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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 18th May 2011.**0511.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:10pm The President declared the meeting open.

0511.02 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 K P (Kim) Keeffe	(South Ward)
Councillor J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli (arrived at 2:03pm)	(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 A J (Andrew) Messina (South Ward)

LEAVE OF ABSENCE:

Nil

VISITORS:

Nil

0511.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0511.04 PUBLIC QUESTION TIME

Nil

0511.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

0511.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**Moved:** *B I N Thomas***Seconded:** *J L Freeman***COUNCIL DECISION:** **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20th APRIL 2011, AS PRINTED BE CONFIRMED.****CARRIED 5/0****0511.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

0511.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0511.09 REPORTS OF COMMITTEES/MEMBERS

Nil

0511.10 REPORTS OF OFFICERS**10.3 WORKS, PLANT, PARKS AND GARDENS****10.3.1 TENDERS – MULLEWA SWIMMING POOL STAGE 3**

DATE OF MEETING: 18 May 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 30 April 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY

Tenders were invited for the Stage 3 upgrade for the Mullewa Swimming and at the close of the tender on Monday 16 May, 2011, the received Tenders will be tabled.

BACKGROUND:

Council has received funding through the Community Sporting & Recreation Facilities Fund and have allocated Royalties for Regions funding for 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.

Tenders were invited now due to the tender process and the supply time line for this work to happen during the swimming pool shut down time. 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, it 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.

COMMENT: The tender closes on Monday 16 May, 2011 and the received tenders will be processed and tabled for the Council meeting for consideration

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 has been allocated through the Forward Capital Works Plan.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL CONSIDER THE TENDER RECEIVED FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.

Moved: *J L Freeman*

Seconded: *M D Tierney*

COUNCIL DECISION: **THAT COUNCIL CONSIDER THE TENDER RECEIVED FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.**

CARRIED 5/0

Moved: *B I N Thomas*

Seconded: *J L Freeman*

COUNCIL DECISION: **THAT COUNCIL AUTHORISE THE CEO TO EVALUATE THE TENDERS RECEIVED AND REPORT BACK TO COUNCIL AT THE JUNE 2011 MEETING.**

CARRIED 5/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 STATEMENT OF FINANCIAL ACTIVITY – APRIL 2011

DATE OF MEETING: 18TH May 2011

COMMENT: **10.4.2.1.1 BANK RECONCILIATION**
The Bank Reconciliation for the month of April 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 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 30th APRIL 2011 BE RECEIVED.

Moved: *B I N Thomas*

Seconded: *M D Tierney*

COUNCIL DECISION: THAT THE FINANCE REPORT FOR THE PERIOD ENDED 30TH APRIL 2011 BE RECEIVED.

CARRIED 5/0

10.4.3 ACCOUNTS FOR PAYMENT – MAY 2011

DATE OF MEETING: 18TH May 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 11th May 2011. Grant Middleton, 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 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 \$1,037,844.24 the following:

Municipal Account

Cheque No.	10759 - 10784	\$54,542.55
Electronic Fund Trans	EFT6687 – EFT6810	\$901,970.01
Payroll & Fees		\$81,281.68

ensure the rates are appropriate and allow for the inclusion of new rates and charges.

COMMENT:	The table of fees and charges is attached at APPENDIX C to be considered. There have been a number of changes to align the Shire of Mullewa Draft Fees and Charges 2011/2012 with the City of Geraldton-Greenough Draft Schedule of Fees and Charges 2011/2012. Where no direct alignment with the relevant City of Geraldton-Greenough fee was possible an inflation factor of 4.0% was applied. This aligns any increase in fees and charges with the respective increase approved by council for the 2011/2012 Differential Rates.
CONSULTATION:	The changes have been discussed and agreed with the CEO and officers.
STATUTORY ENVIRONMENT:	Local Government Act 1995 S6.16 – Imposition of Fees & Charges Local Government Act 1995 S6.17 – Setting the Level of Fees & Charges
POLICY IMPLICATIONS:	
FINANCIAL IMPLICATIONS:	Minimal
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION	THAT THE TABLE OF FEES AND CHARGES AS PRESENTED BE CONSIDERED FOR ADOPTION IN THE 2011/2012 BUDGET.

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

COUNCIL DECISION: **THAT THE TABLE OF FEES AND CHARGES AS PRESENTED BE CONSIDERED FOR ADOPTION IN THE 2011/2012 BUDGET.**

CARRIED 5/0

10.4.5 MULLEWA AGRICULTURAL SHOW 2011

DATE OF MEETING:	18 th May 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	22 nd August 2008, 22 nd April 2009, 21 st April 2010
DATE AND AUTHOR:	13 th May 2011, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits request for financial assistance for the 2011 show.
BACKGROUND:	The attached letter, at APPENDIX D has been received from the Secretary of the Mullewa Show Committee.
COMMENT:	Council has in the past assisted the Show committee to cover the costs associated with the requirements to comply with the Liquor Control Act.

Last year Council also contributed towards the costs to have the West Australian Police Pipe Band visit Mullewa during the Show week.

CONSULTATION: Show committee.

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

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

IMPLICATIONS: Council will need to make allowance in the 2011/2012 budget to assist local organisations with operating costs.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL APPROVE THE REQUEST FROM THE MULLEWA AGRICULTURE SHOW FOR UP TO \$2300.00 TOWARDS OPERATING COSTS FOR THE 2010 MULLEWA AGRICULTURE SHOW AND MAKE ALLOWANCE IN THE 2011/2012 BUDGET.

Moved: J L Freeman

Seconded: B I N Thomas

Kim Keefe declared an interest in common.

COUNCIL DECISION: THAT COUNCIL APPROVE THE REQUEST FROM THE MULLEWA AGRICULTURE SHOW FOR UP TO \$2300.00 TOWARDS OPERATING COSTS FOR THE 2010 MULLEWA AGRICULTURE SHOW AND MAKE ALLOWANCE IN THE 2011/2012 BUDGET.

CARRIED 5/0

Grant Middleton left the meeting 1:51pm.

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 LOCAL GOVERNMENT REFORM - POLICIES

DATE OF MEETING: 18 May 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, 16 March 2011, 20 April.

DATE AND AUTHOR: 11 May 2011, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: The attached policies at **APPENDIX A, B, C, D and E** are provided to Council for endorsement.

As the City and Shire of Mullewa reform progresses, additional policies will be presented to Council for endorsement to prepare for the transition into the new entity.

These policies will provide direction, post amalgamation, when a Council of Commissioners are appointed on 1 July 2011 to oversee the affairs of the new local government until the inaugural Council is elected in October 2011.

BACKGROUND:

The following five council policies have been developed incorporating elements of existing policies, where existing policies are in place from both the City and the Shire of Mullewa:

1. CP002 – Confidential Information Policy;
2. CP004 – Asset Management Policy;
3. CP008 – Occupational Safety and Health Policy;
4. CP012 – Equal Employment Opportunity; and
5. CP013 – Record Keeping Policy

These policies were endorsed by the Joint Structural Reform Transitional Arrangements Committee on 5 May 2011.

COMMENT:

Council will need to peruse the policies, make any changes/suggestions, endorse the policies and return the City of Geraldton Greenough prior to seeking public comment.

CONSULTATION:

No community consultation was undertaken.

STATUTORY ENVIRONMENT:

Section 1.7 of the Local Government Act 1995.
24E (1) (b) of the Local Government (Functions and General) Regulations.

POLICY IMPLICATIONS:

The attached policies are a preferred direction for the new entity as supported by the City of Geraldton-Greenough and the Shire of Mullewa Councils. These policies will not prevent the new entity in varying the policies in accordance with the Local Government Act 1995 to provide good governance to the larger community through policy formulation.

FINANCIAL IMPLICATIONS:

There are no financial or budget implications.

STRATEGIC IMPLICATIONS:

Strategic & Plan for the Future Outcomes:

Key Result Area 4: Leading the Opportunities

Outcome 4.1: Leadership in organisation and the community.

Strategy 4.1.3: Implement business and governance frameworks.

Regional Outcomes:

There are no regional outcomes.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION

THAT COUNCIL RESOLVES TO ENDORSE THE FOLLOWING COUNCIL POLICIES FOR THE NEW LOCAL AUTHORITY OF THE

CITY OF GREATER GERALDTON:

- a. CP002 – CONFIDENTIAL INFORMATION POLICY;
- b. CP004 – ASSET MANAGEMENT POLICY;
- c. CP008 – OCCUPATIONAL SAFETY AND HEALTH POLICY;
- d. CP012 – EQUAL EMPLOYMENT OPPORTUNITY; AND
- e. CP013 – RECORD KEEPING POLICY

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

COUNCIL DECISION: **THAT COUNCIL RESOLVES TO ENDORSE THE FOLLOWING COUNCIL POLICIES FOR THE NEW LOCAL AUTHORITY OF THE CITY OF GREATER GERALDTON:**

- a. CP002 – CONFIDENTIAL INFORMATION POLICY;
- b. CP004 – ASSET MANAGEMENT POLICY;
- c. CP008 – OCCUPATIONAL SAFETY AND HEALTH POLICY;
- d. CP012 – EQUAL EMPLOYMENT OPPORTUNITY; AND
- e. CP013 – RECORD KEEPING POLICY

CARRIED 5/0

Tony Crudeli arrived at the meeting 2:03pm.

10.5.2 LOCAL GOVERNMENT REFORM - UPDATE
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DATE OF MEETING: 18th May 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, 20th April 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 F** 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.

Attached separately to the Agenda is the updated Status Report that was circulated in the Information Bulletin.

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: *K P Keefe*

Seconded: *B I N Thomas*

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

0511.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil

0511.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

0511.13	DELEGATED AUTHORITY
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Nil

0511.14	CLOSURE OF MEETING
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The President closed the meeting at 2:23pm.

These minutes were confirmed at a meeting on 18TH May 2011.

Signed:

A J Messina, President

Date: