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MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 15th JUNE 2011.**0611.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:02pm The President declared the meeting open.

0611.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

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

Nil

VISITORS:

Mrs Kim Sweetman – Deputy Principal – Mullewa District High School
Whitney Comeagain – Student Councillor – Mullewa District High School
Kelsey Anderson – Student Councillor – Mullewa District High School
Dave Wilkenson – Teacher – Our Lady of Mt Carmel School
Danielle Hemsley – Student Councillor – Our Lady of Mt Carmel School
Shannon Fripp – Student Councillor – Our Lady of Mt Carmel School
Laura Byron – Student Councillor – Our Lady of Mt Carmel School

All visitors left the meeting at 1:12pm.

0611.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0611.04 PUBLIC QUESTION TIME

Our class is a little unsure of what the amalgamation will mean. Can you please explain the benefits and negative impacts of amalgamation? - Danielle Hemsley

The President stated he would answer this question at the end of the meeting.

Last term our class looked at pollution in our environment, and we decided that we'd like to go on a tree planting day, would the shire to support is in this by helping to supply trees? – Shannon Fripp

The President agreed that the Shire would support their tree planting day and supply the trees. The President advised the students to let the Shire know how many trees the school would need and the Shire would pay for them.

We would like to ask the shire if they could do something to make the waterfalls more fun for families and make it a lot cleaner. – Laura Byron

The CEO advised that the Shire will have a look at doing some work at the waterfalls. He said that unfortunately the recent rains had washed things away.

What is happening at the Bowling Club? – Whitney Comeagain

The President advised that a new surface green is being laid at the Bowling Club.

Will the BMX track be re-opened? – Kelsey Anderson

The CEO advised that the Shire is looking into this.

What does the amalgamation mean for Mullewa? – Whitney Comeagain

The President commented that amalgamation will mean a lot of things for Mullewa. He commented that there is nothing wrong with the Shire at present, but the Council is focusing on the future. The President explained that the Minister in the future will be amalgamating small towns, and the Shire of Mullewa has an opportunity now to amalgamate on their own terms and voluntarily, instead of being forced into it. From the 1st of July, the Shire will be known as the City of Greater Geraldton. Benefits of the amalgamation include better services, more money, and more professional people. The President noted that Mullewa is only 100km away from Geraldton and a number of residents often go to Geraldton twice a week to play sports and children go to school in Geraldton.

Will the Library stay open? – Laura Byron

The President stated that everything in Mullewa will stay the same, including the library. The services in Mullewa will get better, not worse.

What is the Shire doing about the Graffiti around town? – Laura Byron

The President advised that the Shire tries to clean the graffiti the best they can. Councillor Andrew Messina told the students to talk to their fellow students at school, and tell them to stop the graffiti.

0611.05 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

0611.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**Moved:** *J L Freeman* **Seconded:** *B I N Thomas***COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18th MAY 2011, AS PRINTED BE CONFIRMED.****CARRIED 7/0****0611.07 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

0611.08 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

0611.09 REPORTS OF COMMITTEES/MEMBERS

Nil

0611.10 REPORTS OF OFFICERS**10.2 HEALTH, BUILDING AND TOWN PLANNING**

Belynda Mills left the meeting 1:16pm – 1:25pm.

10.2.1 WESTNET RAIL – DEVELOPMENT OF UNITS

DATE OF MEETING: 15 June 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: 5 June 2011, Tom Hartman Chief Executive Officer

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:

SUMMARY

Report raises the Development of accommodation units at the Mullewa Caravan Park, and presents further information.

BACKGROUND:

Over the past few months Council staff has been negotiating with

WestnetRail to develop 10 upmarket accommodation units at the Mullewa Caravan park as part of a 40-50 man camp to provide for their construction workforce on the Geraldton/Mullewa to Morawa rail upgrade.

During the negotiation there were various options mentioned to allow Council to purchase the 10 units. Through a consultant Westnetrail completed a competitive tender process of experienced manufacturers and has recommended a preferred tender. The documentation received from Westnetrail dated 30 May 2011 attached at **APPENDIX A**, in a Letter of Intent indicates a purchase price of 10 units, verandas and carports and the installation of the verandas and carports total \$756,987.

COMMENT:

It can be noted in the Letter of Intent that Westnetrail requires Council to rent the units back to Westnetrail free of charge. This requirement is contrary to the previous discussions that were had with Westnetrail. Although there was never a monetary rate considered during the previous discussions there was an implication that a market rental would be negotiated. Consequently Westnetrail were advised on 3 June, 2011, that a recommendation to progress the matter could not be actioned until the item (J) in the Letter of Intent has been re-considered. Council may also need to focus on the cost of these units as to whether they wish to proceed with them, or, just look at the 40-50 units for Westnetrail to install.

It is likely that this matter may not be resolved prior to the amalgamation and therefore it will be recommended that Council consider the matter.

CONSULTATION:

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

THAT COUNCIL DISCUSS AND CONSIDER THE MATTER.

Moved:

B I N Thomas

Seconded:

A J Crudeli

COUNCIL DECISION:

THAT COUNCIL DISCUSS AND CONSIDER THE MATTER

CARRIED 7/0

Moved:

A J Crudeli

Seconded:

K P Keefe

COUNCIL DECISION:

THAT COUNCIL ADVISE WESTNET RAIL THAT THE PURCHASE OF THE UNITS IS DECLINED AT THIS STAGE DUE TO THE PENDING AMALGAMATION WITH THE CITY OF GERALDTON GREENOUGH, AND THAT COUNCIL STRONGLY SUPPORTS THE INSTALLATION OF UP TO 50 UNITS ON THE CARAVAN PARK SITE.

CARRIED 7/0

10.2.2 GREENOUGH RIVER SOLAR FARM (GRSF)

DATE OF MEETING: 15 June 2011
LOCATION/ADDRESS: Lot 3, 101, 102 and 9985 Nangetty-Walkaway Road, Ellendale
NAME OF APPLICANT: Verve Energy
FILE REFERENCE:
PREVIOUS MINUTE/S & REFERENCE:
DATE AND AUTHOR: 07 June 2011
Karrie Elder, Strategic Planning Officer and Murray Connell, Manager Town Planning Services – City of Geraldton-Greenough

DISCLOSURE OF INTEREST: Authors have no disclosure of interest.
SUMMARY: Council is in receipt of an application for the Greenough River Solar Farm project. The subject area is also within the City of Geraldton-Greenough.

This report recommends conditional approval of the application.

BACKGROUND: The Greenough River Solar Farm (GRSF) is considered to be of high local, regional and state significance. In particular, the proposal will be one of Australia's first utility-scale Solar PV farms and will lead the way for similar developments in the future. The GRSF will also strengthen the Mid West regions role as a green energy hub; and will contribute to regional economic activity and employment.

The proposal is for a 40MW photovoltaic solar farm located approximately 50 km east-south-east of Geraldton and 60 km south-east of Mullewa. The proposal is situated along Nangetty-Walkaway Road and is approximately 1 km south of Verve Energy's existing Mungarra gas power station and Western Power's Mugarra 132kV switchyard.

There are four proposed stages to the GRSF. Stage 1 construction is expected to be complete by early 2012. All future stages are expected to be completed by the end of 2017.

The GRSF will use flat panel photovoltaic modules, similar to those commonly used domestically. The GRSF will utilise between 250,000 'crystalline silicon' or upto 700,000 'thin-film' photovoltaic modules to generate the 40MW(AC).

Development within the Solar PV farm area will include;

- Photovoltaic modules fixed to Photovoltaic arrays,
- Associated electrical infrastructure (transformers, inverters, cabling and monitoring equipment,
- Ancillary buildings (site offices, control rooms, workshops, storerooms, carports),
- Internal access roads; and
- Security fencing.

Development within the Solar PV farm will be

- Located at least 5m from property side boundaries and at least 50m from existing 132kV transmission lines.
- Primarily above ground development with the possible exceptions being screw piles, footings and below ground cables
- Typically no greater than 4.5 metres in height and will have no overhead electrical cabling. The only infrastructure likely to exceed 4.5 metres in height will be an external gain communications antenna located on top of control room and lightning masts which should not exceed 15m.

The GRSV will use up to two differing systems to mount the photovoltaic modules, being 'fixed type' or 'tracking type' arrays.

The fixed array hold the photovoltaic modules in fixed position allowing horizontal tilt only. These arrays are mounted on steel structures, on small concrete footings.

The tracking type array are mounted in groups spaced several metres apart and mechanically moved via electrical motor and cable enabling them to following the movement of the sun.

The land area requirements varies depending on the combination of photovoltaic modules and arrays used, between 200ha to 500ha. To ensure flexible design options are available for each stage, the GRSF proposal will require 500ha.

Construction

Each stage of the GRSF is expected to require approximately 200 semitrailers delivering all materials to site and 200 construction personnel in the construction of each stage and with an average of 50 on site at one time.

Construction noise is expected to be minimal, predominately during day light hours and will be addressed in a construction management plan to be supplied at the time of application for building approvals.

Operation

During operation of the GRSF it is expected that 5 employees per day will required for each stage, a total of 20 over the site. It is expect of this there will be 15 vehicles per day in each stage.

The GRSF is unlikely to have any adverse noise emissions. The transformers are not expected to generate more than 60dBA and photovoltaic arrays are not anticipated to generate any significant noise at all. Noise emission details will be forwarded at building licence stage.

Environmental Impact

The land within the proposal boundary is predominantly historically cleared farmland with the exception of several small pockets of remnant native vegetation indentified as Environmental Areas 1, 2, 3 and 4. A flora and fauna survey of these areas was conducted.

EA1 consisted of only 1 native flora species and stands more than 50m

away from other native vegetation and is not declared rare or native flora.

EA2 and 3 were identified as development exclusion zones and will be suitably managed to protect remnant native vegetation.

A small area on the eastern edge of EA2 is to be cleared so long as it does not impact on existing remnant vegetation.

EA4 was deemed to have been heavily modified with gravel base through works associated with the Mungarra facility. Development at this site will include clearing vegetation for a fire break and control of Pattersons curse.

The applicant will be required to submit a full Environmental Management Plan and Land Management Plan to Council for approval prior to the commencement of any site works. The majority of these plans have already been completed, with minor clarifications still to be made.

Visual Impact

The general landscape character of the locality is rural, however it is a highly modified agricultural landscape with the additional characteristic of major electricity generation and transmission infrastructure and large expanses of remnant vegetation (Burma Nature Reserve).

Nangetty Walkway Road is considered the only significant local viewing location, and a site visit identified only 3 locations where the proposal would be potentially visible.

The Visual Landscape Evaluation and Assessment report and photomontage images indicate that the GRSF is in the distant background and is subsequently hard to distinguish and is often obscured behind vegetation.

Rehabilitation

After 25-30 years of preparation a commercial decision will be made as to whether to refurbish the Solar PV farm or to decommission the project and return the land to its original function. If a decision is made to decommission, the solar panels will be recycled and the site will be remediated to allow the resumption of broad acre farming activities on the site. Access roads, however, would remain for use by the landowner as part of farming activities.

The proposal also includes works to Lot 101 (Mungarra Switchyard) and Lot 102 (Mungarra Power Station) in the form of additional facilities such as switch gear and treatment facility.

COMMENT:

The applicant will be required to submit a full Environmental Management Plan and Land Management Plan to Council for approval prior to the commencement of any site works. The majority of these plans have already been completed, with minor clarifications still to be made. The Land Management Plan will include provisions for rehabilitation of the site.

10.3.1 TENDERS – MULLEWA SWIMMING POOL STAGE 3

DATE OF MEETING: 15 June 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 18 May 2011

DATE AND AUTHOR: 9 June 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY

Tenders were invited for the Stage 3 upgrade for the Mullewa Swimming and closed on Monday 16 May, 2011, 3 tenders were received and considered at the May meeting of Council. Council resolved that these tenders be accessed and reported back to the June 2011 meeting.

BACKGROUND:

Council has received funding through the Community Sporting & Recreation Facilities Fund and have allocated Royalties for Regions funding for stage 3 upgrade at the Mullewa swimming pool. CSRRF funding of \$82,420 will also assist with the costs of this project. The work will generally consist of –

Refurbishment of the changerooms, showers (including roofing), first aid room and kiosk/entry area.

Tenders closed Friday, 16 May, 2011 and at the close of the tender, 3 Tenders were received from –

- Rogers Building - \$209,316 + GST
- Geraldton Building Services - \$139,710 + GST
- Arrange Building - \$72,300 + GST

COMMENT:

As can be noted, the tender from Rogers Building is the highest costing tender, but the most comprehensive. The tenders received from Geraldton Building Services and Arrange Building both cost less but do not provide the same level of improvements. Further discussions with the tenderers will occur prior to the meeting as there is some clarification of information being requested from the tenders. If any changes occur; they will be tabled.

A written evaluation will be tabled at the meeting to assist in this process. The budget estimate is \$206,052 and Council has received funding through the Community Sporting & Recreation Facilities Fund and have allocated Royalties for Regions funding to replace the plant room at the Mullewa swimming pool.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION

THAT COUNCIL RECEIVE THE TENDERS FROM ROGERS BUILDING, GERALDTON BUILDING SERVICES AND ARRANGE BUILDING FOR THE

- REFURBISHMENT OF THE CHANGEROOMS, SHOWERS (INCLUDING ROOFING), FIRST AID ROOM AND KIOSK/ENTRY AREA.

AND FURTHER CONSIDER AT THE MEETING WHICH TENDER TO ACCEPT FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.

Moved: *B I N Thomas*

Seconded: *Andrew Messina*

COUNCIL DECISION:

THAT COUNCIL RECEIVE THE TENDERS FROM ROGERS BUILDING, GERALDTON BUILDING SERVICES AND ARRANGE BUILDING FOR THE

- **REFURBISHMENT OF THE CHANGEROOMS, SHOWERS (INCLUDING ROOFING), FIRST AID ROOM AND KIOSK/ENTRY AREA.**

AND FURTHER CONSIDER AT THE MEETING WHICH TENDER TO ACCEPT FOR THE STAGE 3 UPGRADE OF THE MULLEWA SWIMMING POOL.

CARRIED 7/0

Moved: *B I N Thomas*

Seconded: *M D Tierney*

COUNCIL DECISION:

THAT COUNCIL ACCEPT THE TENDER RECEIVED FROM ROGERS BUILDING CONTRACTORS PTY LTD.

CARRIED 7/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 STATEMENT OF FINANCIAL ACTIVITY – MAY 2011

DATE OF MEETING: 15TH June 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 10th June 2011. Grant Middleton, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST: OF

SUMMARY: 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 A** is the Statement of Financial Activity for May 2011.

CONSULTATION: Local Government Act

STATUTORY ENVIRONMENT: Financial Management Regulations

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

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

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

VOTING REQUIREMENT: Simple majority

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

Moved: Andrew Messina **Seconded:** K P Keeffe

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

CARRIED 7/0

10.4.2 FINANCE REPORT – MAY 2011

DATE OF MEETING: 15th June 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: 10th June 2011. Grant Middleton, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST: OF

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

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

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

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

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

COUNCIL DECISION: **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST MAY 2011 BE RECEIVED.**

CARRIED 7/0

10.4.3 ACCOUNTS FOR PAYMENT – JUNE 2011

DATE OF MEETING: 15TH June 2011
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: 10th June 2011. Grant Middleton, Deputy Chief Executive Officer
 DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
 SUMMARY: The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.
 BACKGROUND: Clause 11 of the Local Government (Financial Management) Regulations provides that a Local Government shall develop procedures for the authorisation of payments. Clause 12 of the Regulations requires a schedule of cheques drawn to be presented at the next Ordinary Meeting following preparations of the list.
 COMMENT: Attached to this report is a list detailing all cheques drawn and direct debits since the last Council meeting.
 The summary of the schedule of accounts to be passed for payment totalling \$503,853.94 the following:

<u>Municipal Account</u>		
Cheque No.	10785 - 10814	\$60,888.16
Electronic Fund Trans	EFT6811 – EFT6868	\$364,875.70
Payroll & Fees		\$78,090.08
 <u>Trust Account</u>		
Cheque No.		\$0.00
	Total:	\$503,853.94

CONSULTATION: Nil
 STATUTORY ENVIRONMENT: Local Government Act and Regulations

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	THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE		
RECOMMENDATION	AS PRESENTED BE PASSED FOR PAYMENT.		
	<u>Municipal Account</u>		
	Cheque No.	10785 - 10814	\$60,888.16
	Electronic Fund Trans	EFT6811 – EFT6868	\$364,875.70
	Payroll & Fees		\$78,090.08
	<u>Trust Account</u>		
	Cheque No.		\$0.00
		Total:	\$503,853.94

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

COUNCIL DECISION:	THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT.		
	<u>Municipal Account</u>		
	Cheque No.	10785 - 10814	\$60,888.16
	Electronic Fund Trans	EFT6811 – EFT6868	\$364,875.70
	Payroll & Fees		\$78,090.08
	<u>Trust Account</u>		
	Cheque No.		\$0.00
		Total:	\$503,853.94

CARRIED 7/0

10.4.4	ESTABLISH A RESERVE ACCOUNT – “MULLEWA COMMUNITY TRUST RESERVE”
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DATE OF MEETING: 15 June 2011
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE:
PREVIOUS MINUTE/S & REFERENCE:
DATE AND AUTHOR: 5 June 2011, Tom Hartman Chief Executive Officer

DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
SUMMARY Report raises the establishment of a reserve account.

BACKGROUND: Under an agreement Council receives funding from Mount Gibson Mining into a special purpose cash restricted bank account totalling \$100,000 per annum. This funding is provided for the public benefit of the citizens of the Shire of Mullewa. The agreement with Mount Gibson Mining requires a committee to be established and empowered to recommend expenditure to the Council of the funds as laid down under defined criteria and guidelines.

Throughout the recent amalgamation process a policy has been developed to identify, protect and maintain local assets for the future of the local communities. This policy is attached at **APPENDIX C**.

COMMENT:

Under the Local Government Act Section 6.11 states –

“6.11. Reserve accounts

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.”*

Section 6.11 also goes on to say –

- (2) *Subject to subsection (3), before a local government —*

- (a) *changes* the purpose of a reserve account; or*
(b) *uses* the money in a reserve account for another purpose,*

it must give one month’s local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*

- (3) *A local government is not required to give local public notice under subsection (2) —*

- (a) *where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
(b) *in such other circumstances as are prescribed.*

- (4) *A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*

- (5) *Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

It is suggested that Council sets aside the money currently in the Cash-Restricted account – Community “Trust” and establish and maintain a reserve account the Mullewa Community Trust Reserve for the purpose of-

“Providing programs, activities, events or facilities that assist in the ongoing development or maintenance of the recreational, social or cultural needs of members of the Mullewa community”.

CONSULTATION:

Discussed on a number of occasions with Council and the Joint Structural Reform Committee.

STATUTORY
ENVIRONMENT:

Local Government Act Section 6.11

Local Government (Financial Management Regulations) 1996

POLICY IMPLICATIONS:	Council, along with the City of Geraldton-Greenough, has adopted the attached policy during the recent amalgamation process.
FINANCIAL IMPLICATIONS:	Council will need to transfer the balance of the account with is currently \$477,998 from the cash restricted account "community trust" into the new reserve.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL ESTABLISH AND MAINTAINS A RESERVE ACCOUNT NAMED THE MULLEWA COMMUNITY TRUST RESERVE FOR THE PURPOSE OF PROVIDING PROGRAMS, ACTIVITIES, EVENTS OR FACILITIES THAT ASSIST IN THE ONGOING DEVELOPMENT OR MAINTENANCE OF THE RECREATIONAL, SOCIAL OR CULTURAL NEEDS OF MEMBERS OF THE MULLEWA COMMUNITY".

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

COUNCIL DECISION: **THAT COUNCIL ESTABLISH AND MAINTAINS A RESERVE ACCOUNT NAMED THE MULLEWA COMMUNITY TRUST RESERVE FOR THE PURPOSE OF PROVIDING PROGRAMS, ACTIVITIES, EVENTS OR FACILITIES THAT ASSIST IN THE ONGOING DEVELOPMENT OR MAINTENANCE OF THE RECREATIONAL, SOCIAL OR CULTURAL NEEDS OF MEMBERS OF THE MULLEWA COMMUNITY".**

CARRIED 7/0

10.4.5 ESTABLISH A RESERVE ACCOUNT – "MULLEWA COMMUNITY FACILITIES & SERVCIES RESERVE"

DATE OF MEETING: 15 June 2011
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE:
PREVIOUS MINUTE/S & REFERENCE:
DATE AND AUTHOR: 5 June 2011, Tom Hartman Chief Executive Officer
DISCLOSURE OF Author has no disclosure of interest.
INTEREST:
SUMMARY Report raises the establishment of a reserve account

BACKGROUND: Under an agreement Council receives funding from Mount Gibson Mining into a special purpose cash restricted bank account totalling \$200,000 per annum. This funding is provided for the public benefit of the citizens of the Shire of Mullewa. The agreement with Mount Gibson Mining requires a committee to be established and empowered to recommend expenditure of the funds as laid down under defined criteria and guidelines.

Throughout the recent amalgamation process a policy has been developed to identify, protect and maintain local assets for the future of the local communities. This policy is ATTACHED

COMMENT: Under the Local Government Act Section 6.11 states –

“6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.”

Section 6.11 also goes on to say –

(2) Subject to subsection (3), before a local government —

- (a) changes* the purpose of a reserve account; or*
- (b) uses* the money in a reserve account for another purpose,*

it must give one month’s local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*

(3) A local government is not required to give local public notice under subsection (2) —

- (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
- (b) in such other circumstances as are prescribed.*

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

It is suggested that Council sets aside the money currently in the Cash-Restricted account – “Reseal” and establish and maintain a reserve account the Mullewa Community Facilities & Services Reserve for the purpose of-

To be determined at the meeting

CONSULTATION:
STATUTORY
ENVIRONMENT:

Local Government Act Section 6.11
Local Government (Financial Management Regulations) 1996

POLICY
IMPLICATIONS:
FINANCIAL

There are no known policy implications at this time.
Council will need to transfer \$1,291,287.69 from the cash restricted

IMPLICATIONS: account "reseal" into the new reserve.

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION **THAT COUNCIL ESTABLISH AND MAINTAINS A RESERVE ACCOUNT NAMED THE MULLEWA COMMUNITY FACILITIES & SERVICES RESERVE FOR THE PURPOSE OF PROVIDING PROGRAMS, ACTIVITIES, EVENTS OR FACILITIES THAT ASSIST IN THE ONGOING DEVELOPMENT OR MAINTENANCE OF THE RECREATIONAL, SOCIAL OR CULTURAL NEEDS OF MEMBERS OF THE MULLEWA COMMUNITY".**

Moved: *B I N Thomas* **Seconded:** *M D Tierney*

COUNCIL DECISION: THAT COUNCIL DELAY THEIR DECISION AND CALL FOR A SPECIAL GENERAL MEETING ON THE 23RD JUNE 2011 AT 6:30PM TO FUTHER DISCUSS THE MATTER.

CARRIED 7/0

10.4.6 MULLEWA BOWLING CLUB GREEN – TENDER VARIATION

DATE OF MEETING: 15th June 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 15th December 2010, 16th February 2011, 16th March 2011.

DATE AND AUTHOR: 10th June 2011. Tom Hartman, Chief Executive Officer

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

SUMMARY

A Tender was accepted at the March 2011 meeting for the re-surfacing of the Mullewa Bowling Green \$111,484.50 - GST. This report raises for Council attention that there needs to be a variation due to an increase in the costing for the required work and recommends approval

BACKGROUND: Due to the deteriorating surface and the threat from competing teams withdrawing from playing in Mullewa, it was considered important that the work be undertaken following the bowling season end April/May 2011.

The cost of the replacement of surface was always contingent on the condition of the sub-base. This condition could only be determined after the existing surface was removed and the sub-base examined. This examination has revealed that the sub-base was unsatisfactory to lay the new surface on and the contractor was not prepared to warrant his work to do a "patch up" job.

COMMENT: The original budget estimate was \$140,175, however, at the budget review in March it became apparent that an allowance for this work be increased to \$150,000. This extra funding was due to the uncertainty of

any remedial work to the sub-base if it is found to be structurally deficient.

The contractor has been instructed to remove a 100mm of the existing sub-base and re-construct as per his products specification. To do this work it will be necessary to increase the cost of the work above the accepted tender price of \$111,484.50 – GST by \$74,000 + GST.

As previously advised the Mullewa Bowling Club and the Mullewa Sports Club will contribute towards this cost through the Mullewa Community Trust, totalling \$26,409. The mullewa Bowling will be also contributing an extra \$15,000.

CONSULTATION:	Bowling Club President
STATUTORY ENVIRONMENT: POLICY IMPLICATIONS: FINANCIAL IMPLICATIONS:	Local Government (Functions & General) Regulations. There are no known policy implications at this time. Council budget is \$150,000. Mullewa Bowling Club is \$20,000 MCT + \$15,000 Mullewa Sports Club is \$6,409. Total funding available \$191,409
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 APPROVE THE \$74,000 COST VARIATION TO THE ORIGINAL TENDER FOR THE SUB-BASE CORRECTION AND RE-SURFACING OF THE MULLEWA BOWLING GREEN, TO A TOTAL OF \$185,484.50.

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

COUNCIL DECISION: **THAT COUNCIL APPROVE THE \$74,000 COST VARIATION TO THE ORIGINAL TENDER FOR THE SUB-BASE CORRECTION AND RE-SURFACING OF THE MULLEWA BOWLING GREEN, TO A TOTAL OF \$185,484.50.**

CARRIED 7/0

Council called a break to the meeting 2:53pm – 3:20pm.
Tony Crudeli left the meeting 3:58pm – 5:00pm.

10.4.7 PRELIMINARY BUDGET – 2011/2012
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DATE OF MEETING: 15th June 2011

LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10th June 2011 – Grant Middleton, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	The Local Government Act requires a local government to prepare and adopt an annual budget prior to the 31st of August in each year, or such extended time as the Minister allows.
COMMENT:	<p>A Preliminary Budget and budget notes have been developed.</p> <p>It is expected that any changes to the Preliminary Budget will be made over the week leading up to the meeting to allow staff to compile a Draft Budget which will be tabled.</p>
CONSULTATION:	CEO
STATUTORY ENVIRONMENT:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	The Preliminary Budget is based upon a 4.0% increase in rate revenue including differential rates on mining properties. All other financial implications are as identified in the document.
STRATEGIC IMPLICATIONS:	<p>All items identified by Council during the past twelve months for inclusion in the Preliminary Budget have been accommodated in this document.</p> <p>All aspects of Council's Principal Activities Plan, Disability Service Plan, and Roadworks Program etc. have been incorporated in the Preliminary Budget.</p>
VOTING REQUIREMENT:	Absolute Majority.
OFFICER RECOMMENDATION	<p>THAT:</p> <ul style="list-style-type: none">• THE DRAFT BUDGET AS PRESENTED BE RECEIVED, AND THAT THIS DATA BE UTILISED TO FORM A BUDGET IN AAS27 FORMAT, IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995, AND LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.

Moved: *K P Keefe* **Seconded:** *Andrew Messina*

COUNCIL DECISION: **THAT:**

- **THE DRAFT BUDGET AS PRESENTED BE RECEIVED, AND THAT THIS DATA BE UTILISED TO FORM A BUDGET IN AAS27 FORMAT, IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995, AND LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Grant Middleton left the meeting 4:15pm – 4:20pm.

10.4.8	2011/2012 MUNICIPAL BUDGET – ENDORSEMENT OF
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DATE OF MEETING:	15th June 2011
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10th June 2011 – Grant Middleton, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
BACKGROUND:	The 2011/2012 Municipal Budget has been drafted in accordance with the Local Government Financial Regulations.
COMMENT:	It is necessary for Council to consider the following recommendations.
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:	As per the 2011/2012 adopted budget.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Absolute Majority
OFFICER RECOMMENDATION	1. <u>Adoption of Rates 2011/2012</u>

(a)	General Rate:	GRV Mullewa Townsite	10.7432%
		GRV Other Townsites	13.8362%
		UV Agriculture	0.8974%
		UV Mining	22.7136%
(b)	Minimum Rate:	GRV Mullewa Townsite	\$334.00
		GRV Other Townsites	\$ 90.00
		UV Agriculture	\$250.00
		UV Mining	\$300.00

That the above rates in the dollar on rateable property within the district of the Shire of Mullewa be imposed in accordance with the Local Government Act 1995 for the 2011/2012 year.

2. Interest on Overdue Rates

- (a) Administration Fee – Any Instalment Plan

A charge of \$10.00 per reminder notice per instalment for rates levied in the financial year 2010/2011.

- (b) Instalment Plan Interest Rates – Late Payment of any Instalment.

A charge of 5.5% per annum, calculated daily by simple interest be imposed.

Instalments, which are not paid by the due date, will be charged penalty interest at the rate of 11.0% per annum calculated on a daily basis and the ratepayer's instalment option may be revoked.

- (c) Instalment Plans.

An Instalment Plan will be offered to amounts above \$200.00

- (d) Late Payment on Rates

A charge of 10% per annum, calculated daily by simple interest be imposed.

- (e) Due Dates of Rates and Instalments to be advised, pending final adoption by the commissioners on 1st July 2011.

That interest and charges in accordance with the above be imposed on overdue rates for the 2011/2012 financial year.

3. Rubbish Charges – Mullewa Townsite

- (a) Residential – 240 Litre

\$192.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly.

\$210.00 per annum per additional 240 Litre MGB (GST inclusive)

- (b) Commercial – 240 Litre

\$210.00 per annum per occupied Lot of one 240 Litre MGB, emptied weekly (GST Inclusive).

- (c) Commercial – 1.5m³ bin

\$1,600.00 per annum per occupied Lot of one 1.5m³ bin, emptied weekly (GST Inclusive)

- (d) Commercial – 3.0m³

\$2,784.00 per annum per occupied Lot of one 3.0m³ bin emptied weekly (GST Inclusive).

- (e) Commercial – Tip Charge

\$902.00 fee to be charged in addition to any other Rubbish Charges, where rubbish is directly disposed of at the Mullewa Refuse Site (GST Inclusive).

That the above Rubbish Service Charges be imposed for the Mullewa townsite for the 2011/2012 financial year in accordance with the Waste Avoidance and

Recovery Act, Levy and Regulations 2008.

4 Schedule of Fees and Charges

That the Fees and Charges for

- Governance
- Law, Order and Public Safety
- Health
- Housing
- Welfare
- Community Amenities
- Recreation and Culture
- Economic Services
- Other Property and Services

For the 2010/2011 financial year be adopted.

5. Effluent Scheme Charges

	Council Properties	Non-Council Properties
<i>Commercial Premises – Small (2 units)</i>		
Swimming Pool	521.60	
Tourist Centre	521.60	
Doctor's Surgery	521.60	
Town Hall	521.60	
Public Toilets	521.60	
Youth Precinct	521.60	
Community Centre	521.60	
<i>Medium (3 units)</i>		
Caravan Park	782.40	
Mullewa District High School		782.40
Railway Hotel		782.40
Club Hotel		782.40
Senior Citizens		782.40
<i>Large (4 units)</i>		
Homeswest Houses	1,043.30	
Mullewa Health Services	1,043.30	
Our Lady of Mount Carmel School	1,043.30	
<i>Residential Premises (1 unit)</i>		
71 Jose Street	260.80	
73 Jose Street	260.80	
Burges Street Unit	260.80	
Burges Street Unit	260.80	
22 Fry Street	260.80	
24 Fry Street	260.80	
25A Fry Street		260.80
25B Fry Street		260.80
32 Birdwood Street		260.80
34 Birdwood Street		260.80
36 Birdwood Street		260.80
38 Birdwood Street		260.80
53 Jose Street		260.80
59 Jose Street		260.80

Note: Charges based on a per unit multiple of \$260.80 (inclusive of GST)

That the above Effluent Scheme Charges be imposed for the 2011/2012 financial year.

6. Adoption of the 2011/2012 Budget

That the 2011/2012 Municipal Fund Budget, subject to the above Rates, Rubbish, Effluent Scheme Fees and Charges being incorporated in the document, be adopted.

7. Statutory Compliance

That Council confirms it is well satisfied that services and facilities it provides:

- (a) Integrate and coordinate, so far as is practicable, with any provided by the Commonwealth, the State or any public body;
- (b) Do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private, and
- (c) Are managed efficiently and effectively,

In accordance with Section 3.18(3) of the Local Government Act 1995

8. Bushfire – Section 33 Firebreak Order

That the Section 33 Bush Fires Act Firebreak Order for the 2010/2011 year be adopted.

9. MATERIAL VARIANCES

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations a percentage of 10% be adopted for highlighting material variances.

Moved: J L Freeman

Seconded: B I N Thomas

COUNCIL DECISION

1. ADOPTION OF RATES 2011/2012

(A)	GENERAL RATE:	GRV MULLEWA TOWNSITE	10.7432%
		GRV OTHER TOWNSITES	13.8362%
		UV AGRICULTURE	0.8974%
		UV MINING	22.7136%
(B)	MINIMUM RATE:	GRV MULLEWA TOWNSITE	\$334.00
		GRV OTHER TOWNSITES	\$ 90.00
		UV AGRICULTURE	\$250.00
		UV MINING	\$300.00

THAT THE ABOVE RATES IN THE DOLLAR ON RATEABLE PROPERTY WITHIN THE DISTRICT OF THE SHIRE OF MULLEWA BE IMPOSED IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT 1995 FOR THE 2011/2012 YEAR.

2. INTEREST ON OVERDUE RATES

(A) **ADMINISTRATION FEE – ANY INSTALMENT PLAN**

A CHARGE OF \$10.00 PER REMINDER NOTICE PER INSTALMENT

FOR RATES LEVIED IN THE FINANCIAL YEAR 2010/2011.

- (b) **INSTALMENT PLAN INTEREST RATES – LATE PAYMENT OF ANY INSTALMENT.**

A CHARGE OF 5.5% PER ANNUM, CALCULATED DAILY BY SIMPLE INTEREST BE IMPOSED.

INSTALMENTS, WHICH ARE NOT PAID BY THE DUE DATE, WILL BE CHARGED PENALTY INTEREST AT THE RATE OF 11.0% PER ANNUM CALCULATED ON A DAILY BASIS AND THE RATEPAYER'S INSTALMENT OPTION MAY BE REVOKED.

- (c) **INSTALMENT PLANS.**

AN INSTALMENT PLAN WILL BE OFFERED TO AMOUNTS ABOVE \$200.00

- (d) **LATE PAYMENT ON RATES**

A CHARGE OF 10% PER ANNUM, CALCULATED DAILY BY SIMPLE INTEREST BE IMPOSED.

- (e) **DUE DATES OF RATES AND INSTALMENTS TO BE ADVISED, PENDING FINAL ADOPTION BY THE COMMISSIONERS ON 1ST JULY 2011.**

THAT INTEREST AND CHARGES IN ACCORDANCE WITH THE ABOVE BE IMPOSED ON OVERDUE RATES FOR THE 2011/2012 FINANCIAL YEAR.

3. RUBBISH CHARGES – MULLEWA TOWNSITE

- (a) **RESIDENTIAL – 240 LITRE**

**\$192.00 PER ANNUM PER OCCUPIED LOT OF ONE 240 LITRE MGB, EMPTIED WEEKLY.
\$210.00 PER ANNUM PER ADDITIONAL 240 LITRE MGB (GST INCLUSIVE)**

- (b) **COMMERCIAL – 240 LITRE**

\$210.00 PER ANNUM PER OCCUPIED LOT OF ONE 240 LITRE MGB, EMPTIED WEEKLY (GST INCLUSIVE).

- (c) **COMMERCIAL – 1.5M³ BIN**

\$1,600.00 PER ANNUM PER OCCUPIED LOT OF ONE 1.5M³ BIN, EMPTIED WEEKLY (GST INCLUSIVE)

- (d) **COMMERCIAL – 3.0M³**

\$2,784.00 PER ANNUM PER OCCUPIED LOT OF ONE 3.0M³ BIN EMPTIED WEEKLY (GST INCLUSIVE).

- (E) **COMMERCIAL – TIP CHARGE**

\$902.00 FEE TO BE CHARGED IN ADDITION TO ANY OTHER RUBBISH CHARGES, WHERE RUBBISH IS DIRECTLY DISPOSED OF AT THE MULLEWA REFUSE SITE (GST INCLUSIVE).

THAT THE ABOVE RUBBISH SERVICE CHARGES BE IMPOSED FOR THE MULLEWA TOWNSITE FOR THE 2011/2012 FINANCIAL YEAR IN ACCORDANCE WITH THE WASTE AVOIDANCE AND RECOVERY ACT, LEVY AND REGULATIONS 2008.

4 SCHEDULE OF FEES AND CHARGES

THAT THE FEES AND CHARGES FOR

- GOVERNANCE
- LAW, ORDER AND PUBLIC SAFETY
- HEALTH
- HOUSING
- WELFARE
- COMMUNITY AMENITIES
- RECREATION AND CULTURE
- ECONOMIC SERVICES
- OTHER PROPERTY AND SERVICES

FOR THE 2010/2011 FINANCIAL YEAR BE ADOPTED.

5. EFFLUENT SCHEME CHARGES

	COUNCIL PROPERTIES	NON-COUNCIL PROPERTIES
<i>COMMERCIAL PREMISES – SMALL (2 UNITS)</i>		
SWIMMING POOL	521.60	
TOURIST CENTRE	521.60	
DOCTOR'S SURGERY	521.60	
TOWN HALL	521.60	
PUBLIC TOILETS	521.60	
YOUTH PRECINCT	521.60	
COMMUNITY CENTRE	521.60	
<i>MEDIUM (3 UNITS)</i>		
CARAVAN PARK	782.40	
MULLEWA DISTRICT HIGH SCHOOL		782.40
RAILWAY HOTEL		782.40
CLUB HOTEL		782.40
SENIOR CITIZENS		782.40
<i>LARGE (4 UNITS)</i>		
HOMESWEST HOUSES		1,043.30
MULLEWA HEALTH SERVICES		1,043.30
OUR LADY OF MOUNT CARMEL SCHOOL		1,043.30
<i>RESIDENTIAL PREMISES (1 UNIT)</i>		
71 JOSE STREET	260.80	
73 JOSE STREET	260.80	
BURGES STREET UNIT	260.80	
BURGES STREET UNIT	260.80	
22 FRY STREET	260.80	
24 FRY STREET	260.80	
25A FRY STREET		260.80
25B FRY STREET		260.80
32 BIRDWOOD STREET		260.80
34 BIRDWOOD STREET		260.80
36 BIRDWOOD STREET		260.80
38 BIRDWOOD STREET		260.80
53 JOSE STREET		260.80

59 JOSE STREET**260.80****NOTE: CHARGES BASED ON A PER UNIT MULTIPLE OF \$260.80 (INCLUSIVE OF GST)**

THAT THE ABOVE EFFLUENT SCHEME CHARGES BE IMPOSED FOR THE 2011/2012 FINANCIAL YEAR.

6. ADOPTION OF THE 2011/2012 BUDGET

THAT THE 2011/2012 MUNICIPAL FUND BUDGET, SUBJECT TO THE ABOVE RATES, RUBBISH, EFFLUENT SCHEME FEES AND CHARGES BEING INCORPORATED IN THE DOCUMENT, BE ADOPTED.

7. STATUTORY COMPLIANCE

THAT COUNCIL CONFIRMS IT IS WELL SATISFIED THAT SERVICES AND FACILITIES IT PROVIDES:

- (A) INTEGRATE AND COORDINATE, SO FAR AS IS PRACTICABLE, WITH ANY PROVIDED BY THE COMMONWEALTH, THE STATE OR ANY PUBLIC BODY;
- (B) DO NOT DUPLICATE, TO AN EXTENT THAT THE LOCAL GOVERNMENT CONSIDERS INAPPROPRIATE, SERVICES OR FACILITIES PROVIDED BY THE COMMONWEALTH, THE STATE OR ANY OTHER BODY OR PERSON, WHETHER PUBLIC OR PRIVATE, AND
- (C) ARE MANAGED EFFICIENTLY AND EFFECTIVELY, IN ACCORDANCE WITH SECTION 3.18(3) OF THE LOCAL GOVERNMENT ACT 1995

8. BUSHFIRE – SECTION 33 FIREBREAK ORDER

THAT THE SECTION 33 BUSH FIRES ACT FIREBREAK ORDER FOR THE 2010/2011 YEAR BE ADOPTED.

9. MATERIAL VARIANCES

IN ACCORDANCE WITH REGULATION 34(5) OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS A PERCENTAGE OF 10% BE ADOPTED FOR HIGHLIGHTING MATERIAL VARIANCES.

CARRIED BY ABSOLUTE MAJORITY 6/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

Tom Hartman left the meeting 4:27pm to 4:30pm.

10.5.1	CONTRACT NEGOTIATION – CHIEF EXECUTIVE OFFICER
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DATE OF MEETING: 15 June 2011

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE:

PREVIOUS MINUTE/s & REFERENCE: 16 March 2011

DATE AND AUTHOR: 4 July 2011 – Tom Hartman, Chief Executive Officer

DISCLOSURE INTEREST: SUMMARY	OF	Writer of Report is the current Chief Executive Officer.
BACKGROUND:		Report submits proposed contract for 2 year extension of employment for consideration. In accordance with the provisions of the Local Government Act the CEO must be employed under a contractual arrangement. I commenced employment with Council on the 20 th March 2006. This contract expired on the 20 th March, 2011, and at the March, 2011 meeting the CEO and Council agreed to enter into and negotiate a new 2 year contract. A written contract has been prepared for Council's perusal and endorsement.
COMMENT:		I have separately attached a copy of the contract to be negotiated with Council and in accordance with the agreed conditions of engagement. This document should remain confidential and be collected at the conclusion of Councils meeting. The contract makes allowance for the position to continue under the name of "District Manager" without loss of the agreed conditions of the contract, following amalgamation with the City of Geraldton-Greenough after 1 July, 2011.
CONSULTATION: STATUTORY ENVIRONMENT:		Local Government Act Section 5.36 (10 (a), 5.37 and 5.39. In accordance with the provisions of the Local Government Act under section 5.39 (1) the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with the provisions of this section.
POLICY IMPLICATIONS:		There are no known policy implications at this time.
FINANCIAL IMPLICATIONS: STRATEGIC IMPLICATIONS: VOTING REQUIREMENT:		There are no known financial implications at this time. There are no known strategic implications at this time. Simple majority
OFFICER RECOMMENDATION		THAT THE CONTENTS OF THE CONTRACT FOR THE POSITION OF CHIEF EXECUTIVE OFFICER BETWEEN THE SHIRE OF MULLEWA AND THOMAS ALFRED HARTMAN, EXPIRING ON 28 MARCH 2013, BE NOTED, AND AUTHORITY BE GIVEN TO THE PRESIDENT TO SIGN AND AFFIX THE MUNICIPAL SEAL.

Moved: *Andrew Messina* **Seconded:** *K P Keeffe*

COUNCIL DECISION: **THAT THE CONTENTS OF THE CONTRACT FOR THE POSITION OF CHIEF EXECUTIVE OFFICER BETWEEN THE SHIRE OF MULLEWA AND THOMAS ALFRED HARTMAN, EXPIRING ON 28 MARCH 2013, BE NOTED, AND AUTHORITY BE GIVEN TO THE PRESIDENT TO SIGN AND AFFIX THE MUNICIPAL SEAL.**

CARRIED 6/0

10.5.2 LOCAL GOVERNMENT REFORM - POLICIES
--

DATE OF MEETING: 15 June 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

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

DATE AND AUTHOR: 8 June 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY: Report submits draft reform policies for Council consideration.

BACKGROUND: Through the meetings of the Joint Structural Reform Committee the attached draft structural reform policies were presented for:

- Payments to Employees in addition to Contract or Award
- Procurement of Goods and Services
- Code of Conduct
- Legal Representation on Costs Indemnification
- Risk Management

These policies were recommended to seek endorsement from each Council and then put on public exhibition and seek submissions from the public prior to adoption by the new entity.

The policies are attached at **APPENDIX A, B, C, D and E.**

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

CONSULTATION:

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:

VOTING REQUIREMENT: Simple majority

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

Moved: *B I N Thomas* **Seconded:** *M D Tierney*

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

CARRIED 6/0

Nino Messina left the meeting 4:33pm – 4:45pm.

10.5.3	LOCAL DOCTOR
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DATE OF MEETING: 15 June 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: 20 April 2011

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report advises an update on the proposed housing upgrade to accommodate the local doctor.

BACKGROUND: At the April 2011 meeting Council met with Doctor Findlay and discussed matters he raised regarding the Medical Centre equipment and more particularly future housing that would attract a Doctor to Mullewa. A copy of the letter received from Dr Findlay is attached at **APPENDIX F**.

COMMENT: At the April 2011 meeting Council resolved the following –

THAT COUNCIL

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

The owner of 7 Fry street has been contacted by email; the contents being –

“At a recent council meeting a letter received from Dr Finlay indicated that to retain a doctor in Mullewa the Council would need to consider offering a better standard of housing. The Council resolved for me to obtain all options for housing and report back to the council”.

Can you advise if you are interested negotiating with Council for the purchase or leasing 7 Fry Street Mullewa, and if so the asking price”.

The answer being –

“response to your email regarding a house for the doctor. 7 fry street is for sale; the price for the house is \$500,000.00 but because i believe we need to retain a doctor in mullewa and we need to provide a house for him, the price for the shire if they wish to purchase is \$450,000.00 + GST if applicable.

if you wish to discuss the house with me at anytime, i will make myself available. at the moment the house is rented out to Government regional housing (GROH), at \$1560.00 per month and they have no lease”.

Quality existing housing is limited in Mullewa and there has been no investigation regarding constructing new housing at this stage. If possible some information on this may be available at the time of the meeting.

An option worth exploring initially is Council leasing a suitable premises.

As can be noted in his letter, Doctor Findlay has provided Council with

an arrangement that commits providing a practise in Mullewa for a further 10 years.

This matter will need further discussion

CONSULTATION: President
 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.
 VOTING REQUIREMENT: Simple majority
 OFFICER RECOMMENDATION: THAT COUNCIL FURTHER CONSIDER UPGRADING THE HOUSING IN MULLEWA TO ACCOMMODATE THE DOCTOR.

Moved: Andrew Messina **Seconded:** M D Tierney

COUNCIL DECISION: **THAT COUNCIL DECLINE THE PURCHASE OF 7 FRY STREET MULLEWA AND AUTHORISE THE CEO TO INVESTIGATE OTHER OPTIONS TO LEASE OR PURCHASE HOUSING IN MULLEWA TO ACCOMMODATE THE DOCTOR.**

CARRIED 6/0

0611.11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Moved: J L Freeman **Seconded:** K P Keefe

COUNCIL DECISION: **THAT THE DISCUSSION ON THE MULLEWA COMMUNITY REFERENCE GROUP AND WRITE OFF SUNDRY DEBTS BE INTRODUCED AS NEW BUSINESS AT AN URGENT NATURE.**

CARRIED 6/0

LATE ITEM	WRITE OFF SUNDRY DEBTS
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DATE OF MEETING: 15th June 2011
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE: —
 DATE AND AUTHOR: 14th June 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 standard practice outstanding sundry debtors are

reviewed on a regular basis to ensure all amounts are recoverable.

COMMENT: The accounts for write off are attached at **APPENDIX A**. The debts in question are the result of administration errors or situations where the debtor has refused to pay or there is no opportunity to recover the funds.

The clean up of miscellaneous debts is being undertaken concurrently with the City of Geraldton-Greenough to ensure that data carried forward to the new entity does not contain any legacy items that are not recoverable

CONSULTATION: The write of amounts have been discussed and agreed with the CEO and officers.

STATUTORY ENVIRONMENT: Local Government Act 1995 S6.12 (1c) – Power to defer, grant discounts, waive or write off debts

POLICY IMPLICATIONS:

FINANCIAL IMPLICATIONS: \$7,728.74

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

VOTING REQUIREMENT: Absolute majority

OFFICER RECOMMENDATION: THAT THE TABLED WRITE OFF AMOUNTS TOTALLING \$7,728,74 BE APPROVED.

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

COUNCIL DECISION: **THAT THE TABLED WRITE OFF AMOUNTS TOTALLING \$7,728,74 BE APPROVED.**

CARRIED 6/0

LATE ITEM MULLEWA COMMUNITY REPRESENTATIVE GROUP

DATE OF MEETING: 15TH June 2011

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE:

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

DATE AND AUTHOR: 13 June 2011, Tom Hartman, Chief Executive Officer

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

SUMMARY

Report raises matter for the establishment of a Community Representation Group that was advertised inviting community membership 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.

Since the February and March meetings of council further advertising has been carried out by letter box drops, Mullewa Mail and on the Council and the Community notice boards. At the recent close of the EOI, Eleven (11) nominations have been received. The nominations received are attached.

COMMENT: A Terms of Reference document is being developed by the Amalgamation Project Team which should provide guidelines regarding selection of representatives. Generally the criteria should be on merit, taking into account relevant qualifications, interest in the CRG, experience, knowledge and personal skills to effectively carry out the role of Community Representation. The role of the CRG would be advisory only and be a conduit between the community and council. Ideally the CRG will be group of people who broadly represent the local community with the interests and concerns to those outside this community, providing an opportunity for the community to work together on matters relating to their future direction and offering suggestions, ideas and opinions on local issues.

It may also be a benefit to consider working towards this group becoming a progress association, similar to what is happening in Geraldton and which has been very successful in places like Hyden.

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 RECEIVE AND DISCUSS THE REPORT FOR THE EXPRESSION OF INTEREST FROM THE COMMUNITY TO BECOME MEMBERS OF A COMMUNITY REPRESENTATION GROUP FOR MULLEWA.

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

COUNCIL DECISION: **THAT COUNCIL RESOLVED TO FURTHER DISCUSS THE MULLEWA COMMUNITY REPRESENTATIVE GROUP AT THE SPECIAL MEETING ON 23RD JUNE 2011.**

CARRIED 7/0

0611.12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

0611.13 DELEGATED AUTHORITY

Nil

0611.14 CLOSURE OF MEETING

The President thanked the Council for all their hard work. In particular he thanked the Deputy President, Barbara Thomas, for the last 1 to 2 years and their extra work towards amalgamation. The President also thanked all the Shire staff, and especially thanked the CEO for all his time and effort, and always making himself available onsite.

The President concluded the meeting by stating that he felt confident that the Council had made the right decision towards amalgamation and the benefits will be seen in the near future. However the President commented that more time before amalgamating with the City of Geraldton Greenough would have advantageous.

The President closed the meeting at 5:22pm.

These minutes were confirmed at a meeting on 15th June 2011.

Signed:

A J Messina, President

Date: