
INDEX

0210.01	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
0210.02	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
0210.03	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
0210.04	PUBLIC QUESTION TIME	2
0210.05	APPLICATIONS FOR LEAVE OF ABSENCE	3
0210.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
0210.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....	3
0210.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	3
0210.09	REPORTS OF COMMITTEES/MEMBERS	3
0210.10	REPORTS OF OFFICERS.....	3
	10.2 HEALTH, BUILDING AND TOWN PLANNING	3
	10.2.1 1 Short Street Valuation. ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 3	
	10.3 WORKS, PLANT, PARKS AND GARDENS.....	6
	10.3.1 Tenders- Effluent Sewer Line Upgrade..... ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 8	
	10.4 FINANCE AND GENERAL PURPOSE	6
	10.4.1 Mullewa Community Trust Member- Appointment Of	ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 8
	10.4.2 Finance Report- December 2009.....	9
	10.4.3 Finance Report- January 2010	10
	10.4.4 Statement of Financial Activity.....	11
	10.4.5 Accounts for Payment February 2010	ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 11
	10.4.6 Statement of Financial Activity.....	13
	10.4.7 Statement of Financial Activity.....	13
	10.4.8 Sundry Debtors- Write offs.....	14
	10.4.9 Budget Submissions 2010/2011	16
	10.4.10 Compliance Audit Return- Completion Of.....	17
	10.4.11 Mullewa Swimming Pool- Review of Entry Fee Removal	18
	10.5 CHIEF EXECUTIVE OFFICERS REPORT	19
	10.5.1 Mid West Regional Council- Future	ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 19
	10.5.2 MRWA Memorandum of Understanding.....	20
	10.5.3 Coral Coast Nomination.....	22
	10.5.2 Local Government Reform- Update.....	ERROR! BOOKMARK NOT DEFINED.ERROR! BOOKMARK NOT DEFINED. 23
	10.6 DELEGATED AUTHORITY.....	25
0210.12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	26

0210.13 CLOSURE OF MEETING..... 26

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 17th FEBRUARY 2010.**0210.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:18pm The President declared the meeting open.

0210.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

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

OFFICERS:

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

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS

Linda Wainwright 1.18 - 1.20pm

0210.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0210.04 PUBLIC QUESTION TIME

Linda Wainwright enquired on the timetable for the work to be carried out on the Mullewa-Carnarvon Road and the Mine Access Road to Mt Gibson. The President advised that the work would be carried out when the weather was suitable for resealing.

0210.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

0210.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**Moved:** *J L Freeman* **Seconded:** *A J Crudeli***COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16th DECEMBER 2009, AS PRINTED BE CONFIRMED.****CARRIED 7/0****0210.07 CONFIRMATION OF MINUTES OF ANNUAL ELECTORS MEETING****Moved:** *Andrew Messina* **Seconded:** *M D Tierney***COUNCIL DECISION: THAT THE MINUTES OF THE ANNUAL ELECTORS MEETING HELD ON 16th DECEMBER 2009, AS PRINTED BE CONFIRMED.****CARRIED 7/0****0210.08 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

0210.09 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0210.10 REPORTS OF COMMITTEES/MEMBERS

Nil

0210.11 REPORTS OF OFFICERS**10.2 HEALTH, BUILDING AND TOWN PLANNING****10.2.1 1 SHORT STREET, MULLEWA - VALUATION**DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS: 1 Short Street, Mullewa

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S &

REFERENCE:

DATE AND AUTHOR: 18th January 2010. Noelene Holmes – Deputy Chief Executive Officer

DISCLOSURE OF

INTEREST: OF Author has no disclosure of interest.

SUMMARY

Report presents valuation and information on Council owned residential property situated at 1 Short Street, Mullewa.

BACKGROUND:

In December 2009 Mr Kerry Tucker expressed an interest in purchasing his Council owned rented occupied property. A directive was given to obtain a valuation, which has now been received and is attached at **APPENDIX A**

COMMENT:

The valuation below (based on market value) and comments are supplied by Mid West Valuations;

After consideration of the location and presentation of the subject property and with regard to market conditions and comparable sales evidence it is our opinion that the property has a value range of between \$110,000 and \$140,000 with an adopted value of \$125,000

Mr Tucker has made a written offer of \$80,000.

CONSULTATION:

STATUTORY

ENVIRONMENT:

Local Government Act 1995 S3.58

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local Government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

- (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:
STRATEGIC
IMPLICATIONS:
VOTING REQUIREMENT:

There are no known policy implications at this time.

Cost of Valuation: \$615

There are no known strategic implications at this time.

OFFICER
RECOMMENDATION

Simple majority

THAT;

- A) COUNCIL CONSIDER WHETHER OR NOT TO DISPOSE OF LOT 102 (1) SHORT STREET MULLEWA; AND;
- B) THAT A SALE VALUE OF LOT 102 (1) SHORT STREET, MULLEWA BE DETERMINED; AND
- C) THAT THE CEO BE AUTHORISED TO COMMENCE NEGOTIATIONS WITH MR KERRY TUCKER FOR THE PURCHASE OF LOT 102 (1) SHORT STREET, MULLEWA; AND
- D) THAT THE RELEVANT ADVERTISING BE INSTIGATED AS PER THE LOCAL GOVERNMENT ACT 1995

Moved:

Andrew J Messina

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT;

- A) COUNCIL DISPOSE OF LOT 102 (1) SHORT STREET MULLEWA; AND;
- B) THAT A SALE VALUE OF LOT 102 (1) SHORT STREET, MULLEWA BE \$125,000; AND
- C) THAT THE CEO BE AUTHORISED TO COMMENCE NEGOTIATIONS WITH MR KERRY TUCKER FOR THE PURCHASE OF LOT 102 (1) SHORT STREET, MULLEWA; AND
- D) THAT THE RELEVANT ADVERTISING BE INSTIGATED AS PER THE LOCAL GOVERNMENT ACT 1995

CARRIED 6/1

10.3 WORKS, PLANT, PARKS AND GARDENS

10.3.1 TENDERS – EFFLUENT SEWER LINE UPGRADE

DATE OF MEETING:	17 th February 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	111
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 th February 2010. Tom Hartman Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report raises matter for Council to consider the tenders for the upgrade of the existing sewer line.
BACKGROUND:	Council has allocated funds from the first round of the Royalties for Regions program to commence the upgrade of the waste water effluent scheme. An estimate was obtained for the work on the gravity line from Birdwood Street to the oxidation pond near Warren road, as shown on the attached drawing. This estimate indicated that due to the cost, (over \$100,000) tenders need to be invited. Due to the time constraints to have this project implemented, tenders were advertised and will close at 4.00 pm on Wednesday, February, 17, 2010 (Councils meeting day).
COMMENT:	In September, 2009, council engaged GHD to carry out a study to assess the viability of establishing an effluent reuse scheme. The GHD report was received late December 2009, which provided two options. The report found that the reuse scheme was estimated to cost \$1,500,000 and to upgrade the existing to cost \$300,000. A copy of the GHD report will be tabled at the meeting. Obviously the cost of reuse is beyond Councils resources. Also, owing to the proposed cost to upgrade the system, a staged program will be required. The first stage will involve the upgrading of the gravity line from manhole A to the oxidation pond as shown on the attached drawing. For reasons stated above, the tenders will close on the meeting day and time will not be available for a detailed assessment of the tenders. Under the Local Government Act, Council can delegate to the Chief Executive Officer the power to accept a tender which does not exceed an amount that is determined by the Local Government, Section 5.43 (b).
CONSULTATION:	President Local plumbers
STATUTORY ENVIRONMENT:	Local Government (Functions & General) Regulations. Local Government Act.

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be

general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended by No. 1 of 1998 s. 13.]

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:

There are no known policy implications at this time.

Council has allocated \$140,516 in the 2009/2010 budget for this upgrading work.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Absolute majority

OFFICER
RECOMMENDATION

THAT COUNCIL DELEGATE THE POWER TO THE CHIEF EXECUTIVE OFFICER TO ACCEPT THE MOST ADVANTAGEOUS TENDER FOR THE UPGRADING OF THE EFFLUENT SEWER LINE AS PER THE TENDER DOCUMENTS WITHIN THE BUDGET ESTIMATE OF \$140,516.

Moved:

J L Freeman

Seconded:

K P Keeffe

COUNCIL DECISION: THAT COUNCIL DELEGATE THE POWER TO THE CHIEF EXECUTIVE OFFICER TO ACCEPT THE MOST ADVANTAGEOUS TENDER FOR THE UPGRADING OF THE EFFLUENT SEWER LINE AS PER THE TENDER DOCUMENTS WITHIN THE BUDGET ESTIMATE OF \$140,516.

CARRIED BY ABSOLUTE MAJORITY 7/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 **MULLEWA COMMUNITY TRUST MEMBER – APPOINTMENT OF**

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT:

FILE REFERENCE: ADM0061

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 18th January 2010. Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report submits applications for community member on the Mullewa Community Trust for Council appointment.

BACKGROUND: In accordance with the Mullewa Community Trust Criteria a committee was established which is empowered to recommend to Council expenditure of funds from the Structural Adjustment Fund. The Committee consists of the Shire President, a representative from Mt Gibson Iron and a community member.

The term for the community member (Mrs Judy Critch) has now expired and applications were called from within the community from those persons willing to nominate as a community member on the Trust. Advertising requesting nominations were placed in the Mullewa Mail, distributed through post boxes and on local notice boards.

Applications closed at 4pm on February 10th and 1 nomination has been received.

COMMENT: Attached at **APPENDIX A** is the nomination form from:

Mrs Judith Critch

The Council has not set any criteria under which it would determine the worthiness of any particular nomination and may be guided by consideration of the applicants' general ability to contribute to the community. Mrs Critch is the current member and it is suggested that she be re-appointed.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act 1995
Mullewa Community Trust Criteria

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

IMPLICATIONS:
FINANCIAL IMPLICATIONS: The Mullewa Community Trust Committee recommends expenditure of Mullewa Community Trust funds to the Mullewa Shire Council.

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

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION
THAT COUNCIL APPOINTS MRS JUDITH CRITCH AS THE COMMUNITY MEMBER TO SERVE ON THE MULLEWA COMMUNITY TRUST FOR THE NEXT TWO YEARS, TERM EXPIRING IN LINE WITH LOCAL GOVERNMENT ELECTIONS IN 2011.

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

COUNCIL DECISION:
THAT COUNCIL APPOINTS MRS JUDITH CRITCH AS THE COMMUNITY MEMBER TO SERVE ON THE MULLEWA COMMUNITY TRUST FOR THE NEXT TWO YEARS, TERM EXPIRING IN LINE WITH LOCAL GOVERNMENT ELECTIONS IN 2011.

CARRIED 7/0

10.4.2 FINANCE REPORT – DECEMBER 2009

DATE OF MEETING: 17th February 2010
LOCATION/ADDRESS: -
NAME OF APPLICANT: -
FILE REFERENCE: -
PREVIOUS MINUTE/S & REFERENCE: -
DATE AND AUTHOR: 5th January 2010. Noelene Holmes, Deputy Chief Executive Officer

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

Report presents a bank reconciliation of Councils bank accounts.

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

COMMENT: **BANK RECONCILIATION**
The Bank Reconciliation for the month of December 2009 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.

IMPLICATIONS:

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST DECEMBER 2009 BE RECEIVED.

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

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

CARRIED 7/0

10.4.3 FINANCE REPORT – JANUARY 2010

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 10th February 2010. Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

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

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

COMMENT: **BANK RECONCILIATION**
The Bank Reconciliation for the month of January 2010 is attached at **APPENDIX C**. 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 31ST JANUARY 2010 BE RECEIVED.

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

COUNCIL DECISION: THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST JANUARY 2010 BE RECEIVED.

CARRIED 7/0

10.4.4 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING: 16th December 2009
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
 SUMMARY
 BACKGROUND: Financial Management Regulation 34 requires a Local Government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.

COMMENT: Attached at **APPENDIX D** is the Statement of Financial Activity for November 2009.

CONSULTATION:
 STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
 POLICY IMPLICATIONS: There are no known policy implications at this time.
 FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
 STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF NOVEMBER 2009 BE RECEIVED.

Moved: *A J Crudeli* **Seconded:** *M D Tierney*

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

CARRIED 7/0

10.4.5 ACCOUNTS FOR PAYMENT FEBRUARY 2010

DATE OF MEETING: 17th February 2010
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: 10TH February 2010. Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: SUMMARY
 OF Author has no disclosure of interest.
 The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.

BACKGROUND: Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.

COMMENT: Attached to this report at **APPENDIX D** is a list detailing all cheques drawn and direct debits since the last Council meeting.

The summary of the schedule of accounts to be passed for payment totalling \$ 498,351.99 covers the following:

<u>Municipal Account</u>		
Cheque No.	10344 - 10393	\$ 88,809.04
Electronic Fund Trans	5588 - 5729	\$ 261,865.61
Payroll & Fees	VARIOUS	\$ 145,410.03
<u>Trust Account</u>		
Cheque No.	410 - 417	\$ 915.00
	Total:	\$ 498,351.99

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	10344 – 10393	\$88,809.04
Electronic Fund Trans	5588 – 5729	\$261,865.61
Payroll & Fees	VARIOUS	\$145,410.03
<u>Trust Account</u>		
Cheque No.	410 – 417	\$915.00
	Total:	\$498,351.99

Moved: A J Crudeli **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	10344 – 10393	\$88,809.04
Electronic Fund Trans	5588 – 5729	\$261,865.61
Payroll & Fees	VARIOUS	\$145,410.03

Trust Account
Cheque No.

410 – 417

\$915.00

Total:**\$498,351.99****CARRIED 7/0**

10.4.6 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING:	17 TH February 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	12 th January 2010. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	OF Author has no disclosure of interest.
SUMMARY	
BACKGROUND:	Financial Management Regulation 34 requires a Local Government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.
COMMENT:	Attached at APPENDIX E is the Statement of Financial Activity for December 2009.
CONSULTATION:	
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF DECEMBER 2009 BE RECEIVED.
Moved:	<i>M D Tierney</i>
Seconded:	<i>B I N Thomas</i>
COUNCIL DECISION:	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF DECEMBER 2009 BE RECEIVED.
	CARRIED 7/0

10.4.7 STATEMENT OF FINANCIAL ACTIVITY

DATE OF MEETING:	17 TH February 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	12 th January 2010. Noelene Holmes, Deputy Chief Executive Officer

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

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 F** is the Statement of Financial Activity for January 2010.

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF JANUARY 2010 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF JANUARY 2010 BE RECEIVED.**

CARRIED 7/0

10.4.8 SUNDRY DEBTORS – WRITE OFFS

DATE OF MEETING: 17TH February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: DATE AND AUTHOR: 21st January 2010. Noelene Holmes, Deputy Chief Executive Officer

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

BACKGROUND: This report submits to Council a schedule of various debtor accounts to obtain approval to write off debts to the value of \$931.45

The sundry debtors listed below at **APPENDIX G** have been handled by Councils debt collector over the past few years. The majority of the original debts and some debt collections costs have been recovered in the process.

Most of the outstanding amounts are commission charges from the collection of money. Unlike a rate debt, the debt cannot be applied to property, therefore remains a cost to the Council if not recovered.

COMMENT:

Removing these debts would give a more realistic amount of sundry debtors outstanding. Council has the power under section 612(1)(c) to write off debts.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 6.12(1)(c)

POLICY IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL IMPLICATIONS:

Write Off's will have a negative effect on Council's income

STRATEGIC IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Absolute Majority

OFFICER

RECOMMENDATION:

THAT COUNCIL RESOLVE TO WRITE OFF THE VARIOUS SUNDRY DEBTORS AS DETAILED IN THE ATTACHED LIST TOTALLING \$931.45

Moved:

J L Freeman

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT COUNCIL RESOLVE TO WRITE OFF THE VARIOUS SUNDRY DEBTORS AS DETAILED IN THE ATTACHED LIST TOTALLING \$931.45

CARRIED BY ABSOLUTE MAJORITY 7/0

Date	Name	Invoice	Amount	Description	Reason for Write Off
04.05.07	Andrea Barlow	7060	120.35	Library Books	Unable to locate Debtor
31.08.07	Andrea Barlow	7173	30.08	GST on Invoice 7173	" "
24.01.08	Charles Comeagain Jr	7274	24.21	Telephone Costs	Unsuccessful collection
26.02.08	Charles Comeagain Jr	7293	47.01	Telephone Costs	" "
17.02.09	Charles Comeagain Jr	7569	17.80	Debt Collection Costs	" "
10.03.09	Percy Lawson	7587	7.24	Debt Collection Fees - Feb 2009	Original debt 2003. Debt
05.02.09	Percy Lawson	7559	13.20	Debt Collection Fees - Jan 2009	Collector advises no longer
12.01.09	Percy Lawson	7546	6.60	Debt Collection Fees- Dec 2008	paying instalments.
12.12.08	Percy Lawson	7528	13.20	Debt Collection Fees- Nov 2008	
17.11.08	Percy Lawson	7502	19.80	Debt Collection Fees - Oct 2008	
17.11.08	Percy Lawson	7503	13.20	Debt Collection Fees - Sept 2008	
09.09.08	Percy Lawson	7458	13.20	Debt Collection Fees - Aug 2008	
07.08.08	Percy Lawson	7419	13.20	Debt Collection Fees July 2008	
21.07.08	Percy Lawson	7397	13.20	Debt Collection Fees - Jun 2008	
24.06.08	Percy Lawson	7366	17.82	Debt Collection Fees - May 2008	
23.05.08	Percy Lawson	7343	17.82	Debt Collection Charges - April 2008 Debt Collection Charges - March 2008	
17.03.08	Percy Lawson	7307	47.52	Debt Collection Fees - Nov 2007 Debt Collection Fees - Oct 2007 Debt Collection Fees - Sept 2007 Debt Collection Fees - Aug 2007	
12.03.08	Percy Lawson	7304	11.88	Debt Collection Feb 2008	
06.02.08	Percy Lawson	7289	11.88	Debt Collection - Jan 2008	
10.01.08	Percy Lawson	7253	11.88	Debt Collection - Dec 2007	
07.05.07	Percy Lawson	7064	10.80	Debt Collection Costs - April 07	
04.04.07	Percy Lawson	7039	10.80	Debt Collection March 07	
08.03.07	Percy Lawson	7006	10.80	Debt Collection Cost - Jan 07	
28.02.07	Percy Lawson	7002	10.80	Debt Collection Cost Feb 07	
05.01.07	Percy Lawson	6928	11.88	Debt Collection Cost - Dec 06	
12.12.06	Percy Lawson	6924	31.68	Debt Collection Costs - Oct 2006	
13.10.06	Percy Lawson	6873	28.54	Debt Collection Costs 30.09.06	
24.06.08	Christine Collard	7365	16.50	Debt Collection Costs	Insignificant amount

21.07.08	Christine Collard	7396	11.00	Debt Collection Costs	
07.08.08	Christine Collard	7418	11.00	Debt Collection Costs	
09.09.08	Christine Collard	7457	2.75	Debt Collection Costs	
07.08.06	Rae Collard	6800	11.00	Debt Collection Costs	Insignificant amount
05.09.06	Rae Collard	6852	10.82	Debt Collection Costs	
24.06.08	Rae Collard	7363	27.50	Debt Collection Costs	
12.12.08	Nicholas J Miles	7527	160.00	Cost of Detailing MW5051	Invoice raised in error
02.03.08	Patrick Papertalk	7303	18.87	Debt Collection Costs	Insignificant amount
07.08.08	Jenny Ryan	7420	13.75	Debt Collection Costs	Insignificant amount
21.07.08	Jenny Ryan	7398	13.75	Debt Collection Costs	
24.06.08	Jenny Ryan	7364	20.62	Debt Collection Costs	
23.05.08	Jenny Ryan	7342	20.62	Debt Collection Costs	
17.03.08	Jenny Ryan	7308	6.88	Debt Collection Costs	
		TOTAL	931.45		

10.4.9 BUDGET SUBMISSIONS 2010/2011 – REQUEST FOR SUBMISSIONS

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S &

REFERENCE:

DATE AND AUTHOR: 27th January 2010 – Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report advises of the requirement to submit projects for consideration in the forthcoming 2010/2011 budget

BACKGROUND: In accordance with Council's Policy No. 502 - All projects which Councillors wish to be considered in the budget deliberations should be submitted to the Chief Executive Officer by April 1.

COMMENT: Submissions should include supporting documents and detail costs to enable staff to use the information to support the projects' inclusion in the draft budget.

CONSULTATION:

STATUTORY ENVIRONMENT: Local Government Act 1995

POLICY IMPLICATIONS: Council Policy 502 Budget Preparation

FINANCIAL IMPLICATIONS: Assist with preparation of 2010/2011 Budget

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL NOTE THE CONTENTS OF THIS REPORT AND THAT SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE 2010/2011 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 1 APRIL 2010.

Moved: *B I N Thomas*

Seconded: *Andrew J Messina*

COUNCIL DECISION: THAT SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE 2010/2011 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 1 APRIL 2010.

CARRIED 7/0

10.4.10 COMPLIANCE AUDIT RETURN – COMPLETION OF

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: ADM0069

PREVIOUS MINUTE/S & REFERENCE: The Department of Local Government and Regional Development requires local governments to determine the level of compliance with the Local Government Act and associated Regulations by completing a "Compliance Audit Return"

DATE AND AUTHOR: The Compliance Audit Return is to be

- Presented to Council at a meeting of the Council;
- Adopted by the Council; and
- Recorded in the minutes of the meeting in which it is adopted.

DISCLOSURE OF INTEREST: A certified copy of the report and the relevant copy of the minutes must be submitted to the Director General of the Department of Local Government and Regional Development by 31 March 2009.

SUMMARY BACKGROUND: Report presents the Compliance Audit Return for adoption by Council. The completion of the Compliance Audit Return is mandatory and acts as a form of self-regulation, it is intended to seek compliance from local government and should serve as a checklist to remind employees and Councillors of their statutory obligations.

COMMENT: The Compliance Audit for the period 1 January to 31 December 2009 was sent out under separate cover.

CONSULTATION: CEO
STATUTORY ENVIRONMENT: The provision of a Compliance Audit Return is in accordance with the 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: There are no known strategic implications at this time.

VOTING REQUIREMENT: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION: THAT THE COMPLIANCE AUDIT RETURN BE ADOPTED AS THE OFFICIAL RETURN FOR THE SHIRE OF MULLEWA FOR THE PERIOD 1 JANUARY TO 31 DECEMBER 2009 AND BE DULY

CERTIFIED BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER AS TRUE AND CORRECT, TO THE BEST OF THEIR KNOWLEDGE.

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

COUNCIL DECISION: **THAT THE COMPLIANCE AUDIT RETURN BE ADOPTED AS THE OFFICIAL RETURN FOR THE SHIRE OF MULLEWA FOR THE PERIOD 1 JANUARY TO 31 DECEMBER 2009 AND BE DULY CERTIFIED BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER AS TRUE AND CORRECT, TO THE BEST OF THEIR KNOWLEDGE.**

CARRIED BY ABSOLUTE MAJORITY 7/0

10.4.11 MULLEWA SWIMMING POOL – REVIEW OF ENTRY FEE REMOVAL
--

DATE OF MEETING: 17 February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 609.01

PREVIOUS MINUTE/S & REFERENCE: 20 December 2006, 19 September 2007, 15 October 2008, 18 February 2009

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report reviews the free entry period over the 2009/10 School holidays.

BACKGROUND: At the Ordinary meeting of Council held 19 September 2007, Council resolved to allow free entry to the Mullewa Swimming Pool for the remainder of the 2007/08 school holiday period. This allowance has continued and has been part of the post budgets.

COMMENT: The Swimming Pool Manager again reports the free entry was again very successful with good numbers over the whole period and that the behaviour of the children was excellent.

There is again more positive reasons for Council to consider introducing the same concession for the next Christmas school holiday period and supervision, activities and budget adjustments should be addressed during the 2010/11 budget estimates.

CONSULTATION: Pool Manager

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

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

FINANCIAL IMPLICATIONS: Matter will require consideration at the 09/10 budget meeting.

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

VOTING REQUIREMENT: Simple Majority

OFFICER RECOMMENDATION THAT COUNCIL CONSIDER FREE ENTRY INTO THE MULLEWA SWIMMING POOL DURING THE 2010/2011 CHRISTMAS SCHOOL HOLIDAY PERIOD AND CONSIDER THE MATTER DURING THE 2010/2011 BUDGET DELIBERATIONS.

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

COUNCIL DECISION: **THAT COUNCIL CONSIDERS FREE ENTRY INTO THE MULLEWA SWIMMING POOL DURING THE CHRISTMAS SCHOOL HOLIDAY PERIOD BE NORMAL SWIMMING POOL OPERATING EXPENSES IN FUTURE BUDGET DELIBERATIONS.**

CARRIED 7/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 MID WEST REGIONAL COUNCIL - FUTURE

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: 18 November 2009, 16 December 2009 (attached)

DATE AND AUTHOR: 11 February 2010, Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report raises further discussion regarding the future of the Mid West Regional Council

BACKGROUND: At the February 2010 meeting of the MWRC an Elected Member item on its future was on the agenda. The resolution to the item was –

“The Mid West Regional Council elected members discuss the future and possible winding up of the MWRC by agreement of the participants effective June 30, 2010 with their Individual Councils.”

This resolution was carried 4/2.

A copy of the report is attached at **APPENDIX A.**

COMMENT: This matter has been discussed by Council previously and a copy of the minutes of the 2009 November and December meetings are also attached.

CONSULTATION:

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

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

FINANCIAL There are no known financial implications at this time.

IMPLICATIONS:

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

IMPLICATIONS:

VOTING REQUIREMENT: Simple majority

OFFICER

THAT COUNCIL DISCUSS THIS MATTER

RECOMMENDATION

Cr A J Crudeli left the meeting 2.21 – 2.22pm

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

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

CARRIED 6/0

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

COUNCIL DECISION: **THAT COUNCIL SUPPORT THE WINDING UP OF THE MID WEST REGIONAL COUNCIL BY THE AGREEMENT OF THE PARTICIPANTS EFFECTIVE JUNE 30, 2010**

LOST 2/5

Cr A J Crudeli left the meeting 2.30 - 2.32pm

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

COUNCIL DECISION: **THAT THE ITEM LAY ON THE TABLE UNTIL MARCH 2010 COUNCIL MEETING**

CARRIED 7/0

2:35pm – 3:03pm Meeting adjourned

PRESENT:

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

OFFICERS:

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

10.5.2 MRWA MEMORANDUM OF UNDERSTANDING
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DATE OF MEETING:	17 th February 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	18 th December 2009
DATE AND AUTHOR:	10 th February 2010, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	<p>Report raises the recent Mid West Regional Council resolution to</p> <p>“ a) endorse the attached Memorandum of Understanding to be forwarded to member Councils for their individual consideration and provision of authority for Presidents and Chief Executive Officers to sign and affix the common seal.</p> <p>b) In Accordance with the Memorandum of Understanding, Individual Councils be requested to provide authority to their Chief Executive Officer’s to negotiate the Services Agreement with Main Roads on behalf of their Council.</p> ”
BACKGROUND:	<p>The attached information should provide Council with the necessary background on this matter. First is the report that Council considered at its December 2009 meeting at attachment APPENDIX C. The second attachment is the report that was considered at the recent MWRC meeting in February. APPENDIX D</p> <p>The MOU is attached separately for consideration. Also attached separately is an extract from the MRWA Integrated Service Agreement RFP, specifically mentioning the involvement of MWRC participants.</p>
COMMENT:	<p>Since Councils December meeting there has been considerable progress made towards the involvement of local Government in the MRWA Integrated Services Arrangements. This has been brought about following the meeting by a delegation from the MWRC who met with the Minister for Transport in late December 2009. The Minister obviously made some very telling decisions and there has been a complete change of attitude within MRWA towards implementing an arrangement that will include Local Government.</p> <p>The first step is to form an agreement by MRWA and individual Councils through an MOU. If Councils agree to sign the MOU a system is to be set in place to workshop the development of a services agreement.</p> <p>Through the MOU agreement needs to be reached on all substantive matters of the services agreement by the 25th June, 2010 and have the services agreement finalised and executed by the 13th August, 2010.</p> <p>Council has always been a supporter of developing an arrangement with MRWA. However, the previous direction, for whatever reason, was a concern and caused Council to reconsider its involvement. As advised above, with the Ministers backing, the direction now being taken appears more promising. Council should now consider this proposal favourably.</p>

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: Absolute majority

OFFICER**RECOMMENDATION**

THAT COUNCIL ENDORSE THE ATTACHED MEMORANDUM OF UNDERSTANDING AND AUTHORISE THE PRESIDENT AND CHIEF EXECUTIVE OFFICERS TO SIGN AND AFFIX THE COMMON SEAL, AND,
IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING AUTHORISE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE THE SERVICES AGREEMENT WITH MAIN ROADS ON BEHALF OF THEIR COUNCIL.

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

COUNCIL DECISION: **THAT COUNCIL ENDORSE THE ATTACHED MEMORANDUM OF UNDERSTANDING AND AUTHORISE THE PRESIDENT AND CHIEF EXECUTIVE OFFICERS TO SIGN AND AFFIX THE COMMON SEAL, AND,
IN ACCORDANCE WITH THE MEMORANDUM OF UNDERSTANDING AUTHORISE THE CHIEF EXECUTIVE OFFICER TO NEGOTIATE THE SERVICES AGREEMENT WITH MAIN ROADS ON BEHALF OF THEIR COUNCIL.**

CARRIED BY ABSOLUT MAJORITY 7/0

10.5.3 CORAL COAST NOMINATION

DATE OF MEETING: 17 February 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -17 September 2008

DATE AND AUTHOR: 11 February 2010 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: Report calls for consideration of a nomination for Australia's Coral Coast.

BACKGROUND: The attached letter at **APPENDIX E** from the Board of Australia's Coral Coast is inviting members to consider nominating for a position on the Board.

Australia's Coral Coast is the peak tourism body responsible for branding, positioning and marketing the coastal region of Western Australia extending north from Cervantes to Exmouth and inland via the shires bordering the Midlands Road to Mullewa.

Fundamentally the role of Australia's Coral Coast as the Regional Tourism Organisation is that of "Destination Marketing". The organisation undertakes activities designed to expose the tourism product and infrastructure of the region to consumers in its identified core markets domestically and internationally.

COMMENT: The aim of the organisation is to develop and market Australia's Coral Coast as Western Australia's premier holiday destination and provide industry leadership that will accelerate the sustainable growth of tourism to the region.

The Australia's Coral Coast Board meets 6 times per year to provide strategic direction and advice to the CEO. The meetings are held in Perth and in regional centres. The organisation funds travel expenses for Board members to attend these meetings. It is a requirement that Board Members have the flexibility and availability to attend all meetings including the AGM. Occasionally Board members are required to attend regional tourism forums on behalf of Australia's Coral Coast to keep in touch with local issues and represent the Board.

As indicated in the letter, there will be two representatives from Local Government selected to join the existing six members.

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 SUBMITTING A NOMINATION FOR THE POSITION OF CENTRAL AREA SUB REGIONAL REPRESENTATIVE.

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

COUNCIL DECISION: **THAT COUNCIL DECLINED TO SUBMIT A NOMINATION FOR THE POSITION OF CENTRAL AREA SUB REGIONAL REPRESENTATIVE. CARRIED 7/0**

Cr A J Crudeli left the meeting 3:15pm

Noelene Holmes- Deputy Chief Executive Officer left the meeting 3:15 – 3:22pm

10.5.4 LOCAL GOVERNMENT REFORM - UPDATE

DATE OF MEETING: 17th February 2010

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:	18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009, 19 th August 2009
DATE AND AUTHOR:	12 February 2010, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report update Council on the progress in the Local Government Reform process, and recommends supporting amendments to the MOU and the Regional Grouping.
BACKGROUND:	Council's project team, the President, Deputy President and CEO attended the first meeting of the Joint Structural Reform Transitional Arrangements Committee in Geraldton on Thursday, 11 th February 2010. The meeting was also attended by representatives from the City of Geraldton Greenough. Unfortunately representatives from the Shire of Chapman Valley could not attend.
COMMENT:	<p>The meeting was generally a meet and greet, however there was some very positive discussion regarding the way forward.</p> <p>There were two points raised at the meeting that will require Council consideration. The first is the reduction in the payments of the Country Local Government Fund and how that affects the reform process. It is estimated that the combined reduction of the group will be \$2.85m, and it was suggested that the financial assistance, requested in the MOU, be increased by the amount to \$7.85m. The second point raised was the compilation of the members of the regional grouping in the MOU. It is suggested that the group be identified as the regional group, as recently indicated in a letter from the Minister for regional Development., whereby those Councils agreeing to amalgamate also become a regional group for the purposes of the Royalties for Regions funding.</p> <p>The consensus of the meeting was for the Councils to endorse these changes to the MOU. Attached at APPENDIX F</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:	
STRATEGIC IMPLICATIONS:	
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL AGREE TO MAKE CHANGES THE REFORM MOU BY INCREASING THE FINANCIAL REQUEST FROM THE GOVERNMENT TO \$7.85M AND THAT THE REGIONAL GROUPING BE THE CITY OF GERALDTON GREENOUGH AND THE SHIRES OF MULLEWA AND CHAPMAN VALLEY.
Moved:	<i>B I N Thomas</i> Seconded: <i>K P Keeffe</i>
COUNCIL DECISION:	THAT COUNCIL AGREE TO MAKE CHANGES THE REFORM MOU BY INCREASING THE FINANCIAL REQUEST FROM THE GOVERNMENT TO \$7.85M AND THAT THE REGIONAL GROUPING

BE THE CITY OF GERALDTON GREENOUGH AND THE SHIRES OF MULLEWA AND CHAPMAN VALLEY.

CARRIED 6/0

10.6 DELEGATED AUTHORITY

13.1 MUNICIPAL SEAL – EXERCISING DELEGATED AUTHORITY TO AFFIX
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DATE OF MEETING:	17 th February 2010
LOCATION/ADDRESS:	29B Jose Street, Mullewa
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	12 th January 2010 - 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:	Council has entered into an agreement to purchase lot 29B Jose Street, Mullewa. A requirement of this transaction is to affix the Municipal Seal to Form T2 – Transfer of Land
COMMENT:	In accordance with Delegation No. 29 granted by Council at Minute No. 0607.16 the Municipal Seal was affixed as follows: 'Lease Rental Accommodation at 2/1 Burges Street, Mullewa' Council's policy on the use of the Municipal Seal is such: <i>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:</i> <ul style="list-style-type: none"> ▪ <i>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</i> ▪ <i>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.</i>
CONSULTATION:	
STATUTORY ENVIRONMENT:	Local Government Act 1995 Transfer of Land Act 1893 as amended
POLICY IMPLICATIONS:	Policy No. 614 – Delegation of Authority to Affix Municipal Seal
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority

**OFFICER
RECOMMENDATION**

THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE TRANSFER OF LAND DOCUMENT BE ENDORSED.

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

THAT THE EXERCISE OF DELEGATED AUTHORITY BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER IN AFFIXING THE MUNICIPAL SEAL TO THE TRANSFER OF LAND DOCUMENT BE ENDORSED.

CARRIED BY ABSOLUTE MAJORITY 6/0

Cr M D Tierney left the meeting 3:20pm

0210.12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Moved:*Antonino J Messina***Seconded:***B I N Thomas***COUNCIL DECISION:**

THAT THE MULLEWA BOWLING CLUB REQUEST FOR THE FREE USE OF THE RECREATION CENTRE AND SHOWERS ON SATURDAY EVENING 10 APRIL TO ACCOMMODATE VISITING BOWLERS BE INTRODUCED AS NEW BUSINESS OF AN URGENT NATURE.

CARRIED 5/0

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

THAT USE OF THE RECREATION CENTRE AND CHANGE ROOMS BY THE MULLEWA BOWLING CLUB TO ACCOMMODATE VISITING BOWLERS TO THE 'GOLDEN BOWL' ON APRIL 10 BE APPROVED SUBJECT TO THE FACILITIES BEING LEFT IN A CLEAN AND TIDY CONDITION.

CARRIED 5/0

0210.13	CLOSURE OF MEETING
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The President closed the meeting at 3:25pm.

These minutes were confirmed at a meeting on 17th March 2010:

Signed:

A J Messina, President

Date:

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