
INDEX

0510.01	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
0510.02	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	2
0510.03	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
0510.04	PUBLIC QUESTION TIME	2
0510.05	APPLICATIONS FOR LEAVE OF ABSENCE	3
0510.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
0510.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	3
0510.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	3
0510.09	REPORTS OF COMMITTEES/MEMBERS	3
0510.10	REPORTS OF OFFICERS.....	3
10.2.	HEALTH, BUILDING AND TOWN PLANNING.....	4
10.2.1	INDARRA SPRINGS NATURE RESERVE.....	4
10.2.2	PROPOSED UPGRADES TO OUR LADY OF MT CARMEL.....	4
10.3	WORKS, PLANT, PARKS AND GARDENS	9
10.3.1	MAIN ROADS- MID WEST LOCAL COUNCILS SERVICE AGREEMENT.....	9
10.4	FINANCE AND GENERAL PURPOSE	16
10.4.1	FINANCE REPORT- MAY 2010	16
10.4.2	STATEMENT OF FINANCIAL ACTIVITY- APRIL 2010.....	19
10.4.3	STATEMENT OF FINANCIAL ACTIVITY- MAY 2010.....	22
10.4.4	ACCOUNTS FOR PAYMENT JUNE 2010.....	25
10.4.5	ANNUAL BUILDING INSPECTION REPORT.....	26
10.4.6	MIDWEST REGIONAL COUNCIL DRAFT BUDGET.....	27
10.5	CHIEF EXECUTIVE OFFICERS REPORT	28
10.5.2	LOCAL GOVERNMENT REFORM- UPDATE	28
10.5.3	LOCAL GOVERNMENT REFORM- UPDATE	29
10.5.4	SHIRE OF MULLEWA- REPRESENTATION	30
13	DELEGATED AUTHORITY	31
13.1	MUNICIPAL SEAL- EXERCISING DELEGATED AUTHORITY TO AFFIX.....	31
0510.13	CLOSURE OF MEETING.....	32

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16th JUNE 2010.**0210.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1.00 pm The President declared the meeting open.

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

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

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer
Miss JM (Jenna) May- Executive Secretary

APOLOGIES:

Councillor M D (Mick) Tierney (Central Ward)

LEAVE OF ABSENCE:

Nil

VISITORS:

Our Lady of Mt Carmel- Students- Danielle Hemsley, Seamus Keeffe, Antonia Cameron (1.00-1.05pm)

Teacher: Anita Krippner (12.58pm – 1.03pm)

Oakajee Port and Rail- Jim Netterfield, Emma Tomren, Michael Mulligan (1.00pm – 1.41pm)

0210.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0210.04 PUBLIC QUESTION TIME

Students from Our Lady of Mt Carmel asked the following questions-

1. The road works have been looking good. Are you doing anymore around the school?

The CEO advised that there are no more scheduled for around the pool at this stage apart from some minor modifications.

2. We are going to get the students from O.L.M.C to come up with a name for the Geraldton-Greenough Shire. What date do these entries need to be in?

The President advised that the date has come and gone. The date was advertised around town for the close of competition. No name has been finalised as yet.

3. The students of the year 3/4/5 room have put in drawing for the new playground. Has there been much progress with the playground and has there been any plans made?

The CEO advised that the plans will be sent down to a playground equipment provider to develop some concepts.

Oakajee Port and Rail representatives gave a presentation on environmental approval updates in regards to the Oakajee Port and Rail project.

0210.05	APPLICATIONS FOR LEAVE OF ABSENCE
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Nil

Jenna May left the meeting- (1.35- 1.37pm)

0210.06	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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Moved: Andrew Messina

Seconded: K P Keeffe

COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19th MAY 2010, AS PRINTED BE CONFIRMED.

CARRIED 6/0

0210.07	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION
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Nil

0210.08	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
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Nil

0210.09	REPORTS OF COMMITTEES/MEMBERS
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Nil

0210.10	REPORTS OF OFFICERS
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10.2 HEALTH, BUILDING AND TOWN PLANNING

10.2.1 INDARRA SPRINGS NATURE RESERVE

DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Dept of Environment and Conservation
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	8 th June 2010 Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report submits a proposal to increase the area of the Indarra Springs Nature Reserve.
BACKGROUND:	The attached letter and maps have been received from the Department of Environment and Conservation.
COMMENT:	As can be noted in the letter at APPENDIX A , agreement has been reached with the existing owners of Lot 7295 to purchase the uncleared portion of the property and add it to the Indarra Springs Nature Reserve. The Department is providing Council the opportunity to advise any views, comments, information or recommended conditions pertinent to the proposal prior to submitting the application to the WA Planning Commission to excise the area from the existing Lot 7295.
CONSULTATION:	Alex Errington DEC
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 PROVIDE ANY VIEW, COMMENTS, INFORMATION OR RECOMMENDED CONDITIONS IF NECESSARY.

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

COUNCIL DECISION: **THAT COUNCIL MAKES NO VIEW, COMMENTS, INFORMATION OR RECOMMENDED CONDITIONS IF NECESSARY.**

CARRIED 6/0

(1.40- 1.42PM) - CR Freeman declared a financial interest in the following item, as a paid employee of Our Lady of Mt Carmel Primary School.
CR Freeman left the meeting

10.2.2	PROPOSED UPGRADES TO OUR LADY OF MT CARMEL
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DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	
NAME OF APPLICANT:	Eastman Poletti Sherwood
FILE REFERENCE:	TP 10/01
PREVIOUS MINUTE/S & REFERENCE:	
DATE AND AUTHOR:	11 th June 2010 Dave Gibson, Building surveyor
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	A Development approval application has been received in relation to upgrade works to Our Lady of Mount Carmel Primary School
BACKGROUND:	The Development application was received on the 1 st of April 2010 and application for a Building licence was received on the 2 nd of June 2010 for the proposed works. The works include <ul style="list-style-type: none"> • Replacement of concrete decking with reeded timber decking to existing Administration building. • Replacement of ceiling to staff room in administration building. • Replacement of concrete floor with timber frame floor in administration building. • New covered assembly area to west of existing Administration building • New lining to existing covered veranda area • New Palisade fence and gates to Lot 15 boundary front and Lot 14 side boundary.
COMMENT:	Plans and specifications have been submitted by Bruce Sherwood on behalf of the Architects to the Heritage Council of Western Australia. The Shire of Mullewa received a letter of support for the proposed works on the 30 th of April 2010 from the Conservation Officer Karen Jackson. Plans etc will be tabled at the meeting.
CONSULTATION:	Heritage Council of Western Australia
STATUTORY ENVIRONMENT:	Local Planning Scheme No 1
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 PLANNING APPLICATION FOR UPGRADES TO OUR LADY OF MT CARMEL BE APPROVED

Recommend the planning application be approved subject to the following conditions

1. During construction, access to the site be at the location of the vehicle crossover only. No materials or vehicles associated with construction shall be allowed on the verge without prior approval from local government.
2. The land owner at the time shall be responsible to compensate the local government for the repair of (or shall if the local government so agrees repair) any facility existing on the road reserve adjacent to the site which is damaged in the process of construction, establishment or installation of the development.
3. All loading and unloading to take place within the boundaries of the premises and undertaken in a manner so as to cause minimum interference with other vehicular traffic.
4. All storm water is to be disposed of on site to specifications and approval of the local government. On application for a building licence a detailed design of storm water collection and disposal system of developed areas is to be supplied.
5. The development shall be in accordance with the attached approved plans and subject to any modifications required as a consequence of any condition of this approval.
6. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause glare nuisance to any nearby residents or

- passing motorists.
7. Any additions to or change of use of any part of the building or land (not the subject of this approval/ consent) requires further application and planning approval for that use/addition.

Notes:

- If the development/land use, the subject of this approval, is not substantially commenced within two years after determination, the approval shall lapse and be of no further effect.
- Where an approval has lapsed, no development/land use shall be carried out without further approval of the local government having been sort and obtained.
- If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative tribunal. Such application must be lodged within 28 days from the date of determination.
- Compliance is required with the Building Code of Australia.
- All operations upon this site are to comply with the requirements of the Environmental Protection Act in respect to noise emissions,

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

COUNCIL DECISION: **THAT THE PLANNING APPLICATION FOR UPGRADES TO OUR LADY OF MT CARMEL BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS;**

Recommend the planning application be approved subject to the following conditions

1. During construction, access to the site be at the location of the vehicle crossover only. No materials or vehicles associated with construction shall be allowed on the verge without prior approval from local government.
2. The land owner at the time shall be responsible to compensate the local government for the repair of (or shall if the local government so agrees repair) any facility existing on the road reserve adjacent to the site which is damaged in the process of construction, establishment or installation of the development.
3. All loading and unloading to take place within the boundaries of the premises and undertaken in a manner so as to cause minimum interference with other vehicular traffic.
4. All storm water is to be disposed of on site to specifications and approval of the local government. On application for a building licence a detailed design of storm water collection and disposal system of developed areas is to be supplied.
5. The development shall be in accordance with the attached approved plans and subject to any modifications required as a consequence of any condition of this approval.
6. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause glare nuisance to any nearby residents or

passing motorists.

7. Any additions to or change of use of any part of the building or land (not the subject of this approval/ consent) requires further application and planning approval for that use/addition.

Notes:

- If the development/land use, the subject of this approval, is not substantially commenced within two years after determination, the approval shall lapse and be of no further effect.
- Where an approval has lapsed, no development/land use shall be carried out without further approval of the local government having been sort and obtained.
- If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative tribunal. Such application must be lodged within 28 days from the date of determination.
- Compliance is required with the Building Code of Australia.
- All operations upon this site are to comply with the requirements of the Environmental Protection Act in respect to noise emissions,

CARRIED 5/0

10.3 WORKS, PLANT, PARKS AND GARDENS

10.3.1 MAIN ROADS – MID WEST LOCAL COUNCILS SERVICES AGREEMENT

DATE OF MEETING: 16th June 2010

LOCATION/ADDRESS:

NAME OF APPLICANT: This report has been compiled by the CEO of the MWRC and is being presented to all the participating Local Governments of the MWRC.

FILE REFERENCE:

PREVIOUS MINUTE/S & REFERENCE:

DATE AND AUTHOR: 9th June 2010 Suzanne Ward CEO MWRC

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY

Council is being requested to advise Main Roads WA the position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft and the process for finalising any outstanding substantive matters under the

Services Agreement in accordance with the MOU as set out in this letter.

The substantive matters are:

- a. the relevant services and the relevant roads to which the Services Agreement will apply;
- b. the standards to which the Councils must deliver those relevant services under the Services Agreement;
- c. the term of the Services Agreement;
- d. the obligations of each of the parties under the Services Agreement; and
- e. the commercial model which will apply under the Services Agreement.

BACKGROUND:

The working group comprised of Mark Hook, Stan Scott and Ian Fitzgerald have been working in conjunction with the Chief Executive Officer of the Mid West Regional Council, representatives of Main Roads WA, other MWRC CEO's and Staff (as required) on the proposed Main Roads Service Agreement and accompanying schedules.

Legal advice has been sought on behalf of Councils to comment on the draft agreement. Some drafting changes recommended by Civic Legal are agreeable to Main Roads, however there still requires further negotiation on some points of the agreement. Schedules to the agreement have been constructed which set out at a high level the processes and organisational structure underpinning the agreement. Although a risk assessment has taken place, the insurance aspect is still to be workshopped and added as a schedule to the agreement.

Each Council received the following letter from Main Roads WA in relation to the Service Agreement with Main Roads:

I refer to the ongoing discussions between Main Roads and Council representatives in our attempt to reach an agreement on the above. In particular, I refer to:

- (a) the Memorandum of Understanding entered into between Main Roads and the Shires of Coorow, Mingenew, Morawa, Mullewa, Perenjori and Three Springs dated 22 February 2010, under which Main Roads and the Councils agreed to use their best endeavors to reach agreement on a services agreement for the delivery by the Councils of certain road asset management services on a portion of Main Roads' road network; and*
- (b) the numerous discussions and workshops held between Main Roads and the Council representatives in respect of the development of*

the Services Agreement. Notwithstanding the works undertaken to date, clause 2(a)(2) of the MOU provides that, unless otherwise agreed, the MOU will terminate if the parties have not reached agreement in respect of all of the substantive matters of the Services Agreement by 25 June 2010.

The substantive matters of the Services Agreement include:

- (a) the relevant services and the relevant roads to which the Services Agreement will apply;*
- (b) the standards to which the Councils must deliver those relevant services under the Services Agreement;*
- (c) the term of the Services Agreement;*
- (d) the obligations of each of the parties under the Services Agreement; and*
- (e) the commercial model which will apply under the Services Agreement.*

The details of a number of these matters are included in the current draft of the Services Agreement which was issued to the Councils on 14 May 2010 and additional information has been provided which is being included into the draft agreement. It is my intention that Main Roads will issue a revised draft of the Services Agreement that will address these additional matters later this week.

However, to date, Main Roads has not received any formal advice from your Council in respect to the content of current draft.

To enable Main Roads to understand your Council's acceptance of the content of the current draft agreement, can you please advise me as soon as possible of your Council's position with respect to its agreement of all of the substantive matters by 25 June 2010 as set by clause 2(a)(2) of the MOU.

A key outstanding matter to be included in the Services Agreement is the liability and insurance regime. Main Roads considers this to be a substantive matter requiring agreement prior to 25 June 2010.

As previously discussed, Main Roads would propose holding a workshop with the Council representatives and advisers as soon as practicable to agree and finalise the liability and insurance regime for insertion in the Services Agreement. However, until there is an understanding that the Councils are in agreement with the other matters, it is considered that there may not be value in holding this workshop.

Therefore, as a matter of urgency and given the timeframe set by clause 2(a)(2) of the MOU, would you please advise me in writing of your Councils position on the following:

- (a) the position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft; and*
- (b) the process for finalising any outstanding substantive matters under the Services Agreement in accordance with the MOU as set out in this letter.*

COMMENT:

Council received the following email from the Chief Executive Officer of the MWRC on the 9th June 2010:

There have been some changes since our meeting with Main Roads last Tuesday (1st June 2010).

- a) Main Roads are to submit an application (today or tomorrow) to the Commissioner for Main Roads for a 2 week extension of time (from 25th June in acknowledgement of Brian's 2 week leave taking). Brian is to send me a copy of the application today and councils are going to be requested to endorse this action as well as reply that they have a basic understanding of the 5 main elements of the MOU we are seeking to bed down by the cut off date.*
- b) On receipt of our legal advice, Main Roads have instructed Freehills to make the drafting changes suggested by Civic Legal and will add comments on other sections of the agreement that need further discussion between all parties. The latest draft (with the changes and comments) will be circulated later this week.*

Council will be given the full documentation in relation to the Service Agreement when it is completed.
Response to Main Roads Correspondence

The position set out in the current draft of the Services Agreement issued to the Councils on 14 May 2010 in respect of the matters covered in that draft:

- (i) Mid West Regional Council instructed Civic Legal to review the draft service agreement (as of 18th May 2010) and identify clauses or other aspects of the agreement that might carry risks that the Council should be alerted to and propose action and alternative wording to the agreement to strengthen the Council's position.
- (ii) Civic Legal were also asked by MWRC to advise on whether competition policy or law would

operate in relation to the agreement and whether the proposed prohibition against Council adding a margin or profit could be construed as anti competitive conduct prohibited by law.

The advice provided by Civic Legal on both matters above has been conveyed to Main Roads who have instructed their legal representatives to make the drafting changes suggested by and also to add comments on other sections of the agreement that need further discussion between all parties. i.e. Main Roads do not necessarily agree with all of Civic Legal's recommendations for change and wish to have further dialogue with the working group on certain points.

Main Roads will forward the amended agreement later this week and it is planned to hold further discussion at the TAG meeting on 18th June 2010 to develop our position on the comments to the agreement before meeting with Main Roads.

The process for finalising any outstanding substantive matters under the Services Agreement in accordance with the MOU:

Substantive Matters	Status	Process for Finalising
a. The relevant services and the relevant roads to which the Services Agreement will apply;	Finalised	
b. The standards to which the Councils must deliver those relevant services under the Services Agreement;	Have agreed at high level.	A number of operational plans and methods of operations will require development and/or finalisation prior to the execution of the agreement and will be developed with the assistance of Main Roads. Governance Plan to be developed / finalised following the execution of the agreement.
c. The term of the Services Agreement;	The draft suggests 5 years, with a 1 year extension option based on strategic reviews. The yearly strategic reviews will enable the term to be extended more than once if positive results are obtained from those reviews. There has been a suggestion of extending to a 10 year initial term, with a similar option to extend, with such extension being a joint review process and agreement	Individual Councils required to provide their preference for either: 5years with a 1 year option for extension at MRWA discretion; or 10 years initial term, with a similar option to extend, with such extension being a joint review process and agreement between the Shires and MRWA.

	between the Shires and MRWA (not at MRWA sole discretion).	
d. The obligations of each of the parties under the Services Agreement; and	Individual Councils required to accept arrangement as presented with this agenda item. (formal agreement required by each council that they agree with the arrangement as presented)	a) Litter collection – detail of how this is to be delivered to be finalised by councils and added to schedule of services. b) How works will be delivered: - i.e. - Location of maintenance crews; - Which council would host / supervise / house and employ them; - Employment of Project Manager and Inspection Crews by MWRC.
e. The commercial model which will apply under the Services Agreement.	Individual Councils required to accept arrangement.	Concept of Direct Cost plus overhead (no margin or profit) to be agreed to by Individual Councils.

CONSULTATION:
STATUTORY
ENVIRONMENT:

Local Government Act 1995

POLICY
IMPLICATIONS:
FINANCIAL
IMPLICATIONS:

There are no known policy implications at this time.

\$1,500 to \$2,000 per Km is a rough guide to the MRWA annual budget for routine maintenance on the network.

Direct costs and overheads will be reimbursed. There is no margin or profit to be added however there is also no financial risk to bear as Main Roads will carry cost of any rework required.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:
OFFICER
RECOMMENDATION

Simple majority

COUNCIL REPLIES TO THE CORRESPONDENCE RECEIVED FROM

MAIN ROADS WA ADVISING THAT:

- 1) AS A RESULT OF LEGAL ADVICE RECEIVED IN RELATION TO THE DRAFT SERVICE AGREEMENT THERE REMAINS SOME MATTERS STILL TO BE DETERMINED AND COUNCIL IS COMMITTED TO CONTINUING NEGOTIATIONS TO REACH MUTUAL AGREEMENT. IT IS PROPOSED THAT THE WORKING GROUP WILL MEET TO ESTABLISH A POSITION ON THE MATTERS TO BE RESOLVED PRIOR TO MEETING WITH MAIN ROADS.
- 2) COUNCIL UNDERSTANDS AND AGREES TO THE SERVICE DELIVERY ARRANGEMENTS PROPOSED BY THE WORKING GROUP AS PRESENTED IN ATTACHMENT 1.
- 3) IN RELATION TO THE OUTSTANDING SUBSTANTIVE MATTERS UNDER THE SERVICE AGREEMENT IN

ACCORDANCE WITH THE MOU, COUNCIL IS PROPOSING THE FOLLOWING ACTIONS TO FINALISE THE PROCESS:

- a) THE RELEVANT SERVICES AND THE RELEVANT ROADS TO WHICH THE SERVICES AGREEMENT WILL APPLY HAVE BEEN FINALISED;
- b) THE STANDARDS TO WHICH THE COUNCILS MUST DELIVER THOSE RELEVANT SERVICES UNDER THE SERVICES AGREEMENT - A NUMBER OF OPERATIONAL PLANS AND METHODS OF OPERATIONS WILL BE DEVELOPED AND/OR FINALISED PRIOR TO THE EXECUTION OF THE AGREEMENT WITH THE ASSISTANCE OF MAIN ROADS WHILE THE GOVERNANCE PLAN IS TO BE DEVELOPED / FINALISED FOLLOWING THE EXECUTION OF THE AGREEMENT;
- c) TERM - AN INITIAL TERM OF 5 YEARS, WITH A 5 YEAR EXTENSION OPTION BASED ON ANNUAL STRATEGIC REVIEWS WITH SUCH EXTENSION BEING A JOINT REVIEW PROCESS AND AGREEMENT BETWEEN THE SHIRES AND MRWA WILL BE REQUESTED.
- d) COUNCIL AGREES TO THE SERVICE DELIVERY ARRANGEMENTS / STRUCTURE PROPOSED BY THE WORKING GROUP AS PRESENTED IN *APPENDIX A*.
- e) THE COMMERCIAL MODEL TO APPLY UNDER THE SERVICES AGREEMENT BEING THE CONCEPT OF REIMBURSEMENT OF DIRECT COSTS PLUS OVERHEADS (NO MARGIN OR PROFIT TO BE INCLUDED) IS UNDERSTOOD AND AGREED TO BY COUNCIL, SUBJECT TO NO RISK TO COUNCIL.

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

COUNCIL DECISION: **COUNCIL REPLIES TO THE CORRESPONDENCE RECEIVED FROM MAIN ROADS WA ADVISING THAT:**

- 4) AS A RESULT OF LEGAL ADVICE RECEIVED IN RELATION TO THE DRAFT SERVICE AGREEMENT THERE REMAINS SOME MATTERS STILL TO BE DETERMINED AND COUNCIL IS COMMITTED TO CONTINUING NEGOTIATIONS TO REACH MUTUAL AGREEMENT. IT IS PROPOSED THAT THE WORKING GROUP WILL MEET TO ESTABLISH A POSITION ON THE MATTERS TO BE RESOLVED PRIOR TO MEETING WITH MAIN ROADS.
- 5) COUNCIL UNDERSTANDS AND AGREES TO THE SERVICE DELIVERY ARRANGEMENTS PROPOSED BY THE WORKING GROUP AS PRESENTED IN ATTACHMENT 1.
- 6) IN RELATION TO THE OUTSTANDING SUBSTANTIVE

MATTERS UNDER THE SERVICE AGREEMENT IN ACCORDANCE WITH THE MOU, COUNCIL IS PROPOSING THE FOLLOWING ACTIONS TO FINALISE THE PROCESS:

- f) THE RELEVANT SERVICES AND THE RELEVANT ROADS TO WHICH THE SERVICES AGREEMENT WILL APPLY HAVE BEEN FINALISED;**
- g) THE STANDARDS TO WHICH THE COUNCILS MUST DELIVER THOSE RELEVANT SERVICES UNDER THE SERVICES AGREEMENT - A NUMBER OF OPERATIONAL PLANS AND METHODS OF OPERATIONS WILL BE DEVELOPED AND/OR FINALISED PRIOR TO THE EXECUTION OF THE AGREEMENT WITH THE ASSISTANCE OF MAIN ROADS WHILE THE GOVERNANCE PLAN IS TO BE DEVELOPED / FINALISED FOLLOWING THE EXECUTION OF THE AGREEMENT;**
- h) TERM - AN INITIAL TERM OF 5 YEARS, WITH A 5 YEAR EXTENSION OPTION BASED ON ANNUAL STRATEGIC REVIEWS WITH SUCH EXTENSION BEING A JOINT REVIEW PROCESS AND AGREEMENT BETWEEN THE SHIRES AND MRWA WILL BE REQUESTED.**
- i) THE COMMERCIAL MODEL TO APPLY UNDER THE SERVICES AGREEMENT BEING THE CONCEPT OF REIMBURSEMENT OF DIRECT COSTS PLUS OVERHEADS (NO MARGIN OR PROFIT TO BE INCLUDED) IS UNDERSTOOD AND AGREED TO BY COUNCIL, SUBJECT TO NO RISK TO COUNCIL.**

CARRIED 6/0

10.4 FINANCE AND GENERAL PURPOSE

10.4.1 FINANCE REPORT – MAY 2010

DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	3 rd June 2010. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY	Report presents a bank reconciliation of Councils bank accounts.
BACKGROUND:	A reconciliation of funds is carried out at end of each month for all of Councils bank accounts. The accounts are reconciled with the general ledger to ascertain accuracy of income and expenditure of the previous month.

COMMENT:

BANK RECONCILIATION

The Bank Reconciliation for the month of May 2010 is attached at **APPENDIX A**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest.

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 THE FINANCE REPORT FOR THE PERIOD ENDED 31st MAY BE RECEIVED.

Moved:

J L Freeman

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31st MAY BE RECEIVED.

CARRIED 6/0

**SHIRE OF MULLEWA
BANK RECONCILIATION
May 31, 2010**

ACCOUNT	MUNICIPAL	CDA	MUNI GRANT	TRUST	MCT	RESERVES	ROAD RESEAL
G.L. ACCOUNT NO.	160010	160010	6002	161710	174310	185210	174510
Bank Statement Balance	11,473.13	1,155,634.00	-	52,887.62	411,400.60	675,365.00	1,085,527.12
Adjustments	(3,768.61)	-	-	3,769.11	-	-	-
Sub Total	7,704.52	1,155,634.00	-	56,656.73	411,400.60	675,365.00	1,085,527.12
Add O/S Deposits	1,171.62	-	-	-	-	-	-
Sub Total	8,876.14	1,155,634.00	-	56,656.73	411,400.60	675,365.00	1,085,527.12
Less O/S Cheques	20,358.11	-	-	651.30	-	-	-
CASH BALANCE	-11,481.97	1,155,634.00	-	56,005.43	411,400.60	675,365.00	1,085,527.12
Cash Balance as at 01/07/08	1,834,726.42	1,822,634.00	2.68	22,175.38	333,641.12	649,055.85	889,751.18
Receipts Year to Date	4,299,157.72	2,842,000.00	2.42	46,293.41	106,311.21	26,309.15	200,000.00
Receipts this Month	459,648.77	355,000.00	-	459.90	-	-	-
Less							
Payments Year to Date	4,724,270.86	3,279,000.00	5.10	5,907.55	28,551.73	-	4,224.06
Payments this month	725,109.97	585,000.00	-	7,015.71	-	-	-
CASH BALANCE	1,144,152.08	1,155,634.00	-	56,005.43	411,400.60	675,365.00	1,085,527.12

CDA Cash Balance included in Municipal Cash Balance

STATEMENT OF CASH POSITION

May 31, 2010

Cash on Hand		400.00
Municipal Funds		(11,481.97)
Invested Municipal Funds	Interest Rate: 4.00%	1,155,634.00
Mullewa Community Trust	Interest Rate: 4.48%	411,400.60
Reserve Funds	Interest Rate: 4.33%	675,365.00
Road Reseal Funds	Interest Rate: 4.48%	1,085,527.12
		<u>3,316,844.75</u>

Represented by:

Reserves:	Leave Fund	...	...	115,000.00
	Service Gratuity Reserve	...	...	-
	Building Reserve	...	...	222,947.00
	Aerodrome Reserve	...	...	26,000.00
	Medical Centre Reserve	...	...	105,900.00
	Effluent Scheme Reserve	...	...	58,019.15
	Plant Reserve	...	...	147,498.85
	Mullewa Community Trust	...	...	411,400.60
	Road Reseal Fund	...	...	1,085,527.12
	Available funds	...	...	<u>1,144,552.03</u>
				<u>3,316,844.75</u>

All accounts held with Commonwealth Bank Australia

10.4.2 STATEMENT OF FINANCIAL ACTIVITY – APRIL 2010

DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	27 th May 2010. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	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 B is the Statement of Financial Activity for April 2010.
CONSULTATION:	
STATUTORY 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 APRIL 2010 BE RECEIVED.
Moved:	<i>J L Freeman</i>
Seconded:	<i>A J Crudeli</i>
COUNCIL DECISION:	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF APRIL 2010 BE RECEIVED. CARRIED 6/0

**SHIRE OF MULLEWA
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2009 TO 30 APRIL 2010**

	30.04.10 Actual	30.04.10 Y-T-D Budget \$	2009/2010 Budget \$	Variances Budget to Y-T-D %
Operating				
Revenues/Sources				
General Purpose Funding	546,219	515,633	673,274	5.93%
Governance	53,225	16,532	23,898	221.95%
Law, Order, Public Safety	111,437	83,675	91,582	33.18%
Health	272	170	170	60.00%
Education and Welfare	86,932	64,729	85,089	34.30%
Housing	31,825	30,312	36,410	4.99%
Community Amenities	74,996	74,093	74,560	1.22%
Recreation and Culture	363,505	311,703	335,954	16.62%
Transport	814,540	647,869	1,031,431	25.73%
Economic Services	57,948	416,954	424,856	(86.10%)
Other Property and Services	354,710	90,983	110,000	289.86%
	<u>2,495,607</u>	<u>2,252,653</u>	<u>2,887,225</u>	10.79%
(Expenses)/(Applications)				
General Purpose Funding	-126,415	-142,397	-176,553	11.22%
Governance	-199,870	-234,463	-296,372	14.75%
Law, Order, Public Safety	-170,950	-205,881	-244,489	16.97%
Health	-52,927	-57,181	-68,471	7.44%
Education and Welfare	-148,419	-201,595	-249,444	26.38%
Housing	-120,718	-150,625	-183,622	19.86%
Community Amenities	-240,124	-274,350	-330,888	12.48%
Recreation & Culture	-729,652	-816,208	-1,001,328	10.60%
Transport	-557,490	-532,697	-1,290,733	(4.65%)
Economic Services	-137,026	-503,456	-604,743	72.78%
Other Property and Services	-403,683	-3,975	-58,911	(10055.55%)
	<u>-2,887,275</u>	<u>-3,122,828</u>	<u>-4,505,555</u>	7.54%
Adjustments for Non-Cash (Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	-197,918	-197,918	-168,610	
Depreciation on Assets	460,942	460,942	1,119,272	
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	-154,441	-154,441	-108,944	
Purchase Infrastructure Assets - Roads	-469,501	-469,501	-1,102,890	
Purchase Plant and Equipment	-1,170,638	-1,170,638	-1,404,558	
Purchase Furniture and Equipment	-2,270	-2,270	-45,000	
Proceeds from Disposal of Assets	295,227	295,227	292,388	
Repayment of Debentures	-47,675	-47,675	-96,445	
Transfers to Reserves (Restricted Assets)	-38,309	-38,309	-754,485	
Road Reseal & Community Trust Received	-306,311	-306,311	-300,000	
Road Reseal & Community Trust Expended	28,552	28,552	80,087	
Transfers from Reserves (Restricted Assets)	12,000	12,000	728,176	
ADD Net Current Assets July 1 B/Fwd	1,918,447	1,918,447	1,875,182	
LESS Net Current Assets Year to Date	1,457,748	962,088	0	
Amount Raised from Rates	<u>-1,521,310</u>	<u>-1,504,157</u>	<u>-1,504,157</u>	
Reason for Variance				
Sources	Variance \$			
Governance	221.95%	36,693	Reimbursements & Forward Planning grant	
Law, Order, Public Safety	33.18%	27,762	Grant funding received	
Health	60.00%	102	YTD Actual exceeds Estimate	
Education and Welfare	34.30%	22,203	YDO Grant received	
Recreation and Culture	16.62%	51,802	Mens Shed Grant received	
Transport	25.73%	166,671	Grants received & Profit on Vehicle Sales	
Economic Services	(86.10%)	-359,006	Royalties for Regions Grant fund	
Other Property and Services	289.86%	263,727	Private Works actual exceeds estimate	
Reason for Variance	Applications			
Applications	\$			
General Purpose Funding	11.22%	15,982	YTD Estimate Exceed Actual - Admin Alloc	
Governance	14.75%	34,593	YTD Estimate Exceed Actual - various	
Law, Order, Public Safety	16.97%	34,931	YTD Estimate Exceed Actual - various	
Education and Welfare	26.38%	53,177	YTD Estimate Exceed Actual - various	
Housing	19.86%	29,907	Building Mtce Program items to be carried out	
Community Amenities	12.48%	34,226	YTD Estimate Exceed Actual - various	
Recreation & Culture	10.60%	86,556	YTD Estimate Exceed Actual - various	
Economic Services	72.78%	366,430	Tourism & promotion.	
Other Property and Services	(10055.55%)	-399,708	Alloc.programs. Mt Gibson Rd Works	

SHIRE OF MULLEWA

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2009 TO 30 APRIL 2010

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

CURRENT ASSETS		
Cash - Unrestricted		1,410,013
Cash - Restricted		2,172,293
Receivables		264,567
Inventories		39,167
		<u>3,886,040</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions		<u>-255,999</u>
		<u>3,630,041</u>
Less: Cash - Reserves - Restricted		-675,365
Less: Cash - Restricted/Committed		<u>-1,496,928</u>
NET CURRENT ASSET POSITION		<u><u>1,457,748</u></u>

RATING INFORMATION

RATE TYPE	Rate in \$	Number of Prop.	Rateable Value \$	2009/10 Rate Revenue \$	2009/10 Interim Rates \$	2009/10 Back Rates \$	2009/10 Total Revenue \$	2009/10 Budget \$
Differential General Rate								
GRV Mullewa	0.098860	195	1,489,604	139,716	998		140,714	139,716
GRV Pindar	0.127316	6	21,095	2,549	-80		2,469	2,549
UV Agriculture	0.014047	300	151,892,278	1,251,607	-4,192		1,247,415	1,251,607
UV Mining	0.209000	21	406,845	73,792	8,474	1,191	83,458	73,792
							0	
Sub-Totals		522	153,809,822	1,467,664	5,200	1,191	1,474,055	1,467,664
Minimum Rates								
	Minimum \$							
GRV Mullewa	307.23	74		22,735			22,735	22,735
GRV Pindar	79.89	12		959			959	959
UV Agriculture	228.23	39		8,901			8,901	8,901
UV Mining	274.31	14		3,840			3,840	3,840
Sub-Totals		139	0	36,435	0	0	36,435	36,435
Ex Gratia/Adjust. Totals							1,510,490	1,504,099
							10,820	
							1,521,310	1,504,099
							1,521,310	1,504,099

All land except exempt land in the Shire of Mullewa is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2009/10 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

10.4.3 STATEMENT OF FINANCIAL ACTIVITY – MAY 2010

DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	-
DATE AND AUTHOR:	10 th June 2010. Noelene Holmes, Deputy Chief Executive Officer
DISCLOSURE OF INTEREST:	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 C is the Statement of Financial Activity for May 2010.
CONSULTATION:	
STATUTORY 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 MAY 2010 BE RECEIVED.
Moved:	<i>B I N Thomas</i>
Seconded:	<i>Andrew Messina</i>
COUNCIL DECISION:	THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MAY 2010 BE RECEIVED. CARRIED 6/0

**SHIRE OF MULLEWA
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2009 TO 31 MAY 2010**

	31.05.10 Actual	31.05.10 Y-T-D Budget \$	2009/2010 Budget \$	Variances Budget to Y-T-D %
Operating				
Revenues/Sources				
General Purpose Funding	690,531	666,454	673,274	3.61%
Governance	65,068	16,573	23,898	292.61%
Law, Order, Public Safety	111,939	87,613	91,582	27.77%
Health	272	170	170	60.00%
Education and Welfare	87,289	84,667	85,089	3.10%
Housing	33,051	33,342	36,410	(0.87%)
Community Amenities	79,010	74,301	74,560	6.34%
Recreation and Culture	405,257	322,662	335,954	25.60%
Transport	1,085,697	649,118	1,031,431	67.26%
Economic Services	65,190	420,871	424,856	(84.51%)
Other Property and Services	473,380	99,478	110,000	375.86%
	<u>3,096,684</u>	<u>2,455,249</u>	<u>2,887,225</u>	26.13%
(Expenses)/(Applications)				
General Purpose Funding	-134,533	-156,631	-176,553	14.11%
Governance	-207,524	-257,497	-296,372	19.41%
Law, Order, Public Safety	-186,563	-224,542	-244,489	16.91%
Health	-55,458	-62,664	-68,471	11.50%
Education and Welfare	-157,125	-225,432	-249,444	30.30%
Housing	-124,896	-164,210	-183,622	23.94%
Community Amenities	-258,494	-299,189	-330,888	13.60%
Recreation & Culture	-762,568	-884,101	-1,001,328	13.75%
Transport	-585,648	-587,685	-1,290,733	0.35%
Economic Services	-150,051	-553,340	-604,743	72.88%
Other Property and Services	-518,679	20,050	-58,911	2686.93%
	<u>-3,141,539</u>	<u>-3,395,241</u>	<u>-4,505,555</u>	7.47%
Adjustments for Non-Cash (Revenue) and Expenditure				
(Profit)/Loss on Asset Disposals	-204,670	-204,670	-168,610	
Depreciation on Assets	460,942	460,942	1,119,272	
Capital Revenue and (Expenditure)				
Purchase Land and Buildings	-165,658	-165,658	-108,944	
Purchase Infrastructure Assets - Roads	-810,597	-810,597	-1,102,890	
Purchase Plant and Equipment	-1,205,539	-1,205,539	-1,404,558	
Purchase Furniture and Equipment	-2,270	-2,270	-45,000	
Proceeds from Disposal of Assets	318,864	318,864	292,388	
Repayment of Debentures	-87,643	-87,643	-96,445	
Transfers to Reserves (Restricted Assets)	-38,309	-38,309	-754,485	
Road Reseal & Community Trust Received	-306,311	-306,311	-300,000	
Road Reseal & Community Trust Expended	28,552	28,552	80,087	
Transfers from Reserves (Restricted Assets)	12,000	12,000	728,176	
ADD Net Current Assets July 1 B/Fwd	1,918,447	1,918,447	1,875,182	
LESS Net Current Assets Year to Date	1,394,097	481,973	0	
Amount Raised from Rates	<u>-1,521,144</u>	<u>-1,504,158</u>	<u>-1,504,157</u>	
Reason for Variance				
Governance	292.61%	48,495	Reimbursements & Forward Planning grant	
Law, Order, Public Safety	27.77%	24,326	Grant funding received	
Health	60.00%	102	YTD Actual exceeds Estimate	
Recreation and Culture	25.60%	82,595	Mens Shed Grant received	
Transport	67.26%	436,579	Grants received & Profit on Vehicle Sales	
Economic Services	(84.51%)	-355,681	Royalties for Regions Grant fund	
Other Property and Services	375.86%	373,902	Private Works actual exceeds estimate	
Reason for Variance				
General Purpose Funding	14.11%	22,098	YTD Estimate Exceed Actual - Admin Alloc	
Governance	19.41%	49,973	YTD Estimate Exceed Actual - various	
Law, Order, Public Safety	16.91%	37,979	YTD Estimate Exceed Actual - various	
Health	11.50%	7,206	YTD Estimate Exceed Actual - various	
Education and Welfare	30.30%	68,307	YTD Estimate Exceed Actual - various	
Housing	23.94%	39,314	YTD Estimate Exceed Actual - various	
Community Amenities	13.60%	40,695	YTD Estimate Exceed Actual - various	
Recreation & Culture	13.75%	121,533	YTD Estimate Exceed Actual - various	
Economic Services	72.88%	403,289	Tourism & promotion.	
Other Property and Services	2686.93%	-538,729	Alloc.programs. Mt Gibson Rd Works	

SHIRE OF MULLEWA

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2009 TO 31 MAY 2010

NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

CURRENT ASSETS

Cash - Unrestricted	1,144,552
Cash - Restricted	2,172,293
Receivables	464,001
Inventories	35,464
	<u>3,816,309</u>

LESS: CURRENT LIABILITIES

Payables and Provisions	-249,920
	<u>3,566,390</u>

Less: Cash - Reserves - Restricted -675,365

Less: Cash - Restricted/Committed -1,496,928

NET CURRENT ASSET POSITION 1,394,097

RATING INFORMATION

RATE TYPE	Rate in \$	Number of Prop.	Rateable Value \$	2009/10 Rate Revenue \$	2009/10 Interim Rates \$	2009/10 Back Rates \$	2009/10 Total Revenue \$	2009/10 Budget \$
Differential General Rate								
GRV Mullewa	0.098860	195	1,489,604	139,716	998		140,714	139,716
GRV Pindar	0.127316	6	21,095	2,549	-80		2,469	2,549
UV Agriculture	0.014047	300	151,892,278	1,251,607	-4,192		1,247,415	1,251,607
UV Mining	0.209000	21	406,845	73,792	8,905	1,191	83,888	73,792
							0	
Sub-Totals		522	153,809,822	1,467,664	5,630	1,191	1,474,486	1,467,664
Minimum Rates								
	Minimum \$							
GRV Mullewa	307.23	74		22,735			22,735	22,735
GRV Pindar	79.89	12		959			959	959
UV Agriculture	228.23	39		8,901			8,901	8,901
UV Mining	274.31	14		3,840			3,840	3,840
Sub-Totals		139	0	36,435	0	0	36,435	36,435
Ex Gratia/Adjust. Totals							1,510,921	1,504,099
							10,223	
							<u>1,521,144</u>	<u>1,504,099</u>
							<u>1,521,144</u>	<u>1,504,099</u>

All land except exempt land in the Shire of Mullewa is rated according to its Gross Rental Value (GRV) in townships or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2009/10 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

10.4.4 ACCOUNTS FOR PAYMENT- JUNE 2010

DATE OF MEETING: 16th JUNE 2010
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: 16th JUNE 2010. Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY: The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank account during the month, to be passed for payment by Council.

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

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

The summary of the schedule of accounts to be passed for payment totalling \$591,993.27 the following:

<u>Municipal Account</u>		
Cheque No.	10475-10506	107,822.84
Electronic Fund Trans	EFT 5939- EFT 6014	396,043.71
Payroll & Fees		82,255.96
<u>Trust Account</u>		
Cheque No.	432-434	5,797.70
	Total:	591,993.27

CONSULTATION: Nil

STATUTORY ENVIRONMENT: Local Government Act and Regulations

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION: THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT.

<u>Municipal Account</u>		
Cheque No.	10475-10506	107,822.84
Electronic Fund Trans	EFT 5939- EFT 6014	396,043.71
Payroll & Fees		82,255.96
<u>Trust Account</u>		
Cheque No.	432-434	5,797.70
	Total:	591,993.27

Moved: J L Freeman **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.	10475-10506		107,822.84
Electronic Fund Trans	EFT 5939- EFT 6014		396,043.71
Payroll & Fees			82,255.96
<u>Trust Account</u>			
Cheque No.	432-434		5,797.70
	Total:		591,993.27

CARRIED 6/0

10.4.5 ANNUAL BUILDING INSPECTION REPORT

DATE OF MEETING: 16th June 2010

LOCATION/ADDRESS: Mullewa

FILE REFERENCE:

PREVIOUS MINUTE/S &

REFERENCE:

DATE AND AUTHOR: 4th June 2010, Noelene Holmes, Deputy Chief Executive Officer

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

INTEREST:

SUMMARY

Report presents result of annual property inspection for inclusion in the forthcoming budget.

BACKGROUND:

Cr Thomas and Cr Freeman accompanied by staff conducted an inspection of Council's untenanted buildings. In accordance with a determination made as part of the inspection, a listing of maintenance and improvement works has been developed for consideration as part of the 2010/2011 Municipal Budget.

COMMENT:

Reference is made to **APPENDIX D** which lists estimated costs required for the repairs/maintenance on Council owned buildings as identified at the annual Council Building Inspection.

Tenanted properties were not included in the inspection and tenants were requested to submit their requests via a reporting process. The majority of the requests received were minor maintenance items which were dealt with immediately. Each property will be allocated an unidentified amount for unexpected repairs in the next budget.

The Town Hall and Youth Centre buildings have become prone to water ingress during wet weather which is resulting in ceiling damage. A quote for the replacement Town Hall and Youth Centre roofs may be available at the meeting.

As previously requested a quote has been obtained for the installation of ceiling fans in the Town and Lesser Halls.

It is proposed that these works listed in the attached and pending quotes be considered for inclusion in the 2010/2011 budget.

STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time.
FINANCIAL IMPLICATIONS:	That, as an interim measure, provisions be made in the 2010/2011 Budget for maintenance works in accordance with the quotes and estimated costs obtained:
	Quotes and Estimated Cost (approx) - \$ 98,950
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple Majority
OFFICER RECOMMENDATION	THAT CONSIDERATION BE GIVEN TO THE PROVISION IN THE 2010/11 BUDGET FOR WORKS TO BE CARRIED OUT TO COUNCIL PROPERTIES.

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

COUNCIL DECISION: **THAT CONSIDERATION BE GIVEN TO THE PROVISION IN THE 2010/11 BUDGET FOR WORKS TO BE CARRIED OUT TO COUNCIL PROPERTIES.**

CARRIED 6/0

10.4.6	MID WEST REGIONAL COUNCIL DRAFT BUDGET
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DATE OF MEETING:	16 th June 2010
LOCATION/ADDRESS:	-
NAME OF APPLICANT:	-
FILE REFERENCE:	-
PREVIOUS MINUTE/S & REFERENCE:	18 th June 2008, 17 th June 2009, 19 May, 2010.
DATE AND AUTHOR:	8 th June 2010, Tom Hartman, Chief Executive Officer
DISCLOSURE OF INTEREST:	Author has no disclosure of interest.
SUMMARY:	Report re-submits the Draft Budget of the MWRC for consideration.
BACKGROUND:	At the last meeting of the MWRC held on 2 nd June 2010, it was resolved that –

“Council endorses the Mid West Regional Council 2010/2011 Draft Budget as presented prior to being presented to Council for adoption at the August 2010 Mid West Regional Council meeting in accordance with the format and requirements of the Local Government Act & Regulations”.

The complete MWRC Draft Budget is attached under separate cover.

COMMENT:	At Councils May meeting a previous Draft MWRC Budget was presented for comment. As noted in the May agenda item the matter was to be discussed further at the MWRC June meeting. At the June MWRC meeting the draft budget submitted had several changes to the previous May draft. The main changes that affect the Shire of Mullewa are (as shown on page 18 of the budget document) an increase in the funding requirement for the MWRC operational costs and the inclusion of costs associated with the Main Roads Services Unit and the WELL Funded Training Program. These changes amount to an increase of \$25,000 to the May draft.
CONSULTATION:	President, members of the MWRC TAG
STATUTORY ENVIRONMENT:	There are no known statutory implications at this time.
POLICY IMPLICATIONS:	There are no known policy implications at this time
FINANCIAL IMPLICATIONS:	Council will need to consider the allocation of \$35,000 in the 2010/2011 budget for the MWRC operations.
STRATEGIC IMPLICATIONS:	There are no known strategic implications at this time.
VOTING REQUIREMENT:	Simple majority
OFFICER RECOMMENDATION	THAT COUNCIL REVIEW THE MWRC DRAFT BUDGET; MAKE COMMENT AS NECESSARY AND CONSIDER THE CONTRIBUTION TOWARDS VARIOUS PROJECTS IN THE 2010-2011 BUDGET DELIBERATIONS.

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

COUNCIL DECISION: **THAT COUNCIL REVIEW THE MWRC DRAFT BUDGET; MAKE COMMENT AS NECESSARY AND CONSIDER THE CONTRIBUTION TOWARDS VARIOUS PROJECTS IN THE 2010-2011 BUDGET DELIBERATIONS. CARRIED 6/0**

Jenna May left the meeting 2.08- 2.10PM

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.2 LOCAL GOVERNMENT REFORM - UPDATE

DATE OF MEETING:	16 June 2010
LOCATION/ADDRESS:	
NAME OF APPLICANT:	
FILE REFERENCE:	
PREVIOUS MINUTE/S & REFERENCE:	18 February 2009, 18 March, 2009, 22 April 2009, 20 May 2009, 17 June 2009, 19 th August 2009, 17 February 2010, 17 th March 2010, 21 st April 2010, 19 May 2010.
DATE AND AUTHOR:	8 June 2010, 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 information and provide some feedback relating to the names submitted for the new entity.

BACKGROUND: To allow council the opportunity to discuss any matters that arise from the reform process a report will be submitted each month in the Council agenda.

COMMENT: Minutes of the recent meeting of the Joint Structural Reform Committee were included in the recent Information bulletin and are again attached at **APPENDIX A** for council to note. Also attached **APPENDIX B** is a copy the submissions received for a new name for the Local Government area. It is requested that this information remains **CONFIDENTIAL**. At this stage the naming item requires an informal discussion only as the committee needs to discuss the matter further prior to making a recommendation to the respective Councils for consideration.

A response has been received from the Local Government Department regarding the query relating to the suggested name that was discussed at the committee meeting. This response is attached at **APPENDIX C**

Information regarding the visit from the Local Government Advisory Board was also included in the information bulletin. The visit will include a meeting with Council on Tuesday June 6, at 4.00pm and a public hearing at 7.00pm in the evening to be held at the Recreation Centre Dinning Room.

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

OFFICER RECOMMENDATION THAT THE INFORMATION ON STRUCTURAL REFORM BE RECEIVED.

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

COUNCIL DECISION: **THAT THE INFORMATION ON STRUCTURAL REFORM BE RECEIVED.**

CARRIED 6/0

10.5.3	LOCAL GOVERNMENT REFORM - FUNDING
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DATE OF MEETING: 16th June 2010
LOCATION/ADDRESS:
NAME OF APPLICANT:
FILE REFERENCE: ADM0067

PREVIOUS MINUTE/S &

REFERENCE:

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST:

SUMMARY

Report submits letter from the Minister for Local Government outlining the allocation of funds to progress the amalgamation between the City of Geraldton Greenough and the Shire of Mullewa.

BACKGROUND:

As part of the Joint reform submission between the City of Geraldton Greenough and the Shire of Mullewa, a condition was that the State Government provided adequate funding to assist the reform process. A copy of the Ministers response to that part of the submission is attached at **APPENDIX C**.

COMMENT:

This has been an excellent result for the local Governments involved. It would now appear that the decision to comply with the Governments wishes has been rewarded. This funding will allow the delivery of an ongoing benefit to our communities as stated in the Ministers letter.

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 NOTE THE ADVICE RECEIVED FROM THE MINISTER FOR LOCAL GOVERNMENT REGARDING THE FUNDING ALLOCATION TO ASSIST WITH THE LOCAL GOVERNMENT REFORM PROCESS.

Moved:

A J Crudeli

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT COUNCIL NOTE THE ADVICE RECEIVED FROM THE MINISTER FOR LOCAL GOVERNMENT REGARDING THE FUNDING ALLOCATION TO ASSIST WITH THE LOCAL GOVERNMENT REFORM PROCESS. CARRIED 6/0

10.5.4**SHIRE OF MULLEWA- REPRESENTATION**DATE OF MEETING: 16th June 2010

LOCATION/ADDRESS:

NAME OF APPLICANT:

FILE REFERENCE: ADM0067

PREVIOUS MINUTE/S &

REFERENCE:

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

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

INTEREST:

SUMMARY

Report submits the result of the request for the reduction of the number of councillors from nine to seven.

BACKGROUND: In 2009 Council applied to the Western Australian Local Government Advisory Board for a reduction in representation from nine councillors to seven councillors. This move was brought about by the resignation of existing councillors, the reform process and the difficulty in attracting persons to nominate.

A copy of the reply from the LGAB is attached at **APPENDIX D**

COMMENT: As can be noted this change was implemented on the 28th May, 2010, by a notice in the government Gazette. The reduction in councillors is one councillor from the Town Ward and one councillor from the East Ward.

Council quorum is now four members.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER

RECOMMENDATION

COUNCIL NOTE THE ADVICE RECEIVED FROM THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ADVISORY BOARD.

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

COUNCIL DECISION: **COUNCIL NOTE THE ADVICE RECEIVED FROM THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ADVISORY BOARD.**

CARRIED 6/0

13. DELEGATED AUTHORITY

13.1 DELEGATED AUTHORITIES – REVIEW OF

DATE OF MEETING: 16th June 2010

LOCATION/ADDRESS: -

NAME OF APPLICANT:

FILE REFERENCE: ADM0157

PREVIOUS MINUTE/S & REFERENCE: Annually - June 2009

DATE AND AUTHOR: 9th June 2010 – Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: -

BACKGROUND: In accordance with the provision of Section 5.46 of the Local Government Act, council is required to review all delegations that it has made, at least once in every financial year.

COMMENT: Attached at **APPENDIX A** is a summary of the delegations made by Council.

All of the delegations are considered current.

CONSULTATION:
STATUTORY ENVIRONMENT: Local Government Act 5.46
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 DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, AND 39 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.

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

COUNCIL DECISION: **THAT THE DELEGATIONS MADE BY COUNCIL, AND NUMBERED 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 24, 29, 34, 35, 36, 38, AND 39 HAVING BEEN REVIEWED IN ACCORDANCE WITH SECTION 5.46 OF THE ACT, ARE STILL CONSIDERED CURRENT.**

CARRIED 6/0

0210.13 CLOSURE OF MEETING
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The President closed the meeting at 2.32pm.

These minutes were confirmed at a meeting on 16 th June 2010:
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Signed:

A J Messina, President

Date:
