex Bookings – does Sport take precedence?

7. Matters for which the meeting may be closed

Julian Goldacre entered the meeting at 10.56am.

8. Reports of Committees and Officers

8.1 Deputy Chief Executive Officer Reports

| | |
|--|--------------------------|
| 8.1.1 List of Payments October 2011 | |
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Ellen Della Bosca - DCEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Ellen Della Bosca - DCEO |
| Author: | Ellen Della Bosca - DCEO |

If a Councillor has any questions regarding the enclosed finances, please see the Deputy Chief Executive Officer prior to the meeting so that a researched answer may be provided.

Background

A list of payments submitted to Council on 30th September 2011, for confirmation in respect of accounts already being paid or for the authority to those unpaid.

Financial Implications

A list of payments is required to be presented to Council as per section 13 of the Local Government Act (Financial Management Regulations 1996).

Policy Implications

Council Policy No. 1.6.5 (e) states that a list of payments is required to be presented to Council each month in accordance with Financial Management Regulations 13(1) for recording in the minutes.

Recommendation

That the list of payments to today's meeting on Vouchers – Muni 28946 – 29007 and Transfers D/D40.1112 to D/D53.1112 totalling \$478,266.95 for payments made in September 2011, be passed for payment.

Council Decision Number – 524

Voting Requirements – Simple Majority

Moved: Cr Geraghty

Seconded: Cr Watson

That the list of payments to today's meeting on Vouchers – Muni 28946 – 29007 and Transfers D/D40.1112 to D/D53.1112 totalling \$478,266.95 for payment made in September 2011, be passed for payment.

Carried 9/0

| 8.1.2 Monthly Financial Report – August 2011 | |
|---|--------------------------|
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Ellen Della Bosca - DCEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Ellen Della Bosca - DCEO |
| Author: | Ellen Della Bosca - DCEO |

Background

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management Regulations 1996).

The Monthly Statement of Financial Activity for the period ending 31st August 2011 is attached for Councillor Information, and consisting of;

1. Statement of Financial Activity
2. Capital Acquisitions Summary
3. Variances Report
4. Summary of Bank Balances

Financial Implications

There is no direct financial Implication in relation to this matter.

Statutory Environment

General Financial Management of Council

Council 2009/10 Budget

Local Government Financial Management Regulation 34 1996

Local Government Act 1995 section 6.4

Policy Implication

Council is required annual to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. Council policy is that the material variation be set at \$15,000 or 20%.

Recommendation

That Council adopt the Monthly Financial Report for the period ending 31st August 2011 and note and material variances greater than \$15,000 or 20%.

Council Decision Number – 525

Voting Requirements – Simple Majority

Moved: Cr Comerford

Seconded: Cr Geraghty

That Council adopt the Monthly Financial Report for the period ending 31st August 2011 and note any material variance greater than \$15,000 or 20%.

Carried 9/0

| 8.1.3 Monthly Financial Report – September 2011 | |
|--|--------------------------|
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Ellen Della Bosca - DCEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Ellen Della Bosca - DCEO |
| Author: | Ellen Della Bosca - DCEO |

Background

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management Regulations 1996).

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1. Statement of Financial Activity
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Financial Implications

There is no direct financial Implication in relation to this matter.

Statutory Environment

General Financial Management of Council

Council 2009/10 Budget

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Local Government Act 1995 section 6.4

Policy Implication

Council is required annual to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. Council policy is that the material variation be set at \$15,000 or 20%.

Recommendation

That Council adopt the Monthly Financial Report for the period ending 30th September 2011 and note and material variances greater than \$15,000 or 20%.

Council Decision Number – 526

Voting Requirements – Simple Majority

Moved: Cr Palm

Seconded: Cr Ventris

That Council adopt the Monthly Financial Report for the period ending 30th September 2011 and note any material variance greater than \$15,000 or 20%.

Carried 9/0

Cr Comerford Adjourned for lunch at 12.26pm

Bus trip to:

CBH facility and the Strugnell Street Road extension;

Swimming Pool

Walk Trail

Meeting resumed at 2.25pm

8.2 Chief Executive Officer Reports

| | |
|-------------------------|--------------------|
| 8.2.1 NEWROC | |
| Location: | NEWROC |
| File Ref: | |
| Applicant: | Trevor Smith – CEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

Background

NEWROC Executive held a meeting on Tuesday 27 September 2011. The CEO was present at this meeting. The minutes are attached.

The meeting was attended by Ray Watson who discussed the outcomes from the Central Wheatbelt Visitor Centre workshop. There is still no clear indication from the Shire of Merredin about the level of contributions that it wants from participating Councils.

Matters for Decision

- 7.1 CLGF – Regional Grant Funds
- 7.2 Regional Accommodation Needs Study
- 7.3 Transfer of NEW Health Scheme to NEWROC
- 8.1 Waste Authority – Waste Management Strategies
- 8.2 Future Grant Funding Proposals
- 8.3 Employment of Engineering Technical Officer

These matters can be discussed further if Councillors have any queries or concerns before the NEWROC Council meeting formally consider the recommendations at their meeting on 25 October 2011.

Recommendation:

That Council note the minutes of the NEWROC Executive meeting held on 27 September and pass any concerns to the NEWROC delegate and the CEO.

Council Decision Number – 528

Voting Requirements – Absolute Majority

Moved: Cr Geraghty

Seconded: Cr Lancaster

That Council note the minutes of the NEWROC Executive Meeting held on 27 September and pass any concerns to the NEWROC delegate and the CEO.

Carried 9/0

| 8.2.2 WALGA Great Eastern Country Zone | |
|---|--------------------|
| Location: | Zone |
| File Ref: | |
| Applicant: | Trevor Smith – CEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

Background

A WALGA Great Eastern Zone meeting was held at Narembeen on Thursday 29 September 2011. The Shire President and the CEO were present. The minutes from that meeting are not yet available..

Zone Business.

To be discussed if the minutes are available at the time of the Council meeting.

Recommendation

That Council note the minutes of the Great Eastern Country Zone meeting held 29 September 2011.

Council Decision Number – 529

Voting Requirements – Simple Majority

Moved: Cr Comerford

Seconded: Cr O’Neil

That Council note the minutes of the Great Eastern Country Zone meeting held 29 September 2011.

Carried 9/0

The CEO was requested to place the issue of St John Ambulance Volunteers on the next Great Eastern Zone agenda.

| | |
|---|--------------------|
| 8.2.3 Local Government Reform – Update | |
| Location: | Shire |
| File Ref: | |
| Applicant: | CEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

No reform matters have been raised in the previous month.

Recommendation

No Recommendation

Council Decision Number –

Voting Requirements – Simple Majority

Moved: Cr

Seconded: Cr

Carried

| 8.2.4 Berringbooding Tank - Reroofing | |
|--|--------------------|
| Location: | Shire |
| File Ref: | |
| Applicant: | ALGA |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

Background

Funding options have been identified to cover part of the costs of reroofing Berringbooding Tank. If the tank (and the reserve) was to be vested in the Shire through a Management Order then the reroofing would not need to be to the gold plated standards of the Water Corporation – estimated cost \$750,000. (The Water Corporation has indicated that they would not proceed with reroofing at that price.)

1. Funding of \$100,000 could be available through the Rural Water Program (Dept. of Water).
2. Funding could be available through the Water Corporation as a reimbursement of water charges over the past years when no scheme water has actually been used and an acknowledgement that locals have been maintaining the catchment – not the Water Corporation. Also, this removes the tank and catchment from the Water Corporations responsibilities saving them money in the future.
3. Royalties for Regions – through the WDC.
4. Federal Government – any current grants program that conserves water?
5. Own source funding – water use charges could assist in financing a loan if sufficient funds were unavailable.

If the Shire had a Management Order over the reserve then we could charge a small fee for camping but this would only cover maintenance of the toilet and other facilities.

Financial Implications

Any proposal would need to be packaged with all financial aspects covered before proceeding. The Water Corporation have agreed not to dismantle/change anything until a way forward has been agreed to by all parties.

Strategic Implications

The State Government through the Departments of Water and Food and Agriculture have recently become interested in off-scheme water supplies and conserving water. The Water Corporation appear intent on only maintaining pipelines and decommissioning off-scheme supplies. They seem more interested in increasing charges and restricting water use than supplementing scheme water.

Recommendation

That Officers:

1. continue to source all funding options for re-roofing the tank;
2. (notwithstanding part one) continue to pressure the State Government to re-roof the tank themselves as part of normal maintenance operations;
3. continue to investigate cheaper effective roofing options; and
4. continue to investigate obtaining a Management Order over the Reserve.

Council Decision Number – 530

Voting Requirements – Simple Majority

Moved: Cr Palm

Seconded: Cr Ventris

That Officers:

- 1) continue to source all funding options for re-roofing the tank;**
- 2) (notwithstanding part one) continue to pressure the State Government to re-roof the tank themselves as part of normal maintenance operations;**
- 3) continue to investigate cheaper effective roofing options; and**
- 4) continue to investigate obtaining a Management Order over the Reserve.**

Carried 9/0

| 8.2.5 Swimming Pool Stage Two – Grant Application | |
|--|--------------------|
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Council |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Ann Brandis |

Background

Council has received funding from CSRFF for Stage one of the redevelopment of the Mukinbudin Aquatic Centre and works are in progress.

An application for further CSRFF funding has been completed for stage 2 of the redevelopment of the pool. This includes the following works

- Main Pool – internal surface:
 - Replace all inlets from plant room to pools and returns to balance tank with PVC
 - Replace scum gutters creating a level deck pool with wet decks. Finished water height at shallow end to be 1.2m
 - Replace drainage
 - Replace starting block with antiwave or similar at both ends of pool
 - Replace hand rails and ladders
 - Install disabled ramp entry/beach entry
 - Install finger grips on southern side of pool 12.5metres from Shallow end on the opposite side to the beach entry/disabled ramp
 - Install depth markers and safety signage to Health Dept specifications
 - Decommission centre channel
- Concourse:
 - Replace concourse around Olympic pool only, including an entrance ramp on the northern and southern sides with a retaining wall in between these entrances

The works listed above are eligible for funding

- Garden/Shade
 - Install Permanent Shade Sail at the end of the Shallow end to cover the concourse
 - Install line of pool fencing between the new concourse and the toddlers pool
 - Remove existing palm trees and gardens, re border with limestone blocks and revegetate with low grow shrubs/grasses

The works listed above are ineligible for funding and would have to be covered from Council's funds and would be in the vicinity of \$30,000 – a firm quote has not been received at present.

The other item that will need doing at the same time as stage two is to repaint the pool bowl or tile the pool bowl. The painting of the pool bowl could be eligible if Council can prove to the Department of Sport & Recreation that this is a more viable option over tiling. Quotes for both

options have been received. To paint the bowl would cost \$50,000 and last approx 5 – 6 years. To tile the pool bowl would cost approx \$280,000 - \$300,000 and this would then last the life time of the pool which could conceivably be another 30 years. With this in mind we could argue that it is much the same and then we could try and get the painting portion included in the eligible portion.

Quotes from two companies have been received and the total cost of the project for the eligible portion including the painting of the pool bowl is \$755,500. However Wetdeck Pools are also recommending the installation of new control joint across the entire pool in the shallow end to eliminate the existing crack. This work would be eligible and would cost a further \$25,000 bringing the total project to \$780,500.

Under the CSRFF guidelines an annual grant the total project cost is required to be no greater than \$500,000. However a Forward Planning Grant can be made for projects that are greater than this. We have applied for a Forward Planning Grant which insists that a signage allowance of \$1500 must be added to the project cost bringing the total cost of the project to \$782,000. Council are able to apply for one third of this cost making the funding application \$260,000.

Comment:

A meeting was arranged between Jenifer Collins Manager – Wheatbelt Department of Sport and Recreation, Kaye Bunney and Ann Brandis. Also present was Jannah Stratford who also works at the Department to discuss the project and inspect the works from Stage One. Jen has advised that due to where we are at with the works from stage one and the scope of works included in stage two that we would be a low priority for this funding. However it is still important to apply for this money to show Council's commitment to the project and the redevelopment of the Aquatic Centre.

Applications for CSRFF must go to Council and be prioritised before being sent off to the Department of Sport and Recreation. There are no other CSRFF applications which have been received by Council.

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

An amount of \$260,000 is being sought under the funding application. If successful this will leave an amount of \$522,500 that needs to be funded by Council funds and will need to be allocated in the 2012/13 budget. The Plan for the Future prepared by Bob Waddell projected an amount of \$500,000 to be spent on Stage Two in 2012/2013 and a further \$410,000 in Stage Three and \$150,000 in stage Four. If the application is successful Council will need to bring forward some of the future funding, either from General Purpose Income or through loan funds. The Plan for the future is only a guide to Council's projected expenditure and is not an adopted budget. It is expected that timelines and activities in the Plan will change over time as circumstances change.

The options for funding would need to be explored more thoroughly between now and the announcement of the CSRFF grants.

Strategic Implications:

The swimming pool has been recognised by Council as an important element of community infrastructure, albeit one that makes an annual loss. The current structure has lasted about 45 years with minimal maintenance or improvements. The redevelopment needs to be looked at in the same manner, that is, an investment that will last another 45 years. This time however it is hoped to build a pool reserve to allow for future works to be funded in a more sustainable manner.

Recommendation:

As there were no other applications received for the CSRFF grants Council's application for Stage 2 of the redevelopment of the Mukinbudin Swimming Pool be ranked number one. Further that Council endorse the application for stage two of the upgrade of the Mukinbudin Swimming Pool at a cost of \$780,500 excluding GST and subject to the application being successful provide Council's contribution to the project in the 2012/13 budget.

Ellen left the meeting at 3.35pm and returned at 3.40pm left 3.42pm returned t 3.45pm.

Council Decision Number – 531

Voting Requirements – Simple Majority

Moved: Cr Watson

Seconded: Cr Lancaster

As there were no other applications received for the CSRFF grants Council's application for Stage 2 of the redevelopment of the Mukinbudin Swimming Pool be ranked number one. Further that Council endorse the application for stage two of the upgrade of the Mukinbudin Swimming Pool at a cost of \$780,500 excluding GST and subject to the application being successful provide Council's contribution to the project in the 2012/2013 budget.

Carried 9/0

| 8.2.6 Meeting Dates 2011-2012 | |
|--------------------------------------|--------------------|
| Location: | Shire |
| File Ref: | |
| Applicant: | Council |
| Date: | 13 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

Background

Council is required to set the meeting dates for the next twelve months and advertise locally. Traditionally Council meets on the third Wednesday of each month. This day is in common with the majority of NEWROC Councils. The meeting time is 9.00am.

The November, December and February 2012 meeting dates were set earlier this year. The December meeting dates are the second Wednesday of the month to avoid any clash with the Christmas/New Year vacation. Council does not meet in January.

| | |
|------------------|-------------------|
| 16 November 2011 | 14 December 2011 |
| 15 February 2012 | 21 March 2012 |
| 18 April 2012 | 16 May 2012 |
| 20 June 2012 | 18 July 2012 |
| 15 August 2012 | 19 September 2012 |
| 17 October 2012 | 21 November 2012 |
| 12 December 2012 | |

Options

- Adopt the meeting dates as presented.
- Choose another meeting date.

Statutory Environment

Local Government Act 1995

Recommendation

That Council adopts the dates as listed for the next twelve months and advertises in accordance with the Local Government Act 1995.

Council Decision Number – 532

Voting Requirements – Simple Majority

Moved: Cr Sippe

Seconded: Cr Geraghty

That Council adopts the dates as listed for the next twelve months and advertises in accordance with the Local Government Act 1995.

Carried 9/0

| 8.2.7 Chief Executive Officer's Report | |
|---|--------------------|
| Location: | Shire |
| File Ref: | |
| Applicant: | Trevor Smith – CEO |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Trevor Smith - CEO |
| Author: | Trevor Smith - CEO |

1. Meetings

- 27 Sept NEWROC Executive @ Nungarin
CEO
- 27 Sept NEW Travel @ Nungarin
CEO, Cr Lancaster, CDO, Mrs Ray Watson
- 28 Sept Search Debrief @ Kellerberrin
CEO, Shire President, Mukinbudin Police
- 29 Sept WALGA Great Eastern Zone @ Narembeen
CEO, Shire President
- 29 Sept Inspection of Narembeen Roadhouse & Wheatbelt Discovery Centre
CEO, Shire President
- 12 October CMCA National Rally @ Kalgoorlie – Local Government Day
CEO, Cr Watson, Mrs Ray Watson

2. Staff

Commencements

Caravan Park Luke and Tania Sprigg
Swimming Pool

Departures

Cleaning Dawn Fraser
NRMO Dylan Copeland
Swimming Pool Kaye Bunney
Caravan Park Terry and Lyn Lawrie

Training

Library Leanne Clune and Briony Congdon
Swimming Pool Luke and Tania Sprigg

3. Other

Digital Television and NBN Forum

Cr Sippe and Cr Palm attended a forum in Northam on 12 October run by the WDC.

Ratepayer Requests

Ratepayer request for a sign to be erected at the bitumen end of Doig Road near Sparks that shows that the road end or veers off. Some drivers have apparently gone past the end of the road and in to the bush.

Recommendation

That Council note the Chief Executive Officer's Report.

Council Decision Number – 533

Voting Requirements – Simple Majority

Moved: Cr Lancaster

Seconded: Cr Sippe

That Council note the Chief Executive Officer's Report.

Carried 9/0

John O'Neil left the meeting at 4.20pm and returned at 4.22pm

| | |
|--|---------------------------|
| 8.3.1 42 Maddock Street, Mukinbudin | |
| Location: | 42 Maddock St. Mukinbudin |
| File Ref: | |
| Applicant: | Julian Goldacre – EHO/BS |
| Date: | 13 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Julian Goldacre – EHO/BS |
| Author: | Julian Goldacre – EHO/BS |

Background

In August this year concerns regarding the deteriorating roof at 42 Maddock Street (property) were reported to the Shire. The PEHO/BS investigated the roof at the address and discovered about 6 pieces of roofing iron was no longer present on the roof. Discussions with people living nearby revealed recent storms have caused the roof to lose the roofing iron and concerns again raised regarding the safety of people in the area should a piece of iron cause damage to persons and/or property.

Comment

Mr P Hargraves owns the property and presently lives in Beacon; the property in Maddock Street is presently unoccupied. A letter was sent to Mr Hargraves on the 7 September by registered post and was eventually delivered to Mr Hargraves on the 21 September.

Following concerns again regarding the roof losing more roofing iron Mr Hargraves phone number was tracked down and was contacted on the 28 September. Mr Hargraves then assured the PEHO/BS that he would action repairs to the roof on the 29 or 30 of September.

Investigations of the roof on the 5 October revealed no repairs had been actioned and further roofing iron has parted company with the roof battens. The front room of the dwelling also has a collapsed ceiling and water damage caused by the removed roofing iron.

All the above considered the matter is best dealt with by use of the *Health Act 1911* Part V Division 1 houses unfit for habitation section 139 & 140 (1) by declaring the house unfit for habitation by cause of a large portion of roof now missing and to thereby issue a notice for repairs to be done within a period of time. And furthermore if such repairs are not done within the time so given then the Local Authority shall make good the repairs itself and recover the cost of doing so from the owner.

The owner of 42 Maddock Street does have the right to appeal Councils decision pursuant to the *Health Act 1911* section 36 (1) 'Review of orders and decisions of local governments' Any person aggrieved by any order or decision of a local government may apply to the State Administrative Tribunal for a review of the order or decision.

Policy Implications

Nil

Statutory Requirements

Health Act 1911

Financial Implications

In the event the roof repairs are not actioned by the owner within the time given the Shire can do the repairs and recover the cost of doing so from the owner.

Recommendation

That the dwelling located on lot 54 (N^o 42) Maddock Street Mukinbudin is unfit for human habitation due to the front roof section of missing roofing iron causing weather ingress into the dwelling and that the following notice of works is applied:

- 1) That within 14 (fourteen) days from receipt of the unfit for habitation notice works to repair the roof to a workman like standard acceptable to the Shire of Mukinbudin Principle Environmental Health Officer/Building Surveyor be completed.
- 2) Allowing 28 days from the receipt of the letter plus an appeal period to the Administrative Tribunal (14 days each) the Shire enters the property and makes good the repairs charging those works against the property for the purpose of cost recovery.

Council Decision Number – 522

Voting Requirements – Simple Majority

Moved: Cr Lancaster

Seconded: Cr Comerford

That the Dwelling located on lot 54 (No 42) Maddock Street Mukinbudin is unfit for human habitation due to the front roof section of missing roofing iron causing weather ingress into the dwelling and that the following notice of works is applied:

- 1) That within 14 (fourteen) days from receipt of the unfit for habitation notice works to repair the roof to a workman like standard acceptable to the Shire of Mukinbudin Principle Environmental Health Officer/Building Surveyor be completed.**
- 2) Allowing 28 days from the receipt of the letter plus an appeal period to the Administrative Tribunal (14 days each) the Shire enters the property and makes good the repairs charging those works against the property for the purpose of cost recovery.**

Carried 9/0

| | |
|---|-----------------|
| 8.3.2 Carbonconscious – establish & maintenance of a carbon sequestering tree plantation of oil mallees on Lot 4128 Loc 785 Toole Road Wialki 6479 | |
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Julian Goldacre |
| Date: | 19 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Nil |
| Author: | Julian Goldacre |

Background

An application for planning consent has been received by the Shire from Carbonconscious for the establishment of 351ha of oil mallee plantation. This plantation is located at Lot 4128 Loc 785 Toole Road Wialki 6473. This is a late item requested by the CEO for inclusion, Council willing, for Council to be informed.

Comment

This particular plantation is exclusive to the nominated plantation areas by that definition it is not what Council has seen before recently where the plantation(s) have been established as narrow belts thus allowing traditional farming practices to continue

The attached letter explains the 'proposed development' establishment yet no management plan has been provided. Fire breaks are mentioned and refers to the '...Shire regulations...' which the Shire does not possess and livestock is excluded although no mention of fencing.

There has been in recent times concerns raised by NRM officers (Natural Resource Management) regarding non native (to WA) oil mallees which tend to come from the Eastern States. As one NRM officer recently explained '*Only native species should be planted. Eastern species turn into weeds or they don't grow particularly well. Native fauna = native species*'.

A plantation is not listed in the Shire of Mukinbudin Town Planning Scheme therefore section 4.4.2 is engaged which permits discretion by the Local Government. The author sees that 4.4.2 (a) would *normally* be a prudent path to follow in that the intended use '...is consistent with the objectives of the particular zone (Rural)...' Although as mentioned this development is exclusive plantation in the nominated areas.

Policy Implications

FESA Guidelines for Plantation Fire Protection (draft as of 12/2009)
Code of Practice for Timber Plantations in Western Australia

Statutory Requirements

Bush fire Act 1954
Planning and Development Act 2005

Financial Implications

Planning application fee a 0.32% of the development cost of estimated \$300,000 = \$960

Recommendation

That the Council endorse the Officers following recommendation:

Approval is deferred until the November 2011 Ordinary Meeting of Council for the purpose of gaining more information from the author from the National Resource Management Wheatbelt, World Wildlife Fund office Wyalkatchem and WALGA regarding the impact of non native tree species. Furthermore that Carbonconscious who intend to develop a carbon sequestration plantation of 351ha of oil mallees located at Lot 4128 Loc 785 Toole Road Wialki 6473 in order to better inform Council shall provide further information so that a sound decision can be made and that the following information is requested:

- 1) Are the two species of nominated oil mallee *Euc kochii* subsp *plenissima* or *Euc kochii* subsp *borealis* indigenous to Western Australia and if not can they support local fauna
- 2) Submission of a plantation management plan for the proposed development
- 3) Is Carbonconscious a signatory to the Code of Practice for Timber Plantations in Western Australia
- 4) Submission of a Fire Management plan which incorporates the FESA Guidelines for Plantation Fire Protection (as amended) and local bush fire brigade members

Council Decision Number – 523

Voting Requirements – Simple Majority

Moved: Cr Watson

Seconded: Cr Geraghty

That the Council endorse the Officers following recommendation:

Approval is deferred until the November 2011 Ordinary Meeting of Council for the purpose of gaining more information from the author from the National Resource Management Wheatbelt, World Wildlife Fund office, Mukinbudin and WALGA regarding the impact of non native tree species. Furthermore that Carbonconscious who intend to develop a carbon sequestration plantation of 351ha of oil mallees located at Lot 4128 Loc 785 Toole road Wialki 6473 in order to better inform Council shall provide further information so that a sound decision can be made and that the following information is requested:

- 1) Are the two species of nominated oil mallee *Euc kochii* subsp *plenissima* or *Euc kochii* subsp *borealis* indigenous to Western Australia and if not can they support local fauna;**
- 2) Submission of a plantation management plan for the proposed development;**
- 3) Is Carbonconscious a signatory to the Code of Practice for Timber Plantations in Western Australia;**
- 4) Submission of a Fire Management plan which incorporates the FESA Guidelines for Plantation Fire Protection (as amended) and local bush fire brigade members.**

Carried 9/0

Regional Landfill and the Mukinbudin Rubbish Tip

Julian left the meeting at 11.39am

8.4.1 Mukinbudin Caravan Park Manager's

| 8.4.1 Mukinbudin Caravan Park Report | |
|---|-----------------|
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Trevor Smith |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Nil |
| Author: | Trevor Smith |

September was an excellent month for the caravan park with good income especially for the units and the sites exceeding the previous two months combined. This is to be expected with the Spring Festival and being in the peak tourist season.

Danny and Gloria O'Donnell have acted as caretaker managers and done an excellent job. It is hoped that this is a role that they could continue with in any absences of the managers in the future.

Luke and Tania Sprigg will commence on Monday 17 October.

"MAD" had a clean up at the park on a Sunday which was very successful.

Recommendation

That Council note the above Report.

Council Decision Number – 534

Voting Requirements – Simple Majority

Moved: Cr Geraghty

Seconded: Cr Ventris

That Council note the above Report.

Carried 9/0

| 2005/2006 Totals | | 2006/2007 Totals | |
|-------------------------|--------------------|-------------------------|--------------------|
| Accommodation | | Accommodation | |
| | \$ | | \$ |
| Self Contained Units | \$19,358.08 | Self Contained Units | \$22,820.21 |
| Barracks | \$11,082.32 | Barracks | \$9,753.06 |
| Sites | \$10,521.76 | Sites | \$17,095.20 |
| Washing Machine | \$1,171.16 | Washing Machine | \$981.35 |
| TOTALS | \$42,133.32 | TOTALS | \$50,649.82 |

| 2007/2008 Totals | | 2008/2009 Totals | |
|-------------------------|--------------------|-------------------------|--------------------|
| Accommodation | | Accommodation | |
| | \$ | | \$ |
| Self Contained Units | \$27,304.76 | Self Contained Units | \$37,214.39 |
| Barracks | \$5,422.75 | Barracks | \$10,554.55 |
| Sites | \$11,244.47 | Sites | \$16,773.76 |
| Washing Machine | \$678.16 | Washing Machine | \$663.63 |
| TOTALS | \$44,650.14 | TOTALS | \$65,206.33 |

| 2009/2010 Totals | | 2009/2010 Totals | |
|-------------------------|--------------------|-------------------------|--------------------|
| Accommodation | | Accommodation | |
| | \$ | | \$ |
| Self Contained Units | \$33,567.84 | Self Contained Units | \$38,054.93 |
| Barracks | \$9,096.35 | Barracks | \$15,604.59 |
| Sites | \$15,504.70 | Sites | \$15,817.92 |
| Washing Machine | \$1,036.36 | Washing Machine | \$845.55 |
| TOTALS | \$59,205.25 | TOTALS | \$70,322.99 |

2011/2012 Totals

| Accommodation | | YTD | Jul 2010 | Expenses Jul11 |
|----------------------|-------------|-------------|-----------------|-----------------------|
| | \$ | \$ | \$ | \$ |
| Self Contained Units | \$ 2,048.61 | \$ 2,048.61 | \$ 4,977.27 | 0.00 |
| Barracks | \$ 738.67 | \$ 738.67 | \$ 1,213.62 | 0.00 |
| Sites | \$ 1,113.17 | \$ 1,113.17 | \$ 1,365.78 | 951.36 |
| Washing Machine | \$ 35.45 | \$ 35.45 | \$ 101.00 | 0.00 |

| Accommodation | | YTD | Aug 2010 | Expenses Aug11 |
|----------------------|-------------|-------------|-----------------|-----------------------|
| | \$ | \$ | \$ | \$ |
| Self Contained Units | \$ 3,281.37 | \$ 5,329.98 | \$ 5,546.36 | 0.00 |
| Barracks | \$ 1,185.92 | \$ 1,924.59 | \$ 381.83 | 218.18 |
| Sites | \$ 1,100.43 | \$ 2,213.60 | \$ 1,455.44 | 2,225.13 |
| Washing Machine | \$ 44.55 | \$ 80.00 | \$ 77.27 | 0.00 |

| Accommodation | | YTD | Sep 2010 | Expenses Sep11 |
|----------------------|-------------|--------------|-----------------|-----------------------|
| | \$ | \$ | \$ | \$ |
| Self Contained Units | \$ 5,216.60 | \$ 10,546.58 | \$ 2,583.18 | 486.14 |
| Barracks | \$ 697.75 | \$ 2,622.34 | \$ 1,209.09 | 361.78 |
| Sites | \$ 2,486.85 | \$ 4,700.45 | \$ 3,644.05 | 8,756.17 |
| Washing Machine | \$ 54.55 | \$ 134.55 | \$ 145.45 | 0.00 |

| | | | |
|---------------------|---------------------|---------------------|---------------------|
| TOTAL INCOME | \$ 18,003.92 | \$ 22,700.34 | \$ 12,998.76 |
|---------------------|---------------------|---------------------|---------------------|

****Note: Sites income includes Ventris Rental and Power Usage****

8.5.1 Swimming Pool Manager

| Mukinbudin Swimming Pool Report | |
|--|-------------------------|
| Location: | Mukinbudin |
| File Ref: | |
| Applicant: | Kaye Bunney – A/Manager |
| Date: | 12-10-11 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Kaye Bunney – A/Manager |
| Author: | Kaye Bunney – A/Manager |

New Pool Mangers

Luke and Tania have completed their pool operator's course in Albany. They are currently completing their Bronze Medallion, Senior First Aid and Life Guard courses at Bayswater Waves.

Plant room

The shed is about ½ finished. Internal plumbing has been done and now the doors, windows and end wall can be completed so the floor can be poured, which is scheduled for Monday 24th October. Steve the plumber has been and he and Brian discussed the requirements for water inside and outside the shed. The Electrical work and connections has also been ordered from Mukinbudin Electrical.

Servicing

The BA, Oxy viva and lawn mower have been serviced and we are waiting for notification that the vacuum cleaner and water tester have been serviced.

Pool Opening

The pool is scheduled to open in the middle of December which will put vac swim starting the week after opening.

Recommendation

That Council note the above Report.

Council Decision Number – 535

Voting Requirements – Simple Majority

Moved: Cr Palm

Seconded: Cr Sippe

That Council note the above Report.

Carried 9/0

8.6.1 Natural Resource Management Officer's Report

| 8.6.1 Natural Resource Management Officer's Report | |
|--|-----------------|
| Location: | Shire |
| File Ref: | |
| Applicant: | Dylan Copeland |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Dylan Copeland |
| Author: | Dylan Copeland |

In the Office

- Permit to Take DRF for Proposed Roadworks on Mukinbudin-Kununoppin Road.
- Closed out Red Card for Red Fox program.
- General tidy up before leaving.

Farmer Contact

- Performed Wheatbelt NRM SCIP site visits to Hogan, Sprigg, Butler, and Storer.
- CfoC Case Study and site visit to Copeland.

Recommendation

That Council note the above Report.

Council Decision Number – 536

Voting Requirements – Simple Majority

Moved: Cr Geraghty

Seconded: Cr Comerford

That Council note the above Report.

Carried 9/0

8.7.1 Work Supervisor's Report

| 8.7.1 Work Supervisor's Report | |
|--------------------------------|-----------------|
| Location: | Shire |
| File Ref: | |
| Applicant: | Bob Edwards |
| Date: | 12 October 2011 |
| Disclosure of Interest: | NIL |
| Responsible Officer | Bob Edwards |
| Author: | Bob Edwards |

POOL UPGRADE

Following the installation of the below ground tank and associated piping the shed pad was prepared. The shed is now erected as far as possible, waiting for the contractors do their fit out, the concrete floor will be laid on the 24th Oct. Once this is done we can erect the perimeter fence.

MAINTENANCE GRADING

Bitumen Shoulder maintenance has been carried out on Muka- Wialki, Muka- Kununoppin, Muka- Bencubbin, North East Rd and Nungarin Nth Rd. Will and Noel worked as a team with the grader and rubber tyred roller, Noel also slashed the road verges. Danny and Cameron used a grader and the steel vibe roller on the Muka- Wialki shoulders.

Maintenance grading will re-start in the south west of the shire and work north along Barbalin, Aitken and Forest Ave Roads.

MUKINBUDIN – WIALKI RD

(900mts of corner reconstruction)

The new Pavement work has now been completed and will be allowed to dry back until after harvest. Sealing will be done after harvest. Graham Seaby has kindly donated all of the gravel required for this job.

STRUGNELL ST EXTENTION AND CBH PRIVATE WORKS.

The Shires` Works Crew have completed the preparation of the Sub-Grade and are currently working on the water binding and compaction of first 150mm layer of gravel pavement. Once this has been compacted the second 150mm layer will be put in place.

In the mean time a 12 metre wide twin barrel Box Culvert will be installed at the Intersection with the CBH Layout east of their weighbridge. The Shire was given this job on the 7th October worth \$ 36000.00.

All work is to be completed by the 27th of October. Murray Ventris has made gravel available for these works.

REFUSE SITE MANAGEMENT

Daniel Mori has cleaned up the windblown rubbish along the fenced driveway into the tip. This occurs when the gates at the pit are left open.

There seems to be a large amount of white goods being dumped at our tip, unfortunately there is nothing in place to shred these items into saleable scrap. The “recyclable” items have once again been buried.

OUTSIDE STAFF

The crew is now at full strength with the return of Michael Sredojevic, who has been away on Workers Compensation while recuperating from his hand injury. His immediate role will be to spray out all of the winter weeds and overhaul all of the towns` reticulation in time for warmer/drier conditions. Daniel will assist him or work under his direction.

Will Jenkin will resume maintenance grading until he takes time off to do his own harvest.

Danny, Cameron and Shane will finish off the Strugnell/CBH job, and then move onto road maintenance for the duration of harvest. Cameron is doing a three day grader course this month and Shane has grading experience, they will be mentored by Danny and myself. Noel will continue as a back-up operator and sign/ guide post maintenance.

UNFINISHED JOBS.

Nungarin/ Kununoppin Black Spot; A second coat seal to be applied.

Strugnell St/ CBH; Currently in final stage of completion.

Bent St/ Strugnell St; The slip road from the north is to be cement stabilised and sealed.

Strugnell St drainage; The pipes are currently being manufactured.

Swimming pool; Fencing, landscaping reticulation and a drain to be installed across Mallee Dve into the storm water drain to take away the flushing water from the filtration process.

PLANT UPDATE

MBL 696; The 6 wheel Mitsubishi Tip Truck had its` Brakes renewed

MBL 1677; The Cat Steel Drum Vibe Roller arrived on the 15th Sept.

It has worked continuously without fault.

MBL 250; This Truck and Trailer unit had some minor repairs and some costly replacements mainly in the hydraulic tipping components.

MBL 1091 The Komatsu Backhoe had some routine maintenance replacement Items fitted.

MBL 1463 The New Holland Tractor had its` windscreen replaced after an incident with a rock thrown up by a passing truck.

MBL 1000 The Ford Courier ute LH mudguard was damaged when the front gate at the Depot blew shut as the ute entered.

MBL 0 Dyna- Fog “ Blackhawk” Pro. This replaces a small unit which took hours to fog the town. The new unit has a 50ltr Formulation tank will cover the town using one full tank, and taking a fraction of the time of the old one.

Recommendation

That Council note the above Report.

Council Decision Number – 527

Voting Requirements – Simple Majority

Moved: Cr Watson

Seconded: Cr Palm

That Council note the above Report.

Carried 9/0

Bob left the meeting at 3.02pm

9. Information Report

10. Elected Members Motions of which previous notice has been given

11. Urgent Business without notice (with the approval of the president or meeting)

12. Confidential Items – Meeting to be closed to the Public in accordance with the provisions of the Local Government Act 1995.

Items 12.1 and 12.2 are Confidential in accordance with the Local Government Act 1995, Section 5.23

- (2) *If a meeting is being held by a Council.....the Council may close to members of the public the meeting, or part of the meeting if the meeting or the part of the meeting deals with any of the following –***
- (a) *a matter affecting an employee or employees;***
 - (b) *the personal affairs of any person;***
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;***
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;***
 - (e) *a matter that if disclosed, would reveal -***
.....
(ii) information about the business, professional, commercial or financial affairs of a person;.....
- (3) *A decision to close the meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.***

Recommendation

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Items 12.1 and 12.2 deals with matters contained under Section 5.23 (2).

Council Decision Number – 537

Voting Requirements – Simple Majority

Moved: Cr Comerford

Seconded: Cr Geraghty

That Council close the meeting to members of the public in accordance with the Local Government Act 1995, Section 5.23 as Items 12.1 and 12.2 deal with matters contained under Section 5.23 (2).

Carried 9/0

Meeting closed at 4.32pm

Gary Shadbolt declared an interest and left the meeting at 4.33pm and returned at 4.49pm

Council is now required to re-open the meeting to the public.

Council Decision Number – 539

Voting Requirements – Simple Majority

Moved: Cr Comerford

Seconded: Geraghty

That Council reopen the meeting to members of the public in accordance with the Local Government Act 1995.

Carried 9/0

The meeting was reopened at 4.49pm

Rod Comerford left the meeting at 5.05pm

Ellen Della Bosca left the meeting at 5.13pm

General Business Items

Basketball – Officers to get some quotes for resurfacing

Railway closures – What is the risk of the Beacon line closing and what would be the effect on the Mukinbudin-Wialki Road and road funding?

Fires – What is the risk to the Shire in not having legally enforceable fire breaks?

Goodchild's Gate signage – check?

Telstra Pit at Westpac Bank – check?

Hard Rubbish Pick-ups – when will the next one occur?

Damage to roads from heavy vehicles – needs to be looked out for.

Cr Comerford returned to the meeting at 5.25pm.

13. Closure of Meeting

There being no further business the Shire President closed the meeting at 5.45pm