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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 20th April 2011.**0411.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

2:13pm The President declared the meeting open.

0411.02 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 A J (Tony) Crudeli	(Central Ward)
Councillor A J (Andrew) Messina	(South Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor J L (Julie) Freeman	(Central Ward)

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Mr G (Grant) Middleton - Deputy Chief Executive Officer
Mrs BA (Belynda) Mills - Executive Secretary

APOLOGIES:

Councillor M D (Mick) Tierney (Central Ward)

LEAVE OF ABSENCE:

Nil

VISITORS:

Nil

0411.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0411.04 PUBLIC QUESTION TIME

Nil

0411.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

0411.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**Moved:** *J L Freeman***Seconded:** *B I N Thomas***COUNCIL DECISION:** **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16th MARCH 2011, AS PRINTED BE CONFIRMED.****CARRIED 6/0****0411.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

0411.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0411.09 REPORTS OF COMMITTEES/MEMBERS

Nil

0411.10 REPORTS OF OFFICERS**10.2 HEALTH, BUILDING AND TOWN PLANNING****10.2.1 BUILDING APPLICATION – LOT 5 & 6 KEEFFE STREET MULLEWA**DATE OF MEETING: 20TH April 2011

LOCATION/ADDRESS: Lot 5 & 6 No 1 & 3 Keeffe Street

NAME OF APPLICANT: Ken and Phyllis Pledger

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: HB9904.08 Application for planning consent – Reg Gray & Co
9904.12 Application for planning consent – Reg Gray & Co
9906.13 Application for planning consent – Reg Gray & Co

DATE AND AUTHOR: 15 of February 2011 Dave Gibson

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

An application has been received to carry out maintenance and minor up grade works to existing accommodation units on lots 5 & 6 Keeffe Street

BACKGROUND:

As a result of advertising the workers accommodation camp in November 2010. Mr Pledger sort confirmation that the property he had purchased had the relevant planning approval and if he was required to lodge a building licence for the work he was doing to bring the building back up to a satisfactory level.

The planning approval was able to be traced back, as referenced above and no change to the planning approval is sort.

No reference to the classification of the building or limitations of that classification where documented.

As a result of this I have requested a building application be lodged with the Shire and the clarifications will form part of the building licence conditions

COMMENT: Council has previously given planning approval at the Ordinary Council Meeting 16th of June 1999 minutes attached at **APPENDIX A**.

CONSULTATION: Consultation was carried out prior to the planning approval being approved by council.

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 Building Application for Maintenance and Minor works be approved with the following clarifications

1. That the building be classified as a Class 1b –Boarding House.
2. The total floor area does not exceed 300 square meters.
3. Not more than 12 persons would ordinarily be resident.

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

COUNCIL DECISION: **That the Building Application for Maintenance and Minor works be approved with the following clarifications**

- 1. That the building be classified as a Class 1b –Boarding House.**
- 2. The total floor area does not exceed 300 square meters.**
- 3. Not more than 12 persons would ordinarily be resident.**

CARRIED 6/0

10.3 WORKS, PLANT, PARKS AND GARDENS

10.3.1 EXISTING WATER TANKER

DATE OF MEETING: 20 April 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 111

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 28 March 2011 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY	Report raises matter for Council to invite tenders/quotes for the supply of a 30,000 Litre Water Tanker and recommends an invitation to tender/quote be advertised.
BACKGROUND:	Council will consider funds in the 2011/2012 budget for the supply of a water tanker to replace MW 2456.
COMMENT:	There is a need to replace the existing water tanker as soon as possible due to its deteriorating condition. This vehicle was purchase second hand in 2000 and is starting to collapse due to age, rust, ware and tear. It has been identified in the Plant Replacement Program to be replaced next financial year. At the time of this report a quote has been obtained and consideration may need to be given to invite tenders now to allow an early replacement.
CONSULTATION:	Work Supervisor, mechanic.
STATUTORY ENVIRONMENT:	Local Government (Functions & General) Regulations, Part 4, Division 2. Local Government Act Section 5.42(b) Local Government Act Section 5.43(1)
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	This will require a budget figure for a change over of \$99,500 + GST in the 2011/2012 preliminary budget estimates for consideration.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION	THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A NEW WATER TANK IN THE 30.000 LITRE RANGE TO REPLACE THE EXISTING WATER TANKER MW 2456

Moved: *Andrew Messina*

Seconded: *J L Freeman*

COUNCIL DECISION: **THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A NEW WATER TANK IN THE 30.000 LITRE RANGE TO REPLACE THE EXISTING WATER TANKER MW 2456**

CARRIED 6/0

10.3.2 TENDERS – MULLEWA SWIMMING POOL STAGE 3

DATE OF MEETING:	20 April 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	30 April 2011, Tom Hartman, Chief Executive Officer
DISCLOSURE INTEREST:	OF Author has no disclosure of interest.
SUMMARY	Report raises matter for Council to invite tenders for the Stage 3 upgrade for the Mullewa Swimming Pool and recommends an invitation to tender

be advertised.

BACKGROUND: Council has received funding through the 2011-12 Community Sporting & Recreation Facilities Fund and has allocated future Royalties for Regions funding for the stage 3 upgrade at the mullewa swimming pool. The work will generally consist of – Refurbishment of the changerooms, showers (including roofing), first aid room and kiosk/entry area.

COMMENT: It is considered that Council should call tenders now due to the tender process and the supply time line for this work to happen during the swimming pool shut down time. To achieve this outcome Council will also need to allow for this expenditure in the 2011/12 budget. A point to keep in mind is the budget figure, if necessary, will be a known, following calling tenders, and not an estimate as is the normal case.

An estimate used for funding purposes is \$206,000.

CONSULTATION:

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

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

FINANCIAL IMPLICATIONS: The Sport & Recreation funding is \$82,420 and the Royalties for Regions have been allocated through the Councils Forward Capital Works Plan.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL INVITE TENDERS FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.

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

COUNCIL DECISION: **THAT COUNCIL INVITE TENDERS FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.**

CARRIED 6/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 STATEMENT OF FINANCIAL ACTIVITY – MARCH 2011

DATE OF MEETING: 20TH April 2011
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: -
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: 11th April 2011. Grant Middleton, Deputy Chief Executive Officer
DISCLOSURE OF Author has no disclosure of interest.

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 March 2011.

CONSULTATION:
STATUTORY ENVIRONMENT: Local Government Act
Financial Management 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 STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MARCH 2011 BE RECEIVED.

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

COUNCIL DECISION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MARCH 2011 BE RECEIVED.

CARRIED 6/0

10.4.2 FINANCE REPORT – MARCH 2011

DATE OF MEETING: 20th April 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 14th April 2011. Grant Middleton, Deputy Chief Executive Officer

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

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: **10.4.2.1.1 BANK RECONCILIATION**
The Bank Reconciliation for the month of March 2011 is attached at **APPENDIX B**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.

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

ENVIRONMENT:
POLICY There are no known policy implications at this time.
IMPLICATIONS:
FINANCIAL There are no known financial implications at this time.
IMPLICATIONS:
STRATEGIC There are no known strategic implications at this time.
IMPLICATIONS:
VOTING REQUIREMENT: Simple majority
OFFICER
RECOMMENDATION THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st MARCH 2011 BE RECEIVED.

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

COUNCIL DECISION: THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st MARCH BE RECEIVED.

CARRIED 6/0

10.4.3 ACCOUNTS FOR PAYMENT – APRIL 2011

DATE OF MEETING: 20TH April 2011
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: -
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: 14th April 2011. Grant Middleton, 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 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 \$850,538.21 the following:

<u>Municipal Account</u>		
Cheque No.	10729 - 10758	\$56,205.07
Electronic Fund Trans	6654 - 6686	\$667,350.91
Payroll & Fees		\$126,876.33
<u>Trust Account</u>		
Cheque No.	461 - 463	\$105.90
	Total:	\$850,538.21

CONSULTATION: Nil
STATUTORY ENVIRONMENT: Local Government Act and Regulations
POLICY IMPLICATIONS: There are no known policy implications at this time.

FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
 STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.
 VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT.

Municipal Account

Cheque No.	10729 - 10758	\$56,205.07
Electronic Fund Trans	6654 - 6686	\$667,350.91
Payroll & Fees		\$126,876.33

Trust Account

Cheque No.	461 - 463	\$105.90
Total:		\$850,538.21

Moved: J L Freeman

Seconded: B I N Thomas

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

Municipal Account

Cheque No.	10729 - 10758	\$56,205.07
Electronic Fund Trans	6654 - 6686	\$667,350.91
Payroll & Fees		\$126,876.33

Trust Account

Cheque No.	461 - 463	\$105.90
Total:		\$850,538.21

CARRIED 7/0

10.4.4 DELEGATED AUTHORITIES – REVIEW OF

DATE OF MEETING: 20th April 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT:

FILE REFERENCE: ADM0157

PREVIOUS MINUTE/S & REFERENCE: Annually - June 2010

DATE AND AUTHOR: 30^h March 2011 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: -

BACKGROUND: In accordance with the provision of Section 5.46 of the Local Government Act, council is required to review all delegations that it has made, at least once in every financial year.

COMMENT: Attached at **APPENDIX C** is a summary of the delegations made by Council.

All of the delegations are considered current.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act 5.46

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: Absolute majority.

OFFICER RECOMMENDATION: THAT THE DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, AND 39 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.

Moved: J L Freeman

Seconded: Andrew Messina

COUNCIL DECISION: **THAT THE DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, AND 39 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.**

CARRIED 6/0

10.4.5 DIFFERENTIAL RATING

DATE OF MEETING: 20TH April 2011
 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, April 2010 Item 10.4.1

DATE AND AUTHOR: 25th March 2011, Grant Middleton, Deputy Chief Executive Officer

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

BACKGROUND: 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.

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.

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.

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.

COMMENT:

A differential rating model is attached at **APPENDIX D** for Council to determine. 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.

Information produced by WALGA in their April 2011 Economic Briefing release lists the Local Government Cost Index for 2011/12 between 3.5% and 4.5%. Council will need to determine the most appropriate rate for the 2011/2012 budget. Generally a method of inflation plus an additional percentage factor for additional planned works or asset replacement is utilised to determine the final rate in the dollar figure.

Table 1: Annual percentage change in the Local Government Cost Index and its key components.

	2008/09 Actual	2009/10 Actual	2010/11 Forecast	2011/12 Forecast
Wage Price Index	4.6	3.4	4.25 – 4.75	5.0 – 5.5
Road Construction	2.3	-0.1	1.5 – 2.0	4.0 – 6.0
Non - res Construction	-2.0	-4.4	0.0 – 0.5	3.0 – 5.0
Consumer Price Index	1.4	3.5	3.0	3.25
Local Government Cost Index	4.7	1.1	3.0 – 3.5	3.5 – 4.5

Table 1 – From page 1 of the WALGA Economic Briefing April 2011.

The following options have been presented:

- Option 1 – 0.0% increase
- Option 2 – 3.0% increase
- Option 3 – 3.5% increase
- Option 4 – 4.0% increase
- Option 5 – 4.5% increase
- Option 6 – 5.0% increase

CONSULTATION:

CEO, Shire of Yalgoo, Shire of Morawa, Shire of Perenjori, Shire of Mt Magnet.

STATUTORY
ENVIRONMENT:
POLICY

Sections 6.33 to 6.36 of the Local Government Act 1995.

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

The process is integral to the final formulation of the 08/09 budget.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Absolute majority.

OFFICER

RECOMMENDATION

1. THAT THE MINIMUM RATE AND DIFFERENTIAL RATE MODEL AS SHOWN IN THE ATTACHED OPTION 1/2/3/4/5/6 (DELETE AS APPROPRIATE), BE ADOPTED FOR THE PURPOSE OF FORMULATING THE 2011/2012 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:

Andrew Messina

Seconded:

A J Crudeli

COUNCIL DECISION:

1. **THAT THE MINIMUM RATE AND DIFFERENTIAL RATE MODEL AS SHOWN IN THE ATTACHED OPTION 4 BE ADOPTED FOR THE PURPOSE OF FORMULATING THE 2011/2012 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 6/0

10.4.6	PLANT REPLACEMENT – PROGRAM OF
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DATE OF MEETING:

20TH April 2011

LOCATION/ADDRESS:

-

NAME OF APPLICANT:

-

FILE REFERENCE:

708

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR:

23rd March 2011. Grant Middleton, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST:
SUMMARY

Author has no disclosure of interest.

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 2011/2012 is requested.

COMMENT: Attached at **APPENDIX E** is a copy of the Draft Plant Replacement Program for 2011/2012

In summary the following items are programmed to be replaced:

MW5021	Grader	JD770D
MW2456	Water Tanker	
MW5062	Loader	JCB
MW5027	Tractor	Massey
	Mower	Gianni Ferrari
MW5006	Crew Cab Truck	Hino
MW5014	8t Truck	Mitsubishi
0MW	Holden Statesman	CEO
MW5001	Ford Utility	Works Supervisor
MW5002	Triton T top	Mitsubishi
MW5004	Triton T top	Mitsubishi
MW5005	Triton T top	Mitsubishi
MW5017	Triton T top	Mitsubishi
00MW	Holden Calais	Deputy CEO

CONSULTATION: CEO, Works Supervisor

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

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

FINANCIAL IMPLICATIONS: In accordance with the Municipal Budget 2010/2011

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: That

- The Draft_2011/2012 Plant Replacement Program be adopted; and
- Allowance be made in the forthcoming budget for major plant repairs; 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: K P Keffe

Seconded: J L Freeman

COUNCIL DECISION: That

- **The Draft_2011/2012 Plant Replacement Program be adopted;**

and

- Allowance be made in the forthcoming budget for major plant repairs; 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 6/0

10.4.7	DONATION – AGRICULTURAL SOCIETIES
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DATE OF MEETING:	20 th April 2011.
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Mid West Group of Affiliated Agricultural Societies
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	18 th March 2009, 21 st April 2010.
DATE AND AUTHOR:	14 April, 2011, 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 F .
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 10/11 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 2011 PERTH ROYAL SHOW

Moved: J L Freeman

Seconded: B I N Thomas

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 2011 PERTH ROYAL SHOW**

CARRIED 6/0

10.4.8 STATE BARRIER FENCE UPGRADE

DATE OF MEETING: 20 April, 2011

LOCATION/ADDRESS:

NAME OF APPLICANT: Northern Country Zone of WALGA

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 14 April 2011, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

Report submits a request from the NCZWALGA to consider a contribution towards the upgrade of the No 3 State Barrier fence.

BACKGROUND: The attached letter at **APPENDIX G** has been received from the Secretary or the Northern Country Zone of WALGA

COMMENT: To provide further information on this matter, the committee of the Northern Barrier Fence Committee approached the NCZWALGA meeting held in July 2010. A copy of the NCZ report is attached at **APPENDIX H**.

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: This will need to be a \$3000 budget item for consideration in the 2011-2012 Budget.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL CONSIDER A \$3,000 CONTRIBUTION IN THE 2011-2012 BUDGET TOWRDS THE UPGRADE ON THE No 3 STATE BARRIER FENCE.

Moved: Andrew Messina

Seconded: B I N Thomas

COUNCIL DECISION: **THAT COUNCIL CONSIDER A \$3,000 CONTRIBUTION IN THE 2011-2012 BUDGET TOWRDS THE UPGRADE ON THE No 3 STATE BARRIER FENCE.**

CARRIED 6/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 CONSTITUTIONAL RECOGNITION

DATE OF MEETING: 20 April 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 28 March 2011, Tom Hartman Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST:

SUMMARY

- The Federal Government has committed to a referendum on Constitutional recognition for Local Government, likely to be held in conjunction with the 2013 election.
- A national position was developed at the Local Government Constitutional Summit to be held in Melbourne in December 2008, and has been refined by the ALGA Board to focus the referendum on financial recognition.
- ALGA has requested that all Local Governments formally resolve to support the conduct of the referendum.

BACKGROUND:

There is a long history of debate on Constitutional recognition for Local Government in Australia, with referendums having previously been put before the voters in 1974 and 1988, with both being defeated.

During 2008 the ALGA actioned a strategic approach aimed at securing a referendum which involved:

- some initial resource materials to assist Local Governments to conduct a conversation at the local level on the need for Constitutional recognition
- Zone or region level discussions, where appropriate, based on WALGA agenda items
- Statewide forum to determine a state Local Government position (resolved at Local Government Convention)
- A national experts forum a National Constitution Summit (Melbourne December 2008)

In 2009/10 ALGA focused advocacy around national political forums, political parties and key influential academics, while State Associations built up state profiling campaigns to improve the image and perception of their local government jurisdictions.

The ALGA Board further refined the national position in 2010 to focus specifically on financial recognition and the WALGA position was also aligned to this focus.

COMMENT:

Whilst the Federal Government has said that it will run a referendum, their willingness to do so in any sort of reasonable time frame will be heavily influenced by their perceptions of its likely success. A major

factor in their perceptions will be the degree to which the conversation reflects broad community engagement.

It is important that local community support is marshalled to ensure that community ownership is injected into the campaign. If the campaign is seen purely as one being run by and for the local government system, then success will be difficult to achieve.

CONSULTATION:
STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:

See attached letter at **APPENDIX A** from the President of WALGA
There are no known statutory implications at this time.

The national policy position is consistent with the WALGA position.
Adoption of the recommendation will formalise council's policy position and align it with the national campaign.

FINANCIAL
IMPLICATIONS:

Local level campaign: the costs associated with any local level campaign will be contingent on its extent and complexity. Expenditures could involve expenses such as venue hire and minor catering and administrative charges including telephone calls, printing, etc. These are likely to be minimal and manageable within the constraints of budgeted operational expenditure.

National Campaign: these are not defined at this stage and will depend largely on the willingness of the Federal Government to fund "YES" and "NO" campaigns. A full range of funding options needs to be developed by ALGA and WALGA before the specific implications for council can be explored.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:
OFFICER
RECOMMENDATION

Simple majority
THAT COUNCIL;

1. SUPPORT THE ALGA CAMPAIGN FOR THE CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT;
2. CALL ON THE FEDERAL GOVERNMENT TO CONDUCT A REFERENDUM TO ACHIEVE THE CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT AT THE 2013 FEDERAL ELECTION;
3. DEVELOP A LOCAL LEVEL CAMPAIGN, IN SUPPORT OF THE NATIONAL CAMPAIGN, TO INFORM THE LOCAL COMMUNITY AND GARNER ITS SUPPORT;
4. ACKNOWLEDGE THAT FUNDING IMPLICATIONS NEED TO BE CONSIDERED AS PART OF THE ONGOING FINANCIAL PLANNING PROCESS.

Moved:

Andrew Messina

Seconded: *K P Keeffe*

COUNCIL DECISION:

THAT COUNCIL;

1. **SUPPORT THE ALGA CAMPAIGN FOR THE CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT;**
2. **CALL ON THE FEDERAL GOVERNMENT TO CONDUCT A REFERENDUM TO ACHIEVE THE CONSTITUTIONAL**

- RECOGNITION OF LOCAL GOVERNMENT AT THE 2013
FEDERAL ELECTION;**
- 3. DEVELOP A LOCAL LEVEL CAMPAIGN, IN SUPPORT OF THE NATIONAL CAMPAIGN, TO INFORM THE LOCAL COMMUNITY AND GARNER ITS SUPPORT;**
 - 4. ACKNOWLEDGE THAT FUNDING IMPLICATIONS NEED TO BE CONSIDERED AS PART OF THE ONGOING FINANCIAL PLANNING PROCESS.**

CARRIED 5/1

Tom Hartman left the meeting 2:05pm – 2:07pm.

10.5.2	LOCAL DOCTOR
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DATE OF MEETING:	20 April 2011
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	28 March 2011, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report advises an approach from Doctor Findlay advising future arrangements for discussion
BACKGROUND:	A copy of the letter received from Dr Findlay is attached at APPENDIX B .
COMMENT:	As can be noted, Doctor Findlay has provided Council with an arrangement that commits providing a practise in Mullewa for a further 10 years. I believe Doctor Findlay is away on some leave and has indicated he would like to approach Council on his return. I suggest that Council invite him to the April meeting to discuss the arrangements as contained in his letter.
CONSULTATION:	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: OFFICER RECOMMENDATION	Simple majority THAT COUNCIL <ul style="list-style-type: none"> • CONSIDER THE REQUESTS FROM DOCTOR FINDLAY AND MAKE ALLOWANCE IN THE 2011-2012 BUDGET FOR EQUIPPING THE MULLEWA SURGERY AND NEGOTIATE WITH DOCTOR FINDLAY TO REIMBURSE THE LOSS HE HAS INCURRED.

- CONSIDER UPGRADING THE HOUSING IN MULLEWA TO ACCOMMODATE THE DOCTOR.

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

COUNCIL DECISION: **THAT COUNCIL**

- **CONSIDER THE REQUESTS FROM DOCTOR FINDLAY AND ALLOW \$50,000 IN THE 2011-2012 BUDGET FOR EQUIPPING THE MULLEWA SURGERY.**

CARRIED 6/0

Nino Messina declared a financial interest and left the meeting 2:15pm – 2:23pm.
Andrew Messina declared an interest as a relative and the impartiality was noted.

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

COUNCIL DECISION: **THAT COUNCIL**

- **CONSIDER UPGRADING THE HOUSING IN MULLEWA TO ACCOMMODATE THE DOCTOR AND AUTHORISE THE CEO TO CONSIDER ALL OPTIONS FOR HOUSING AND REPORT BACK TO COUNCIL.**

CARRIED 5/0

10.5.3 NOTICE OF ANNUAL GENERAL MEETING FOR THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
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DATE OF MEETING: 20th April 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: 21st April 2010

DATE AND AUTHOR: 14 April 2011, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: 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 C** for the 2011 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 2011 AGM of WALGA in line with the attached guidelines.

CONSULTATION:

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

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 CONSIDER ANY MATTERS THAT COULD BE SUBMITTED TO THE 2011 ANNUAL GENERAL MEETING OF WALGA.

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

COUNCIL DECISION: **THAT COUNCIL SUBMIT THE FOLLOWING MATTERS TO THE 2011 ANNUAL GENERAL MEETING OF WALGA;**

- **RETAINING LOCAL NUMBER PLATES**
- **ASSIST MAINTAINING LOCAL IDENTITY**

CARRIED 6/0

10.5.4 LOCAL GOVERNMENT REFORM – UPDATE

DATE OF MEETING: 20th April 2011

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, 21st April 2010, 19 May 2010, 16 June 2010, 21 July 2010, 18 August 2010, 15 September 2010, 20 October 2010, 17 November 2010, 15 December 2010, 16 February 2011, 16th March 2011.

DATE AND AUTHOR: 15 April 2011, 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 receiving and adopting the information.

BACKGROUND: Most Council meetings since February 2009, reports have been submitted on the progress of the Local Government Reform process. This has allowed Council the opportunity to discuss any matters that arise from the reform process.

COMMENT: The Minutes of the recent March 24, 2011 meeting of the Joint Structural Reform Committee are attached at **APPENDIX D** for council to receive and adopt the recommendations and contents of the minutes.

The main contents of the meeting relate to the implementation update, Commissioner nominations, policy on swimming pool, Bushfire control and logo & crest.

CONSULTATION: 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 ADOPT THE INFORMATION, CONTENTS AND RECOMMENDATIONS OF LOCAL GOVERNMENT REFORM – JOINT STRUCTURAL REFORM TRANSITIONARY ARRANGEMENTS MANAGEMENT COMMITTEE MEETING HELD THURSDAY 24 MARCH, 2011.

Moved:

Andrew Messina

Seconded:

K P Keefe

COUNCIL DECISION:

THAT COUNCIL ADOPT THE INFORMATION, CONTENTS AND RECOMMENDATIONS OF LOCAL GOVERNMENT REFORM – JOINT STRUCTURAL REFORM TRANSITIONARY ARRANGEMENTS MANAGEMENT COMMITTEE MEETING HELD THURSDAY 24 MARCH, 2011.

CARRIED 6/0

0411.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil

0411.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

0411.13	DELEGATED AUTHORITY
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Nil

0411.14	CLOSURE OF MEETING
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The President closed the meeting at 2:33pm.

These minutes were confirmed at a meeting on 20th April 2011.

Signed:

A J Messina, President

Date: