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**MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16<sup>th</sup> MARCH 2011.****0311.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1.10 pm The President declared the meeting open.

**0311.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE****PRESENT:**

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

**OFFICERS:**

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

**APOLOGIES:**

Nil

**LEAVE OF ABSENCE:**

Councillor K P (Kim) Keeffe (South Ward)

**VISITORS:**

Nil

**0311.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**0311.04 PUBLIC QUESTION TIME**

Nil

**0311.05 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

<b>0311.06</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>
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**Moved:** *B I N Thomas*

**Seconded:** *J L Freeman*

**COUNCIL DECISION:** **THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16<sup>th</sup> FEBRUARY 2011, AS PRINTED BE CONFIRMED.**

**CARRIED 6/0**

<b>0311.07</b>	<b>ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION</b>
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Nil

<b>0311.08</b>	<b>PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS</b>
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Nil

<b>0311.09</b>	<b>REPORTS OF COMMITTEES/MEMBERS</b>
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Nil

<b>0311.10</b>	<b>REPORTS OF OFFICERS</b>
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## 10.2 HEALTH, BUILDING AND TOWN PLANNING

<b>10.2.1</b>	<b>FINAL ADOPTION OF THE SHIRE OF MULLEWA LOCAL PLANNING STRATEGY AND LOCAL PLANNING SCHEME NO. 2 (DISTRICT SCHEME)</b>
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DATE OF MEETING: 16<sup>TH</sup> March 2011  
 LOCATION/ADDRESS: Shire of Mullewa  
 NAME OF APPLICANT: Shire of Mullewa  
 FILE REFERENCE: 513.03  
 PREVIOUS MINUTE/S & REFERENCE: 26 March 2008, 19 May 2010  
 DATE AND AUTHOR: 08 March 2011 – Murray Connell Manager Town Planning Services, City of Geraldton-Greenough

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: The advertising period has concluded for the Draft Local Planning Strategy and new Local Planning Scheme No. 2 (District Scheme) that covers the Shire of Mullewa local government area.

This report recommends that Council adopt for final approval the Shire of Mullewa Local Planning Strategy and Local Planning Scheme No. 2

(District Scheme), subject to modifications arising from the advertising period and seek final approval from the Minister for Planning.

**BACKGROUND:**

Local governments are required by legislation to review town planning schemes every 5 years which includes the preparation of a local planning strategy.

The Shire of Mullewa identified the need to prepare a new local planning scheme as part of their Principle Activity Plan. Preparation of the local planning strategy involved data collection; review and issues identification; analysis of state, regional and local plans/policies.

Workshops were held with Councillors during April 2006 to identify planning issues and consider the future direction of the Shire. During May 2006 consultation occurred with stakeholders and community members, including advertising Council's intention to prepare a local planning strategy.

Council at its meeting held on 26 March 2008 resolved to adopt the draft Shire of Mullewa Town Planning Scheme No. 2 (District Scheme) and Local Planning Strategy and further to seek consent to advertise the Scheme and Strategy from the Minister for Planning.

On 30 April 2010 the WA Planning Commission advised that the Minister for Planning had granted consent to advertise the Scheme and Strategy, subject to modifications.

Council at its meeting held on 19 May 2010 resolved to note the contents of the WA Planning Commission letter and make the necessary modifications.

**COMMENT:**

Scheme No. 2 has been set out in accordance with the WA Planning Commission's Model Scheme Text format to ensure its relevance and provide it with the currently accepted legal basis.

Additionally staff from the City of Geraldton-Greenough have analysed the Scheme and recommended changes that will ensure Scheme No. 2 and the City of Geraldton-Greenough Local Planning Scheme No. 5 (Greenough) are consistent. This is especially advantageous with the current merger of the local governments pending.

**CONSULTATION:**

In addition to the consultation in 2006 (see Background section of this Report), the Local Planning Strategy and Scheme No. 2 were publicly advertised in accordance with the provisions of Part 5 of the Planning and Development Act 2005 and Section 15 of the Town Planning Regulations 1967.

The advertising period was for 94 days (commencing on 30 July 2010 and concluding 01 November 2010) and involved the following:

1. A notice appeared in the Government Gazette on Friday, 30 July 2010;
2. A notice appeared in the Mullewa Mail on 30 July 2010;
3. A Copy of the Local Planning Strategy and Scheme No. 2 was available at the Shire Offices;

4. The Draft Scheme was referred to the following:
- Department of Agriculture and Food
  - Department of Education and Training
  - Department of Environment and Conservation
  - Department of Health
  - Department of Housing
  - Department of Mines and Petroleum
  - Department of Regional Development and Lands
  - Department of Water
  - Fire and Emergency Services Authority of WA
  - Heritage Council of Western Australia
  - Landcorp
  - Main Roads WA
  - Midwest Development Commission
  - Public Transport Authority
  - Tourism WA
  - Water Corporation
  - Western Power
  - Department of Indigenous Affairs

As a result 8 submissions were received (all with no objections). A 'Schedule of Submissions' is included as **Appendix A** and copies of the actual submissions will be tabled at the meeting.

STATUTORY  
ENVIRONMENT:

Part 5 of the Planning and Development Act 205 provides for the preparation of a Local Planning Scheme and Regulation 12A of the Town Planning Regulations 1967 provides for the preparation of a Local Planning Scheme.

The EPA advised on 07 August 2009 that Scheme No. 2 should not be assessed under Part IV of the Environmental Protection Act 1986.

POLICY  
IMPLICATIONS:  
FINANCIAL  
IMPLICATIONS:

There are no known policy implications at this time.

Upon final approval the Scheme and Strategy it is a requirement that they be published in the Government Gazette. This cost is estimated at approximately \$5,000.

STRATEGIC  
IMPLICATIONS:

The Local Planning Strategy will sets out the long-term direction for the Shire; applies State and regional policies; and provides the rationale for the zones and other provisions of the Local Planning Scheme.

The Local Planning Scheme sets out the planning aims and intentions for the municipality and will be the basis for processing and assessing all future developments.

VOTING REQUIREMENT:

Simple majority

OFFICER  
RECOMMENDATION

THAT COUNCIL:

1. PURSUANT TO REGULATION 17 OF THE TOWN PLANNING REGULATIONS 1967 DETERMINE THE SUBMISSIONS AS OUTLINED IN APPENDIX A 'SCHEDULE OF SUBMISSIONS';
2. PURSUANT TO PART 5 OF THE PLANNING AND DEVELOPMENT ACT 2005 AND REGULATION 12B OF THE TOWN PLANNING REGULATIONS 1967, ADOPT FOR FINAL APPROVAL THE SHIRE OF MULLEWA LOCAL PLANNING STRATEGY AND THE LOCAL PLANNING SCHEME NO. 2 (DISTRICT SCHEME) SUBJECT TO MODIFICATIONS OUTLINED IN APPENDIX A 'SCHEDULE OF SUBMISSIONS'; AND
3. FORWARD THE SHIRE OF MULLEWA LOCAL PLANNING STRATEGY AND THE LOCAL PLANNING SCHEME NO. 2 (DISTRICT SCHEME) TO THE MINISTER FOR PLANNING FOR FINAL APPROVAL.

**Moved:**

*J L Freeman*

**Seconded:**

*M D Tierney*

COUNCIL DECISION:

THAT COUNCIL:

(A)

1. PURSUANT TO REGULATION 17 OF THE TOWN PLANNING REGULATIONS 1967 DETERMINE THE SUBMISSIONS AS OUTLINED IN APPENDIX A 'SCHEDULE OF SUBMISSIONS';
2. PURSUANT TO PART 5 OF THE PLANNING AND DEVELOPMENT ACT 2005 AND REGULATION 12B OF THE TOWN PLANNING REGULATIONS 1967, ADOPT FOR FINAL APPROVAL THE SHIRE OF MULLEWA LOCAL PLANNING STRATEGY AND THE LOCAL PLANNING SCHEME NO. 2 (DISTRICT SCHEME) SUBJECT TO MODIFICATIONS OUTLINED IN APPENDIX A 'SCHEDULE OF SUBMISSIONS'; AND
3. FORWARD THE SHIRE OF MULLEWA LOCAL PLANNING STRATEGY AND THE LOCAL PLANNING SCHEME NO. 2 (DISTRICT SCHEME) TO THE MINISTER FOR PLANNING FOR FINAL APPROVAL.

(B)

THE ABOVE DECISION IS SUBJECT TO THE CLARIFICATION BY THE CHIEF EXECUTIVE OFFICER OF SOME OF THE POINTS RAISED IN SUBMISSION NO. 9.

**CARRIED 6/0**

<b>10.2.2</b> SUBDIVISION APPLICATION – LOT 10195 MULLEWA
-----------------------------------------------------------

DATE OF MEETING:

16<sup>TH</sup> March 2011

- LOCATION/ADDRESS: Lot 10195 Casuarinas Road, West Casuarinas, Mullewa
- NAME OF APPLICANT: Derek Joseph Levett, Sheryl Dianne Levett
- FILE REFERENCE:
- PREVIOUS MINUTE/S & REFERENCE: -
- DATE AND AUTHOR: 10 March 2011 – Tom Hartman, Chief Executive Officer
- DISCLOSURE OF INTEREST: OF The Author has no Disclosure of Interest.
- SUMMARY
- BACKGROUND: Correspondence has been received from the Western Australian Planning Commission in which it advises that it has received an application from Hille, Thompson & Delfos to undertake the subdivision of Lot 10195 Casuarinas Road, Mullewa.
- The application received is attached at **APPENDIX B** and as can be noted the proposal is to subdivide rural Lot 10195 into two lots for the purpose of making lot 1 available for neighbouring rural owners to purchase.
- COMMENT: At this stage the WA Planning Commission are asking Council to provide any information, comment or recommended conditions pertinent to the application.
- CONSULTATION: Regional Office
- STATUTORY ENVIRONMENT: Town Planning Development Act 1929 and Western Australian Planning Commission Development Control 3.4.
- POLICY IMPLICATIONS: There are no known financial implications at this time.
- FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
- STRATEGIC IMPLICATIONS: There are no known financial implications at this time.
- VOTING REQUIREMENT: Simple
- OFFICER RECOMMENDATION: THAT COUNCIL CONSIDER THIS PROPOSAL AND MAKE COMMENT AS NECESSARY.
- Moved:** *Andrew Messina*                      **Seconded:** *A J Crudeli*
- COUNCIL DECISION:** **THAT COUNCIL CONSIDER THIS PROPOSAL AND MAKE COMMENT AS NECESSARY.**
- CARRIED 6/0**
- Moved:** *A J Crudeli*                      **Seconded:** *Andrew Messina*
- COUNCIL DECISION:** **THAT COUNCIL RECOMMENDS TO THE WA PLANNING COMMISSION THAT PROGRESS BE MADE TO AMALGAMATE WITH THE NEIGHBOURING TITLE.**
- CARRIED 6/0**

<b>10.2.3</b> AMALGAMATION APPLICATION – LOT 59 MULLEWA
---------------------------------------------------------

DATE OF MEETING:	16 <sup>TH</sup> March 2011
LOCATION/ADDRESS:	Lot 59 Carson Street, Mullewa
NAME OF APPLICANT:	Graham Crabb
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 March 2011 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	OF The Author has no Disclosure of Interest.
SUMMARY BACKGROUND:	Correspondence has been received from the Department of Regional Development and Lands advising that it has received an application from Graham Crabb to amalgamate Lot 59 into adjoining Lot 60, Mullewa.  The letter received is attached at <b>APPENDIX C</b> .
COMMENT:	At this stage the Department are asking Council to provide any comment in relation to the proposal.
CONSULTATION: STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known financial implications at this time.
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.
STRATEGIC IMPLICATIONS:	There are no known financial implications at this time.
VOTING REQUIREMENT:	Simple
OFFICER RECOMMENDATION	<b>THAT COUNCIL CONSIDER THIS PROPOSAL AND MAKE COMMENT AS NECESSARY.</b>
<b>Moved:</b>	<i>M D Tierney</i>
<b>Seconded:</b>	<i>B I N Thomas</i>
COUNCIL DECISION:	<b>THAT COUNCIL CONSIDER THIS PROPOSAL AND RAISES NO OBJECTIONS.</b>
	<b>CARRIED 6/0</b>

### 10.3 WORKS, PLANT, PARKS AND GARDENS

<b>10.3.1</b> SALE OF SURPLUS ITEM – TRUCK BODY
-------------------------------------------------

DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-

NAME OF APPLICANT: -  
 FILE REFERENCE: 111  
 PREVIOUS MINUTE/S & REFERENCE: -  
 DATE AND AUTHOR: 10 March 2011 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.  
 SUMMARY: Report raises matter for Council to consider the sale of an 8m<sup>3</sup> truck body and recommends an invitation to tender be advertised.

BACKGROUND: Council has an 11m<sup>3</sup> truck body stored in the depot and has received interest as to its likely sale. This body has not been used for a number of years and is surplus to Councils existing needs.

COMMENT: This item is surplus to Council needs and it is suggested that it be advertised for sale as is where is. Council can determine whether it wishes to sell the body following the consideration of any offers.

CONSULTATION: Work Supervisor.

STATUTORY ENVIRONMENT: There are no known statutory implications at this time.  
 POLICY IMPLICATIONS: There are no known policy implications at this time.  
 FINANCIAL IMPLICATIONS: 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 ADVERTISE THE 11M<sup>3</sup> TRUCK BODY FOR SALE.

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

**COUNCIL DECISION: THAT COUNCIL ADVERTISE THE 11M<sup>3</sup> TRUCK BODY FOR SALE.**

**CARRIED 6/0**

<b>10.3.2</b>	<b>EXISTING JD GRADER</b>
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DATE OF MEETING: 16<sup>TH</sup> March 2011  
 LOCATION/ADDRESS: -  
 NAME OF APPLICANT: -  
 FILE REFERENCE: 111  
 PREVIOUS MINUTE/S & REFERENCE: -  
 DATE AND AUTHOR: 10 March 2011 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.  
 SUMMARY: Report raises matter for Council to invite tenders/quotes for the supply of a Grader in the 120–150Kw and recommends an invitation to tender/quote be advertised.

BACKGROUND: Council will consider funds in the 2011/2012 budget for the supply of Grader to replace the existing John Deere grader.

COMMENT: There is a need to replace the existing John Deere grader as soon as possible due to its deteriorating condition. This machine has done over 10,000 hours and is showing signs that major work may be required. It has been identified in the Plant Replacement Program to be replaced next financial year. At the time of this report quotes have also been requested through WALGA's preferred supplier service and if there is an advantage, these quotes can be accepted without the requirement to invite tenders. However, consideration may need to be given to invite tenders if the quotes are not of any benefit.

Due to the time for a replacement it is suggested that if action is implemented now the change over could occur in June with payment in July within a new financial year.

CONSULTATION: Work Supervisor.

STATUTORY ENVIRONMENT: Local Government (Functions & General) Regulations, Part 4, Division 2.  
Local Government Act Section 5.42(b)  
Local Government Act Section 5.43(1)

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

FINANCIAL IMPLICATIONS: There will need to be a budget figure for a change over of \$325,000 to be included in the 2011/2012 preliminary budget estimates for consideration.

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

VOTING REQUIREMENT: Absolute majority

OFFICER RECOMMENDATION THAT COUNCIL AUTHORISE THE CHIEF EXECUTIVE OFFICER TO OBTAIN QUOTES FROM WALGA AND DELEGATE TO THE CHIEF EXECUTIVE OFFICER THE POWER TO ACCEPT THE MOST ADVANTAGEOUS WITHIN THE PROPOSED BUDGETED AMOUNT OF \$325,000; OR,

IF QUOTES ARE NOT ADVANTAGEOUS,

THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A GRADER IN THE 120-150KW RANGE TO REPLACE THE EXISTING JOHN DEERE GRADER.

**Moved:** J L Freeman

**Seconded:** Andrew Messina

COUNCIL DECISION: **THAT COUNCIL AUTHORISE THE CHIEF EXECUTIVE OFFICER TO OBTAIN QUOTES FROM WALGA AND DELEGATE TO THE CHIEF EXECUTIVE OFFICER THE POWER TO ACCEPT THE MOST ADVANTAGEOUS WITHIN THE PROPOSED BUDGETED AMOUNT OF \$325,000; OR,**

**IF QUOTES ARE NOT ADVANTAGEOUS,**

**THAT COUNCIL INVITE TENDERS FOR THE SUPPLY OF A GRADER IN THE 120-150KW RANGE TO REPLACE THE EXISTING JOHN DEERE GRADER.**

**CARRIED 6/0****10.3.3 TENDERS – RESURFACE MULLEWA BOWLING CLUB GREEN**

DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	15 <sup>th</sup> December 2010, 16 <sup>th</sup> February 2011
DATE AND AUTHOR:	11 <sup>th</sup> March 2011. Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	OF Author has no disclosure of interest.
SUMMARY	Tenders were invited for the re-surfacing of the Mullewa Bowling Green and at the close of the Tender period three (3) Tenders were received.
BACKGROUND:	Due to the deteriorating surface and the threat from competing teams withdrawing from playing in Mullewa, it was considered important that the timing needs to have the work undertaken following the bowling season end April/May 2011.
COMMENT:	<p>Tenders were invited to remove the existing surface, carry out surface corrections and lay a new surface at the Mullewa Bowling Green. Tender closed Thursday, 10<sup>th</sup> March, 2011 and at the close of the tender, 3 tenders were received. From –</p> <p>Tiger Turf (2) - \$105,617 + GST;  Evergreen Synthetic Grass (2) - \$100,534.50 (15mm) &amp; \$111,484.50 (12mm) + GST;  Geraldton Turf Farm - \$97,152 + GST.</p> <p>References for all tenders will be checked to ensure they are all capable of carrying out this work. Tenders will be evaluated on a number of factors and will need further discussion and assessment at the meeting to allow Council to decide on which tender to accept. A written evaluation will be tabled at the meeting to assist in this process. In the meantime there is some clarification of information to be requested from the tenders.</p> <p>The budget estimate was \$140,175 and the budget review has indicated that an allowance for this work be increased to \$150,000. This funding should remain due to the uncertainty of any remedial work to the sub-base if it is found to be structurally deficient.</p> <p>As previously discussed the Mullewa Bowling Club will need to contribute towards this cost and a contribution could also come from the Mullewa Sports Club.</p> <p>It is suggested that Council may wish to consider a delegation be selected to meet with the Bowling Club and discuss the surface material and any other matters and be given the authority to negotiate variations within the budgeted figure.</p>

CONSULTATION:	Bowling Club President Councillors Suppliers.
STATUTORY ENVIRONMENT: POLICY IMPLICATIONS: FINANCIAL IMPLICATIONS:	Local Government (Functions & General) Regulations.  There are no known policy implications at this time.  An estimate used for funding purposes is \$140,175.  Based upon the above estimates, the Mullewa Bowling Club has made application to the Mullewa Community Trust for \$20,000 and still contribute their \$10,000. The Mullewa Sports Club will also be contributing \$6,409. The Bowling Club President has advised that the Club will contribute more funding through sponsorship if required.
STRATEGIC IMPLICATIONS:	The Mullewa Bowling Club is the most regionally significant sporting organisation following the Mullewa Football Club and would justify assistance. The green is also used regularly for social events and is a very important facility incorporated with the Mullewa Sports Club.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL RECEIVE THE TENDERS SUBMITTED FROM TIGER TURF (2), EVERGREEN SYNTHETIC GRASS (2) AND GERALDTON TURF FARM AND FURTHER CONSIDER AT THE MEETING WHICH TENDER TO ACCEPT FOR THE SUB-BASE CORRECTION AND RESURFACING OF THE MULLEWA BOWLING GREEN.

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

**COUNCIL DECISION:**      **THAT COUNCIL RECEIVE THE TENDERS SUBMITTED FROM TIGER TURF (2), EVERGREEN SYNTHETIC GRASS (2) AND GERALDTON TURF FARM AND;  
ACCEPT THE TENDER FROM EVERGREEN SYNTHETIC GRASS FOR \$111,484.50 (12mm) + GST FOR THE SUB-BASE CORRECTION AND RESURFACING OF THE MULLEWA BOWLING GREEN.**

**CARRIED 6/0**

Nino Messina and Andrew Messina declared a financial interest and left the meeting 2:40pm – 2:48pm.

Cr Barbara Thomas took the Chair.

<b>10.3.4</b> <b>PLANT TENDER – SIDE TIPPER</b>
-------------------------------------------------

DATE OF MEETING:      16<sup>TH</sup> March, 2011  
LOCATION/ADDRESS:  
NAME OF APPLICANT:  
FILE REFERENCE:  
PREVIOUS MINUTE/S &

REFERENCE:	
DATE AND AUTHOR:	11 March, 2011 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Tenders were invited for the replacement of Side Tipper MW2431 and at the close of the Tender period four (4) tenders were received and one (1) for outright purchase of the trade.
BACKGROUND:	Council has funds in the 2010/2011 budget for the supply of a Side Tipper to replace MW2431.
COMMENT:	<p>Tenders were invited to supply a side tipper and trade or outright purchase of the existing side tipper.</p> <p>Tender closed Thursday, 10<sup>th</sup> March, 2011 and at the close of the tender, four (4) tenders were received and one (1) for outright purchase of the trade. Tenders were received from –</p> <p>Howard Porter -\$85,500 + GST  MidWest Truck Sales – \$95,550, Trade \$41,550 + GST  Duraquip - \$91,750 + GST  D/Trans - \$96,628.77, Trade \$41,000  Bindu Grain Growers – Outright purchase \$41,363 + GST</p> <p>Tenders will be evaluated on a number of factors and will need further discussion and assessment at the meeting to allow Council to decide on which tender to accept. A written evaluation will be tabled at the meeting to assist in this process. In the meantime there is some clarification of information to be requested from the tenders.</p>
CONSULTATION:	Work Supervisor.
STATUTORY ENVIRONMENT:	Local Government (Functions & General) Regulations, Part 4, Division 2. Local Government Act Section 5.42(b) Local Government Act Section 5.43(1)
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	Council has \$115,000.00 in the 2010/2011 budget estimates for the purchase of a new Side Tipper, with a change over of \$55000.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION	<p>THAT COUNCIL RECEIVE THE TENDERS SUBMITTED FROM HOWARD PORTER, MIDWEST TRUCK SALES, DURAQUIP, D/TRANS AND BINDU GRAIN GROWERS AND FURTHER CONSIDER AT THE MEETING WHICH TENDER TO ACCEPT FOR THE SUPPLY OF A SIDE TIPPER IN THE 21M3 RANGE AND OUTRIGHT PURCHASE OF THE TRADE MW2431.</p>
<b>Moved:</b>	<i>M D Tierney</i>
<b>Seconded:</b>	<i>J L Freeman</i>
<b>COUNCIL DECISION:</b>	<b>THAT COUNCIL RECEIVE THE TENDERS SUBMITTED FROM HOWARD PORTER, MIDWEST TRUCK SALES, DURAQUIP,</b>

**D/TRANS AND BINDU GRAIN GROWERS AND;  
ACCEPT THE TENDER FROM HOWARD PORTER OF \$85,500 + GST  
FOR THE SUPPLY OF A SIDE TIPPER IN THE 21M3 RANGE AND  
ACCEPT THE TENDER FROM BINDU GRAIN GROWERS OF \$41,363  
+ GST FOR THE OUTRIGHT PURCHASE OF THE TRADE MW2431.**

**CARRIED 4/0**

The President Cr Nino Messina resumed the Chair.

## 10.4 FINANCE AND GENERAL PURPOSE

### 10.4.1 STATEMENT OF FINANCIAL ACTIVITY – FEBRUARY 2011

DATE OF MEETING: 16<sup>th</sup> March 2011  
 LOCATION/ADDRESS: -  
 NAME OF APPLICANT: -  
 FILE REFERENCE: -  
 PREVIOUS MINUTE/S & REFERENCE: -  
 DATE AND AUTHOR: 10<sup>th</sup> March 2011. Grant Middleton, 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 A** is the Statement of Financial Activity for February 2011.

CONSULTATION: LOCAL GOVERNMENT ACT ENVIRONMENT: Local Government Act  
 FINANCIAL MANAGEMENT REGULATIONS

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF FEBRUARY 2011 BE RECEIVED.

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

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

**CARRIED 6/0**





<b>10.4.4 FEES AND CHARGES</b>
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DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	—
DATE AND AUTHOR:	10 <sup>th</sup> March 2011. Grant Middleton, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report lists Fees & Charges for consideration
BACKGROUND:	In accordance with Council's Policy all minor rates, charges, fees and other payments charged by Council are to be reassessed by Council to ensure the rates are appropriate and allow for the inclusion of new rates and charges.
COMMENT:	The table of fees and charges is attached at <b>APPENDIX C</b> to be considered. The majority of changes relate to the inclusion of building and licence fees listed under schedule 7. The recommended changes will align the listed building and licence fees with both state legislation and the City of Geraldton-Greenough schedule of fees and charges. Additionally the early morning swimming pool bond has been included at \$50.00 and the private hire bond increased from \$25.50 to match the new charge.
CONSULTATION:	The changes have been discussed and agreed with the CEO and the Senior building surveyor from the City of Geraldton-Greenough.
STATUTORY ENVIRONMENT:	Local Government Act 1995 S6.16 – Imposition of Fees & Charges Local Government Act 1995 S6.17 – Setting the Level of Fees & Charges
POLICY IMPLICATIONS:	Policy No. 501.1 - <i>Minor Fees and Charges</i> All minor rates, charges, fees and other payments charged by Council will be reassessed by the Council in the March/April period of each year.
FINANCIAL IMPLICATIONS:	Minimal
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute majority
OFFICER RECOMMENDATION:	THAT THE TABLE OF FEES AND CHARGES AS PRESENTED BE ADOPTED.
<b>Moved:</b>	<i>J L Freeman</i>
<b>Seconded:</b>	<i>Andrew Messina</i>
COUNCIL DECISION:	<b>THAT THE TABLE OF FEES AND CHARGES AS PRESENTED BE ADOPTED.</b>
	<b>CARRIED 6/0</b>

**10.4.5 BUDGET – REVIEW AS AT 31<sup>ST</sup> DECEMBER 2010**

FILE REFERENCE: 206

REPORTING OFFICER: Grant Middleton – Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest

DATE OF REPORT: 8<sup>h</sup> March 2011

PREVIOUS MINUTE/  
REFERENCE:  
SUMMARY:

Report addresses requirement to conduct a budget review

BACKGROUND:

Local Governments are required to conduct a budget review between 1 January and 31 March each financial year. This is a requirement covered by Regulation 33A of the Local Government (Financial Management) Regulations 1996. The intention of the legislation is to ensure local governments conduct at least one review between six and nine months into a financial year.

The revised budget changes have effectively been funded by private works revenue associated with the Mullewa/Carnarvon road upgrade. The main budget review expense items relate to the repayment of loan 104 (Burgess Street Units) and loan 105 (Recreation Centre Re-development) totalling \$68,296 plus the contribution towards the replacement of the Bowling Green \$150,000. The remainder of the budget variances are relatively minor in nature and are either the result of a change in budget associated with revenue and or expenditure line items.

Private Works @ 28<sup>th</sup> February 2011

Mt Gibson Road Upgrade - Revenue = \$915k

Mt Gibson Road Upgrade - Expenditure = \$663k

Main Roads – Mullewa/Wubin Road – Revenue = \$26.4k

Main Roads – Mullewa/Wubin Road – Expenditure = \$22.9k

COMMENT:

A review has been conducted as at the end of December 2010 and is presented in the 'Schedule' format at **APPENDIX D** with an explanation regarding the variations. The report reviews the variance between current and year to date figures. Capital items are included on the last page of the attachment

Should Councillors have any queries on the budget review please directed them to me prior to meeting day to allow for an explanation.

The following items have been identified as requiring a budget amendment to the current budget. The net impact of the budget adjustments will not impact on the 2010/2011 c/fwd position.

<b>Account</b>	<b>Budget Change</b>	<b>Comment</b>
Rates Levied All Areas	-\$8,845	Additional Rates Revenue
Interest On Invest (Bank)	-\$25,000	Additional Interest Earnt
Conference Expenses	\$2,000	UHY Conference
Election Expenses	\$4,500	Amalgamation Poll
Refreshments & Functions	\$2,000	Offset by revenue
Stragic Planning (Forward Capital)	\$2,500	Additional consultants fees
Salaries (Muni Fund)	-\$20,000	Vacant Positions
Consultancy Fees	-\$13,000	WAMI programme, amalgamation funding.
Animal Control - Ranger Services	\$4,000	Additional dog control
Safety & Crime Prevention Grant	-\$1,200	Additional Revenue
Special Purpose Grants	-\$10,076	Solid Choices Grant
YDO Expenses	\$10,076	Solid Choices Exp Item - Job 0872
Loan 104 Interest	\$973	Early repayment of loan
Public Halls	\$3,500	Repair Town Hall Ceiling
Loan 105 Interest	\$3,182	Early repayment of loan
Maintenance Grading	\$50,000	Flood Damage Repairs
Private Works	\$850,000	
Income from Private Works	-\$1,073,752	Private works profit margin is approx 25%. Mt Gibson Road Upgrade - Exp = \$663k , Rev = \$915k. Main Roads Job Exp = \$22.9k , Rev = \$26.4k.
Principal on Loans	\$64,141	Clear Loans 104 Burges St Units & 105 Rec Centre Redevelopment
Capital - Bowling Green	\$150,000	Replace Bowling Green
Capital- Furniture & Equipment	\$5,000	Additional Furniture and Equipment
<b>NET BUDGET MOVEMENT</b>	<b>\$0</b>	

Regulation 33A(2) and (3) of the Regulations require that the result of the budget review to be submitted to Council within 30 days of the review. Council is then to consider the local governments financial performance and financial position and determine whether or not to adopt the review, any part of the review or any recommendations made in the review. Regulation 33A(4) states that within 30 days after the Council has made a determination, a copy of the review and determination is to be provided to the Department of Local Government and Regional Development.

CONSULTATION:  
STATUTORY  
ENVIRONMENT:

Chief Executive Officer

Local Government Act  
Financial Management Regulations  
**33A. Review of budget**

(1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

(a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

(b) consider the local government's financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget.

(2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.

(3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

(4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY  
IMPLICATIONS:  
FINANCIAL  
IMPLICATIONS:  
STRATEGIC  
IMPLICATIONS:

There are no known policy implications at this time.

Review of budget in accordance with regulations.

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Absolute Majority

OFFICER  
RECOMMENDATION

THAT THE BUDGET REVIEW CARRIED OUT AS AT THE 31<sup>ST</sup> DECEMBER 2010 AND AS PRESENTED BE ADOPTED; AND APPROVE THE PROPOSED BUDGET AMENDMENTS AS DETAILED IN THE ATTACHMENT AND TO AUTHORISE ANY UNAUTHORISED EXPENDITURE CONTAINED WITHIN THE PROPOSED AMENDMENTS; AND THAT THE DEPARTMENT OF LOCAL GOVERNMENT BE ADVISED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FINANCIAL MANAGEMENT REGULATIONS.

**Moved:**

*B I N Thomas*

**Seconded:**

*L J Freeman*

COUNCIL DECISION:

**THAT THE BUDGET REVIEW CARRIED OUT AS AT THE 31<sup>ST</sup> DECEMBER 2010 AND AS PRESENTED BE ADOPTED; AND APPROVE THE PROPOSED BUDGET AMENDMENTS AS DETAILED IN THE ATTACHMENT AND TO AUTHORISE ANY UNAUTHORISED EXPENDITURE CONTAINED WITHIN THE PROPOSED AMENDMENTS; AND THAT THE DEPARTMENT OF LOCAL GOVERNMENT BE ADVISED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FINANCIAL MANAGEMENT REGULATIONS.**

**CARRIED 6/0**

<b>10.4.6</b>	<b>BUDGET SUBMISSIONS 2011/2012 – REQUEST FOR SUBMISSIONS</b>
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DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	3 <sup>rd</sup> March 2011 – Grant Middleton, 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 2011/2012 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 15.
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 2011/2012 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 15 APRIL 2011.

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

**COUNCIL DECISION:** **THAT COUNCIL NOTE THE CONTENTS OF THIS REPORT AND THAT SUBMISSION OF PROJECTS FOR CONSIDERATION IN THE 2011/2012 DRAFT BUDGET BE SUBMITTED TO THE CHIEF EXECUTIVE OFFICER BY 15 APRIL 2011.**

**CARRIED 6/0**

<b>10.4.7</b>	<b>MULLEWA COMMUNITY TRUST – ALLOCATION OF FUNDS 2011</b>
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DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	Mullewa Community Trust Committee
FILE REFERENCE:	ADM0061

PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	11 <sup>th</sup> March 2011, Grant Middleton, Deputy Chief Executive Officer.
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report presents Minutes of the Mullewa Community Trust for consideration.
BACKGROUND:	The Mullewa Community Trust meets each year to consider the applications received for the current funding round and makes recommendations to Council based on the MCT guidelines and criteria.
COMMENT:	The Community Trust Committee met on the 1 <sup>st</sup> March 2011 to consider their funding allocation for 2011.  The Minutes from that meeting are attached at <b>APPENDIX E</b> .  The annual disbursement is \$65,000 for this funding round. The total amount requested from the Trust is \$85,192.00 and the funding allocated by the MCT this year is \$75,259.00.  Under the guidelines of the Mullewa Community Trust the final decision regarding funding rests with MULLEWA SHIRE COUNCIL. The committee acknowledged that the 2011 allocation was higher than the \$65,000 threshold stipulated in the guidelines however it was recommended to exceed this amount as all projects were deemed worthy of consideration. Additionally the 2011 allocation will be offset by the removal of \$5,000 from the 2007 allocation.
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:	Funds are provided from the Structural Adjustment fund contributed by Mt Gibson Mining.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT THE MINUTES OF THE MULLEWA COMMUNITY TRUST INCORPORATING A PROGRESS REPORT AND STATEMENT OF INCOME AND EXPENDITURE BE RECEIVED AND THAT THE 2011 DISTRIBUTION OF FUNDS FROM THE STRUCTURAL ADJUSTMENT FUND AS PRESENTED BE CONSIDERED.

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

**COUNCIL DECISION:** **THAT THE MINUTES OF THE MULLEWA COMMUNITY TRUST INCORPORATING A PROGRESS REPORT AND STATEMENT OF INCOME AND EXPENDITURE BE RECEIVED AND THAT THE 2011 DISTRIBUTION OF FUNDS FROM THE STRUCTURAL ADJUSTMENT FUND AS PRESENTED BE CONSIDERED.**

**CARRIED 6/0**

APPENDIX A

MULLEWA COMMUNITY TRUST 2011

PROJECT NUMBER	APPLICANT	PROJECT	COST OF PROJECT	AMOUNT OF FUNDING REQUESTED FROM MCT	AMOUNT OF FUNDING ALLOCATED BY MCT	OTHER FUNDING SOURCES	ABN	GST REG	CERTIFICATE OF INCORP	LETTERS OF SUPPORT OR ENDORSEMENT	LATEST FINANCIAL STATEMENTS	MCT SPONSOR RECOGNITION	MCT PROMOTIONAL RECOGNITION	PROJECT COMPLETION REPORT
1	MULLEWA ARTS DEVELOPMENT GROUP	MADE BY HAND INSPIRED BY NATURE	ARTIST FEES WORKSHOP MATERIALS ADVERTISING/PRODUCT MARKETING PACKAGING AND PROFESSIONAL GRAPHIC DESIGNER FREIGHT CONSUMABLES DOCUMENTATION VENUE HIRE PROJECT COORDINATOR MATERIAL/EQUIPMENT HIRE	4,000.00 1,500.00 400.00 3,410.00 250.00 300.00 60.00 1,600.00 5,860.00 450.00	9,860.00	9,860.00	N	N	N	N	N	Y	Y	N
			17,850.00	9,860.00	9,860.00	1,600.00 INDIGENOUS GROUP 510.00 ARTS DEV GROUP 5,860.00 SHIRE OF MULLEWA 7,950.00								
2	MULLEWA DISTRICT HIGH SCHOOL	PASSPORT PROGRAM	STATIONERY, VOUCHERS, COUNTRY WEEK, EXCURSION FEES	5,000.00 5,000.00	5,000.00 5,000.00	5,000.00 5,000.00	Y	Y	N	N	N	Y	Y	N
3	MULLEWA DISTRICT AGRICULTURAL SOCIETY INC	MULLEWA AG SOCIETY EQUIPMENT	BANNERS DIRECTIONAL SIGNS PHOTO BANNERS TRESTLE TABLES SEA CONTAINER	1,870.00 528.00 2,490.00 1,380.00 3,600.00	1,870.00 528.00 2,490.00 1,380.00 3,600.00	1,870.00 528.00 2,490.00 1,380.00 3,600.00	Y	N	Y	N	N	Y	Y	N
4	MULLEWA SENIOR CITIZENS HOMES INC	FENCING PROJECT	FENCE MATERIAL LABOUR INCIDENTALS (CEMENT)	3,964.00 500.00 200.00	3,964.00 500.00 200.00	3,964.00 500.00 200.00	Y	Y	Y	Y	I/E	Y	Y	N
5	MULLEWA FOOTBALL CLUB	MULLEWA FOOTBALL CLUB	RESERVES GUERNSEYS COLTS GUERNSEYS CASH REGISTER CASH REGISTER GYM EQUIPMENT FIRST AID SUPPLIES	1,800.00 1,800.00 399.00 549.00 9,933.00 1,519.00	1,800.00 1,800.00 399.00 549.00 9,933.00 1,519.00	1,800.00 1,800.00 399.00 549.00 9,933.00 1,519.00	Y	N	Y	Y	B/S	Y	Y	N
			16,000.00	16,000.00	6,067.00	200.00 MULLEW SENIOR 200.00 CITIZENS HOMES								

APPENDIX A

MULLEWA COMMUNITY TRUST 2011

PROJECT NUMBER	APPLICANT	PROJECT	COST OF PROJECT	AMOUNT OF FUNDING REQUESTED FROM MCT	AMOUNT OF FUNDING ALLOCATED BY MCT	OTHER FUNDING SOURCES	ABN	GST REG	CERTIFICATE OF INCORP	LETTERS OF SUPPORT OR ENDORSEMENT	LATEST FINANCIAL STATEMENTS	MCT SPONSOR RECOGNITION	MCT PROXIMAL RECOGNITION	PROJECT COMPLETION REPORT
6	MULLEWA SPORTS CLUB	REPLACEMENT OF DAMAGE GOODS	BAINIE MARIE & TROLLEY	2,193.00	2,193.00		Y	Y	Y	Y	Y	Y	Y	N
			DISHWASHER	1,398.00	1,398.00									
			BOWLING GREEN	6,409.00	6,409.00									
				10,000.00	10,000.00									
7	MULLEWA BOWLING CLUB	REPLACING BOWLING GREEN SURFACE	RESURFACING BOWLING GREEN (PART FUNDING)	36,000.00	20,000.00	4,000.00 6,000.00 6,000.00	Y	N	Y	Y	Y	Y	Y	N
8	SHIRE OF MULLEWA	MULLEWA MENS SHED INTERACTIVE ACTIVITIES PROGRAM	MATERIALS	36,000.00	20,000.00		Y	Y	N	Y	Y	Y	Y	N
			INSURANCE	1,250.00	10,000.00									
			WATER/POWER	105.00										
			BUILDING MICE	2,645.00										
			VARIOUS PROGRAMS	1,719.00										
				10,000.00		5,719.00								
				15,719.00	10,000.00	5,719.00								
				115,101.00	85,192.00	75,259.00								29,909.00

TOTAL PROJECT COST: 115,101.00

TOTAL REQUESTED FROM COMMUNITY TRUST: 85,192.00

**FUNDING ALLOCATED BY MCT: 75,259.00**

Meeting adjourned 3.03pm – 3:26pm.

<b>10.4.8</b>	<b>COMPLIANCE AUDIT RETURN – COMPLETION OF</b>
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DATE OF MEETING: 16<sup>th</sup> March 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: ADM0069

PREVIOUS MINUTE/S & REFERENCE: February 2010

DATE AND AUTHOR: 11<sup>th</sup> March 2011, Grant Middleton, Deputy Chief Executive Officer.

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST:

SUMMARY

BACKGROUND:

Report presents the Compliance Audit Return for adoption by Council. 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"

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 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.

The Compliance Audit for the period 1 January to 31 December 2010 was sent out under separate cover.

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 2011.

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 2010 AND BE DULY CERTIFIED BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE

OFFICER AS TRUE AND CORRECT, TO THE BEST OF THEIR KNOWLEDGE.

**Moved:** *B I N Thomas*

**Seconded:** *M D Tierney*

**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 2010 AND BE DULY CERTIFIED BY THE SHIRE PRESIDENT AND CHIEF EXECUTIVE OFFICER AS TRUE AND CORRECT, TO THE BEST OF THEIR KNOWLEDGE.**

**CARRIED 6/0**

Tom Hartman left the meeting 3:28pm – 3:30pm.

<b>10.4.9</b>	<b>MONSIGNOR HAWKES HERITAGE INTERPRETATION - CONTRIBUTION</b>
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DATE OF MEETING: 16<sup>TH</sup> March 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: Monsignor Hawes Heritage Incorporated

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 10 March 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY: Report requests donation

BACKGROUND: Correspondence has been received from Laurie Graham, Treasurer of the Monsignor Hawes Heritage Incorporated requesting a contribution towards the cost of installing signage in 17 locations across the region including Mullewa. A copy of the letter is attached at **APPENDIX G**.

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

CONSULTATION:

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

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

FINANCIAL IMPLICATIONS: There is provision in the Budget for donations.

STRATEGIC

IMPLICATIONS:

VOTING REQUIREMENT: Simple majority

OFFICER: THAT THE COUNCIL CONSIDER CONTRIBUTING THE SUM OF

RECOMMENDATION      \$2000 TO THE MONSIGNOR HAWES HERITAGE INCORPORATED FOR THE PURPOSE OF INTERNAL PANELS AT OUR LADY OF MOUNT CARMEL AND PANELS AT THE TARDUN SITES.

**Moved:**            *B I N Thomas*

**Seconded:**            *Andrew Messina*

**COUNCIL DECISION:**      **THAT COUNCIL CONTRIBUTE THE SUM OF \$2000 TO THE MONSIGNOR HAWES HERITAGE INCORPORATED FOR THE PURPOSE OF INTERNAL PANELS AT OUR LADY OF MOUNT CARMEL AND PANELS AT THE TARDUN SITES.**

**CARRIED 6/0**

<b>10.4.10</b>	<b>REQUEST FOR WAIVING COST – RECREATION CENTRE</b>
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DATE OF MEETING:      16<sup>th</sup> March 2011

LOCATION/ADDRESS:      -

NAME OF APPLICANT:    Eldred Royce

FILE REFERENCE:        ADM0056

PREVIOUS MINUTE/S &  
REFERENCE:

DATE AND AUTHOR:      11<sup>th</sup> March 2011, Tom Hartman, Chief Executive Officer

DISCLOSURE            OF      Author has no disclosure of interest.

INTEREST:

SUMMARY:                Report requests donation of the amount of the fee for use of the Recreation Centre.

BACKGROUND:            Correspondence has been received from Eldred Royce, Rural Chaplain, requesting that the fee charged for using the Recreation Centre be waived.

COMMENT:

A copy of the letter from Eldred Royce is attached at **APPENDIX H**.

CONSULTATION:        Nil

STATUTORY  
ENVIRONMENT:  
POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

IMPLICATIONS:

The total fee for hire is \$43.60 which includes the use of the Dining Room and Kitchen.

STRATEGIC  
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple Majority

OFFICER  
RECOMMENDATION

THAT COUNCIL WAIVE THE \$43.60 FEE TO ELDRED ROYCE FOR THE HIRE FEE OF THE MULLEWA RECREATION CENTRE FOR THE "BLESSING OF THE SEASON 2011" TO BE HELD ON THE 2<sup>ND</sup> APRIL 2011, SUBJECT TO THE PREMISES BEING LEFT IN A CLEAN AND TIDY CONDITION.

**Moved:**            *J L Freeman*

**Seconded:**            *Andrew Messina*

**COUNCIL DECISION:**      **THAT COUNCIL WAIVE THE \$43.60 FEE TO ELDRED ROYCE FOR**

**THE HIRE FEE OF THE MULLEWA RECREATION CENTRE FOR THE "BLESSING OF THE SEASON 2011" TO BE HELD ON THE 2<sup>ND</sup> APRIL 2011, SUBJECT TO THE PREMISES BEING LEFT IN A CLEAN AND TIDY CONDITION.**

**CARRIED 6/0**

## 10.5 CHIEF EXECUTIVE OFFICERS REPORT

<b>10.5.1</b>	<b>LOCAL GOVERNMENT REFORM - UPDATE</b>
---------------	-----------------------------------------

DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009, 19 <sup>th</sup> August 2009, 17 February 2010, 17 <sup>th</sup> March 2010, 21 <sup>st</sup> April 2010, 19 May 2010, 16 June 2010, 21 July 2010, 18 August 2010, 15 September 2010, 20 October 2010. 17 November 2010, 15 December 2010, 16 February 2011.
DATE AND AUTHOR:	10 March 2011, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report updates Council on the progress in the Local Government Reform process, and recommends receiving and adopting the information.
BACKGROUND:	Most Council meetings since February 2009, reports have been submitted on the progress of the Local Government Reform process. This has allowed Council the opportunity to discuss any matters that arise from the reform process.
COMMENT:	<p>The Minutes of the recent February 24, 2011 meeting of the Joint Structural Reform Committee are attached at <b>APPENDIX A</b> for council to receive and adopt the recommendations and contents of the minutes.</p> <p>The main contents of the meeting relate to Change Manager, Amalgamation Implementation Update, Structural Reform Policies, Crest &amp; Logo, name of community group and Information Sessions for the public. Relevant documents are attached at <b>APPENDIX A</b>.</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:	Simple majority
OFFICER RECOMMENDATION	<b>THAT COUNCIL ADOPT THE INFORMATION, CONTENTS AND RECOMMENDATIONS OF LOCAL GOVERNMENT REFORM – JOINT STRUCTURAL REFORM TRANSITIONARY ARRANGEMENTS</b>

MANAGEMENT COMMITTEE MEETING HELD FRIDAY 24  
FEBRUARY, 2011.

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

**COUNCIL DECISION:** **THAT COUNCIL ADOPT THE INFORMATION, CONTENTS AND RECOMMENDATIONS OF LOCAL GOVERNMENT REFORM – JOINT STRUCTURAL REFORM TRANSITIONARY ARRANGEMENTS MANAGEMENT COMMITTEE MEETING HELD FRIDAY 24 FEBRUARY, 2011.**

**CARRIED 6/0**

<b>10.5.2</b>	<b>LOCAL GOVERNMENT REFORM – COMMUNITY ADVISORY COMMITTEE</b>
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DATE OF MEETING: 16<sup>TH</sup> March 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009, 19<sup>th</sup> August 2009, 17 February 2010, 17<sup>th</sup> March 2010, 21<sup>st</sup> April 2010, 19 May 2010, 16 June 2010, 21 July 2010, 18 August 2010, 15 September 2010, 20 October 2010, 17 November 2010' 16 December 2010, 16 February 2011.

DATE AND AUTHOR: 10 March 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY Report raises matter of advertising for a Community Advisory Committee/Group leading up to amalgamation and recommends receiving information.

BACKGROUND: At the February meeting of Council it was resolved -

***THAT COUNCIL INVITE EXPRESSION OF INTEREST FROM THE COMMUNITY TO BECOME MEMBERS OF A COMMUNITY ADVISORY COMMITTEE/GROUP AS PART OF THE LOCAL GOVERNMENT REFORM PROCESS.***

This matter was attended to and the attached document was advertised by a letter box drop, Mullewa Mail and on the Council and the Community notice boards.

COMMENT: At the time of compiling this report there have been 2 expressions of interest received. Further advertising will be carried out.

CONSULTATION:

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

POLICY There are no known policy implications at this time.

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

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

IMPLICATIONS: VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT COUNCIL RECEIVE THE REPORT INVITING EXPRESSION OF INTEREST FROM THE COMMUNITY TO BECOME MEMBERS OF A



VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT COUNCIL REVIEW THE DRAFT POLICIES, MAKE ANY NECESSARY CHANGES, ENDORSE THE POLICIES AND FORWARD TO THE CITY OF GERALDTON GREENOUGH.

**Moved:** *B I N Thomas*

**Seconded:** *Andrew Messina*

COUNCIL DECISION: **THAT COUNCIL REVIEW THE DRAFT POLICIES, MAKE ANY NECESSARY CHANGES, ENDORSE THE POLICIES AND FORWARD TO THE CITY OF GERALDTON GREENOUGH.**

**CARRIED 6/0**

<b>10.5.4</b>	<b>LOCAL GOVERNMENT REFORM – ARRANGEMENTS FOR POLL</b>
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DATE OF MEETING: 16<sup>TH</sup> March 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009, 19<sup>th</sup> August 2009, 17 February 2010, 17<sup>th</sup> March 2010, 21<sup>st</sup> April 2010, 19 May 2010, 16 June 2010, 21 July 2010, 18 August 2010, 15 September 2010, 20 October 2010. 17 November 2010, 15 December 2010, 16 February 2011.

DATE AND AUTHOR: 10 March 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY

Report advises that the Minister has received a request for a poll and the WA Electoral Commission (WAEC) will be responsible for the conduct of the poll.

BACKGROUND:

Electors of the Shire of Mullewa have requested a poll and at the February meeting of Council it was resolved to appoint the WA Electoral Commission (WAEC) to be responsible for the conduct of the poll. The poll will be conducted as a voting in person poll, by virtue of Council declaring the appointment in accordance with 4.20(4) of the Local Government Act.

The WA Electoral Commission is responsible for all advertising for the poll.

COMMENT:

Phil Richards has been appointed the Returning Officer by the Electoral Commissioner. He will be in Mullewa on Wednesday 23 March bringing ballot papers for early voting and ballot boxes and voting screens. In addition he will bring a copy of our Local Government issuing data base to mark people off the roll. Whilst here he will train certain staff on how to issue early votes using their database.

For election day he will be in Mullewa early afternoon on Friday 18 April to close off early voting at 4:00 pm. On polling day he will be at the Shire Office around 7:15 am for polling. The count will take place after polling closes at 6:00 pm.

He needs to know how many electors are on the postal voters register so he can determine how many postal votes need to send out around the 23 March 2011. Any new applications will be dealt with as they are received.

He also needs us to forward the owner/occupiers roll on Monday 21 March 2011 in the format as outlined in the data standards document. This data is required to allow for the O/O roll to be merged with the residents roll as soon as possible.

CONSULTATION:	Phil Richards, WA Electoral Commission
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 NOTE THE PROGRESS FOR THE CONDUCT A POLL.

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

**COUNCIL DECISION:** **THAT COUNCIL NOTE THE PROGRESS FOR THE CONDUCT A POLL.**

**CARRIED 6/0**

Tom Hartman left the meeting 4:15pm – 4:28pm.

### **10.5.5 PERFORMANCE REVIEW & CONTRACT – CHIEF EXECUTIVE OFFICER**

DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	18 March, 2009, 17 March 2010
DATE AND AUTHOR:	10 March 2011 – Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report raises matter that requires the performance of the CEO to be reviewed as required by Section 5.38 of the Local Government Act, and discussions relating to entering into a new contract for a further term.
BACKGROUND:	Section 5.38 of the Local Government Act states:  <i>5.38. Annual review of certain employees' performances</i> <i>The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.</i>

Section 5.39 of the Local Government Act states, amongst other matters:

**5.39. Contracts for CEO's and senior employees**

(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

(2) A contract under this section -

(b) there are specified in the contract performance criteria for the purpose of reviewing the person's performance;

My employment contract provides the following information as required by the Local Government Act, Section 5.39 (2) (b) –

**1. PERFORMANCE CRITERIA**

*The following performance criteria applies to this contract:*

- Provide accurate and timely advice to council;
- Work in collaboration with council;
- Provide innovative and visionary leadership;
- Establishes effective networks;
- Maintains a work environment that facilitates the development of people and encourages them to perform at a high level;
- Ensure the effective and accountable application of financial and physical resources;
- Develops and implements change management strategies to enhance service delivery;
- Initiates the development, implementation and review of effective policies.

*These performance criteria may be varied and any other criteria may be included by agreement between the parties at any time during the term of this contract.*

Regulation 18D, Local Government (Administration) Regulations 2696 states-

*18D. Local government to consider performance review on CEO*

*A local government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.*

Clause 2 of the existing contract with Council states

**2. FURTHER CONTRACTS**

*There is no compulsion on either the Council or the CEO to agree to a new Contract. The Council and/or the CEO shall initiate discussions not later than 12 months prior to the expiry of the Term for the parties to enter into a new Contract for a further term with the Council making a decision to finalise those discussions not later than 9 months prior to the expiry of the term of this Contract. In the event that the Council and the CEO agree to a new contract, a new contract will be executed.*

Clause 12.2 of my contract with Council states-

**12.2 Salary (Cash Component)**

*12.2.1 The remuneration package referred to in subclause 12.1 shall be reviewed annually by Council with consideration given to the CPI index and award provisions. A review shall not result in a decrease in the remuneration package.*

## COMMENT:

As Council is aware, the existing CEO Contract expires on March 20, 2011, and I have been requested to discuss entering into a new contract with Council.

To commence the process, like other years, I have attached a proforma that should assist Councillors to undertake that part of the review relating to performance. A separate copy will be provided to conduct the review if Council accepts the proforma.

The performance measures, in the proforma, are those that are listed in my contract of employment and have been copied above in the background. Following last years review there were no requests from Councillors to vary the performance criteria.

Generally these are returned to the President, collated and submitted, with the results of any remuneration negotiations, back to Council for acceptance, with or without modification, or to reject the review.

Council will need to consider how the review will be arranged following the return of the performance proforma, as the results should be discussed along with the remuneration package prior to submitting to full Council. In the past, due to having the time available, Council have selected a review "Panel" to carry out the preliminary process and the panel have reported back to the April meeting.

This time, the proforma is being sent out (via email) to be completed and returned immediately to the President. They can then be collated and submitted, along with other information, to Council for the negotiation at the March 2011 meeting.

Following the discussions, a further report can then be tabled at the meeting for Council to resolve.

## CONSULTATION:

STATUTORY  
ENVIRONMENT:

Local Government Act, Section 5.38  
Local Government Act, Section 5.39  
Local Government (Administration) Regulations

POLICY  
IMPLICATIONS:  
FINANCIAL  
IMPLICATIONS:  
STRATEGIC  
IMPLICATIONS:

There are no known policy implications at this time.  
There are no known financial implications at this time.  
There are no known strategic implications at this time.

## VOTING REQUIREMENT:

Simple majority

OFFICER  
RECOMMENDATION

- THAT COUNCIL ASSESS THE PERFORMANCE OF THE CEO BY WAY OF THE ESTABLISHED PROFORMA AND RETURN THE COMPLETED FORM TO THE PRESIDENT.
- THAT THE REVIEW OF THE PERFORMANCE OF THE CEO AND THE DISCUSSION ON ENTERING INTO A NEW CONTRACT BE CONDUCTED BY COUNCIL AT THE MARCH 2011 MEETING.

**Moved:**

*J L Freeman*

**Seconded:**

*Andrew Messina*

- COUNCIL DECISION:
- **THAT COUNCIL ASSESS THE PERFORMANCE OF THE CEO BY WAY OF THE ESTABLISHED PROFORMA AND RETURN THE COMPLETED FORM TO THE PRESIDENT.**
  - **THAT THE REVIEW OF THE PERFORMANCE OF THE CEO AND THE DISCUSSION ON ENTERING INTO A NEW CONTRACT BE CONDUCTED BY COUNCIL AT THE MARCH 2011 MEETING.**
- CARRIED 6/0**

<b>10.5.6</b>	<b>PERFORMANCE REVIEW – CHIEF EXECUTIVE OFFICER</b>
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DATE OF MEETING:	16 <sup>th</sup> March 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	108 - Hartman
PREVIOUS MINUTE/S & REFERENCE:	18 <sup>th</sup> March 2009, 22nd April 2009, 21 <sup>st</sup> April 2010.
DATE AND AUTHOR:	16 <sup>th</sup> March 2011 – Tom Hartman Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report advises of Chief Executive Officers review as conducted by the CEO Review Panel
BACKGROUND:	<p>A Performance Review Panel was formed at the March 2011 meeting for the purpose of conducting a performance review of the Chief Executive Officer. The panel consisted of the full Council.</p> <p>Clause 8 of the CEO's contract states:</p> <p><i>Clause 8 Performance Reviews</i></p> <ul style="list-style-type: none"> <li>• <i>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.</i></li> <li>• <i>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.</i></li> <li>• <i>Where an external facilitator is to be used, both parties must agree to the nominated facilitator.</i></li> <li>• <i>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.</i></li> </ul> <p><i>The final report on the performance of the CEO is to be forwarded to Council for consideration to either accept or reject the report.</i></p>
COMMENT:	The Performance Review Panel was conducted at the 16 March, 2011 meeting and a report is attached at <b>APPENDIX B</b>
CONSULTATION:	Nil
STATUTORY ENVIRONMENT:	Local Government Act. CEO employment contract.
POLICY IMPLICATIONS:	There are no known policy implications at this time
FINANCIAL IMPLICATIONS:	There is allowance is in the 2010/11 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 PERFORMANCE OF THE CHIEF EXECUTIVE OFFICER WAS OF A HIGH STANDARD AND THE ANNUAL SALARY OF THE CHIEF EXECUTIVE OFFICER BE INCREASED BY 5%, BE ACCEPTED; and  
 THAT COUNCIL AND THE CHIEF EXECUTIVE OFFICER AGREE TO ENTERING INTO A NEW 2 YEAR CONTRACT AS TABLED.

**Moved:** J L Freeman

**Seconded:** Andrew Messina

COUNCIL DECISION: **THAT THE RECOMMENDATION OF THE PERFORMANCE REVIEW PANEL THAT THE PERFORMANCE OF THE CHIEF EXECUTIVE OFFICER WAS OF A HIGH STANDARD AND THE ANNUAL SALARY OF THE CHIEF EXECUTIVE OFFICER BE INCREASED BY 5%, BE ACCEPTED; and  
 THAT COUNCIL AND THE CHIEF EXECUTIVE OFFICER AGREE TO ENTERING INTO A NEW 2 YEAR CONTRACT AS TABLED.**

**CARRIED 6/0**

**APPENDIX B**

PERFORMANCE REVIEW PANEL

Date 16<sup>th</sup> March 2011

CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW  
 TA HARTMAN

Present: Panel: Cr Nino Messina, Cr Barbara Thomas, Cr Andrew Messina, Cr Tony Crudeli, Cr Mick Tierney, Cr Julie Freeman.

The CEO Performance Review Panel met on the 16<sup>th</sup> March, 2011 to conduct a review as stated in the contract between the Shire of Mullewa and Thomas Alfred Hartman.

**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.

Each Council Member was required to measure the performance of the Chief Executive Officer on the following criteria (Clause 7 Performance Criteria):

- *Provide accurate and timely advice to Council;*
- *Work in collaboration with Council;*
- *Provide innovative and visionary leadership;*
- *Establishes effective networks;*
- *Maintains a work environment that facilitates the development of people and encourages them to perform at a high level*
- *Ensure the effective and accountable application of financial and physical resources*
- *Develops and implements change management strategies to enhance service delivery;*
- *Initiates the development, implementation and review of effective policies.*

Attached at APPENDIX 1 are the collated results of the performance measures as submitted by 6 members of Council. This summary does not include individual member's comments.

Mr Hartman was invited to attend the panel and presented an assessment of his performance in accordance with Clause 8. The report is attached at APPENDIX 2.

Mr Hartman left the room and the Panel were requested to consider the results of the summary and assessment report in conjunction with Clause 12.2 of the Contract.

**Clause 12.2 Salary (Cash Component)**

*12.2.1 The remuneration package referred to in subclause 12.1 shall be reviewed annually by Council with consideration given to the CPI index and award provisions. A review shall not result in a decrease in the remuneration package.*

Documents were tabled including the CEO's commencing package, current salary, the CPI and various percentage calculations and values – attached at APPENDIX 3

After deliberation the Panel agreed to recommend to the Council that the Chief Executive Officer performance was of a high standard the Chief Executive Officer be granted a 5% increase on his current salary. This takes into account the CPI of 3% (based on Perth percentage change from previous financial year) to arrive at an annual cash salary of \$143,164.48.

**PERFORMANCE MEASURE FOR THE CHIEF EXECUTIVE OFFICER**

PERFORMANCE MEASURE	1 EXCELLENT	2 VERY GOOD	3 GOOD	4 ACCEPTABLE	5 INADEQUATE	6 POOR	0 UNABLE TO RATE	COMMENTS
Provide accurate and timely advice to council;	✓✓✓✓	✓✓						
Work in collaboration with council;	✓✓✓✓	✓	✓					
Provide innovative and visionary leadership;	✓✓✓✓	✓	✓					Tom has worked diligently with Council and the the City of Geraldton-Greenough to assist with the proposed amalgamation.
Establishes effective networks;	✓✓✓✓	✓	✓					
Maintains a work environment that facilitates the development of people and encourages them to perform at a high level;	✓✓✓	✓✓	✓					
Ensure the effective and accountable application of financial and physical resources;	✓✓✓✓	✓✓						
Develops and implements change management strategies to enhance service delivery;	✓✓✓✓	✓✓						Tom has initiated the Mens Shed, Street Scape & Walk Trails for the betterment of Mullewa.
Initiates the development, implementation and review of effective policies	✓✓✓	✓✓✓						
General comments								Tom continues to put Mullewa first. He looks for innovative ways to bring out our communities strengths and shows great resilience when working toward project outcomes.

## CEO PERFORMANCE REVIEW – MARCH 2011

Under clause 8 of the contract of Employment between the Shire of Mullewa and Thomas Alfred Hartman, there is a requirement for the CEO to prepare and submit to the Council an assessment of my performance. Councillors were supplied with performance criteria for their assessment and these will again be used for this assessment. Some of the criteria do overlap and performance is based on a number of these at any one time.

- PROVIDE ACCURATE AND TIMELY ADVICE TO COUNCIL

I believe I have again satisfied this criterion to the best of my ability and I feel I have contributed towards assisting the Council making a decision.

- WORK IN COLLABORATION WITH COUNCIL

I believe I have satisfied these criteria to the best of my ability. The introduction of the information bulletin and the information sessions has again allowed Council to openly discuss many matters relating to the community. I believe this forum promotes a closer working relationship with Councillors and staff.

- PROVIDE INNOVATIVE AND VISIONARY LEADERSHIP

I believe I have satisfied these criteria to the best of my ability. Projects over the past year again involved expending the Royalties for Regions Funding and the Federal Government Stimulus Package. Federal funding was gained for the construction of the Mens Shed. The main project developed aimed at asset renewal was the staged upgrade of the Mullewa Swimming Pool. This project allowed Council to again work closely with the community. The streetscape work has also continued and has changed the negativity to a positive outlook for Mullewa.

- ESTABLISHES EFFECTIVE NETWORKS

I believe I have continued to satisfy this criterion to the best of my ability. I have continued to maintain local networks, especially linking them with external groups and organisations. The implementation of various community plans has allowed vital networks being established to implement the initiatives within the plan. The continuing Links between Council and funding bodies, environmental health professionals and trail and townscape consultants has assisted Council's plan for the future.

- MAINTAINS A WORK ENVIRONMENT THAT FACILITATES THE DEVELOPMENT OF PEOPLE AND ENCOURAGE THEM TO PERFORM AT A HIGH LEVEL

I believe I have continually satisfied this criterion to the best of my ability. I encourage people to work in a team environment and I strive to support them to enjoy their work.

- ENSURE THE EFFECTIVE AND ACCOUNTABLE APPLICATION OF FINANCIAL AND PHYSICAL RESOURCES

I believe I have satisfied this criterion to the best of my ability. Council has continued to introduce differential rating which increased the revenue base from mining operations and various grants have continued to be applied for. An update of Councils road inventory resulted in an increase in road funding.

▪ DEVELOPS AND IMPLEMENTS CHANGE MANAGEMENT STRATEGIES TO ENHANCE SERVICE DELIVERY

I believe I have satisfied this criterion to the best of my ability. My role continued to assist Council plan and manage the local government reform strategy over the past year.

▪ INITIATES THE DEVELOPMENT, IMPLEMENTATION AND REVIEW OF EFFECTIVE POLICIES

I believe I have satisfied this criterion to the best of my ability. Although time has not permitted a complete review of all Council policies, I have assisted Council with amendments to policies as and when required. This work has continued over the last year with the amalgamation process with the City of Geraldton- Greenough.

CONCLUSION

I acknowledge that it is a requirement of my contract to submit an assessment of my performance to Council; however, as previously advised I have generally relied on the results of my actions. I believe that the review of my performance should be by Councillors only and any concerns identified, and discussed, with the view of addressing any problems.

Council will need to consider the performance criteria that will be agreed and used for the next year. This gives the Council the opportunity to include matters that may be more relevant to Mullewa.

**CHIEF EXECUTIVE OFFICER**

		Per Annum	Per Fortnight
Commencing Salary	Mar-06	110,000.00	4,230.77
National Wage Increase	Dec-06	111,146.10	4,274.85
Performance Review	Mar-07	115,814.24	4,454.39
National Wage Increase	Oct-07	116,089.81	4,464.99
Performance Review	Mar-08	121,894.24	4,688.24
National Wage Increase	Oct-08	123,020.56	4,731.56
Performance Review	Mar-09	128,566.88	4,944.88
Performance Review	Mar-10	134,995.22	5,192.13
National Wage Increase		136,347.12	5,244.12

	PERCENTAGE	AMOUNT	TOTAL
	1%	1,363.47	137,710.59
	2%	2,726.94	139,074.06
CPI - Perth	3%	4,090.41	140,437.53
	4%	5,453.88	141,801.00
	5%	6,817.36	143,164.48
	6%	8,180.83	144,527.95
	7%	9,544.30	145,891.42
	8%	10,907.77	147,254.89
	9%	12,271.24	148,618.36
	10%	13,634.71	149,981.83

Grant Middleton left the meeting 4:52pm – 4:54pm.

Julie Freeman left the meeting 4:54pm – 5:55pm.

Tony Crudeli left the meeting 4:56pm – 4:59pm.

<b>0311.11</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>
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**Moved:** *B I N Thomas*                      **Seconded:** *M D Tierney*

**COUNCIL DECISION:**            **THAT THE DISCUSSION ON CORPORTATE LOGO AND CREST BE INTRODUCED AS NEW BUSINESS AT AN URGENT NATURE.**

**CARRIED 6/0**

<b>LATE ITEM</b>	<b>LOCAL GOVERNMENT REFORM – CITY OF GREATER GERALDTON CORPORATE IDENTITY</b>
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DATE OF MEETING:            16<sup>TH</sup> March 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:        Joint Structural Reform Transitional Arrangements Committee (JSRTAC)

FILE REFERENCE:

PREVIOUS MINUTE/S &    16 February 2011  
REFERENCE:

Council resolved-

***THAT COUNCIL ENDORSE THE ATTACHED CORPORATE LOGO AND COUNCIL CREST FOR THE CITY OF GREATER GERALDTON, PENDING AMALGAMATION ON 1 JULY 2011***

**CARRIED 7/0**

DATE AND AUTHOR:            12 March 2011, Tom Hartman Chief Executive Officer, Cheryl Wood – Director of Corporate Services, City of Geraldton-Greenough.

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

SUMMARY

This item was previously presented to Council at the 16 February 2011 meeting and to the City of Geraldton-Greenough on 22 February 2011. The City Council made suggestions that have been considered and included where possible in the attached amended designs.

BACKGROUND:

The Joint Structural Reform Transitional Arrangements Committee (JSRTAC) consisting of representatives from both the City of Geraldton-Greenough and the Shire of Mullewa recommended the attached **APPENDIX D** corporate logo and Council crest for the new City of Greater Geraldton should amalgamation proceed on 1 July 2011.

The strapline “a vibrant future” was put forward to the committee and agreed upon as suitably capturing the vision of the new entity.

Should the attached corporate logo and Council crest be endorsed by the current Councils of the Shire of Mullewa and City of Geraldton-Greenough, they will come into effect on 1 July 2011, pending Ministerial decision.

COMMENT:

Elements of the previous logos of the City of Geraldton-Greenough and Shire of Mullewa have been incorporated into the new proposed design to retain each area’s existing identity.

The attached corporate logo and Council crest have been developed to incorporate aspects of each area's identity whilst retaining a unified and easily recognisable brand. The JSRTAC recommend these designs along with the strapline 'a vibrant future' as the corporate and official Council identity of the proposed amalgamated entity of the City of Greater Geraldton.

It must be noted the Shire of Mullewa's current logo will continue to be used for the tourism and as a locality brand, maintaining local identity.

Following the city of Geraldton-Greenough's February meeting the **attached** changes were made and are submitted for further consideration if considered necessary, however, it must be noted that Council has made a decision on the matter, and usually decisions will need to go through the revocation process to alter the resolution. Council may wish to note Regulation 10.3, Local Government (Administration) Regulations 1996 "This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different."

CONSULTATION:	Joint Structural Reform Transitional Arrangements Committee.		
STATUTORY ENVIRONMENT:	Part 2, Divisions 1, s 2.4 and Division 2, s 2.5 of the Local Government Act 1995 refer to the corporate name of a local government body.		
POLICY IMPLICATIONS:	There are no known policy implications at this time.		
FINANCIAL IMPLICATIONS:	There are no known financial implications at this time.		
STRATEGIC IMPLICATIONS:	<p><b><u>Strategic &amp; Plan for the Future Outcomes:</u></b></p> <p>Key Result Area 4:            Leading the Opportunities</p> <p>Outcome 4.1:                Leadership in organisation and the community.</p> <p>Strategy 4.1.4:              Establish and enhance Geraldton's regional, national and international profile.</p>		
VOTING REQUIREMENT:	Simple majority		
OFFICER RECOMMENDATION	THAT COUNCIL DISCUSS THE CORPORATE LOGO AND COUNCIL CREST ISSUE.		
<b>Moved:</b>	<i>J L Freeman</i>	<b>Seconded:</b>	<i>Andrew Messina</i>
COUNCIL DECISION:	<p><b>THAT COUNCIL DISCUSS THE CORPORATE LOGO AND COUNCIL CREST ISSUE.</b></p> <p style="text-align: right;"><b>CARRIED 6/0</b></p>		
<b>Moved:</b>	<i>J L Freeman</i>	<b>Seconded:</b>	<i>Andrew Messina</i>
COUNCIL DECISION:	<p><b>THAT COUNCIL SELECTED THE LAST LOGO ON OPTION 5.</b></p> <p style="text-align: right;"><b>CARRIED 6/0</b></p>		

Nil

<b>0311.12</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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Nil

<b>0311.13</b>	<b>DELEGATED AUTHORITY</b>
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Nil

<b>0311.14</b>	<b>CLOSURE OF MEETING</b>
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The President closed the meeting at 5.00pm.

These minutes were confirmed at a meeting on 16<sup>th</sup> March 2011:

Signed:

A J Messina, President

Date: