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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 21st APRIL 2010.**0210.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:05 pm The President declared the meeting open.

0210.02 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 D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer
Miss JM (Jenna) May- Executive Secretary

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS:

Students Mullewa District High School: Seamus Keeffe (1.05- 1.09pm)
Antonia Cameron (1.05- 1.09pm)
Danielle Helmsly (1.05-1.09pm)
Teacher: Anita Krippner (1.05- 1.09pm)

0210.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0210.04 PUBLIC QUESTION TIME

Students from Mullewa District High School raised the following questions-

1. We have noticed the mosaics you are putting down in the park and the shades. Do you have more plans?

The CEO advised that three more mosaics will be situated in the area near the Men's Shed.

2. We have noticed that you have put one area shaded at the youth centre. Are you doing anymore?

The CEO advised that this was the only week proposed at present.

3. We think that the town is looking great. Are there anymore plans?

The President advised that playground equipment will be installed in the Lions Park. Cr Freeman requested that the students approach their school for ideas.

0210.05	APPLICATIONS FOR LEAVE OF ABSENCE
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Nil

0210.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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Moved: *J L Freeman* **Seconded:** *A J Crudeli*

COUNCIL DECISION: **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17th MARCH 2010, AS PRINTED BE CONFIRMED.**

CARRIED 7/0

0210.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION
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Nil

0210.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
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Nil

0210.09	REPORTS OF COMMITTEES/MEMBERS
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0210.10	REPORTS OF OFFICERS
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- 10.3 Works, Plant, Parks and Gardens
- 10.4 Finance and General Purpose
- 10.5 Chief Executive Officer

10.3 WORKS, PLANT, PARKS AND GARDENS

10.3.1 TENDERS – MULLEWA SWIMMING POOL STAGE 2 UPGRADE

DATE OF MEETING:	21 st April 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	17 th March 2010
DATE AND AUTHOR:	8 th April 2010. Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	OF Author has no disclosure of interest.
SUMMARY:	Tenders were invited for the Stage 2 upgrade for the Mullewa Swimming Pool and at the close of the Tender period 3 Tenders were received.
BACKGROUND:	<p>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.</p> <p>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". Stage 3 will include the entry, kiosk and change rooms.</p> <p>Council recently replaced the plant room as the first stage of the upgrade program and is now in a position to decide on the commencement of the next stage.</p> <p>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 period. It will also allow Council for any expenditure in the 2010/11 budget.</p>
COMMENT:	<p>Tenders were invited for the Stage 2 Upgrade which consisted of following work –</p> <ol style="list-style-type: none">1. Re-piping of both Pools2. Removal of old gutter system & replacement with Wet Decks to both pools3. Complete surface blast of both pools4. Tiling of both pools5. Re-paving of concourse6. Enlarging balance and backwash tanks7. Associated pool equipment (starter blocks, handrails, false start poles)

8. Upgrade handicap entry
9. Engineering & Certification

Tenders closed Friday, 9th April, 2010 and at the close of the tender, 3 Tenders were received from –

- Wetdeck Pools - \$833,310 + GST
- AVP Commercial Pools - \$975,250 + GST
- Aquatic Construction Services (ACS) - \$827,325 + GST

References for all tenders have been checked and indications are that they are all capable of carrying out this work. As can be noted, the tender from Wetdeck and ACS reveal the prices are very close and the evaluation on a number of factors will need further discussion and assessment at the meeting to allow Council to decide on which tender to accept. A written evaluation will be tabled at the meeting to assist in this process. In the meantime there is some clarification of information to be requested from the tenders.

The budget estimate was \$770,000 and 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
ENVIRONMENT:
POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:

Local Government (Functions & General) Regulations.

There are no known policy implications at this time.

The Sport & Recreation funding is \$321,000 and the Royalties for Regions will need to be allocated. An approach will be made to mining companies for a contribution and will need to be considered in the 2010/11 budget.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL RECEIVE THE TENDERS RECEIVED FROM WETDECK POOLS, AVP COMMERCIAL POOLS AND AQUATIC CONSTRUCTION SERVICES TO PROVIDE -

10. RE-PIPING OF BOTH POOLS
11. REMOVAL OF OLD GUTTER SYSTEM & REPLACEMENT WITH WET DECKS TO BOTH POOLS
12. COMPLETE SURFACE BLAST OF BOTH POOLS
13. TILING OF BOTH POOLS
14. RE-PAVING OF CONCOURSE
15. ENLARGING BALANCE AND BACKWASH TANKS
16. ASSOCIATED POOL EQUIPMENT (STARTER BLOCKS, HANDRAILS, FALSE START POLES)
17. UPGRADE HANDICAP ENTRY
18. ENGINEERING & CERTIFICATION

AND FURTHER CONSIDER AT THE MEETING WHICH TENDER TO

ACCEPT FOR THE STAGE 2 UPGRADE OF THE MULLEWA SWIMMING POOL.

Moved:

J L Freeman

Seconded:

A J Crudeli

COUNCIL DECISION:

THAT THE TENDER RECEIVED FROM ACS BE ACCEPTED FOR \$806,325 + GST, FOR THE STAGE 2 UPGRADE OF THE MULLEWA SWIMMING POOL AS PER THEIR TENDDER DOCUMENTS AND SUBJECT TO AN ONSITE INSPECTION AND THE CEO NEGOTIATNG MINOR VARIATIONS.

CARRIED 7/0

10.4.1	DIFFERENTIAL RATING – 2010/2011
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DATE OF MEETING:	21 st April 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	April 2006 Item 10.4.12, March 2004 Item 10.4.1, July 2004 Item 0704.31, February 2007 Item 10.4.13, May 2008 Item 10.4.10, 22 April 2009.
DATE AND AUTHOR:	15 April, 2010, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	<p>Differential rating schemes adopted in Western Australian range from simple schemes used in pastoral/mining areas where a single differential rate is used, to those in more populated areas where many differentials may be used. The Shire of Mullewa resolved to impose a differential rate on mining properties from 2006/2007.</p> <p>Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.</p> <p>The notice is to contain such information as details of each rate or minimum payment the local government intends to impose; an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and any further information in relation to the matters specified which may be prescribed; and is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.</p> <p>After the specified time the local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.</p>
COMMENT:	<u><i>A differential rating model will be tabled at the meeting;</i></u> however, the model used last year is attached at APPENDIX A to allow Councillors the opportunity to consider the matter. Last year Council adopted option 3. Once Council determines the proposed differential rate the proposal is required to be advertised, for 21 days for public comment, indicating the objects of and reasons for the differential rate. If the highest differential rate is more than twice the lowest differential rate, the Ministers approval needs to be obtained.
CONSULTATION:	CEO, Shire of Yalgoo, Shire of Morawa, Shire of Perenjori, Shire of Mt Magnet.
STATUTORY ENVIRONMENT:	Sections 6.33 to 6.36 of LGA
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	The process is integral to the final formulation of the 10/11 budget.

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

VOTING REQUIREMENT: Absolute majority.

OFFICER RECOMMENDATION

1. THAT THE MINIMUM RATE AND DIFFERENTIAL RATE MODEL AS SHOWN IN THE ATTACHED OPTION 1/2/3/4 (DELETE AS APPROPRIATE), BE ADOPTED FOR THE PURPOSE OF FORMULATING THE 2010/11 BUDGET.
2. THAT THE PROPOSED DIFFERENTIAL RATING SCHEME BE ADVERTISED FOR PUBLIC COMMENT.
3. THAT THE CEO REQUEST APPROVAL OF THE MINISTER FOR THE ADOPTION OF THE PROPOSED UV DIFFERENTIAL RATES, IF AT THE EXPIRY OF THE PUBLIC NOTICE PERIOD, NO SUBMISSIONS HAVE BEEN RECEIVED.

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

COUNCIL DECISION:

1. THAT THE MINIMUM RATE AND DIFFERENTIAL RATE MODEL AS SHOWN IN THE ATTACHED OPTION 3, BE ADOPTED FOR THE PURPOSE OF FORMULATING THE 2010/11 BUDGET.
2. THAT THE PROPOSED DIFFERENTIAL RATING SCHEME BE ADVERTISED FOR PUBLIC COMMENT.
3. THAT THE CEO REQUEST APPROVAL OF THE MINISTER FOR THE ADOPTION OF THE PROPOSED UV DIFFERENTIAL RATES, IF AT THE EXPIRY OF THE PUBLIC NOTICE PERIOD, NO SUBMISSIONS HAVE BEEN RECEIVED.

CARRIED 7/0

2.15PM- The CEO declared an interest in the following item and remained in the meeting

10.4.2	PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER
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DATE OF MEETING:	21 st April 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	108 - Hartman
PREVIOUS MINUTE/S & REFERENCE:	18 th March 2009, 22 nd April 2009
DATE AND AUTHOR:	12 th April 2010 - Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report advises of Chief Executive Officers review as conducted by the CEO Review Panel
BACKGROUND:	<p>A Performance Review Panel was formed at the March 2010 meeting for the purpose of conducting a performance review of the Chief Executive Officer. The panel consisted of Crs: Messina, Thomas and any available Councillor.</p> <p>Clause 8 of the CEO's contract states:</p> <p><i>Clause 8 Performance Reviews</i></p> <ul style="list-style-type: none"> • Council will ensure that a review of the CEO's performance is conducted annually or more frequently if the Council or the CEO perceives there is a need to do so. • The Council shall give the CEO a minimum of ten working days notice in writing that a performance review is to be conducted to enable the CEO sufficient time to prepare. • Where an external facilitator is to be used, both parties must agree to the nominated facilitator. • The CEO will prepare and submit to the Council and/or facilitator an assessment of his/her own performance prior to the assessment by council. • <p><i>The final report on the performance of the CEO is to be forwarded to Council for consideration to either accept or reject the report.</i></p>
COMMENT:	The Performance Review Panel met on the 9 th April 2010 and a report is attached at APPENDIX B
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act. CEO employment contract.
POLICY IMPLICATIONS:	There are no known policy implications at this time
FINANCIAL IMPLICATIONS:	There is allowance in the 2008/09 Budget for salary increase.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT THE RECOMMENDATION OF THE PERFORMANCE REVIEW PANEL THAT THE ANNUAL SALARY OF THE CHIEF EXECUTIVE OFFICER BE INCREASED BY 5.0% BE ACCEPTED.
Moved:	<i>J L Freeman</i>
Seconded:	<i>K P Keeffe</i>

COUNCIL DECISION: THAT THE RECOMMENDATION OF THE PERFORMANCE REVIEW PANEL THAT THE ANNUAL SALARY OF THE CHIEF EXECUTIVE OFFICER BE INCREASED BY 5.0% BE ACCEPTED.

CARRIED 7/0

10.4.3 DONATION – AGRICULTURAL SOCIETIES

DATE OF MEETING: 21st April 2010.

LOCATION/ADDRESS: -

NAME OF APPLICANT: Mid West Group of Affiliated Agricultural Societies

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18th March 2009.

DATE AND AUTHOR:

Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report requests donation

BACKGROUND:

Correspondence has been received from Mrs Dianne Hulme, Secretary of the Mid West Group of Affiliated Agricultural Societies requesting a donation towards the cost of presenting the Mid West District Display at the Perth Royal Show. A copy of the letter is attached at **APPENDIX C**

COMMENT:

In the past Council has supported this Group by giving a donation of \$200 towards the cost of presenting the Mid West District Display at the Royal Show. The Mid West Group of Affiliated Agricultural Societies include: Mullewa, Northampton, Chapman Valley, North Midlands, Central Midlands, Perenjori, Dalwallinu and Eneabba. The contribution received from Councils in the Mid West Group assist in continuing to promote the Mid West area and provides an excellent opportunity to present tourism and produce of the highest quality for this area, at the biggest single event and congregation of people available in Western Australia.

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 is provision in the 09/10 Budget for donations.

STRATEGIC IMPLICATIONS: Mullewa is represented at the Perth Royal Show

VOTING REQUIREMENT: Simple majority

OFFICER

RECOMMENDATION

THAT THE COUNCIL DONATE THE SUM OF \$200 TO THE MID WEST GROUP OF AFFILIATED AGRICULTURAL SOCIETIES FOR THE PURPOSE OF PRESENTING A DISPLAY AT THE 2010 PERTH ROYAL SHOW

Moved: *B I N Thomas*

Seconded: *K P Keeffe*

COUNCIL DECISION: THAT THE COUNCIL DONATE THE SUM OF \$200 TO THE MID

**WEST GROUP OF AFFILIATED AGRICULTURAL SOCIETIES FOR
THE PURPOSE OF PRESENTING A DISPLAY AT THE 2010 PERTH
ROYAL SHOW**

CARRIED 7/0

10.4.4 ACCOUNTS FOR PAYMENT APRIL 2010

DATE OF MEETING:	21 st April 2010		
LOCATION/ADDRESS:	-		
NAME OF APPLICANT:	-		
FILE REFERENCE:	-		
PREVIOUS MINUTE/S & REFERENCE:	-		
DATE AND AUTHOR:	21 st April 2010. Noelene Holmes, Deputy Chief Executive Officer		
DISCLOSURE OF INTEREST:	OF	Author has no disclosure of interest.	
SUMMARY:		The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.	
BACKGROUND:		Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.	
COMMENT:		Attached to this report at APPENDIX D 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 \$ 450,011.66 covers the following:	
		<u>Municipal Account</u>	
		Cheque No.	10421-10452 \$73,044.35
		Electronic Fund Trans	5795-5866 \$249,332.76
		Payroll & Fees	Various \$126,715.8
		<u>Trust Account</u>	
		Cheque No.	421-424 \$918.75
		Total:	\$450,011.66
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.	10421-10452 \$73,044.35

Electronic Fund Trans	5795-5866	\$249,332.76
Payroll & Fees	Various	\$126,715.8
<u>Trust Account</u>		
Cheque No.	421-424	\$918.75
	Total:	\$450,011.66

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

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

<u>Municipal Account</u>		
Cheque No.	10421-10452	\$73,044.35
Electronic Fund	5795-5866	\$249,332.76
Trans		
Payroll & Fees	Various	\$126,715.8
<u>Trust Account</u>		
Cheque No.	421-424	\$918.75
	Total:	\$450,011.66

CARRIED 7/0

SHIRE OF MULLEWA
LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL
21 APRIL 2010

Chq/EFT	Name	Description	Municipal	Trust	Total
421	BUNDIYARRA ABORIGINAL CORPORATION	MWIG FUNDS - PREPERATION FINANCIAL STATEMENTS		-220.00	-220.00
422	BUNDIYARRA ABORIGINAL CORPORATION	MWIG FUNDS - PREPERATION FINANCIAL STATEMENTS		-110.00	-110.00
423	BUNDIYARRA ABORIGINAL CORPORATION	MWIG FUNDS - PREPERATION FINANCIAL STATEMENTS		-68.75	-68.75
424	WENDY JACKAMARRA	REFUND OF LESSER HALL HIRE BOND - PARTY		-520.00	-520.00
10421	THURKLES	PAYROLL DEDUCTIONS	-48.00		-48.00
10422	SHIRE OF MULLEWA	PAYROLL DEDUCTIONS	-66.00		-66.00
10423	CANCELLED CHEQUE	CANCELLED CHEQUE	0.00		0.00
10424	SHIRE OF MULLEWA	PAYROLL DEDUCTIONS	-610.00		-610.00
10425	POLICE LICENSING SERVICES	CORPORATE FIREARM LICENCE	-200.00		-200.00
10426	CANCELLED CHEQUE	CANCELLED CHEQUE	0.00		0.00
10427	CAMBRAI HOLDINGS PTY LTD	RATES REFUND A584 MULLEWA-MINGENEW RD	-1,998.07		-1,998.07
10428	SHIRE OF MULLEWA RATE REFUNDS	RATES REFUNDA568 MULLEWA-MINGENEW	-2,554.64		-2,554.64
10429	LORCEU	PAYROLL DEDUCTIONS	-668.00		-668.00
10430	CHILD SUPPORT	PAYROLL DEDUCTIONS	-302.43		-302.43
10431	SHIRE OF MULLEWA	PAYROLL DEDUCTIONS	-610.00		-610.00
10432	THURKLES	PAYROLL DEDUCTIONS	-48.00		-48.00
10433	SYNERGY	ELECTRICITY CHARGES TO 20.01.10 - 22.03.10	-9,208.50		-9,208.50
10434	TELSTRA	TELEPHONE ACCOUNT 18 MARCH 2010 AND HANDSET	-3,009.48		-3,009.48
10435	CONSTRUCTION & BUILDING INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	-517.33		-517.33
10436	THE INDUSTRY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	-159.48		-159.48
10437	PETTY CASH	RECOUP OF PETTY CASH	-166.25		-166.25
10438	CONSTRUCTION & BUILDING INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	-517.33		-517.33
10439	THURKLES	PAYROLL DEDUCTIONS	-48.00		-48.00
10440	WATER CORPORATION	WATER CONSUMPTION 20.01.10 - 22.03.10	-29,705.95		-29,705.95
10441	SYNERGY	ELECTRICITY CHARGES TO 20.01.10 - 22.03.10	-8,942.05		-8,942.05
10442	DOWNER	EMULSION	-3,740.00		-3,740.00
10443	WESTRALIAN GAS AND POWER LTD	RATES REFUND A1546 PEP70/0046 MINING MULLEWA	-715.89		-715.89
10444	CANCELLED CHEQUE	CANCELLED CHEQUE	0.00		0.00
10445	CARPET CHOICE GERALDTON	RE-CARPET HOUSE 73 JOSE STREET	-6,677.00		-6,677.00
10446	GERALDTON CERAMIC CENTRE	TILES, GROUT, STEP EDGING - MOSAICS	-1,080.00		-1,080.00
10447	GERALDTON PARTY HIRE	HIRE OF CHAIRS - FREEMAN DINNER	-151.20		-151.20
10448	MULLEWA TELECENTRE INC	LAMINATING OF POISON INFO POSTER	-8.80		-8.80
10449	PARK LIQUID SALVAGE	PUMP OUT LEACH DRAINS	-770.00		-770.00
10450	GRAHAM J FINDLAY	SHARED COSTS OF PHARMACY SOFTWARE/UPDATES	-400.95		-400.95
10451	GERALDTON LAUNDRY & DRY CLEANING SERVICE	HIRE OF TABLECLOTH - FREEMAN DINNER	-86.00		-86.00
10452	PIVOTEL	SATELLITE PHONE CHARGES	-35.00		-35.00
EFT5795	AUSSIE SHEDS & SHACKS	CONCRETE SLAB - MEN'S SHED	-17,000.00		-17,000.00
EFT5796	CLOHESSY EARTHMOVING & HAULAGE	STOCKPILE GRAVEL	-24,343.00		-24,343.00
EFT5797	DONNA BYRON	COUNCIL CATERING AND FREEMAN DINNER	-4,270.00		-4,270.00
EFT5798	CARE SUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-344.13		-344.13
EFT5799	WA LOCAL GOVERNMENT SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-23,355.68		-23,355.68

SHIRE OF MULLEWA
LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL
21 APRIL 2010

Chq/EFT	Name	Description	Municipal	Trust	Total
EFT5800	HEALTH INSURANCE FUND OF WA	PAYROLL DEDUCTIONS	-220.05		-220.05
EFT5801	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	-425.10		-425.10
EFT5802	AUSSIE SHEDS & SHACKS	FINAL PAYMENT - MEN'S SHED	-19,750.00		-19,750.00
EFT5803	CLOHESSY EARTHMOVING & HAULAGE	STOCKPILE GRAVEL	-12,375.00		-12,375.00
EFT5804	COURIER AUSTRALIA	FREIGHT	-839.64		-839.64
EFT5805	MIDWEST ACCOUNTING SERVICE	ACQUITTAL - TOWN ENHANCEMENT AND TRAIL PROJECTS	-1,430.00		-1,430.00
EFT5806	CANCELLED EFT		0.00		0.00
EFT5807	ALL FLAGS SIGNS & BANNERS	BANNERS - STREETScape	-1,721.50		-1,721.50
EFT5808	CENTRAL WEST PUMP SERVICE	REPAIR LIGHTS AT AIRPORT	-852.50		-852.50
EFT5809	CITY OF GERALDTON - GREENOUGH	HEALTH & BUILDING SERVICES JANUARY AND FEBRUARY	-3,038.27		-3,038.27
EFT5810	CONPLANT AUSTRALIA	FUEL FILTERS, AIR FILTERS, TRANSMISSION FILTERS	-183.60		-183.60
EFT5811	AUSTRALIA POST	POSTAGE MARCH 2010	-235.26		-235.26
EFT5812	RELANCE PETROLEUM	BULK DIESEL AND UNLEADED FUEL	-25,835.31		-25,835.31
EFT5813	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	-56.70		-56.70
EFT5814	BEAUREPARES	TYRES AND REPAIRS	-1,105.90		-1,105.90
EFT5815	BUNNINGS BUILDING SUPPLIES PTY LTD	MULCH	-178.46		-178.46
EFT5816	BATTERY MART	1 BATTERY	-305.80		-305.80
EFT5817	DONNA BYRON	COUNCIL CATERING	-600.00		-600.00
EFT5818	COVENTRYS	SAFETY STEP, SAFETY GLASSES	-282.41		-282.41
EFT5819	CRUDELIUS AUTO REPAIRS PTY LTD	UNLEADED FUEL AND PARTS	-3,038.02		-3,038.02
EFT5820	CORPORATE EXPRESS	TONER AND STATIONERY	-3,395.44		-3,395.44
EFT5821	CRAMER & NEIL REFRIGERATION	REPAIRS TO AIR CONDITIONER	-2,106.23		-2,106.23
EFT5822	KJ & MA CROWE	INSTALL POWER POINTS AND POWER OUTLETS	-1,049.74		-1,049.74
EFT5823	CUSTOM SERVICE LEASING PTY LTD	VEHICLE LEASING EXPENSES JANUARY TO MARCH	-4,467.64		-4,467.64
EFT5824	EQUIPMENT TECHNOLOGY SERVICES	GREASE	-1,018.51		-1,018.51
EFT5825	FIRE & EMERGENCY SERVICES AUTHORITY (WA)	ESL REMITTANCE - MARCH 2010	-814.67		-814.67
EFT5826	GERALDTON INDUSTRIAL SUPPLIES	PLASTIC CHAIN	-208.87		-208.87
EFT5827	GERALDTON LOCK & KEY	KEYS - DEPOT	-620.47		-620.47
EFT5828	GREAT NORTHERN RURAL SERVICES	450 KG AMMONIA SULPHATE	-534.75		-534.75
EFT5829	GERALDTON AG SERVICES	RADIATOR HOSE	-100.40		-100.40
EFT5830	GERALDTON MOWER & REPAIR SPECIALISTS	V BELT	-270.00		-270.00
EFT5831	HARVEY NORMAN COMPUTER SUPERSTORE	LAPTOP COMPUTER AND SOFT WEAR	-1,537.95		-1,537.95
EFT5832	MULLEWA SPORTS CLUB INC	REFRESHMENTS - CHRISTMAS DINNER 2009	-689.00		-689.00
EFT5833	MULLEWA FARM SUPPLIES	CHEMICALS AND VARIOUS PARTS AND RETICULATION	-1,516.30		-1,516.30
EFT5834	MARKET CREATIONS PTY LTD	COMPUTER MAINTENANCE AND PUBLIC RELATIONS	-1,567.40		-1,567.40
EFT5835	MID WEST MAK	REPAIR WINDOW AND ASSEMBLY	-1,084.02		-1,084.02
EFT5836	WESTRAC PTY LTD	VARIOUS PARTS	-2,128.30		-2,128.30
EFT5837	MIDWEST CHEMICAL & PAPER	TOILET PAPER	-85.21		-85.21
EFT5838	ON HOLD MAGIC PTY LTD	MONTHLY RENTAL FOR APRIL 2010	-75.15		-75.15
EFT5839	OBRIEN SMASH REPAIRS	INSURANCE EXCESS MW5000	-300.00		-300.00
EFT5840	PURCHER-INTERNATIONAL PTY LTD	FILTERS AND ELEMENT OIL	-218.01		-218.01

SHIRE OF MULLEWA
LIST OF ACCOUNTS DUE AND SUBMITTED TO COUNCIL
21 APRIL 2010

Chg/EFT	Name	Description	Municipal	Trust	Total
EFT5841	RAILWAY HOTEL MULLEWA	REFRESHMENTS	-50.00		-50.00
EFT5842	R & M AUTOS	STARTER	-691.00		-691.00
EFT5843	SIGMA CHEMICALS	2 CHLORINE BRIQUETTES	-371.80		-371.80
EFT5844	BURGESS RAWSON (WA) PTY LTD	WATER CONSUMPTION 06.11.09 - 15.03.10	-2.64		-2.64
EFT5845	SHIRE OF MULLEWA STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	-165.00		-165.00
EFT5846	STATEWIDE OIL DISTRIBUTORS	DEL VAC MIX AND DEGREASER	-1,005.19		-1,005.19
EFT5847	THURKLES MULLEWA	NEWSPAPERS AND REFRESHMENTS	-136.38		-136.38
EFT5848	TUDOR HOUSE	1 BANNER	-107.80		-107.80
EFT5849	TRUCKLINE	SPANNER AXLE NUT	-74.72		-74.72
EFT5850	LANDGATE - VALUER GENERALS OFFICE - D.O.L.I.	RATING VALUATIONS	-153.39		-153.39
EFT5851	VIDGUARD SECURITY SYSTEMS	REPAIRS TO SMOKE ALARM 40 CARSON STREET	-626.70		-626.70
EFT5852	WESTNET PTY LTD	INTERNET ACCESS-01.04.10 - 01.07.10	-479.85		-479.85
EFT5853	WINCHESTER INDUSTRIES	14 MM METAL	-63,247.80		-63,247.80
EFT5854	WALTONS GERALDTON	FILTERS	-761.01		-761.01
EFT5855	YOUNG MOTORS PTY LTD	OIL FILTER , SUMP WASHER	-19.67		-19.67
EFT5856	DURACK INSTITUTE OF TECHNOLOGY	INTRODUCTION TO CONSTRUCTION COURSE 4 PEOPLE	-745.76		-745.76
EFT5857	GERALDTON INDEPENDENT BUILDING SUPPLIES PTY LTD	PIN CYLINDER	-46.20		-46.20
EFT5858	MCDONALDS WHOLESALERS	CHIPS , WATER , BISCUITS	-211.15		-211.15
EFT5859	MD ELECTRICAL SERVICES	INSTALL DOUBLE POWER POINTS AT YOUTH CENTRE	-790.68		-790.68
EFT5860	PINK HYGIENE SOLUTIONS	ANNUAL SERVICE 01/01/10 - 31.03.11	-7,532.37		-7,532.37
EFT5861	QUEENS SUPA IGA	VARIOUS FOOD ITEMS YOUTH CENTRE	-39.73		-39.73
EFT5862	PETER SMITH	RANGER SERVICES	-2,475.00		-2,475.00
EFT5863	SUN CITY PLUMBING	PLUMBING REPAIRS	-689.82		-689.82
EFT5864	THINK WATER GERALDTON	REPAIRS TO RETIC SYSTEM	-1,577.29		-1,577.29
EFT5865	TENNANT AUSTRALIA	FILTERS	-289.42		-289.42
EFT5866	VISTA EDU	WEATHER RESISTANT CABINET	-1,468.00		-1,468.00
FEE	COMMONWEALTH BANK	BANK FEES	-165.10		-165.10
PAYROLL	COMMONWEALTH BANK	PAYROLL F/E 30.03.2010	-42,201.80		-42,201.80
PAYROLL	COMMONWEALTH BANK	PAYROLL F/E 12.04.2010	-42,696.30		-42,696.30
PAYROLL	COMMONWEALTH BANK	PAYROLL F/E 16.03.2010	-41,652.60		-41,652.60
			-449,092.91	-918.75	-450,011.66

MUNICIPAL ACCOUNT
CHEQUES
ELECTRONIC FUND TRANSFERS
PAYROLL
BANK FEES
TRUST ACCOUNT
CHEQUES

10421 10452
EFT 5795 - EFT 5866
PAYROLL
FEES
421 424
TOTAL
-73,044.35
-249,332.76
-126,550.70
-165.10
-918.75
-450,011.66

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1	DIVISION OF ASSETS / LIABILITIES ON WITHDRAWAL OF COUNCILS
DATE OF MEETING:	21 ST April 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	Minutes of the MWRC 7 th April, 2010
DATE AND AUTHOR:	15 April, 2010, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Council is required to provide written authority concerning the "notional winding up" to determine the value of the assets and liabilities on the withdrawal of the Shires of Carnamah and Coorow from the Mid West Regional Council.
BACKGROUND:	At the April 2010 meeting of the MWRC the following motion was resolved regarding the withdrawal of Carnamah and Coorow, – <ol style="list-style-type: none"> a) <i>This item be considered by the seven individual member Councils for decision to provide Mid West Regional Council with the express written authority to facilitate the "notional winding up" / valuation of assets and liabilities of Mid West Regional Council as at the 30th June 2010 by Haines Norton UHY and disburse or recoup any funds payable to or by the withdrawing Councils being the Shires of Carnamah and Coorow.</i> b) <i>The Shires of Coorow and Carnamah be advised that they will be informed of the expected financial implication of their withdrawal on completion of the MWRC 2010/11 budget, however the actual amount will not be determined until the completion of the MWRC audit in July or August 2010.</i>
COMMENT:	There would be no reason for Council to refuse this request.
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	c) THAT COUNCIL PROVIDE THE MID WEST REGIONAL COUNCIL WITH THE EXPRESS WRITTEN AUTHORITY TO FACILITATE THE "NOTIONAL WINDING UP" / VALUATION OF ASSETS AND LIABILITIES OF MID WEST REGIONAL COUNCIL AS AT THE 30 TH JUNE 2010 BY HAINES NORTON UHY AND DISBURSE OR RECOUP ANY FUNDS PAYABLE TO OR BY THE WITHDRAWING COUNCILS BEING THE SHIRES OF CARNAMAH AND COOROW.

Moved: *B I N Thomas* **Seconded:** *K P Keeffe*

COUNCIL DECISION: **THAT COUNCIL PROVIDE THE MID WEST REGIONAL COUNCIL WITH THE EXPRESS WRITTEN AUTHORITY TO FACILITATE THE "NOTIONAL WINDING UP" / VALUATION OF ASSETS AND LIABILITIES OF MID WEST REGIONAL COUNCIL AS AT THE 30TH JUNE 2010 BY HAINES NORTON UHY AND DISBURSE OR RECOUP ANY FUNDS PAYABLE TO OR BY THE WITHDRAWING COUNCILS BEING THE SHIRES OF CARNAMAH AND COOROW.**

CARRIED 7/0

10.5.2 NOTICE OF ANNUAL GENERAL MEETING FOR THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
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DATE OF MEETING: 21st April 2010
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: -
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: 15 April 2009, Tom Hartman, Chief Executive Officer
DISCLOSURE OF Author has no disclosure of interest.
INTEREST:
SUMMARY Report submits notice of the WALGA Annual General Meeting and the call for submissions.

BACKGROUND: The attached letter and information at **APPENDIX B** for the 2010 Local Government Convention advises the closing date for submissions of motions and provides the procedure for preparation.

COMMENT: Council has the opportunity to submit motions to the 2010 AGM of WALGA in line with the attached guidelines.

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 CONSIDER ANY MATTERS THAT COULD BE SUBMITTED TO THE 2010 ANNUAL GENERAL MEETING OF WALGA.**

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

COUNCIL DECISION: **THAT THE REPORT BE NOTED**

CARRIED 7/0

10.5.3 LOCAL GOVERNMENT REFORM - UPDATE
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DATE OF MEETING: 21st April 2010

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, 19th August 2009, 17 February 2010, 17th March 2010 .

DATE AND AUTHOR: 15 April 2010, Tom Hartman, Chief Executive Officer

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

SUMMARY Report updates Council on the progress in the Local Government Reform process, and recommends endorsement of the updated Reform Submission and MOU.

BACKGROUND: The minutes of the Joint Structural Reform Transitional Arrangements Committee in Geraldton on Thursday, 25th March 2010 are **ATTACHED**. The changes to the MOU were endorsed by Council at the March, 2010 meeting. The **JOINT STRUCTURAL REFORM SUBMISSION** was finalised after the Council's March meeting and signed off by the President and Chief Executive Officer on the 31st March, 2010, along with the Mayor and CEO of the City of Geraldton Greenough.

A copy of the submission, due to its size, is **ATTACHED** separately with the Agenda.

COMMENT: The resolution of the March, 2010 Council meeting relating to the above follows-

THAT THE COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT OF THE S5.8 AND DIVISION 8 OF THE LOCAL GOVERNMENT ACT 1995 (AS AMENDED) RESOLVES TO:

- 1. NOTE the unilateral withdrawal of the Shire of Chapman Valley to the voluntary merger process as defined in the Memorandum of Understanding (signed on the 26 November 2009);**
- 2. ADOPTS the amended Memorandum of Understanding as attached, with an additional change to b (ii), k (ii) & k (iii) from one (1) councillor to two (2) councillors respectively.**
- 3. AMENDS the membership of the Joint Structural Reform Transitional Arrangement Committee to reflect the removal of the representatives of the Shire of Chapman Valley;**
- 4. REFERS the amended structural reform proposal to the Local Government Advisory Board for their urgent consideration; and**
- 5. ADVISE the Minister for Local Government of the determination**

It is suggested that Council needs to confirm its endorsement for the submission of the amended Joint Structural Reform Submission being signed.

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.

IMPLICATIONS:

VOTING REQUIREMENT: Absolute majority

OFFICER

RECOMMENDATION

THAT COUNCIL ENDORSE THE PRESIDENT AND CHIEF EXECUTIVE OFFICER SIGNING OF THE AMENDED JOINT STRUCTURAL REFORM SUBMISSION.

Moved:

B I N Thomas

Seconded:

J L Freeman

COUNCIL DECISION:

THAT COUNCIL ENDORSE THE PRESIDENT AND CHIEF EXECUTIVE OFFICER SIGNING OF THE AMENDED JOINT STRUCTURAL REFORM SUBMISSION.

CARRIED 7/0

10.5.4	MID WEST REGIONAL COUNCIL – FUTURE PARTICIPATION
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DATE OF MEETING: 21st April, 2010

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18th November, 2009, 16th December, 2009DATE AND AUTHOR: 12th April, 2010, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST: SUMMARY

Report again raises a discussion item regarding the future participation of Council in the Mid West Regional Council and the consideration to request bringing forward withdrawal.

BACKGROUND:

At the December, 2009 meeting the Shire of Mullewa gave the Mid West Regional Council and the other participants notice of its intention to withdraw from the Mid West Regional Council to take effect 1st July 2011.

At the recent Mid West Regional Council Discussion Session, the following matter was raised and the outcome of the discussion was recorded in the notes of the meeting -

“3.2 Cr N Messina – Shire of Mullewa Membership of MWRC

Cr Messina has asked member Councils to consider releasing the Shire of Mullewa from membership of the Mid West Regional Council early (i.e. at 30th June 2010). As the Shires of Carnamah and Coorow are withdrawing at that time and this requires a valuation of assets and liabilities, Cr Messina is proposing that Mullewa also be permitted to withdraw by agreement of the 7 seven member councils.

Cr M Bagley advised that Mingenew may also request early withdrawal.

Both Cr Messina and Cr Bagley advised that they had not yet discussed this with their councils.

Cr Messina further advised that the remaining 4 Councils who are proposing amalgamation at 30th June 2011 could then negotiate with the CEO on details of her contract. “

COMMENT:

As can be noted from the above this matter will require consideration of Council.

As previously discussed by Council its future participation in the Mid

West Regional Council resulted in giving the notice as required under the Establishment Agreement to withdraw. The notice required under the agreement can only take effect at July 1, 2011.

The push from the Shire of Mullewa has been based around the impending amalgamations of the remaining five local governments (Morawa, Perenjori, Mingenew, Three Springs and City of Geraldton Greenough, Chapman Valley, Mullewa) by July 1, 2011. It is also felt that there is lingering concern remaining a participant for this period and therefore it is suggested that Council request consideration by the MWRC to allow Mullewa to withdraw at the same time as Coorow and Carnamah, July 1, 2010.

As can be noted in a previous report to the Mid West Regional Council a legal opinion (**APPENDIX B**) indicated that winding up of the Mid West Regional Council would require the agreement of all the participating Councils. This opinion has been queried in unofficial circumstances and there has been a question asked whether a majority rules in this matter. A further opinion has been obtained that “backs” up the original opinion, and is attached at **APPENDIX C**. Although this opinion does not involve this agenda item, it is raised for Councils attention when considering any future “winding up” of the MWRC.

CONSULTATION:	President Deputy President
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 CONSIDER APPLYING FOR AN EARLIER WITHDRAWAL FROM THE MID WEST REGIONAL COUNCIL TO COINCIDE WITH THE WITHDRAWAL OF THE SHIRES OF COOROW AND CARNAMAH, EFFECTIVE JULY 1, 2010

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

COUNCIL DECISION: **THAT COUNCIL APPLY FOR AN EARLY WITHDRAWAL FROM THE MID WEST REGIONAL COUNCIL TO COINCIDE WITH THE WITHDRAWAL OF THE SHIRES OF COOROW AND CARNAMAH, EFFECTIVE JULY 1, 2010**

CARRIED 7/0

0210.13	CLOSURE OF MEETING
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The President closed the meeting at 2.40pm.

These minutes were confirmed at a meeting on 21st April 2010:

Signed:

A J Messina, President

Date: