
INDEX

0409.01	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
0409.02	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
0409.03	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
0409.04	PUBLIC QUESTION TIME	2
0409.05	APPLICATIONS FOR LEAVE OF ABSENCE	3
0409.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
0409.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	3
0409.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	3
0409.09	REPORTS OF COMMITTEES/MEMBERS	3
0409.10	REPORTS OF OFFICERS	3
	<i>10.2 HEALTH, BUILDING AND TOWN PLANNING</i>	<i>3</i>
	10.2.1 Strategic Waste Management Plan 2009-2013	3
	<i>10.3 WORKS, PLANT, PARKS & GARDENS.....</i>	<i>7</i>
	10.3.1 Tenders – Mullewa Swimming Pool Plant Room	7
	<i>10.4 FINANCE AND GENERAL PURPOSE</i>	<i>8</i>
	10.4.1 Performance Review – Chief Executive Officer	8
	10.4.2 Finance Report – March 2009	10
	10.4.3 Accounts For Payment	11
	10.4.4 Statement Of Financial Activity – February 2009.....	12
	10.4.5 Statement Of Financial Activity – March 2009	13
	10.4.6 Differential Rating – 2009/2010	13
	10.4.7 Office Closure – Staff Training.....	15
	10.4.8 Mullewa Agriculture Show	16
	10.4.9 Motor Vehicles – Public Tender.....	18
	<i>10.5 CHIEF EXECUTIVE OFFICERS REPORT</i>	<i>20</i>
	10.5.1 Notice Of Annual General Meeting For The Western Australian Local Government Association	20
	10.5.2 Local Government Reform.....	21
	10.5.3 Rationalisation Of Reserves & UCL – Tardun Townsite	23
0409.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	24
0409.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	24
0409.13	DELEGATED AUTHORITY	24
	13.1 Municipal Seal – Exercising Delegated Authority To Affix.....	24
0409.14	CLOSURE OF MEETING.....	25

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 22 APRIL 2009.**0409.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:00pm The President declared the meeting open

0409.02 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 J L (Julie) Freeman	(Central Ward)
Councillor M D (Mick) Tierney	(Central Ward)
Councillor A J (Tony) Crudeli	(Central Ward)
Councillor K P (Kim) Keeffe	(South Ward)
Councillor A J (Andrew) Messina	(South Ward)

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer

APOLOGIES:

Councillor M (Mike) Kerkmans (East Ward)

LEAVE OF ABSENCE:

Councillor L J (Linda) Wainwright (Central Ward)

VISITORS

Nil

0409.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0409.04 PUBLIC QUESTION TIME

Nil

0409.05 APPLICATIONS FOR LEAVE OF ABSENCE

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

COUNCIL DECISION: **THAT CR BARBARA THOMAS AND CR ANDREW MESSINA BE GRANTED LEAVE OF ABSENCE FOR THE MAY 2009 MEETING.**

CARRIED 7/0

0409.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COUNCIL DECISION: **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18TH MARCH 2009, AS PRINTED BE CONFIRMED.**

CARRIED 7/0

0409.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

0409.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0409.09 REPORTS OF COMMITTEES/MEMBERS

Nil

0409.10 REPORTS OF OFFICERS**10.2 HEALTH, BUILDING AND TOWN PLANNING****10.2.1 STRATEGIC WASTE MANAGEMENT PLAN 2009-2013**

DATE OF MEETING: 22nd April 2009

LOCATION/ADDRESS:

NAME OF APPLICANT: Dallywater Consulting for the Mid West Regional Council

FILE REFERENCE:

PREVIOUS MINUTE/S &

REFERENCE:

DATE AND AUTHOR:

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:

- SUMMARY** Report submits the development of the Draft Strategic Waste Management Plan 2009-2013 for adoption.
- BACKGROUND:** The Shire of Mullewa has been involved with the Mid West Regional Council's project to establish a Waste Management Service for the member councils and implement the Zero Waste Management Plan for the region. This plan has been developing over the past year and is now being finalised.
Council is asked to adopt the Draft Strategic Waste Management Plan 2009 – 2013 prepared by Dallywater Consulting on behalf of the Mid West Regional Council and consider recommendations by an Executive Staff Meeting following assessment of the DSWMP.
- COMMENT:** Council is aware that the Mid West Regional Council appointed Dallywater Consultancy to establish an Integrated Strategic Waste Management Plan in accordance with the requirements of the Department of Environment and Conservation's Zero Waste Plan Development Scheme (ZWPDS) Phase 11 Guidelines.
- The Waste Authority allocated funding to regional local government groups for the preparation of a Strategic Waste Management Plan; a second stage of receipt of that funding was the submission of a Draft Plan by the end of March 2009 – the Draft Strategic Waste Management Plan 2009 - 2013 was submitted by the due date. Due its size the DRAFT SWMP is attached to this agenda.
- In order that the second stage of the Phase 11 funding be granted each of the seven (7) MWRC Member Councils must formally adopt the SWMP Report. To this end a meeting was held in Carnamah on Monday 6 April 2009 to assess the Draft Strategic Waste Management Plan prepared by Dallywater Consulting and make comment. Minutes of that meeting follow -

Draft Strategic Waste Management Plan 2009 - 2013

Minutes of Meeting Held at Carnamah on the 6 April 2009 at 10:00am

*Attendance: Suzanne Ward CEO Mid West Regional Council
Kim Hastie A/CEO Shire of Carnamah
Ian Fitzgerald CEO Shires of Three Springs & Mingenew
Garry Agnew MCS Shires of Carnamah & Perenjori
David Hadden MRS Shire of Coorow
David Williams MCS Shire of Morawa*

Preliminary:

Telephone Conference Call with Gordon Houston, author of the Draft Strategic Waste Management Plan 2009 – 2013 (DSWMP).

Gordon gave a summary of the DSWMP emphasizing the necessity for each member local government of the Mid West Regional Council to adopt the Draft Report and agree on the commencement of a waste minimization strategy in the interim to further funding.

Gordon suggested that the relevant sections of the Report for our assessment and comment were the Executive Summary and the SWMP Recommendations and Action Plan covered in Table 31.

Discussion:

Discussion ensued on the DSWMP in terms of its purpose, accepting that it was a fluid document that can be adjusted moving forward. In essence application of the DSWMP Actions as presented is dependant on future funding which as of yet has not been identified.

Determinations:

The meeting agreed that the Plan needed to be adopted in order to receive the second stage of funding however its adoption should be conditional upon expansion of the Executive Summary to include sections of Part 7.

Moved: David Williams

Seconded: Ian Fitzgerald

The Draft Strategic Waste Management Plan 2009 – 2013 (19 March 2009) as prepared by Dallywater Consultancy be adopted on the condition that the Executive Summary is expanded to include sections of Part 7 such as 7 dot points 5 & 6.

Carried: 6-0

To move forward the meeting was of the view that a "Working Group" consisting of Executive Staff should be established to oversee the implementation of identified priority project areas.

Moved: Ian Fitzgerald

Seconded: David Williams

Establish a "Working Group" to explore and implement immediate action on the carrying out of waste audits, rationalisation of landfills and collection services and investigation into best practice management of the SWMP (within the MWRC).

Carried: 6-0

It was agreed that the make-up of the "Working Group" consist of the CEO and Manager Environmental Health from each member Council.

Moved: Ian Fitzgerald

Seconded: Kim Hastie

That each member Council of the MWRC appoint its CEO and MCS (Environmental Health Officer) to the "Regional Waste Management Working Group" which is to be coordinated by the Mid West Regional Council.

Carried: 6-0

It was identified that there were unexpended funds in the Regional Funding Program for Local Government Regional Investment Plan and they could be used to appoint a Consultant to carry out a waste audit for the MWRC area.

Moved: David Williams

Seconded: Ian Fitzgerald

The unexpended portion of the Regional Funding Program for Local Government Regional Investment Plan to be used to appoint a Consultant to carry out a waste audit for the MWRC area as recommended in the Executive Summary of the Report.

Carried: 6-0

It was agreed that each member Council should include a budget item in their 2009-10 budget to commence implementation of the SWMP Recommendations and Action Plan as detailed in Table 31 of the Report.

Moved: Ian Fitzgerald

Seconded: Kim Hastie

That \$10,000 be included in each MWRC member Councils 2009-10 budget to commence the implementation of the Strategic Waste Management Plan Actions.

Carried: 6-0

It was agreed that Garry Agnew prepare a draft Council Report that includes the resolutions passed today to be used as a template for presentation to each member Council and the MWRC.

There being no further business the meeting closed at 12:30pm.

CONSULTATION:

EHO and member shires of MWRC

STATUTORY
ENVIRONMENT:

Department of Environment and Conservation
Zero Waste Plan Development Scheme

POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:

There are no known policy implications at this time.

The draft plan has been prepared using grant funds. There are some further funds to come now that the draft plan has been submitted to the Department of Environment & Conservation. There are some funds remaining which can be used on projects outlined in the draft plan and it is recommended each of the MWRC member shires make provision in their 2009/10 Budget for more projects to be initiated. This project is being administered by the MWRC.

STRATEGIC
IMPLICATIONS:

The Draft Strategic Waste Management Plan 2009 – 2013 will help lead to a regional approach to the implementation of waste minimization strategies in accordance with the requirements of the Department of Environment and Conservation's Zero Waste Plan Development Scheme.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT:

1. THE DRAFT STRATEGIC WASTE MANAGEMENT PLAN 2009 – 2013 (19 MARCH 2009) AS PREPARED BY DALLYWATER CONSULTANCY IS ADOPTED IN PRINCIPLE.
2. A "WORKING GROUP" IS ESTABLISHED TO EXPLORE AND IMPLEMENT IMMEDIATE ACTION ON THE CARRYING OUT OF WASTE AUDITS, RATIONALISATION OF LANDFILLS AND COLLECTION SERVICES AND INVESTIGATION INTO BEST PRACTICE MANAGEMENT OF THE STRATEGIC WASTE MANAGEMENT PLAN (WITHIN THE MWRC).
3. COUNCIL APPOINT ITS CEO AND ENVIRONMENTAL HEALTH OFFICER TO THE "REGIONAL WASTE MANAGEMENT WORKING GROUP" WHICH IS TO BE COORDINATED BY THE MID WEST REGIONAL COUNCIL.
4. THE UNEXPENDED PORTION OF THE REGIONAL FUNDING PROGRAM FOR LOCAL GOVERNMENT REGIONAL INVESTMENT PLAN BEING USED TO APPOINT A

CONSULTANT TO CARRY OUT A WASTE AUDIT FOR THE MWRC AREA AS RECOMMENDED IN THE EXECUTIVE SUMMARY OF THE REPORT.

5. COUNCIL MAKE PROVISION OF \$10,000 IN THE 2009-10 BUDGET TO COMMENCE THE IMPLEMENTATION OF THE STRATEGIC WASTE MANAGEMENT PLAN ACTIONS.

Moved: *B I N Thomas* **Seconded:** *A J Crudeli*

COUNCIL DECISION: **THAT:**

1. **THE DRAFT STRATEGIC WASTE MANAGEMENT PLAN 2009 – 2013 (19 MARCH 2009) AS PREPARED BY DALLYWATER CONSULTANCY IS ADOPTED IN PRINCIPLE.**
2. **A “WORKING GROUP” IS ESTABLISHED TO EXPLORE AND IMPLEMENT IMMEDIATE ACTION ON THE CARRYING OUT OF WASTE AUDITS, RATIONALISATION OF LANDFILLS AND COLLECTION SERVICES AND INVESTIGATION INTO BEST PRACTICE MANAGEMENT OF THE STRATEGIC WASTE MANAGEMENT PLAN (WITHIN THE MWRC).**
3. **COUNCIL APPOINT ITS CEO AND ENVIRONMENTAL HEALTH OFFICER TO THE “REGIONAL WASTE MANAGEMENT WORKING GROUP” WHICH IS TO BE COORDINATED BY THE MID WEST REGIONAL COUNCIL.**
4. **THE UNEXPENDED PORTION OF THE REGIONAL FUNDING PROGRAM FOR LOCAL GOVERNMENT REGIONAL INVESTMENT PLAN BEING USED TO APPOINT A CONSULTANT TO CARRY OUT A WASTE AUDIT FOR THE MWRC AREA AS RECOMMENDED IN THE EXECUTIVE SUMMARY OF THE REPORT.**
5. **COUNCIL MAKE PROVISION OF \$10,000 IN THE 2009-10 BUDGET TO COMMENCE THE IMPLEMENTATION OF THE STRATEGIC WASTE MANAGEMENT PLAN ACTIONS.**

CARRIED 7/0

1:10pm – 1:11pm Noelene Holmes, Deputy Chief Executive Officer left the meeting

10.3 WORKS, PLANT, PARKS & GARDENS

10.3.1 TENDERS – MULLEWA SWIMMING POOL PLANT ROOM

DATE OF MEETING: 22 April 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	Tom Hartman, Chief Executive Officer
DISCLOSURE INTEREST: SUMMARY	OF Author has no disclosure of interest. Report raises matter for Council to invite tenders for the supply and installation of a new plant room for the Mullewa Swimming Pool and recommends an invitation to tender be advertised.
BACKGROUND:	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.
COMMENT:	It is considered that Council should call tenders now and 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 may also need to allow for this expenditure in the 2009/10 budget. A point to keep in mind is the budget figure, if necessary, will be a known and not an estimate as is the normal case. An estimate used for funding purposes is \$269,500.
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 \$89,833 and the Royalties for Regions \$100,000. An approach will be made to mining companies for a contribution and will need to be considered in the 2009/10 budget.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A NEW PLANT ROOM FOR THE MULLEWA SWIMMING POOL.
Moved:	<i>B I N Thomas</i>
Seconded:	<i>J L Freeman</i>
COUNCIL DECISION:	THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A NEW PLANT ROOM FOR THE MULLEWA SWIMMING POOL.

CARRIED 7/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER

DATE OF MEETING:	22nd April 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	108 - Hartman

- PREVIOUS MINUTE/S & REFERENCE: 18th March 2009
- DATE AND AUTHOR: 25th March 2009 - Noelene Holmes, Deputy Chief Executive Officer
- DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
- SUMMARY: Report advises of Chief Executive Officers review as conducted by the CEO Review Panel
- BACKGROUND: A Performance Review Panel was formed at the March 2009 meeting for the purpose of conducting a performance review of the Chief Executive Officer. The panel consisted of Crs: Messina, Thomas, Kerkmans and Freeman.
- Clause 8 of the CEO's contract states:
- Clause 8 Performance Reviews**
- 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.
 - The final report on the performance of the CEO is to be forwarded to Council for consideration to either accept or reject the report.
- COMMENT: The Performance Review Panel met on the 24th March 2009 and a report is attached at **Appendix A**
- 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 4.5% BE ACCEPTED.
- Moved:** J L Freeman **Seconded:** M D Tierney
- COUNCIL DECISION: **THAT THE RECOMMENDATION OF THE PERFORMANCE REVIEW PANEL THAT THE PERFORMANCE OF THE CHIEF EXECUTIVE OFFICER WAS OF A HIGH STANDARD AND THAT THE ANNUAL SALARY OF THE CHIEF EXECUTIVE OFFICER BE INCREASED BY 4.5% BE ACCEPTED.**

CARRIED 7/0

10.4.2 FINANCE REPORT – MARCH 2009

DATE OF MEETING:	22 nd April 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	14 th April 2009. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report presents a bank reconciliation of Councils bank accounts.
BACKGROUND:	A reconciliation of funds is carried out at end of each month for all of Councils bank accounts. The accounts are reconciled with the general ledger to ascertain accuracy of income and expenditure of the previous month.
COMMENT:	<p>BANK RECONCILIATION</p> <p>The Bank Reconciliation for the month of March 2009 is attached at APPENDIX B. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.</p> <p>Items of note:</p> <p>\$34,453.85 has been transferred from the Trust account to the Plant Reserve Account.</p> <p>\$4,225.06 has been reinvested by the bank in error into the Road Reseal Term Deposit. This will be rectified when the deposit matures.</p> <p>\$300,000 is included in the CDA account which will be transferred to the Mullewa Community Trust and Road Reseal deposits in April.</p>
CONSULTATION:	
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION:	THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31 st MARCH 2009 BE RECEIVED.
Moved:	<i>Andrew J Messina</i>
Seconded:	<i>A J Crudeli</i>
COUNCIL DECISION:	<p>THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st MARCH 2009 BE RECEIVED.</p> <p style="text-align: right;">CARRIED 7/0</p>

10.4.3 ACCOUNTS FOR PAYMENT

DATE OF MEETING:	22 nd April 2009																					
LOCATION/ADDRESS:	-																					
NAME OF APPLICANT:	-																					
FILE REFERENCE:	-																					
PREVIOUS MINUTE/S & REFERENCE:	-																					
DATE AND AUTHOR:	Noelene Holmes, Deputy Chief Executive Officer																					
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.																					
SUMMARY	The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.																					
BACKGROUND:	Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.																					
COMMENT:	Attached to this report 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 \$568,614.27 covers the following:																					
	<table border="0"> <tr> <td colspan="3"><u>Municipal Account</u></td> </tr> <tr> <td>Cheque No</td> <td>10102 -10135</td> <td>\$71,797.96</td> </tr> <tr> <td>Electronic Fund Trans</td> <td>4920 - 4984</td> <td>\$381,497.27</td> </tr> <tr> <td>Payroll & Fees</td> <td></td> <td>\$114,520.04</td> </tr> <tr> <td colspan="3"><u>Trust Account</u></td> </tr> <tr> <td>Cheque No</td> <td>374 - 377</td> <td>\$799.00</td> </tr> <tr> <td></td> <td>Total:</td> <td>\$568,614.27</td> </tr> </table>	<u>Municipal Account</u>			Cheque No	10102 -10135	\$71,797.96	Electronic Fund Trans	4920 - 4984	\$381,497.27	Payroll & Fees		\$114,520.04	<u>Trust Account</u>			Cheque No	374 - 377	\$799.00		Total:	\$568,614.27
<u>Municipal Account</u>																						
Cheque No	10102 -10135	\$71,797.96																				
Electronic Fund Trans	4920 - 4984	\$381,497.27																				
Payroll & Fees		\$114,520.04																				
<u>Trust Account</u>																						
Cheque No	374 - 377	\$799.00																				
	Total:	\$568,614.27																				
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	10102 -10135	\$71,797.96
Electronic Fund Trans	4920 - 4984	\$381,497.27
Payroll & Fees		\$114,520.04
<u>Trust Account</u>		
Cheque No	374 - 377	\$799.00
	Total:	\$568,614.27

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

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

<u>Municipal Account</u>		
Cheque No	10102 -10135	\$71,797.96
Electronic Fund Trans	4920 - 4984	\$381,497.27
Payroll & Fees		\$114,520.04
<u>Trust Account</u>		
Cheque No	374 - 377	\$799.00
	Total:	\$568,614.27

CARRIED 7/0

10.4.4 STATEMENT OF FINANCIAL ACTIVITY – FEBRUARY 2009

DATE OF MEETING: 22nd April 2009
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: -
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST: Author has no disclosure of interest.
SUMMARY: Report presents Statement of Financial Activity
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 C** is the Statement of Financial Activity for February 2009
CONSULTATION: STATUTORY ENVIRONMENT: 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 FEBRUARY 2009 BE RECEIVED.

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

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

CARRIED 7/0

10.4.5 STATEMENT OF FINANCIAL ACTIVITY – MARCH 2009

DATE OF MEETING:	22 nd April 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	14 th April 2009, Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report presents Statement of Financial Activity
BACKGROUND:	Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.
COMMENT:	Attached at APPENDIX D is the Statement of Financial Activity for March 2009
CONSULTATION:	
STATUTORY ENVIRONMENT:	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 2009 BE RECEIVED.
Moved:	<i>J L Freeman</i>
Seconded:	<i>Andrew J Messina</i>
COUNCIL DECISION:	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MARCH 2009 BE RECEIVED
	CARRIED 7/0

10.4.6 DIFFERENTIAL RATING – 2009/2010

DATE OF MEETING:	22 nd April 2009.
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	
FILE 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
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	

- 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 as **APPENDIX E** 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.
- 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: Information is utilised for budget purposes.
- STRATEGIC IMPLICATIONS:
- VOTING REQUIREMENT: Absolutely 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 2009/10 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:** B I N Thomas

- 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 2009/10 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

10.4.7 OFFICE CLOSURE – STAFF TRAINING

- DATE OF MEETING:** 22nd April 2009
- LOCATION/ADDRESS:** -
- NAME OF APPLICANT:** -
- FILE REFERENCE:** -
- PREVIOUS MINUTE/S & REFERENCE:** -
- DATE AND AUTHOR:** 15 April 2009, Noelene Holmes, Deputy Chief Executive Officer
- DISCLOSURE OF INTEREST:** Author has no disclosure of interest.
- SUMMARY:** Report requests Council endorsement to close the office from 3pm Tuesday 12th May 2009 for staff training.
- BACKGROUND:** As a member of the Mid West Regional Council, the Shire of Mullewa is a participant in the Records Management Project. MWRC identified a need for a document management system which would revolutionise and carry them into the next generation of document, records and content management.
- The project will be undertaken in two stages, with stage one commencing on Monday 11th May 2009.
- COMMENT:** Kim Boulton, Records Consultant will be visiting Mullewa to undertake stage one of the project. The week will consist of onsite training with relevant 'records staff' in the initial stage followed by the implementation of 'Keywords for Council' and other record management processes. Mr Boulton has requested that all staff attend on the Tuesday afternoon for an uninterrupted training session.
- It is requested that approval be granted for the office to be closed from 3:00pm on that day to give all staff the opportunity to attend the training.
- Advertising this closure has been circulated.
- Stage two of the project will take place week beginning 25th May 2009.

CONSULTATION:	Nil
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 APPROVE THE CLOSURE OF THE ADMINISTRATION OFFICE FROM 3:00PM ON TUESDAY 12 MAY 2009, FOR STAFF TRAINING.
Moved:	<i>B I N Thomas</i>
Seconded:	<i>Andrew J Messina</i>
COUNCIL DECISION:	THAT COUNCIL APPROVE THE CLOSURE OF THE ADMINISTRATION OFFICE FROM 3:00PM ON TUESDAY 12 MAY 2009, FOR STAFF TRAINING.
	CARRIED 7/0

Cr Andrew Messina declared an impartial interest in the following item, being the President of the Mullewa Agriculture Show

10.4.8 MULLEWA AGRICULTURE SHOW

DATE OF MEETING:	22 April 2009
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	22 nd August 2008
DATE AND AUTHOR:	15 April 2009, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report submits request for financial assistance for the 2009 show.
BACKGROUND:	The attached letter, at APPENDIX F has been received from the Secretary of the Mullewa Show Committee. Under the liquor licensing laws, the Mullewa Agriculture Show is required to comply with the security sections of the Legislation and strategies for responsible service of alcohol in respect to their Occasional License.
COMMENT:	As advised in the letter this requirement is in its third year and the Show is still finding it difficult raising the funds to cover the costs to comply. In the preliminary of The Liquor Control Act it states -

5. Objects of the Act

(1) The primary objects of this Act are —

- (a) to regulate the sale, supply and consumption of liquor; and
- (b) to minimize harm or ill-health caused to people, or any group of people, due to the use of liquor; and
- (c) to cater for the requirements of consumers for liquor and related services, with regard to the proper development of the liquor industry, the tourism industry and other hospitality industries in the State.
- (2) In carrying out its functions under this Act, the licensing authority shall have regard to the primary objects of this Act and also to the following secondary objects —
- (a) to facilitate the use and development of licensed facilities, including their use and development for the performance of live original music, reflecting the diversity of the requirements of consumers in the State; and
- [(b), (c) deleted]*
- (d) to provide adequate controls over, and over the persons directly or indirectly involved in, the sale, disposal and consumption of liquor; and
- (e) to provide a flexible system, with as little formality or technicality as may be practicable, for the administration of this Act.
- (3) If, in carrying out any of its functions under this Act, the licensing authority considers that there is any inconsistency between the primary objects referred to in subsection (1) and the secondary objects referred to in subsection (2), the primary objects take precedence.

The Show has developed an Activity Management Plan that has been approved by the local police in compliance with the Liquor Control Act.

CONSULTATION:	Show committee. Local Police OIC
STATUTORY ENVIRONMENT:	Liquor Control Act 1988
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Council will need to make allowance in the 2009/2010 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 CONSIDER THE REQUEST FROM THE MULLEWA AGRICULTURE SHOW FOR UP TO \$2300.00 TOWARDS OPERATING COSTS FOR THE 2009 MULLEWA AGRICULTURE SHOW.

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

COUNCIL DECISION: **THAT COUNCIL APPROVE THE REQUEST FROM THE MULLEWA AGRICULTURE SHOW FOR UP TO \$2300.00 TOWARDS OPERATING COSTS FOR THE 2009 MULLEWA AGRICULTURE SHOW.**

CARRIED 7/0

10.4.9 MOTOR VEHICLES – PUBLIC TENDER

DATE OF MEETING: 22nd April 2009
 LOCATION/ADDRESS:
 NAME OF APPLICANT: -
 FILE REFERENCE: 111.01
 PREVIOUS MINUTE/S & REFERENCE:
 DATE AND AUTHOR: 15th April 2009. Noelene Holmes, Deputy Chief Executive Officer
 DISCLOSURE OF INTEREST: Author is designated driver of 00MW
 SUMMARY: Report advises of result of public tender.

BACKGROUND: Council have on the 2008/09 budget a provision to change over a number of small vehicles. In February, quotes were obtained and are attached at **APPENDIX G**. The table indicates the actual vehicle cost, trade in offered, change over price and a figure exceeding the budgeted change over.

The 2008/2009 Budget allowed for the following changeovers for these vehicles -

REGO	MAKE	CHANGEOVER
0MW	Statesman – 41000km	9,000
00MW	Berlina – 24000km	5,000
MW5003	Triton Ute 4WD – 44180km	8,400
MW5017	Triton Ute 2WD – 57300km	6,500
TOTAL		28,900

Due to the quotes obtained in February exceeding the change over allowance in the budget it was decided at the March Council meeting to over the vehicles for sale by public tender.

Tenders were advertised and closed at 4pm on Tuesday 14th April 2009.

COMMENT: At the closing of the tender period, the following offers had been received;

Tenderer	Holden Statesman	Holden Berlina	Mitsubishi Triton Ute 4WD	Mitsubishi Triton Ute 2WD

M Wall			\$12,000*	
P Barnetson		\$24,000*		
Moxham Mtrs.	\$30,454	\$21,818	\$10,000	\$8,181

* *unknown GST component*

Council is not obligated to accept any tender.

This exercise was undertaken with the expectation that there would be public interest in these vehicles which would result in a higher sale price. Unfortunately this was not the result.

The budgeted figures for the purchase of vehicles is adequate to cover these items, it is the trade in figures that fall short.

Council may now wish to consider:

- Retaining all vehicles and obtain new quotes to be included in the 2009/2010 budget.
- Dispose of some vehicles and retain others, using those retained vehicles budgeted changeover figures to meet the cost and carry over the retained vehicles to the 2009/2010 budget for changeover.

ie: Purchase Statesman and retain Berlina. Allows for a \$14,000 changeover. Purchase replacement for Triton 2WD and retain Triton 4WD. Allows for a \$14,900 changeover. *This will require new quotes to be obtained.*

CONSULTATION:

Nil

STATUTORY
ENVIRONMENT:
POLICY
IMPLICATIONS:

There are no known statutory implications at this time.

There are no known policy implications at this time.

FINANCIAL
IMPLICATIONS:

Below is a table showing 2008/2009 budget figures;

VEHICLE DETAILS		BUDGET 2008/2009		
REGO	MAKE	PURCHASE	TRADE	CHANGEOVER
0MW	Statesman – 41000km	52,000	43,000	9,000
00MW	Berlina – 24000km	33,000	28,000	5,000
MW5003	Triton Ute 4WD – 44180km	29,400	21,000	8,400
MW5017	Triton Ute 2WD – 57300km	19,500	13,000	6,500

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT COUNCIL CONSIDER OPTIONS TO OBTAIN THE BEST RESULT FOR VEHICLE CHANGEOVER.

Moved:

Andrew J Messina

Seconded:

A J Crudeli

COUNCIL DECISION: **THAT COUNCIL CONSIDER OPTIONS TO OBTAIN THE BEST RESULT FOR VEHICLE CHANGEOVER.**

CARRIED 7/0

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

COUNCIL DECISION: **THAT NO TENDER BE ACCEPTED.**

THAT THE STATESMAN AND BERLINA BE CHANGED OVER FOR THE BEST RESULT.

THAT THE UTILITIES BE RETAINED AND HELD OVER UNTIL THE 2009/2010 BUDGET.

CARRIED 7/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 NOTICE OF ANNUAL GENERAL MEETING FOR THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

DATE OF MEETING: 22 April 2009

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

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

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

SUMMARY Report submits notice of the WALGA Annual General Meeting and the call for submissions.

BACKGROUND: The attached letter and information at **APPENDIX A** for the 2009 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 2009 AGM of WALGA in line with the attached guidelines.

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

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

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

FINANCIAL IMPLICATIONS: There are no known strategic 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 2009 ANNUAL GENERAL MEETING OF WALGA.**

Moved: *K P Keefe* **Seconded:** *A J Crudeli*

COUNCIL DECISION: **THAT COUNCIL CONSIDER ANY MATTERS THAT COULD BE SUBMITTED TO THE 2009 ANNUAL GENERAL MEETING OF WALGA.**

CARRIED 7/0

10.5.2 LOCAL GOVERNMENT REFORM

DATE OF MEETING: 22 April 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & 18 March 2009

REFERENCE:

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

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

SUMMARY

The Minister for Local Government has requested that each local government submit a completed Local Government Reform Checklist by 30th April 2009. The Checklist will need to be reviewed and adopted by Council prior to formal submission.

BACKGROUND:

In February 2009, the Minister for Local Government announced wide ranging Local Government Reform Strategies. As part of this announcement, the Minister encouraged each local government within Western Australia to embrace the opportunity for voluntary amalgamations, including a reduction in the number of elected members to groupings of between six and nine.

More recently, the Department of Local Government and Regional Development has issued Guidelines to assist Local Governments in their efforts to achieve structural reform outcomes. The Guidelines include a Local Government Reform Checklist which each local government is required to review, complete and adopt for submission with the Department of Local Government and Regional Development by no later than the 30th April 2009.

The Guidelines target the current capacity of each local government to achieve certain business performance benchmarks through the identification of gaps as part of the analysis to support the need for structural reform.

COMMENT:

The completed **DRAFT** Checklist is **APPENDED** to this report together with a copy of the Local Government Reform Steering Committee – Structural Reform Guidelines, pages 1–13 & 22-23. The completed Checklist incorporates the Chief Executive Officer's view of the current position of the Shire of Mullewa in respect to the details as sought. The information provided seems to reaffirm the need for structural change to occur. It is envisaged that similar responses would also be provided from adjoining Councils.

Time is against us, and there may be a risk that unless the Shire of Mullewa (and others) can establish and reach collective timely agreement with neighbours on a semi-formal 'communities of common

interest' alignment, there will be too much to do to achieve the 31st August deadline.

Please note that this checklist is a draft, is incomplete and will be worked on in the period leading up to the meeting day and tabled at the meeting if there are changes.

CONSULTATION:

Councillors

STATUTORY ENVIRONMENT:

Local Government Act 1995

POLICY IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL IMPLICATIONS:

There are no known financial implications at this time.

STRATEGIC IMPLICATIONS:

If the items disclosed in the accompanying Checklist become focus points for improved business performance, the Shire of Mullewa along with others, will need to make significant structural adjustment for these benchmarks to be reached. The current structure and resource capacity of the Shire of Mullewa will not allow for this to occur.

It is also arguably unreasonable for the Shire of Mullewa to establish such a structure for the population size in which Council currently serves. For example, to tick each box, the services of a qualified Engineer, Chief Financial Officer and Human Resources Manager (as a minimum) are perceived to be required. This perception may or may not be correct, however, a presumption needs to be made. There is not the size or financial capacity for these appointments to be undertaken.

Interestingly, the focus of the reform process in terms of sustainability was the direction being followed (at least theoretically) by the Mid West Regional Council. The above mentioned positions were all to be appointed as part of a voluntary rationalisation process to be undertaken by the seven participating Shires. The Minister's more recent leadership involvement has at least forced a refocus in this particular direction.

The key is to control and manage the reform process, a principle in which the Minister has supported and encouraged. To achieve an end of August 2009 deadline, the proposed Timeframe for Reform (page 5 of the Guidelines) suggests that local government must settle on a preferred amalgamation structure by April / May 2009. This deadline is critical to enable formal sustainability submissions to be prepared for final submission with the Minister by 31st August 2009.

VOTING REQUIREMENT:

Simple majority

OFFICER RECOMMENDATION

THAT THE COMPLETED LOCAL GOVERNMENT REFORM CHECKLIST IS APPROVED FOR SUBMISSION TO THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT BY NO LATER THAN 30TH APRIL 2009.

Moved:

Andrew J Messina

Seconded:

J L Freeman

COUNCIL DECISION: THAT THE COMPLETED LOCAL GOVERNMENT REFORM CHECKLIST IS APPROVED FOR SUBMISSION TO THE DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT BY NO LATER THAN 30TH APRIL 2009.

CARRIED 7/0

2:00pm – 2:02pm Cr Freeman left the meeting

2:10pm – 2:15pm Noelene Holmes, Deputy Chief Executive Officer left the meeting

10.5.3 RATIONALISATION OF RESERVES & UCL – TARDUN TOWNSITE

DATE OF MEETING: 22nd April 2009

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: February 2001

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report re-submits a proposal by the Department of Environment & Conservation (DEC) regarding the tenure of reserves and unallocated crown land in the Tardun Townsite.

BACKGROUND: The **attached** letter, map and previous correspondence have been received from the Department of Environment and Conservation.

COMMENT: As can be noted in the previous correspondence many of the issues that were raised in 2001 were addressed and are now being questioned again. Ward Councillors may wish to make comment on the current letter. It has been noted that the water pipeline and tanks have fallen into disrepair and it will need to be determined if this facility is still required.

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 THE PROPOSAL SUBMITTED BY THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REGARDING THE TENURE OF RESERVES AND UNALLOCATED CROWN LAND IN THE TARDUN TOWNSITE.

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

COUNCIL DECISION: THAT COUNCIL CONSIDER THE PROPOSAL SUBMITTED BY THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION REGARDING THE TENURE OF RESERVES AND UNALLOCATED CROWN LAND IN THE TARDUN TOWNSITE.

CARRIED 7/0

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

COUNCIL DECISION: THAT THE ITEM LAY ON THE TABLE UNTIL THE MAY MEETING.

CARRIED 7/0

0409.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil

0409.12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil

0409.13	DELEGATED AUTHORITY
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13.1	MUNICIPAL SEAL – EXERCISING DELEGATED AUTHORITY TO AFFIX
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DATE OF MEETING: 22nd April 2009

LOCATION/ADDRESS:

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 15th April 2009. Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report seeks endorsement for affixing the Municipal seal

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

Presenters Agreement between Country Arts WA and the Shire of Mullewa for the music presentation of "I've Got News for You".

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

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

- *Entering into such arrangements and the affixation of the Municipal Seal*

shall only occur where there is a time limitation that precludes authority being received from the Council, and

- *On each and every occasion where an arrangement is entered into on behalf of the Municipality and/or the Municipal Seal is affixed, the particulars of such an arrangement are to be reported to the subsequent meeting of Council.*

CONSULTATION:

STATUTORY

Local Government Act 1995

ENVIRONMENT:

POLICY

Policy No. 614 – Delegation of Authority to Affix Municipal Seal

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:

Absolute majority

OFFICER

RECOMMENDATION

THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE PRESENTERS AGREEMENT BETWEEN COUNTRY ARTS WA AND THE SHIRE OF MULLEWA BE ENDORSED.

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

COUNCIL DECISION:

THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE PRESENTERS AGREEMENT BETWEEN COUNTRY ARTS WA AND THE SHIRE OF MULLEWA BE ENDORSED.

CARRIED 7/0

0409.14	CLOSURE OF MEETING
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The President closed the meeting at 2:50pm.

These minutes were confirmed at a meeting on 20th May 2009:

Signed:

A J Messina, President

Date: