
INDEX

0809.01	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
0809.02	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
0809.03	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
0809.04	PUBLIC QUESTION TIME	2
0809.05	APPLICATIONS FOR LEAVE OF ABSENCE	3
0809.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
0809.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	4
0809.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	4
0809.09	REPORTS OF COMMITTEES/MEMBERS	4
0809.10	REPORTS OF OFFICERS	4
10.4	<i>FINANCE AND GENERAL PURPOSE</i>	4
10.4.1	Statement Of Financial Activity	4
10.4.2	Finance Report – July 2009.....	5
10.4.3	Accounts For Payment	6
10.4.4	Statement Of Financial Activity	7
10.5	<i>CHIEF EXECUTIVE OFFICERS REPORT</i>	8
10.5.1	Proposed Road Dedication Pt Victoria Location 11827	8
10.5.2	Midwest Development Commission.....	9
10.5.3	Local Government Reform Submission	10
0809.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	24
0809.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	24
0809.13	DELEGATED AUTHORITY	24
13.1	Municipal Seal – Exercising Delegated Authority To Affix.....	24
0809.14	CLOSURE OF MEETING.....	25

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 19th August 2009.**0809.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:00pm The President declared the meeting open

0809.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

Councillor A J (Nino) Messina – President	(West Ward)
Councillor B I N (Barbara) Thomas – Deputy President	(East Ward)
Councillor M (Mike) Kerkmans	(East Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

OFFICERS:

Mr T A (Tom) Hartman - Chief Executive Officer
Ms N J (Noelene) Holmes – Deputy Chief Executive Officer

APOLOGIES:

Councillor A J (Tony) Crudeli (Central Ward)

LEAVE OF ABSENCE:

Councillor L J (Linda) Wainwright (Central Ward)

VISITORS

Mullewa District High School
Students: Kieran Crudeli
Jarryn Comeagain
Teacher: Jackie Comeagain

0809.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0809.04 PUBLIC QUESTION TIME

Students from the Mullewa District High School asked the following questions:

1. Can you please clean some of the rubbish from the scramble track and fix and modify some parts of the scramble track?

The CEO advised that ownership of the land will need to be ascertained and that the "Bush Rangers Group" at the School could take this on as a project.

2. Can you please order new pool table, pool balls and pool cues and could you organise guitar lessons at the youth centre?

The CEO advised that he would discuss with the Youth Coordinator, but did indicate that the damage to equipment needed to be controlled at the centre and that there was a role to play by this group at the centre.

3. Can you please organise more rides for the community at the Mullewa Show this year?

Cr Andrew Messina advised that there is more this year, the show clashed with Sunshine Festival in previous years which impacted on the Mullewa Show.

4. Can you organise basketball matches on Saturdays at the youth centre to keep us occupied for the day?

To be taken up with Youth Officer.

Kieran Crudeli spoke on the Coalseam project where the High School took 8 kids and planted trees in the National Park. They hope to do more with Bush Rangers group around the area.

0809.05	APPLICATIONS FOR LEAVE OF ABSENCE
----------------	--

Moved: *M Kerkmans* **Seconded:** *B I N Thomas*

COUNCIL DECISION: **THAT CR KIM KEEFFE BE GRANTED LEAVE OF ABSENCE FOR THE SEPTEMBER 2009 COUNCIL MEETING**

CARRIED 7/0

Moved: *J L Freeman* **Seconded:** *B I N Thomas*

COUNCIL DECISION: **THAT CR MICK TIERNEY BE GRANTED LEAVE OF ABSENCE FOR THE OCTOBER 2009 COUNCIL MEETING**

CARRIED 7/0

0809.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
----------------	---

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

COUNCIL DECISION: **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15TH JULY 2009, AS PRINTED BE CONFIRMED.**

CARRIED 7/0

0809.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION
----------------	---

Nil

0809.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
----------------	--

Nil

0809.09	REPORTS OF COMMITTEES/MEMBERS
----------------	--------------------------------------

Nil

0809.10	REPORTS OF OFFICERS
----------------	----------------------------

10.4 FINANCE AND GENERAL PURPOSE

10.4.1	STATEMENT OF FINANCIAL ACTIVITY
---------------	--

DATE OF MEETING: 19th August 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 2th July 2009 - Noelene Holmes, Deputy Chief Executive Officer

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

SUMMARY

BACKGROUND: Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.

COMMENT: Attached at **APPENDIX A** is the Statement of Financial Activity for June 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 JUNE 2009 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF JUNE 2009 BE RECEIVED.**

CARRIED 7/0

10.4.2 FINANCE REPORT – JULY 2009
--

DATE OF MEETING: 19th August 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report presents a bank reconciliation of Councils bank accounts.

BACKGROUND: A reconciliation of funds is carried out at end of each month for all of Councils bank accounts. The accounts are reconciled with the general ledger to ascertain accuracy of income and expenditure of the previous month.

COMMENT: **BANK RECONCILIATION**
The Bank Reconciliation for the month of July 2009 is attached at **APPENDIX B**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.

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

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st JULY 2009 BE RECEIVED.

Moved: M D Tierney **Seconded:** B I N Thomas

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

CARRIED 7/0

10.4.3 ACCOUNTS FOR PAYMENT

DATE OF MEETING:	19 th August 2009																					
LOCATION/ADDRESS:	-																					
NAME OF APPLICANT:	-																					
FILE REFERENCE:	-																					
PREVIOUS MINUTE/S & REFERENCE:	-																					
DATE AND AUTHOR:	Noelene Holmes, Deputy Chief Executive Officer																					
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.																					
SUMMARY:	The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.																					
BACKGROUND:	Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.																					
COMMENT:	Attached to this report at APPENDIX C is a list detailing all cheques drawn and direct debits since the last Council meeting. The summary of the schedule of accounts to be passed for payment totalling \$ 570,075.85 covers the following:																					
	<table border="0"> <tr> <td colspan="3"><u>Municipal Account</u></td> </tr> <tr> <td>Cheque No.</td> <td>10203 - 10235</td> <td>\$ 193,442.03</td> </tr> <tr> <td>Electronic Fund Trans</td> <td>5217 - 4298</td> <td>\$ 302,251.76</td> </tr> <tr> <td>Payroll & Fees</td> <td>VARIOUS</td> <td>\$ 73,339.06</td> </tr> <tr> <td colspan="3"><u>Trust Account</u></td> </tr> <tr> <td>Cheque No.</td> <td>390 - 394</td> <td>\$ 1,043.00</td> </tr> <tr> <td></td> <td>Total:</td> <td>\$ 570,075.85</td> </tr> </table>	<u>Municipal Account</u>			Cheque No.	10203 - 10235	\$ 193,442.03	Electronic Fund Trans	5217 - 4298	\$ 302,251.76	Payroll & Fees	VARIOUS	\$ 73,339.06	<u>Trust Account</u>			Cheque No.	390 - 394	\$ 1,043.00		Total:	\$ 570,075.85
<u>Municipal Account</u>																						
Cheque No.	10203 - 10235	\$ 193,442.03																				
Electronic Fund Trans	5217 - 4298	\$ 302,251.76																				
Payroll & Fees	VARIOUS	\$ 73,339.06																				
<u>Trust Account</u>																						
Cheque No.	390 - 394	\$ 1,043.00																				
	Total:	\$ 570,075.85																				
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	10203 - 10235	\$ 193,442.03
Electronic Fund Trans	5217 - 4298	\$ 302,251.76
Payroll & Fees	VARIOUS	\$ 73,339.06
<u>Trust Account</u>		
Cheque No.	390 - 394	\$ 1,043.00
	Total:	\$ 570,075.85

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

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

Municipal Account

Cheque No	10203 - 10235	\$ 193,442.03
Electronic Fund Trans	5217 - 4298	\$ 302,251.76
Payroll & Fees	VARIOUS	\$ 73,339.06
<u>Trust Account</u>		
Cheque No.	390 - 394	\$ 1,043.00
	Total:	\$ 570,075.85

CARRIED 7/0

10.4.4 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING: 19th August 2009
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: 14th July 2009 - 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 **APPENDIX D** is the Statement of Financial Activity for July 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 JULY 2009 BE RECEIVED.

Moved: *J L Freeman* **Seconded:** *B I N Thomas*

COUNCIL DECISION: **THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF JULY 2009 BE RECEIVED.**

CARRIED 7/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 PROPOSED ROAD DEDICATION PT VICTORIA LOCATION 11827

DATE OF MEETING:	19 th August 2009
LOCATION/ADDRESS:	
NAME OF APPLICANT:	State Land Services
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	12 August 2009, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits a request for a Council resolution and indemnification for a road dedication under the section 56 of the Land Administration Act 1997.
BACKGROUND:	A copy of the correspondence received from the Department of Planning & Infrastructure follows which explains the background to this matter. APPENDIX A
COMMENT:	As can be noted in the correspondence to correct, the anomaly on the section of road in the Shire of Mullewa, the Department has requested Council take the necessary action under the Land Administration Act. The Department has verbally advised that the Shires of Murchison and Chapman Valley have already agreed to this request. This request is standard practice in situations as explained above and the following wording for the resolution is recommended. <i>The Shire of Mullewa indemnifies the Minister for Lands against any cost or claims which may arise from the dedication of a 20m public road access to Lot 500 as shown on the attached plan.</i>
CONSULTATION:	Department of Planning and Infrastructure
STATUTORY ENVIRONMENT:	Section 56 Land Administration Act 1997
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 ADVISE THE DEPARTMENT FOR PLANNING AND INFRASTRUCTURE, STATE LAND SERVICES THAT 'THE SHIRE OF MULLEWA INDEMNIFIES THE MINISTER FOR LANDS AGAINST ANY COST OR CLAIMS WHICH MAY ARISE FROM THE DEDICATION OF A PUBLIC ROAD ACCESS BETWEEN LOT 10713 AND RESERVE 17940 WITHIN THE SHIRE OF MULLEWA AS SHOWN ON THE ATTACHED PLAN'.
Moved:	<i>B I N Thomas</i>
Seconded:	<i>K P Keefe</i>
COUNCIL DECISION:	THAT COUNCIL ADVISE THE DEPARTMENT FOR PLANNING AND

INFRASTRUCTURE, STATE LAND SERVICES THAT 'THE SHIRE OF MULLEWA INDEMNIFIES THE MINISTER FOR LANDS AGAINST ANY COST OR CLAIMS WHICH MAY ARISE FROM THE DEDICATION OF A PUBLIC ROAD ACCESS BETWEEN LOT 10713 AND RESERVE 17940 WITHIN THE SHIRE OF MULLEWA AS SHOWN ON THE ATTACHED PLAN'.

CARRIED 7/0

10.5.2 MIDWEST DEVELOPMENT COMMISSION

DATE OF MEETING:	19 th August 2009
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	13 th August 2009, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report raises matters concerning recent discussions with the Midwest Development Commission.
BACKGROUND:	As reported in the Information Bulletin, the CEO met with officers of the Midwest Development Commission to discuss matters relating to the last round of the Midwest Development Commission Regional Grant Scheme.
COMMENT:	<p>There are issues that I wish to raise with Council that will require a re-confirmation of Councils direction for further funding applications.</p> <p>At the meeting with MWDC I was advised that –</p> <ul style="list-style-type: none"> ▪ There is conflicting directives coming from the Shire relating to– <ul style="list-style-type: none"> - Council direction - Presidents direction - CEO direction <p>The CEO incidentally disputes this advice and will elaborate at the meeting.</p> <p>Another matter that was raised at the meeting was –</p> <ul style="list-style-type: none"> ▪ The results of the funding allocations were nearly finalised at the time of the board meeting in Mullewa, and that the application from Mullewa, at that stage, was not being favoured. <p>I have attached previous items from Council minutes and Information Bulletins to assist with the discussion at APPENDIX B.</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:	There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL DISCUSS THIS MATTER.

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

COUNCIL DECISION: **THAT COUNCIL DISCUSS THIS MATTER.**

CARRIED 7/0

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

COUNCIL DECISION: **THAT COUNCIL RESTATE ITS DIRECTION, TO IMPROVE THE SOCIAL AND ECONOMIC POSITION OF THE MULLEWA COMMUNITY THROUGH THE IMPLEMENTATION OF THE TRAIL MASTER PLAN AND ASSOCIATED PLANS; AND**

THAT COUNCIL WILL CONTINUE TO IMPLEMENT ADDITIONAL STRATEGIES FOCUSING ON IMPROVED HOUSING, ENVIRONMENTAL ENHANCEMENT, SOCIAL BENEFIT AND ECONOMIC DEVELOPMENT AS THEY ARISE.

CARRIED 7/0

3:05pm Meeting adjourned

10.5.3 LOCAL GOVERNMENT REFORM SUBMISSION

DATE OF MEETING: 19th August 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009

DATE AND AUTHOR: 13 August 2009, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

The Shire of Mullewa is now in the position to make an informed decision on voluntary amalgamation. This report outlines the actions that now need to be taken to submit its Reform Submission to the Minister by the 31st August, 2009.

BACKGROUND:

Since February, 2009, Council has involved itself in the process for structural reform in Local Government. Council has discussed and made decisions on the process at meetings on 18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009. Various workshops have been attended by the President, Deputy President and CEO, and discussions held with neighbouring Local Governments. A community forum was held on the 12 June, 2009, attended by the majority of Councillors plus 45 residents.

In May, 2009, Council resolved that **"THE MULLEWA SHIRE COUNCIL HAS A PREFERENCE FOR STRUCTURALLY ALIGNING ITSELF WITH THE SHIRE OF CHAPMAN VALLEY AND THE CITY OF GERALDTON-GREENOUGH"**

To reiterate where we are at, in February, 2009 the Minister for Local Government announced wide-ranging Local Government Reform Strategies, part of which was the voluntary amalgamations, to achieve structural reform in WA. (Local Government Reform Steering Committee-Structural Reform Guidelines, February 2009 DLGRD) attached at **APPENDIX C**.

A five Stage process to reform was outlined in the guidelines and included two Attachments:

- Attachment 1; Local Government Reform Checklist (Due by 30th April 2009)
- Attachment 2; Reform Submission – Local Government Advisory Board Criteria (Due by 31 August 2009).

In May, 2009, the Shires of Mullewa and Chapman Valley met with the City and discussed matters contained in a 'Discussion Paper". These matters related to representation, maintaining local identity, local workforce, adequate staffing levels and community based advisory committees. All these matters were addressed and contained in the submission document.

A total of four Shires collaborated with the City's appointment of Syme Marmion to undertake the structural reform study. These shires are Mullewa, Chapman Valley, Irwin and Northampton. A first draft of the report has been made available and circulated to Councillors via the Information Bulletin. The final report from Syme Marmion is provided under separate cover to this agenda.

As can be noted in the Executive Summary attached at **APPENDIX D**, the recommendation is to pursue the amalgamation of the City, Shire of Mullewa and the Shire of Chapman Valley.

As Northampton was a late entry into the study, the report does not, as yet, include them. The report was further expanded to include an economic report under the following definitions:-

Primary Catchment (regional centre) – Greater Geraldton Urban Area;
Secondary Catchment (the balance of the Batavia Coast Region of Councils and also incorporating the Shire of Mullewa
Tertiary Catchment: the balance of the local governments in the Mid West Region (as defined by the Mid West Development Commission boundaries).

This variation to the initial brief has again been expanded to include another component that looks at a Regional Economic Profile and Future Economic Pathway

A Local Government Reform workshop was held on 31st July 2009 and attended by most local councils in the mid-west region. Workshop notes summarising the key points have been released and is attached at **APPENDIX E** for perusal; Briefly, it outlined the following key drivers:

- Seeks to promote a single local government entity (model) to best realise the current development in the region;
- The single local government entity (model) would be required to

establish the credibility, authority and capacity of the model, to drive development and sustainable growth;

- The model would be dependant on further development of adequate community representation;
- Embedding several dependencies outlined in the workshop; and
- The establishment of a 'zone level project' that would further determine the transitional stages and arrangements.

As a result of the completion of the first attachment required under the Structural Reform Guidelines, a Checklist Assessment Outcome was forwarded to the Shire of Mullewa, detailing the Department of Local Government's assessment of the Shire.

The Shire of Mullewa was assessed as a Category Three; "*significant structural reform including amalgamation and formalisation of regional groupings is required to ensure long term community and organisational benefit in order that the needs of the current and future generations are met*" The complete assessment is attached at **APPENDIX F**;

COMMENT:

The due date for the submission was the 31st August 2009, however, the deadline for the Reform Submission to the Minister has now been extended to the end of September for those Local Governments who need extra time. Those who have progressed this process are being encouraged to meet the August deadline.

The Shire of Mullewa's submission will also rely on the other two partner's progress. Chapman Valley have advised that their decision will be made at the same time as Mullewa, although they still have to have their community meeting.

The initial timeline for the City Geraldton-Greenough is as follows:

11th August (Community Consultation)
12th August (preliminary briefing to Council)
17th August (Council Agenda Closes)
Feedback to/from collaborative Shires
24th August (Briefing of Council on final Reform Submission)
25th August (Council Meeting, Final Reform Submission resolution)

As advised by the City their report needs to be finalized by the latest 11th August with community consultation to be pre planned for that week (11th August) to give the Shires enough time to collaborate (14th) and arrive at a joint finding that will be presented to their respective Council's. The Council Reform Resolution together with the report and any additional information would then be forwarded to the Minister. It has been suggested all the Shires to coordinate this in the final week of the 25th August and issue a joint Reform Submission of the Regional Grouping.

To assist Councillors understanding of the submission process the following information is provided.

REFORM SUBMISSION (GUIDELINES)

In terms of the Structural Reform Guidelines (Stage 3 & 4) the Reform Submission will be framed around the following key points:

STAGE 3 – PREPARATION OF REFORM SUBMISSION

3.1 The Reform Submission- Amalgamation

It is suggested that the Reform Submission be framed around the Local Government Advisory Board requirements; that is, as identified in Schedule 2.1 (2) of the Act,

- to set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and
- to include a plan illustrating proposed boundary changes to the district.

The Board's criteria are included as Attachment 2 to assist with development of the submission.

The submission should identify the benefits, efficiencies and capacity to be derived from a merger, including how savings will be used to benefit the community.

In some cases, the outcome may be a decision to provide for boundary adjustments rather than the total amalgamation.

3.2 The Reform Submission-Representation

When determining the preferred number of elected members of between six and nine, the following principles need to be considered:

- ratio of councillors to electors;
- demographic trends;
- consistency with representation between wards; and
- community of interest.

3.3 The Reform Submission- Regional Grouping

When determining a preferred regional grouping for your local government, the review should have regard to:

- existing WALGA Zones;
- other State Government regional boundaries and groupings such as regional road groupings and Regional Development Commissions;
- current regional local government boundaries
- Regional Development Australia boundaries; and
- Proposed district boundary changes

3.4 The Reform Submission- Transition Timeline

The following aspects should be addressed when preparing a transition timeline:

- The planned timing for the amalgamation including consideration of, though not limited to;
 - organisational change processes;
 - human resources management ;
 - development of governance systems such as local laws and policies; and
 - information technology and communication infrastructure.
- The impact on council elections;
- The impact on staff contracts;
- The impact on council operations during the transition period; and
- Details of the estimated transition costs.

STAGE 4 – COUNCIL ENDORSEMENT

4.1 Council Resolution to Proceed

Once the project team has finalised the Reform Submission to the Minister and circulated it to the affected local governments, the councils of each local government will consider the Reform Submission and make a resolution to proceed based on the findings.

Attached to the resolution will be supporting documentation, including the completed checklist for each existing local government, a transition timeline identifying the date amalgamation is to take effect, along with a date at which elected member numbers will be reduced and the finalised Reform Submission. These will be forwarded to the Minister for Local Government.

The council resolution is to read as follows:

1. Voluntary Amalgamation

That the Shire / Town / City of <insert name> resolves to advise the Minister for Local Government of its intention to amalgamate with the Shire(s) / Town(s) / Cities of <insert names> effective from <date>.

2. Number of Elected Members

That the Shire / Town / City of <insert name> resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to <insert number> effective from <date>.

3. Regional Grouping

That the Shire / Town / City of <insert name> resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments of <insert names>....”

PROPOSED REFORM SUBMISSION

Notwithstanding the format provided, above, under the Structural Reform Guidelines, it is important to establish a draft Reform Submission that includes all the discussions and pre conditions fleshed-out between the Shire CEO's. Further cognizance of the outcomes derived from the Local Government Reform workshop and recommendations of the Structural Reform Review will be brought into the reform submission.

It is suggested that the Council may resolve to adopt the following option.

OPTION 1 – MERGER OF THE CITY OF GERALDTON-GREENOUGH WITH THE SHIRES OF CHAPMAN VALLEY AND MULLEWA.

1. Voluntary Amalgamation

That the Shire of Mullewa resolves to advise the Minister for Local Government of its support for the voluntary amalgamation with the City of Geraldton-Greenough and the Shire of Chapman Valley as identified in the Structural Reform Review of Syme Marmion & Co, further subject to agreement being reached on the following conditions precedent to any amalgamation:

(a) *Elected Representation*

- (i) *An additional ward structure be considered based on the existing Shires boundaries;*
- (ii) *Each new ward have an allocation of one (1) Councillor; and*
- (iii) *Ward boundaries be retained for eight (8) years (or two terms) from the creation of the new entity.*

(b) *Maintaining Local Identity*

- (i) *Development and support of a Revised Community Advisory Committee for Chapman Valley and Mullewa in accordance with the paper prepared by the Reform Steering Committee, June 2009, "options for community representation and maintaining local identity";*
- (ii) *Review the opportunities for facilitating additional associations; and*
- (iii) *A local office be maintained at Nabawa and Mullewa and headed by a Place Manager.*

(c) *Maintaining Local Work Force*

- (i) *A local office would be maintained by the new entity providing the following services:*
 - *Customer services;*
 - *Rates Collections;*
 - *Licensing;*
 - *Dog registrations;*
 - *Submissions for applications, licenses and public notices;*
 - *Outreach Library services;*
 - *Provision will also need to be considered for Community*

- Liaison, Development, Landcare, Ranger Services as determined; and*
- *In certain cases there will be consideration given for Indigenous Services and engagement;*
- (ii) *The new entity may also consider implementing customer service centres future urban district centres; and*
- (iii) *A depot would be maintained in Nabawa with the following functions:*
- *Parks maintenance Crew (servicing open space in Nabawa, Nanson, Yuna and verge vegetation);*
 - *Road and drainage maintenance crew; and*
 - *Technical support capacity.*
- (iv) *A depot would be maintained in Mullewa with the following functions:*
- *Parks maintenance crew;*
 - *Roads and drainage maintenance crew;*
 - *Road construction crew; and*
 - *Technical support capacity.*
- (d) *Protecting Local Assets and Funding*
- (i) *All assets will be managed and maintained in accordance to the best practice model of Aus-Spec in accordance with agreed Service Level Agreements;*
- (ii) *All assets and infrastructure will be budgeted in accordance with the WAAMI principles through a 5 year budget process;*
- (iii) *All existing reserves and restricted funds would be maintained into the future for their current specified purpose and within the prescribed boundaries;*
- (iv) *It is understood that both the Shires own houses in their respective communities. If a future Council changed the purpose or disposed of these properties all funds would be placed in a restricted fund/reserve for the purpose of special project and improvement with those communities.*
- (e) *Financial Assistance Grants*
- (i) *The agreement of Local Government that for the purpose of assessing the Financial Assistance Grants the newly merged local governments will be assessed as the former City of Geraldton and Shire of Greenough and the additional merging Shires of Chapman Valley and Mullewa for a period of no less than five (5) years following the creation of the new local government.*
- (ii) *The agreement of the Government to contribute an amount of no less that \$5 Million (over an above any financial assistance grants) to enable the improvements to infrastructure and information technology and communications to support the servicing of the distinct local communities.*
- (f) *Governors Orders*

The agreement of the Government to enshrine the commitments detailed as part of the Governors Orders or legislation as required to formalise the mergers.

2. Number of Elected Members

That the Shire of Mullewa, subject to the implementation of the voluntary merger proposal, resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to one (1), effective from the first Local Government Election for the new district based on the following:-

- 1. Governance arrangement set for a period of no less than (8) eight years following the first election;*
- 2. Retention of (6) six wards based on the existing City of Geraldton-Greenough with one (1) Councilor per ward;*
- 3. Creation of (2) two wards based on the existing Shires of Chapman Valley, Mullewa and with one (1) Councilor per ward; and*
- 4. The election of a popularly elected Mayor.*

3. Regional Grouping

That the Shire of Mullewa resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments within the Batavia Region of Councils incorporating the City of Geraldton-Greenough, Shires Chapman Valley, Northampton, and Irwin.

To conclude, both the Minister for Local Government and the Minister for Regional Development plus the Premier made it very clear at Local Government week that Reform was necessary, will be a future factor relating to funding and requires a substantial reduction in the number of Local Governments within the State.

CONSULTATION:

Councillors have discussed this matter with community members. An open public forum has been held, workshops attended, discussions with neighbours, agreements reached on all matters raised, all to assist the Shire in gaining an understanding of its preferred community position going forward.

STATUTORY ENVIRONMENT: POLICY IMPLICATIONS: FINANCIAL IMPLICATIONS:

There are no known statutory implications at this time.

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.

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.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL RESOLVE AS FOLLOWS:

1. Voluntary Amalgamation

That the Shire of Mullewa resolves to advise the Minister for Local Government of its intention to amalgamate with the Shire of Chapman Valley and the City of Geraldton-Greenough effective from October 2011.

2. Number of Elected Members

That the Shire of Mullewa resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to one (1) effective from October 2011.

3. Regional Grouping

That the Shire of Mullewa resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments of City of Geraldton-Greenough, Shire of Chapman Valley, Shire of Irwin and Shire of Northampton.

AND FURTHER RESOLVE TO ADOPT THE FOLLOWING OPTION-

OPTION 1 – MERGER OF THE CITY OF GERALDTON-GREENOUGH WITH THE SHIRES OF CHAPMAN VALLEY AND MULLEWA.

1. Voluntary Amalgamation

That the Shire of Mullewa resolves to advise the Minister for Local Government of its support for the voluntary amalgamation with the City of Geraldton-Greenough and the Shire of Chapman Valley as identified in the Structural Reform Review of Syme Marmion & Co, further subject to agreement being reached on the following conditions precedent to any amalgamation:

(a) Elected Representation

- (i) An additional ward structure be considered based on the existing Shires boundaries;
- (ii) Each new ward have an allocation of one (1) Councillor; and
- (iii) Ward boundaries be retained for eight (8) years (or two terms) from the creation of the new entity.

(b) Maintaining Local Identity

- (i) Development and support of a Revised Community Advisory Committee for Chapman Valley and Mullewa in accordance with the paper prepared by the Reform Steering Committee, June 2009, "options for community representation and maintaining local identity";
- (ii) Review the opportunities for facilitating additional associations; and

- (iii) A local office be maintained at Nabawa and Mullewa and headed by a Place Manager.

(c) Maintaining Local Work Force

- (i) A local office would be maintained by the new entity providing the following services:

- Customer services;
- Rates Collections;
- Licensing;
- Dog registrations;
- Submissions for applications, licenses and public notices;
- Outreach Library services;
- Provision will also need to be considered for Community Liaison, Development, Landcare, Ranger Services as determined; and
- In certain cases there will be consideration given for Indigenous Services and engagement;

- (ii) The new entity may also consider implementing customer service centres future urban district centres; and

- (iii) A depot would be maintained in Nabawa with the following functions:

- Parks maintenance Crew (servicing open space in Nabawa, Nanson, Yuna and verge vegetation);
- Road and drainage maintenance crew; and
- Technical support capacity.

- (iv) A depot would be maintained in Mullewa with the following functions:

- Parks maintenance crew;
- Roads and drainage maintenance crew;
- Road construction crew; and
- Technical support capacity.

(d) Protecting Local Assets and Funding

- (i) All assets will be managed and maintained in accordance to the best practice model of Aus-Spec in accordance with agreed Service Level Agreements;

- (ii) All assets and infrastructure will be budgeted in accordance with the WAAMI principles through a 5 year budget process;

- (iii) All existing reserves and restricted funds would be maintained into the future for their current specified purpose and within the prescribed boundaries;

- (iv) It is understood that both the Shires own houses in their respective communities. If a future Council changed the purpose or disposed of these properties all funds would be placed in a restricted fund/reserve for the purpose of special project and improvement with those communities.

(e) Financial Assistance Grants

- (i) The agreement of Local Government that for the purpose of assessing the Financial Assistance Grants the newly merged

local governments will be assessed as the former City of Geraldton and Shire of Greenough and the additional merging Shires of Chapman Valley and Mullewa for a period of no less than five (5) years following the creation of the new local government.

(ii) The agreement of the Government to contribute an amount of no less than \$5 Million (over and above any financial assistance grants) to enable the improvements to infrastructure and information technology and communications to support the servicing of the distinct local communities.

(f) **Governors Orders**

The agreement of the Government to enshrine the commitments detailed as part of the Governors Orders or legislation as required to formalise the mergers.

2. Number of Elected Members

That the Shire of Mullewa, subject to the implementation of the voluntary merger proposal, resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to one (1), effective from the first Local Government Election for the new district based on the following:-

1. Governance arrangement set for a period of no less than (8) eight years following the first election;
2. Retention of (6) six wards based on the existing City of Geraldton-Greenough with one (1) Councillor per ward;
3. Creation of (2) two wards based on the existing Shires of Chapman Valley, Mullewa and with one (1) Councillor per ward; and
4. The election of a popularly elected Mayor.

3. Regional Grouping

That the Shire of Mullewa resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments within the Batavia Region of Councils incorporating the City of Geraldton-Greenough, Shires Chapman Valley, Northampton, and Irwin.

Moved: *B I N Thomas* **Seconded:** *J L Freeman*

COUNCIL DECISION: THAT COUNCIL DISCUSS THIS MATTER.

CARRIED 7/0

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

COUNCIL DECISION: **THAT COUNCIL RESOLVE AS FOLLOWS:**

1. Voluntary Amalgamation

That the Shire of Mullewa resolves to advise the Minister for Local Government of its intention to amalgamate with the Shire of Chapman Valley and the City of Geraldton-Greenough effective from October 2011.

2. Number of Elected Members

That the Shire of Mullewa resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to one (1) effective from October 2011.

3. Regional Grouping

That the Shire of Mullewa resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments of City of Geraldton-Greenough, Shire of Chapman Valley, Shire of Irwin and Shire of Northampton.

CARRIED 7/0

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

COUNCIL DECISION: **THAT COUNCIL RESOLVE TO ADOPT THE FOLLOWING DRAFT REFORM SUBMISSION**

OPTION 1 – MERGER OF THE CITY OF GERALDTON-GREENOUGH WITH THE SHIRES OF CHAPMAN VALLEY AND MULLEWA.

1. Voluntary Amalgamation

That the Shire of Mullewa resolves to advise the Minister for Local Government of its support for the voluntary amalgamation with the City of Geraldton-Greenough and the Shire of Chapman Valley as identified in the Structural Reform Review of Syme Marmion & Co, further subject to agreement being reached on the following conditions precedent to any amalgamation:

(a) Elected Representation

- (i) An additional ward structure be considered based on the existing Shires boundaries;**
- (ii) Each new ward have an allocation of one (1) Councillor; and**
- (iii) Ward boundaries be retained for eight (8) years (or two terms) from the creation of the new entity.**

(b) Maintaining Local Identity

- (i) Development and support of a Revised Community Advisory Committee for Chapman Valley and Mullewa in accordance**

with the paper prepared by the Reform Steering Committee, June 2009, "options for community representation and maintaining local identity";

- (ii) Review the opportunities for facilitating additional associations; and
- (iii) A local office be maintained at Nabawa and Mullewa and headed by a Place Manager.

(c) Maintaining Local Work Force

- (i) A local office would be maintained by the new entity providing the following services:

- Customer services;
- Rates Collections;
- Licensing;
- Dog registrations;
- Submissions for applications, licenses and public notices;
- Outreach Library services;
- Provision will also need to be considered for Community Liaison, Development, Landcare, Ranger, Youth & Aquatic Services as determined; and
- In certain cases there will be consideration given for Indigenous Services and engagement;

- (ii) The new entity may also consider implementing customer service centres future urban district centres; and

- (iii) A depot would be maintained in Nabawa with the following functions:

- Parks maintenance Crew (servicing open space in Nabawa, Nanson, Yuna and verge vegetation);
- Road and drainage maintenance crew; and
- Technical support capacity.

- (iv) A depot would be maintained in Mullewa with the following functions:

- Parks maintenance crew;
- Roads and drainage maintenance crew;
- Road construction crew; and
- Technical support capacity.

(d) Protecting Local Assets and Funding

- (i) All assets will be managed and maintained in accordance to the best practice model of Aus-Spec in accordance with agreed Service Level Agreements;

- (ii) All assets and infrastructure will be budgeted in accordance with the WAAMI principles through a 5 year budget process;

- (iii) All existing reserves and restricted funds would be maintained into the future for their current specified purpose and within the prescribed boundaries;

- (iv) It is understood that both the Shires own houses in their respective communities. If a future Council changed the purpose or disposed of these properties all funds would be placed in a restricted fund/reserve for the purpose of special

project and improvement with those communities.

(e) Financial Assistance Grants

- (i) The agreement of Local Government that for the purpose of assessing the Financial Assistance Grants the newly merged local governments will be assessed as the former City of Geraldton and Shire of Greenough and the additional merging Shires of Chapman Valley and Mullewa for a period of no less than five (5) years following the creation of the new local government.**
- (ii) The agreement of the Government to contribute an amount of no less than \$5Million (over and above any financial assistance grants) to enable the improvements to infrastructure and information technology and communications to support the servicing of the distinct local communities.**

(f) Governors Orders

The agreement of the Government to enshrine the commitments detailed as part of the Governors Orders or legislation as required to formalise the mergers.

2. Number of Elected Members

That the Shire of Mullewa, subject to the implementation of the voluntary merger proposal, resolves to advise the Minister for Local Government of its intention to reduce the total number of elected members to one (1), effective from the first Local Government Election for the new district based on the following:-

- 5. Governance arrangement set for a period of no less than (8) eight years following the first election;**
- 6. Retention of (6) six wards based on the existing City of Geraldton-Greenough with one (1) Councillor per ward;**
- 7. Creation of (2) two wards based on the existing Shires of Chapman Valley, Mullewa and with one (1) Councillor per ward; and**
- 8. The election of a popularly elected Mayor.**

3. Regional Grouping

That the Shire of Mullewa resolves to advise the Minister for Local Government of their intention to work collaboratively within a regional grouping comprising the local governments within the Batavia Region of Councils incorporating the City of Geraldton-Greenough, Shires Chapman Valley, Northampton, and Irwin.

CARRIED 7/0

0809.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
----------------	---

Nil

0809.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
----------------	--

Nil

0809.13	DELEGATED AUTHORITY
----------------	----------------------------

13.1	MUNICIPAL SEAL – EXERCISING DELEGATED AUTHORITY TO AFFIX
-------------	---

DATE OF MEETING: 19th August 2009

LOCATION/ADDRESS: 2/1 Burges Street, Mullewa

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 14th August 2009 - Noelene Holmes, Deputy Chief Executive Officer

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

SUMMARY Report seeks endorsement for affixing the Municipal seal

BACKGROUND: Council leases the property situated at 2/1 Burges Street, Mullewa to 'Housing Authority' (formerly GEHA). The lease has been renewed for a term of 5 years from 2nd October 2008 at an annual rent of \$10,400. The previous annual rent was \$6,240.

COMMENT: In accordance with Delegation No. 29 granted by Council at Minute No. 0607.16 the Municipal Seal was affixed as follows:

'Lease Rental Accommodation at 2/1 Burges Street, Mullewa'

Council's policy on the use of the Municipal Seal is such:

The Shire President and the Chief Executive Officer are delegated authority to enter into arrangements on behalf of the Municipality including the affixation of the Municipal Seal, subject to the following conditions:

- *Entering into such arrangements and the affixation of the Municipal Seal shall only occur where there is a time limitation that precludes authority being received from the Council, and*
- *On each and every occasion where an arrangement is entered into on behalf of the Municipality and/or the Municipal Seal is affixed, the particulars of such an arrangement are to be reported to the subsequent meeting of Council.*

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act 1995
Residential Tenancies Act 1987

POLICY IMPLICATIONS:	Policy No. 614 – Delegation of Authority to Affix Municipal Seal
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	Enters into an agreement for sale of Lot 7 Mullewa
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION	THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE LEASE DOCUMENT IS ENDORSED.

Moved: *M Kerkmans* **Seconded:** *B I N Thomas*

COUNCIL DECISION: **THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE LEASE DOCUMENT IS ENDORSED.**

CARRIED 7/0

0809.14 CLOSURE OF MEETING
--

The President closed the meeting at 3.40pm.

These minutes were confirmed at a meeting on 16th September 2009:

Signed:

A J Messina, President

Date: