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**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 20TH MAY 2009.****0509.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:00pm The President declared the meeting open

**0509.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE****PRESENT:**

Councillor A J (Nino) Messina – President	(West Ward)
Councillor M (Mike) Kerkmans	(East Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

**OFFICERS:**

Mr TA (Tom) Hartman - Chief Executive Officer

**APOLOGIES:**

Nil

**LEAVE OF ABSENCE:**

Councillor B I N (Barbara) Thomas – Deputy President	(East Ward)
Councillor L J (Linda) Wainwright	(Central Ward)

**VISITORS**

Mullewa District High School  
Teacher: Mr Ab Chaudhry  
Students: Rhys Walker  
Luke Walker

**0509.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**0509.04 PUBLIC QUESTION TIME**

The kids from the Mullewa District High School asked the following questions:

1. When and why was the Rec centre built?

The President advised that the Recreation Centre was built in the 1980's due to Mullewa not having a major centre for various activities.

2. What are your plans for the Youth Centre?

The youth Centre will be conducting programs throughout the year for the youth of Mullewa.

3. Who designed the ANZAC picture at the Memorial?

The mural was designed in conjunction by Council Staff and an artist.

**0509.05 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**0509.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

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

**COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 22<sup>ND</sup> APRIL 2009, AS PRINTED BE CONFIRMED.**

**CARRIED 7/0**

**0509.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**0509.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**0509.09 REPORTS OF COMMITTEES/MEMBERS**

Nil

**0509.10 REPORTS OF OFFICERS**

## 10.2 HEALTH, BUILDING AND TOWN PLANNING

### 10.2.1 WESTERN AUSTRALIAN PLANNING COMMISSION (LOCAL GOVERNMENT PLANNING FEES)

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	513
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	30 April 2009, Trevor Brandy – Environmental Health Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	The WA Planning Commission has introduced Planning and Development (Planning fees) Regulations. The purpose of the fees is to cover cost for staff time in dealing with applications.
BACKGROUND:	The Regulations provide a framework for Local Government fees and changes for Planning Services and include details of the fees that may be levied. The fees are the maximum to be charged and are reviewed each year with CPI consideration.
COMMENT:	As noted, the fees for multi-million dollar applications can become excessive and to be fair on the applicant a request is made to have fees in question reviewed by the Chief Executive Officer and the Manager of Health and Building. This request will prevent time lost on waiting for Council approvals due to large fees. The negotiated fee will then be forwarded to Councils next meeting for notification.
CONSULTATION: STATUTORY ENVIRONMENT:	There are no known statutory implications at this time as per the Planning and Development (Local Government Planning fees) Regulations 2000
POLICY IMPLICATIONS:	There are no known policy implications at this time. With Council approval the CEO in consultation with the Manager of Health and Building be delegate the authority to negotiate erroneous fee levels if required.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time as per planning fees collected.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	<ol style="list-style-type: none"> <li>1. THAT COUNCIL ADOPT THE PLANNING AND DEVELOPMENT (LOCAL GOVERNMENT PLANNING FEES) AS ATTACHED.</li> <li>2. THAT THE CHIEF EXECUTIVE OFFICER AND THE MANAGER OF HEALTH AND BUILDING BE DELEGATED THE AUTHORITY TO NEGOTIATE WITH THE APPLICANT FEES WHICH MAY APPEAR EXCESSIVE</li> </ol>

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

- COUNCIL DECISION:**
1. **THAT COUNCIL ADOPT THE PLANNING AND DEVELOPMENT (LOCAL GOVERNMENT PLANNING FEES) AS ATTACHED.**
  2. **THAT THE CHIEF EXECUTIVE OFFICER AND THE MANAGER OF HEALTH AND BUILDING BE DELEGATED THE AUTHORITY TO NEGOTIATE WITH THE APPLICANT FEES WHICH MAY APPEAR EXCESSIVE**

**CARRIED 7/0**

<p><b>10.2.2 HOUSES UNFIT FOR HABITATION – LOT 10 DALGETY STREET, LOT 188 MOLSTER STREET, LOT 39 O'BRIEN STREET AND LOT 119 BURGESS STREET</b></p>
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DATE OF MEETING: 20<sup>th</sup> May 2009

LOCATION/ADDRESS: Lot 10 Dalgety Street, Lot 188 Molster Street, Lot 39 O'Brien Street and Lot 119 Burgess Street.

NAME OF APPLICANT:

FILE REFERENCE: 302.07

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 12 May 2009, Trevor Brandy – Environmental Health Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Council resolved at its meeting dated the 16<sup>th</sup> April 2008 to place work orders on the four above mentioned properties.

BACKGROUND: To date:

1. Lot 39 (1) O'Brien Street – Owner has carried out the works to the satisfaction of Council's Building Surveyor.
2. Lot 119 (30) Burgess Street – Keystart is in the final stages of carrying out the works order. Once completed the dwelling will have it final inspection and should be fit for sale.
3. Lot 188 (6) Molster Street – stagnant.
4. Lot 10 (12) Dalgety Street – matter to be followed up.

- COMMENT:
1. Lot 39 (1) O'Brien Street has been inspected by Council's Health and Building Officer and has been found compliant with the work order issued.
  2. Lot 119 (30) Burgess Street is 90% complete, arrangements has been made with the real estate agent to carry out an inspection prior to sale.
  3. Lot 188 (6) Molster Street – ongoing works appear to have stagnated. A letter of intention to be sent to the owner prior to possible demolition order.
  4. Lot 10 (12) Dalgety Street – matter to be followed up and reported to Council's June meeting.

CONSULTATION:

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

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

IMPLICATIONS:	
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	<ol style="list-style-type: none"> <li>1. THAT THE WORKS ORDER ON LOT 39 (1) O'BRIEN STREET BE LIFTED BY COUNCIL.</li> <li>2. THAT THE WORKS ORDER ON LOT 119 (30) BURGESS STREET BE LIFTED AFTER A SATISFACTORY INSPECTION BY COUNCILS HEALTH AND BUILDING OFFICER.</li> <li>3. THAT THE OWNER OF LOT 188 (6) MOLSTER STREET BE SENT A LETTER REQUESTING THEIR INTENTION WITH THE DWELLING PRIOR TO A DEMOLITION ORDER BEING ISSUED.</li> <li>4. THAT A REPORT BE SUBMITTED TO COUNCILS JUNE MEETING ON THE PROGRESS OF LOT 10 (12) DALGETTY STREET.</li> </ol>

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

COUNCIL DECISION:	<ol style="list-style-type: none"> <li>1. <b>THAT THE WORKS ORDER ON LOT 39 (1) O'BRIEN STREET BE LIFTED BY COUNCIL.</b></li> <li>2. <b>THAT THE WORKS ORDER ON LOT 119 (30) BURGESS STREET BE LIFTED AFTER A SATISFACTORY INSPECTION BY COUNCILS HEALTH AND BUILDING OFFICER.</b></li> <li>3. <b>THAT THE OWNER OF LOT 188 (6) MOLSTER STREET BE SENT A LETTER REQUESTING THEIR INTENTION WITH THE DWELLING PRIOR TO A DEMOLITION ORDER BEING ISSUED.</b></li> <li>4. <b>THAT A REPORT BE SUBMITTED TO COUNCILS JUNE MEETING ON THE PROGRESS OF LOT 10 (12) DALGETTY STREET.</b></li> </ol>
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**CARRIED 7/0**

## 10.3 WORKS, PLANT, PARKS & GARDENS

### 10.3.1 TENDERS – LIGHT VEHICLES

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	111
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	30 <sup>th</sup> April 2009. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report raises matter for Council to invite tenders for the supply of various light vehicles; and recommends an invitation to tender be advertised.
BACKGROUND:	Council has listed in the draft Plant Replacement Program (which is presented to this meeting) to replace the following light vehicles in the 2009/10 financial year.

MW5001	Ford Utility	Overseer
MW5002	Mitsubishi Utility	Town Maintenance
MW5003	Holden Rodeo 4X4	Mechanic
MW5004	Holden Rodeo	Construction
MW5005	Mitsubishi Utility	Town Maintenance
MW5017	Mitsubishi Utility	Town Maintenance
MW5018	Holden Rodeo	Dual Cab
MW5019	Holden Rodeo	Dual Cab

COMMENT: It is suggested that Council tender these vehicles as a collective group for trade in or outright purchase. In the past staff have selected at random dealers and requested quotes. This procedure has resulted in a reasonable response but it is considered that a fleet of vehicles may be more attractive to dealers and result in a better response.

This procedure will ensure the budget figures for the change overs will be a known and not an estimate as is the normal case.

CONSULTATION: Chief Executive Officer  
Mechanic.

STATUTORY ENVIRONMENT: Local Government (Functions & General) Regulations.

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

FINANCIAL IMPLICATIONS: Is listed in the Draft 2009/10 Plant Replacement Program and will need to be considered in the 2009/10 budget.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF NEW VEHICLES AS LISTED BELOW AND THE RESULT BE CONSIDERED FOR THE 2009/2010 BUDGET.

MW5001	Ford Utility	Overseer
MW5002	Mitsubishi Utility	Town Maintenance
MW5003	Holden Rodeo 4X4	Mechanic
MW5004	Holden Rodeo	Construction
MW5005	Mitsubishi Utility	Town Maintenance
MW5017	Mitsubishi Utility	Town Maintenance
MW5018	Holden Rodeo	Dual Cab
MW5019	Holden Rodeo	Dual Cab

**Moved:** J L Freeman      **Seconded:** K P Keefe

COUNCIL DECISION: **THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF NEW VEHICLES AS LISTED BELOW AND THE RESULT BE CONSIDERED FOR THE 2009/2010 BUDGET.**

MW5001	Ford Utility	Overseer
MW5002	Mitsubishi Utility	Town Maintenance

MW5003	Holden Rodeo 4X4	Mechanic
MW5004	Holden Rodeo	Construction
MW5005	Mitsubishi Utility	Town Maintenance
MW5017	Mitsubishi Utility	Town Maintenance
MW5018	Holden Rodeo	Dual Cab
MW5019	Holden Rodeo	Dual Cab

**CARRIED 7/0**

### 10.3.2 PLANT REPLACEMENT – PROGRAM OF

DATE OF MEETING:	20 <sup>th</sup> May 2008
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	708
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	1 <sup>st</sup> May 2009. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report presents plant replacement program for approval
BACKGROUND:	Council has developed a rolling Plant Replacement Program which is reviewed annually. The program is designed to ensure that there is an orderly and efficient level of fleet management. Approval for the program for 2009/2010 is requested.
COMMENT:	Attached at <b>APPENDIX A</b> is a copy of the Draft Plant Replacement Program for 2009/2010

In summary the following items are programmed to be replaced:

MW5020	Grader	John Deere 770CH
MW2431	Side Tipper	Haulmore
MW5025*	Loader	Komatsu
Unlic	Mower	John Deere Ride on
0MW	Holden Statesman	CEO
00MW	Holden Berlina	Deputy CEO
MW5001	Ford Utility	Works Supervisor
MW5002	Mitsubishi Utility	Town Maintenance
MW5003	Holden Rodeo 4X4	Mechanic
MW5004	Holden Rodeo	Construction
MW5005	Mitsubishi Utility	Town Maintenance
MW5017	Mitsubishi Utility	Town Maintenance
MW5018	Holden Rodeo	Dual Cab
MW5019	Holden Rodeo	Dual Cab

\* Current tender in progress

Prices on trade-in are indicative as there is reluctance by suppliers to supply this information when there is not an actual sale guaranteed.



- CONSULTATION: CEO, Mechanic
- STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
- POLICY IMPLICATIONS: There are no known policy implications at this time.
- FINANCIAL IMPLICATIONS: In accordance with the Municipal Budget 2009/2010
- STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.
- VOTING REQUIREMENT: Simple majority
- OFFICER RECOMMENDATION: THAT
- THE DRAFT 2009/2010 PLANT REPLACEMENT PROGRAM BE ADOPTED, AND
  - THE CHIEF EXECUTIVE OFFICER IS AUTHORISED TO GIVE EFFECT TO PLANT PURCHASES SUBJECT TO THE FOLLOWING:
    - *LIGHT VEHICLES TO BE CHANGED OVER AT ANY TIME IN ACCORDANCE WITH PROGRAMMING REQUIREMENTS,*
    - *SATISFACTION OF THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1995 WITH RESPECT TO TENDERING, AND*
    - *PRIOR BUDGETARY APPROVAL OR OTHER COUNCIL AUTHORITY.*

**Moved:** Andrew J Messina                      **Seconded:** M Kerkmans

- COUNCIL DECISION: **THAT**
- **THE DRAFT 2009/2010 PLANT REPLACEMENT PROGRAM BE ADOPTED, AND**
  - **THE CHIEF EXECUTIVE OFFICER IS AUTHORISED TO GIVE EFFECT TO PLANT PURCHASES SUBJECT TO THE FOLLOWING:**
    - *LIGHT VEHICLES TO BE CHANGED OVER AT ANY TIME IN ACCORDANCE WITH PROGRAMMING REQUIREMENTS,*
    - *SATISFACTION OF THE REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1995 WITH RESPECT TO TENDERING, AND*
    - *PRIOR BUDGETARY APPROVAL OR OTHER COUNCIL AUTHORITY.*

**CARRIED 7/0**

### **10.3.3 TENDERS – MULLEWA SWIMMING POOL PLANT ROOM**

DATE OF MEETING: 20<sup>th</sup> May 2009  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE:

PREVIOUS MINUTE/S & 15 October 2008; 22 April 2009

REFERENCE:

DATE AND AUTHOR:

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:

SUMMARY

Tenders were invited for the design, supply and installation of a new plant room for the Mullewa Swimming Pool and at the close of the Tender period 3 Tenders were received.

BACKGROUND:

In December 2001 Council received a report that was commissioned by the Department of Sport and Recreation into the condition of swimming pools in the Mid West. The report on the Mullewa Pool found many areas of the pool would need upgrading in the future. Since that report it has been noted that the plant room has deteriorated and would no longer comply with the Health standards of today. Council has acknowledged this and has moved to make the changes.

Tenders were accepted in February 2002 for the relining of the Swimming Pool Bowl and that work was carried out during 2002. However, no further work has been undertaken towards the other matters raised in the report. Council has moved to stage an upgrading program over the next couple of years to improve the facilities at the pool. The plant room is the first stage with the second stage replacing the main inlet to the pool and the scum gutters with a "level deck".

Tenders were invited now due to the tender process and the supply time line for this work to happen during the swimming pool shut down time. It will also allow Council for any expenditure in the 2009/10 budget.

COMMENT:

Tenders were invited for the Pool Plant Upgrade which consisted of following work –

- a) Design of Plant System
- b) Supply & Installation of New Filtration
- c) Supply & Installation of New Chemical Monitoring & Control System
- d) Supply & Installation of New pipe work Valves, Fittings, and pumps (if necessary) within the plant room
- e) Separation of systems for the 33m & Toddlers Pools
- f) Connection between the 33m pool & New Plant
- g) Connection between the Toddlers Pools & New Plant
- h) Supply & Installation of New Colorbond Plant Room Building with concrete floor (approx 10m x 7m)
- i) Necessary electrical connection to equipment, including lights and power points.
- j) Electrical Upgrade of Supply if necessary
- k) Application & approval for Health Department Certification
- l) Commission and handover.

At the close of Invitation, 3 Tenders were received from –

- Wetdeck Pools - \$270,126 + GST
- AVP Commercial Pools - \$419,000 + GST (includes P/Sum \$25,000)
- ODIS - \$156,200 + GST (may be non-compliant)

References for Wetdeck Pools have been checked and indications are that they are capable of carrying out this work.

An estimate of \$269,500 was used for the funding application budget to the Community Sporting & Recreation Facilities Fund.

Council has received funding through the Community Sporting & Recreation Facilities Fund and have allocated Royalties for Regions funding to replace the plant room at the Mullewa swimming pool.

## CONSULTATION:

## STATUTORY

Local Government (Functions & General) Regulations

## ENVIRONMENT:

## POLICY

There are no known policy implications at this time.

## IMPLICATIONS:

## FINANCIAL

## IMPLICATIONS:

The Sport & Recreation funding is \$89,833 and the Royalties for Regions \$100,000. An approach will be made to mining companies for a contribution and will need to be considered in the 2009/10 budget.

## STRATEGIC

## IMPLICATIONS:

The upgrading of the Mullewa Swimming Pool should have a positive impact on the Mullewa Community.

## VOTING REQUIREMENT:

Simple majority

## OFFICER

## RECOMMENDATION

THAT THE TENDER RECEIVED FROM WETDECK POOLS BE ACCEPTED FOR \$270,126, TO PROVIDE A NEW COMPLIANT WATER TREATMENT PLANT ROOM FOR THE MULLEWA SWIMMING POOL AS PER THEIR TENDER DOCUMENTS.

**Moved:**

*M Kerkmans*

**Seconded:**

*K P Keeffe*

## COUNCIL DECISION:

**THAT THE TENDER RECEIVED FROM WETDECK POOLS BE ACCEPTED FOR \$270,126, TO PROVIDE A NEW COMPLIANT WATER TREATMENT PLANT ROOM FOR THE MULLEWA SWIMMING POOL AS PER THEIR TENDER DOCUMENTS AND SUBJECT TO AN ONSITE INSPECTION AND FURTHER NEGOTIATIONS.**

**CARRIED 7/0**

## 10.4 FINANCE AND GENERAL PURPOSE

Cr Julie Freeman declared a Financial interest in the following item, being an employee of Our Lady of Mt Carmel School.

1:21pm – 1:22pm Cr Freeman left the meeting and did not vote.

### **10.4.1 WAIVING FEES – RECREATION CENTRE**

## DATE OF MEETING:

20<sup>th</sup> May 2009

## LOCATION/ADDRESS:

-

## NAME OF APPLICANT:

Mrs Jill Hollands

FILE REFERENCE:	608
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	4 <sup>th</sup> May 2009. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE INTEREST: SUMMARY	OF Author has no disclosure of interest. Report request waiving of Recreation Centre Fees
BACKGROUND:	Correspondence has been received from Mrs Jill Hollands, Assistant Principal & Netball Co-ordinator of Our Lady of Mt Carmel School, requesting to waive the fee for use of the recreation Centre. Letter attached at <b>APPENDIX A</b> .
COMMENT:	Mrs Hollands requests free use of the recreation centre for netball training commencing on 30 <sup>th</sup> April 2009 and concluding 10 <sup>th</sup> September 2009. Training session will be conducted on Thursdays from 3.30-4.30pm. Mrs Hollands takes the opportunity to thank Council for assistance in the past.
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:	The cheapest hire rate that would be applicable to an event of this nature is \$41.20 per hire.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	<p>THAT OUR LADY OF MT CARMEL SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA RECREATION CENTRE ON THURSDAY FROM 30<sup>TH</sup> APRIL 2009 TO 10<sup>TH</sup> SEPTEMBER 2009 FROM 3.30-4.30PM SUBJECT TO THE FOLLOWING:</p> <ul style="list-style-type: none"><li>▪ THAT THE VENUE IS LEFT CLEAN AND TIDY, SPECIFICALLY REMOVING FOOT PRINTS FROM THE FLOOR, AT THE CONCLUSION OF EACH HIRE,</li><li>▪ THAT THE COUNCIL IS INDEMNIFIED FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING, AND</li></ul> <p>THE CONTRIBUTION OF THE COUNCIL TO THIS UNDERTAKING IS PROMOTED AND FUNDED FROM THE INTEREST EARNED FROM THE MULLEWA COMMUNITY TRUST DEPOSIT.</p>
<b>Moved:</b>	<i>Andrew J Messina</i>
<b>Seconded:</b>	<i>K P Keefe</i>
COUNCIL DECISION:	<p><b>THAT OUR LADY OF MT CARMEL SCHOOL BE PROVIDED FREE USAGE OF THE MULLEWA RECREATION CENTRE ON THURSDAY FROM 30<sup>TH</sup> APRIL 2009 TO 10<sup>TH</sup> SEPTEMBER 2009 FROM 3.30-4.30PM SUBJECT TO THE FOLLOWING:</b></p> <ul style="list-style-type: none"><li>▪ <b>THAT THE VENUE IS LEFT CLEAN AND TIDY, SPECIFICALLY REMOVING FOOT PRINTS FROM THE FLOOR, AT THE CONCLUSION OF EACH HIRE,</b></li></ul>

- **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 AND FUNDED FROM THE INTEREST EARNED FROM THE MULLEWA COMMUNITY TRUST DEPOSIT.**

**CARRIED 6/0**

#### **10.4.2 FINANCE REPORT – APRIL 2009**

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	4 <sup>th</sup> May 2009. 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:	<p><b>BANK RECONCILIATION</b></p> <p>The Bank Reconciliation for the month of April 2009 is attached at <b>APPENDIX B</b>. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.</p> <p>Items of note:</p> <p>\$34,453.85 has been transferred from the Trust account to the Plant Reserve Account.</p> <p>\$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.</p> <p>\$300,000 has been transferred to a Term Deposit representing the Mullewa Community Trust and Road Reseal deposits.</p>
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 31 <sup>st</sup> APRIL 2009 BE RECEIVED.

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

**COUNCIL DECISION:**                      **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31<sup>st</sup> APRIL 2009 BE RECEIVED.**

**CARRIED 7/0**

### 10.4.3 RATES – AUTHORITY TO WRITE OFF

DATE OF MEETING:                      20<sup>th</sup> May 2009  
 LOCATION/ADDRESS:  
 NAME OF APPLICANT:  
 FILE REFERENCE:                      201.06  
 PREVIOUS MINUTE/S &  
 REFERENCE:  
 DATE AND AUTHOR:                      5<sup>th</sup> May 2009.Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST:                      Author has no disclosure of interest.  
 SUMMARY                      Report request authority to write off rate associated charges raised in error totalling \$3.20

BACKGROUND:                      The following interest and instalment charges have been raised in error on Assessment no. 143 Lot 28 Birdwood St, Mullewa. The charges were raised after a payment had been receipted to the wrong account.

Instalment Interest	2.89
Emergency Services Levy Interest	.31
Total:	\$3.20

COMMENT:                      Section 6.12 of the Local Government Act 1995 provides that a Council may write off any amount of money which is owed to the Shire.

Further, rating provisions in the Local Government Act 1995 provide that adjustments can be made to the rate-book for any charges that have been levied incorrectly or in error.

CONSULTATION:  
 STATUTORY  
 ENVIRONMENT:                      *Local Government Act 1995*

**6.12. Power to defer, grant discounts, waive or write off debts**

(1) Subject to subsection (2) and any other written law, a local government may —  
 (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money;  
 (b) waive or grant concessions in relation to any amount of money; or  
 (c) write off any amount of money, which is owed to the local government.

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

FINANCIAL                      There is budget provision for rate write offs in the 2008/2009 Budget

## IMPLICATIONS:

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

## IMPLICATIONS:

VOTING REQUIREMENT: Absolute majority

## OFFICER

## RECOMMENDATION

THAT THE AMOUNT OF \$3.20 BEING FOR INTEREST AND ESL INTEREST RAISED IN ERROR ON ASSESSMENT 143 BE WRITTEN OFF

**Moved:***A J Messina***Seconded:***M Kerkmans*

## COUNCIL DECISION:

**THAT THE AMOUNT OF \$3.20 BEING FOR INTEREST AND ESL INTEREST RAISED IN ERROR ON ASSESSMENT 143 BE WRITTEN OFF**

**CARRIED 7/0****10.4.4 MULLEWA SENIORS – REQUEST FOR SUPPORT**

DATE OF MEETING: 20th May 2009

LOCATION/ADDRESS:

NAME OF APPLICANT: Mullewa Health Service

FILE REFERENCE: 608

PREVIOUS MINUTE/S & REFERENCE: May 2008

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

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

INTEREST:

SUMMARY

Report requests support for an Activity Day being held by Mullewa Home & Community Care.

BACKGROUND:

Correspondence has been received from the Mullewa Health Service seeking assistance conducting an Activity Day during 'Stay on Your Feet Week'. – Attached at **APPENDIX C**

The Health Service has previously held events in Mullewa with Council's contribution being free recreation centre hire and specific to last year, \$150 towards the purchase of hats. The Health Service was requested to supply an invoice for the amount of \$150 to comply with tax obligations or to make contact alternative options to supply the hats. There was no further contact in this regard.

COMMENT:

The applicant is again requesting a donation towards the purchase of hats and also seeks free hire of the Mullewa Recreation Centre on Friday 15<sup>th</sup> October 2009.

Free use of the recreation centre would be subject to the following conditions:

- The use is limited to the purpose and times stated in the application – as above.
- The area is left clean and tidy at the conclusion of use, paying

particular attention to removing all traces of footprints on the floor. The supply of cleaning materials to be the responsibility of the user.

- All rubbish is removed from the area and disposed of at a suitable location.
- The Council is indemnified in writing for any accident or injury arising from this undertaking. Any accident/incident is to be reported immediately to the Shire office.
- The contribution of the Council to this undertaking is promoted.

An invitation has been extended for a representative to join the group for lunch and present an overview of the latest developments.

**CONSULTATION:**

**STATUTORY**

**ENVIRONMENT:**

**POLICY**

**IMPLICATIONS:**

There are no known statutory implications at this time.

**FINANCIAL**

**IMPLICATIONS:**

There are no known policy implications at this time.

The fee associated with this activity and the purchase of hats

**STRATEGIC**

**IMPLICATIONS:**

There are no known strategic implications at this time.

**VOTING REQUIREMENT:**

Simple Majority

**OFFICER**

**RECOMMENDATION**

THAT THE MULLEWA HEALTH SERVICE BE ADVISED THAT:

COUNCIL WILL CONTRIBUTE \$..... TOWARDS THE PURCHASE OF HATS FOR THE ACTIVITY DAY.

HIRE OF THE MULLEWA RECREATION CENTRE FOR THIS PURPOSE BE GRANTED FREE OF CHARGE, SUBJECT TO:

FREE USE OF THE RECREATION CENTRE WOULD BE SUBJECT TO THE FOLLOWING CONDITIONS:

- THE USE IS LIMITED TO THE PURPOSE AND TIMES STATED IN THE APPLICATION.
- THE AREA IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF USE, PAYING PARTICULAR ATTENTION TO REMOVING ALL TRACES OF FOOTPRINTS ON THE FLOOR. THE SUPPLY OF CLEANING MATERIALS TO BE THE RESPONSIBILITY OF THE USER.
- ALL RUBBISH IS REMOVED FROM THE AREA AND DISPOSED OF AT A SUITABLE LOCATION.
- THE COUNCIL IS INDEMNIFIED IN WRITING FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING. ANY ACCIDENT/INCIDENT IS TO BE REPORTED IMMEDIATELY TO THE SHIRE OFFICE.
- THE CONTRIBUTION OF THE COUNCIL TO THIS UNDERTAKING IS PROMOTED.

THAT THE COST OF HIRE BE OFFSET AGAINST INCOME FROM INTEREST EARNED FROM THE MULLEWA COMMUNITY TRUST FUNDS.



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

**COUNCIL DECISION:**                      **THAT THE MULLEWA HEALTH SERVICE BE ADVISED THAT:**

**COUNCIL WILL CONTRIBUTE \$150.00 TOWARDS THE PURCHASE OF HATS FOR THE ACTIVITY DAY.**

**HIRE OF THE MULLEWA RECREATION CENTRE FOR THIS PURPOSE BE GRANTED FREE OF CHARGE, SUBJECT TO:**

**FREE USE OF THE RECREATION CENTRE WOULD BE SUBJECT TO THE FOLLOWING CONDITIONS:**

- **THE USE IS LIMITED TO THE PURPOSE AND TIMES STATED IN THE APPLICATION.**
- **THE AREA IS LEFT CLEAN AND TIDY AT THE CONCLUSION OF USE, PAYING PARTICULAR ATTENTION TO REMOVING ALL TRACES OF FOOTPRINTS ON THE FLOOR. THE SUPPLY OF CLEANING MATERIALS TO BE THE RESPONSIBILITY OF THE USER.**
- **ALL RUBBISH IS REMOVED FROM THE AREA AND DISPOSED OF AT A SUITABLE LOCATION.**
- **THE COUNCIL IS INDEMNIFIED IN WRITING FOR ANY ACCIDENT OR INJURY ARISING FROM THIS UNDERTAKING. ANY ACCIDENT/INCIDENT IS TO BE REPORTED IMMEDIATELY TO THE SHIRE OFFICE.**
- **THE CONTRIBUTION OF THE COUNCIL TO THIS UNDERTAKING IS PROMOTED.**

**THAT THE COST OF HIRE BE OFFSET AGAINST INCOME FROM INTEREST EARNED FROM THE MULLEWA COMMUNITY TRUST FUNDS.**

**CARRIED 7/0**

Cr Julie Freeman declared an impartial interest in the following item, being a member of the Isolated Children's Parents' Association of WA.

<b>10.4.5 ISOLATED CHILDREN'S PARENTS' ASSOCIATION OF WA</b>
--

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Isolated Children's Parents' Association of Australia (Inc)
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	10.4.4 July 2007
DATE AND AUTHOR:	14 <sup>th</sup> May 2009, Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits a request from the Isolated Children's Parents' Association of WA for financial support.

BACKGROUND:	The attached letter has been received from the President of the Isolated Children's Parents' Association of WA, attached at <b>APPENDIX D</b> seeking support in the form of sponsorship or a donation towards conference costs to be held in August 2010. Council donated \$100 to the group in 2007 for a similar event on a state level.
COMMENT:	Council will need to take into consideration its policy 503, on donations and grants.
CONSULTATION:	
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	<p><b>DONATIONS AND GRANTS - Local Nature</b></p> <p>Council shall consider requests for donations on their individual merit however, generally will decline appeals for donations -</p> <ul style="list-style-type: none"> <li>• Of a state or National nature, or</li> <li>• If they are not concerned or connected with the Mullewa area.</li> </ul> <p>Exceptions to the above will be -</p> <ul style="list-style-type: none"> <li>• Disaster or emergency appeals, or</li> <li>• Requests from other Municipalities or in connection with or from Local Government Administration.</li> </ul>
FINANCIAL IMPLICATIONS:	Inclusion in 2009/2010 Budget
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL CONSIDER THE REQUEST FROM THE CHILDREN'S PARENTS' ASSOCIATION OF WA.
<b>Moved:</b>	<i>M Kerkmans</i>
<b>Seconded:</b>	<i>K P Keeffe</i>
COUNCIL DECISION:	<b>THAT COUNCIL DONATE \$150 TO THE CHILDREN'S PARENTS' ASSOCIATION OF WA.</b>
	<b>CARRIED 7/0</b>

<b>10.4.6 ACCOUNTS FOR PAYMENT</b>
------------------------------------

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.

**BACKGROUND:** Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.

**COMMENT:** Attached to this report at **APPENDIX E** 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 \$ 361,321.40 covers the following:

<u>Municipal Account</u>		
Cheque No.	10136 – 10154	\$ 44,934.86
Electronic Fund Trans	4985 – 5051	\$ 247,238.14
Payroll & Fees	VARIOUS	\$ 67,310.31
<u>Trust Account</u>		
Cheque No.	378 – 382	\$ 1,838.09
	<b>Total:</b>	<b>\$ 361,321.40</b>

**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.

<u>Municipal Account</u>		
Cheque No	10136 – 10154	\$ 44,934.86
Electronic Fund Trans	4985 – 5051	\$ 247,238.14
Payroll & Fees	VARIOUS	\$ 67,310.31
<u>Trust Account</u>		
Cheque No.	378 – 382	\$ 1,838.09
	<b>Total:</b>	<b>\$ 361,321.40</b>

**Moved:** *M Kerkmans*      **Seconded:** *A J Crudeli*

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

<u>Municipal Account</u>		
<b>Cheque No</b>	<b>10136 – 10154</b>	<b>\$ 44,934.86</b>
<b>Electronic Fund Trans</b>	<b>4985 – 5051</b>	<b>\$ 247,238.14</b>
<b>Payroll &amp; Fees</b>	<b>VARIOUS</b>	<b>\$ 67,310.31</b>
<u>Trust Account</u>		
<b>Cheque No.</b>	<b>378 – 382</b>	<b>\$ 1,838.09</b>
	<b>Total:</b>	<b>\$ 361,321.40</b>

**CARRIED 7/0**

<b>10.4.7 STATEMENT OF FINANCIAL ACTIVITY</b>
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DATE OF MEETING:	20 <sup>th</sup> May 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:	
BACKGROUND:	Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.
COMMENT:	Attached at <b>APPENDIX F</b> is the Statement of Financial Activity for April 2009.
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 STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF APRIL 2009 BE RECEIVED.
<b>Moved:</b>	<i>J L Freeman</i>
<b>Seconded:</b>	<i>A J Crudeli</i>
<b>COUNCIL DECISION:</b>	<b>THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF APRIL 2009 BE RECEIVED.</b>
	<b>CARRIED 7/0</b>

Cr Julie Freeman declared a Financial Interest in the following item, being an employee of Our Lady of Mt Carmel School.

1:40pm – 1:45pm Cr Freeman left the meeting and did not vote.

<b>10.4.8 WAIVING FEES – YOUTH BUS</b>
--

DATE OF MEETING:	20 <sup>th</sup> May 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Mrs Stephany Keeffe
FILE REFERENCE:	ADM0115
PREVIOUS MINUTE/S &	

REFERENCE:	
DATE AND AUTHOR:	4 <sup>th</sup> May 2009. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report request waiving cost of Youth Bus Hire
BACKGROUND:	Correspondence has been received from Mrs Stephany Keeffe, School Board Chairperson of Our Lady of Mt Carmel School, requesting to waive the fee for use of the Youth Bus.
COMMENT:	Mrs Keeffe requests free use of the Mullewa Youth Bus to convey students, teachers and parents for a camp during the 17-21 August. The request is attached at <b>APPENDIX G</b>
	Should the request be permitted, the Council must be indemnified for any accident or injury arising from this hire, and the contribution of the Council be promoted and funded from the interest earned from the Mullewa Community Trust deposit.
CONSULTATION:	
STATUTORY ENVIRONMENT: POLICY IMPLICATIONS:	<p>There are no known statutory implications at this time.</p> <p>1218 <b>MOTOR BUSES - Usage of</b>          (Reviewed 19 July 2006)          (Reviewed 20 August 2008)</p> <p>The purpose and usage of the bus is for the following Youth related activities:</p> <ul style="list-style-type: none"> <li>• conduct and operation of the Mullewa Youth Centre</li> <li>• all Council organised or sponsored youth camps, courses, programs, excursions or events, and;</li> <li>• any other purpose for Council operations.</li> </ul> <p>Other activities and usage permitted, when not required by Council, include-</p> <ul style="list-style-type: none"> <li>- pupil activities of the Mullewa District High School and Our Lady of Mount Carmel School</li> <li>- school bus providers (at the discretion of the CEO) , subject to-            A hire charge for the bus –           <ul style="list-style-type: none"> <li>- Outside Mullewa - \$0.80 per kilometre (plus GST),</li> <li>- Within Mullewa - \$25.00 per hour (or part thereof) (allowance 100km per day) plus \$0.25 / km over allowance (plus GST)</li> <li>- When picked up the bus will have a full tank of fuel and is to be returned with a full tank.</li> </ul> </li> </ul> <p>General Conditions:</p> <ul style="list-style-type: none"> <li>• 21 seats are available and only 21 persons will board the bus</li> <li>• The bus will be cleaned out after each activity by all who participated. If and when the bus is used for camps, it will be cleaned out immediately after camp or at a time determined by the Youth Development Officer</li> <li>• Food can be eaten on the bus and a bin or rubbish bags must be provided. NO CHEWING OR BUBBLE GUM ALLOWED</li> <li>• A First Aid Kit must always be on the bus when travel is needed for activities and/or camps</li> </ul> <p>As can be noted in the revised policy the use of the bus is to cover the schools and also maintains the focus on being used for the YOUTH of Mullewa. A fee is introduced for the school use as suggested by Council at the June meeting.</p>
FINANCIAL IMPLICATIONS:	The hire rate applicable to 1500km is \$1200
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL CONSIDER THE REQUEST FROM OUR LADY OF MT CARMEL SCHOOL BOARD CHAIRPERSON.

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

COUNCIL DECISION: **THAT COUNCIL ADVISE OUR LADY OF MT CARMEL SCHOOL THAT THE HIRE CHARGES WILL NOT BE WAIVED DUE TO THE POLICY IMPLICATIONS; HOWEVER, COUNCIL MAY CONSIDER A REQUEST FOR A DONATION TOWARDS THE TOTAL COST OF THE PROJECT.**

**CARRIED 6/0**

## 10.5 CHIEF EXECUTIVE OFFICERS REPORT

### 10.5.1 WALGA 2009 ANNUAL GENERAL MEETING – VOTING DELEGATES

DATE OF MEETING: 20<sup>th</sup> May 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 15 May 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report advises Council of the requirement to register voting delegates for the 2009 WALGA Annual General Meeting.

BACKGROUND: The attached letter at **APPENDIX A** has been received by WALGA indicating that member Councils are required to register their voting delegates by 20<sup>th</sup> July 2009.

COMMENT: At this stage due to limited numbers attending this year it is suggested that the President and CEO be registered as voting delegates at the 2009 WALGA Annual General Meeting.

CONSULTATION:

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

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

FINANCIAL IMPLICATIONS: There are no known financial implications at this time.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL REGISTER THE PRESIDENT AND CEO AS VOTING DELEGATES OF THE 2009 WALGA ANNUAL GENERAL MEETING TO BE HELD SATURDAY, 8<sup>th</sup> AUGUST 2009.

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

**COUNCIL DECISION: THAT COUNCIL REGISTER THE PRESIDENT AND CEO AS VOTING DELEGATES OF THE 2009 WALGA ANNUAL GENERAL MEETING TO BE HELD SATURDAY, 8<sup>th</sup> AUGUST 2009.**

**CARRIED 7/0**

### **10.5.2 LOCAL GOVERNMENT STRUCTURAL REFORM – MULLEWA**

DATE OF MEETING: 20<sup>th</sup> May, 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & 22 April, 2009

REFERENCE:

DATE AND AUTHOR: 15 May, 2009, Tom Hartman, Chief Executive Officer

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

SUMMARY

The Shire of Mullewa will need to determine its position in relation to preferred '*communities of common interest*' to move forward with the Local Government Structural Reform process. The report outlines the actions that need to be addressed to assist the Shire in considering its preferred community partnership (if any) going forward.

BACKGROUND:

On Thursday, 5<sup>th</sup> February 2009 Minister for Local Government, Hon John Castrilli MLA, announced a package of wide-ranging local government reform strategies. The reform strategies are based on voluntary amalgamations of the 139 local governments in Western Australia, the reduction of elected members to between 6 and 9 (for the new amalgamated Council), and the formation of appropriate regional groupings of local governments.

The strategies are aimed at achieving greater capacity for local governments to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability. The process offers an opportunity for local communities, such as the Shire of Mullewa, to control the process in order to deliver preferable outcomes.

The Department of Local Government and Regional Development has issued Guidelines to assist Local Governments in their efforts to achieve structural reform outcomes. The Guidelines included a Local Government Reform Checklist which each local government was required to review, complete and adopt for submission with the Department of Local Government and Regional Development by no later than 30<sup>th</sup> April 2009. This Checklist was completed and endorsed by the Mullewa Shire Council at its Ordinary Meeting held on 22<sup>nd</sup> April 2009 with final submission to the Department occurring on 28<sup>th</sup> April 2009.

In the covering correspondence sent to the Department of Local Government and Regional Development, the Shire of Mullewa considered the need for structural reform and advised that :-

*'The Steering Committee will note that at this stage the Mullewa Shire Council has taken a 'sit on the fence' view that structural reform is necessary for the*

*sustainable future of the community of Mullewa.*

*This position is prefaced on the basis that:-*

*The community maintains its essential local identity, and the structural reform model does not simply replace one small unsustainable local government with a larger amalgamated unsustainable entity'.*

COMMENT:

The next stage in the process, as identified in the Guidelines, is for each local government to identify '*communities of common interest*' to enable those communities to advance and deliver on a joint Reform Submission to prove up the case for the establishment of a sustainable entity. To enable this submission process to commence, the Shire of Mullewa must be in a position to move forward on a collective basis with its preferred communities in common alignment on or around 31<sup>st</sup> May 2009.

At this point in the process, only two (2) local governments within the Mid West Regional Council have endorsed a preferred collective position to go forward. At its most recent April 2009 Ordinary Meeting, the Mingenew Shire Council indicated a preference for the Shires of Mingenew, Three Springs, Morawa and Perenjori to form a structural alliance. Similarly, the Three Springs Shire Council resolved that a preferred structural alignment include the Shires of Three Springs, Mingenew, Morawa, Perenjori, Carnamah and Coorow.

Both Shires have also indicated a willingness to look at other Local Government participation upon approach and application.

Further formal correspondence has also been received from the Coorow Shire Council seeking feedback from the Shire of Mullewa to the following questions:-

1. *"Is the Shire of Mullewa interested in forming an amalgamated Council which involves the Shire of Coorow?"*

**OR**

2. *Is the Shire of Mullewa interested in forming an amalgamated Council which involves either the Coastal or Inland Portion of the Shire of Coorow?*

*Please state your preference."*

The following answer to the above was sent by email on the 2<sup>nd</sup> May, 2009,

*'In answer to your questions, Mullewa has not determined its direction as yet and no decision has been made other than keeping all its options open at this stage with discussions continuing with neighbours east, north, west and south'.*

### **DISCUSSIONS TO DATE.**

**Northampton** – reply attached.

**Murchison** – reply attached.

**Yalgoo** - verbal reply indicates that they are 95% sure that they will go east, if at all.

**MWRC** – as 2 above, however, there seems to be some reluctance for Coorow & Carnamah's inclusion. Discussion with Mingenew indicated that they do not want to join with Irwin and do not want Coorow.



Discussion centred around Option 1.

**Chapman Valley** – keen to partner Mullewa in further discussions with the City and to jointly compile a list of discussion points. Friday's meeting resolved to list items for discussion which would include representation, maintaining local identity, local workforce, adequate staffing levels and community based advisory committees.

**City of Geraldton Greenough** – receptive to an approach by Chapman Valley and Mullewa for further discussions and requested a list of discussion points. These discussions to date, were considered at the Councillor Briefing Session held Monday, May 11, 2009.

The meeting between Mullewa, Chapman Valley and the City of Geraldton Greenough has been organised for Monday 18<sup>th</sup> May, 2009, with the following items set as priority for discussion -

**REPRESENTATION, MAINTAINING LOCAL IDENTITY, LOCAL WORKFORCE, ADEQUATE STAFFING LEVELS AND COMMUNITY BASED ADVISORY COMMITTEES.**

At the time of our May 2009 Ordinary Council Meeting, the outcomes of the meeting held on 18<sup>th</sup> May 2009 will have been known to assist the Mullewa Shire Council in its decision making process. Council should then be in a position to declare its preferred structural position/s to go to and consult with its community.

As stated above, to enable this submission process to commence, the Shire of Mullewa should have been in a position to move forward on a collective basis with its preferred communities in common alignment on or around 31<sup>st</sup> May 2009. Clearly the Mullewa Shire Council should now invite the community to participate in an open forum to discuss the future of the Shire of Mullewa. It is suggested that this forum be organised within the next two weeks to endorse, object or change the direction of the Council to determine its partner/s to move forward in the process.

There are risks. Probably the most important is potential community disquiet if there is a perception that a least preferred structural alignment is chosen. The next risk, in terms of importance, relates to the chosen structural alignment itself. To achieve sustainability, the new entity must be able to deliver services and support at levels higher than currently being achieved. Therefore, the alignment structure must incorporate a core number of Shires to achieve the necessary structural changes to support the new entity. A Mid West Regional Shire amalgamation, therefore, may only bring limited structural benefits for the community.

There is a lot of work to be done over the next few months and Councillors are again encouraged to keep in touch with the contents of the guidelines, especially page 2, so we do not get ahead of ourselves.

At the end of the day Council must resolve around late July to proceed based on the findings of the submission process. These are the checks and balances in the process.

CONSULTATION:

Councillors would have discussed this matter with community members. An open public forum should be held within the next two weeks to assist the Shire in gaining an understanding of the preferred community

position going forward.

STATUTORY  
ENVIRONMENT:

Local Government Act 1995

POLICY  
IMPLICATIONS:  
FINANCIAL  
IMPLICATIONS:

There are no known policy implications at this time.

The Minister for Local Government has announced grant funding of \$10,000 per local government to be made available to assist with the cost of hiring support consultants to undertake the Reform Submission process. These funds would be more effectively used in conjunction with other local governments looking to achieve similar joint study outcomes.

STRATEGIC  
IMPLICATIONS:

It doesn't get more strategic than this. This item is probably THE most important strategic decision to be made by ANY Mullewa Shire Council in its history. The next most important timeline and decision making point will be consideration of the actual Reform Submission itself – probably at the July / August 2009 Council Meeting.

VOTING REQUIREMENT:

Simple majority

OFFICER  
RECOMMENDATION

THAT:-

1. THE MULLEWA SHIRE COUNCIL DETERMINES WHICH LOCAL GOVERNMENT/S IT PREFERS TO STRUCTURALLY ALIGN WITH.

**Moved:**

*J L Freeman*

**Seconded:**

*Andrew J Messina*

COUNCIL DECISION:

**THE MULLEWA SHIRE COUNCIL HAS A PREFERENCE FOR STRUCTURALLY ALIGNING ITSELF WITH THE SHIRE OF CHAPMAN VALLEY AND THE CITY OF GERALDTON-GREENOUGH.**

**CARRIED 6/1**

OFFICER  
RECOMMENDATION:

2. A PUBLIC FORUM BE ORGANISED WITH THE NEXT TWO WEEKS TO DISCUSS THE FUTURE OF THE SHIRE OF MULLEWA.

**Moved:**

*J L Freeman*

**Seconded:**

*Andrew J Messina*

COUNCIL DECISION:

**A PUBLIC FORUM BE ORGANISED AT THE MULLEWA TOWN HALL ON FRIDAY JUNE 12 COMMENCING AT 7.00PM TO DISCUSS THE FUTURE OF THE SHIRE OF MULLEWA.**

**CARRIED 7/0**

OFFICER  
RECOMMENDATION:

3. THE MULLEWA SHIRE COUNCIL TO DETERMINE THE PROJECT TEAM TO MOVE FORWARD WITH THE REFORM SUBMISSION (I.E. 2-3 REPRESENTATIVES FROM THE SHIRE OF MULLEWA).

**Moved:** *J L Freeman*                      **Seconded:** *K P Keeffe*

**COUNCIL DECISION:**            **THE MULLEWA SHIRE COUNCIL ESTABLISH A PROJECT TEAM CONSISTING OF THE PRESIDENT, DEPUTY PRESIDENT AND CHIEF EXECUTIVE OFFICER TO MOVE FORWARD WITH THE REFORM SUBMISSION.**

**CARRIED 7/0**

**OFFICER RECOMMENDATION:**            4. THOSE LOCAL GOVERNMENT/S AS IDENTIFIED IN 1 ABOVE ARE APPROACHED TO UNDERTAKE A JOINT REFORM SUBMISSION TO VALIDATE THE BASIS FOR FORMING A STRUCTURAL ALIGNMENT.

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

**COUNCIL DECISION:**            **THAT THE SHIRE OF CHAPMAN VALLEY AND THE CITY OF GERALDTON-GREENOUGH BE ADVISED OF THIS DECISION AND AGREE TO PURSUE THE FRAMEWORK AS SET OUT IN THE CITY OF GERALDTON-GREENOUGH LETTER DATED MAY 19, 2009, TO UNDERTAKE A JOINT REFORM SUBMISSION TO VALIDATE THE BASIS FOR FORMING A STRUCTURAL ALIGNMENT.**

**CARRIED 7/0**

**OFFICER RECOMMENDATION:**            5. \$10,000 IN GRANT FUNDS IS SOURCED FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT TO UNDERTAKE THE REFORM SUBMISSION PROCESS (IN CONJUNCTION WITH OTHER SIMILARLY ALIGNED LOCAL GOVERNMENT/S AND THEIR GRANT FUNDS).

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

**COUNCIL DECISION:**            **\$10,000 IN GRANT FUNDS IS SOURCED FROM THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT TO UNDERTAKE THE REFORM SUBMISSION PROCESS IN CONJUNCTION WITH THE SHIRE OF CHAPMAN VALLEY AND THE CITY OF GERALDTON-GREENOUGH.**

**CARRIED 7/0**

**OFFICER RECOMMENDATION:**            6. A MEDIA STATEMENT IS PREPARED TO INFORM THE MULLEWA COMMUNITY, AND OTHER INTERESTED STAKEHOLDERS, OF THIS ALIGNMENT DECISION AND THE BASIS FOR THIS DECISION.

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

**COUNCIL DECISION:**                      **A MEDIA STATEMENT IS PREPARED TO INFORM THE MULLEWA COMMUNITY, AND OTHER INTERESTED STAKEHOLDERS, OF THIS ALIGNMENT DECISION AND THE BASIS FOR THIS DECISION.**

**CARRIED 7/0**

<b>10.5.3 ROAD NAMES – TARDUN TOWNSITE</b>
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DATE OF MEETING:                      20<sup>th</sup> May 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S &  
REFERENCE:

DATE AND AUTHOR:                      15 May 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE                      OF                      Author has no disclosure of interest.

INTEREST:  
SUMMARY

Report raises the requirement for Council to endorse the extension of the existing road names through the Tardun Townsite.

BACKGROUND:                      A copy of the correspondence received from the Geographic Names Section of Langate is attached at **APPENDIX B** which explains the background to this matter.

COMMENT:                      As can be noted in the attached correspondence the names of existing roads Tardun-Pindar and Drummond finish at the townsite boundary. To extend these names requires Council endorsement.

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 COUNCIL ENDORSE THE ACTION FOR THE EXTENSION OF THE ROAD NAMES PINDAR-TARDUN AND DRUMMOND THROUGH THE TARDUN TOWNSITE AND ADVISE THE GEOGRAPHICAL NAMES SECTION OF LANDGATE ACCORDINGLY.

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

**COUNCIL DECISION:**                      **THAT COUNCIL ENDORSE THE ACTION FOR THE EXTENSION OF THE ROAD NAMES PINDAR-TARDUN AND DRUMMOND THROUGH THE TARDUN TOWNSITE AND ADVISE THE GEOGRAPHICAL NAMES SECTION OF LANDGATE ACCORDINGLY.**

**CARRIED 7/0**

**0509.11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**0509.12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**0509.13 DELEGATED AUTHORITY**

Nil

**0509.14 CLOSURE OF MEETING**

The President closed the meeting at 3:15pm.

These minutes were confirmed at a meeting on 17 June 2009:

Signed:

A J Messina, President

Date: