



SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 15 MARCH 2010
COMMENCING AT 3.00pm
IN THE LESSER HALL, YORK**

SHIRE OF YORK
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RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL
HELD ON MONDAY, 15 MARCH 2010, COMMENCING AT
3.06PM IN THE LESSER HALL, JOAQUINA STREET, YORK.

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

- 1.1 Declaration of Opening
Shire President, Cr Pat Hooper, declared the meeting open at 3.06pm.
- 1.2 Chief Executive Officer to read the disclaimer
The Chief Executive Officer, Mr Ray Hooper, read the disclaimer.
- 1.3 Announcement of Visitors
Nil
- 1.4 Announcement of any Declared Financial Interests
Item 9.3.4 – T Cochrane, Ray Hooper, P Ruettjes, N McNamara and G Tester – Financial Interest.
Item 9.5.2 – T Cochrane – Financial Interest.

2. ATTENDANCE

- 2.1 Members
Cr Pat Hooper, Shire President; Cr Brian Lawrance, Deputy Shire President; Cr Tony Boyle; Cr Roy Scott; Cr Tricia Walters; Cr Trevor Randell.
- 2.2 Staff
R Hooper, Chief Executive Officer; T Cochrane, Acting Deputy Chief Executive Officer; P Ruettjes, Shire Planner; G Tester, Manager of Health and Building; N McNamara, Development Services Officer.
- 2.3 Apologies
Nil
- 2.4 Leave of Absence Previously Approved
Nil
- 2.5 Number of People in Gallery at Commencement of Meeting
There were 3 people in the gallery at the commencement of the meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice

Nil

3.2 Written Questions

Mr P McInnes – Avon Valley Advocate

Question 1: Is the York Shire council unanimous in its decision to plant trees in the York CBD and does it have the support of the administration?

Response: Yes

Question 2: If the council is not unanimous in supporting trees in the CBD will the president see that a motion is put at the next meeting (or now) so that we know where councillors stand on this matter?

Response: Not applicable.

Question 3: When may York ratepayers anticipate the beginnings of tree planting in the CBD?

Response: Within 3 (three) weeks.

Question 4: May we now have a progress report on trees for the CBD from committee member Cr Roy Scott.

Response: No. This is not relevant nor authorised

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Minutes of the Audit Committee Meeting held February 15, 2010

Corrections
Nil

Confirmation

**RESOLUTION
010310**

Moved: Cr Boyle

Seconded: Cr Hooper

“That the minutes of the Audit Committee Meeting held February 15, 2010 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

7.2 Minutes of the Annual Electors Meeting held February 15, 2010

Corrections
Nil

Confirmation

**RESOLUTION
020310**

Moved: Cr Lawrance

Seconded: Cr Randell

“That the minutes of the Annual Electors Meeting held February 15, 2010 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

7.3 Minutes of the Ordinary Council Meeting held February 15, 2010

Corrections
Nil

Confirmation

**RESOLUTION
030310**

Moved: Cr Boyle

Seconded: Cr Randell

“That the minutes of the Ordinary Council Meeting held February 15, 2010 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

7.4 Minutes of the Special Council Meeting held February 22, 2010

Corrections
Nil

Confirmation

**RESOLUTION
040310**

Moved: Cr Lawrance

Seconded: Cr Scott

“That the minutes of the Special Council Meeting held February 22, 2010 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

7.5 Minutes of the Special Council Meeting held March 3, 2010

Corrections
Cr Walters advised that an apology was placed for her absence. The minutes will be hanged to reflect this.

Confirmation

**RESOLUTION
050310**

Moved: Cr Boyle

Seconded: Cr Scott

“That the minutes of the Special Council Meeting held March 3, 2010 be confirmed as a correct record of proceedings subject to Cr Walters being recorded as an apology.”

CARRIED (6/0)

7.6 Minutes of the Audit Committee Meeting held March 4, 2010

Corrections
Nil

Confirmation

**RESOLUTION
060310**

Moved: Cr Scott

Seconded: Cr Boyle

“That the minutes of the Audit Committee Meeting held March 4, 2010 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr Pat Hooper, Shire President, made the following announcements:

Congratulations to the York Community for the Film Night held on the 13th March 2010 in Peace Park. This shows great community spirit.

Congratulations to the York Swimming Club and the Pool Manager, Bill Livingstone, for holding the annual Short Distance Championship.

Congratulations to Rob and Bec Linto for holding the disco for the junior students at York District High School.

Thanks goes to Gordon Tester, the Shire's new Manager of Health and Building. Gordon provided a lot of help to Rob and Bec during the preparation for the disco.

On the 7th April 2010, Judi Moylan will be holding the Pearce Awards in the Lesser Hall. The event starts at 10.30, and awards will be presented to those nominated for the Pearce Awards, including the Australia Day award winners.

9. OFFICER'S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.1.2 Authorised Officer Appointments Amendment

FILE NO:	LE.ACT
COUNCIL DATE:	15 March 2010
REPORT DATE:	9 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Shire of York
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Gordon Tester, MHB
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Authorised Officer Appointment

Summary:

Council is required to create a new Delegation – Authorised Officer Appointment to include the Food Act 2008 and Food Regulations 2009.

This is proposed to ensure that the Shire of York can appoint Authorised Officers to implement the *Food Act 2008* and *Food Regulations 2009* which have recently come into effect.

Background:

The *Food Act 2008* and the *Food Regulations 2009* came into effect in October 2009. This has a number of operational implications for the Shire of York and local food businesses. Businesses must now notify the Shire of their business activities in relation to food and be registered with the Shire in most circumstances. The Shire of York will be corresponding with all food businesses to ensure this is achieved.

The *Food Act 2008* is now the principal, stand alone piece of legislation governing food control in Western Australia. The Act is based on Model Food Provisions agreed to by all States, Territories and New Zealand and fully adopts the *Food Standards Australia and New Zealand Food Standards Code*. Food safety enforcement and associated education is one of the key statutory requirements of local government Environmental Health Officers, and changes in legislation impact the delivery of this service to the local food industry.

The *Food Act 2008* contains a number of differences from the food control provisions that were detailed in *Health Act 1911 (as amended)*, including:

- Uniformity of legislation, including the adoption of the *Food Standards Australia and New Zealand Food Standards Code*, across all Australian states and territories and New Zealand;
- A move from prescribed based legislation to outcome and risk based legislation, allowing greater flexibility for local government and food business proprietors; and
- An increase in maximum penalties – from \$50 to \$10,000 under the provisions of the *Health Act 1911 (as amended)* to between \$10,000 and \$500,000 under the *Food Act 2008*.

Key components of the *Food Act 2008* are detailed as follows:

- Role of Local Government – Local government will continue to be responsible for the management of administrative, surveillance and compliance activities within their district.
- Authorised Officers – all persons currently authorised as environmental health officers under the provisions of the *Health Act 1911 (as amended)* can be Authorised Officers under the provisions of the *Food Act 2008*. Powers of entry provisions will remain largely intact; however, a search warrant is required for premises that are solely used

for residential purposes (where it is suspected that the premises is being used as a food premises).

- Designated Officers – Authorised Officers can be appointed as designated officers for the purpose of issuing infringement notices (modified penalties), or the withdrawal of infringement notices (Note: an officer who can issue infringements is not eligible to be designated to consider withdrawals).
- Registration / Notification – Food businesses will be required to register with / notify the Shire of their operations when the business commences or changes operations. Registration of food businesses will not be on an annual basis; however, invoices for annual assessment fees will be sent if Council sets an annual fee in its Schedule of Fees and Charges.
- Offences – Offences are tiered based on the level of risk associated with the offence with maximum penalties increasing markedly. Offences will take into account whether the person knowingly committed the offence or out to have reasonably known that an offence was committed. Offences can be committed by an individual or a body corporate, with the latter attracting significantly higher penalties.
- Enforcement Provisions – The Shire will have the power to issue on-the-spot Infringement Notices, Improvement Notices requiring cleaning and maintenance to be undertaken and Prohibition Orders requiring that the premises cease operations. It will be mandatory that all successfully prosecuted food businesses be placed on the Department of Health 'Notification of Convictions' (name and shame) register – currently, it is at the discretion of the Local Government Authority whether prosecutions are placed on this register.
- Food Safety Programs and Auditing – All food businesses that serve food to vulnerable persons (aged care, child care and nursing homes) and that are involved in primary production of dairy products must have a Food Safety Program (FSP), which must be audited. A FSP is a hazard control document that provides for the monitoring and control of hazards in a food premises.
- Food Premises Construction – New construction standards are outcome based and less prescriptive. An Environmental Health Officer will have to assess all new food premises applications against Standard 3.2.3 of the Food Standards Australia and New Zealand Food Standards Code and Australian Standard 4674:2004 – Design, Construction and fit-out of Food Premises.
- Home Occupations – Previously, the Department of Health assessed all medium / high risk Food Business Home Occupation applications. Local Government assessed low risk operations, such as manufacture of 'cottage industry' goods, such as, jams, biscuits, preserves. The onus is now on Local Government to assess all home occupation applications in accordance with the *Food Standards Australia and New Zealand Food Standards Code*. The requirements surrounding this section of the industry are less onerous. Relevant Planning requirements will also be taken into consideration.

To allow for the Shire of York officers to undertake statutory duties and implement the *Food Act 2008* and *Food Regulations 2009*, the local government is required to delegate Authorised Officers. In keeping with present delegation of Authorised Officers, it is recommended that the delegation Authorised Officer Appointments, which enables the Chief Executive Officer to appoint officers, be created to indicate the appointment of Authorised Officers under the *Food Act 2008*.

Consultation:

No formal consultation / advertising is required, however all potential food businesses will be contacted as part of this process in order to inform them of the changes to legislation.

Statutory Environment:

Under the provisions of the *Food Act 2008* a Local Government is an “enforcement agency” for the food businesses within its municipality. Local Governments need to appoint suitably qualified persons to administer the Act and Regulations. Section 122 of the Act states:

“An enforcement agency may appoint a person to be an Authorised Officer for the purposes of this Act if –

- (a) the enforcement agency (Shire of York), having regard to any guidelines issued by the CEO (of the Health Department) under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an Authorised Officer; or*
- (b) the person holds office as an environmental health officer under the Health Act 1911.”*

The enforcement agency (Shire of York) must also provide each Authorised Officer, appointed by the agency, with a certificate of authority and maintain a register of authorised persons.

Policy Implications:

This proposal does not contain any policy implications.

Financial Implications:

This proposal does not contain any notable financial implications.

Strategic Implications:

This proposal does not contain any notable strategic implications.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not Applicable.

Triple bottom Line Assessment:

Economic Implications: Not applicable.

Social Implications:

To ensure that public health standards are maintained it is essential that Council delegated authority to appoint Authorised Officers under the *Food Act 2008* and *Food Regulations 2009*.

Environmental Implications:

Nil

Comment:

The enforcement of the *Food Act 2008* required Authorised Officers to be appointed, to implement the provisions of the Act. It is recommended this be done by way of Delegation of Authority to the Chief Executive Officer.

In accordance with the Act, the persons who can be appointed as Authorised Officers is limited to persons who are appointed as an Environmental Health Officer under the *Health Act 1911* and any person who has appropriate qualifications as per the guidelines issued by the Chief Executive Officer of the Department of Health. The guidelines presently issued only allow the appointment of an Environmental Health Officer, or a person delegated under Section 7 of the *Health Legislation Administration Act 1984*. The local government can appoint an Authorised Officer for the purposes of the requirements of Regulation 21 of the *Food Regulation 2009* (inspection of animals and carcasses at abattoirs) only if the person holds a Certificate III in Meat Processing (Meat Safety).

Given the increase in use of contract Environmental Health Officers to undertake the statutory role of implementing the *Health Act 1911* and now the *Food Act 2008*, it is recommended that the Chief Executive Officer is given delegated authority to appoint Authorised Officers. This will overcome the need for Council to appoint an individual officer which would be an administrative burden and inefficient.

It is therefore recommended that Council create Delegation – Authorised Appointments.

Officers Recommendation

“That Council

Create a Delegation – Authorised Officer Appointment as tabled, to enable the Chief Executive Officer to appoint Authorised Officers, under the provisions of the Food Act 2008 and Food Regulations 2009.”

**RESOLUTION
070310**

Moved: Cr Boyle

Seconded: Cr Walters

That ‘as tabled’ be removed from the recommendation to read:

“That Council

Create a Delegation – Authorised Officer Appointment, to enable the Chief Executive Officer to appoint Authorised Officers, under the provisions of the Food Act 2008 and Food Regulations 2009.”

CARRIED (6/0)

9.2 Administration Reports

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.1 Road Names – Road Name Register

FILE NO: PS.NAM.2
COUNCIL DATE: 15 March 2010
REPORT DATE: 4 March 2010
LOCATION/ADDRESS: Malebelling Area
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: T Cochrane, A/DCEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A - Map
DOCUMENTS TABLED: Nil

Summary:

The Geographic Names Committee received a request to name an unnamed road in the Malebelling area. There are several unnamed roads and therefore a list has been submitted for approval. This will allow for emergency services and the like to promptly arrive at a request.

Background:

An email from the Geographic Names Committee was provided on the 30th December 2009 as follows:

"We have had an enquiry from the owner of Lot 19919 shown circled on the attached plan seeking an address for this property.

According to our records the road leading to their property is un-named. It is also noted that there are also many other un-named roads in the area. Please refer to the attached plan showing the property / road of this enquiry. Please note I have only marked a few of the many un-named roads. There are more.

In order to provide an address we require a suitable name the road in question, therefore I seek your assistance in this matter.

Could you please forward an appropriate name for this particular road for approval purposes? Consideration of naming other roads in the area would also be appreciated as similar address needs may also arise. Naming the other roads would also be of benefit to emergency service responders.

As usual, it would be a pleasure to assist you with clarifying compliance/suitability of any name. Thanks very much."

Consultation:

Geographic Names Committee;
Local Farmers within the Malebelling area; and
Councillors.

Statutory Environment:

Land Administration Act.

The Geographic Names Committee – WA (Landgate) provides the following information:

"Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: No

Triple bottom Line Assessment:

Economic Implications:

There will be costs associated with the changing of addresses and legal documents etc, however it is deemed that the benefit of a quick service especially in times of near death experiences prevails over the financial impediment.

Social Implications:

The naming of roads should have a tangible connection to the community and further contact will be made with the landowners within the vicinity after Council has considered the names put forward.

Environmental Implications:

Nil.

Comment:

There is support of the proposed names, however all landowners need to be consulted.

Once Council endorses the names put forward these will then be referred to the Geographic Names Committee for final approval.

Officers Recommendation

“That Council:

1. *advise the landowners within the vicinity of the unnamed roads as per Appendix A that the following names be put forward to the Geographic Names Committee for consideration and use:*

*Collins
Bell
Bodycoat
Fuss
Green
Humphrey
Linto
Ludgate
Walls
Wedgewood
Weeks*

2. *include those names listed above on the Council’s Register of Road Names, should no objections be received by landowners and the Geographic Names Committee.*

Advice Note:

It should be noted that the Geographic Names Committee is the decision making authority and no changes will be made until final approval through a Ministerial Order is issued.”

**RESOLUTION
080310**

Moved: Cr Randell

Seconded: Cr Boyle

That the following names be added to point one (1) of the recommendation:

Hall

Gillett

Longyear

Keeble

The recommendation will now read:

“That Council:

- 1. advise the landowners within the vicinity of the unnamed roads as per Appendix A that the following names be put forward to the Geographic Names Committee for consideration and use:***

Collins

Bell

Bodycoat

Fuss

Green

Humphrey

Linto

Ludgate

Walls

Wedgewood

Weeks

Hall

Gillett

Longyear

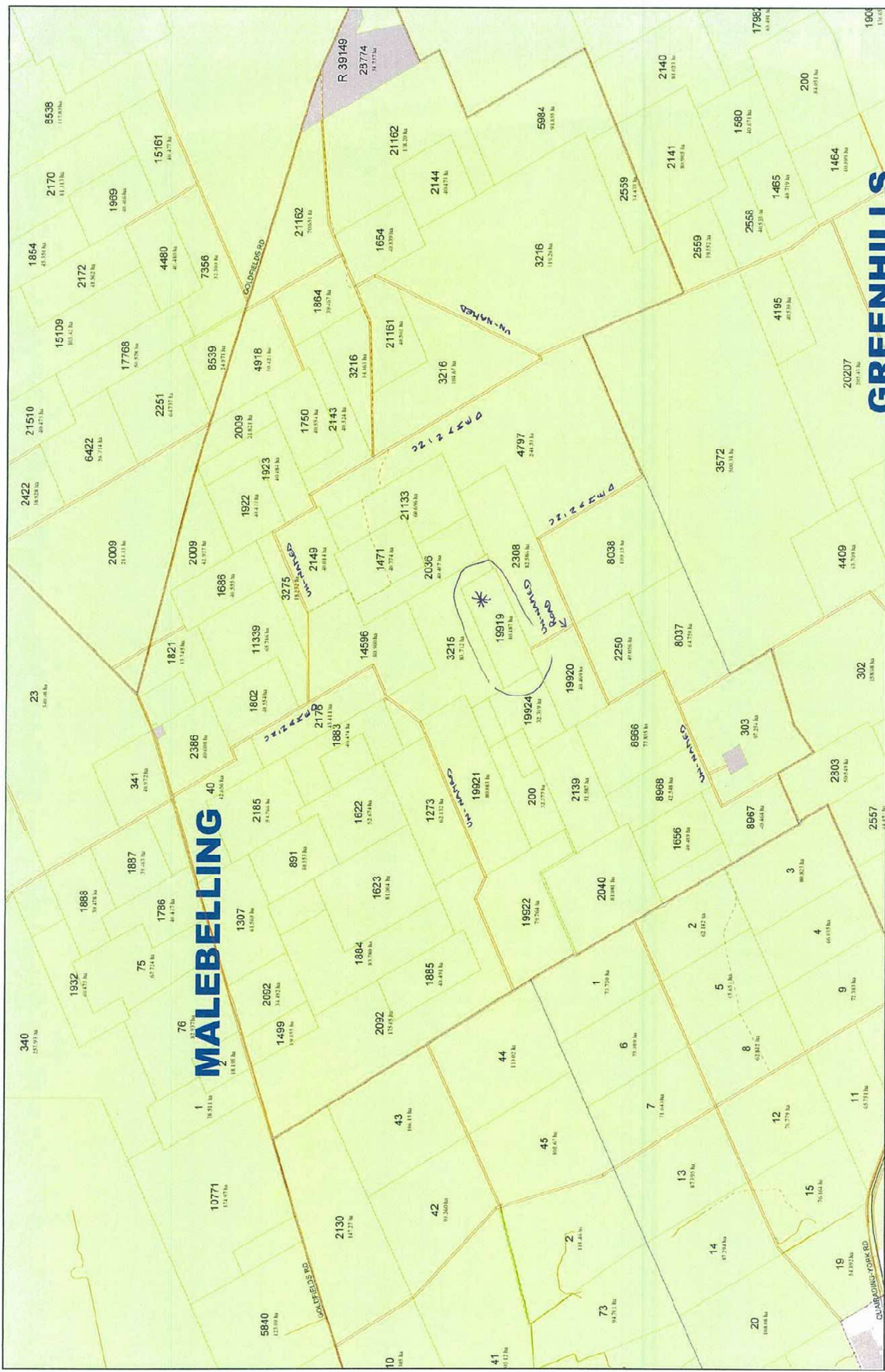
Keeble

- 3. include those names listed above on the Council’s Register of Road Names, should no objections be received by landowners and the Geographic Names Committee.***

Advice Note:

It should be noted that the Geographic Names Committee is the decision making authority and no changes will be made until final approval through a Ministerial Order is issued.”

CARRIED (6/0)



Scale : 1:20423 (Geographical)
 GDA datum
 UTM Zone 58
 NED 499015, 756480946.2N, Zone 50
 Easting 1165311.187, 1165353.366, 1165922.635, 1165954.966 - 1167000 by W 412.0mm
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9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.2 Pioneer Memorial Lodge Lease

FILE NO: CCP.33
COUNCIL DATE: 15 March 2010
REPORT DATE: 5 March 2010
LOCATION/ADDRESS: Macartney Street, York
APPLICANT: WA Country Health Services
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: T Cochrane, A/DCEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A - Lease
DOCUMENTS TABLED: Nil

Summary:

Correspondence was received from WA Country Health Services requesting the Council to renew the lease of the Pioneer Memorial Lodge, which expired June 2009, as provided for under the terms and conditions of this lease (Schedule 1).

Background:

The WA Country Health Service provided the following correspondence on the 22nd December 2008 in relation to entering into the first option period:

"Further to our correspondence dated 14th May 2008. To date we have not received a response regarding the acceptance of the draft lease between the WA Country Health service and the Shire of York for York Pioneer Lodge.

The original draft lease was to commence 1st February 2007, as time has now passed we will have to change the commencement date.

I have attached another copy of the draft lease. As a priority, could you please indicate the terms and conditions not acceptable or require changing so I can get the draft lease to be altered and printed ready for execution."

The abovementioned draft lease was reviewed. Mutual discussions and input resulted in the final document with terms agreed by both parties.

The terms and conditions of the new lease have a financial benefit for the Shire of York. (See *Financial Implications*)

New Lease details are: Commencement date 1 September 2009, expiry 30 June 2012. First option period of 3 years commencing 1 July 2012 and expiring 30 June 2015. No further options requested. Rent is One Peppercorn.

Consultation:

WA Country Health Services; and
Staff.

Statutory Environment:

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications:

Not applicable.

Financial Implications:

The lease currently returns Council an annual lease rental of \$0 per annum.

The WA Country Health Service will be assuming responsibility for all outgoings associated with the lease, including general maintenance, overheads, municipal rates and other government charges. Shire of York will be responsible for structural maintenance and repairs.

No rental income received in the 2007/2008 or 2008/2009 financial years.

Cost of maintenance 2007/2008 \$12,489.

Cost of maintenance 2008/2009 \$23,133.

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Comment:

It is recommended that approval in accordance with the draft lease arrangements Schedule 1 be granted.

RESOLUTION

090310

Moved: Cr Randell

Seconded: Cr Boyle

“That Council:

- 1. advise the WA Country Health Service that the renewal is granted in accordance with the draft lease as per Appendix A subject to authorising the Chief Executive Officer negotiating the following clauses;***

4.2, 14.1(2), 14.5(2, 14.6) and 14.9.

- 2. advise WA Country Health Services that the renewal is granted in accordance with Schedule 1 of the lease document, being 1 September 2009 to 30 June 2012.”***

CARRIED (6/0)

Dated

2009

PARTIES

SHIRE OF YORK

(Landlord)

WA COUNTRY HEALTH SERVICE

(Tenant)

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Schedule

Item 1	Landlord SHIRE OF YORK of Post Office Box 22 York Western Australia
Item 2	Tenant WA COUNTRY HEALTH SERVICE of C/- York District Hospital of Trews Rd York Western Australia The Minister for Health is incorporated as the WA Country Health Service under Section 7 of the Hospitals and Health Services Act 1927 (WA) and has delegated all the powers and duties as such to the Director General of Health.
Item 3	Land Lot 596 on Deposited Plan 185248 and being the whole of the land in Qualified Certificate of Crown Land Title Volume 3024 Folio 65.
Item 4	Premises The whole of the Land and those premises constructed on the Land known as York Pioneer Lodge.
Item 5	Term The period of Two (2) years and Five (5) months from the Commencement Date to the Expiry Date Commencement Date: 1 September 2009 Expiry Date: 30 June 2012
Item 6	Option to Extend this Lease (1) First Option Period: The period of Three (3) years commencing on 1 July 2012 and expiring on 30 June 2015. (2) Second Option Period: Nil

(3) **Third Option Period:**

Nil

Item 7 **Rent**

one peppercorn

Item 8 **Additional Provisions**

Nil

LEASE made

2009

BETWEEN: The party or parties named in item 1 of the Schedule.
("Landlord")

AND: The party named in item 2 of the Schedule.
("Tenant")

AGREEMENT

1. Definitions and Interpretation

1.1 Definitions

In this Lease :

- (1) "**Accounting Year**" means each period of 12 months ending on 30 June in each year disregarding any part of that period falling outside the Term;
- (2) "**Air Conditioning Equipment**" means the plant, chilled water piping, electrical installations, ductwork and diffusers used to heat, cool, circulate and extract air throughout the Premises;
- (3) "**Australian Property Institute**" means the Australian Property Institute (Inc.) Western Australian Division;
- (4) "**Authority**" includes any governmental or public authority of any kind;
- (5) "**Business Day**" means a day on which trading banks are open for business in Perth not being a Saturday, Sunday or public holiday in Perth.
- (6) "**Commencement Date**" means the date specified in Item 5 of the Schedule;
- (7) "**Environmental Laws**" means all laws regulating or otherwise relating to the environment including laws relating to land use planning, heritage, pollution, contamination, public and occupational health and safety, or any other aspect of protection of the environment;
- (8) "**Expiry Date**" means the date specified in Item 5 of the Schedule;
- (9) "**Government Tenant**" includes any corporation or other legal entity owned or controlled by a state or federal Government, and any person, agent, authority or other instrumentality acting for or exercising the power of a state or federal Government;
- (10) "**Insolvency Event**" means the happening of any of the following events in relation to a party:
 - (a) the party is unable to pay all the party's debts as and when they become due and payable or the party has failed to comply with a

statutory demand as provided in section 459F of the Corporations Act 2001, or the party is deemed to be unable to pay the party's debts under section 585 of the Corporations Act 2001;

- (b) a meeting is convened to place the party in voluntary liquidation or to appoint an administrator;
 - (c) an application is made to a court for the party to be wound up;
 - (d) the appointment of a controller (as defined in section 9 of the Corporations Act 2001) of any of the party's assets;
 - (e) the party proposes to enter into or enters into any form of arrangement (formal or informal) with the party's creditors or any of them, including a deed of company arrangement;
 - (f) the party becomes an insolvent under administration, as defined in section 9 of the Corporations Act 2001; or
 - (g) anything else or having a similar effect to the events described happens to a party, including a party who is a natural person.
- (11) "**Land**" means the land described in item 3 of the Schedule;
- (12) "**Landlord**" includes:
- (a) in the case of a person, that person's executors, administrators and assigns; and
 - (b) in any other case, the Landlord's successors and assigns;
- (13) "**Landlord's Property**" means the plant, equipment, fixtures, fittings and any other Landlord's property in the Premises;
- (14) "**Managing Agent**" means any agent appointed by the Landlord to manage the Premises;
- (15) "**Official Requirement**" means any requirement, notice, order or direction properly given by any Authority;
- (16) "**Outgoings**" has the meaning set out in Appendix 1;
- (17) "**Premises**" means the premises described in item 4 of the Schedule;
- (18) "**Property Council**" means the Property Council of Australia Limited;
- (19) "**Rates and Taxes**" includes all rates, taxes, land taxes calculated on the basis that the Land is the only land owned by the Landlord, and other charges of any kind imposed by an Authority in relation to the Land or the Premises.
- (20) "**Schedule**" means the schedule at the beginning of this Lease;

- (21) "**Services**" means all gas, electricity, telephone, water, sewerage, fire prevention, ventilation, air conditioning, hydraulic, elevator and security services and all other services or systems provided in the Premises or available for the Tenant's use whether provided by the Landlord or any Authority;
- (22) "**Tenant**" includes the Tenant's successors and permitted assigns;
- (23) "**Tenant's Employees**" means each of the Tenant's employees, contractors and agents and those persons over whom the Tenant exercises control at the Premises;
- (24) "**Tenant's Property**" means the property of the Tenant brought into, installed or erected in the Premises (and includes any property acquired from a former occupier of the Premises);
- (25) "**Term**" means the term of this Lease stated in Item 5 of the Schedule;

1.2 Interpretation

In this Lease :

- (1) a reference to a statute, code or other written law includes State and Federal statutes, codes or other written laws and any regulations and other instruments under them and consolidations, amendments, re-enactments or replacements of any of them occurring at any time before or after the Commencement Date;
- (2) a reference to "law" includes any statute, rule, regulation, proclamation, ordinance or by-law, whether state, federal or otherwise;
- (3) a reference to the termination of this Lease includes the expiry of the Term.

1.3 Schedule and Appendices

All the provisions in the Schedule at the front of this Lease and in an Appendix at the back of this Lease are incorporated in and form part of this Lease.

2. Term and Holding Over

2.1 Term

The Landlord leases to the Tenant and the Tenant takes a lease of the Premises for the Term commencing on the Commencement Date and terminating on the Expiry Date subject to the provisions of this Lease.

2.2 Quiet Enjoyment

If the Tenant complies with the Tenant's obligations under this Lease, the Tenant may use the Premises without interruption or disturbance from the Landlord or any person claiming by, through or under the Landlord.

2.3 Holding Over

- (1) If the Tenant continues to occupy the Premises after the Expiry Date or after any extended term without objection by the Landlord (except under a lease arising from the valid exercise of an option to renew) the following provisions apply.
- (2) The Tenant occupies the Premises as a monthly tenant at a total rent equal to 1/12th of the aggregate of the rent and other money payable by the Tenant to the Landlord under this Lease immediately before the monthly tenancy commenced, payable monthly in advance the first of the monthly payments to be made on the day following the Termination Date.
- (3) As far as applicable, the monthly tenancy otherwise continues on the terms and conditions of this Lease.
- (4) The monthly tenancy may be terminated at any time by either the Landlord or the Tenant giving to the other not less than 1 month's notice ending on any date.

3. Rent

- 3.1 The Tenant must pay the rent to the Landlord on demand.

4. Outgoings

The Tenant must pay to:

- (1) the relevant Authority the Rates and Taxes on or before the due date for payment; and
- (2) the Landlord the amount paid by the Landlord for all premiums and any other costs or expenses relating to any insurance which the Landlord reasonably takes out in connection with the Premises. The Landlord must provide to the Tenant proof of the amount paid for insurance if required to do so by the Tenant.

5. Services

5.1 Charges for Services

The Tenant must pay by the due date all charges for Services supplied to the Premises, as invoiced by the relevant supplier.

5.2 Amount Payable

If any Services are supplied to the Premises by the Landlord, the Tenant does not have to pay any more for them than the Tenant would have to pay if they were

supplied directly by a supplier other than the Landlord (disregarding any GST in relation to those Services).

5.3 Electrical Installations

The Tenant must not :

- (1) make any alterations or additions to the electrical installations or wiring on the Premises without the Landlord's consent, which will not be unreasonably refused or delayed;
- (2) install any electrical equipment which overloads the cables, switchboards or sub-boards through which electricity is conveyed to the Premises; or
- (3) interfere with or obstruct access to the Air Conditioning Equipment or fire alarm or prevention system installed in the Premises.

6. Use of the Premises

6.1 Permitted Use

The Tenant may only use the Premises for frail aged accommodation.

6.2 Restrictions on Use

The Tenant must not:

- (1) carry on any noxious or offensive trade or business on the Premises;
- (2) cause any nuisance to occupiers of adjacent premises;
- (3) interfere with or obstruct the operation of or access to the Services or overload any Service; or
- (4) use any facilities in or near the Premises or in the Premises, including the toilets and drains, for any improper purpose.

7. Maintenance and Repair

7.1 Repair of Premises

- (1) The Tenant must keep the interior and exterior of the Premises in good repair and condition including
 - (a) maintaining and repairing the interior of the Premises and plant and equipment in the Premises and including the cleaning of exterior windows;
 - (b) the fire protection equipment and all types of alarms;

(c) cleaning, maintaining and repairing car parking areas, toilets, rest rooms, and similar other public amenities in the Premises;

(d) cleaning of gutters

(e) gardening and maintenance of the landscaping on the Premises

except for

(f) fair wear and tear;

(g) damage by fire, storm, tempest and any other risk which a prudent owner can and usually does insure against, including damage to plate glass; and

(h) any capital costs (including the replacement of parts, except for minor replacements required in the course of normal maintenance and repair) or any expenditure for structural work.

(2) The second exception in clause 7.1(1)(f) does not apply to the extent that insurance money is irrecoverable through the negligent act or default of the Tenant or the Tenant's Employees.

(3) Nothing in clause 7.1(1) imposes responsibility on the Tenant for any maintenance, replacement, renovation or repair of a structural nature unless required because of:

(a) the act or default of the Tenant or the Tenant's Employees; or

(b) the Tenant's use of the Premises other than as permitted by this Lease.

7.2 Cleaning

The Tenant must keep the Premises clean and tidy.

8. Alterations

8.1 Alterations and Additions

The Tenant must not without the Landlord's consent, which will not be unreasonably refused or delayed, materially alter or add to the Premises or install any partitions which are likely to disturb the efficient operation of the Services in the Premises or install any heavy article like to overload the Premises. Any such alterations and additions will be at no cost to the Landlord.

9. Legal Obligations

9.1 Compliance with Laws and Official Requirements

The Tenant must comply with and observe any law or Official Requirement concerning the Tenant's use or occupation of the Premises or the gender or number of persons in the Premises.

9.2 Structural Alterations

The Tenant is not required under clause 9.1 to do or pay for structural alterations or additions except those arising from the nature of the Tenant's business.

10. Management of the Premises by Landlord

10.1 Right to Enter

The Landlord may after giving at least 1 Business Days notice to the Tenant (or in an emergency, without notice) enter the Premises to do any one or more of the following things:

- (1) maintain or repair the Premises and equipment in the Premises ;
- (2) maintain, repair, alter or remove the Services; or
- (3) carry out structural work to the Premises or any other work required by an Authority.

10.2 Minimise disruption

If the Landlord does anything permitted by the preceding clause the Landlord must not disrupt the Tenant's use of the Premises and must promptly make good any damage to the Tenant's Property caused by the Landlord.

11. Tenant's Rights in relation to use of Premises

11.1 Cabling

The Tenant may use risers or spaces within the Premises provided for the running of computer and other electrical, data and communications cabling for the occupants' use, for the running of that cabling as long as the Tenant ensures that :

- (1) the running of the computer and other electrical, data and communications cables in the Premises does not cause irreparable damage to the Premises; and
- (2) the Premises is secured where the computer and other electrical, data and communications cables are run; and

- (3) the use of the Premises for the running of the computer and other cabling is reasonable, having regard to the needs of the other tenants or occupiers.

12. Assignment and Subletting

12.1 Assignment and Subletting Permitted with Consent

The Tenant may assign this Lease or sublet all or part of the Premises with the Landlord's consent.

12.2 Requirements for Assignment

The Landlord will not refuse its consent to the assignment or unreasonably delay that consent if the Tenant first makes a written application to the Landlord for consent and:

- (1) the Tenant is not in default under this Lease (disregarding a default which has been remedied by the Tenant or waived by the Landlord);
- (2) the Tenant provides evidence that the incoming tenant is a respectable, responsible and solvent person; and
- (3) the Tenant and the incoming tenant sign a deed, in a form prepared or approved by the Landlord, requiring the incoming tenant to comply with the Tenant's obligations under this Lease.

12.3 Requirements for Subletting

The Landlord will not refuse its consent to the subletting or unreasonably delay that consent if the Tenant first makes a written application to the Landlord for consent and :

- (1) the Tenant is not in default under this Lease (disregarding a default which has been remedied by the Tenant or waived by the Landlord); and
- (2) the Tenant provides evidence that the incoming tenant is a respectable, responsible and solvent person.

12.4 Assignment to Government Tenant

Clause 12.1 does not apply to an assignment or subletting to any Government Tenant and the Tenant may assign this Lease or sublet the Premises to a Government Tenant at any time without the Landlord's consent, but the Tenant must promptly give the Landlord notice of any assignment to a Government Tenant.

12.5 Exclusion of Property Law Act

Sections 80 and 82 of the Property Law Act 1969 are excluded.

12.6 Tenant Released

From the date that the Tenant assigns this Lease, subject to compliance with clause 12.2, the Tenant is released from all its obligations under this Lease.

13. Indemnity

13.1 Indemnity

The Tenant is responsible for and indemnifies the Landlord against any liability resulting from:

- (1) any loss of or damage to property or any injury to or death of any person occurring in the Premises or caused by the Tenant wherever occurring; or
- (2) any reasonable action taken by the Landlord to remedy a default by the Tenant.

This indemnity does not apply to the extent that the liability is caused to by the Landlord

14. Landlord's Obligations Concerning Premises

14.1 Suitability of Premises

The Landlord :

- (1) warrants that at the Commencement Date the Premises are fit for occupation and for the use permitted by this Lease and comply with all laws relating to the Premises; and
- (2) undertakes that during the Term (subject to the other provisions of this Lease), the Premises will remain fit for occupation and will continue to comply with all laws that were applicable at the Commencement Date.

14.2 Capacity of Electrical Supply

The Landlord must not reduce the capacity of the electrical supply available to the Premises below the level applying at the Commencement Date.

14.3 Maintenance of the Premises

The Landlord must at its own cost maintain the Premises in a safe and structurally sound condition. Without limitation, the Landlord must properly maintain and repair the roof and structure of the Premises and all electrical wires and water and sewerage pipes and drains;

14.4 Moisture Penetration

If there is moisture penetration into the Premises which causes the Tenant's use of the Premises to be prevented or interrupted, the Landlord must as soon as practicable (following notice by the Tenant of the moisture penetration) repair and, if necessary, modify the Premises to stop the moisture penetration re-occurring.

14.5 Asbestos and Bacteria

(1) The Landlord warrants that to the best of the Landlord's knowledge the Premises are at the Commencement Date (and will continue during the Term to be) free of asbestos and any bacteria of a type and in a quantity which may be hazardous or dangerous to health.

(2) If:

(a) the Premises contain asbestos; or

(b) bacteria of a type and in quantity which is hazardous or dangerous to health are found in the Premises ,

the Landlord must remove the asbestos or bacteria promptly as required by the Tenant or as directed by any public or local authority.

(3) If either asbestos or bacteria within the Premises causes a declaration by any public or local authority that the Premises are hazardous or dangerous to health and the Landlord does not take immediate steps to remedy the hazard or danger or does not effectively remove it within 1 month after the declaration, the Tenant may terminate this Lease within 4 months after the declaration.

(4) The Landlord at the cost of the Landlord must repair or reinstate the Premises to the extent that the Premises have been damaged or affected by the removal of any substances or as a result of any other action taken under this clause 14.5.

14.6 Other Hazardous Substances

If any other noxious, toxic, poisonous or hazardous substance in or forming part of the Premises or the Landlord's Property is found which is not asbestos or bacteria but which is dangerous to health, the Landlord must eliminate any danger caused by the substance as directed by any public or local authority or otherwise by removal of the substance.

14.7 Environmental Laws

The Landlord must comply with all Environmental Laws.

14.8 Occupational Health

The Landlord warrants that the Premises conform to and are consistent with all applicable notices and directions of the Department of Occupational Safety and Health of the Government of Western Australia.

14.9 Insurance

The Landlord must insure the Premises against damage by fire, storm, tempest and usual insurable risks including risk of damage to plate glass and providing for replacement of cracked or broken plate glass.

15. Default and Termination

15.1 Tenant's Default

The Tenant is in default if :

- (1) the Tenant fails to comply with any of the Tenant's obligations under this Lease within 28 days after the Landlord has given the Tenant a notice specifying the default and requiring it to be remedied; or
- (2) an Insolvency Event occurs in relation to the Tenant; or
- (3) the Tenant repudiates this Lease.

15.2 Forfeiture of Lease

Subject to giving any prior demand or notice required by any law if the Tenant is in default in any manner specified in clause 15.1 the Landlord may:

- (1) re-enter and take possession of the Premises and this Lease terminates immediately that occurs; or
- (2) by notice to the Tenant, terminate this Lease on the date of giving the notice or on any later date.

15.3 Insolvency of Landlord

If an Insolvency Event occurs in relation to the Landlord, the Tenant may by notice to the Landlord, terminate this Lease on the date of giving the notice or on any later date.

15.4 Tenant may rectify Landlord's Default

If :

- (1) the Tenant becomes entitled to terminate this Lease under any provision of this Lease; or

- (2) the Landlord defaults under this Lease and has not remedied the default or taken reasonable steps to remedy it by 14 days after the Tenant has given the Landlord notice of the default,

the Tenant may (without affecting the Tenant's entitlement to terminate this Lease or any other remedy) itself remedy the default. The Landlord must pay the Tenant's costs of remedying the default on demand or those costs may, at the Tenant's election, be set-off against the rent and other money payable by the Tenant under this Lease.

16. Termination of Term

- (1) On termination of this Lease the Tenant must leave the Premises in good repair, order and condition in accordance with this Lease, fair wear and tear excepted.
- (2) The Tenant may remove the Tenant's Property from the Premises at any time before termination of this Lease and must repair any damage to the Premises caused by removal of the Tenant's Property.
- (3) If the Tenant does not remove the Tenant's Property or any part before termination, the Landlord must give the Tenant notice of any Tenant's Property which has not been removed and allow the Tenant access to the Premises for the purpose of removing it within 7 days after the notice is given. If any of the Tenant's Property has not been removed within that time, the Landlord may treat that Tenant's Property as if it has become the Landlord's Property.

17. Damage and Destruction

17.1 Definitions

In this clause 17 :

- (1) "**abatement notice**" means a notice given under clause 17.2;
- (2) "**reinstatement notice**" means a notice given by the Landlord to the Tenant of the Landlord's intention to carry out the reinstatement works; and
- (3) "**reinstatement works**" means the work necessary to:
 - (a) reinstate the Premises; and
 - (b) make the Premises fit for occupation and use and accessible by the Tenant.

17.2 Abatement

If at any time the Premises are wholly or partly:

- (1) unfit for occupation and use by the Tenant; or
- (2) inaccessible having regard to the nature and location of the Premises and the normal means of access to them;

as a result of :

- (3) destruction or damage;
- (4) the presence of or the removal of asbestos;
- (5) the existence of bacteria of a type or in a quantity harmful to the health of persons in the Premises; or
- (6) major construction, rebuilding or alteration of the Premises or any adjoining building owned or partly owned by the Landlord,

then from the date that the Tenant notifies the Landlord of the relevant event the rent and any other money payable by the Tenant are to abate according to the circumstances.

17.3 Either Party May Terminate

If clause 17.2 applies, then at any time after 2 months from the date the abatement notice is given either party may terminate this Lease by notice to the other unless the Landlord has within that period of 2 months :

- (1) given the Tenant a reinstatement notice; and
- (2) diligently started to carry out the reinstatement works.

17.4 Tenant May Terminate

If the Landlord gives a reinstatement notice to the Tenant and does not commence the reinstatement works within a reasonable time, the Tenant may terminate this Lease by giving not less than 1 month's notice to the Landlord and, at the expiration of the notice period, this Lease terminates.

17.5 Dispute Resolution

- (1) Any dispute arising under this clause 16 is to be determined by a properly qualified member of the Australian Property Institute appointed by the president at the request of either the Landlord or the Tenant.
- (2) In making a determination, the appointed member must act as an expert and not as an arbitrator.
- (3) The appointed member must make a written determination containing reasons as soon as possible after appointment, but the member must give each party the opportunity to make written submissions.

- (4) The rent and any other money remains payable without abatement pending the determination. Any necessary adjustment is to be made immediately after the determination is made.
- (5) The cost of the determination must be paid by both parties in equal shares unless otherwise decided by the member.

18. Miscellaneous

18.1 Notices

- (1) Any notice by any party under this Lease is valid if signed by any authorised representative or the solicitor of that party.
- (2) Any notice to any party under this Lease is valid if given to a managing agent appointed by that party to manage the Premises.
- (3) Any notice by the Tenant to the Landlord is taken to be properly given if:
 - (a) served personally;
 - (b) sent to any facsimile number used by the Landlord; or
 - (c) forwarded by prepaid post addressed to the Landlord's address.
- (4) Any notice by the Landlord to the Tenant must be given by being sent to :

WA Country Health Service Wheatbelt
C/- York District Hospital
PO Box 13
YORK WA 6302
- (5) All notices sent by post may be addressed to the address stated in this Lease or, if another address is used by the Landlord, to that other address.
- (6) Any notice sent by:
 - (a) post is taken to be given on the 3rd business day after the day it was posted; or
 - (b) facsimile is taken to be given at the time that the notice was transmitted unless the sender's facsimile machine indicates a malfunction in the transmission.

18.2 Caveat and Registration

- (1) The Tenant may lodge a subject to claim caveat in respect of the Premises in relation to the Tenant's interests under this Lease, but must withdraw that caveat after the Tenant has ceased to have any interest in the Premises under this Lease.

- (2) If the Tenant requires, this Lease is to be registered on the title to the Land. The costs of registration must be paid by the Tenant. The Landlord must do everything required of the Landlord to enable this Lease to be registered as soon as reasonably possible after the Commencement Date.

18.3 **Costs and Expenses arising on Default**

A party who is in default must pay to or reimburse the other party on demand the amount of all costs and expenses (including legal costs and expenses) arising as a result of enforcing any right under this Lease including giving a notice under section 81 of the Property Law Act.

18.4 **Other Costs and Expenses**

Unless otherwise stated in this Lease, each party will pay its own costs and expenses (including legal costs and expenses) in connection with this Lease or anything done or to be done under this Lease.

18.5 **Duties and Fees**

The Tenant must pay or reimburse the Landlord on demand the amount of all stamp duty and fees (but not including fines and penalties not attributable to the Tenant) payable in connection with this Lease.

19. **GST**

19.1 **Definitions**

In this Lease:

- (1) "**GST**" has the meaning given in section 195-1 of the GST Act;
- (2) "**GST Act**" means A New Tax System (Goods and Services Tax) Act 1999;
- (3) "**Input Tax Credit**" has the meaning given in section 195-1 of the GST Act;
- (4) "**Primary Payment**" means any payment by the Tenant to the Landlord under this Lease;
- (5) "**Taxable Supply**" has the meaning given in section 195-1 of the GST Act;
and
- (6) "**Tax Invoice**" has the meaning given in section 195-1 of the GST Act and in the A New Tax System (Goods and Services Tax) Regulations 1999.

19.2 **Payments exclusive of GST**

The amount of all Primary Payments specified in this Lease is exclusive of GST.

19.3 **Primary Payment Increased**

If GST is payable by the Landlord in respect of a Primary Payment or any part in connection with a Taxable Supply provided under this Lease:

- (1) the Primary Payment is increased by an amount equal to the applicable GST; and
- (2) the Tenant must pay the amount of the increase in the same manner and on the same date as the Tenant is required to pay the Primary Payment.

19.4 **Adjustment**

If the Primary Payment consists (wholly or partly) of the recovery by the Landlord of all or a portion of the Landlord's costs, the Primary Payment is to be reduced by the amount (or corresponding proportion) of the Input Tax Credits available to the Landlord in respect of these costs and then increased by any applicable GST payable under clause 19.2.

19.5 **Tax Invoice**

If a Primary Payment is to be increased to account for GST under clause 19.2 the Landlord must, by the date on which the increased Primary Payment is to be paid, issue a Tax Invoice to the Lessee. Clause 19.6 applies unless the Landlord warrants that the amounts referred to in any Tax Invoice given to the Tenant are correct.

19.6 **Recipient Created Tax Invoices**

- (1) This clause 19.6 applies if at any time the Tenant gives the Landlord a notice stating that the Tenant will issue recipient created tax invoices in relation to any Taxable Supply by the Landlord to the Tenant.
- (2) During any period:
 - (a) after the Tenant gives a notice under clause 19.6(1) and
 - (b) while the requirements in relation to the giving of recipient created tax invoices under the GST Act are satisfied in relation to this Lease,

the Landlord must not issue a Tax Invoice to the Tenant, but instead the Tenant will issue recipient created tax invoices in relation to any Taxable Supply by the Landlord under this Lease and the Tenant will give the Landlord a copy of each recipient created tax invoice which is issued.

- (3) During any period referred to in the preceding subclause, the Tenant will issue to the Landlord an adjustment note if a Taxable Supply by the Landlord is subject to an adjustment event.
- (4) This clause 19.6 ceases to apply if at any time the requirements in relation to the giving of recipient created tax invoices under the GST Act cease to be satisfied in relation to this Lease.

20. Option to Extend

20.1 First Option Period

If a period is stated in Item 6(1) of the Schedule ("**First Option Period**") the Tenant has the option to extend this Lease for the First Option Period, if the Tenant is not in default under this Lease when the option is exercised. This option may be exercised by the Tenant notifying the Landlord in writing that the Tenant wants to extend this Lease for that period at least 3 months before the Expiry Date.

20.2 Second Option Period

If a period is stated in Item 6(2) of the Schedule ("**Second Option Period**") the Tenant has the option to extend this Lease for the Second Option Period, if the Tenant is not in default under this Lease as extended when the option is exercised. This option may be exercised by the Tenant notifying the Landlord in writing that the Tenant wants to extend this Lease for that period at least 3 months before the last day of the First Option Period; and

20.3 Third Option Period

If a period is stated in Item 6(3) of the Schedule ("**Third Option Period**") the Tenant has the option to extend this Lease for the Third Option Period, if the Tenant is not in default under this Lease as extended when the option is exercised. This option may be exercised by the Tenant notifying the Landlord in writing that the Tenant wants to extend this Lease for that period at least 3 months before the last day of the Second Option Period.

20.4 Terms and Conditions

If this Lease is extended under clause 20.1 all the provisions of this Lease continue to apply, except the option in clause 20.1. If this Lease is further extended under clause 20.2 all the provisions of this Lease continue to apply, except the options in clauses 20.1 and 20.2. If this Lease is further extended under clause 20.3, all the provisions of this Lease continue to apply, except the options in clauses 20.1, 20.2 and 20.3.

21. Mortgagee's Consent

21.1 Landlord to Obtain

If the Land is at the Commencement Date subject to a mortgage, charge or other encumbrance, then unless this Lease is already binding on the holder of the mortgage, charge or other encumbrance, the Landlord must at the Landlord's cost obtain and give to the Tenant the written consent to this Lease of the holder of the mortgage, charge or other encumbrance.

21.2 Failure to Obtain

If the Landlord has not complied with clause 21.1 within 60 days from the date the Tenant gives the Landlord notice of the non-compliance, the Tenant may terminate

this Lease at any time by notice to the Landlord, except that the Tenant may not give that notice of termination at any time after the Landlord has complied with clause 21.1.

EXECUTED as a Deed.

THE COMMON SEAL of)
SHIRE OF YORK)
was hereunto affixed by authority)
of the Committee in the presence of :)

Chief Executive Officer

Full name of Chief Executive Officer

York Shire Councillor

Full name of York Shire Councillor

SIGNED BY DR PETER FLETT DIRECTOR)
GENERAL OF HEALTH AS DELEGATE)
OF THE WA COUNTRY HEALTH SERVICE)
in the presence of:)

Witness sign

Print Name: _____

Address: _____

Occupation: _____

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.3 Recordkeeping Plan (RKP)

FILE NO:	AS.RMT.4
COUNCIL DATE:	15 March 2010
REPORT DATE:	5 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Shire of York
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Recordkeeping Plan (Distributed to Councillors under separate cover).

Summary:

To adopt the revised Recordkeeping Plan (RKP) 2010 as detailed in Appendix A.

Background:

The Shire of York developed a Recordkeeping Plan (RKP), as required by the Act and Council adopted the first version on 16 February 2004.

The State Records Commission (SRC) acknowledged receipt of the Shire's RKP submission on 5 March 2004. The SRC acknowledged the effort involved in developing the plan before the deadline of 7 March 2004. The large number of submissions received at SRC created a backlog and the Shire's RKP was not assessed until 15 July 2004.

SRC stated that the RKP Shire of York had developed demonstrated progress towards compliance with the minimum requirements of SRC Standard 2: Recordkeeping Plans and SRC Standard 6: Outsourcing, outlining commitments for certain documentation to meet those requirements. SRC approved the RKP for one year from 15 July 2004, directing the Shire of York to submit a fully revised plan by 15 July 2005.

Resource restrictions (personnel and budget) delayed any significant progress and the RKP was not revised and resubmitted within the allocated timeframe. SRC wrote in October 2005 to request an update on progress and offer assistance to complete the RKP. Resources were still at their limits and the CEO requested an extension of the deadline. SRC responded on 20 December 2005, received on 23 December 2005, granting an extension until 31 December 2005.

After some negotiation with SRC, the deadline of 31 January 2006 was granted. The updated RKP was submitted to SRC on 25 January 2006, along with examples of all the newly developed records management procedures, the completely revamped file plan and a revised Local Government Organisations RKP Self-Evaluation Checklist, all requested by SRC to be included with the RKP submission.

The Plan was approved on 27 March 2006 for a period of three years.

The State Records Commission provided the following information February 2009 regarding the review:

"Further to our telephone conversation this morning, this email is to provide further information to assist you in completing the report on the review of your recordkeeping plan.

The report must either be signed by the CEO or accompanied by a covering letter signed by the CEO. Also, please include a self-evaluation checklist (for local government), signed by the CEO, which you will find on the SRO website at <http://www.sro.wa.gov.au/src/rkps.asp#rkpguidelines>. The checklist will enable both the Shire and the SRO to compare the Shire's current position against the original checklist and identify progress that has been achieved and areas that require improvement.

The length of the report itself can vary according to the individual Shire, as there is no set length. I suggest that the report is structured as follows:

1. Begin with reasons for the review of the recordkeeping plan – e.g. that the Shire's recordkeeping plan was approved for three years and has been reviewed in order to prepare a revised plan as requested by the State Records Commission in a letter dated 18 July 2008;
2. State how the review was undertaken – e.g. the recordkeeping plan content was examined to determine whether it is still valid; identify where recordkeeping practices have changed; and identify any areas requiring improvement etc;
3. State the outcomes of the review – e.g. list any improvements in practices that have been implemented and areas identified as requiring improvement as dot points;
4. Outline what has been achieved and what plans have been made to move forward with required improvements. This can be done under headings addressing each of the dot points:
 - a. Where improved practices have been implemented – explain why the practices were improved, what improvements have been made and the effect of the improvements.
 - b. Where improvements are required – outline how the improvements will be achieved and when these are expected to be completed (give specific dates, such as 30 December 2009, rather than 'within the next 12 months');
5. Finally, please provide a date for when the revised RKP will be submitted.

I have also attached a Guideline for RKP Review Reports to assist you further. Please let me know if you are unsure of anything or if you require further assistance."

Mrs Cochrane provided a report regarding the review in February 2009 and the following response was provided by the State Records Commission:

"I have had a look at your draft report, and judging from what you have provided so far you are definitely on the right track. In the second paragraph, you may want to state that the original Plan (quote the original RKP number - 2006003) was approved for three years on 27 March 2006, just to give further background information.

The only other documentation required is a new self evaluation checklist (I have attached a blank one to this email) where the Shire evaluates current Recordkeeping practices against the information contained within the original Plan, and a signed covering letter.

Please let me know if I can be of any further assistance."

On the 23rd February 2009 Council sent the review of the recordkeeping plan to the State Records Commission and on the 3rd March 2009 Council received confirmation that the review of the recordkeeping plan had been received by the State Records Commission, however the advice was not to be considered as approval.

On the 2nd April 2009 Council received the following correspondence from the State Records Commission:

"Thank you for your letter of 23 February 2009, reporting on the review of the Shire of York's (the Shire's) Recordkeeping Plan (the Plan). The report provides evidence of the Shire's

progress towards better practice recordkeeping, and was tabled at the State Records Commission (the Commission) meeting on 23 March 2009.

The report also identified several changes that have occurred at the Shire since the approval of the original Plan, specifically:

- *The implementation of an EDRMS;*
- *The adoption of revised Records Management Policies and Procedures;*
- *Changes to the offsite records storage location; and*
- *New security measures to protect the Shire's records.*

In view of the above points, the Commission requests that an amended Plan incorporating these changes be submitted no later than 23 March 2010.

I would also expect that your amended Plan will take into account the issues identified in your report and address the outstanding compliance requirements noted in the original plan."

The revision of the recordkeeping plan in 2009 identified the following areas that required work:

"Change of staff – The Records Officer has been employed with the Shire of York for a period of two years (with no prior experience). Due to requirements to abide by the State Records Act 2000, Council has had to employ a further officer to support in the records management. There is definitely an increase in the amount of records that need to be captured and controlled for local government.

Installation of Synergy based records system – Council implemented a new system approximately February 2007 and three training sessions have been carried out to get staff up to speed with how the system operates;

Further storage available onsite – sections were added to the compactus;

Change of location of archival storage offsite – The Convent where the archives were originally stored has been sold and records have been boxed up for removal. Further sorting of these records is required to enable appropriate disposal and retention in accordance with the General Disposal Authority for Local Government Records (produced by the State Records Office of WA). The new computer program that Council now operates has the ability to register archives and to create reports for when records are to be destroyed, this is under review;

Ongoing procedures being prepared on an as needs basis and to update in accordance with the new computerised system in use;

Security and protection of records – The computer system allows for records to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction. Part of this process is being carried out and further research is required."

Staff have considered the above issues identified throughout the Recordkeeping Plan 2010.

Kim Boulton provided the following comments in regards to the draft recordkeeping plan and all changes have been completed:

*"I have detailed some notes alongside any issues I see left but it's looking pretty good generally:
4.1.2 – The wording here undervalues the value of the archival records sorry if it seems pedantic but some kinder wording re value of older Archival records would be more positive to the SRO.
4.4 – very positive particularly with the commitment to looking at scanning building plans.*

5.5 – I would just say intention to transfers records to State Archives as soon as space becomes available their rather than linking it to councils space issues
Not tied to a number did you contact York Society re return of records I am sure that SRO's emails reinforce that position.

6.2 – Good links to Performance Indicator requirements

Disaster Plan Notes

Rather than putting Records Team I would name positions should have a least two members

9.1 not sure if the bomb threat detail is included in Plan if so needs to be changed to fit circumstances.

10.1 Might want to put me in as another contact as well as SRO

9.2 Risk assessment form provided at 10.7

10.8 don't forget to put in physical location of main file storage areas

In summary Both the RKP and Disaster Plan's are looking really good just some minor adjustments and comments suggested above, any more queries just send me an email or give me a call on my mobile."

The Recordkeeping Plan attached meets with the reporting requirement and, together with Record Procedures approved at the Ordinary Council Meeting held on the 15 February 2010, approaches compliance with standards.

Consultation:

Kim Boulton – Records Consultant;
State Records Commission;
Kate Emin;
Nicole Fleay;
Les Oakley; and
Tyhscha Cochrane.

Statutory Environment:

Compliance with reporting requirements and necessity to meet the standards of practice stipulated by the State Records Act 2000.

Policy Implications:

Nil

Financial Implications:

Adoption of this recommendation potentially has significant costs to fully comply, as timeframes for works are required to be mentioned within the recordkeeping plan.

Council is employing Kim Boulton to assist with the complete review to ensure compliance with the State Records Commission.

Strategic Implications:

Strategic Plan – Resource management relates to this report.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

There are costs associated with compliance to legislation.

Social Implications:

The document has been developed especially for administration staff to help them understand their roles and responsibilities for the making and keeping of proper and adequate government records, and to define the principles that underpin the Shire record keeping function. It establishes a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

Environmental Implications:

Not applicable.

Comment:

Ongoing planned improvements to the Shire's records storage facilities will ultimately deliver full compliance with recordkeeping requirements.

The State Records Act 2000 states that Recordkeeping Plans are to be fully reviewed at least once every five years, this is part of that process.

The Recordkeeping Plan for the Shire of York is hereby submitted to Council for adoption as the Shire's official recordkeeping reference.

**RESOLUTION
100310**

Moved: Cr Scott

Seconded: Cr Boyle

"That Council:

- 1. adopt the attached Recordkeeping Plan, as required by the State Records Act 2000;***
- 2. consider expenditure items in the forthcoming budget; and***
- 3. express its thanks to Kate Emin, Nicole Fleay and Kim Boulton who have worked very hard in getting the Recordkeeping Plan up to date."***

CARRIED (6/0)

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.4 SEAVROC – Corporate Governance Policy

FILE NO: OR.RDT.4
COUNCIL DATE: 15 March 2010
REPORT DATE: 5 March 2010
LOCATION/ADDRESS: Nil
APPLICANT: D Carbone, Executive Officer
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: R Hooper, CEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A – Draft Policy
DOCUMENTS TABLED: Nil

Summary:

SEAVROC has operated under a Memorandum of Understanding and a draft Charter for a number of years and the Corporate Governance Policy will consolidate the governance processes and allow other Policies and Procedures to be implemented.

Background:

Not applicable.

Consultation:

Shires of Beverley, Brookton, Cunderdin and Quairading.

Statutory Environment:

Nil – SEAVROC operates in a voluntary collaborative process not controlled by the Local Government Act.

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil in relation to the York Strategic Plan.

Voting Requirements:

Absolute Majority Required: No.

Site Inspection:

Site Inspection Undertaken: Not Applicable.

Triple bottom Line Assessment:

Nil.

Social Implications:

Nil.

Environmental Implications:

Nil.

Comment:

The Policy provides a clear and concise governance process for SEAVROC while it remains as a voluntary regional organisation of local governments.

RESOLUTION

110310

Moved: Cr Walters

Seconded: Cr Boyle

“That Council:

Endorse the SEAVROC Corporate Governance Policy as attached to this report.”

CARRIED (6/0)

SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS
Representing the Shires of Beverley, Brookton, Cunderdin, Quairading and York

“Creating our Region’s Future Together”

C/- Dominic Carbone and Associates PO Box 626 COMO WA 6952
Email: d.carbone@bigpond.com Phone: 9472 0184 or 0448 120 652

2 March 2010

Mr R Hooper
Chief Executive Officer
Shire of York
PO Box 22
YORK WA 6302

Dear Ray,

Please be informed that the Executive Committee of SEAVROC, at its Meeting held on Thursday, 4 February 2010, resolved as follows:

- “(a) That the Executive Committee of the South East Avon Voluntary Regional Organisation of Councils endorse the Draft SEAVROC Corporate Governance Policy, as detailed in Report SE-004-10, and that this document be presented to Member Local Government Councils for endorsement.
- (b) Subject to (a) above, the Executive Officer develop policies and procedures in accordance with the SEAVROC Corporate Governance Policy.”

Attached please find, the report presented to the Executive Committee of SEAVROC, and it would be appreciated if your Council could confirm as per (a) above, so that I may then progress part (b) of the resolution.

Yours faithfully,



D Carbone
Executive Officer

Attach: Report SE-004-10

dca0084mar10/img

In order to formulate the SEAVROC Corporate Governance Policy, the following have been taken into account:

1. The Memorandum of Understanding (MOU) between the Shires of Beverley, Brookton, Cunderdin, Quairading and York.
2. The proposed Charter of Operations.
3. Resolutions approved by the Executive Committee of SEAVROC.

The Corporate Governance Policy is based on the following criteria:

- A governance policy sets out the values that the organisation considers central to its operations, describes the boundaries of acceptable behaviour for the organisation based on these values, and identifies the areas in which procedures are required to police these boundaries.
- A governance policy can not overrule the organisation's constitution or charter.
- It is enforceable only with the agreement of its members, and is not a comprehensive statement of the applicable law, and therefore the policy can only be general in nature.

As SEAVROC does not yet have recognition as a legal entity, it is the only method by which SEAVROC can operate under until such legal recognition is established.

EXECUTIVE COMMITTEE MEMBERSHIP

1. Each Member Local Government of SEAVROC is to have two voting representatives, of which one must be an Elected Member of the Member Local Government.

COLLECTIVE COMMITMENT

2. The Executive Committee will:
 - (a) Be independent and not susceptible to outside direction or outside interest.
 - (b) Develop a culture that enables collective decision making.
 - (c) Ensure that while each Member has the right to debate their own point of view and vote as their conscience dictates, once a decision has been taken, they will not speak or work against the decision outside the Executive Committee.

- (d) Take ultimate responsibility for ensuring that effective mechanisms are in place for dealing with and managing conflicts.
 - (e) Put policies in place to ensure that the Executive Committee Members treat each other frankly and honestly, but with respect.
3. Members who are elected must be free to govern in the best interests of SEAVROC.
 4. The decision making of SEAVROC be limited only insofar as that it cannot commit each Member Local Government to additional expenditure without approval of each Member Local Government.
 5. Ensure that SEAVROC's business activities are consistent with the priorities and objectives of Member Local Governments.

DEMOCRATIC GOVERNANCE

The Executive Committee will:

6. Ensure that its procedures allow for all Members to bring issues before the Committee, to be informed on these issues, to discuss these issues productively, and to take informed decisions.
7. Develop meeting procedures that are flexible, efficient and simple, and that allow motions of dissent to be put before the Committee without obstruction.
8. Meet at least six times per year.
9. Support the Chair to fulfil his/her functions.
10. Develop a culture that enables Members to dissent without apprehension from the Chair's rulings, or assessment of collective decisions.

MANAGEMENT OF THE EXECUTIVE COMMITTEE

The Executive Committee will:

11. Offer induction, instruction, and continuing support to provide all Members with the skills needed to carry out their functions.
12. Ensure that clear policies and procedures are in place to remove from the Executive Committee, in conformity with applicable legislation, Members who are in the opinion of the Executive Committee, unable to properly fulfil their legal, ethical or social responsibilities.

13. Ensure that clear policies and procedures are in place to protect the rights of Members in voicing their views without fear of reprisals.
14. Have in place, clear policies to ensure that all potential conflicts of interest are dealt with in accordance with ethical codes and applicable legislation through appropriate disclosure or recusal.

DIRECTION

The Executive Committee will:

15. Have ultimate responsibility, and therefore control, of SEAVROC. No major policy should be put into effect without analysis and approval of the Executive Committee.
16. Be responsible for approving SEAVROC's mission and strategic direction, its budget and its major financial affairs (with the approval of Member Local Governments), and its policies on governance, management, and program implementation.
17. In practice, concern itself primarily with the strategic direction of SEAVROC, and should delegate operational (day to day management) issues to its Executive Officer.
18. Document clearly in every case, the nature and extent of any delegation by the Executive Committee.
19. Be responsible for the performance of delegated duties, and institute effective monitoring and evaluation procedures.
20. Where SEAVROC employs staff, the Executive Officer will be responsible for the operational management of SEAVROC. The Executive Officer may delegate tasks to other staff, but the Executive Officer remains accountable to the Executive Committee for their performance.
21. Liaison between Members and SEAVROC staff should, except in exceptional circumstances, go through the Chairperson, Executive Officer and/or the host Local Government.

RISK MANAGEMENT

The Executive Committee will:

22. Ensure that robust risk management policies and procedures are in effect to minimise any risk to SEAVROC's mission, its assets, programs, reputation, staff, or its users.
23. Continuously test, review and refresh risk management policy procedures.

24. Ensure that the health and safety of its employees is of equal priority with the performance of the mission of SEAVROC.
25. Be actively involved in risk management and strategic planning. Strategic planning will be based on the identification of opportunities and the full range of business risks that will determine which of those opportunities are most worth pursuing.

ACCOUNTABILITY

The Executive Committee will:

26. Be ultimately accountable for the entire operation and the impacts of SEAVROC.
27. Be directly accountable to its Members Local Governments.
28. Ensure that clear procedures are developed to provide a transparent framework for conducting its meetings, recording its decisions, communicating those decisions, and receiving feedback from SEAVROC's Member Local Governments and the users of its services.

TRANSPARENCY

29. All Executive Committee deliberations should be open to its Member Local Governments, except where the Executive Committee passes a motion to make any portion of the information confidential.
30. The Executive Committee to report to its Member Local Governments at least annually. The report should disclose information on topics, and indicators required to demonstrate the impact of SEAVROC's activities to enable Member Local Governments to make informed decisions.
31. The Executive Committee to establish and implement 'whistleblower' policies and procedures that enable individuals to come forward with information on illegal practices (or violations of Executive Committee approved policies) without fear or retaliation.

EFFECTIVENESS

The Executive Committee will:

32. Periodically review its own effectiveness, and take any necessary steps to ensure it works well.

33. Regularly review and evaluate the performance of the Executive Officer.
34. Ensure that SEAVROC as a whole, and its programs, are regularly reviewed, and its outputs and outcomes assessed against SEAVROC's mission.

DUTIES

The Delegates to the Executive Committee have a duty to:

35. Act honestly in the exercise of their powers and discharge of functions.
36. Disclose direct and indirect interests in a matter being considered, or about to be considered, by the Executive Committee.
37. Exercise a degree of duty of care and diligence.
38. Not to make improper use of information or position, to gain directly or indirectly an advantage for himself or herself, or to the detriment of SEAVROC.

CONFLICT OF INTEREST

Delegates to the Executive Committee will:

39. Not allow their personal interests, or those of his or her family, to prevail over those of SEAVROC. A Delegate should seek to avoid conflicts of interest wherever possible. Full disclosure of any conflict, or potential conflict, must be made to the Executive Committee.

In addition, Delegates are required to make a disclosure of pecuniary interests at each Executive Committee Meeting of SEAVROC.

Where a conflict does arise, a Delegate must consider whether to refrain from participating in the debate, or whether to be absent from discussion on the matter.

CONFIDENTIAL INFORMATION

The Delegates to the Executive Committee will:

40. Not disclose confidential information or allow it to be disclosed, unless that disclosure has been authorised by SEAVROC, or is required by law.
41. Sign a Confidentiality Agreement.
42. Ensure that all records and files in their possession are secured.

FINANCIAL AND OTHER PRIVATE INTERESTS

The Delegates to the Executive Committee will:

43. Not take improper advantage of the position of Delegate.
44. Not use commercially sensitive information regarding SEAVROC's business, or any information acquired in the course of their appointment, for their own personal gain or for that of others, such as friends, relatives or business associates.

PUBLIC COMMENT

The Delegates to the Executive Committee will:

45. Not make any public comment, or comment to the media, on behalf of or about SEAVROC, without the approval of the Chairman. Delegates have the right to make public comment and enter into public debate on issues in a private capacity; however, it is important that these views are not presented in such a way that they may be interpreted as being the views of SEAVROC.

FAIRNESS AND EQUITY

The Delegates of the Executive Committee will:

46. Abide by the principles of Equal Employment Opportunity and anti discrimination, and treat their fellow delegates and SEAVROC employees fairly and equitably, and with respect, courtesy, compassion and sensitivity.

BREACHES OF THE CODE OF CONDUCT

The Delegates to the Executive Committee will:

47. At all times comply with the spirit, as well as the letter of the law, and with the principles of this Policy.

Any disciplinary action required will be determined by the Chairman following discussion with the Executive Committee, if warranted. The SEAVROC Code of Conduct is as follows:

Code of Conduct

Every Delegate on the Executive Committee of SEAVROC shall comply with the Code of Conduct determined by the Executive Committee from time to time. This Code of Conduct is set out below and is based on the Australian Institute of Company Directors (AICD) Guidelines.

A Delegate should comply with the following standards of conduct.

The Code of Conduct is as follows:

1. The Delegate should act honestly, in good faith, and in the best interests of SEAVROC as a whole.
2. The Delegate should have a duty to use care and diligence in fulfilling the functions of office, and exercising the powers attached to that office.
3. The Delegate should use the powers of office for a proper purpose, in the best interest of SEAVROC as a whole.
4. The Delegate should recognise that the primary responsibility is to SEAVROC as a whole, but may where appropriate, have regard for the interest of all stakeholders of SEAVROC.
5. The Delegate should not make improper use of information acquired as a Delegate.
6. The Delegate should not take improper advantage of the position of Delegate.
7. The Delegate should properly manage any conflict with the interests of SEAVROC.
8. The Delegate has an obligation to be independent in judgement and actions, and to take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Executive Committee.
9. Confidential information received by the Delegate in the course of the exercise of their duties remains the property of SEAVROC, from which it was obtained, and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by SEAVROC, or the person from whom the information is provided, or is required by law.
10. The Delegate should not engage in conduct likely to bring discredit upon SEAVROC.
11. The Delegate has an obligation at all times, to comply with the spirit, as well as the letter of the law, and with the principles of this Code.

#SE-004-10

RECOMMEND:

- (a) *That the Executive Committee of the South East Avon Voluntary Regional Organisation of Councils endorse the SEAVROC Corporate Governance Policy, as detailed in Report SE-004-10.*

- (b) *Subject to (a) above, the Executive Officer develop policies and procedures in accordance with the SEAVROC Corporate Governance Policy.*

Withdrawn at Executive Committee Meeting – Thursday, 4 February 2010-03-04

SE-004-10	SEAVROC CORPORATE GOVERNANCE POLICY (File: serpt0004-10)
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The Executive Officer advised that he was required to develop Corporate Governance for the Group, and in turn, attach policies and procedures to that, with this item of business providing the first component in that process. Further, given SEAVROC's current status, this Report provides a broad guideline on how the group may potentially operate, with adoption permitting the development of such policies and procedures relating to the components outlined within Report SE-004-10.

Following comment by the Chairman, and Cr D Richards on the quality and presentation of the document, it was:

MOVED Cr D Richards, Seconded Cr P Hooper, that:

- (a) *That the Executive Committee of the South East Avon Voluntary Regional Organisation of Councils endorse the SEAVROC Corporate Governance Policy, as detailed in Report SE-004-10.*
- (b) *Subject to (a) above, the Executive Officer develop policies and procedures in accordance with the SEAVROC Corporate Governance Policy.*

Cr D Ridgway endorsed Cr D Richards' comments in relation to the presentation and quality of the Report, then queried the need for its consideration by each Member Local Government Council.

Following comment by the Chairman, Mr G Fardon suggested that part (a) of the motion be amended to read:

- “(a) That the Executive Committee of the South East Avon Voluntary Regional Organisation of Councils endorse the Draft SEAVROC Corporate Governance Policy, as detailed in Report SE-004-10, and that this document be presented to Member Local Government Councils for endorsement.”

With the consent of the Seconder, Cr D Richards agreed to Mr G Fardon's suggested amendment.

Mr G Clark provided comment in relation to the document, and the need to workshop the subject. The Chairman advised that the document before the Meeting was a starting point in the process, and should Delegates consider that a workshop was required, then they may move for that. However, if the document presented met Delegates' approval, then it may be adopted as presented.

Mr G Tuffin sought clarification on this document replacing the current Memorandum of Understanding, with comment by the Chairman, and a further query by Mr G Tuffin in relation to SEAVROC's decision to progress to a Regional Transition Group or otherwise.

The Chairman advised that such a decision would not be made at this Meeting, as the Group required time to digest discussions held on the matter, and suggested that an additional meeting might be scheduled to discuss the Group's direction in this regard.

Cr D Ridgway clarified that the draft policy would be considered by respective Councils prior to its return to SEAVROC for workshopping at that point, with comment by the Executive Officer. The Chairman confirmed that the matters raised by Mr G Tuffin and Mr G Clark would be considered at that time.

The Chairman then put the motion as amended, viz:

- (a) That the Executive Committee of the South East Avon Voluntary Regional Organisation of Councils endorse the Draft SEAVROC Corporate Governance Policy, as detailed in Report SE-004-10, and that this document be presented to Member Local Government Councils for endorsement.*
- (b) Subject to (a) above, the Executive Officer develop policies and procedures in accordance with the SEAVROC Corporate Governance Policy.*

CARRIED UNANIMOUSLY

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.5 Structural Reform

FILE NO: OR.IGR.8
COUNCIL DATE: 15 March 2010
REPORT DATE: 8 March 2010
LOCATION/ADDRESS: Shire of York
APPLICANT: Minister for Local Government
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: R Hooper, CEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A – Minister for Local Government
Appendix B – RTG Information Sheet.
Appendix C – Draft Agreement for Regional Transition Groups.
Appendix D – RTG Process for Amalgamation.
Appendix E – Minister for Local Government
Appendix F – Shire of Cunderdin Minutes
DOCUMENTS TABLED: N/A

Summary:

The Minister for Local Government has requested all local governments to advise him by the 26th March, 2010 of their preparedness or otherwise to participate in a Regional Transition Group to progress the Structural Reform Agenda towards amalgamation.

Background:

In February 2009 the Minister initiated the structural reform process to build on the SSS Report prepared by WALGA to address sustainability and service delivery issues in the local government industry.

York Shire Council has undertaken two stages of the reform process to date being the local government checklist and a Structural Reform submission.

Consultation:

Minister for Local Government.
Department of Local Government.
WALGA.
SEAVROC.
Adjoining Shires.
Public.

Statutory Environment:

Nil at this stage as it is a voluntary process. If or when agreement is reached the Local Government Advisory Board processes will come into force.

Policy Implications:

Not applicable.

Financial Implications:

Nil at this stage other than staff and administration costs already allowed for in the 2009/10 budget.

Strategic Implications:

Key Result Area 3: Community Development.

Voting Requirements:

Absolute Majority Required: No.

Site Inspection:

Site Inspection Undertaken: Not applicable.

Triple bottom Line Assessment:**Economic Implications:**

Nil at this stage as business plans and other economic modelling has not been undertaken as this is subject to Shires registering to be involved in the process.

Social Implications:

The Structural reform process will include large components of community consultation and input as the end result may significantly impact on social cohesion.

Environmental Implications:

Not applicable at this stage.

Comment:

It appears to be beyond question that the local government sector requires at least some level of structural reform if it is to provide community services and be viable into the future.

There have been industry issues with the processes to date and some concerns may be justified however local governments which recognised the need for some level of change can see positive end results for their communities and the industry as a whole.

The Shire of York after public consultation adopted the following resolution in August 2009.

“That Council:

Endorse the Structural Reform submission and addendum and authorise that these documents be forwarded to the Minister and the Department of Local Government prior to the designated date of 31st August 2009.”

The Shire of York has worked extensively with SEAVROC, the Department of Local Government and the WA Local Government Association to investigate options for subsidiaries and revised Regional Councils to provide opportunities for collaboration for resource sharing however to date the Minister has not accepted any alternatives under the state Structural Reform package.

State and Commonwealth funding systems are more and more geared to regional bodies or groups to reduce the administrative costs and to improve service delivery to communities. While not specifically defined a minimum population of 5000 appears to control funding levels.

In the structural reform debate the emphasis needs to be on the future and how community members will be treated and serviced rather than historical boundaries and past actions which may not be sustainable under current and future systems and government.

The Minister re-iterated on the 9th February 2010 that the process is voluntary and there are opt out phases in the process even after agreeing to participate (the opt out phases are detailed in Appendix D).

The current status in Western Australia following on from 3 mergers in 2007/10 (Geraldton-Greenough, Northam Town & Shire, Tambillup-Broomehill) is that 9 shires have agreed to merge, 2 more have committed to the process and 63 local governments have indicated a

willingness for some degree of or full amalgamation. This includes the SEAVROC shires excluding Brookton and Tammin has indicated it would participate.

Under the current process each local government is to advise the Minister for Local Government by the 31st March 2010 if there is a willingness to participate in the Regional Transition Group project and to advise him of preferred RTG partners and any conditions applicable.

While structural reform is about looking forward for community betterment there may also be consequences of not participating through ease of access to regional funding, reduced opportunity for grants, lower service standards for communities, reduced economic development, lesser capacity for asset improvement and maintenance, higher rate burdens, less infrastructure capacity, unsustainability, staff attraction and retention and other issues affecting viability.

One large issue in amalgamations is the retention of identity and local accountability and at present the reform would allow representation outside of the 1 vote, 1 value principle for two electoral cycles e.g. 4 years. A greater term can be requested.

Commitments have been given that Grants Commission funds will be tied for five (5) years after amalgamations and road fund grants will be tied for the same period.

The Minister has applied to Cabinet for funding to cover amalgamation costs for those willing to participate however the funding commitment will not be known until the May 2010 state budget.

The process to be implemented for a full business plan to be prepared prior to an opportunity to opt out will provide detailed information for the next assessment and commitment stage.

In the current system amalgamations are to be in place for the October 2013 elections and any proposals must be with the Local Government Advisory Board at least nine (9) months prior to the election for the statutory procedures to be undertaken.

In the transition or development stages of structural reform processes likely to lead to amalgamations the following matters must be assessed and considered from quantitative and qualitative aspects. Issues for consideration should include but not be limited to the following:

- Identity retention
- Service delivery methods
- Service standards
- Local employment
- Shire buildings
- Asset values and conditions
- Reserve fund levels
- Contracts and agreements
- Existing Commitments
- Debt servicing
- Debt levels
- Asset Management
- Information technology
- Staff attraction and retention
- Shared services
- Governance
- Representation
- Economies of scale
- Risk management
- Rating methods and values
- Financial systems
- Charts of account
- Amalgamation costs
- Grants continuity

- Connectivity of elected members and staff
- Communities of interest
- Government department boundaries
- Local government boundaries
- Consultation and communication with existing and new communities
- Plant and equipment
- Workforce skills
- Transport networks
- Road standards
- Growth potential
- Town Planning Schemes
- Policies and Procedures
- Delegations
- Investments
- Insurance
- Volunteer organisations
- Bush Fire brigades
- Fire and Rescue services
- Ranger Service
- Technical Services – Planning, Health, Building, Engineering, NRM
- Strategic plans
- Letter heads
- Parks, gardens and reserves
- External work – existing and future opportunities
- Staff housing
- Retention of offices and services
- Vehicle licensing
- Libraries
- Services for government – state and federal
- Organisation membership
- WALGA zone boundaries
- Demographics
- Service capacity – power, water, telecommunication, sewer
- Health services

The original Avon region briefing group for Regional Transition as determined by the state government was York, Cunderdin, Quairading, Beverley, Brookton (SEAVROC) plus Northam and Tammin.

The indication to date from all parties is that it is not appropriate for Northam to be included in any South East Avon Region and Brookton has indicated that it will negotiate with Pingelly and Wandering and not join the SEAVROC Transition Group. Tammin has expressed a strong willingness to be part of the SEAVROC RTG.

**RESOLUTION
120310**

Moved: Cr Hooper

Seconded: Cr Lawrance

“That Council

(1) Notify the Minister for Local Government that the Shire of York is willing to participate in a Regional Transition Group subject to the following conditions:

- (A) Membership of the South East Avon Regional Transition Group being the existing members of SEAVROC York, Cunderdin, Beverley and Quairading.***
- (B) Elected member representation being maintained for a minimum of two (2) electoral cycle (four) years.***
- (C) Each participating local government to be a ward in any newly constituted local government and to remain wards on existing Shire boundaries for the minimum term of two (2) electoral cycles.***
- (D) The full cost of any initial business planning to be met by the state government.***
- (E) The full cost of any agreed amalgamation to be met by the state government.***
- (F) That local identity be maintained for each participating local government through the retention of local government shop fronts in each Shiree, the continuing provision of existing services, the employment of appropriate level staff on each participating shire area.***
- (G) Any newly created local government to be able to utilise a differential rate across the new wards to phase in any rate adjustments required.***
- (H) Any newly created local government to be able to quarantine cash backed reserve funds to enable them to be utilised in the locality and for the specific purpose for which they are held.
Note: The quarantine period to be a maximum of seven (7) years from the date of amalgamation.***
- (I) Any newly created local government to be able to quarantine existing debt levels of participating shires for these to be met from rate income from individual shire area or for a specific area rate to be applied to a ward to cover debt repayments if required.***
- (J) The state government continuing to recognise the opt out provisions for individual local governments through the stages outlined for Regional Transition Groups without financial or other penalties.***
- (K) The state government introduce legislation for local government subsidiaries to be created to support future structural reform to support collaborative effort.***

CARRIED (6/0)



**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Our Ref: M1002015

Cr Pat Hooper
President
Shire of York
PO Box 22
YORK WA 6302

COPY SENT TO:	
1.	All CRS
2.	Tyhscha
3.	Patrick
	h. Gordon

SHIRE OF YORK	
FILE:	CR 1002015
OFFICER:	Cr Hooper
INITIALS:	PH
5 FEB 2010	
1112358	
REFERRED TO COUNCIL	
DATE:	INITIALS:

Dear Cr Hooper

Thank you for making it possible for me to meet with you on Thursday 4 February and for meeting with the Director General on 15 January to discuss the next steps in progressing voluntary reform of local government. I am writing to all local governments to confirm my commitment to achieving the best reform outcomes for the sector and to clarify the way forward.

I acknowledge the considerable collaboration that is already taking place amongst local governments as part of SEAVROC.

Many local governments indicated a willingness to amalgamate and undertake reform but were unable to reach final agreement with their neighbours. The proposed options provide like minded local governments with a staged path to voluntary reform through a series of defined milestones.

Briefing sessions to explain these options, the Regional Transition Group (RTG) model and the Regional Collaborative Group (RCG), have commenced and will continue through February focusing initially on regional areas and the Western suburbs. Briefings will then be extended into the remainder of the metropolitan area.

In your case, I am asking that you consider participating in a Regional Transitional Group. The intent of an RTG is to facilitate the harmonisation of core functions and services across participating local governments. As such, an RTG will provide the structure for transitioning several local governments into a single entity by 2013.

I would also like to clarify my position on key aspects of these proposals. They are:

- The process remains voluntary. The decision to participate is a matter for each local government.
- The ultimate membership of each group is also up to local governments to determine.
- Due to factors of remoteness and distance I have invited local governments in the Kimberley, the Pilbara, the northern Goldfields and the Murchison to consider participating in and RCG.

Level 12, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au

- All other local governments, including yourselves, are invited to consider participating in an RTG
- A model agreement to establish the RTG and a flowchart are attached for consideration. The core elements of the agreement are:
 - The State will provide funding to assist each group develop a regional business plan. The amount to be provided will be advised following Cabinet consideration of my funding proposal.
 - The content of the regional business plan is outlined in the schedule to the agreement. A detailed template will be developed by the Department of Local Government to assist you in the preparation of your plan.
 - Any participant can withdraw from the group once the business plan is finalised. I believe this is reasonable as development of the plan requires input from all participants in each group. I anticipate up to nine months would be required to prepare the plan.
 - Even after local governments have resolved to participate, the RTG can be terminated if the majority of the group decides that this is the best course of action. I anticipate efforts will be made to resolve concerns before such a decision is made.
 - The Local Government Advisory Board statutory processes, including the poll provision, apply once the RTG proposal to amalgamate is received by the Board.
- I have lodged my funding request to assist local government reform for inclusion in the 2010/11 State budget.

RTG agreements will not override the requirements of Schedule 2.1 of the *Local Government Act 1995*, ensuring that local communities are involved in the reform process.

I ask that you indicate to me in writing by 26 March 2010 your local government's willingness to proceed to an RTG on the basis outlined above and as detailed in the attached draft model agreement and flow chart.

I encourage all local governments to be represented at the briefings and to make contact with one of the following officers to assist with enquiries:

Wendy Murray	wendy.murray@dlg.wa.gov.au	tel: 9217 1440
Tim Fowler	tim.fowler@dlg.wa.gov.au	tel: 9217 1439
Chris Berry	chris.berry@dlg.wa.gov.au	tel: 9217 1417

More information on the RTG model and how it will work will be available from the Department of Local Government's website www.dlg.wa.gov.au.

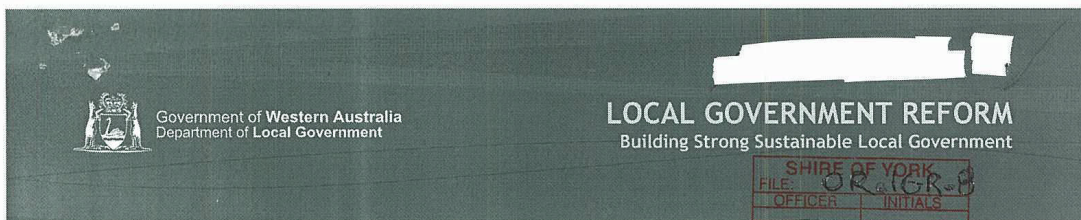
Yours sincerely



G M (John) Castrilli MLA
**MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**

2 February 2010

atts



RTG INFORMATION SHEET

Planning for the next 100 years

Western Australia's local government boundaries were largely established over 100 years ago based on the communities and economic conditions of the State at that time.

The role and demands of local governments have changed dramatically since then, but the structure of local government remains virtually the same.

Through reform, you have the opportunity to establish a stronger, more viable structure that better reflects the needs of our changing communities and our growing, modern and diverse State.

This process is about looking to the future and building a local government structure that will see Western Australia through the next 100 years.

What is a Regional Transition Group?

To assist reform in the sector, the concept of a Regional Transition Group (RTG) has been developed.

An RTG will facilitate the harmonisation of core functions and services across the participating local governments. As such, an RTG will provide the structure for transitioning several local governments into a single entity by 2013.

Participation in an RTG is 100% voluntary. Once a council is a signatory to a Model Agreement, it confirms its commitment to participate fully in the planning and adoption of common systems and services.

These will be scoped in a Regional Business Plan. At the conclusion of developing a Regional Business Plan, local governments will decide whether or not to proceed.

This will not preclude local governments from moving to another RTG where there is agreement by all participants.

Benefits of Regional Transition Groups

RTGs provide local governments that have recognised the benefits to be gained through reform with a structured path towards a merger.

With defined milestones staged over the three year period, participants have the opportunity to resolve key issues and harmonise core functions and services before ultimately merging into a single entity.

Subsequently, if 50% or more of participating members wish to withdraw the agreement may be terminated.

SHIRE OF YORK
FILE: OR-IGR-8
OFFICER: [initials]
INITIALS: [initials]
Ray
4 FEB 2010
1123 62
REFERRED TO COUNCIL
DATE: [initials]
INITIALS: [initials]

Which of WA's local governments are suited to Regional Transition Groups?

Joining a RTG is a good option for local governments that are one or more of the following:

- amenable to amalgamation but unable to obtain agreement with their proposed amalgamation partners
- have indicated that they may consider amalgamating at a date in the future
- already connected to a group of local governments through a regional council or
- are an integral part of future regional planning and service delivery.

Requirements of Regional Transition Groups

Each participating local government is required to be a signatory to a Model Agreement which formalises the establishment of the RTG.

Once the Model Agreement is signed by participating local governments, the Group, with assistance from the Department of Local Government, will initiate processes required to progressively align the existing structures in 2013.

Member local governments of an RTG will be required to:

- Appoint a board comprising one elected member and one elected deputy member for each participant together with such other members as the participants agree
- Appoint an elected member from one of the participants to be the chairperson of the Board, and an elected member from a different participant to be the deputy chairperson of the Board
- Have regular meetings
- Nominate a participating council to act as banker and secretariat
- Establish a process for decision making and meeting procedures, and
- Report on the activities of the RTG.

Each RTG will be required to develop a Regional Business Plan to scope services and transition costs. It is recommended that Business Plans be finalised within nine months of signing an Agreement.

Community engagement and representation

The Regional Business Plan will provide for specific actions to ensure that community engagement and representation is incorporated into the decision making processes of the new local government post-amalgamation, including the establishment of:

- Place planning approaches, including customer advocates
- Precinct committees and community advisory committees
- Modern community engagement techniques
- Community associations (progress associations).

Where communities are concerned about representation, the Minister is willing to approve arrangements that facilitate councillor representation from each of the current local governments for two full election cycles post-amalgamation.

Prepared by the Department of Local Government

General Calls: (08) 92171500

Free call (Country Only): 1800 620 511

Email: info@dlg.wa.gov.au

Web: www.dlg.wa.gov.au

Transitioning to a new entity

RTGs will be assisted by the Reform Implementation Committee, which has been established to oversee the transitioning process.

Implementation working groups will provide practical advice to transitioning local governments in the areas of:

- Human resources and change management
- Strategic planning and community engagement
- Finance
- Information management and technology
- Governance and legal issues.

What happens next?

Local governments are encouraged to engage with their neighbouring councils to determine whether forming an RTG would be beneficial to the long term needs of their communities.

Local governments that have been asked to consider forming an RTG are requested to advise the Minister of their decision by 26 March 2010.

The reform process remains voluntary. It is up to individual local governments to choose whether they will take up the opportunity to reform, and if they do, who their amalgamation partners will be.

For more information on RTGs and the reform process contact:

Wendy Murray
Executive Director
Strategic Policy and Local Government Reform
(08) 9217 1630
wendy.murray@dlg.wa.gov.au

Tim Fowler
Special Advisor
Legislation and Reform
(08) 9217 1439
tim.fowler@dlg.wa.gov.au

Chris Berry
Manager
Structural Reform Branch
(08) 9217 1417
chris.berry@dlg.wa.gov.au

February 2010.

Prepared by the Department of Local Government

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Web: www.dlg.wa.gov.au

2010

STATE OF WESTERN AUSTRALIA

and

[#]

and

[#]

and

[#]

AGREEMENT FOR THE []
REGIONAL TRANSITION GROUP

State Solicitor's Office
Commercial
141 St Georges Terrace
Perth WA 6000
Telephone : (08) 9264 1888
Ref: SSO

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DRAFT

Amalgamation Date means 1 July 2013 or such earlier date as decided by the RTG.

Board means the board of the RTG described in clause 3.1.

Business Day means a day other than a Saturday, Sunday or public holiday in Western Australia.

Department means the State's Department of Local Government.

Execution Date means the date when this Agreement is executed by the Director General, as the last Party to execute.

Participant means a local government which is a Party to this Agreement.

Party means a party to this Agreement and **Parties** means all of them.

Region means the area covered by common service arrangements of the Participants.

Regional Business Plan means the plan described in clause 6.

RTG means Regional Transition Group.

1.2 Interpretation

In this Agreement, unless the contrary intention appears:

- (a) words and expressions defined in the Act have the same meaning where used;
- (b) a reference to a clause, schedule or annexure is a reference to a clause of, or a schedule or annexure to, this Agreement and a reference to this Agreement includes any recital, schedule or annexure;
- (c) a reference to a statute, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (d) the singular includes the plural and vice versa;
- (e) the word 'person' includes a firm, body corporate, partnership, joint venture or unincorporated association;
- (f) a reference to a person includes a reference to the person's executors, administrators, delegates, successors and assigns;
- (g) a reference to a person, statutory authority or government body (corporate or unincorporated) established under any written law includes a reference to

any person (corporate or unincorporated) established or continuing to perform the same or a substantially similar function;

- (h) a reference to dollars or \$ is to Australian currency;
- (i) an obligation, representation or warranty in favour of two or more persons is for the benefit of them jointly and severally;
- (j) an obligation, representation or warranty on the part of two or more persons binds them jointly and severally;
- (k) if a period of time is specified and dates from a given day or the day of an act or event, it is to be calculated exclusive of that day;
- (l) a reference to a day is to be interpreted as the period of time commencing at midnight and ending twenty-four hours later;
- (m) references to time are to time in Western Australia;
- (n) if a payment is to be made or an act performed on a day which is not a Business Day, then the payment must be made or the act performed on the next following Business Day;
- (o) headings in this Agreement are inserted for convenience and do not affect the interpretation of this Agreement;
- (p) words of inclusion are not words of limitation;
- (q) unless provided otherwise, reference to legislation is to legislation of the State of Western Australia; and
- (r) if any conflict arises between the terms and conditions contained in the clauses of this Agreement and any schedule or annexure to this Agreement, the terms and conditions of the clauses of this Agreement prevail.

2. ESTABLISHMENT OF REGIONAL GROUP

2.1 RTG Formed

The Regional Transition Group is hereby formed with a view to achieving structural reforms in local government throughout the Region.

2.2 Legally Binding

The Participants acknowledge and agree that they are legally bound by the terms and conditions contained herein.

3. ADMINISTRATION

3.1 Board of RTG

Within 3 months of the Execution Date, the RTG shall convene the inaugural meeting, of the RTG and appoint a board comprising one elected member and one elected deputy member for each Participant together with such other members as the Participants agree.

3.2 Appointment of Chairperson

At the inaugural meeting the RTG shall appoint an elected member from one of the Participants to be the chairperson of the Board, and an elected member from a different Participant to be the deputy chairperson of the Board.

3.3 Meetings of RTG

The RTG shall convene Board meetings regularly and in any event not less than once every 3 months, and shall keep minutes for all meetings convened.

3.4 Decisions by RTG

Board meeting procedures shall be determined by the Board, and decisions shall be made by ordinary majority.

3.5 Banker and Secretariat

The Board shall elect a Participant to control and manage the finances of the RTG and elect a Participant to act as secretariat to the RTG.

4. FINANCIAL CONTRIBUTIONS

4.1 Financial Contribution of the Participants

The Participants shall make financial contributions to the RTG as determined by the Board, which contributions may be made in cash or in kind, the total of which must not be less than that provided by the State under item 1(a) of the Schedule.

4.2 Financial Contribution of the State

The State shall provide to the RTG financial contributions in accordance with item 1 of the Schedule, the first such contribution being made in response to execution of this Agreement by the Parties.

5. SERVICES

In the period from the Execution Date to Amalgamation, the RTG shall plan the development and delivery of common systems and where possible make delivery of

the following services to the Region together with any additional services the RTG decides:

- corporate services, including records, finance, information technology, rating, human resources, payroll and workforce;
- strategic planning, including local laws, town planning, asset and financial planning;
- environmental health, natural resource management, building and development approvals;
- economic development;
- community planning and engagement;
- road infrastructure and transport;
- waste management; and
- infrastructure planning and asset management.

6. REGIONAL BUSINESS PLAN

6.1 Development of Regional Business Plan

The RTG shall develop a draft Regional Business Plan no later than 9 months after the Execution Date, and submit it to the Department for the Department's comments.

6.2 Contents of Regional Business Plan

The contents of the Regional Business Plan shall be as described in item 2 of the Schedule.

6.3 Submission of Final Regional Business Plan

The RTG shall make any amendments to the draft Regional Business Plan suggested by the Department with which the RTG agrees and submit the final draft to the Department and to each Participant within 2 months of receiving the Department's suggested amendments.

6.4 Disagreement on Contents of Regional Business Plan

Where the RTG does not agree with amendments to the Regional Business Plan suggested by the Department, the Department and the Participants shall convene a meeting at which they will use their reasonable endeavours to reach acceptable compromise.

6.5 Endorsement by Department and Participants

Within 2 months of receipt of the final Regional Business Plan amended as agreed by the Parties, the Department and the Participants shall endorse it for implementation by the RTG PROVIDED that if any of the Participants do not wish to endorse the final Regional Business Plan, they may withdraw from the process of Amalgamation

at that time by providing notice to the RTG whereupon they will have no further obligations hereunder.

6.6 Funding by State

Upon endorsement of the final Regional Business Plan by the Department and the Participants, the RTG may submit a request to the State for further funding in accordance with item 1 of the Schedule.

7. SUBMISSION OF PROPOSAL

7.1 Submission to Local Government Advisory Board

Not less than 9 months before Amalgamation, the Minister or the Participants may submit a proposal for Amalgamation to the Local Government Advisory Board, pursuant to the provisions of clause 2(2) of Schedule 2.1 of the Act. .

7.2 Implementation of Proposal

Upon endorsement by the Local Government Advisory Board of the proposal for Amalgamation and acceptance by the Minister of that endorsement, the RTG shall implement the proposal in accordance with the Regional Business Plan.

7.3 Funding by State

Upon endorsement by the Local Government Advisory Board of the proposal for Amalgamation and acceptance by the Minister of that endorsement, the State shall make a final financial contribution to support implementation of the proposal in accordance with the Regional Business Plan.

8. REPORTING

The Participants shall provide to the Department every 6 months from the Execution Date a progress report on the activities of the RTG, covering the previous 6 month period, and including *inter alia* information on transition initiatives undertaken by the RTG.

9. DEFAULT

Where the RTG or a Participant breaches a provision hereof, the State may in its absolute discretion withhold further financial contributions under clause 4.2 and require repayment to it by the RTG of unspent funds.

10. TERMINATION

10.1 Termination by Majority

This Agreement may be terminated at any time by agreement of a majority of the Participants.

10.2 Meeting with Department

Where 50 per cent of the Participants wish to terminate this Agreement, the Department shall convene a meeting to be attended by all Participants together with representatives of the State at which the Parties shall use reasonable endeavours to resolve outstanding issues and where not successful to canvass alternatives for Amalgamation.

10.3 Return of Unexpended Funds

Upon termination of this Agreement, the RTG must forthwith return to the State all unexpended and not contractually committed financial contributions made by the State to the RTG.

11. NOTICES AND OTHER COMMUNICATIONS

11.1 Service of notices

A notice, demand, consent, approval or other communication under this Agreement (**Notice**) must be:

- (a) in writing and signed by a person duly authorised by the sender; and
- (b) hand delivered or sent by prepaid post or facsimile to the recipient's address for notices specified in item 3 of the Schedule as varied from time to time by any Notice given by the recipient to the sender.

11.2 Effective on receipt

A Notice given in accordance with clause 11.1 takes effect when taken to be received (or at a later time specified in it), and is taken to be received:

- (a) if hand delivered, on delivery;
- (b) if sent by prepaid post, on the third Business Day after the date of posting (or on the tenth Business Day after the date of posting if posted to or from a place outside Australia);
- (c) if sent by facsimile, when the sender's facsimile system generates a message confirming successful transmission of the entire Notice unless, within 8 Business Hours after the transmission, the recipient informs the sender that it has not received the entire Notice,

but if the delivery, receipt or transmission is not on a Business Day or is after 5.00 pm on a Business Day in the place that it is received, the Notice is taken to be received at 9.00 am on the next Business Day.

12. GENERAL

12.1 Entire Agreement

As at the Execution Date this Agreement constitutes the entire Agreement between the Parties as to its subject matter and in relation to that subject matter, supersedes any prior understanding or Agreement between the Parties and any prior condition, warranty, indemnity or representation imposed, given or made by a Party.

12.2 Severability

If any provision of this Agreement is void, voidable by any Party, unenforceable or illegal according to the law in force in Western Australia, it shall be read down so as to be valid and enforceable or if it cannot be so read down, the provision (or where possible the offending words), shall be severed from this Agreement without affecting the validity, legality or enforceability of the remaining provisions (or parts of those provisions) of this Agreement which continues in full force and effect.

12.3 Waiver

A right or power under this Agreement shall only be deemed to be waived by notice in writing, signed by the Party waiving the right or power, and:

- (a) no other conduct of a Party (including a failure to exercise, a delay in exercising or a partial exercise of a right or power or any forbearance or indulgence granted by one Party to another Party in respect of a right or power) operates as a waiver of the right or power or otherwise prevents the exercise of that right or power;
- (b) a waiver of a right or power on one or more occasions by a Party does not operate as a waiver of that right or power if it arises again in the future or prejudices that Party's other rights or powers or future rights or powers in respect of the right or power waived; and
- (c) the exercise of a right or power does not prevent any further exercise of that right or power or of any other right or power.

12.4 Further action

Each Party must use its reasonable endeavours to do all things necessary or desirable to give full effect to this Agreement.

12.5 Assignment

Except as otherwise provided in this Agreement, a Party may not:

- (a) sell, transfer, assign, novate, license or otherwise dispose of; or
- (b) mortgage, charge or otherwise encumber,

any right hereunder to any person, or permit any person to assume any obligation hereunder, without the prior written consent of the other Parties, which may withhold their consent in their absolute discretion.

12.6 Governing law and jurisdiction

- (a) This Agreement is governed by the law applicable in Western Australia.
- (b) Each Party irrevocably and unconditionally submits to the non-exclusive jurisdiction of the courts of Western Australia.

12.7 Variation

The Parties may vary this Agreement by agreement in writing executed by all of them.

12.8 Counterparts

This Agreement may be executed in any number of counterparts. All counterparts, taken together, will constitute one instrument. A Party may execute this Agreement by signing any counterpart.

DRAFT

SCHEDULE

Item 1 (clause 4.2, 6 and 7) Financial Contributions by State:

Subject to confirmation by Treasury of available funds:

- (a) funding for administration
- (b) funding for creation of a Regional Business Plan
- (c) funding for implementation of the Regional Business Plan.

Item 2 (clause 6.2) Contents of Regional Business Plan:

(the contents include but are not limited to the undermentioned)

Community and Strategic Plan

- social, economic and environmental planning processes including consultation and priority assessment
- demonstration of productivity/service improvements
- infrastructure renewal schedule for minimum of 4 years
- new infrastructure schedule for minimum of 4 years
- financial information including capital works budget, borrowings, other funding received and rationale for using Country Local Government Fund supplementary funding
- maintenance schedule for renewal/proposed assets
- evaluation and review processes
- conduct due diligence of each Participant's financial assets and liabilities, contracts, leases and other legal agreements
- proposed organisational structure for new entity
- proposed governance structure for new entity

Infrastructure System Improvements

- IT systems
- record management systems
- archive facilities
- accommodation

- libraries
- community facilities
- depots
- signage
- financial systems
- asset management systems
- data systems
- human resources management systems
- communications

Item 3 (clause 11.1) Notice Details:

The notice details for the Parties are as follows:

DRAFT

EXECUTED as an agreement.

SIGNED FOR AND ON BEHALF OF)
THE STATE OF WESTERN AUSTRALIA)
BY [],)
Director General of the Department of)
Local Government in the presence of:)

Signed

Witness

The Common Seal of)
SHIRE OF [],)
a body corporate established under)
Section 2.5 of the *Local Government Act 1995*,)
was affixed in the presence of:)
)

President

Chief Executive Officer

The Common Seal of)
SHIRE OF [],)
a body corporate established under)
Section 2.5 of the *Local Government Act 1995*,)
was affixed in the presence of:)
)

President

Chief Executive Officer

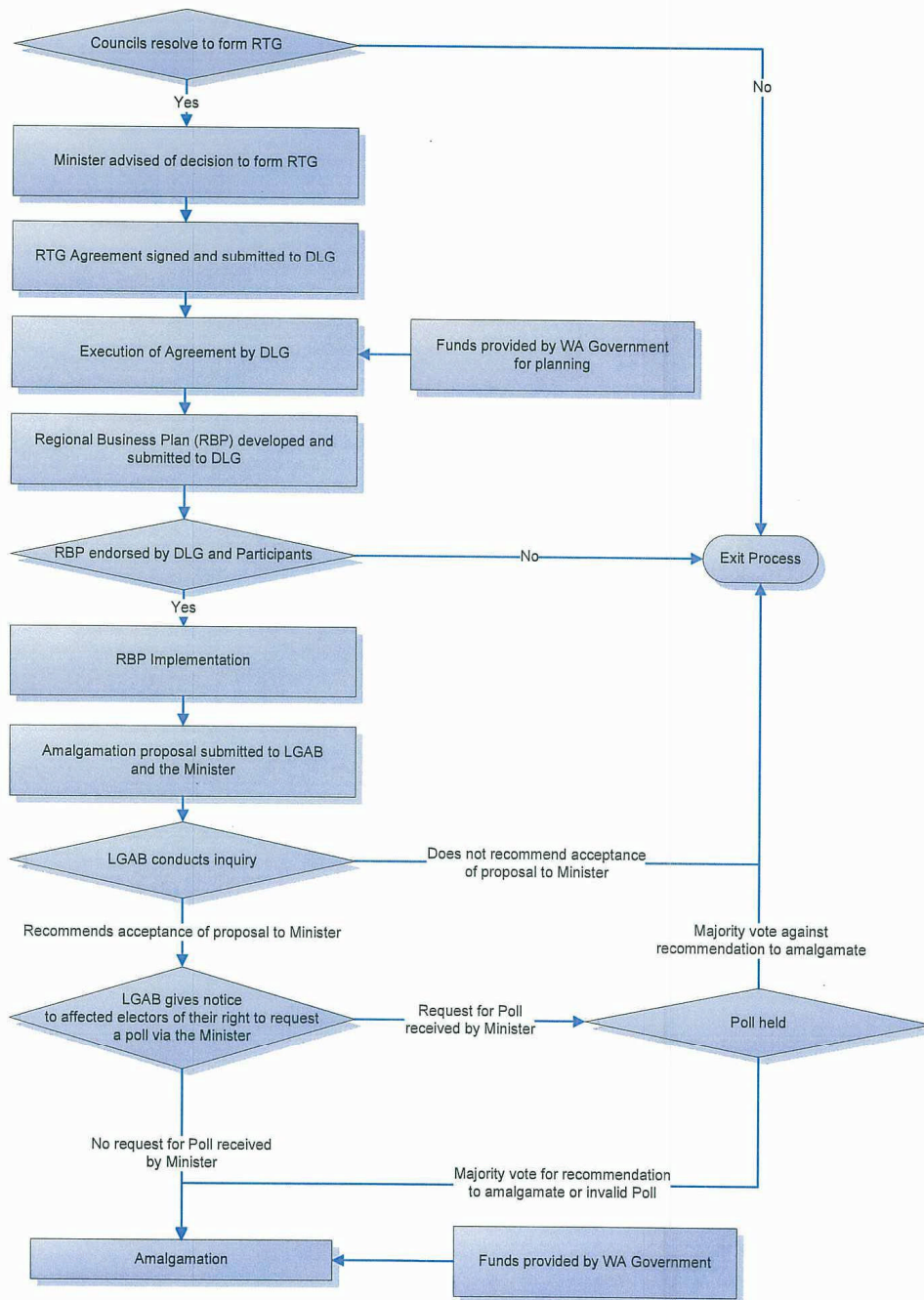
The Common Seal of)
SHIRE OF [],)
a body corporate established under)
Section 2.5 of the *Local Government Act 1995*,)
was affixed in the presence of:)
)

President

Chief Executive Officer

DRAFT

RTG Process for Amalgamation





**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Your Ref: RH:nm OR.IGR.8
Our Ref: 38-03639/4

SHIRE OF YORK	
FILE: OR.IGR.8	
OFFICER: Ray	INITIALS: [Signature]
3 MAR 2010	
1112:132	
REFERRED TO COUNCIL	
DATE: 15/3/10	INITIALS: [Signature]

Copy sent to SEAVROC.

Mr Ray Hooper
Chief Executive Officer
Shire of York
PO Box 22
YORK WA 6302

COPY SENT TO:	
1. All C15.	
2.	
3.	

Dear Mr Hooper

Thank you for your correspondence dated 29 January 2010 regarding the State Government's local government reform strategies. I am encouraged by the support and leadership of the Shire and its commitment to delivering optimal governance and services for their community.

Subsequent to your letter, I wrote to the Shire President, Cr Pat Hooper, on 2 February 2010 and attended the South East Avon Voluntary Regional Organisation of Councils' (SEAVROC) Executive Committee meeting on 4 February 2010, explaining the structure and the delivery objectives of the Regional Transition Group (RTG) model. In doing this, I believe I have responded to many of the questions put forward in your letter, however, I will take the opportunity now also to address these as follows:

▪ *Local governments locked into a particular reform category*

The composition of an RTG will be determined by the participating local governments. The Agreement, which provides for the establishment of an RTG, and is to be signed by the participating local governments, also includes provision for variation and termination, should it be identified that an optimal outcome is not going to be achieved based on the existing membership.

▪ *Legislation to permit subsidiaries*

I acknowledge the extensive amount of work undertaken by SEAVROC in investigating the benefits of the subsidiary legislation similar to the South Australian system. I have been advised that the Legislation Reform Working Group is examining various options for which entities can be established to provide commercial services. The outcome of these considerations will be determined following the final reporting of the Local Government Reform Steering Committee.

Level 12, Dumas House, 2 Havelock Street, West Perth Western Australia 6005
Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au

- *Asset Management Planning, Strategic Planning, Financial Planning*

The RTG will develop a regional business plan which will specifically provide for the integrated reporting of asset management planning, strategic planning and financial planning across all participants reflective of industry best practice.

- *Town Planning – reflective of Wheatbelt Regional Plan or as a distinct region of South East Avon*

The RTG business plan will facilitate town planning across all districts, which should be complementary to the overall Wheatbelt Regional Plan, whilst focussing on the needs and uniqueness of the communities in the South East Avon district.

- *Alignment of government department boundaries*

I understand that the location of Government agency service provider boundaries was considered by the Local Government Reform Steering Committee, which will be reported on in the final report.

- *IT platforms and back office functions*

In addition to planning for the alignment of asset management, strategic and financial report, the business plan will enable RTG participants to investigate and plan for the standardising and reporting of many local government back office functions to deliver administrative efficiencies.

- *Grants security after amalgamation*

Grants Commission funding will be maintained for a period of five years post amalgamation. Should local governments across the State commit to reform, as shown by the leadership of the Shire of York, the reality is that there will be a greater pool of Commonwealth funding available due to there being less numbers of local governments receiving such grants. In addition, the grant methodology is reviewed every five years, in which time amalgamation may become a consideration, in addition to other factors that are identified as contributing to the determination of grant allocations.

The Country Local Government Fund has a life of four years. Amalgamated local governments will receive funds totalling the combined amount of payments earmarked for the former individual local governments. The regional component of the grants program will be maintained at the predetermined allocation of 35% for year two and 48.75% for years three and four.

The funding parameters for Roads to Recovery programs are determined by the Commonwealth Government.

- *Integration of chart of accounts*

As previously mentioned, the RTG business plan will provide for the planning and delivery of standardised reporting functions of the participating local governments, which will include integration of chart of accounts to ensure the financial reporting of the new entity is in place leading up to amalgamation.

- *Government commitment to redundancy payments*

The RTG business plan will require costings to be itemised for each of the functions of local governments to be integrated, which includes redundancies.

This will assist me when I submit proposals through the budget processes to ensure that the funding sought to support local government reform is adequate.

▪ *Commissioners*

The use of Commissioners during the period following the dissolution of a local government, and leading up to the election of the new council at a general election, will continue as prescribed under the *Local Government Act 1995*. There may be certain circumstances where this may be negotiated with local governments reflective of the amalgamating requirements which will need to be considered on a case by case basis.

▪ *Advisory Board to veto any amalgamation proposal*

The Local Government Advisory Board will continue to follow its due process as prescribed for under the Act and within its powers recommend to me to veto any amalgamation proposal for which I will make the final determination.

▪ *Work duplication*

There will be minimal work duplication by the RTG or the Board; rather any such work will assist in efficiently processing an amalgamation proposal as part of the Board's processes.

▪ *Criteria for larger Community Infrastructure Grants*

I understand this point is related to the Commonwealth's Regional and Local Community Infrastructure Program, which provided minimum funding allocations for local governments with smaller populations. The parameters for this programme were defined by the Commonwealth Government.

I hope that the above information addresses the issues raised in your letter. Again, I commend the Shire of York for demonstrating leadership by committing to a future vision of local government not only within the South East Avon region but for the State of Western Australia.

Yours sincerely



G M (John) Castrilli MLA
**MINISTER FOR LOCAL GOVERNMENT; HERITAGE;
CITIZENSHIP AND MULTICULTURAL INTERESTS**

25 FEB 2010

9.7 Structural Reform

Location:	Cunderdin
Applicant:	Administration
Date:	18 th February 2010
Author:	G Tuffin
Item Approved by:	Chief Executive Officer

Proposal

To inform council of the current reform model being proposed by the Minister for Local Government.

Attachments

Letter dated 7th December 2009 – Minister for Local Government

Letter dated 2nd February 2010 – Minister for Local Government (including RTG model agreement)

Background:

Ordinary Council meeting 17th March 2009 (Report 9.4)

Ordinary Council Meeting 16th April 2009 (Report 9.1)

Ordinary Council Meeting 16th July 2009 (Report 9.4 & Report 9.6)

Ordinary Council Meeting 17th September 2009 (Report 9.3)

The Minister for Local Government directed all West Australian Local Governments to submit a structural submission on elected member representation, amalgamations, transition matters and other reform issues to the Department of Local Government by the 31st August 2009

All Local Governments responded to the Minister's request and provided reform submissions by the extended closing date - 30 September 2009.

The results of the submissions were;

- Three (3) amalgamation proposals where all parties agreed to amalgamate. This involved nine (9) Councils.
- Fifty four (54) Local Governments had indicated that they were amenable to amalgamations given certain conditions..
- The remaining Seventy Six (76) advised that they wanted to remain in their current form with some indicating boundary adjustments.

In respect to Agreed Amalgamation proposals the 3 proposals that received endorsement from all participating Local Governments were;

- Mingenew, Three Springs, Morawa and Perenjori
- Geraldton-Greenough, Chapman Valley and Mullewa
- Yilgarn and Westonia

The Minister wrote to all local Governments on 7 December 2009 (Copy attached) outlining his response to the interim analysis advising that there are three categories for the reform process moving forward. These are;

- a) Local Governments agreeing to amalgamate
- b) Regional Transition Groups
- c) Regional Collaborative Groups

The Regional Transition Groups (RTG) will see several Local Governments working together with a view to forming a single entity by 2013. Local Governments which intend to form on RTG will be permitted to opt out prior to signing a deed of agreement

The Minister further stated that there are a number of Local Governments in the Pilbara, Kimberley, Northern Goldfields and the Murchison Regions which due to their remoteness and size; amalgamations will not be a priority. In this scenario, Regional Collaborative Groups (RCG) will be formed. Under this approach, Councils will work collaboratively on a regional basis and may or may not transition to a single entity in the future. Such groups would still be bound by a formal agreement and would be required to perform similar functions and services as the Regional Transition Groups.

The Department has placed the Shire in the following Regional Transitional Group;

- Beverley
- Brookton
- Cunderdin
- Northam
- Quairading
- Tammin
- York

The Minister in his letter dated 2 February 2010 States that the council give consideration in participating in a Regional Transition Group. The intent of an RTG is to formulate the harmonisation of core functions and services across participating Local Governments, thus providing a transitional structure to the participating Local Governments to form a single entity. The minister has also requested that the council gives consideration to a model agreement, drafted by the department to establish RTG's. The core elements of the agreement are:

- The state provide funding to assist each group develop a regional business plan. The amount to be provided will be advised following Cabinet consideration of the Ministers funding proposal.
- The content of the regional business plan is outlined in the schedule to the agreement. A detailed template will be developed by the Department of Local Government to assist Local Governments in the preparation of such plans.
- Any participant can withdraw from the group once the business plan is finalised. This is reasonable as development of plans require input from all participants in each group. It will take up to nine months for the preparation of the plans.
- Even after Local Governments have resolved to participate, the RTG can be terminated if the majority of the group decides that it is the best course of action.
- The Local Government Authority Board statutory processes, including the poll provision, apply once the RTG proposal to amalgamate is received by the board.

The minister is seeking a response from the council by 26th March 2010 in relation to its willingness to proceed to an RTG on the above basis and as detailed in the draft model agreement.

Comment:

Council in its Structural Reform submission to the Department made the following recommendations.

Recommendations

1. *The voluntary amalgamation of the four Member Local Governments (Beverley, Cunderdin, Quairading & York) and the Shire of Tammin to form a new single local government is recommended, subject to certain conditions being met;*
 - (i) *That the voluntary amalgamation process be completed by 2013 elections*
 - (ii) *Maintaining local identity be addressed, as detailed in the report titled "Options for Community Representation and Maintaining Local Identity", through the establishment of community advisory committees and the appointment of a Place Manager in each of the wards to maintain and improve the standard of operations in each of the localities. Maintaining a 'shop front' at each of the major towns will assist in maintaining local identity.*
 - (iii) *That Minister be requested to provide the necessary legislative changes to allow for the establishment of a 'Regional Subsidiary' as a legal entity to provide the regional local governments with the ability to enter into cooperative arrangements and resource sharing to meet their communities expectations, both at local and regional levels.*
2. *That Council does not support the fixing of elected members numbers between 6-9 as requested by the Minister. This needs to be negotiated on the basis of fair representation on a ward basis, & will depend on the number of Councils amalgamating rather than a fixed numbers approach.*
3. *That the Shire of Beverley, Quairading, Tammin & York be advised of (1) above*
4. *That the Minister be advised it is not possible to provide an estimate of the funds required to undertake the proposed amalgamation without conducting in depth research and financial modelling based on the previous experiences of other multiple local government amalgamations.*
5. *Prior to a voluntary amalgamation it is essential that a full business plan be undertaken and that it be funded by the State Government to ensure a smooth transition.*

The Council may respond to the Minister for the Local Government in the following manner:

That the Shire of Cunderdin is willing to participate in a Regional Transitional Group, subject to the following conditions;

- (i) That a RTG excludes the Shire of Northam
- (ii) That local identity be maintained through the establishment of community advisory committees, maintaining shop front at each of the major towns and appointment of a place manager or equivalent
- (iii) Representation be based on the SEAVROC model. Two representatives from each amalgamating Local Government for the first five (5) years of the new constituted local government.
- (iv) Each participating Local Government to be a ward in the newly constituted Local Government.
- (v) That elected member representation be greater than 9 if it can be justified on the following principles;
 - Ratio of Councillors to electors
 - Demographic trends
 - Consistency with representation between wards
 - Community of interest
- (vi) The cost of amalgamation be met by the State Government
- (vii) The quarantining of debt and cash backed reserves to respective Local Governments prior to any amalgamation and a differential rate apply should there be a shortfall.
- (viii) The regional subsidiary model be incorporated In the Local Government Act 1995 and for its regulations.

Statutory Implications

There are no statutory implications in considering this item.

Policy Implications

There are no policy implications in considering this item.

Financial Implications

There are no financial implications in considering this item

Recommendation 9.7

That Council resolve;

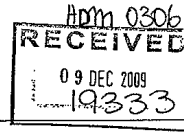
- a) That the Shire of Cunderdin is willing to participate in a Regional Transitional Group, subject to the following conditions;
- (i) That a RTG excludes the Shire of Northam
 - (ii) That local identity be maintained through the establishment of community advisory committees, maintaining shop front at each of the major towns and appointment of a place manager or equivalent
 - (iii) Representation be based on the SEAVROC model. Two representatives from each amalgamating Local Government for the first five (5) years of the new constituted local government.
 - (iv) Each participating Local Government to be a ward in the newly constituted Local Government.
 - (v) That elected member representation be greater than 9 if it can be justified on the following principles;
 - Ratio of Councillors to electors
 - Demographic trends
 - Consistency with representation between wards
 - Community of interest
 - (vi) The cost of amalgamation be met by the State Government
 - (vii) The quarantining of debt and cash backed reserves to respective Local Governments prior to any amalgamation and a differential rate apply should there be a shortfall.
 - (viii) The regional subsidiary model be incorporated In the Local Government Act 1995 and for its regulations.
 - (ix) That an independent review be undertaken by the Department every 5 years in relation to the new amalgamated local government structure to ensure it is meeting its objectives
- b) The Minister for Local Government be advised of (a) above

Moved : Cr _____

Seconded: Cr _____

Vote – Simple majority

Carried/Lost: ___/___



**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Our Ref: M0901582

Mr Gary Tuffin
Chief Executive Officer
Shire of Cunderdin
PO Box 100
CUNDERDIN WA 6407

Dear Mr Tuffin

I would like to thank you for the significant and commendable effort that you and the Shire of Cunderdin have made in contributing to the State Government's reform process to achieve a strong and sustainable sector.

I have considered your submission and those of other local governments and, excluding Councils that have agreed to substantial amalgamations, I have determined that the best way to move forward is through the creation of Regional Transition or Regional Collaborative groups.

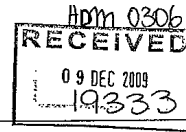
I appreciate the work undertaken to develop the submission and have determined that the optimal reform option for your local government is to engage with neighbouring local governments to form a Regional Transition Group. Your support for reform within the region is appreciated however given the variation between proposals received from the region, further work needs to be undertaken to develop an agreed configuration and timeline. I have asked the Department of Local Government to contact you shortly to further discuss the establishment of such a group.

A Regional Transition Group will provide the structure for transitioning several local governments into a single entity by 2013. It is to be established under a formal no opt out provision between participating local governments and will facilitate the harmonisation of core functions and services across participating local governments. This process will enable a seamless transition to a new entity and a new start while allowing for the staging of key elements of structural reform.

These core functions and services include:

- Strategic and community planning;
- Infrastructure planning and asset management;

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Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au



**Minister for Local Government; Heritage;
Citizenship and Multicultural Interests**

Our Ref: M0901582

Mr Gary Tuffin
Chief Executive Officer
Shire of Cunderdin
PO Box 100
CUNDERDIN WA 6407

Dear Mr Tuffin

I would like to thank you for the significant and commendable effort that you and the Shire of Cunderdin have made in contributing to the State Government's reform process to achieve a strong and sustainable sector.

I have considered your submission and those of other local governments and, excluding Councils that have agreed to substantial amalgamations, I have determined that the best way to move forward is through the creation of Regional Transition or Regional Collaborative groups.

I appreciate the work undertaken to develop the submission and have determined that the optimal reform option for your local government is to engage with neighbouring local governments to form a Regional Transition Group. Your support for reform within the region is appreciated however given the variation between proposals received from the region, further work needs to be undertaken to develop an agreed configuration and timeline. I have asked the Department of Local Government to contact you shortly to further discuss the establishment of such a group.

A Regional Transition Group will provide the structure for transitioning several local governments into a single entity by 2013. It is to be established under a formal no opt out provision between participating local governments and will facilitate the harmonisation of core functions and services across participating local governments. This process will enable a seamless transition to a new entity and a new start while allowing for the staging of key elements of structural reform.

These core functions and services include:

- Strategic and community planning;
- Infrastructure planning and asset management;

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Telephone: +61 8 9213 6800 Facsimile: +61 8 9213 6801 Email: Minister.Castrilli@dpc.wa.gov.au

- 2 -

- Economic development;
- Corporate services (IT, HR, records, finance, rating and other administrative functions);
- Planning and management of natural resources;
- Building and approval processes;
- Statutory and strategic land use planning;
- Environmental health; and
- Waste management.

The work of the Local Government Reform Steering Committee and the Department of Local Government is continuing and I will be taking this opportunity to further consider matters relating to boundary change proposals and elected member representation.

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.6 Extension of Lease – York Telecentre Inc.

FILE NO: CCP.21
COUNCIL DATE: 15 March 2010
REPORT DATE: 9 March 2010
LOCATION/ADDRESS: 5 Joaquina Street
APPLICANT: York Telecentre Inc.
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: T Cochrane, A/DCEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Lease – York Telecentre Inc.

Summary:

The review and renewal of the lease are required in accordance with the existing lease for 5 Joaquina Street (commonly known as the old York Infant Health building), as provided for under the terms and conditions Schedule 1.

Background:

Discussions were held approximately one year ago with the York Telecentre Inc. regarding review and renewal of the lease for the premises at 5 Joaquina Street, however these were only discussions and it would appear that nothing has been formalised.

The original lease commenced on the 1 April 2006 for a period of three years. On the 31 March 2009 Council was to determine a further three year period until the 31 March 2012 and reviews are to be conducted by, 1 April 2009, 1 April 2010 and 1 April 2011.

Consultation:

Discussions with Leo Pendergrast in regards to this matter.

Statutory Environment:

Local Government Act.

Policy Implications:

Not applicable.

Financial Implications:

A peppercorn fee is paid for the lease.

York Telecentre Inc. is responsible for all outgoings associated with their occupation, as follows:

“Outgoings where used in this Lease shall mean the total sum of all outgoings, costs and expenses properly and reasonably assessed, charged, imposed, levied or paid by the Lessor in relation to the Premises the Building and the Land and without limiting the generality of the foregoing shall include:

- (a) *all taxes (including any State or Federal land tax, on the basis that the Land is the only land owned by the Lessor, but excluding any income tax or capital gains tax), rates, assessments and charges, levies, impositions and fees imposed, levied or charged by any Authority upon the Land or Premises;*
- (b) *all rates, costs and charges payable in relation to the supply of water, sewerage and*

drainage to or from the Premises;

(c) all charges incurred or paid by the Lessor for lighting, heating, air conditioning, ventilating the Building or providing electricity, gas or fuel to the Premises;

(d) the cost of collecting and disposing of garbage and refuse from the Premises.”

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Not applicable.

Social Implications:

The York Telecentre Inc. provides a valuable service and is used both by residents and visitors to York.

Environmental Implications:

Nil.

Comment:

Whilst Council is developing a Co-location Facility it is recommended that approval in accordance with the existing lease arrangements Schedule 1 be granted, the term being 31st March 2009 – 1st April 2012.

**RESOLUTION
130310**

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council:

- 1. the York Telecentre Inc. that the renewal is granted in accordance with the existing lease arrangements – Schedule 1 commencing 31st March 2009 – 1st April 2012; and***
- 2. will keep the York Telecentre Inc. informed of any new developments associated with the construction of a Co-location facility.”***

CARRIED (6/0)

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.7 Centennial Park – Monument Location and Naming of Reserve

FILE NO:	CCP.44
COUNCIL DATE:	15 March 2010
REPORT DATE:	9 March 2010
LOCATION/ADDRESS:	Centennial Drive
APPLICANT:	Shire of York and the York Society Inc.
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Tyhscha Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Photographs

Summary:

To determine the location of the Centennial Park monument.

Background:

Council received a quotation from Oxter Services on the 27th August 2008 for the removal, repair and resetting of the Centennial Monument in York. The assistance of the Shire of York is required eg. labour, heavy machinery and the cost was provided at \$6500 plus GST.

It was considered relatively cheap and as such a Kris Bizacca was requested to provide a Schedule of Works for the proposed conservation of the memorial at Centennial Park to the York Society Inc to ensure both parties were trying to achieve the same outcome:

"...I have tried to be as specific as possible for Brenton/Oxter Services. My apologies to him if some of the answers are obvious, however I want to ensure that all parties involved are aware/understand the details of the proposed project.

Questions re: schedule of works:

- an estimate of the time needed from Shire staff for the disassembly/removal and loading of the memorial, and then its reinstallation;
- how many Shire staff required for the work as well as the type of heavy equipment needed for the removal and reinstallation of the memorial (eg confirmation that a front end loader is needed);
- some notes re: the estimated work needed to the site to allow the heavy equipment to be used to get up to and down from the memorial;
- details of the technique and any products to be used for the removal of paint from the marble tablet;
- will the project include (a) the restoration of the lead/inlay lettering as required and (b) the repair/restoration of the marble tablet and its refixing on to the stone obelisk;
- details of the technique and any products to be used for the cleaning of the stone;
- confirmation that the project will include the pouring, etc of a new concrete base for the memorial;
- if it is disassembled into the 3 sections, will whatever fixing which has been used to hold the memorial together (eg bolts/rods or key stone) be repaired (as needed);
- timeframe for the completion of the project (Shire needs the info in order to prepare the site for the new base); and,
- confirmation that the above is included in the fee proposal dated 11 August 2008."

On the 24 February 2009 a meeting was arranged regarding Council's assistance in kind to reduce costs – assuming nothing with the quote.

1. Allow ½ day to pull apart – making assumption on being able to do it. Ballidu whole drilled through centre – rusted pipe. Takes a lot to get them apart. Nightmare assuming only cemented 1^{1/2} tonne top block. Bad case scenario 1 day, assistance with equipment. Brenton's crane will lift 10 tonne, if Council can provide a driver to operate.
2. 1 person to operate.
3. May need to clear area to the monument.
4. Damage – incorrectly mounted – shouldn't be anything.
5. Bolted instead of pinning behind. Construct new plate – replace 25 piece marble, damaged physically and graffiti – redo with led letters – use blind pinning to attach.
6. Sand blast – will take moss off and bring it back to an original state. (not the Avon Granite but a local quarry, initial saving – hand pinching, leave same rough finish take off 3-4mm to clean up.
7. Use concrete – stainless steel rod.
8. To be used or brass something that won't corrode concrete pad isn't included in quotation \$2100 + GST knowing 6-12 months. 3 x 3m x 250mm deep, best way to do foundation. Put at ground level – set foundation down paved. NOTES: 150mm high put piers down in each corner – reinforcing rod between piers 2^{1/2} tonne, bottom section not salvageable.
9. 10-12 weeks before we could start – once pulled apart 2 weeks to get it back. Depends on what happens when it is pulled apart. 3-4 weeks easily.
10. Allowed 1-1^{1/2} weeks of work on to it.

General Notes:

Can put an anti graffiti treatment, except marble need same amount of work as a porous brick. Use compressor, could yellow marble section speak to Contractor. Extra cost Brenton to supply – 8 lines of inscription approximately \$300.00.
Gas bottle – filled up truck.

Sewerage – 1m³ concrete will all that be left if monument needs to be moved – Plan.
If you want a plaque – smooth a section after to put a plaque option to put into the Museum – could mount stone.

Provenance – relocated.

Low Street – Info bays.

25 years when bicentennial – upper section – walk trail – recognition of pioneering families – part of walk trail.

Jan Griffin – Avon trails – rep for York Society. \$1500 to 1800 extras.

Provide an additional quote for replacement of plaque and include lettering and relocation of plaque.

Worst case scenario includes underneath.

Approval in principle – pull it apart – put on a more level site.

This information was then relayed to Oxter Services on the 9 March 2009:

“Many thanks for meeting with us on 24 February 2009 to discuss details associated with the proposed conservation of the Centennial Park Monument.

As discussed, I write to confirm the outcomes of this meeting in terms of the schedule/scope of works, recognising that some of the issues such as the actual construction of the monument and the form of the lower stone plinth are not yet known and may impact the scope of the project and will be renegotiated by the Shire and yourself/Oxter Services at that time.

The schedule of works:

Shire

- Shire to assess access to the site, which may require some clearing/grading to the front end loader to get to the monument (may take 1 day with 2 – 4 workers).*
- Shire to provide 1 driver and 1 loader of 2 ton capacity for ½ - 1 day for the disassembly/removal and loading of the monument, and then its reinstallation.*
- Shire to be responsible for or to commission construction of new concrete base for the monument. This to be done to Brenton’s recommendation/specifications. Brenton to supply sketch and details of the base to Shire.*

Oxter Services

- Oxter to provide strapping and workers for the disassembly/removal and loading of the monument, and then its reinstallation.*
- Oxter, depending on how monument is assembled, will reconstruct with a stainless steel rod and/or concrete.*
- Oxter, because of condition of existing, to replace marble tablet as per original tablet material, design, wording, lead lettering, etc, although blind pinning will be used to install tablet on monument. Brenton to confirm whether the replacement of this formed part of the August 2008 quotation. If not, cost estimate required.*
- Oxter to use sandblasting to remove graffiti and moss from the stones of the monument.*
- Oxter estimates timeframe of the project from start to finish to be approx. 1 month with 2-3 months start date. Brenton to confirm these details.*
- Oxter is able to supply new plaque as part of project, which indicates the conservation of the monument and its relocation (as required). Brenton to confirm additional cost and details (size etc) of plaque.*
- Oxter to review and/or confirm their fee proposal for this work dated 11 August 2008.”*

Oxter Services replied on the 18 June 2009 advising that the works were in line with the proposed schedule of works:

- Shire to assess access to the site, which may require some clearing/grading to the front end loader to get to the monument (may take 1 day with 2 – 4 workers).*
- Shire to provide 1 driver and 1 loader of 2 ton capacity for ½ - 1 day for the disassembly/removal and loading of the monument, and then its reinstallation.*
- Shire to be responsible for or to commission construction of new concrete base for the monument. This to be done to Brenton’s recommendation/specifications. Brenton to supply sketch and details of the base to Shire.*

Oxter Services

- Oxter to provide strapping and workers for the disassembly/removal and loading of the monument, and then its reinstallation.*
- Oxter, depending on how monument is assembled, will reconstruct with a stainless steel rod and/or concrete.*

- *Oxter, because of condition of existing, to replace marble tablet as per original tablet material, design, wording, lead lettering, etc, although blind pinning will be used to install tablet on monument. Brenton to confirm whether the replacement of this formed part of the August 2008 quotation. If not, cost estimate required. Original quote did not include panel \$280 plus inscription \$460*
- *Oxter to use sandblasting to remove graffiti and moss from the stones of the monument.*
- *Oxter estimates timeframe of the project from start to finish to be approx. 1 month with 2-3 months start date. Brenton to confirm these details. Time frame confirmed*
- *Oxter is able to supply new plaque as part of project, which indicates the conservation of the monument and its relocation (as required). Brenton to confirm additional cost and details (size etc) of plaque. Bronze plaque 280 x 200 including lettering \$520 (this plaque could be attached to base of memorial)*
- *Oxter to review and/or confirm their fee proposal for this work dated 11 August 2008. Cost remain same”*

In relation to the research undertaken it was proposed to relocate the monument to the portion of land located on Macartney Street between the Pioneer Memorial Lodge and the Centennial Park Units. This was investigated by the Heritage Advisor Kris Bizzaca:

“I’ve gone through the historical information supplied by the York Society and hit something that we might need to research a little further just in case the issue is raised by the Society in order to justify the relocation to a site on Macartney Street. This relates to fact that a gate/entry to Centennial Park as well as a walk way (the ‘Dale’ Walk) also formed part of the celebrations.

Although I think it’s still important to keep the monument on what remains of the Centennial Park today, especially as it was very much a part of the proceedings (couldn’t have a monument without a park), I also think it would be wise to try and find out more about where the gate and walk actually were so that Council can make its determination in light of all the background information.”

Details were relayed to Julie Rae and her response is as follows (dated 3 September 2009):

“Re your letter to the York Society re the location of the Gate and Dale Walk, I have found the information required, and at present trying to get a copy of a picture which would give you the exact location of the Gate, which from verbal information, is in direct line from the Monument to the road.

The Dale Walk is from the Gate up to the Monument, and I have newspaper documents confirming this.

I am hoping I will be able to get copies of all information early next week.”

Information provided on the 27th October 2009 regarding the plaque was provided by the Geographic Names Committee:

“Also you may be unaware that the name Centennial Park has not been formally approved by Geographic Names – that is also why it is not recorded in the Travellers Atlas and other plans. This can be easily rectified if the Shire sends a letter through with a request for approval of the name. Just include a plan of the site, some background on the origin of the name and mention that it has been in used locally for a period of time (if you know the date when it was given the name by the shire, all the better). I see that there is some sort of monument on it, is that significant?”

Consultation:

The York Society Inc. – Julie Rae, Wendy Solly and Ken Emberson;

Kris Bizacca;
Oxter Services; and
Perth Monumental Works.

Statutory Environment:
Land Administration Act.

Policy Implications:
Not applicable.

Financial Implications:

As Council budgeted in the 2009/10 budget to follow the appropriate purchasing procedures Council requested a further quotation from Perth Monumental Works and considering local purchasing policy came well in below the quote of Oxter Services.

The following information was provided by Perth Monumental Works:

“Many thanks for your Email showing the size of the marble plaque. I will address each of the points of the proposal below:

- *If some of your shire workers are able to ensure access to the site and assist in loading the monument onto our truck it would be a great help. Whilst we do have a crane on the truck that can lift 2 ton, when it is extended the lift is greatly reduced and we are unsure of the weight of the monument pieces.*
- *Shire to construct new concrete base for the monument. Sketch and details to be designed if needed.*
- *Our staff carry strapping for all lifting so that would not be a problem either with removal or re-assembling.*
- *All pieces of granite to be re-assembled with use of brass rod and dowels. Joins pointed to prevent water seepage.*
- *Marble tablet to be removed and replaced with Bianca Carrara Marble tablet. Inscription will be in lead lettering to match original text used on tablet. Blind pinning to be used.*
- *We would bring all the pieces back to our factory/yard for cleaning in our sandblasting room.*
- *The time frame for completion would be within one month from start. Please note we close our factory on 23 December and do not re-open until 27 January each year for annual holiday. (It is the hottest time of the year for our workers in the outdoors.) Are able to work around this holiday period, either before or after?*

I have listed below the cost to undertake all of the work including the cost of a bronze plaque to indicate the conservations of the monument.

<i>Travel to York and pick up all three pieces of monument for restoration</i>	<i>\$461.00</i>
<i>Clean all of monument by sandblasting and remove marble plaque</i>	<i>\$400.00</i>
<i>New Marble Plaque 505 x 500 x 20mm in Bianca Carrara Marble</i>	<i>\$320.00</i>
<i>Lettering in Lead to match original – 13 large letters</i>	<i>\$130.00</i>
<i>Lettering in Lead to match original – 124 letters</i>	<i>\$868.00</i>
<i>Travel to York and re-set monument</i>	<i>\$761.00</i>
<i>Bronze Plaque 150 x 100mm (allows 8 lines) to indicate conservation of monument</i>	<i>\$224.00</i>

Total excluding GST	\$3164.00
GST @ 10%	\$316.40
TOTAL COST	\$3480.40"

Once again as the price was considered very low a request regarding a contingency was sent to Perth Monumental Works, if any problems were experienced.

"I have spoken to our Monumental Masons and they do not believe there would be any problems with the granite. Granite does not deteriorate and these are quite large pieces that with a sandblasting will probably look like new once again. We are of the opinion that the granite is from Mundaring and is referred to as Mundaring granite. Whilst the quarry is now closed there is the odd piece of it still around. It is a very strong granite and if there was a problem with it, it would have manifested itself by now. If you have any further questions, please do not hesitate to contact me."

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Considered under Financial Implications.

Social Implications:

Recognise our early settlers.

Environmental Implications:

Not applicable at this time.

Comment:

Whilst newspaper articles identify the Park as Centennial Park (7 March 1941) it would appear the formal process was not followed and as such this is considered appropriate as part of this process.

Whilst discussions were held to relocate the monument there are too many factors that influence the decision to relocate the monument and some of these influencing factors are as follows:

- Further expansion of either the Pioneer Memorial Lodge or the Centennial Park units.
- Sewerage availability.
- Security issues for the elderly eg. encouraging more people to the area to visit the monument.

The location is determined to be best suited for resetting as close to the original site to support history that is documented.

**RESOLUTION
140310**

Moved: Cr Walters

Seconded: Cr Scott

“That Council:

- 1. recommend to the Geographic Names Committee that Centennial Park be used to name the Reserve in recognition of historical information tabled; and***
- 2. advise the York Society Inc. that the location of the monument is to be located as close to the existing site as possible.”***

CARRIED (6/0)

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.8 Youth Officers Activity Updates

FILE NO: CS.LCS.6
COUNCIL DATE: 15 March 2010
REPORT DATE: 9 March 2010
LOCATION/ADDRESS: Not Applicable
APPLICANT: Not Applicable
SENIOR OFFICER: Ray Hooper, CEO
REPORTING OFFICER: Kim Crawford, YDO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Program Agenda – Netball Camp
DOCUMENTS TABLED: Nil

Summary:

The following is a summary of the activities undertaken by the Youth Development Officer since the last submitted report (February 2010).

Background:

The Youth Development Officer (YDO) has completed the following projects:

1. The Wicked Wednesday after School Excursion Program continues with an outing-taking place every fortnight. We have modified the program slightly to include an occasional Saturday for the young people who want to BMX and/or skate.
2. The YDO and YAC members are still involved with the regional weekend youth dance parties.
3. The Youth Big Day Out - 18 and under concert is supported by the Office of Youth Affairs and is still to be held at the Oval. This project is still moving ahead.
4. The second WYLD camp is still in the planning stage, and is scheduled to take place over the upcoming school holidays.
5. The YAC and the WYLD are in the process of taking article submissions from young people in York who wish to have their articles published.
6. The Banner in the Terrace project is underway and the YDO and young people are finalizing the design. Once a design is completed, we will submit it to Council for its feedback.
7. The Special Projects Coordinator Gail Maziuk is assisting the YDO with the Youth Centre project. Have asked for additional submissions from the shed contractors
8. The YDO and the York Netball Club will be holding a 3-day netball camp over the first week of the next school holidays (see attached program agenda). All necessary funding has been obtained, but I would seek council's approval for \$200.00 donation in-kind to cover the hiring of the Recreation Centre for the duration of the camp.
9. The YDO with senior staff approval submitted a press release to the Avon Valley Gazette detail upcoming youth activities in York.

Consultation:

Council staff and youth.

Statutory Environment:

Nil to this report.

Policy Implications:

Nil to this report.

Financial Implications:

Activities and initiatives are funded in the budget or through grants and/or user pays contributions.

In-kind donation of \$200.00 for the York Netball Clubs 3-day netball camp.

Strategic Implications:

To be developed further in conjunction with Councillors, Staff and the Youth.

Voting Requirements:

Absolute Majority Required: No

Site Inspection

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil at this stage.

Councils support for in-kind will be required.

Social Implications:

Nil

Environmental Implications:

Not applicable.

Comment:

Not applicable.

RECOMMENDATION

150310

Moved: Cr Randell

Seconded: Cr Walters

“That Council:

- 1. Receives the report and notes the activities and initiatives of the Youth Development Officer and the Youth Advisory Committee; and***
- 2. endorse the in-kind donation of \$200.00 for the York Netball Clubs 3-day netball camp.”***

CARRIED (6/0)

Holiday Programme Camp

13 - 15th April 2010

TIME	DAY 1	DAY 2	DAY 3
9.30am - 10.30am	<u>Information Session:</u> Nutrition and Hydration: Presenter Sports Medicine Australia	<u>Information Session:</u> Warm up, Stretching & Cool Down: Presenter Sports Medicine Australia	<u>Information Session:</u> No Drugs Alcohol Smoking in Sport Presenter
10.30am - 10.45am	Morning Tea Break Photo's	Morning Tea Break	Morning Tea Break
10.45am - 12.30pm	Netball Rules	GYM Work out with Paul Flinn	Split for team work out
12.30pm - 1.45pm	LUNCH	LUNCH	LUNCH
1.45pm - 3.30pm	Boot Camp Exercise with Paula Flinn	New Netball Skills and drills	GAME
3.30pm - 4pm			Presentations and Thank You's

Partners	\$\$\$	In Kind Value	Secured	Notes
INCOME:				
York Junior Netball Club inc		2,000.00	Yes	Committee Time to organise & implement on days
		500.00		Equipment - netballs, safety equipment including sunscreen.
	1,000.00		Yes	Food lunch's & breaks
	200.00		Yes	Booklets & Certificates
Shire of York				* Hire venue Free :
		200.00		Marketing to other towns
				Gymnasium Hire Free
Westpac	1,000.00	500.00	Yes	Bag & water bottles
Water Corporation		250.00	Yes	10 box's water & 10 water bottles
Healthway	750.00			Fees for Presenters
Healthy Club	250.00			water bottles for goodies bag
Nestle		200.00	NO	goodies for bag with Milo, Uncle Toby's products to assist with healthy seminar
DSR	1,000.00			Information Sessions (400), coaching (400) & hire of hall (200)
West Coast Fever		100.00	Yes	Posters for Goodies Bag
Participant Fees	1,000.00			\$20 pp
Scout's	5,200.00	500.00	Yes	Hire of hall for sleeping accommodation
		4,250.00		9,450.00

EXPENDITURE					
Flinn Health	400.00				information exercises at home
Hire of Hall	363.00				\$121 / day
Tea Rooms	264.00				\$88 / day
Gym	330.00				\$6.60 / pp / hr (50 people)
Presenters from Medicine A	600.00				\$200 / session
Meals	500.00				\$10 / pp
Meals	500.00				Presenters / staff
Coaching Staff	1,200.00				\$100 / day / 4
Hire of Accommodation			500.00		donated by scouts
Night Meals for 20	400.00				\$10/pp/night x 2 nights
Bag of Goodies			950.00		westpac, wcfever, water corp.,
Photos & Certificates	200.00				
Incidentals not accounted fo	443.00				
	5,200.00		1,450.00		

9.3 Finance Reports

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.1 Monthly Financial Reports – February 2010

FILE NO:	FI.FRP
COUNCIL DATE:	15th March 2010
REPORT DATE:	5th March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Tyhscha Cochran, Acting Deputy CEO
REPORTING OFFICER:	Colin Whisson, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Yes – Appendix A as detailed in Summary
DOCUMENTS TABLED:	Nil

Summary:

The Financial Report for the period ending 28 February 2010 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Statement of Financial Position
- Statement of Financial Activity
- Bank Account Reconciliations
- Cheque drawings on the Municipal Account
- EFT drawings on the Municipal Account
- Cheque drawings on the Trust Account – NIL in February 2010
- Reserve Accounts Balances Summary
- Payroll Direct Debits Summary
- Corporate Credit Card Summary and Transaction Listing
- Fuel Card Summary

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

Policy Implications:

Nil.

Financial Implications:

The following information provides balances for key financial areas for the Shire of York's financial position as at 28 February 2010;

Sundry Creditors as per General Ledger	\$	13,220.33
Sundry Debtors as per General Ledger	\$	275,161.30
Unpaid rates and services current year (paid in advance inc. ESL)	\$	563,550.94
Unpaid rates and services previous years (inc. ESL)	\$	213,571.59

Strategic Implications: Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for improved community benefits in future years.

Social Implications:

Not applicable.

Environmental Implications:

Not applicable.

Comment:

A formal financial review to the 31st January 2010 has been completed indicating that budget items remain on track and a small surplus is projected at 30th June 2010.

**RESOLUTION
160310**

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council:

Receive the Monthly Financial Report for February and ratify payments drawn from the Municipal and Trust accounts for the period ending 28 February 2010:

	<u>VOUCHER</u>	<u>AMOUNT</u>
MUNICIPAL FUND		
Cheque Payments	28691-28961	\$ 258,527.91
Less cancelled cheques	28161,28272,28322	\$ (2,263.81)
Electronic Funds Payments	6433-6493	\$ 228,377.54
Direct Debits Payroll		\$ 125,611.90
Bank Fees		\$ 815.59
Corporate Cards		\$ 3,179.51
Shell Cards		\$ 212.93
TOTAL		<u>\$ 614,461.57</u>
TRUST FUND		
Cheque Payments		\$ NIL
Direct Debits Licensing		\$ 131,363.90
TOTAL		<u>\$ 131,363.90</u>
TOTAL DISBURSEMENTS		<u>\$ 745,825.47</u>
		CARRIED (6/0)

Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 21 September 2009) to make payments from the Municipal and Trust accounts.

**SHIRE OF YORK
STATEMENT OF FINANCIAL POSITION
AS AT THE 28 FEBRUARY 2010**

2008/09 ACTUAL		2009/10 ACTUAL 28-Feb-10
\$		\$
	CURRENT ASSETS	
1,117,924	Cash	1,874,438
2,813,794	Cash Restricted	2,563,031
663,507	Receivables	1,123,642
20,936	Stock on Hand	29,889
0	Prepaid Expenses	0
4,616,161	TOTAL CURRENT ASSETS	5,591,001
	CURRENT LIABILITIES	
(180,489)	Accounts Payable	(120,909)
0	Income Received in Advance	0
(422,203)	Provision for Leave	(422,203)
(8,363)	Interest Bearing Liabilities	(8,363)
(611,055)	TOTAL CURRENT LIABILITIES	(551,475)
	NET ASSETS	
4,005,106		5,039,526
	Less Items	
(2,813,794)	Cash Restricted	(2,563,031)
8,363	Interest Bearing Liabilities Included in Budget	8,363
(8,363)	Self Supporting Loan Income	(8,363)
112,069	Add Back LSL	114,772
1,303,381	TOTAL EQUITY	2,591,266

SHIRE OF YORK
STATEMENT OF FINANCIAL ACTIVITY
AS AT 28 FEBRUARY 2010

	2009/10	2009/10	2009/10	2009/10	Variance %	Variance \$
	ADOPTED BUDGET	Amended Budget	Budget Year to Date	Actual	Budget to Actual	Budget to Actual
OPERATING REVENUE	\$	\$	\$	\$	\$	
General Purpose Funding	(1,049,230)	(1,049,230)	(567,093)	(776,620)	37%	209,527
Governance	(1,128,150)	(1,128,150)	(171,058)	(36,311)	(79%)	(134,747)
Law, Order Public Safety	(269,329)	(269,329)	(39,674)	(36,009)	(9%)	(3,665)
Health	(57,000)	(57,000)	(32,172)	(12,089)	(62%)	(20,083)
Education and Welfare	(19,800)	(19,800)	(13,200)	(12,821)	(3%)	(379)
Housing	-	-	-	-		-
Community Amenities	(668,025)	(668,025)	(536,123)	(520,937)	(3%)	(15,186)
Recreation and Culture	(2,174,274)	(2,174,274)	(1,114,045)	(664,224)	(40%)	(449,821)
Transport	(1,563,091)	(1,563,091)	(609,464)	(363,043)	(37%)	(226,421)
Economic Services	(125,700)	(125,700)	(83,808)	(91,076)	9%	7,270
Other Property and Services	(276,656)	(276,656)	(220,484)	(159,825)	(28%)	(60,659)
	(7,331,255)	(7,331,255)	(3,387,121)	(2,692,957)	(20%)	(694,164)
LESS OPERATING EXPENDITURE						
General Purpose Funding	160,019	160,019	90,476	89,976	(1%)	500
Governance	1,667,171	1,667,171	598,411	294,619	(51%)	303,792
Law, Order, Public Safety	355,006	355,006	248,973	206,949	(17%)	42,024
Health	320,300	320,300	195,404	109,728	(44%)	85,676
Education and Welfare	86,129	86,129	60,513	36,808	(39%)	23,705
Housing	-	-	0	-		-
Community Amenities	1,292,974	1,292,974	752,273	553,811	(26%)	198,462
Recreation and Culture	1,468,483	1,468,483	785,209	683,731	(13%)	101,478
Transport	2,320,154	2,320,154	1,546,233	1,232,196	(20%)	314,037
Economic Services	509,010	509,010	321,991	263,737	(18%)	58,254
Other Property & Services	95,000	95,000	73,473	164,895	124%	(91,422)
	8,274,246	8,274,246	4,672,956	3,636,450	(22%)	1,036,506

SHIRE OF YORK
STATEMENT OF FINANCIAL ACTIVITY
AS AT 28 FEBRUARY 2010

	2009/10 ADOPTED BUDGET	2009/10 Amended Budget	2009/10 Budget Year to Date	2009/10 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
ADD						
Proceeds on Sale of Assets						
Profit/Loss on Sale of Assets						
Increase/(Decrease) Non Current Debtors Rates	(994,704)	(994,704)	(66,891)	14,168	(30,103)	
Increase/(Decrease) Non Current Debtors S/S Loan	-	-	0	-	-	
Change Employee Leave Provisions	(8,363)	(8,363)	-	-	-	
Long Serv. Live Cash at Bank (Increase)/Decrease in Bal.	(5,323)	(5,323)	-	(2,702)		
Depreciation Written Back	(2,139,000)	(2,139,000)	(4,027,368)	(986,471)		
Book Value of Assets Sold Written Back	2,620,815	(700,278)	(270,909)	(80,981)		
	(526,575)	(3,847,668)	(4,366,168)	(1,086,090)	(75%)	(3,279,078)
<i>Sub Total</i>	416,416	(2,904,677)	(3,079,333)	(142,596)	(95%)	(2,936,737)
LESS CAPITAL PROGRAMME						
Purchase Tools	-	-	0	-		-
Purchase Land & Buildings	2,382,259	2,382,259	355,000	175,099	(51%)	179,901
Purchase Plant & Equipment	1,199,570	1,199,570	471,200	129,509	(73%)	341,691
Purchase Furniture & Equipment	99,000	99,000	70,000	8,792	(87%)	61,208
Infrastructure Assets - Roads	2,979,510	2,979,510	2,039,336	1,124,044	(45%)	915,292
Infrastructure Assets - Recreation Facilities	1,140,880	1,140,880	464,000	687,060	48%	(223,060)
Infrastructure Assets - Other	41,700	41,700	34,464	-	(100%)	34,464
Repayment of Debt - Loan Principal	22,491	22,491	8,363	8,363	0%	(0)
Transfer To Reserves	1,636,669	1,636,669	64,664	49,237	(24%)	15,427
Transfer to Other Funds	-	-	0	-		-
	9,502,079	9,502,079	3,507,027	2,182,105	(38%)	1,324,922

SHIRE OF YORK
STATEMENT OF FINANCIAL ACTIVITY
AS AT 28 FEBRUARY 2010

	2009/10 ADOPTED BUDGET	2009/10 Amended Budget	2009/10 Budget Year to Date	2009/10 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
ABNORMAL ITEMS	-	-	0	-		-
	-	-	0	-		-
Plus Rounding						-
	9,502,079	9,502,079	3,507,027	2,182,105	(38%)	1,324,922
	9,918,495	6,597,402	427,694	2,039,508	377%	(1,611,814)
Sub Total						
LESS FUNDING FROM						
Reserves	(1,424,384)	(1,424,384)	(29,604)	(300,000)		270,396
Other Funds	-	-	0	-		-
Loans Raised	(1,000,000)	(1,000,000)	-	-		-
Opening Funds	(1,146,040)	(1,146,040)	(1,146,040)	(1,303,381)	14%	157,341
Sundry Adjustments				429		(429)
Closing Funds	(3,570,424)	(3,570,424)	(1,175,644)	(1,602,951)	36%	427,307
Total To Be Made up from Rates	(3,026,978)	(3,026,978)	(3,023,066)	(3,027,823)	0%	4,757
Net (Surplus) / Deficit	3,321,093	-	(3,771,016)	(2,591,266)	(31%)	(1,179,750)

BANK RECONCILIATION				
FEBRUARY 2010				
		MUNICIPAL	TRUST	RESERVE
OPENING BALANCE PER SYNERGY		1,780,507.90	461,281.44	2,555,640.56
Receipts as per daily cash book		694,631.22	133,467.60	
Muni Interest NCD	M3	7,628.64		
Muni Interest NCD	M8	5,282.26		
Trust Interest Term Deposits T2,T16,T19,T32,T40,T77,T78			2,388.82	
Reserve Interest 11AM At Call a/c				363.06
Reserve Interest NCD	R6			7,027.40
TOTAL RECEIPTS		707,542.12	135,856.42	7,390.46
Payment as per schedule cheques	28691-28961	(258,527.91)		
Less cheques previously cancelled (28161, 28272, 28322)		2,263.81		
EFT Direct payments	6433-6493	(228,377.52)		
Payment as per schedule chqs - Trust	3675-	0.00		
Direct Debit Licensing			(131,363.90)	
Direct Debit Payroll		(125,611.90)		
Bank fees Bendigo Trust		(75.60)		
Bank fees due to acceptance of AMEX card payments		(48.38)		
Bank fees Bendigo Muni		(124.10)		
Bank fees Bendigo Reserve		0.00		
Business Cards Bank Fees		(8.00)		
Dishonour Cheque Fee		(20.00)		
Eftpos Bank Fee Trust		(202.76)		
Eftpos Bank Fee Muni		(336.75)		
TOTAL BANK FEES	(815.59)			
Business Card Bendigo - CEO		(3,179.51)		
Business Card Bendigo - DCEO		0.00		
PAYMENTS IN ADVANCE - Previous month				
PAYMENTS IN ADVANCE - Current month	0.00			
NET PAYMENTS IN ADVANCE	0.00			
TOTAL BUSINESS CARDS Direct Debits	(3,179.51)			
Shell Card		(212.93)		
Rounding		(0.02)		
TOTAL EXPENDITURE		(614,461.57)	(131,363.90)	0.00
CLOSING BALANCE - CALCULATED		1,873,588.45	465,773.96	2,563,031.02
CLOSING BALANCE - SYNERGY		1,873,588.45	465,773.96	2,563,031.02
DIFFERENCE		-	-	-

BALANCES AS PER BANK STATEMENTS				
BENDIGO MUNICIPAL 118630623		79,211.21		
BENDIGO MUNICIPAL AT-CALL ACCT 61158		658,373.50		
WESTPAC MUNICIPAL NCD DUE 23/3/10	M6	500,000.00		
WESTPAC MUNICIPAL NCD DUE 5/4/10	M7	320,000.00		
WESTPAC MUNICIPAL NCD DUE 5/6/10	M8	335,282.26		
BENDIGO TRUST 13074174			136,200.78	
BENDIGO TRUST NCD Open space DUE 31/3/10	T26		129,908.90	
BENDIGO TRUST TERM DEPOSIT	T2		23,461.17	
BENDIGO TRUST TERM DEPOSIT	T16		9,123.22	
BENDIGO TRUST TERM DEPOSIT	T19		25,299.32	
BENDIGO TRUST TERM DEPOSIT	T32		16,582.18	
BENDIGO TRUST TERM DEPOSIT	T40		22,010.40	
BENDIGO TRUST TERM DEPOSIT	T77		56,670.47	
BENDIGO TRUST TERM DEPOSIT	T78		48,764.94	
BENDIGO TRUST TERM DEPOSIT	T87		3,000.00	
BENDIGO RESERVE 119521748				5,889.09
BENDIGO RESERVE AT-CALL ACCT				114,000.00
BENDIGO RESERVE NCD DUE 31/3/10	R1			583,985.84
BENDIGO RESERVE NCD DUE 31/03/10	R2			334,591.12
BENDIGO RESERVE NCD DUE 31/5/10	R3			413,000.58
WESTPAC RESERVE				0.00
WESTPAC RESERVE NCD DUE 31/3/10	R5			304,536.99
WESTPAC RESERVE NCD DUE 24/5/10	R6			307,027.40
WESTPAC RESERVE NCD DUE 5/4/10	R7			500,000.00
TOTAL PER BANK STATEMENTS		1,892,866.97	471,021.38	2,563,031.02
RECONCILING ITEMS				
Plus Outstanding Deposits		1,867.65	5,774.10	
Less Outstanding cheques		(12,921.33)	(2,220.00)	
Less Outstanding Licence Debits			(9,220.50)	
Less February credits - receipted March		(7,945.74)		
Less O/bank - unidentified money order 27/11/08		(250.00)		
Plus Dishonoured Cheque (waiting for advice from bank)	23/02/2010	251.45		
Plus Dishonoured Cheque (waiting for advice from bank)	25/02/2010	138.45		
Muni - Trust adjustment (March 2010)		(500.00)	500.00	
Trust - Muni Transfers (done 4/3/2010)		81.02	(81.02)	
Adjustments		(0.02)		
TOTAL CLOSING BALANCE - CALCULATED		1,873,588.45	465,773.96	2,563,031.02
- PER SYNERGY		1,873,588.45	465,773.96	2,563,031.02
DIFFERENCE		-	-	-

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**SHIRE OF YORK
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
28692	INV JAN 201	AUSTRALIAN TAXATION OFFICE PAYG WITHHOLDING - JAN 2010	4,452.00	4,452.00
28693	INV 125470 INV 125469	DEPARTMENT OF PLANNING TPS MAPS - AMENDMENT 12 TPS MAPS - AMENDMENT 37	104.50 104.50	209.00
28694	INV 84878	CITY OF CANNING ACCOUNTING SERVICES - YEAR END JUN 09	7,700.00	7,700.00
28695	INV 2837726 INV 5129015 INV 4675683 INV 0762568 INV 1023938 INV 2543224 INV 9815007 INV 640233C INV 9539156 INV 5183369 INV 5225153	SYNERGY ELECTRICITY 24/11/09-25/1/10 - ADMIN/ T/HALL/ TOURIST BU ELECTRICITY 24/11/09 - 27/1/10 - CRICKET CLUB ROOMS ELECTRICITY 24/11/09 - 27/1/10 - FORREST OVAL BORE PUMP ELECTRICITY 23/12/09 - 22/1/10 - STREETLIGHTS ELECTRICITY 24/11/09 - 27/1/10 - FIRE STN COMMUNITY CEN' ELECTRICITY 24/11/09 - 25/1/10 - FORREST OVAL ELECTRICITY 24/11/09 - 25/1/10 - DEPOT ELECTRICITY 24/11/09 - 25/1/10 - CENT UNITS ELECTRICITY 24/11/09 - 25/1/10 - RAILWAY MEMORIAL ELECTRICITY 24/11/09 - 27/1/10 - REC CENTRE/BOWLING CLU ELECTRICITY 24/11/09-25/1/10 - ADMIN/ T/HALL/ TOURIST BU ELECTRICITY 30/9-26/11/09 - AVON PARK	115.95 19.95 3,560.40 77.85 146.40 366.35 61.60 19.95 1,987.60 5,716.95 193.60	12,266.60
28696	INV SUPER	WESTSCHEME SUPERANNUATION SUPERANNUATION CONTRIBUTIONS	248.27	248.27
28697	INV SUPER	PRIME SUPER SUPERANNUATION CONTRIBUTIONS	144.23	144.23
28698	INV DEDUC INV DEDUC	YORK SHIRE COUNCIL (payroll only) PAYROLL DEDUCTIONS	500.00 430.00	930.00
28699	INV 180609	AUSTRALIAN BROADCASTING CORPORATION - CONTENT SALES PERPETUITY LICENCE - ABC BROADCAST - 1977 CHINESE M.	330.00	330.00
28700	INV SUPER	SUNCORP WEALTHSMART BUSINESS SUPER Superannuation contributions	185.78	185.78
28701	INV SUPER	RETAIL EMPLOYEES SUPERANNUATION TRUST Superannuation contributions	134.34	134.34
28702	INV 3820	LIGHTBASE PTY LTD DESIGN, SUPPLY & INSTALL LIGHTS - FORREST OVAL- TENI	206,087.20	206,087.20
28703	INV SUPER	ASGARD Superannuation contributions	69.05	69.05
28704	INV DEDUC	AUSTRALIAN SERVICES UNION UNION FEES	189.00	189.00
28705	INV 249834	LANDGATE GRV INTERIM VALS - COUNTRY SHARED & FESA	106.49	106.34

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INV 249784		LANDGATE RURAL UV INTERIM VALS - SCHEDULE R2009/01/ M2010/01	53.85	
28706		TELSTRA TELEPHONES 24/12-24/1/10		1,580.11
INV BP0271.		INTERNET ACCESS 26/12-25/1/10 - CEO	59.95	
INV 3334864		MOBILE PHONE 11/12-10/1/10 - WORKS	14.41	
INV 3334864		MOBILE PHONES 11/12-10/1/10	169.52	
INV 9434282		TELEPHONES 24/12-24/1/10	1,336.23	
28707		SHIRE OF YORK DONATION - GYM PASSES x 3 - MEN'S HEALTH DAY		462.00
INV GYM P/			462.00	
28708		BUSH CONTRACTING PTY LTD SIDE TIPPER HIRE - GREENHILLS RD		11,748.00
INV 3163			11,748.00	
28709		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0 SUPERANNUATION CONTRIBUTIONS		10,669.68
INV SUPER			7,108.97	
INV DEDUC			1,375.00	
INV DEDUC			663.50	
INV DEDUC			537.79	
INV DEDUC			119.37	
INV DEDUC			29.84	
INV DEDUC			257.18	
INV DEDUC			88.62	
INV DEDUC			66.62	
INV DEDUC			147.42	
INV DEDUC			110.04	
INV DEDUC			34.17	
INV DEDUC			27.44	
INV DEDUC			59.06	
INV DEDUC			44.66	
28710		SHIRE OF YORK VEHICLE REGISTRATION - Y000 - 30/6/10		136.50
INV Y000			136.50	
28711		AUSTRALIAN TAXATION OFFICE SUPERANNUATION GUARANTEE CONTRIBUTIONS - W GIBB		426.26
INV SUPER/			426.26	
28712		SHIRE OF YORK CORPORATE BOWLS - 2010		100.00
INV CORPO			100.00	
28961		SHIRE OF YORK HEARING TRANSCRIPTS - ROSMILL PTY LTD		299.55
INV TRANS/			299.55	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	258,527.91
TOTAL		258,527.91

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FUEL DISTRIBUTORS				
EFT6433		DIESEL - 6470 LTRS / UNLEADED - 940 LTRS		10,514.88
INV 8042		DIESEL - 1370 LTRS	1,643.17	
INV 8072		DIESEL - 6470 LTRS / UNLEADED - 940 LTRS	8,871.71	
DUSTRY PTY LTD				
EFT6434		BACKHOE HIRE - TREE REMOVAL GOLDFIELDS RD		770.00
INV 614			440.00	
INV 618		BACKHOE HIRE - CEMETERY/ FORREST OVAL	330.00	
COOL CLEAR WATER BEVERAGES LTD				
EFT6435		WATER FILTRATION UNIT - FEB 10		66.00
INV 115078			66.00	
PETER SPECIALE SMASH REPAIRS				
EFT6436		EXCESS ON INSURANCE CLAIM Y000		300.00
INV 9837/2			300.00	
SUPREME PRINTERS				
EFT6437		RECEIPT PAPER x10,000		787.60
INV 25653			787.60	
MEY EQUIPMENT				
EFT6438		SERVICE MEY MOWER		416.14
INV 33827			416.14	
YORK BUILDING SUPPLIES				
EFT6439		PLYWOOD - CEMETERY		476.45
INV 020677		DOOR CLOSER - HOWICK ST TOILETS	48.40	
INV 020782		BRUSH WIRE/ WATER DISPERSANT - DEPOT	10.42	
INV 020784		PLYWOOD - CEMETERY	215.60	
INV 020785		TIE WIRE/ SHACKLE - FORREST OVAL	11.70	
INV 020835		CEMENT - CEMETERY	30.96	
INV 020849		SILICONE - FORREST OVAL	30.80	
INV 020984		CEMENT - JOHANNA WHITELY PARK	30.96	
INV 021023		CEMENT - AVON PARK	61.92	
INV 021096		CAUTION TAPE - AVON PARK	12.47	
INV 021113		CEMENT - AVON TCE	23.22	
YORK NEWSAGENCY				
EFT6440		PAPERS/ STATIONERY - JAN 10		71.94
INV 4503			71.94	
YORK AUTO ELECTRICS				
EFT6441		REPAIR & REGAS AIR CON - Y130		1,050.50
INV 4959		AIR CON REGAS - Y205	90.75	
INV 4909		REPAIR & REGAS AIR CON - Y130	959.75	
YORK LANDSCAPE SUPPLIES				
EFT6442		INSTALLATION SEATING/ PAVING - NASO MEMORIAL - JOH/		1,026.50
INV 1661		TRACTOR HIRE - UNLOAD SODA ASH - SW POOL	35.00	
INV 1680		INSTALLATION SEATING/ PAVING - NASO MEMORIAL - JOH/	840.00	
INV 1648		RETIC SOLENOIDS/ COILS - FORREST OVAL	151.50	
PARS RURAL PTY LTD				
EFT6443		MOTOR OIL - MINOR PLANT		11.00
INV D125			11.00	
L J'S CAFE				
EFT6444		REFRESHMENTS - WOMEN IN LOCAL GOVT MTG 5/2/10		73.15
INV 88			73.15	
AUSTRAL MERCANTILE				
EFT6445		RATE DEBT COLLECTION COSTS - DEC 09		7,441.50
INV YORKR		RATE DEBT COLLECTION COSTS - JAN 10	60.50	
INV YORKR		RATE DEBT COLLECTION COSTS - DEC 09	7,381.00	
MACRI PARTNERS				

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MACRI PARTNERS				
EFT6446		AUDIT FEES - YEAR END JUNE 09		7,150.00
INV 23611			7,150.00	
M & R MACHINING				
EFT6447		SOAP DISPENSER KEY CUTTING/ LOADER BUCKET REPAIRS		99.00
INV 978			99.00	
MOTORCHARGE LTD				
EFT6448		GULL CARD		349.36
INV 310110			349.36	
WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION				
EFT6449		AWARD INTERPRETATION COURSE 9/12/09 - PAYROLL OFF		704.00
INV 1268531			352.00	
INV 1268531		AWARD INTERPRETATION COURSE 9/12/09 - DCEO	352.00	
SUNNY BRUSHWARE SUPPLIES				
EFT6450		WIRE BRUSHES - ROAD SWEEPER		750.20
INV 29010			750.20	
NATIONAL TAX MANAGER				
EFT6451		2010 FBT ORGANISER & SALARY PACKAGING PLANNER		214.50
INV 2010162			214.50	
T-QUIP				
EFT6452		VEHICLE SERVICE - MOWER Y1328		926.45
INV 20882			926.45	
REPEAT PLASTICS WA				
EFT6453		BENCH SEAT - CEMETERY		610.50
INV 13215			610.50	
AVON VALLY MOWER & CHAINSAW CENTRE				
POOL SUPPLIES				
EFT6454		REPAIR & SERVICE BRUSHCUTTER		213.20
INV 12329			213.20	
FUJI XEROX AUSTRALIA PTY LTD				
EFT6455		PHOTOCOPIER METRE CHARGES - JANUARY 10		570.95
INV CJ00847			570.95	
TREVS TRANSPORT				
EFT6456		FREIGHT		58.30
INV 392			58.30	
ALLPACK SIGNS				
EFT6457		SIGNAGE - RECYCLED WATER - FORREST OVAL		250.80
INV 34379			250.80	
ING CORPORATE SUPER				
EFT6458		Superannuation contributions		202.10
INV SUPER			202.10	
MAC CHENO EARTHMOVING				
EFT6459		GRADER HIRE - WEST TALBOT RD		46,134.00
INV 9		WATER TRUCK HIRE 18-29/1/10	9,625.00	
INV 8		GRADER HIRE 18-29/1/10	13,959.00	
INV 6		WATER TRUCK HIRE - WEST TALBOT RD	7,700.00	
INV 4		GRADER HIRE - WEST TALBOT RD	14,850.00	
RAMSAY SUPERANNUATION FUND				
EFT6460		Superannuation contributions		70.20
INV SUPER			70.20	
DARREN LONG CONSULTING				
EFT6461		LOCAL LAWS REVIEW - SEAVROC		2,904.00
INV 95		HOUSING AFFORDABILITY GRANT PROGRAM RESEARCH - S	484.00	
INV 94		LOCAL LAWS REVIEW - SEAVROC	2,420.00	

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		COLONIAL FIRST STATE		
EFT6462		Superannuation contributions		200.36
INV SUPER			200.36	
		BLUEPRINT DRAFTING		
EFT6463		DRAFTING SERVICES - CB PARK ABLUTIONS		308.00
INV 1683			308.00	
		DRAGON HORN		
EFT6464		COMPUTER SUPPORT - RESIDENCY MUSEUM		125.00
INV 1			125.00	
		AUSTRALIA POST		
EFT6465		POSTAGE/ PAPER - JANUARY 10		861.77
INV 618964-			861.77	
		AVON TRACTOR & IMPLEMENT		
EFT6466		HYDRAULIC FITTINGS/ OIL - Y600		175.57
INV 98248			175.57	
		CASTLE HOTEL		
EFT6467		REFRESHMENTS		259.46
INV 1166			259.46	
		CENTRAL DISTRICTS AIRCONDITIONING		
EFT6468		AIR CON REPAIRS - 17 FORBES ST		183.69
INV 31925			183.69	
		CUTTING EDGES PTY LTD		
EFT6469		GRADER BLADES X 30		2,095.50
INV 287483C			2,095.50	
		JR & A HERSEY		
EFT6470		SAFETY VEST/ SPECTACLES/ GLOVES/ TROUSERS		803.19
INV S16621			803.19	
		MCLEODS BARRISTERS AND SOLICITORS		
EFT6471		LEGAL ADVICE - POLIWKA DRAINAGE 94 AVON TCE		2,490.35
INV 52413			2,490.35	
		PEERLESS JAL PTY LTD		
EFT6472		CLEANING PRODUCTS - TOWN HALL/AV PK TOILETS/HOWIC		272.67
INV SII2013			217.39	
INV SII2281		MOP HEAD - TOWN HALL FLOOR CLEANING	55.28	
		AVON WASTE		
EFT6473		RUBBISH COLLECTION - 29/1/10		5,536.34
INV 5190			5,536.34	
		BGC QUARRIES		
EFT6474		GRANITE 10MM - WEST TALBOT RD		8,191.18
INV QI34552			8,191.18	
		YORK TELECENTRE		
EFT6475		LAMINATING EXPENSES - ADMIN MAPS		46.00
INV 147			46.00	
		AVON CIVIL ENGINEERING PTY LTD		
EFT6476		ENGINEERING SERVICES - DEC 09/ JAN 10		12,641.20
INV 1279			12,641.20	
		SIGMA CHEMICALS		
EFT6477		SODA ASH x 48 BAGS - SWIMMING POOL		1,128.40
INV 26131/0			1,128.40	
		SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD)		
EFT6478		CHLORINE GAS x 2		818.93
INV 451757C			653.40	
INV 4523828		CHLORINE SERVICE FEE - SWIMMING POOL/ FORREST OVAL	165.53	
		ROCK SUPPLIES OF WA		

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
ROCK SUPPLIES OF WA				
EFT6479		FINAL PMT - RETAINING WALL - HOCKEY CLUB		10,880.00
INV 496399			10,880.00	
DRAGON HORN				
EFT6480		COMPUTER SUPPORT - RESIDENCY MUSEUM		100.00
INV 4			100.00	
SMITHS SHELL SERVICE				
EFT6481		PULL START CORD - MINOR PLANT		191.50
INV 233699		CALL OUT - COMMUNITY BUS REPAIRS	88.00	
INV 235278		KEY CUTTING - HOWICK ST TOILETS	6.50	
INV 235277		PULL START CORD - MINOR PLANT	97.00	
HOME HARDWARE				
EFT6482		PLANTS - AUSTRALIA DAY CELEBRATIONS 2010		685.14
INV 397090		CEMENT/ COUPLING - CEMETERY	9.77	
INV 396949		GAS REFILL - STREET SWEEPER	79.90	
INV 397060		DOOR STOP/ VALVE - CENT UNITS	8.38	
INV 397545		DOOR STOP/ COAT HOOK - HOWICK ST TOILETS	18.32	
INV 397612		CONCRETE - CEMETERY	13.14	
INV 397757		SCREW/ DRILL BIT - SKATE PARK	49.82	
INV 397840		SCREW/ HEX NUT/ ROD - JOHANNA WHITELY PARK	33.80	
INV 398428		ROD/ NUT & BOLT - DEPOT	31.18	
INV 398509		CABLE TIE - SWIMMING POOL	3.78	
INV 398624		COAT HOOK/ BATTERIES - REC CENTRE	14.34	
INV 398772		GAS REFILL/ ARALDITE - REC CENTRE	9.67	
INV 399328		HASP & STAPLE - AVON PARK TOILETS	14.04	
INV 398917		PIPE/ COUPLING/ JOINER - SWIMMING POOL	20.06	
INV 398984		SPRAY PAINT/ NUT & BOLT - AVON TCE SIGNS	16.34	
INV 399323		BOLT/ COAT HOOK - REC CENTRE	9.00	
INV 399339		GAS REFILL - STREET SWEEPER	39.95	
INV 399452		RAKE - REC CENTRE	4.20	
INV 399507		WIRE BRUSH/ CLAMP/ SCREW - AVON PARK	18.35	
INV 399538		PAINT - TOWN HALL	49.05	
INV 399719		TURPENTINE - TOWN HALL	14.75	
INV 399488		PLANTS - AUSTRALIA DAY CELEBRATIONS 2010	119.85	
INV 399760		SINK PLUNGER - AVON PARK TOILETS	4.36	
INV 396687		DOOR HANDLE/ SPRING COIL/ HINGE - HOWICK ST TOILETS	52.16	
INV 396753		SPRAY PAINT - CEMETERY	9.22	
INV 396771		JOINER/ SEAL TAPE - CEMETERY	12.69	
INV 396772		THREAD SEAL/ JOINER - CEMETERY	11.51	
INV 396851		STANLEY KNIFE/ SPRAY PAINT - DEPOT	17.51	
YORK IGA				
EFT6483		REFRESHMENTS - FAREWELL - G STANLEY		249.71
INV 03/6968		MILK/ BISCUITS	26.18	
INV 02/0943		MILK/ TEA/ BISCUITS - STRUCTURAL REFORM MTG 15/1/10	9.14	
INV 01/3463		MILK/ BISCUITS	16.82	
INV 01/3574		MILK/ FACIAL TISSUES	17.50	
INV 01/4237		MILK	6.17	
INV 03/9172		MILK/ BISCUITS	22.11	
INV 02/4250		GARBAGE BAGS - RANGER	12.00	
INV 02/5125		BLEACH/ DETERGENT/ SPRAY BOTTLE - REC CENTRE	6.96	
INV 02/6380		MILK/ BISCUITS	16.27	
INV 01/6757		MILK/ BISCUITS - DEPOT	10.55	
INV 02/5813		MILK/ MILO/ BISCUITS	16.10	
INV 02/6330		MILK/ BISCUITS	3.82	
INV 01/0012		REFRESHMENTS - FAREWELL - G STANLEY	47.12	
INV 02/7409		MILK	6.94	
INV 01/0347		MILK/ BISCUITS	15.83	
INV 02/8867		FLOOR CLEANER/ SPRAY & WIPE - ADMIN	16.20	
YORK RURAL TRADING				

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YORK RURAL TRADING				
EFT6484		ONGA 413 PUMP - SWIMMING POOL		996.57
INV 1002058		REFLECTIVE VEST - RANGER	33.90	
INV 1002065		PROTECTIVE CLOTHING - DEPOT	191.95	
INV 1002066		HOSE/ JOCKEY WHEEL/ VALVE/ POLY NUT/ JOINER - MINOR	202.37	
INV 1002067		POLY PLUG - MINOR PLANT	0.95	
INV 1002068		PROTECTIVE CLOTHING - DEPOT	69.85	
INV 1002084		SHOTGUN SHELLS - BIRD CONTROL - FORREST OVAL/ AVON	17.95	
INV 1002090		JERRY CAN - MINOR PLANT	31.95	
INV 1002096		CAMLOCK WASHER - SWIMMING POOL	16.00	
INV 1002124		ONGA 413 PUMP - SWIMMING POOL	315.85	
INV 1002124		PROTECTIVE CLOTHING - DEPOT	115.80	
FUEL DISTRIBUTORS				
EFT6485		DISTILLATE X 5000 LTRS		6,058.50
INV 9482			6,058.50	
DEADMAN, SUZANNE MARGARET				
EFT6486		FLOWER ARRANGEMENT - P MOGRIDGE		75.00
INV 12			75.00	
WESTERN AUSTRALIAN TREASURY CORPORATION				
EFT6487		Loan No. 60 Interest payment - LOAN 60 WATER BUCKINGHAM (6,470.15
INV 60			6,470.15	
LEWIS MOTORS				
EFT6488		HOLDEN 2010 VE OMEGA Y000 - TRADE 2009 FORD FALCON :		12,100.00
INV Z20221			12,100.00	
SHACKS HOLDEN				
EFT6489		HOLDEN 2010 VE OMEGA Y96 - ENGINEER		45,297.25
INV N14528		HOLDEN 2010 VE CALAIS OY - TRADE 2009 VE CALAIS	11,593.35	
INV N14529		HOLDEN 2010 VE OMEGA Y96 - ENGINEER	33,703.90	
ALLROUND CONCRETE				
EFT6490		SUPPLY & LAY CONCRETE - TREWS RD FOOTPATHS		23,760.00
INV 10022			23,760.00	
AVON VALLEY TYRE SERVICE				
EFT6492		SUPPLY & FIT TYRES - MINOR PLANT/ Y770		1,100.00
INV 3435			1,060.00	
INV 3461		TYRE TUBE REPAIRS - Y770	40.00	
LANDMARK				
EFT6493		SEASOL FERTILISER - AVON PARK		62.87
INV 668582			62.87	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	228,377.52
TOTAL		228,377.52

TOTAL RESERVES	
28-Feb-10	
Reserve Name	Current Balance
4. Plant Reserve	351,696.45
6. Staff Leave Reserve	114,771.59
7. Town Planning Reserve	12,156.36
8. Recreation Complex Reserve	328,136.59
9. Avon River Maintenance Reserve	19,869.08
14. Industrial Land Reserve	90,904.67
15. Refuse Site Development Reserve	192,887.32
22. Centennial Gardens Reserve	108,379.14
23. Public Open Space Cont Reserve	308.66
24. Community Bus Reserve	37,533.69
25. Pioneer Memorial Lodge Reserve	132,585.67
26. Residency Museum Reserve	19,596.91
27. Carparking Reserve	58,037.48
30. Building Reserve	59,246.77
35. Disaster Reserve	23,515.28
37. Archives Reserve	21,758.48
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	465,174.11
42. Main Street (Town Precinct) Update Reserve	115,779.24
43. Strategic Planning Reserve	19,102.74
44. Cemetery Reserve	26,636.04
45. York Town Hall Reserve	39,962.63
46. RSL Memorial Reserve	19,398.87
47. Greenhills Townsite Development Reserve	21,370.36
48. Youth Capital Works	22,744.70
49. Roads	58,771.15
50. Land & Infrastructure	195,928.75
TOTAL RESERVE FUNDS	2,563,031.02
Funded by	
BENDIGO RESERVE 119521748	5,889.09
BENDIGO RESERVE AT-CALL ACCT	114,000.00
BENDIGO RESERVE NCD DUE 31/3/10	583,985.84
BENDIGO RESERVE NCD DUE 31/03/10	334,591.12
BENDIGO RESERVE NCD DUE 31/5/10	413,000.58
WESTPAC RESERVE	0.00
WESTPAC RESERVE NCD DUE 31/3/10	304,536.99
WESTPAC RESERVE NCD DUE 24/5/10	307,027.40
WESTPAC RESERVE NCD DUE 5/4/10	500,000.00
Total Cash Funding	2,563,031.02
Comment	
The Local Government Act 1995 Part 6 Division 4 Section 6.11 requires the reserves to be fully funded. The reserves are fully funded.	

**STATEMENT OF PAYROLL DIRECT DEBITS
FOR THE MONTH ENDING FEBRUARY 2010**

11 February 2010	63,781.44
25 February 2010	61,830.46

PAYROLL TOTALS	\$ 125,611.90
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(LESS PAYMENTS BY CHEQUE)	0.00
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TOTAL PAYROLL DIRECT DEBITS AS PER BANK REC	\$ 125,611.90
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**SUMMARY OF CREDIT CARD PAYMENTS
FOR THE MONTH ENDING FEBRUARY 2010**

REFRESHMENTS	614.78
TRAINING & CONFERENCES	2,376.38
SEAVROC	
FUEL	78.15
HOUSING MAINTENANCE	
OTHER	110.20
TOTAL PURCHASES	\$ 3,179.51
PAYMENTS TO C/C IN ADVANCE	0.00
(LESS PREVIOUSLY PAID IN ADVANCE)	0.00
TOTAL PAYMENTS TO C/C AS PER BANK REC	\$ 3,179.51

**TRANSACTION LISTING OF CREDIT CARD PAYMENTS
FOR THE MONTH ENDING JANUARY 2010**

CARD 1		
DATE	AMOUNT	DESCRIPTION
6/01/2010	66.60	RETAIL PURCHASE SETTLERS HOUSE PL, YORK 0401
7/01/2010	104.00	RETAIL PURCHASE Cafe Bugatti, YORK 0601
8/01/2010	134.98	RETAIL PURCHASE CELLARBRATIONS AT DU, YORK 0601
9/01/2010	73.00	RETAIL PURCHASE THE YORK MILL BAKEHO, YORK 0701
13/01/2010	1,725.00	RETAIL PURCHASE SAPMEA, EASTWOOD 1101
13/01/2010	9.60	RETAIL PURCHASE SETTLERS HOUSE PL, YORK 1101
13/01/2010	40.20	RETAIL PURCHASE BIG W W0443, MIDLAND 0901
22/01/2010	20.00	RETAIL PURCHASE QBE TRAVEL, GLEN WAVERLEY 2101
22/01/2010	92.00	RETAIL PURCHASE Cafe Bugatti, YORK 2101
23/01/2010	651.38	RETAIL PURCHASE QANTAS, MASCOT 2101
26/01/2010	78.15	RETAIL PURCHASE BP BALLAJURA 6330, BALLAJURA 2301
28/01/2010	66.60	RETAIL PURCHASE SETTLERS HOUSE PL, YORK 2501 A
30/01/2010	68.00	RETAIL PURCHASE THE YORK MILL BAKEHO, YORK 2801
31/01/2010	50.00	RETAIL PURCHASE CALM 754, KENSINGTON 2701
TOTAL CARD 1	3,179.51	
CARD 2		
DATE	AMOUNT	DESCRIPTION
TOTAL CARD 2	0.00	
TOTAL CREDIT CARDS		\$ 3,179.51

**STATEMENT OF SHELL CARD PURCHASES
FOR THE MONTH ENDING JANUARY 2010**

0 Y - CEO		0.00
Y 000 - MHB		202.93
Y 00 - DCEO		0.00
Y 86 - BUILDING		0.00
CARD FEES		10.00
TOTAL PURCHASES	\$	212.93
TOTAL PAYMENTS TO SHELL AS PER BANK REC	\$	212.93

9. OFFICER'S REPORTS
9.3 FINANCE REPORTS
9.3.2 2009 Compliance Audit Return

FILE NO:	FI.FRP.5
COUNCIL DATE:	15 March 2010
REPORT DATE:	5 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – 2009 Compliance Audit Return
DOCUMENTS TABLED:	Nil

Summary:

The Local Government Act (1995) requires all Western Australian Local Authorities to complete a Compliance Audit Return distributed by the Department of Local Government in December of each year, in relation to activities undertaken by the local authority in the preceding calendar year.

Background:

In 2000, participation in the program was made compulsory for all local authorities. In 2007 the return for 2006 was required to be completed on-line. Changes have recently been made to the structure of some of the questions, to provide more clarity.

Consultation:

Internally – staff.
Consultant - D Carbone.

Statutory Environment:

Local Government Act 1995 (as amended).
Local Government (Audit Regulations), 1995 (as amended), Clauses 14 and 15.

14. Compliance audit return to be prepared

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3) *A compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council;*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

15. Completion of compliance audit

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
 - (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
 - (b) *any additional information explaining or qualifying the compliance audit,**is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*

- (2) *In this regulation —*
certified in relation to a compliance audit return means signed by —
- (a) *the mayor or president; and*
 - (b) *the CEO.*

Associated legislation as detailed in Appendix A (Column titled:Reference).

Policy Implications:

Not applicable.

Financial Implications:

Administration time in preparing the Compliance Audit Return.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

Nil.

Environmental Implications:

Nil.

Comment:

The following cases of non-compliance with the Local Government Act and regulations were found to have occurred:

8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	No	All were notified except Cr Boyle, Cr Scott and Cr Randell. The councillors have since been notified accordingly.	Tyhscha Cochrane
27	FM Reg 51(2)	Was the annual financial report submitted to the Department of Local Government and Regional Development sent by the CEO within 30 days after receiving the Auditor's report.	No	Copy forwarded on the 2nd March 2010.	Tyhscha Cochrane
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	No	Information provided in the Position Description.	Tyhscha Cochrane

13	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	No	SEAVROC commenced process in 2009.	Tyhscha Cochrane
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	No	Audit Committee minutes 25 May 2009, not distributed until 15 February 2010. Notes of meeting found in office after staff member had resigned.	Tyhscha Cochrane

Staff positions and roles have changed significantly in 2009 and all staff undertaking new roles within the Shire of York have been made aware of the necessity to meet statutory deadlines and requirements of relevant legislation.

**RESOLUTION
170310**

Moved: Cr Hooper

Seconded: Cr Boyle

“That the Audit Committee adopts the York Compliance Audit Return, as presented and attached labelled ‘Appendix A’ for the period 1st January 2009 to 31st December 2009.”

AUDIT COMMITTEE RECOMMENDATION TO COUNCIL:

“That the Audit Committee recommends to Council:

- 1. that it adopts the York Compliance Audit Return, as presented and attached labelled ‘Appendix A’ for the period 1st January 2009 to 31st December 2009; and***
- 2. authorises the Chief Executive Officer and Shire President to sign and submit the York Compliance Audit Return to the Department for Local Government.***

Advice Note:

Change to be made to page 13 Question 43 to N/A, as no new fees and charges were imposed.

CARRIED (6/0)

Please note in accordance with the Advice Note the changes have been made to Appendix A.

Department of Local Government and Regional Development - Compliance Audit Return



**Department of Local Government
and Regional Development**
Government of Western Australia

York - Compliance Audit Return 2009

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government and Regional Development together with a copy of section of relevant minutes.

Caravan Parks and Camping Grounds						
No	Reference	Question	Response	Comments	Respondent	
1	s21(1) Caravan Parks and Camping Grounds Act 1995	Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2008 to 30 June 2009.	Yes		Tyhscha Cochrane	
2	Section 14(1) of the Caravans and Camping Grounds Act 1995	Did you keep a register of caravan park licenses. (For the return period)	Yes		Tyhscha Cochrane	

Cemeteries						
No	Reference	Question	Response	Comments	Respondent	
1	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period)	Yes		Tyhscha Cochrane	
2	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period)	Yes		Tyhscha Cochrane	
3	s40(2) Cemeteries Act 1986	Have plans been kept and maintained showing the location of all burials registered in as above.	Yes		Tyhscha Cochrane	



Commercial Enterprises by Local Governments						
No	Reference	Question	Response	Comments	Respondent	
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2009.	N/A		Tyhscha Cochrane	
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2009.	N/A		Tyhscha Cochrane	
3	s3.59(2)(a)(b)(c) F&G Reg 7,11	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2009.	N/A		Tyhscha Cochrane	
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2009.	N/A		Tyhscha Cochrane	
5	s3.59(5)	Did the Council, during 2009, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Tyhscha Cochrane	



Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Tyhscha Cochrane
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Tyhscha Cochrane
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Tyhscha Cochrane
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Tyhscha Cochrane
5	s5.18	Has Council reviewed delegations to its committees in the 2008/2009 financial year.	Yes	No delegations given to Committee.	Tyhscha Cochrane
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Tyhscha Cochrane
7	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO resolved by an absolute majority.	Yes		Tyhscha Cochrane
8	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO in writing.	Yes		Tyhscha Cochrane
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Tyhscha Cochrane
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Tyhscha Cochrane
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Tyhscha Cochrane
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2008/2009 financial year.	Yes		Tyhscha Cochrane
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Tyhscha Cochrane

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Tyhscha Cochrane
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Tyhscha Cochrane
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Tyhscha Cochrane
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Tyhscha Cochrane
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2009.	Yes		Tyhscha Cochrane
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2009.	Yes		Tyhscha Cochrane
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	No	All were notified except Cr Boyle, Cr Scott and Cr Randell. The councillors have since been notified accordingly.	Tyhscha Cochrane
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Tyhscha Cochrane
10	s5.88(1)(2) Admin Reg 2	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Tyhscha Cochrane
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Tyhscha Cochrane
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Tyhscha Cochrane
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Tyhscha Cochrane
14	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
15	s5.71(a)	Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Tyhscha Cochrane
16	5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Tyhscha Cochrane
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Tyhscha Cochrane
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Tyhscha Cochrane
19	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting.	Yes		Tyhscha Cochrane
20	s5.71	On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related.	Yes		Tyhscha Cochrane

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Tyhscha Cochrane
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Tyhscha Cochrane

Elections

No	Reference	Question	Response	Comments	Respondent
1	4.17(3)	Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b).	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
2	s4.20(2)	Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner.	N/A		Tyhscha Cochrane
3	s4.20(4)	Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the electoral commissioner.	No		Tyhscha Cochrane
4	s4.20(5)	Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day.	N/A		Tyhscha Cochrane
5	s4.32(4)	Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly.	Yes		Tyhscha Cochrane
6	s4.32(6) Elect Reg 13	Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol.	Yes		Tyhscha Cochrane
7	s4.35(2)	Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter.	Yes		Tyhscha Cochrane
8	s4.35(3)	Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person.	Yes		Tyhscha Cochrane
9	s4.35(5)	Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision.	N/A		Tyhscha Cochrane
10	s4.35(6)	Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward.	N/A		Tyhscha Cochrane
11	s4.35(7)	Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6).	N/A		Tyhscha Cochrane
12	s4.39(2)	Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
13	s4.41(1)	Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day.	Yes		Tyhscha Cochrane
14	s4.41(2)	Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments.	Yes		Tyhscha Cochrane
15	s4.43(1)	Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day.	N/A	Rolls consolidated.	Tyhscha Cochrane
16	s4.47(1)	Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day.	Yes		Tyhscha Cochrane
17	s4.47(2)(a)	Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled.	Yes		Tyhscha Cochrane
18	s4.47(2)(b)	Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent.	Yes		Tyhscha Cochrane
19	s4.47(2)(c)	Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent.	Yes		Tyhscha Cochrane
20	s4.47(2)(d)	Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations.	Yes		Tyhscha Cochrane
21	s4.61(2)	Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority.	N/A	Not postal.	Tyhscha Cochrane
22	s4.61(3)	Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 80th day before election day.	N/A		Tyhscha Cochrane
23	s4.64	Where the CEO was returning officer (RO), did the RO give Statewide public notice (election notice) as soon as practicable after preparations for the election, but no later than on the 19th day before election day, in accordance with regulations that included details of how, when and where the election will be conducted and the names of the candidates.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
24	Elect Reg 7	Did a person, before acting as an electoral officer, make the required declaration as stated in local government election regulation 7.	Yes		Tyhscha Cochrane
25	Elect Reg 8(2)	Where the CEO was returning officer (RO), did the RO prepare and adopt a Code of Conduct for the 2009 Ordinary Elections.	Yes		Tyhscha Cochrane
26	Elect Reg 8(3)	Where the CEO was returning officer (RO), did the RO provide each electoral officer a copy or access to a copy of the electoral code of conduct for the 2009 Ordinary Elections.	Yes		Tyhscha Cochrane
27	Elect Reg 13(1)	Has the relevant information as listed in Election Reg 13 been recorded in the owners and occupiers register.	Yes		Tyhscha Cochrane
28	Elect Reg 13(4)	Did the CEO amend the register from time to time to make sure that the information recorded in it is accurate.	Yes		Tyhscha Cochrane
29	Elect Reg 17	Did the local government keep an enrolment eligibility claim form, if accepted, a copy of a notice of acceptance for 2 years after the claim and notice expired, and a copy of a notice of rejection for 2 years after the claim was rejected.	Yes		Tyhscha Cochrane
30	Elect Reg 26(4)	Did the CEO or an employee of the local government appointed as Returning Officer keep the deposit referred to in s4.49(d) separate from other money and credited to a fund of the local government.	Yes		Tyhscha Cochrane
31	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Tyhscha Cochrane
32	Elect Reg 30G(3)	Did the CEO remove any "disclosure of gifts" forms completed by unsuccessful candidates from the electoral gift register in accordance with the period under regulation 30C and retain those forms separately for a period of at least 2 years.	N/A	No gifts received.	Tyhscha Cochrane
33	Elect Reg 30H	Has the electoral gift register been kept at the appropriate local government offices.	Yes		Tyhscha Cochrane
34	Elect Reg 40	Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
35	Elect Reg 81	Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election.	Yes		Tyhscha Cochrane

Executive Functions

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments.	Yes		Tyhscha Cochrane
2	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered.	N/A		Tyhscha Cochrane
3	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50.	No		Tyhscha Cochrane
4	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector.	Yes		Tyhscha Cochrane
5	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed.	Yes		Tyhscha Cochrane
6	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government.	N/A	Owner advised to remove within seven days	Tyhscha Cochrane
7	s3.40A(2)	Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.	N/A		Tyhscha Cochrane
8	s3.40A(3)	Where notice was given under s3.40A(2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.	N/A		Tyhscha Cochrane
9	s3.51(3)	Did the local government give notice of what is proposed to be done giving details fo the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
10	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or management, and made those plans available for public inspection.	Yes		Tyhscha Cochrane
11	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required.	N/A		Tyhscha Cochrane
12	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised.	N/A		Tyhscha Cochrane

Finance

No	Reference	Question	Response	Comments	Respondent
1	s5.53, Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2009 that contained the prescribed information under the Act and Regulations.	Yes		Tyhscha Cochrane
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2009.	No	Adopted by absolute majority on the 4th January 2010.	Tyhscha Cochrane
3	s5.54(1), (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available.	Yes	Auditor's report signed on 20th December 2009 not giving Council enough time to consider prior to the 31st December 2009.	Tyhscha Cochrane
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		Tyhscha Cochrane
5	S5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	Yes		Tyhscha Cochrane
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	Yes		Tyhscha Cochrane
7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection.	Yes		Tyhscha Cochrane
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	N/A		Tyhscha Cochrane
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Tyhscha Cochrane
11	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes		Tyhscha Cochrane
12	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Tyhscha Cochrane
13	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes		Tyhscha Cochrane
14	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes		Tyhscha Cochrane
15	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	Yes		Tyhscha Cochrane
16	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Tyhscha Cochrane
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member or employee.	No		Tyhscha Cochrane
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	N/A		Tyhscha Cochrane
19	s6.2	Did Council, prior to 31 August in the review period, adopt by absolute majority, a budget in the form and manner prescribed by Financial Management (FM) Reg 22 and the Act. (Please enter the date of the Council Resolution in the "Comments" column)	Yes	20th August 2009.	Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
20	s6.2	If 'no', was Ministerial approval sought for an extension.	N/A		Tyhscha Cochrane
21	s6.3	Did the council prepare and adopt a budget in a manner similar to the annual budget with modifications as listed in section 6.3.	Yes		Tyhscha Cochrane
22	FM Reg 33	Was the 2009/2010 budget forwarded to the Department of Local Government and Regional Development within 30 days of its adoption. (Please enter the date sent in the "Comments" column).	Yes	17th September 2009.	Tyhscha Cochrane
23	s6.4(1) FM Reg 34	Did the local government prepare an annual financial report as prescribed.	Yes		Tyhscha Cochrane
24	s6.4(1) FM Reg 34	Did the local government prepare other financial reports as prescribed.	Yes		Tyhscha Cochrane
25	FM Reg 34	If the local government prepared other financial reports as prescribed in s6.4 (1) FM Reg 34, were they presented to Council and recorded in the minutes of the meetings in which they were submitted.	Yes		Tyhscha Cochrane
26	s6.4(3)(b)	Was the annual financial report, prepared for the financial year ended 30 June 2009, submitted to the Auditor by 30 September 2009 or by the extended time allowed by the Minister or his delegate.	No	Approval sought to the 30th October 2009.	Tyhscha Cochrane
27	FM Reg 51(2)	Was the annual financial report submitted to the Department of Local Government and Regional Development sent by the CEO within 30 days after receiving the Auditor's report.	No	Copy forwarded on the 2nd March 2010.	Tyhscha Cochrane
28	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	Yes		Tyhscha Cochrane
29	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column)	N/A		Tyhscha Cochrane
30	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Tyhscha Cochrane
31	s6.9 (1)	Does the local government's trust fund consist of all money (or the value of assets) that are required by the Local Government Act 1995 or any other written law to be credited to the fund.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
32	s6.9 (1)	Does the local government's trust fund consist of all money or the value of assets held by the local government in trust.	Yes		Tyhscha Cochrane
33	s6.9(2)	Has the local government's trust fund been applied for the purposes of and in accordance with the trusts affecting it.	Yes		Tyhscha Cochrane
34	s6.9(3)	Has money held in the trust fund, been paid to the person entitled to it, together with, if the money has been invested, any interest earned from that investment.	Yes		Tyhscha Cochrane
35	s6.9(3)	Has property held in trust been delivered to the persons entitled to it.	Yes		Tyhscha Cochrane
36	s6.11(2)	Have all decisions to change the use or purpose of money held in reserve funds been by absolute majority.	N/A		Tyhscha Cochrane
37	s6.11(2) FM Reg 18	Did the local government give one months public notice of the proposed change of purpose or proposed use of money held in reserve funds . (Notice not required where the local government has disclosed the change of purpose or proposed use of reserve funds in its annual budget or where the money was used to meet expenditure authorised under s6.8(1) (c) of the Act or where the amount to be used did not exceed \$5,000).	N/A		Tyhscha Cochrane
38	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	Yes		Tyhscha Cochrane
39	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	Yes		Tyhscha Cochrane
40	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Tyhscha Cochrane
41	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	Yes		Tyhscha Cochrane
42	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	Yes		Tyhscha Cochrane
43	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
44	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow and details of the proposal were not included in the annual budget for that financial year, did the local government give one month's local public notice of the proposal (except where the proposal was of a kind prescribed in FM Regulation 20).	N/A		Tyhscha Cochrane
45	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year).	N/A		Tyhscha Cochrane
46	s6.20(3) FM Reg 21	On each occasion where the local government changed the use of borrowings, did the local government give one month's local public notice of the change in purpose. (Only required if the details of the change of purpose were not included in the annual budget or were of the kind prescribed in FM Regulation 21).	N/A		Tyhscha Cochrane
47	s6.20(3) FM Reg 21	On each occasion where the local government changed the use of borrowings, was the decision on the change of use by absolute majority. (Only required if the details of the change of purpose were not included in the annual budget or were of the kind prescribed in FM Regulation 21)	N/A		Tyhscha Cochrane
48	s6.32(1)(a)	Did Council determine by absolute majority to impose a general rate on rateable land within its district .	Yes		Tyhscha Cochrane
49	s6.32(1)(b)(i)	Did Council determine by absolute majority to impose a specified area rate on rateable land within its district .	No		Tyhscha Cochrane
50	s6.32(1)(b)(ii)	Did Council determine by absolute majority to impose a minimum payment on rateable land within its district .	Yes		Tyhscha Cochrane
51	s6.32(1)(c)	Did Council determine by absolute majority to impose a service charge on rateable land within its district .	Yes		Tyhscha Cochrane
52	s6.33(3)	Did Council obtain the approval of the Minister or his delegate before it imposed a differential general rate that was more than twice the lowest differential rate imposed.	N/A		Tyhscha Cochrane
53	s6.34	Did Council obtain the approval of the Minister or his delegate before it adopted a budget with a yield from general rates that was plus or minus 10% of the amount of the budget deficiency.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
54	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties in the district (unless the general minimum did not exceed \$200).	Yes		Tyhscha Cochrane
55	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties, rated on gross rental value (unless the general minimum did not exceed \$200).	Yes		Tyhscha Cochrane
56	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties rated on unimproved value (unless the general minimum did not exceed \$200).	Yes		Tyhscha Cochrane
57	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties in each differential rating category (unless the general minimum did not exceed \$200).	Yes		Tyhscha Cochrane
58	s6.36	Did the local government before imposing any differential general rate, or a minimum payment applying to a differential rate category, give local public notice of its intention to do so containing details of each rate or minimum proposed.	N/A		Tyhscha Cochrane
59	s6.36	Did the local government, before imposing any differential general rate or a minimum payment applying to a differential rate category, give local public notice of its intention to do so by extending an invitation for a period of 21 days or longer for submissions.	N/A		Tyhscha Cochrane
60	s6.36	Did the local government before imposing any differential general rate or a minimum payment applying to a differential rate category, give local public notice of its intention to do so, detailing the time and place where the document describing the objects and reasons for each proposed rate and minimum payment may be inspected.	N/A		Tyhscha Cochrane
61	s6.38(1) FM Reg 54	Where a local government imposed a service charge was it only imposed for a prescribed purposes of television and radio rebroadcasting, volunteer bush fire brigades, underground electricity, water, property surveillance and security.	No		Tyhscha Cochrane
62	s6.38	Was money received from the imposition of a service charge applied in accordance with the provisions of s6.38 of the Act.	No		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
63	s6.46	Did Council, in granting a discount or other incentive for early payment of any rate or service charge, do so by absolute majority.	Yes	Included in budget adoption.	Tyhscha Cochrane
64	s6.47	When a local government resolved to waive a rate or service charge or grant other concessions did it do so by absolute majority.	Yes	Included in budget adoption.	Tyhscha Cochrane
65	s6.51	Did Council, in setting an interest rate on a rate or service charge that remained unpaid, do so by absolute majority.	Yes	Included in budget adoption.	Tyhscha Cochrane
66	S6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision.	N/A		Tyhscha Cochrane
67	FM Reg 5	Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5.	Yes		Tyhscha Cochrane
68	FM Reg 6	Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee.	Yes		Tyhscha Cochrane
69	FM Reg 8	Did the local government maintain a separate account with a bank or other financial institution for money to be held in a municipal fund, trust fund or reserve accounts.	Yes		Tyhscha Cochrane
70	FM Reg 9	On all occasions have separate financial records been kept for each trading undertaking and each major land transaction.	N/A		Tyhscha Cochrane
71	FM Reg 11(1)	Has the local government developed procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and other devices or methods by which goods, services, money or other benefits may be obtained.	Yes		Tyhscha Cochrane
72	FM Reg 11(1)	Has the local government developed procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for and properly authorised use of petty cash systems.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
73	FM Reg 11(2)	Has the local government developed procedures that ensure a determination is made that the debt was incurred by a person who was properly authorised, before any approval for payment of an account is made.	Yes		Tyhscha Cochrane
74	FM Reg 11(2)	Has the local government developed procedures that ensure a determination is made that the goods or services to which each account relates were provided in a satisfactory condition or to a satisfactory standard, before payment of the account.	Yes		Tyhscha Cochrane
75	FM Reg 12	Have payments from the Municipal or Trust fund been made under the appropriate delegated authority.	Yes		Tyhscha Cochrane
76	FM Reg 12	When Council are presented with a list detailing the accounts to be paid, have payments from the Municipal or Trust fund been authorised in advance by resolution of Council.	N/A	Payments are ratified by Council.	Tyhscha Cochrane
77	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting include the payee's name.	Yes		Tyhscha Cochrane
78	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund, that were recorded in the minutes of the relevant meeting, include the amount of the payment.	Yes		Tyhscha Cochrane
79	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting, include sufficient information to identify the transaction.	Yes		Tyhscha Cochrane
80	FM Reg 13	Did the list of accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting, include the date of the meeting of Council.	N/A	Payments are ratified by Council.	Tyhscha Cochrane
81	FM Reg 19	Do the internal control procedures over investments established and documented by the local government enable the identification of the nature and location of all investments.	Yes		Tyhscha Cochrane
82	FM Reg 33A	Did the local government, between 1 January and 31 March 2009, carry out a review of its annual budget for the year ended 30 June 2009.	Yes		Tyhscha Cochrane
83	FM Reg 55	Does the local government's rate record include all particulars set out in the FM Regulations.	Yes		Tyhscha Cochrane
84	FM Reg 56,57	Are the contents of the local government's rate notice in accordance with the FM Regulations.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
85	FM Reg 56,57	Are the contents of the local government's reminder notice for instalment payments in accordance with the FM Regulations.	Yes		Tyhscha Cochrane
86	FM Reg 68	Was the maximum rate of interest imposed 5.5% as prescribed under section 6.45(3).	Yes		Tyhscha Cochrane
87	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Tyhscha Cochrane
88	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A	No delegations.	Tyhscha Cochrane
89	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Tyhscha Cochrane
90	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Tyhscha Cochrane
91	s7.3	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Tyhscha Cochrane
92	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2009 received by the local government within 30 days of completion of the audit.	Yes		Tyhscha Cochrane
93	s7.9(1)	Was the Auditor's report for 2008/2009 received by the local government by 31 December 2009.	Yes	Audit Report dated 20 December 2009 and Council received a copy on the 21 December 2009.	Tyhscha Cochrane
94	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Tyhscha Cochrane
95	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Tyhscha Cochrane
96	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
97	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Tyhscha Cochrane
98	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Tyhscha Cochrane
99	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Tyhscha Cochrane
100	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Tyhscha Cochrane
101	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Tyhscha Cochrane

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	N/A		Tyhscha Cochrane
2	s5.36(4) s5.37(3)	Were all vacancies for the position of CEO and for designated senior employees advertised.	Yes		Tyhscha Cochrane
3	s5.36(4) s5.37(3) Admin Reg 18A(1)	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	Yes		Tyhscha Cochrane
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		Tyhscha Cochrane
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		Tyhscha Cochrane
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		Tyhscha Cochrane
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	No	Information provided in the Position Description.	Tyhscha Cochrane
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Tyhscha Cochrane
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	Yes		Tyhscha Cochrane
11	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12).	Yes	No modification.	Tyhscha Cochrane
12	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11).	N/A	Refer to Q11.	Tyhscha Cochrane
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		Tyhscha Cochrane
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes	Use WALGA Contracts.	Tyhscha Cochrane
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	Yes	Use WALGA Contracts.	Tyhscha Cochrane
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	Yes		Tyhscha Cochrane
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	Yes	Years of Service.	Tyhscha Cochrane
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
19	S5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	Yes		Tyhscha Cochrane
20	S5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		Tyhscha Cochrane
21	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Tyhscha Cochrane
22	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A	CEO employed since 9/8/04.	Tyhscha Cochrane
23	Admin Reg 33	Was the allowance paid to the mayor or president for the purposes of s5.98 (5) within the prescribed range.	Yes		Tyhscha Cochrane

Local Laws					
No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	N/A		Tyhscha Cochrane
2	s3.12(3)(a)	On each occasion that Council proposed to make a local law, did the local government give Statewide and local public notice stating the purpose and effect of the proposed local law	N/A		Tyhscha Cochrane
3	s3.12(3)(a)	Did the local government give Statewide and local public notice stating details of where a copy of the local law may be inspected or obtained.	N/A		Tyhscha Cochrane
4	s3.12(3)(b)	On all occasions, as soon as a Statewide and local public notice was published, did the local government provide a copy of the proposed law, together with a copy of the notice, to the Minister for Local Government and Regional Development	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
5	s3.12(3)(b)	On all occasions, as soon as a Statewide and local public notice was published, did the local government provide a copy of the proposed law, together with a copy of the notice where applicable, to the Minister who administers the Act under which the local law was made.	N/A		Tyhscha Cochrane
6	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	N/A		Tyhscha Cochrane
7	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	N/A		Tyhscha Cochrane
8	s3.12(5)	After making the local law, did the local government publish the local law in the Gazette.	N/A		Tyhscha Cochrane
9	s3.12(5)	After making the local law, did the local government give a copy to the Minister for Local Government and Regional Development and where applicable to the Minister who administers the Act under which the local law was made.	N/A		Tyhscha Cochrane
10	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice stating the title of the local law.	N/A		Tyhscha Cochrane
11	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	N/A		Tyhscha Cochrane
12	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	N/A		Tyhscha Cochrane
13	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	No	SEAVROC commenced process in 2009.	Tyhscha Cochrane
14	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	Yes		Tyhscha Cochrane
15	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
16	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	Yes		Tyhscha Cochrane
17	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	Yes	15th February 2010.	Tyhscha Cochrane
18	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	Yes		Tyhscha Cochrane

Meeting Process					
No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	Yes		Tyhscha Cochrane
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	Yes		Tyhscha Cochrane
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A		Tyhscha Cochrane
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		Tyhscha Cochrane
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	Yes		Tyhscha Cochrane
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	N/A		Tyhscha Cochrane
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		Tyhscha Cochrane
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		Tyhscha Cochrane
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		Tyhscha Cochrane
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	No	Audit Committee the only committee of Council and the representation was not recorded by an absolute majority, however all the Councillors were in agreement with the representation at the time, no objections.	Tyhscha Cochrane
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	No		Tyhscha Cochrane
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act.	N/A	No committee under s5.10(2) of the Act.	Tyhscha Cochrane
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		Tyhscha Cochrane
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		Tyhscha Cochrane
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	N/A		Tyhscha Cochrane
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		Tyhscha Cochrane
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	N/A		Tyhscha Cochrane
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		Tyhscha Cochrane
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		Tyhscha Cochrane
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	N/A	Audit Committee has no delegated powers.	Tyhscha Cochrane
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		Tyhscha Cochrane
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		Tyhscha Cochrane
25	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	Yes		Tyhscha Cochrane
26	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	Yes		Tyhscha Cochrane
27	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	Yes		Tyhscha Cochrane
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		Tyhscha Cochrane
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	Yes		Tyhscha Cochrane
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	Yes		Tyhscha Cochrane
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	N/A		Tyhscha Cochrane
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	Yes		Tyhscha Cochrane
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		Tyhscha Cochrane
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		Tyhscha Cochrane
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	Yes		Tyhscha Cochrane
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		Tyhscha Cochrane
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	Yes		Tyhscha Cochrane
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	Yes	In relation to questions taken on notice the written response was provided in the next agenda/minutes.	Tyhscha Cochrane
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		Tyhscha Cochrane
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public.	N/A		Tyhscha Cochrane
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	N/A		Tyhscha Cochrane
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		Tyhscha Cochrane
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		Tyhscha Cochrane
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	Yes		Tyhscha Cochrane
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	No	Audit Committee minutes 25 May 2009, not distributed until 15 February 2010. Notes of meeting found in office after staff member had resigned.	Tyhscha Cochrane
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		Tyhscha Cochrane
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	N/A		Tyhscha Cochrane
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	N/A		Tyhscha Cochrane
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	Yes	Annual report accepted 24 February 2009 and electors meeting held on the 16 March 2009.	Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	Yes		Tyhscha Cochrane
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	Yes		Tyhscha Cochrane
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose.	No	No decisions made at the electors meeting.	Tyhscha Cochrane
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	N/A		Tyhscha Cochrane
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Tyhscha Cochrane

Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	Yes		Tyhscha Cochrane
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	N/A	Use McLeods.	Tyhscha Cochrane
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why.	Yes		Tyhscha Cochrane



Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	Yes		Tyhscha Cochrane
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	N/A	None received.	Tyhscha Cochrane
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Tyhscha Cochrane
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Tyhscha Cochrane
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Tyhscha Cochrane
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Tyhscha Cochrane

Swimming Pools					
No	Reference	Question	Response	Comments	Respondent
1	s245A(5)(aa) LG (MiscProv) Act 1960	Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960.	Yes		Tyhscha Cochrane

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	Yes		Tyhscha Cochrane
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Tyhscha Cochrane
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		Tyhscha Cochrane
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		Tyhscha Cochrane
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		Tyhscha Cochrane
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		Tyhscha Cochrane
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		Tyhscha Cochrane
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		Tyhscha Cochrane
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes		Tyhscha Cochrane
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		Tyhscha Cochrane
12	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		Tyhscha Cochrane
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		Tyhscha Cochrane
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		Tyhscha Cochrane
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		Tyhscha Cochrane
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		Tyhscha Cochrane
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		Tyhscha Cochrane
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	Yes		Tyhscha Cochrane
20	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	N/A		Tyhscha Cochrane
21	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Tyhscha Cochrane
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		Tyhscha Cochrane
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	Yes		Tyhscha Cochrane
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	Yes		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	N/A		Tyhscha Cochrane
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		Tyhscha Cochrane
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		Tyhscha Cochrane
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	Yes		Tyhscha Cochrane
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	Yes		Tyhscha Cochrane
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Tyhscha Cochrane
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	N/A		Tyhscha Cochrane
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	N/A		Tyhscha Cochrane
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	N/A		Tyhscha Cochrane
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	N/A		Tyhscha Cochrane
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	N/A		Tyhscha Cochrane
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
37	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Tyhscha Cochrane
38	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Tyhscha Cochrane
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Tyhscha Cochrane
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Tyhscha Cochrane
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	N/A		Tyhscha Cochrane
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	N/A		Tyhscha Cochrane
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	N/A		Tyhscha Cochrane
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	N/A		Tyhscha Cochrane



No	Reference	Question	Response	Comments	Respondent
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	Yes		Tyhscha Cochrane
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	Yes		Tyhscha Cochrane
47	F&G Reg 11(3)(b)	Did the purchasing policy that was prepared and adopted make provision in respect to the recording and retention of written information, or documents for all quotations received and all purchases made.	Yes		Tyhscha Cochrane

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, York

Signed CEO, York

9. OFFICER'S REPORTS
9.3 FINANCE REPORTS
9.3.3 Mid Year Review

FILE NO:	FI.FRP
COUNCIL DATE:	15 March 2010
REPORT DATE:	5 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A 2009/10 Budget to Actual Analysis (Adopted Budget Mid Year Review as at 31/101/10)
DOCUMENTS TABLED:	Nil

Summary:

The Local Government Act 1995 requires the Council to undertake a review of the Annual Budget each year.

The attached worksheets show, a line by line analysis, with projections to the 30th June 2010. Together with favourable and unfavourable variances and detailed comments in relation to each account.

The worksheets details that the Shire as at the 30th June 2010 will derive an estimated surplus of \$365,495.

It is anticipated that a further internal budget reviews will be undertaken for the 2009/10 financial year at the end of April and May and if changes are required these will be submitted to Council including any relevant end of year transfers or setting aside of funds for inclusion in the following year budget.

Background:

The 2009/10 annual budget was adopted by Council in August 2009. Council also resolved at the time of adopting the budget the following:

"...6. Adopt a material variance of plus or minus of 10% or \$10,000, whichever is the higher for the 2009/10 financial statements presented to Council during the financial year for review and comparison to the Budget."

Whilst the Council determined that only major variances be reported it was felt that a line by line analysis would be more appropriate.

Consultation:

Council staff and Mr Dominic Carbone.

Statutory Environment:

Local Government (Financial Management) Regulation 33A states the following:

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

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

Policy Implications:

Nil.

Financial Implications:

The Shire of York is on track for an end of financial year surplus, which will provide a sound basis for the 2010/11 and future budgets. The actual surplus may increase but if this is the case it will most likely result from ongoing projects not being completed by June 30 rather than additional savings being made however generally conservative estimates have been made when estimating income.

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

No economic implications arise from this review as project based expenditure included in the budget is still progressing.

Social Implications:

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for community benefits in 2010/11 and future years. In a number of cases where budgeted expenditure is not made recommendations will be made to council to transfer unexpended capital amounts to reserves thus quarantining the funds to ensure the completion of projects. In some other cases it may also be the case that funds already in a reserve but budgeted to be transferred to the Municipal Fund will be left in the reserve to be transferred when the expenditure occurs.

Other funds identified in end of year surplus may be set aside for the works to be completed the following year.

Environmental Implications:

Nil.

Comment:

There is no requirement for Council to make variations to the budget as a result of this review. The purpose of the review is to ensure that the Council is informed of the likely financial position of the Shire at 30th June 2010 in terms of its adopted budget. For purposes of annual reporting, Council is required to report against the adopted budget.

AUDIT COMMITTEE RECOMMENDATION TO COUNCIL:

“That the Audit Committee recommends that Council:

- 1. adopts the 2009/10 Annual Budget Mid Year Review and the anticipated surplus as at the 30th June 2010 of \$410,495; and*
- 2. that a copy of the review be forwarded to the Department of Local Government within 30 days of Council having given consideration.”*

Please note in accordance with the Audit Committee’s Recommendation to Council the changes have been made to Appendix A and throughout the report eg. surplus.

General Ledger Account 113314 Expenditure Projected to 30th June 2010 changed to \$45,000 from \$0, changing the Audit Committee Recommendation.

RESOLUTION

180310

Moved: Cr Boyle

Seconded: Cr Scott

“That Council:

- 1. adopts the 2009/10 Annual Budget Mid Year Review and the anticipated surplus as at the 30th June 2010 of \$364,748; and*
- 2. that a copy of the review be forwarded to the Department of Local Government within 30 days of Council having given consideration.”*

CARRIED (6/0)

**Item 9.3.3
Appendix A**

SHIRE OF YORK

ADOPTED BUDGET MID YEAR REVIEW
as at 31/01/2010

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2009/2010 BUDGET TO ACTUAL ANALYSIS									
COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS	
031118	Rates - Salaries	E	\$51,212	\$29,502	\$51,212	\$0	\$0	\$0 On target for annual expenditure	
031119	Rates - Superannuation	E	\$6,496	\$3,887	\$6,496	\$0	\$0	\$0 On target for annual expenditure	
031120	Admin OH/Head & Labour Costs	E	\$64,932	\$38,198	\$64,932	\$0	\$0	\$0 On target for annual expenditure	
031121	Long Service Leave	E	\$1,189	\$0	\$1,189	\$0	\$0	\$0 End of year provision	
031122	Cash Discrepancy	E	\$10	\$0	\$10	\$0	\$0	\$0 On target for annual expenditure	
031124	Doubtful Debts Provision	E	\$5,000	\$0	\$0	\$5,000	\$0	\$0 Unlikely to be used 2009/10	
031127	Rate Incentive	E	\$500	\$455	\$455	\$45	\$0	\$0 Finalised for 09/10	
031128	Map Purchases	E	\$1,000	\$0	\$0	\$1,000	\$0	\$0 None to be purchased this financial year	
031129	Valuation Expenses	E	\$12,000	\$1,919	\$12,000	\$0	\$0	\$0 Revaluation due May '10	
031130	Rate Write Offs Non Taxable	E	\$2,500	\$0	\$0	\$2,500	\$0	\$0 Unlikely to be used 2009/10 - Racecourse rates not accounted for in 2009/10	
031131	Other Expenses-Rates	E	\$500	\$0	\$500	\$0	\$0	\$0 Title searches as required	
031132	Rate Debt Recovery Cost	E	\$8,000	\$15	\$8,000	\$0	\$0	\$0 Will be close to budget - Invoice rec'd Jan '10 AMC \$7500	
031212	Rates	I	-\$3,010,978	-\$3,010,978	-\$3,010,978	\$0	\$0	\$0 On target for 09/10 revenue	
031213	EX Gratia Rates	I	-\$4,200	-\$7,285	-\$7,285	\$3,085	\$0	\$0 Increase on CBH storage	
031214	Rates Non Payment Penalty	I	-\$25,000	-\$24,959	-\$25,000	\$41	\$0	\$0 Interest on o/s rates - Est. further \$10000 to Jun '10	
031216	Less Rates Refunded Prior Yrs	E	\$0	\$2,358	-\$2,358	\$0	\$0	\$2,358 Not budgeted for in 2009/10	
031217	Rates Rounding Adjustment	E	\$0	-\$4	-\$4	\$4	\$0	\$0 On target for annual expenditure	
031218	Interim Rates	I	-\$15,000	-\$16,802	-\$24,000	\$9,000	\$0	\$0 Further \$8000 expected to 30/6/10	
031219	Interest On Rates Instalments	I	-\$12,000	-\$13,280	-\$14,000	\$2,000	\$0	\$0 Minimal from Jan '10 onwards	
031220	Instalment Admin Fee	I	-\$15,000	-\$15,284	-\$15,184	\$184	\$0	\$0 All admin fees on instalments raised	
031221	Becl Rates Prior Year	I	-\$1,000	-\$43	-\$43	\$0	\$0	\$957 No further revenue projected	
031222	Pensioner Deferred Rate Interest	I	-\$1,505	-\$1,505	-\$1,505	\$0	\$5	\$0 No further revenue projected	
031223	Est Non-Payment Penalty Interest	I	-\$750	-\$732	-\$750	\$0	\$0	\$0 On target for annual expenditure	
031230	Property Enquiry Fees	I	-\$11,000	-\$6,354	-\$8,000	\$0	\$0	\$3,000 Projected to receive \$8000	
031231	Rate Debt Recovery Non Taxable	I	-\$7,500	-\$0	-\$10	\$7,490	\$0	\$7,490 Reimb of AMC fees (no net effect)	
031232	Rates Debt Recovery Taxable	I	-\$10	-\$6,780	-\$7,500	\$0	\$0	\$0 Incorrect budget allocation, refer to budget for 31231 (no net effect)	
032260	Grant Funds (United)	I	-\$426,191	-\$213,050	-\$426,191	\$0	\$0	\$0 On target for annual income	
032270	Grant Local Road (United)	I	-\$374,280	-\$187,700	-\$374,280	\$0	\$0	\$0 On target for annual income	
039105	Sundry Expenses	E	\$2,000	\$0	\$0	\$2,000	\$0	\$0 Contingency only - budgeted for costs associated with Grants	
039106	Debt Recovery	E	\$2,000	\$146	\$2,000	\$0	\$0	\$0 Commission returns - potential saving of \$2000	
039107	Write Offs Taxable	E	\$2,500	\$0	\$2,500	\$0	\$0	\$0 Relates to sundry debtors - 2010/11 budget to be allocated to Function 4	
039199	Depreciation	E	\$180	\$45	\$180	\$0	\$0	\$0 Write offs to be allocated to appropriate functions	
039219	Charges Legal Costs	I	-\$100	\$0	-\$100	\$0	\$0	\$0 Non cash items	
039222	Interest Earned Munn & Trust	I	-\$74,682	-\$33,276	-\$74,682	\$0	\$0	\$0 Contingency only	
039227	Interest Earned Reserve Funds	I	-\$96,987	-\$41,846	-\$96,987	\$0	\$0	\$0 Investments maturing 1/1 to 30/6/10	
039228	Charges Legal Rates Non Tax	I	-\$50	\$0	-\$50	\$0	\$0	\$0 Investments maturing 1/1 to 30/6/10	
041101	Attendance Fees	E	\$36,050	\$27,037	\$36,050	\$0	\$0	\$0 Contingency only	
041102	Conference Expenses	E	\$18,900	\$7,150	\$22,900	\$0	\$0	\$0 On target for annual expenditure	
041103	Election Expenses	E	\$7,000	\$18,752	\$7,150	\$0	\$0	\$4,000 Anticipated budget over-run of \$4000 for ALGA Conference	
041104	Presidential Allowance	E	\$11,125	\$8,343	\$11,125	\$0	\$0	\$150 No further expenditure to 30/6/10	
041106	Refreshments & Receptions	E	\$22,000	\$103	\$22,000	\$0	\$0	\$0 On target for annual expenditure	
041107	Citizenships & Presentations	E	\$400	\$741	\$400	\$0	\$0	\$0 On target for annual expenditure	
041108	Printing & Stationery	E	\$2,300	\$5,220	\$2,300	\$0	\$0	\$0 Further binding of minutes Jun '10	
041109	Communication Allowance	E	\$6,980	\$1,611	\$6,980	\$0	\$0	\$0 On target for annual expenditure	
041110	Insurance	E	\$2,712	\$1,611	\$2,403	\$0	\$0	\$0 No further expenditure for 09/10	
041111	Subscriptions	E	\$11,456	\$9,053	\$11,456	\$0	\$0	\$0 No further expenditure for 09/10	
041112	Public Relations	E	\$28,450	\$14,936	\$18,450	\$0	\$0	\$0 Projected saving of \$10000	
041113	Community Projects	E	\$7,764	\$4,036	\$7,764	\$0	\$0	\$0 On target for annual expenditure	
041114	Other-Sundry	E	\$4,000	\$93	\$2,500	\$1,500	\$0	\$0 Statutory Compliance Return \$2500	
041115	Legal Fees	E	\$500	\$0	\$500	\$0	\$0	\$0 Contingency only	

COA Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
041116 Portraits & Plaques	E	\$1,000	\$0	\$0	\$0	\$1,000	\$0 Unlikely to be spent in 2009/10
041117 It Allowance	E	\$6,000	\$4,500	\$6,000	\$0	\$0	\$0 On target for annual expenditure
041118 Travel Expenses	E	\$1,500	\$0	\$1,000	\$500	\$0	\$0 Projected expenditure \$1000
041121 Maintenance - Chambers	E	\$500	\$80	\$500	\$0	\$0	\$0 Projected expenditure to budget amount
041122 Admin O/Head & Labour Cost	E	\$162,016	\$95,309	\$162,016	\$0	\$0	\$0 On target for annual expenditure
041124 Strategic Planning	E	\$16,000	\$0	\$15,000	\$0	\$0	\$0 Programmed for March 10
041127 Seavroc	E	\$29,854	\$73	\$29,854	\$0	\$0	\$0 Unspent grant funds to be repaid to providers - Awareness Training \$17000 held in Reserve 40 / Your's Welcome \$11000 held in Reserve 40
041128 Seavroc Connect Lg Project Exp	E	\$312,683	\$51,024	\$200,000	\$112,683	\$0	\$0 Any unspent amount to be transferred to Reserve Fund
041129 Seavroc York Contribution To Projects	E	\$30,000	\$0	\$30,000	\$0	\$0	\$0 Projected expenditure \$30000
041130 Seavroc Admin Overhead & Labour Cost	E	\$45,338	\$21,351	\$45,338	\$0	\$0	\$0 On target for annual expenditure
041131 Seavroc RFR Regional Projects Expenditure	E	\$756,000	\$0	\$0	\$756,000	\$0	\$0 Expenditure deferred by Government - 2010/11
041132 Seavroc Infomaps Plum Project Expenditure	E	\$147,205	\$0	\$147,205	\$0	\$0	\$0 On target for annual expenditure
041190 Depreciation Expense	E	\$656	\$165	\$656	\$0	\$0	\$0 Non cash items
041228 Seavroc Connect Lg Project Grant	I	-\$95,000	\$0	-\$95,000	\$0	\$0	\$0 To be claimed from DLG
041229 Seavroc Members Contrib To Cig Project	I	-\$100,000	\$0	-\$100,000	\$0	\$0	\$0 To be claimed from member Councils
041231 Seavroc RFR Regional Project Grants	I	-\$756,000	\$0	\$0	\$0	\$0	\$756,000 Payments deferred by Government - 2010/11
041232 Seavroc Infomaps Plum Project Grants	I	-\$97,205	\$0	-\$97,205	\$0	\$0	\$0 Subject to grant application
041237 Contributions And Donations	I	-\$100	\$0	-\$100	\$0	\$0	\$0 On target for annual expenditure
041238 Reimbursements Taxable Supply	I	-\$200	-\$2,667	-\$2,667	\$2,467	\$0	\$0 AROC Contributions reimbursed
041239 Reimbursements No Supply	I	-\$14,145	-\$12,706	-\$12,706	\$1,439	\$0	\$0 AROC Contributions reimbursed
041241 Seavroc Contributions	I	-\$50,000	\$0	-\$50,000	\$0	\$0	\$0 Grant application pending - unlikely to be invoiced 2009/10 - PLUM Project \$10000/Council
041428 Transfer Of Unspent Balance - SEAVROC to Reser	E	\$0	-\$300,000	\$112,683	\$0	\$0	\$112,683 Refer to account 41128
042100 Less Allocated To Schedules	I	-\$1,268,539	-\$741,705	-\$1,268,539	\$0	\$0	\$0 Incorrect allocation of funds - to be transferred to Bridge Reserve. \$29804 unspent disability grant funds to be repaid to providers
042104 Admin Garden Maintenance	E	\$4,110	\$2,407	\$4,110	\$0	\$0	\$0 On target for annual expenditure
042107 Insurance	E	\$66,951	\$69,302	\$66,302	\$0	\$0	\$0 On target for annual expenditure
042108 Superannuation Admin	E	\$87,363	\$52,486	\$87,363	\$0	\$0	\$2,351 No further expenditure 2009/10
042109 Administration - Salaries	E	\$623,980	\$416,776	\$623,980	\$0	\$0	\$0 On target for annual expenditure
042111 Housing Maintenance Fraser St	E	\$5,240	\$1,366	\$5,240	\$0	\$0	\$0 Maintenance work for rent tenant
042112 Housing Mince - Forbes Street	E	\$5,240	\$1,495	\$5,240	\$0	\$0	\$0 On target for annual expenditure
042113 Bad Debts Written Off	E	\$250	\$0	\$0	\$250	\$0	\$0 None projected
042114 Motor Vehicle Expenses	E	\$12,350	\$6,153	\$9,350	\$3,000	\$0	\$0 Potential saving of \$3000
042167 Dishonour Cheque Fees	E	\$80	-\$10	\$80	\$0	\$0	\$0 On target for projected expenditure - Journal incorrect receipt allocation \$50
042168 Fringe Benefits General	E	\$33,000	\$22,866	\$33,000	\$0	\$0	\$0 On target for annual expenditure
042169 Consultant Fees	E	\$45,836	\$25,146	\$45,836	\$0	\$0	\$0 City of Canning Invoice \$7000 rec'd Feb - further drgs to be rec'd 09/10 - Fin Mgmt Review \$10000
042171 Staff Training/Conferences	E	\$36,000	\$9,773	\$30,000	\$6,000	\$0	\$0 Projected expenditure to 30/6/10 of \$30000
042173 Staff Telephone Expenses	E	\$2,300	\$1,168	\$2,300	\$0	\$0	\$0 On target for annual expenditure
042175 Long Service Leave	E	\$13,698	\$0	\$13,698	\$0	\$0	\$0 None due to 30/6/10
042176 Admin Building Maintenance	E	\$66,505	\$31,596	\$66,505	\$0	\$0	\$0 To be fully expended by 30/6/10
042178 Admin Telephone	E	\$12,000	\$5,438	\$8,000	\$4,000	\$0	\$0 Potential saving of \$4000
042180 Admin Build - Internet Expense	E	\$7,620	\$7,243	\$7,620	\$0	\$0	\$0 Minimal further expenditure - raised annually in July
042181 Purchase Admin Maps	E	\$500	\$0	\$500	\$0	\$0	\$0 Contingency
042182 Staff Uniform Subsidy	E	\$7,000	\$2,014	\$7,000	\$0	\$0	\$0 New staff appointed expected to reach budget projection
042183 Office Expense - Printing	E	\$7,000	\$2,125	\$7,000	\$0	\$0	\$0 Reduced photocopy costs
042184 Office Exp-Stationary	E	\$12,000	\$3,725	\$9,000	\$3,000	\$0	\$0 Potential saving of \$3000
042185 Office Expenses-Advertising	E	\$12,000	\$2,017	\$8,000	\$4,000	\$0	\$0 Potential saving of \$4000
042186 Office Exp-Office Equip Mice	E	\$20,000	\$6,871	\$20,000	\$0	\$0	\$0 On target for annual expenditure

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance Favourable	Variance unfavourable	COMMENTS
042187	Office Expenses-Bank Charges	E	\$11,000	\$8,971	\$11,000	\$0	\$0	\$0 Should be close to budget - higher first half of year due to rates due date - higher EFTPOS use
042188	Office Exp-Computer Expenses	E	\$49,614	\$36,628	\$49,614	\$0	\$0	Possibly not reach full budget expenditure - IT Vision \$23000 paid July/ Prepaid hours to 30/6/10 PCS \$12000 paid Oct 09
042189	Office Exp-Postage/Freight	E	\$11,000	\$5,791	\$11,000	\$0	\$0	\$0 On target for annual expenditure
042190	Office Expenses-Sundry	E	\$4,000	\$1,927	\$4,000	\$0	\$0	\$0 On target for annual expenditure
042191	Relocation Expenses	E	\$6,000	\$1,227	\$6,000	\$0	\$0	\$0 Payable by 30/6/10
042193	Audit Fees	E	\$12,000	\$0	\$12,000	\$0	\$0	\$0 Invoiced to be received Jan-Feb and June
042195	Legal Expenses	E	\$10,000	\$0	\$10,000	\$0	\$0	\$0 Required to be used for Planning legal fees over expenditure
042196	Title Search	E	\$250	\$0	\$250	\$0	\$0	\$0 On target for annual expenditure
042198	Loss On Sale Of Assets - Admin Vehicles	E	\$7,076	\$0	\$7,076	\$0	\$0	\$0 On target for annual expenditure
042199	Depreciation Expense	E	\$93,434	\$19,222	\$93,434	\$0	\$0	\$0 Non cash items
042220	Contributions Taxable Supply	I	-\$150	\$0	-\$150	\$0	\$0	\$0 On target for annual income
042221	Reimbursements Taxable Supply	I	-\$3,000	-\$11,116	-\$11,116	\$8,116	\$0	\$0 CGIS Members Bonus funds \$7300 to be allocated to a project
042222	Reimbursements Staff Uniform	I	-\$1,250	\$0	-\$1,250	\$0	\$0	\$0 To be raised June 10 after all purchases finalised
042224	Charges-Other Non Tax Supply	I	-\$200	-\$82	-\$200	\$0	\$0	\$0 On target for budget projection
042225	Charges-Other Non Tax Supply	I	-\$150	-\$183	-\$150	\$0	\$0	\$0 Electoral roll / photocopy charges
042228	Reimbursements Non Tax Supply	I	-\$350	-\$230	-\$350	\$0	\$0	\$0 On target for annual income
042232	Proceeds Sale Of Assets - Admin Vehicles	I	-\$118,000	\$0	-\$118,000	\$0	\$0	\$0 Vehicle changeovers Feb/Mar 10 - offset by expense acct
042233	Housing Rent	I	-\$10,400	-\$6,600	-\$10,400	\$0	\$0	\$0 Reduced as Fraser St house vacant
042339	Vehicles Geol/Deco	E	\$138,000	\$0	\$138,000	\$0	\$0	\$0 SEAVROC Software \$20000, Office Furn \$10000, Electronic Whiteboard \$3500, Server Upgrade \$10000 - Potential savings of \$30000 - some projects unlikely to proceed
043142	Furniture & Equipment Admin	E	\$67,000	\$805	\$37,000	\$30,000	\$0	
043143	Transfers To Reserve Funds	E	\$9,966	\$4,300	\$9,966	\$0	\$0	\$0 Transfers to be done prior 30/6/10
040400	Transfer From Reserve - Governance / Admin	I	-\$18,500	\$0	-\$18,500	\$0	\$0	\$0 Transfers to be done after Mar 10
051101	Admin O/Head & Labour Costs	E	\$58,628	\$34,489	\$58,628	\$0	\$0	\$0 On target for annual expenditure
051103	Fire Insurance	E	\$14,633	\$9,250	\$9,250	\$5,383	\$0	\$0 Saving of \$5000 reduced premiums
051104	Communication Mice & Repairs	E	\$2,780	\$677	\$2,780	\$0	\$0	\$0 Costs to come after fire season
051105	Fire Control Expenses	E	\$10,035	\$7,298	\$10,035	\$0	\$0	\$0 No major expenses to date
051107	Fire Breaks	E	\$12,520	\$77	\$12,520	\$0	\$0	\$0 On target for annual expenditure
051108	Staff Training	E	\$1,800	\$133	\$1,800	\$0	\$0	\$0 New Ranger training required
051109	Ranger Vehicle Expenses	E	\$6,300	\$2,853	\$4,000	\$2,900	\$0	\$0 Use has been minimised
051113	Computer Maintenance	E	\$600	\$563	\$600	\$0	\$0	\$0 On target for annual expenditure
051115	Talbot Fire Base Maintenance	E	\$300	\$600	\$600	\$0	\$0	\$300 No further payments in 09/10
051120	Fire Control - Salaries	E	\$21,743	\$12,511	\$21,743	\$0	\$0	\$0 On target for annual expenditure
051121	Fire Control - Superannuation	E	\$3,450	\$1,855	\$3,450	\$0	\$0	\$0 On target for annual expenditure
051122	Fire Control - Long Service Leave	E	\$786	\$0	\$786	\$0	\$0	\$0 Not applicable in 09/10
051125	Plant & Equipment Maintenance	E	\$500	\$0	\$500	\$0	\$0	\$0 Maintenance at end of fire season
051126	Vehicle Maintenance	E	\$9,000	\$9,420	\$8,853	\$1,147	\$0	\$0 Budget timing - Insurances paid at beginning of year
051127	Land & Buildings Maintenance	E	\$1,150	\$109	\$1,150	\$0	\$0	\$0 Further maintenance expected at end of fire season
051128	Protective Clothing	E	\$6,000	\$484	\$6,000	\$0	\$0	\$0 Purchase prior to 31/5/10
051129	Other Goods & Services	E	\$1,450	\$0	\$1,450	\$0	\$0	\$0 Contingency only
051198	Loss On Sale Of Assets - Ranger'S Vehicle	E	\$2,106	\$0	\$2,106	\$0	\$0	\$0 Needs to be assessed
051199	Depreciation Expense	E	\$71,512	\$18,160	\$71,512	\$0	\$0	\$0 Non cash items
051201	Est Commission	I	-\$4,100	\$0	-\$4,100	\$0	\$0	\$0 Included in acct 5/12/20 - to be reallocated
051217	Fines & Penalties Fire Prevention	I	-\$4,000	-\$2,000	-\$4,000	\$0	\$0	\$0 On target for annual expenditure
051220	Est Grants	I	-\$21,749	-\$18,304	-\$21,749	\$0	\$0	\$0 Funds to date include ESL Commission budgeted for in 5/12/01 - funds to be received by 30/6/10
051221	Reimbursements - Fire Break	I	-\$6,000	-\$66	-\$6,000	\$0	\$0	\$0 Changes to be raised Feb 10
051224	Reimbursements Taxable Supply	I	-\$10	-\$480	-\$480	\$470	\$0	\$0 Unexpected reimbursement
051225	Fesa Capital Grants	I	-\$212,370	\$0	-\$212,370	\$0	\$0	\$0 Back entry for new fire unit
051228	Proceeds Sale Of Assets - Ranger'S Vehicle	I	-\$20,000	\$0	-\$20,000	\$0	\$0	\$0 Needs to be assessed
051336	Fire Tender	E	\$212,370	\$0	\$212,370	\$0	\$0	\$0 Back entry only

GOA Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
051339 Ranger Vehicle	E	\$50,000	\$0	\$50,000	\$0	\$0	\$0 Needs to be assessed
052153 Animal Control - Salaries	E	\$40,379	\$15,935	\$33,379	\$7,000	\$0	\$0 Likely saving of \$7,000 - position vacant
052164 Animal Control - Superannuation	E	\$3,575	\$1,545	\$2,575	\$1,000	\$0	\$0 Likely saving of \$1,000 - position vacant
052165 Uniform Allowance	E	\$500	\$0	\$500	\$0	\$0	\$0 New Ranger uniform required
052166 Admin O/Head & Labour Costs	E	\$66,950	\$39,984	\$66,950	\$0	\$0	\$0 On target for annual expenditure
052167 Long Service Leave	E	\$786	\$0	\$786	\$0	\$0	\$0 Not applicable in 09/10
052169 Sundry Expenditure	E	\$12,518	\$5,854	\$12,518	\$0	\$0	\$0 On target for annual expenditure
052170 Staff Training & Conferences	E	\$750	\$0	\$750	\$0	\$0	\$0 New Ranger training required
052199 Depreciation Expense	E	\$561	\$216	\$561	\$0	\$0	\$0 Non cash items
052282 Fines & Penalties Animal Control	E	\$-1,000	\$-300	\$-1,000	\$0	\$0	\$0 On target for annual expenditure
052283 Charges-impounding Fees	E	\$-1,200	\$-1,383	\$-2,200	\$1,000	\$0	\$0 Additional \$1,000 to be expected
052284 Charges-Dog Registration	E	\$-6,100	\$-5,104	\$-6,100	\$0	\$0	\$0 Should be close to reaching budgeted income
052285 Sundry Income Tax Supply	E	\$-12,000	\$-6,295	\$-12,000	\$0	\$0	\$0 Ranger services to other Councils reimbursed
052289 Dog Tag Replacements	E	\$0	\$-10	\$0	\$0	\$0	\$0 On target for annual expenditure
053111 Rural Street Numbering	E	\$3,000	\$1,242	\$3,000	\$0	\$0	\$0 On target for annual expenditure
053120 Abandoned Vehicle Expenditure	E	\$1,200	\$22	\$1,000	\$1,100	\$0	\$0 Unlikely to be spent
053130 Local Emergency Planning Expenditure	E	\$1,000	\$0	\$1,000	\$0	\$0	\$0 Meeting expenses not incurred to date
53201 Government Grant Crime Prevention	I	\$0	\$-1,200	\$-1,200	\$1,200	\$0	\$0 On target for annual expenditure
053202 Developers' Contributions To Rural Numbers	I	\$-300	\$-50	\$-300	\$0	\$0	\$0 On target for annual expenditure
053220 Abandoned Vehicle Income	I	\$-500	\$0	\$-500	\$0	\$0	\$500 On target for annual expenditure
066101 Admin O/Head & Labour Costs	E	\$5,043	\$2,965	\$5,043	\$0	\$0	\$0 On target for annual expenditure
067101 Cent Units Build/Garden Mice	E	\$38,823	\$16,273	\$38,823	\$0	\$0	\$0 On target for annual expenditure
067199 Depreciation Expense	E	\$1,371	\$346	\$1,371	\$0	\$0	\$0 Non cash items
067202 Rent Centennial Units	E	\$-19,800	\$-9,746	\$-15,000	\$0	\$0	\$4,800 Unlikely to meet budgeted income due to vacant units
067401 Transfer From Reserve -Centennial Units	I	\$-27,023	\$0	\$-27,023	\$0	\$0	\$0 Operating loss - end of year transfer subject to income and expenditure
068101 Maintenance Pml	E	\$16,550	\$5,650	\$16,550	\$0	\$0	\$0 Reduced expenditure - PML agreement
068199 Depreciation	E	\$17,842	\$4,597	\$17,842	\$0	\$0	\$0 Non cash items
068201 Contributions & Donations Pml	E	\$0	\$-1,507	\$-1,507	\$0	\$1,507	\$1,507 PML Insurance 2009/10 reimbursed
068301 Transfer To Reserve - Aged Facilities	E	\$11,177	\$4,822	\$11,177	\$0	\$0	\$0 End of year transaction
068304 Centennial Units - Building Capital	E	\$8,000	\$0	\$8,000	\$0	\$0	\$0 On track for projected expenditure
068401 Transfer From Reserve Pml	E	\$-16,550	\$0	\$-16,550	\$0	\$0	\$0 Unlikely to be used
069101 Education Expenses	E	\$6,500	\$6,500	\$6,500	\$0	\$0	\$0 On track for projected expenditure
071901 Loss On Sale Of Assets - Eho Vehicle	E	\$3,309	\$0	\$3,309	\$0	\$0	\$0 On target for annual expenditure
077155 Health - Salaries	E	\$169,444	\$36,854	\$144,444	\$25,000	\$0	\$0 Potential saving of \$25,000
077156 Health - Superannuation	E	\$23,598	\$6,106	\$18,598	\$5,000	\$0	\$0 Potential saving of \$5,000
077157 Admin O/Head & Labour Costs	E	\$57,367	\$33,949	\$57,367	\$0	\$0	\$0 On target for annual expenditure
077158 Long Service Leave	E	\$3,864	\$0	\$3,864	\$0	\$0	\$0 End of year transaction
077160 Health Control Expenses	E	\$11,370	\$1,831	\$11,370	\$0	\$0	\$0 Contingency for court costs & legal exp \$7,000 - not spent as at 31/12/09 - offset savings to planning legal fees
077161 Staff Training Eho	E	\$6,000	\$1,368	\$4,000	\$2,000	\$0	\$0 Potential saving of \$2,000
077162 Vehicle Operating Expenses	E	\$12,500	\$3,825	\$12,500	\$0	\$0	\$0 Stock to be entered & updated
077166 Health Promotions	E	\$800	\$0	\$800	\$0	\$0	\$0 On target for annual expenditure
077199 Depreciation Expense	E	\$878	\$878	\$878	\$0	\$0	\$0 Non cash items
077255 Health Reimbursements	E	\$-37,500	\$0	\$-30,500	\$0	\$0	\$17,000 Contract health services to SEAV/ROC Shires not likely to be received - potential loss \$17,000
077273 Health Prosecutions	I	\$-3,500	\$0	\$0	\$0	\$0	\$3,500 Not likely to be received in 2009/10
077274 Septic Tank App Fee Charges	I	\$-3,500	\$-2,438	\$-3,500	\$0	\$0	\$0 On target for budget projections
077275 Septic Inspection Fee	I	\$-3,000	\$-1,538	\$-3,000	\$0	\$0	\$0 On target for annual expenditure
077276 Proceeds Sale Of Assets - Eho Vehicle	I	\$-50,000	\$0	\$-52,000	\$0	\$0	\$28,000 Income offset by acct 77305
077277 Health Act -Charges	I	\$-5,587	\$-5,587	\$-5,587	\$0	\$0	\$0 Raised Sept 09 annual chgs - aifresno / offensive trades
077278 Trading Public Places -Charges	I	\$-4,000	\$-2,074	\$-4,000	\$0	\$0	\$0 Likely to receive budgeted income for expected events
077305 Plant And Equipment Capital	E	\$60,000	\$0	\$30,000	\$30,000	\$0	\$30,000 Budgeted for 2 EHO vehicle changeovers - one changeover Feb 10 only

GOA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance Favourable	Variance Unfavourable	COMMENTS
079113	Analytical Expenses	E	\$580	\$555	\$580	\$0	\$0	\$0 On target for annual expenditure
079158	Medical Pract Vehicle Expenses	E	\$8,680	\$4,387	\$13,680	\$0	\$0	\$5,000 Third vehicle due - likely to exceed by \$5000
079160	Housing Maintenance Mtd 24 Ford Street	E	\$6,418	\$5,986	\$18,418	\$0	\$0	\$12,000 Projected further expenditure \$12000 for air con replacement
079161	Housing Maintenance - 2 Dinsdale St	E	\$6,630	\$2,383	\$6,630	\$0	\$0	\$0 On target for budget projections
079162	Medical Pract Sundry Expenses	E	\$50	\$0	\$50	\$0	\$0	\$0 On target for annual expenditure
079163	Medical Expenses Other	E	\$6,700	\$1,700	\$6,700	\$0	\$0	\$0 Contribute to Mens Health day \$1700 / Friends of Ambulance \$5000 - invoice not yet rec'd
079199	Depreciation	E	\$5,521	\$1,403	\$5,521	\$0	\$0	\$0 Non cash items
079301	Furniture Doctors	E	\$3,000	\$4,406	\$3,000	\$0	\$0	\$0 To be partly funded by RLCP subject to govt decisions
101101	Admin O/Head & Labour Costs	E	\$46,903	\$27,591	\$46,903	\$0	\$0	\$0 On target for annual expenditure
101103	Litter Control	E	\$550	\$177	\$550	\$0	\$0	\$0 On target for annual expenditure
101104	Recycling Services	E	\$69,000	\$32,805	\$69,000	\$0	\$0	\$0 On target for budget projections
101105	Seawroc Regional Waste Minimisation Strategy	E	\$94,400	\$666	\$94,400	\$0	\$0	\$0 Materials & Contractis \$60000 / E-Waste \$34400
101106	Waste Management Facility Mice	E	\$8,585	\$1,221	\$8,585	\$0	\$0	\$0 Contingency only
101107	Advertising	E	\$1,000	\$0	\$0	\$1,000	\$0	\$0 Expenses for recycling calendar and verge collection flyer allocated to admin stationery
101108	Avon Waste - Transfer Sin Op	E	\$117,000	\$50,042	\$117,000	\$0	\$0	\$0 On target for budget projections
101109	Refuse Collection (Contractor)	E	\$126,000	\$64,519	\$126,000	\$0	\$0	\$0 On target for budget projections
101110	Dumping/Disposal Fees	E	\$77,000	\$36,699	\$77,000	\$0	\$0	\$0 On target for budget projections
101113	Drum Muster Collection	E	\$6,945	\$2,282	\$6,945	\$0	\$0	\$0 On target for budget projections
101114	Skip Bins Verge Collection	E	\$20,600	\$10,989	\$20,600	\$0	\$0	\$0 On target for budget projections
101115	Bulk Rubbish Verge Collection	E	\$20,000	\$8,843	\$20,000	\$0	\$0	\$0 On target for budget projections
101199	Depreciation	E	\$9,455	\$2,383	\$9,455	\$0	\$0	\$0 Non cash items
101214	Charges-Rubbish Service	I	-\$223,650	-\$224,467	-\$224,467	\$817	\$0	\$0 Only minor further income
101215	Bin Service-Additional Bins	I	-\$98,760	-\$98,278	-\$98,760	\$0	\$0	\$0 Only minor further income
101216	Waste Management Levy	I	-\$123,350	-\$123,305	-\$123,350	\$0	\$0	\$0 Only minor further income
101219	Reimbursements Non Taxable	I	-\$6,945	\$0	-\$1,500	\$0	\$0	\$5,445 Unlikely to receive all budgeted income - Drummuster reimbursement to be raised Feb 10 - \$760
101225	Operating Grants - Waste Management	I	-\$49,400	-\$7,432	-\$49,400	\$0	\$0	\$0 Rec'd final instal. Zero Waste grant / first instal WARR - awaiting Govt Grant - E-waste 34K
101370	Waste Management Infrastructure	E	\$20,000	\$0	\$20,000	\$0	\$0	\$0 Complete by 30/4/10
101371	Waste Management Land & Buildings	E	\$9,000	\$0	\$9,000	\$0	\$0	\$0 Ringlock fencing to be completed by 30/4/10
101375	Transfer To Reserve	E	\$8,946	\$3,860	\$8,946	\$0	\$0	\$0 End of year transaction
101427	Transfer From Reserve - Waste Management Retail	I	-\$74,000	\$0	-\$74,000	\$0	\$0	\$0 \$29000 Shire project to be expended - \$45000 SEAVROC project to be determined
102147	Street Bin Collection - Contract	E	\$6,500	\$2,650	\$5,500	\$1,500	\$0	\$0 Unlikely to reach budget projections - potential saving of \$1500
102148	Main Street Bins - Mice	E	\$1,500	\$0	\$1,500	\$0	\$0	\$0 Maintenance programme to be initiated
102199	Depreciation Expense	E	\$153	\$39	\$153	\$0	\$0	\$0 Non cash items
105101	Maintenance Exp Tree Planter	E	\$250	\$104	\$250	\$0	\$0	\$0 On target for annual expenditure
105102	Roadside Conservation	E	\$1,000	\$0	\$1,000	\$0	\$0	\$0 Regional NRM Officer expenses
105103	Weed / Pest Control Programmes	E	\$1,000	\$402	\$1,000	\$0	\$0	\$0 On target for budget projections
105104	Environmental Control Expenses	E	\$6,000	\$0	\$6,000	\$0	\$0	\$0 IM Bakewell Env. Mgmt Plan / Community proj \$1000
105105	Rural Towns - Liquid Assets	E	\$24,500	\$0	\$24,500	\$0	\$0	\$0 Available for Main Street and Townsile drainage
105254	Charges - Tree Planter	I	-\$240	-\$120	-\$240	\$0	\$0	\$0 On target for budget projections
105255	Reimbursements	I	-\$10	\$0	-\$10	\$0	\$0	\$0 On target for annual expenditure
106180	Planning - Salaries	E	\$180,408	\$68,259	\$150,408	\$30,000	\$0	\$0 Savings of \$30000 in 2009/10
106181	Planning - Superannuation	E	\$24,913	\$10,321	\$19,913	\$5,000	\$0	\$0 Savings of \$5000 in 2009/10
106182	Planning - Long Service Leave	E	\$4,603	\$0	\$4,603	\$0	\$0	\$0 On target for annual expenditure
106184	Admin O/Head & Labour Costs	E	\$120,409	\$70,832	\$120,409	\$0	\$0	\$0 On target for budget projections
106185	Control Exp-Plan Consultant	E	\$17,000	\$0	\$0	\$17,000	\$0	\$0 Unlikely to be used
106186	Control Expenses-Advertising	E	\$15,000	\$6,462	\$11,000	\$4,000	\$0	\$0 Potential saving of \$4000
106187	Control Expenses-Legal Fees	E	\$20,000	\$16,480	\$20,000	\$0	\$0	\$0 On target for budget projections
106188	Control Expenses-Sundry	E	\$7,000	\$4,000	\$7,000	\$0	\$0	\$0 On target for budget projections
106192	Vehicle Operating Expenses Planner	E	\$6,500	\$2,589	\$4,500	\$2,000	\$0	\$0 Anticipated saving of \$2000

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance	Variance	COMMENTS
106193	Housing Mtc Osnaburg- Planner	E	\$5,190	\$2,026	\$5,190	\$0	\$0	\$0 On target for budget projections
106194	Heritage Review Guidelines	E	\$10,500	\$8,750	\$9,000	\$1,500	\$0	\$0 Only minor further expenditure
106198	Loss On Sale Of Assets - Planning Vehicle	E	\$2,495	\$4,768	\$4,768	\$0	\$2,273	\$0 Trade in lower than budget estimate
106199	Depreciation	E	\$8,803	\$2,957	\$8,803	\$0	\$0	\$0 Non cash items
106200	Reimbursements-Advertising	E	\$7,000	-\$4,050	-\$7,000	\$0	\$0	\$0 On target for budget projections
106201	Sale Of Text Scheme Texts	I	-\$35	\$0	-\$35	\$0	\$0	\$0 On target for annual expenditure
106202	Appl Planning Consent Charges	I	-\$20,000	-\$10,503	-\$20,000	\$0	\$0	\$0 On target for budget projections
106203	Rezoning Application Charges	I	-\$2,500	\$0	-\$2,500	\$0	\$0	\$0 On target for annual expenditure
106204	Sub Div/Amalgamate Clearance	I	-\$1,000	-\$1,416	-\$2,000	\$1,000	\$0	\$0 Potential increased income of \$1000
106206	Planning/Engineering Supervision Fee	I	-\$15,000	\$0	\$0	\$0	\$15,000	\$0 Unlikely to be received
106209	Other Planning Income - Taxable	I	\$0	-\$2,444	-\$2,444	\$0	\$2,444	\$0 On target for annual expenditure
106210	Proceeds Sale Of Assets - Planning Vehicle	I	-\$50,000	-\$20,241	-\$50,000	\$0	\$0	\$0 On target for budget projections
106211	Sale Planning Services To Seavroc	I	-\$50,000	\$0	-\$5,000	\$0	\$0	\$45,000 Only minor income to be received 2009/10
106212	Payment In Lieu Of Carparking	I	-\$3,815	\$0	\$0	-\$3,815	\$0	\$3,815 No 2009/10 projects
106214	Rent Received Planner'S House 2	I	-\$5,200	-\$3,700	-\$5,200	\$0	\$0	\$0 On target for budget projections
106215	Reimburse- Planning Legal Expenses	I	-\$10,000	-\$9,14	-\$9,14	\$0	\$0	\$9,086 Subject to court case GT Homes
106223	Realisation on Sale of Assets	E	\$0	\$20,241	\$20,241	\$0	\$0	\$0 Book entry only
106301	Transfer To Reserve	E	\$4,780	\$2,062	\$4,780	\$0	\$0	\$0 On target for annual expenditure
106302	Town Planning Plant & Equipment	E	\$60,000	\$30,758	\$60,000	\$0	\$0	\$0 On target for budget projections
109101	Admin O/Head & Labour Costs - Cemetry	E	\$2,900	\$1,706	\$2,900	\$0	\$0	\$0 On target for annual expenditure
109137	Cemetry Maintenance	E	\$105,464	\$34,987	\$106,464	\$0	\$0	\$0 Tree removal deferred - reallocate to other projects
109141	Street Furniture Maintenance	E	\$3,835	\$140	\$2,835	\$1,000	\$0	\$0 Potential saving of \$1000
109143	Toilets Howick St Maintenance	E	\$16,083	\$9,430	\$16,083	\$0	\$0	\$0 On target for annual expenditure
109144	Sewerage Ponds Maintenance	E	\$9,200	\$902	\$9,200	\$0	\$0	\$0 Clean out required by 30/6/10
109145	Contribution To Sewerage Scheme Extension	E	\$33,000	\$45	\$33,000	\$12,000	\$0	\$0 Invoice rec'd from Water Corp Jan 10 \$21000
109149	Youth Development Contribution	E	\$3,000	\$45	\$3,000	\$0	\$0	\$0 On target for annual expenditure
109152	Youth Scholarship Programs	E	\$3,000	\$2,362	\$4,380	\$0	\$0	\$0 Transfer to reserve for future programs
109154	Loan 60 Redemption Interest	E	\$4,380	-\$27	\$800	\$0	\$0	\$0 On target for annual expenditure
109155	Yac Fundraising Expenses	E	\$800	-\$27	\$800	\$0	\$0	\$0 On target for annual expenditure
109156	Admin O/Heads And Labour Costs - Youth Services	E	\$2,900	\$1,506	\$2,900	\$0	\$0	\$0 On target for budget projections
109158	Yac Grants Expenditure	E	\$7,000	\$2,571	\$7,000	\$0	\$0	\$0 On target for budget projections
109160	Youth Services - Salaries	E	\$32,086	\$15,057	\$32,086	\$0	\$0	\$0 Grants for completion by 30/6/10
109161	Youth Services - Superannuation	E	\$3,095	\$1,183	\$3,095	\$0	\$0	\$0 On target for budget projections
109163	Contributions To Youth Organisations	E	\$1,550	\$0	\$1,550	\$0	\$0	\$0 On target for budget projections
109171	Long Service Leave	E	\$860	\$1,266	\$560	\$0	\$0	\$0 Council contribution towards York Scouts Facilities extensions.
109199	Depreciation Expense	E	\$4,454	\$1,266	\$4,454	\$0	\$0	\$0 Non cash items
109250	Grave Reservation Fees	E	-\$2,000	-\$670	-\$2,000	\$0	\$0	\$0 On target for annual expenditure
109251	Cemetry - Search & Copy Fees	E	-\$30	\$0	-\$30	\$0	\$0	\$0 On target for annual expenditure
109253	Cemetry Fees-Burial & Internment	E	-\$21,000	-\$5,840	-\$10,000	\$0	\$0	\$11,000 Unlikely to reach budget projections
109254	Cemetry-Plates	E	-\$1,500	-\$805	-\$1,500	\$0	\$0	\$0 On target for budget projections
109255	Cemetry Monument Permit	E	-\$2,000	-\$998	-\$2,000	\$0	\$0	\$0 On target for budget projections
109256	Cemetry-Undertaker License	E	-\$2,300	-\$600	-\$1,000	\$0	\$0	\$1,300 Unlikely to reach budget projections
109260	Reimbursement Water Supply Ssl 60 (Principal & In	I	-\$4,380	-\$9,921	-\$4,380	\$0	\$0	\$0 Raised thru rates - annual JNL & Trust transfers to be processed.
109262	Yac Fundraising Income	I	-\$800	-\$86	-\$800	\$0	\$0	\$0 On target for annual expenditure
109266	Youth Development Grants	I	-\$4,000	-\$2,475	-\$4,000	\$0	\$0	\$0 On target for annual expenditure
109267	Yac General Income- Holiday Programmes	I	-\$800	-\$148	-\$600	\$0	\$0	\$0 On target for budget projections
109269	Charges Liquid Waste Removal	I	\$12,500	-\$6,955	-\$12,500	\$0	\$0	\$0 On target for budget projections
109270	Contributions & Donations Youth Advisory Council	I	-\$10	-\$100	-\$10	\$0	\$0	\$0 Balance against acct 109143
109305	Toilets Howick St Car Park	E	\$1,500	\$2,331	\$1,500	\$0	\$0	\$0 Loan principal - loan repay. due Feb 10
109388	Principal On Loans - Water Supply	E	\$8,363	\$4,109	\$8,363	\$0	\$0	\$0 On target for annual expenditure
109390	Transfer To Reserve	E	\$2,290	\$988	\$2,290	\$0	\$0	\$0 On target for annual expenditure
108405	Principal Repaid Ssl 60	I	-\$6,363	\$0	-\$8,363	\$0	\$0	\$0 Year end JNL to be processed
111101	Old Fire Station	E	\$6,690	\$3,092	\$6,690	\$0	\$0	\$0 On target for budget projection
111102	Town Hall	E	\$79,588	\$44,137	\$79,588	\$0	\$0	\$0 On target for budget projection

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
111103	Scout Hall	E	\$340	\$149	\$340	\$0	\$0	\$0 On target for budget projection
111104	Greenhills Hall	E	\$4,200	\$4,200	\$4,200	\$0	\$0	\$0 No further payments 2009/10
111106	Interest On Loans - Collocation Facility	E	\$5,950	\$0	\$0	\$5,950	\$0	\$0 Not to be raised 2009/10
111107	Talbot Hall	E	\$4,200	\$0	\$4,200	\$0	\$0	\$0 No further payments 2009/10
111120	Admin O/Head & Labour Costs	E	\$35,807	\$21,064	\$35,807	\$0	\$0	\$0 On target for budget projection
111199	Depreciation Expense	E	\$23,883	\$6,109	\$23,883	\$0	\$0	\$0 Non cash items
111215	Reimbursements	E	\$50	\$0	\$50	\$0	\$0	\$0 On target for annual expenditure
111216	Hall Hire - Charges	E	\$12,000	\$3,040	\$6,000	\$6,000	\$0	\$0 On target for budget projection
111218	Liquor License Charges	E	\$250	\$231	\$250	\$0	\$0	\$0 On target for annual expenditure
111224	Tenant Charges Old York Fire Station	E	\$250,000	\$0	\$0	\$250,000	\$0	\$0 On target for annual expenditure
111225	Grants - Royalties For Regions	E	\$2,440	\$2,340	\$2,340	\$0	\$0	\$0 Unlikely to receive in 2009/10
111302	Town Hall Furniture & Equipment	E	\$908,157	\$608,157	\$608,157	\$0	\$0	\$100 No further income in 2009/10
111303	Loan Redemption Principal - Collocation Facility	E	\$20,000	\$3,982	\$20,000	\$0	\$0	\$300,000 R4R payments for 2009/10 deferred
111305	Transfer To Reserve	E	\$6,181	\$0	\$1,854	\$6,181	\$0	\$0 Expend balance by 30/6/10
111306	Co-Location Facility	E	\$1,854	\$800	\$1,854	\$0	\$0	\$0 Interest earned - further interest to be received by 30/6
111308	Youth Centre Building	E	\$1,530,000	\$0	\$20,000	\$1,510,000	\$0	\$0 Maximum expenditure of \$20,000 in 2009/10
111402	Transfer From Reserve - Halls Civic Centres	E	\$100,000	\$0	\$100,000	\$0	\$0	\$0 To be completed by 30/06/10
111403	Loan Proceeds - Co-Location Building	E	\$15,000	\$0	\$15,000	\$0	\$0	\$0 Contributions to Townhall plans
113029	Town Hall Building	E	\$350,000	\$0	\$0	\$350,000	\$0	\$0 Unlikely to take up in 2009/10
12072	Grants Government	E	\$30,000	\$0	\$30,000	\$0	\$0	\$0 Development planning commences 23/2/10
112150	Swimming Pool - Salaries	E	\$59,696	\$30,833	\$59,696	\$0	\$0	\$0 R4R grants deferred to 2010/11 - but R/CLIP \$23000 allocated for starting blocks and sewer connection
112151	Swimming Pool - Superannuation	E	\$7,839	\$4,293	\$7,839	\$0	\$0	\$0 On target for budget projection
112153	Admin O/Head & Labour Costs	E	\$92,671	\$54,515	\$92,671	\$0	\$0	\$0 On target for budget projection
112154	Long Service Leave	E	\$1,299	\$0	\$1,299	\$0	\$0	\$0 On target for budget projection
112155	Swimming Pool-Water	E	\$8,600	\$3,267	\$6,600	\$2,000	\$0	\$0 On target for budget projection
112156	Swimming Pool-Electricity	E	\$8,800	\$3,265	\$8,800	\$0	\$0	\$0 Potential saving of \$2,000
112157	Swimming Pool - Chemicals	E	\$7,800	\$7,284	\$9,800	\$0	\$0	\$0 Accounts to be received Jan-April 10
112158	General Maintenance Pool	E	\$21,760	\$8,883	\$21,760	\$0	\$0	\$2,000 \$2,000 budget overrun expected
112159	Telephone	E	\$800	\$290	\$800	\$0	\$0	\$0 Expend by 30/6/10
112164	Pool Garden Maintenance	E	\$5,000	\$4,287	\$5,000	\$0	\$0	\$0 Oct/Nov high labour costs - gelling up to sid for pool season
112199	Depreciation Expense	E	\$15,817	\$3,989	\$15,817	\$0	\$0	\$0 Minor budget savings expected
112273	Pool Admission Charge	E	\$24,500	\$19,728	\$24,500	\$0	\$0	\$0 Oct/Nov high labour costs - gelling up to sid for pool season
112277	Reimbursements - Non Taxable	E	\$10	\$0	\$10	\$0	\$0	\$0 Non cash items
112303	Building Pool	E	\$110,603	\$12,250	\$0	\$110,603	\$0	\$0 On target for budget projection
113100	Avon Park Maintenance	E	\$57,728	\$29,707	\$57,728	\$0	\$0	\$0 Works to be deferred to 2010/11 as R4R funds deferred. Other grants to be obtained if possible
113101	Johanna Whitley Park Maintenance	E	\$5,150	\$6,301	\$5,150	\$0	\$0	\$0 On target for budget projection
113102	Peace Grove Maintenance	E	\$21,660	\$17,110	\$21,660	\$0	\$0	\$0 On target for budget projection
113103	War Memorial Gardens Maintenance	E	\$6,940	\$3,174	\$6,940	\$0	\$0	\$0 High water costs to date
113104	Sundry Parks & Reserve	E	\$62,850	\$19,351	\$62,850	\$0	\$0	\$0 On target for budget projection
113105	Hemelia St Gardens Maintenance	E	\$100	\$24	\$100	\$2,450	\$0	\$0 Potential savings to be allocated to other parks
113106	Gwamb/Avon Ascent Maintenance	E	\$18,560	\$9,216	\$18,560	\$0	\$0	\$0 Potential savings to be allocated to other parks
113107	Arboretum Maintenance - Ford/Grey St	E	\$1,800	\$366	\$1,800	\$0	\$0	\$0 On target for budget projection
113108	Wonger St Reserve Maintenance	E	\$1,385	\$0	\$1,000	\$800	\$0	\$0 On target for budget projection
113111	Loan Redemption Interest - Forrest Oval	E	\$4,250	\$0	\$0	\$4,250	\$0	\$0 Potential savings of \$800
113112	Youth Skale Park	E	\$880	\$0	\$0	\$880	\$0	\$0 Unlikely to spend in 2009/10
113115	Toilets Avon Park	E	\$28,060	\$512	\$480	\$400	\$0	\$0 Potential savings of \$400
113116	Mt Brown Park Maintenance	E	\$14,840	\$15,791	\$28,060	\$0	\$0	\$0 On target for budget projection
113117	Candice Bateman Park Maintenance	E	\$11,900	\$7,343	\$14,840	\$0	\$0	\$0 Autumn projects to be undertaken
113118	Moro Cross Track Maintenance	E	\$3,663	\$2,316	\$3,663	\$0	\$0	\$0 On target for budget projection
113119	Avon Walk Trail Maintenance	E	\$11,500	\$725	\$11,500	\$0	\$0	\$0 Major work required
113120	Gardener Vehicles	E	\$3,200	\$63	\$3,200	\$0	\$0	\$0 Intend to upgrade and spend by 30/6/10
				\$63	\$3,200	\$0	\$0	\$0 Stock adjustments to be processed

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
113121	Bowling Club Maintenance	E	\$3,550	\$1,966	\$3,550	\$0	\$0	\$0 On target for budget projection
113122	Racecourse Maintenance	E	\$45,000	\$0	\$30,000	\$15,000	\$0	\$0 Potential savings of \$15000
113151	Admin O/Head & Labour Costs	E	\$92,671	\$54,515	\$92,671	\$0	\$0	\$0 On target for budget projection
113152	Long Service Leave	E	\$852	\$0	\$852	\$0	\$0	\$0 On target for budget projection
113153	Forrest Oval Stadium Mice	E	\$30,403	\$25,260	\$30,403	\$0	\$0	\$0 On target for budget projection
113155	Forrest Oval Pavilion	E	\$10,830	\$6,125	\$10,830	\$0	\$0	\$0 On target for budget projection
113156	Forrest Oval Grounds Maint	E	\$44,770	\$29,356	\$44,770	\$0	\$0	\$0 On target for budget projection
113157	Forrest Oval Water Supplies	E	\$29,205	\$14,236	\$29,205	\$0	\$0	\$0 On target for budget projection
113159	Regional Community Recreation Officer Scheme	E	\$6,000	\$0	\$0	\$6,000	\$0	\$0 Community Rec Officer P Film - budget not required - no longer employed
113160	Recreation - Salaries	E	\$61,300	\$16,059	\$31,300	\$30,000	\$0	\$0 Savings of \$30000 - Rec Officer not employed
113161	Recreation - Superannuation	E	\$8,830	\$2,003	\$4,830	\$4,000	\$0	\$0 Savings of \$4000
113167	Sporting Club Sponsorships	E	\$6,000	\$6,000	\$6,000	\$0	\$0	\$0 Completed
113169	Hockey Oval Maintenance	E	\$14,425	\$6,070	\$14,425	\$0	\$0	\$0 On target for budget projection
113170	Trails Master Plan	E	\$5,000	\$0	\$5,000	\$0	\$0	\$0 Grant application to be completed Mar 10 - potential savings
113199	Depreciation Expense	E	\$30,185	\$8,508	\$30,185	\$0	\$0	\$0 Non cash items
113220	Reimbursements Taxable Supply	I	\$200	\$-339	\$200	\$0	\$0	\$0 On target for budget projection
113221	Stadium Hire Charges	I	\$-1,500	\$-1,932	\$-3,000	\$1,500	\$0	\$0 Likely to exceed budget by \$1500
113222	Avon Park - Charges	I	\$-30	\$0	\$-30	\$0	\$0	\$0 On target for budget projection
113224	Leases - Charges	I	\$-18,800	\$-3,455	\$-18,800	\$0	\$0	\$0 Cricket Club, Barbalby, Educ Depl to be raised Feb 10
113226	Bowling Club - Power Reimb Gst Incl	I	\$-3,000	\$0	\$-3,000	\$0	\$0	\$0 Invoice to be raised Feb 10
113229	Recreation Grants	I	\$-588,584	\$0	\$0	\$588,584	\$0	\$588,584 Unlikely to be received
113230	Squash & Gym Hire Fees	I	\$-11,200	\$-8,987	\$-11,200	\$0	\$0	\$0 On target for budget projection
113231	Pavilion - Hire Charges	I	\$-1,500	\$-341	\$-500	\$0	\$0	\$1,000 Unlikely to reach budget projection
113258	Donations/Contrib Non Taxable	I	\$-108,000	\$0	\$-52,000	\$0	\$0	\$56,000 Only to receive \$52000 in 2009/10 - \$56000 from Trotting Club not received 09/10
113260	Developers' Public Open Space Contributions - Tax	I	\$-45,000	\$0	\$-45,000	\$0	\$0	\$0 Transfer from Trust if required
113273	Government Grant Trails Master Plan	E	\$-9,940	\$0	\$0	\$9,940	\$0	\$9,940 Unlikely to be received 2009/10
113302	Avon Park Infrastructure	E	\$35,000	\$32,357	\$32,357	\$2,643	\$0	\$0 Completed - Softfall - Avon Park playground
113303	Res Memorial Park Upgrade	E	\$15,000	\$0	\$15,000	\$0	\$0	\$0 Expend portion by 30/6/10 - unspent portion to Reserve
113304	Transfer To Reserve	E	\$17,055	\$7,358	\$17,055	\$0	\$0	\$0 End of year transfer
113308	Loan Redemption Principal - Forrest Oval Redevelo	E	\$4,415	\$0	\$0	\$4,415	\$0	\$0 Unlikely to be used
113314	Candice Balemnan Park - Infrastructure	E	\$67,000	\$0	\$45,000	\$22,000	\$0	\$0 Straight line buffer to be purchased by 31/3/10
113321	Rec Complex Furniture & Equipment	E	\$4,000	\$0	\$4,000	\$0	\$0	\$0 Total to be expended by 30/6/10 (Forrest Oval Development)
113326	Pavilion Building Capital	E	\$222,000	\$141,589	\$222,000	\$0	\$0	\$0 Toilets unlikely to proceed 09/10
113327	Candice Balemnan Park Capital	E	\$88,000	\$0	\$88,000	\$0	\$0	\$0 Toilets unlikely to proceed 09/10
113331	Forrest Oval Infrastructure	E	\$709,000	\$467,351	\$709,000	\$0	\$0	\$0 Total to be expended by 30/6/10
113334	Centennial Park Infrastructure	E	\$10,000	\$0	\$10,000	\$0	\$0	\$0 Programmed for completion by 30/6/10
113335	Heritage Trails Infrastructure	E	\$99,890	\$0	\$99,890	\$0	\$0	\$0 Subject to grant funds - see GL 113273
113336	Trotting Training Track Infrastructure	E	\$220,880	\$0	\$220,000	\$88,000	\$0	\$0 Unlikely to occur in 2009/10 - Savings of \$20000 muni funds
113340	Hockey Club Change Rooms	E	\$150,000	\$8,758	\$150,000	\$0	\$0	\$0 To be completed by 30/4/10
113402	Trails From Reserve - Recreation Related	I	\$-278,000	\$0	\$-278,000	\$0	\$0	\$0 End of year transfer
115110	Admin O/Head & Labour Costs	E	\$46,020	\$27,072	\$46,020	\$0	\$0	\$250,000 Only \$200000 to be raised in 2009/10
115111	Library Operating-Stationery	E	\$1,300	\$439	\$1,300	\$0	\$0	\$0 On target for budget projection
115112	Library Operating-Freight	E	\$400	\$120	\$400	\$0	\$0	\$0 On target for budget projection
115113	Office Expenses	E	\$2,020	\$1,210	\$2,020	\$0	\$0	\$0 On target for budget projection
115114	Lost Books	E	\$1,250	\$133	\$1,250	\$0	\$0	\$0 Stocktake will determine costs
115115	Magazines/Newspapers	E	\$400	\$176	\$400	\$0	\$0	\$0 On target for budget projection
115116	Storyline Library	E	\$400	\$207	\$400	\$0	\$0	\$0 On target for budget projection
115117	Books - Purchases	E	\$1,500	\$1,213	\$1,500	\$0	\$0	\$0 On target for budget projection
115118	Long Service Leave	E	\$769	\$0	\$769	\$0	\$0	\$0 On target for budget projection
115120	Library - Salaries	E	\$34,395	\$42,180	\$37,467	\$0	\$0	\$3,072 Labour hours incorrectly allocated - to be rectified for remainder of year

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance Favourable	Variance unfavourable	COMMENTS
115121	Library - Superannuation	E	\$4,291	\$1,754	\$4,291	\$0	\$0	\$0 On target for budget projection
115124	Library Equipment	E	\$1,500	\$0	\$1,500	\$0	\$0	\$0 On target for budget projection
115126	Library Staff Training	E	\$1,000	\$0	\$0	\$1,000	\$0	\$0 In house training only - budget not used this year
115199	Depreciation Expense	E	\$1,515	\$409	\$1,515	\$0	\$0	\$0 Non cash items
115229	Charges-Lost Books	I	-\$400	\$185	-\$100	\$0	\$300	\$300 Council Write Off for previously accounted income
115230	Sundry Income Taxable Supply	I	-\$20	-\$5	-\$20	\$0	\$0	\$0 On target for budget projection
118105	Heritage Council Project - Avon Toe	E	\$0	\$8,000	\$8,000	\$0	\$8,000	Avon Toe Design Guidelines brochure - Chris Anilli - Planning & Urban Design - Offset by 08/09 grant
118111	Loan Interest Repayments-Archives Centre	E	\$3,400	\$0	\$0	\$3,400	\$0	\$0 Unlikely to use in 2009/10
118112	Archives Building Contribution	E	\$200,000	\$0	\$0	\$200,000	\$0	\$0 Contingency only
118165	Attendants Fees	E	\$1,000	\$0	\$1,000	\$0	\$0	\$0 Honorarium to Secretary Res Mus Mem Comm - not required
118166	Secretaries Fees	E	\$300	\$0	\$0	\$300	\$0	\$49 Stocktake required - no further purchase until current stock sold
118167	Museum Shop Stock Purchases	E	\$500	\$549	\$549	\$0	\$0	\$0 On target for budget projection
118172	Residency Museum Building Mice	E	\$13,060	\$5,358	\$13,060	\$0	\$0	\$0 On target for budget projection
118173	Maintenance Exhibits	E	\$2,500	\$920	\$2,500	\$0	\$0	\$0 On target for budget projection
118175	Museum Promotion & Marketing	E	\$2,000	\$0	\$2,000	\$0	\$0	\$0 Not project specific - contingency only
118176	Museum Phone Internet & Computer	E	\$2,500	\$851	\$2,500	\$0	\$0	\$0 On target for budget projection
118177	Stationery/Postage	E	\$700	\$467	\$700	\$0	\$0	\$0 On target for budget projection
118178	Membership Fees	E	\$350	\$156	\$350	\$0	\$0	\$0 On target for budget projection
118179	Volunteers Police Clearances	E	\$250	\$0	\$0	\$250	\$0	\$0 Unlikely to use in 2009/10
118181	Refreshments	E	\$700	\$266	\$700	\$0	\$0	\$0 On target for budget projection
118182	Equipment	E	\$1,600	\$959	\$1,600	\$0	\$0	\$0 On target for budget projection
118183	Conferences, Travelling	E	\$860	\$182	\$860	\$0	\$0	\$0 On target for budget projection
118184	Research Projects	E	\$525	\$367	\$525	\$0	\$0	\$0 On target for budget projection
118185	Sundry Expenses	E	\$750	\$173	\$4	\$0	\$0	\$0 On target for budget projection
118188	Residency Museum Garden-Shire	E	\$5,440	\$3,367	\$5,440	\$0	\$0	\$0 Check budget allocation
118190	Interpretation Plan Expenditur	E	\$31,100	\$4,429	\$31,100	\$0	\$0	\$0 On target for budget projection
118191	Salaries Residency Museum	E	\$38,519	\$16,096	\$38,519	\$0	\$0	\$0 On target for budget projection
118192	Residency Museum - Superannuation	E	\$5,427	\$1,428	\$5,427	\$0	\$0	\$0 Check budget allocation
118199	Depreciation Expense	E	\$8,170	\$2,106	\$8,170	\$0	\$0	\$0 Non cash items
118221	Museum Entry Fees	I	-\$6,500	-\$4,094	-\$6,500	\$0	\$0	\$0 On target for budget projection
118222	Sale Postcards/Books	I	-\$500	-\$231	-\$500	\$0	\$0	\$0 On target for budget projection
118223	Donations	I	-\$10	\$0	-\$10	\$0	\$0	\$0 To be raised Mar/Apr
118228	Grant Income	I	-\$28,070	\$0	-\$28,070	\$0	\$0	\$0 Project underway
118301	Transfer From Reserve Museum	I	-\$5,000	\$0	-\$5,000	\$0	\$0	\$0 Audio visual equipment Room 2
118302	Museum - Furniture & Equipment	E	\$5,000	\$0	\$5,000	\$0	\$0	\$0 Interest earned
118303	Transfer To Reserve Funds	E	\$909	\$392	\$909	\$0	\$0	\$0 Unlikely to be used by 30/6/10
118311	Principal Repayments-Archive Centre	E	\$3,532	\$0	\$0	\$3,532	\$0	\$200,000 Unlikely to be used by 30/6/10
118411	Loan Proceeds-Archives Facility	I	-\$200,000	\$0	\$0	\$0	\$0	\$0 On target for budget projection
119116	Radio Station Maintenance - Barker St	E	\$2,395	\$1,882	\$2,395	\$0	\$0	\$0 On target for budget projection
119117	Old Convent - York History	E	\$13,000	\$9,747	\$13,000	\$0	\$0	\$0 On target for budget projection
119220	Other Culture - Sundry Income	I	-\$10	-\$1,108	-\$1,109	\$1,099	\$0	\$0 Rates / insurance reimbursement not budgeted for
121202	Road To Recovery Grants	I	-\$298,839	\$0	-\$298,839	\$0	\$0	\$0 On target for budget projection
121206	Reimbursements Non Taxable	I	-\$50	\$0	-\$50	\$0	\$0	\$0 On target for budget projection
121208	Reimbursements Taxable	I	-\$10	\$0	-\$10	\$0	\$0	\$0 On target for budget projection
122400	Roads To Recovery Projects	E	\$298,839	\$6,807	\$298,839	\$0	\$0	\$0 Fully expend by 30/6/10
122401	Regional Road Group Projects	E	\$329,865	\$43,167	\$329,865	\$0	\$0	\$0 Fully expend by 30/6/10
122402	Municipal Road Construction Projects	E	\$705,916	\$47,543	\$705,916	\$0	\$0	\$0 Fully expend by 30/6/10
122403	Municipal Footpath Construction Projects	E	\$110,000	\$3,354	\$55,000	\$55,000	\$0	\$0 Expend \$35000 by 30/6/10 - \$40000 held in trust
122404	Municipal Bridge Construction Projects	E	\$514,000	\$506,000	\$514,000	\$0	\$0	\$0 Fully expend by 30/6/10
122405	Transfers To Reserve	E	\$33,096	\$3,493	\$33,096	\$0	\$0	\$0 Interest component \$7000 - Potential transfer \$25000
122407	Blackspot Projects	E	\$109,890	\$2,450	\$0	\$109,890	\$0	\$0 Project adjustment with Main Roads
122408	Subdivision Roads	E	\$80,000	\$15,975	\$40,000	\$20,000	\$0	\$0 Potential saving of \$20000

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
122409	R&Lclip Projects	E	\$30,000	\$0	\$30,000	\$0	\$0	\$0 Transferred to Community Infrastructure - Swimming Pool & Res Mus
122410	Royalties For Regions Road Projects	E	\$500,000	\$194,632	\$400,000	\$100,000	\$0	\$0 Funds to be received in 2010/11
122411	Townsville Drainage Construction	E	\$270,000	\$6,072	\$270,000	\$0	\$0	\$0 Refer to minutes 15/2/10
122501	Transfers From Reserve Tied Funds Bridges	I	-\$514,000	\$0	-\$514,000	\$0	\$0	\$0 Transfer still required \$206000.08 - awaiting term deposit maturity - See GL 41428
122502	Transfer From Reserve (R2R Supp)	I	-\$2,307	\$0	-\$2,307	\$0	\$0	\$0 Transfer to be processed
122504	Transfer From Reserve - Greenhills Projects	I	-\$21,000	\$0	-\$21,000	\$0	\$0	\$0 Subject to Progress Association plan
125121	Traffic Signs	E	\$7,000	\$9,409	\$11,000	\$0	\$4,000	\$0 On target for budget projection
125128	Lighting Of Streets	E	\$37,873	\$21,017	\$37,873	\$0	\$0	\$0 On target for budget projection
125129	Road Maintenance General	E	\$454,480	\$382,363	\$454,480	\$0	\$0	\$0 Refer to minutes 15/2/10
125132	Bridge Maintenance	E	\$20,000	\$120	\$20,000	\$0	\$0	\$0 Specified work to be done by 30/6/10
125140	Crossover Rebate	E	\$7,200	\$2,417	\$5,000	\$2,200	\$0	\$0 Unlikely to reach budget allocation
125165	Depot Maintenance	E	\$31,735	\$31,182	\$31,735	\$0	\$0	\$0 Union/box meeting expenses etc to be reallocated to Function 14
125170	Road Verge Maintenance	E	\$100,000	\$27,918	\$100,000	\$0	\$0	\$0 Fully expend by 30/6/10
125201	Other Grants	I	-\$4,500	\$0	-\$4,500	\$0	\$0	\$0 Streetlighting subsidy to be raised Mar 10
125202	Grant Rrg - Direct	I	-\$87,097	-\$87,097	-\$87,097	\$0	\$0	\$0 Invoiced Jan 10
125203	Grant - Rrg - Roads	I	-\$203,285	-\$81,315	-\$203,285	\$0	\$0	\$0 Invoiced Jan 10
125208	Grant Gov-Black Spot Funding	I	-\$73,260	\$0	\$0	\$0	\$73,260	\$0 May not be received in 2009/10 - refer GL 122408
125209	Transfer From Trust-Contrib To Works	I	-\$90,000	\$0	\$0	\$0	\$90,000	\$0 Unlikely to be required 2009/10
125210	Grants - Flood Damage	I	-\$18,000	-\$65,828	-\$65,000	\$47,000	\$0	\$0 \$65000 invoiced Jan 10
125211	Grants - R&Lclip	I	-\$30,000	\$0	-\$30,000	\$0	\$0	\$0 To be used for Community Infrastructure - Swimming Pool & Res Mus
125212	Grants - Royalties For Regions	I	-\$500,000	-\$100,000	-\$400,000	\$0	\$100,000	\$0 Total deferred to 2010/11
125220	Developers' Contributions - Subdivision Access Rd	I	-\$178,000	-\$1,500	-\$50,000	\$0	\$128,000	\$0 Davies Crt / Durrable St - Only \$50000 to be received 09/10
127199	Depreciation	E	\$1,547,015	\$690,909	\$1,547,015	\$0	\$0	\$0 Non cash items
127198	Loss On Sale Of Assets - Works Plant	E	\$1,139	\$0	\$1,139	\$0	\$0	\$0 Subject to Tender process
127297	Proceeds Sale Of Assets - Works Plant	I	-\$193,800	\$0	-\$193,800	\$0	\$0	\$0 Subject to Tender process
127298	Profit Sale Of Assets - Works Plant	I	-\$75,704	\$0	-\$75,704	\$0	\$0	\$0 Subject to Tender process
127304	Plant Purchases Capital	E	\$617,200	\$0	\$617,200	\$0	\$0	\$0 Tenders/quotes to be called Feb/Mar 10
127308	Transfer To Reserve	E	\$281,312	\$7,038	\$281,312	\$0	\$0	\$0 End of year transaction
127401	Transfer From Reserve Plant Replacement	I	-\$423,400	\$0	-\$423,400	\$0	\$0	\$0 Subject to Tender details
128101	Paint Carparks/Park Bays Cbd	E	\$6,725	\$1,826	\$6,725	\$0	\$0	\$0 To be fully expended by 30/6/10
128103	Howick St Car Park	E	\$1,500	\$978	\$1,500	\$0	\$0	\$0 On target for budget projection
128104	Parking Enforcement	E	\$800	\$226	\$800	\$0	\$0	\$0 On target for budget projection
128199	Depreciation	E	\$11,844	\$3,000	\$11,844	\$0	\$0	\$0 Non cash items
128301	Transfers To Reserve	E	\$2,692	\$1,161	\$2,692	\$0	\$0	\$0 On target for budget projection
128305	Car Park Development	E	\$51,000	\$27,669	\$51,000	\$0	\$0	\$0 To be fully expended by 30/6/10
129001	Aerodrome Maintenance	E	\$12,170	\$200	\$0	\$12,170	\$0	\$0 Not likely to be used in 2009/10
129102	Licensing Salaries	E	\$44,461	\$12,922	\$44,461	\$0	\$0	\$0 Labour hours incorrectly allocated - to be rectified for remainder of year
129103	Licensing Superannuation	E	\$5,883	\$0	\$5,883	\$0	\$0	\$0 Allocations to be corrected as per wages budget
129104	Licensing Leave Provisions	E	\$1,083	\$0	\$1,083	\$0	\$0	\$0 Allocations to be corrected as per wages budget
129189	Depreciation	E	\$4,538	\$1,144	\$4,538	\$0	\$0	\$0 Non cash items
129201	Hangar Lease	I	-\$50	-\$50	-\$50	\$0	\$0	\$0 On target for budget projection
129202	Commission Licensing	I	-\$80,000	-\$47,553	-\$80,000	\$0	\$0	\$0 On target for budget projection
129401	Admin O'Heads And Labour Costs	E	\$25,847	\$15,205	\$25,847	\$0	\$0	\$0 On target for budget projection
131108	Conservation Volunteers	E	\$4,500	\$3,500	\$4,500	\$0	\$0	\$0 On target for budget projection
131102	Town Promotions	E	\$20,000	\$1,875	\$20,000	\$0	\$0	\$0 On target for budget projection
132145	Area Promotion	E	\$1,000	\$3,145	\$0	\$1,000	\$0	\$0 Entry statement / banners etc - to be expended by 30/6/10
132146	Information Bays/Telephone Box	E	\$2,675	\$149	\$1,175	\$1,500	\$0	\$0 Potential saving of \$1500
132148	Tourist Bureau-Contribution	E	\$105,218	\$76,408	\$105,218	\$0	\$0	\$0 On target for budget projection
132149	Tourist Bureau-Bldg Mice	E	\$5,550	\$2,966	\$5,550	\$0	\$0	\$0 On target for budget projection

COA	Description	EXPENDITURE (E) INCOME (I)	Adopted Budget 2009/2010	Actual to 31 January 2010	Projected to 30 June 2010	Variance favourable	Variance unfavourable	COMMENTS
132150	Festival Assistance	E	\$26,055	\$9,590	\$21,055	\$5,000	\$0	Community events scheduled Jan - Jun 10 - Potential saving of \$5000
132153	Xmas Decorations/Festivities	E	\$5,300	\$6,104	\$5,300	\$0	\$0	On target for budget projection
132154	Banner Installation & Removal	E	\$2,800	\$469	\$489	\$2,331	\$0	No further expenditure in 2009/10
132199	Depreciation Expense	E	\$539	\$136	\$539	\$0	\$0	Non cash items
132304	Area Promotion Infrastructure	E	\$21,700	\$0	\$0	\$21,700	\$0	Unlikely to be used in 2009/10
133160	Building - Salaries	E	\$134,495	\$35,739	\$94,495	\$40,000	\$0	Potential savings of \$40000
133161	Building - Superannuation	E	\$18,842	\$2,743	\$12,842	\$6,000	\$0	Potential savings of \$6000
132270	Contribution and Donations Taxable	E	\$0	-\$330	-\$330	\$330	\$0	On target for budget projection
133187	Engineering Advice	E	\$2,000	\$0	\$0	\$2,000	\$0	Unlikely to be used in 2009/10
133190	Admin O/Head & Labour Costs	E	\$107,800	\$63,416	\$107,800	\$0	\$0	On target for budget projection
133191	Long Service Leave	E	\$3,420	\$0	\$3,420	\$0	\$0	On target for budget projection
133192	Building Control Expenses-Other	E	\$14,800	\$17,503	\$14,800	\$0	\$0	Offset against salaries
133195	Building Licence Refunds	E	\$100	\$85	\$100	\$0	\$0	On target for budget projection
133196	Legal Advice Building	E	\$10,000	\$5,027	\$10,000	\$0	\$0	Allocation error to be corrected
133204	Charges-Building Permits	I	-\$65,000	-\$64,227	-\$95,000	\$30,000	\$0	Received \$45,000 City of Swan Oct 09 - estimated to receive \$30000 over budgeted figure
133205	Charges-Demolition Fees	I	-\$200	-\$160	-\$200	\$0	\$0	On target for budget projection
133207	Bcft Commission	I	-\$450	-\$102	-\$200	\$0	\$0	\$250 Unlikely to reach budget projection
133208	Signs/hoardings Charges	I	-\$600	\$0	\$0	\$0	\$0	Unlikely to be received - dealt with through planning process
133209	Sign Application Fee	I	-\$400	-\$86	-\$86	\$0	\$0	\$304 On target for budget projection
133210	Building Fees Taxable	I	-\$32,000	-\$5,184	-\$12,000	\$0	\$0	\$20,000 reduced income
133211	Brt Commission	I	-\$750	-\$310	-\$750	\$0	\$0	On target for budget projection
133302	Transfer To Disaster Reserve	E	\$1,091	\$470	\$1,091	\$0	\$0	Interest earned at end of year
138101	York Telecentre (Old Infant Health)	E	\$3,680	\$2,137	\$3,680	\$0	\$0	On target for budget projection
138102	Sponsorships/Donations	E	\$2,500	\$0	\$0	\$2,500	\$0	Unlikely to be expended 2009/10
138202	Bec Reimbursements	E	\$0	-\$1,116	-\$1,116	\$1,116	\$0	Telecentre insurance & rates - offset against 138101
139142	Standpipes Water/Maintenance	E	\$1,935	\$0	\$0	\$1,935	\$0	Unlikely to be spent
139143	Standpipes-Water	E	\$15,000	\$8,478	\$15,000	\$0	\$0	Expecting large standpipe accounts May-Jun
139144	Community Bus Operation	E	\$9,400	\$3,625	\$9,400	\$0	\$0	On target for budget projection
139159	Depreciation Expense	E	\$11,391	\$2,871	\$11,391	\$0	\$0	Non cash items
139255	Charges-Extractive Industry Li	I	-\$400	\$0	-\$400	\$0	\$0	On target for budget projection
139256	Charges-Sale Water	I	-\$15,000	-\$13,436	-\$15,000	\$0	\$0	Invoices raised Jan 10 \$13000 - to be processed again before year end.
139259	Community Bus Income	I	-\$10,900	-\$4,368	-\$10,900	\$0	\$0	On target for budget projection
139502	Transfers To Community Bus Reserve	E	\$3,241	\$751	\$3,241	\$0	\$0	On target for budget projection
014203	Plant Repair Wages	E	\$16,275	\$15,506	\$16,275	\$0	\$0	Staff labour hours excessive
014204	Tires And Tubes	E	\$28,000	\$12,623	\$20,000	\$8,000	\$0	Unlikely to expend budget - potential saving \$8000
014205	Parts And Repairs	E	\$95,000	\$34,189	\$95,000	\$0	\$0	Account for loader repairs to be paid Feb 10
014206	Insurance And Licences	E	\$28,500	\$32,946	\$32,946	\$0	\$0	\$4,146 Final accounts received
014207	Fuel And Oil	E	\$200,000	\$70,705	\$200,000	\$0	\$0	On target for budget projections - stock not updated at time of printing Sept-Dec 09
014209	Grader Blades And Cutting Edges	E	\$25,000	\$3,900	\$25,000	\$0	\$0	Invoice due Feb 10
141001	Various Private Works	E	\$90,000	\$90,195	\$90,000	\$0	\$0	On target for budget projection
142021	Charges-Private Works	I	-\$100,000	-\$32,145	-\$100,000	\$0	\$0	All expenditure to be assessed and invoices to be raised
142101	Depreciation	E	\$265,000	\$61,761	\$200,000	\$65,000	\$0	Non cash item Refr. 001084
142102	General Administration Alloc	E	\$2,900	\$1,705	\$2,900	\$0	\$0	On target for budget projection
142807	Tools For Plant Maintenance	E	\$1,500	\$0	\$1,500	\$0	\$0	To be expended by 30/6/10
143158	Admin O/Head & Labour Costs	E	\$259,880	\$148,341	\$259,880	\$0	\$0	On target for budget projection
143160	Engineering Offices/Other Exp	E	\$24,824	\$4,245	\$24,824	\$0	\$0	Expenditure in Jan/Feb 10
143161	Superannuation Of Workmen	E	\$96,062	\$44,983	\$86,062	\$10,000	\$0	Potential saving of \$10000
143162	Sick/Holiday Pay	E	\$130,014	\$39,306	\$80,000	\$70,014	\$0	Potential saving of \$70000
143164	Protective Clothing	E	\$6,800	\$3,973	\$6,800	\$0	\$0	Unlikely to meet budget projection
143167	Meeting Attendance	E	\$11,500	\$2,519	\$11,500	\$0	\$0	Journal required from GL 129165

COA Description	EXPENDITURE (E), INCOME (I)	Adopted Budget 2009/2010		Actual to 31 January 2010		Projected to 30 June 2010		Variance favourable		Variance unfavourable		COMMENTS
		Budget	Actual	to 30 June	Variance	Variance	Variance					
143168 Safety Management	E	\$1,500	\$1,070	\$1,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 On target for budget projection
143171 Staff Training	E	\$24,000	\$6,617	\$10,500	\$14,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Unlikely to be fully expended 2009/10
143172 Service Pay-Workmen	E	\$9,580	\$3,670	\$9,580	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 On target for budget projection
143173 EngG Consultant/Surveying Fee	E	\$20,000	\$0	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Support services Mike Gill
143175 Sundry Tools Purchase	E	\$1,000	\$3,571	\$1,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Guide posts & delineators bought in bulk - not costed to roads - to be reallocated Feb 10
143177 Vehicle Operating Expenses Y 86	E	\$5,710	\$1,510	\$5,710	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Stock issues not updated reflecting low expenditure - to be rectified
143178 Long Service Leave	E	\$17,175	\$19,616	\$19,616	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,441 Potential for transfer from Reserve
143179 Insurance	E	\$48,115	\$53,434	\$53,434	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,319 Increased premiums - final accounts received
143180 Time In Lieu Taken	E	\$50	-\$542	\$50	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Adjustment account - no net affect
143181 Works Supervision Salaries	E	\$194,435	\$102,139	\$154,435	\$40,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Potential saving of \$40,000
143182 Vehicle Operating Expenses Building Mice	E	\$4,200	\$3,135	\$4,200	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 On target for budget projection
143183 Shire Engineer Vehicle Mice	E	\$9,220	\$2,996	\$6,500	\$2,720	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Projected expenditure \$6500
143184 Housing Mice Oranburg Rd-Engineer	E	\$4,540	\$1,810	\$4,540	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Likely to be spent by 30/6/10
143198 Loss On Sale Of Assets - P.W.O. Vehicles	E	\$1,336	\$0	\$1,336	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Vehicle transactions to take place Feb/Mar 10
143199 Depreciation	E	\$14,283	\$3,600	\$14,283	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Non cash item
143214 Rent Received Engineer'S House	I	-\$7,800	-\$4,200	-\$7,800	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 On target for budget projections
143293 Reimbursements Non-Taxable Supply	I	-\$13,000	-\$885	-\$13,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Diesel rebate claimed Jan BAS \$9500 - further to be claimed
143294 Reimbursement Taxable Supply	I	-\$40,000	-\$304	-\$1,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$39,000 Engineer not employed Ill Jan 10 - unlikely to receive budgeted income - offset against 143181
143295 Proceeds Sale Of Assets - Pwo Vehicles	I	-\$15,000	\$0	-\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Vehicle transactions to take place Feb/Mar 10
143297 Sundry Equipment Sales	E	-\$200	-\$3,535	-\$4,000	\$3,800	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Sale of streetscape paving bricks
143301 Depot Plant Capital Purchase	E	\$62,000	\$0	\$62,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Vehicle transactions to take place Feb/Mar 10
144181 Property Transaction Settlement Costs	E	\$6,000	\$0	\$6,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Unlikely to proceed 2009/10
144297 Proceeds - Sale Of Land	I	-\$1,248,182	\$0	-\$130,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,118,182 Unlikely to proceed 2009/10
144298 Profit Sale Of Assets - Land	I	-\$936,461	\$0	-\$936,461	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Thorn/Monger St Lots \$90000 valuation rec'd process underway / Janet Miller Lane \$40000 processed Water Corp
144381 Transfer To Land & Infrastructure Development Fee	E	\$1,257,269	\$3,921	\$139,087	\$1,118,182	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Refer 144297
145141 Workers Compensation	E	\$7,500	\$9,649	\$11,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,500 Ongoing expenses - claim not finalised
145250 Reimbursements-Workers Comp	E	-\$7,500	\$0	-\$11,000	\$3,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Invoice to be raised - Feb 10
146167 Local Disaster-Fire/Food Etc	E	\$1,000	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 \$3000 payment to Toodyay - Jan 10 - reallocate from 41112
146170 General Maintenance - Lots 2-6 Avon Tce	E	\$500	\$0	\$0	\$500	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Unlikely to use 2009/10
146203 R4R Non Operating Grant Unclassified	I	-\$108,156	-\$108,156	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$108,156 Income deferred by Government
146274 Other-Lease Reserve	E	\$0	-\$830	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Reserve Fund
146301 Transfer To Reserve	E	\$991	\$428	\$991	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Reserve Fund
146302 Housing Capital Oranburg Road	E	\$10,000	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Landscaping expenses Jan-Jun / Rainwater tanks not likely to proceed
146303 Land Purchase And Development	E	\$108,166	\$0	\$0	\$108,166	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Offset by GL 146203
000001 Holding Account	E	\$0	\$18,721	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 Transaction account only
001064 Less Allocated-Works/Services	E	-\$882,888	-\$440,676	-\$882,888	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0 On track for budget allocation
001084 Less Allocated-Works/Services	E	-\$662,175	-\$200,570	-\$693,321	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$88,894 Increased use of contractors instead of Shire equipment
001101 Gross Total For Year	E	\$2,620,362	\$1,199,654	\$2,470,362	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0 New staff in second half of year - potential saving of \$150000-\$200000
001102 Less Salaries & Wages Alloc	E	-\$2,620,362	-\$1,199,654	-\$2,470,362	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000 New staff in second half of year - potential saving of \$150000-\$200000
Surplus carried forward 2008-09		-\$1,310,379	-\$1,303,380	-\$1,303,380	\$5,549,362	\$5,184,614	\$6,999	\$5,184,614	\$6,999	\$6,999	\$6,999	\$6,999
NET ANTICIPATED SURPLUS AS AT 30 JUNE 2010												

9. OFFICER'S REPORTS
9.3 FINANCE REPORTS
9.3.4 Employee Recognition - Policy

FILE NO:	FI.FRP.6
COUNCIL DATE:	15 March 2010
REPORT DATE:	5 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	All Staff
APPENDICES:	Appendix A – Policy – Employee Recognition
DOCUMENTS TABLED:	Nil

Summary:

Council at the Audit Committee held on the 15th February 2010 recommended to Council that the review of the Financial Management Systems and Procedures be accepted. A policy dealing with employee recognition was deferred pending further investigation.

Background:

Further investigation into the Recognition of Employees upon retirement and resignation was considered appropriate.

Dominic Carbone provided a sample policy. The Act specifies that the maximum amount can be no greater than \$5,000.00.

Consultation:

Dominic Carbone – Consultant.

Statutory Environment:

Local Government Act 1995

Employee Recognition (Gratuity) – Section 5.50 of the Local Government Act requires the local government to prepare a policy in relation to the above.

Policy Implications:

Not applicable at this time.

Financial Implications:

If adopted by Council appropriate provisions for payments will be included in future budgets.

Strategic Implications:

Not applicable at this time.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

Recognition of employees is considered appropriate and the policy can assist in making the Shire of York a place of choice.

Environmental Implications:

Not applicable.

Comment:

Staff recommend the Policy that Dominic Carbone suggested at the time of completing the Financial Management and Systems review be used subject to minor changes.

Ray Hooper, Tyhscha Cochrane and Nicole McNamara declared an interest and left the room at 4.08pm.

AUDIT COMMITTEE RECOMMENDATION TO COUNCIL:

“That the Audit Committee recommends to Council:

- 1. the Policy attached labelled Appendix A be adopted – Employee Recognition; and*
- 2. local public notice be given of the Policy in accordance with Sections 5.50(1) and (2).”*

RESOLUTION

190310

Moved: Cr Lawrance

Seconded: Cr Boyle

“That the Audit Committee recommends to Council that:

- 1. the Policy attached labelled Appendix A be adopted – Employee Recognition; and*
- 2. local public notice be given of the Policy in accordance with Sections 5.50(1) and (2).”*

CARRIED (6/0)

Ray Hooper, Tyhscha Cochrane and Nicole McNamara re-entered the room at 4.11pm.

SAMPLE DRAFT POLICY	
Title:	EMPLOYEE – RECOGNITION
Objective:	To recognise the services of employees with the Shire. To reward employees for their Contribution to organisational success.
Legal:	Local Government Act 1995 – Section 5.50 and Local Government (Administration)
Date Adopted:	2010

RECOGNITION OF PAYMENT UPON RESIGNATION/RETIREMENT

- 1.0 Upon resignation or retirement, Council shall award an employee a token payment in recognition of continuous years of service, based on the following provisions:
- 1.1 Prior to completion of 10 years service but not less than 2 years service – the sum of \$50.00 per completed year.
 - 1.2 On completion of 10 years service – the sum of \$1,000.00; and
 - 1.3 On completion of 11-19 years service - \$100.00 for each completed year of service over 10 years.
 - 1.4 On completion of 20 years of service – 2,500.00; and
 - 1.5 On completion of 21-29 years of service - \$150.00 for each completed year of service over 20 years.
 - 1.6 On completion of 30 years and over service - \$5,000.00.
 - 1.7 A pro rata payment shall apply for part time employees.
 - 1.8 Recommendations for further payments must be referred to Council for approval.
 - 1.9 Employees who are terminated as a result of unsatisfactory work performance and or serious misconduct are excluded from this Policy.
 - 1.10 Payments of these amounts are made as part of the taxable income before tax.
- 2.0 Service
- 2.1 For the purpose of this Policy, service shall mean from the date of commencement, exclusive of periods where the employee was not entitled to payment or to accrue leave entitlements, eg: leave without pay, maternity leave, etc.

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.5 York Visitor Centre – Financial Review

FILE NO:	CS.LCS.8
COUNCIL DATE:	15 March 2010
REPORT DATE:	5 March 2010
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	York Tourist Bureau Inc. T/A York Visitor Centre
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, A/DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

The York Visitor Centre is seeking an advance on the fourth quarterly payment of its annual Visitors' Centre contribution, as Superannuation payments have not been made from 1 July 2008 – to 31 December 2009.

Background:

The York Tourist Bureau Inc. received advice from the Australian Taxation Office on the 25th February 2010 relating to '**Notification of audit For your action**' the details are as follows:

"We have received a complaint that you have not met your superannuation guarantee obligations and you have been selected for an audit in regard to your obligations for the following period/s:

- 1 July 2008 – 30 September 2008
- 1 October 2008 – 31 December 2008
- 1 January 2009 – 31 March 2009
- 1 April 2009 – 30 June 2009

Under superannuation law, employers who have not provided sufficient super contributions for their eligible employees by the applicable dates and/or satisfied the choice of fund requirements are liable to pay the superannuation guarantee charge (SGC).

What you need to do

Examine your records for the period(s) in question to determine whether or not you have met your SG obligations.

If you have not provided sufficient employer super contributions and/or you have not satisfied the choice of fund requirements for your eligible employees by the applicable dates, you need to complete and lodge a superannuation guarantee charge statement (or statements) for each applicable period (or periods).

Ensure you retain a copy of your completed statement(s) as we may need to contact you for some clarification.

You need to return all completed statements to us by 19 March 2010 to:

*Australian Taxation Office
PO Box 277
World Trade Centre VIC 8005*

....Failure to lodge a SGC statement (or statements) or to contact us may result in the Commissioner of Taxation, without further notice:

- issuing a default assessment or assessments for any SGC for which the Commissioner considers you liable. The default assessment will include nominal interest and administration components and will be based on information available to the Tax Office. That is, we may calculate your SGC liability using payment summary data from the period 01/07/2008 to 30/06/2009; and
- applying the SGC penalty for failure to provide to the Commissioner as and when required, a SGC statement, or information relevant to assessing your liability to pay the SGC. The penalty is up to 200% of the SGC.

However, if you do contact us to discuss the matter, or you voluntarily lodge the SGC statement(s) and we are satisfied with the information provided, we will consider remitting all or part of the SGC penalty that may be applied.

Voluntary disclosure

We also recommend you take this opportunity lodge a superannuation guarantee charge statement or statements for any other periods where you have a super guarantee shortfall. If you do this and we are satisfied with the information provided, we may significantly reduce any penalty that may otherwise be applied.

More information

Based upon times for similar audits we intent to complete this audit by 10 July 2010, however this will depend on the specific data of your case....”

In response to the correspondence from the Australian Taxation Office the York Visitor Centre had no choice other than to request an advance on the fourth quarter due to financial constraints, correspondence as follows:

“Mr Dominic Carbone is currently undertaking the above review and has completed the Superannuation Guarantee Charge component which reveals the following;

- 1) Superannuation payments have not been made from 1 July 2008 to 31 December 2009.
- 2) The Australian Taxation Office has written to the York Visitor Centre in relation to a complaint received by them for the non-payment of superannuation contributions.
- 3) The Australian Taxation Office has given the York Visitor Centre up to the 18 March 2010 to forward all the information required by an organisation in relation to SGC contributions.
- 4) The quarterly SGC statements have accordingly been completed and are summarised as follows:

Total SGC shortfall	\$17486.73
Nominal Interest	\$1746.34
Administration Charge	\$620.00
Total Payable to ATO	\$19853.07

- 5) The cash holdings of the York Visitor Centre currently reveal that an amount of \$5000 could be paid to the ATO as a progress payment with the York Visitor Centre having to negotiate with the ATO with relation to further payment options.
- 6) In order to avoid additional interest accruing on the amount owing the Centre is requesting that the Shire advance the next quarter’s contributions. Alternatively the Shire may wish to pay the above amount outstanding directly on behalf of the York Visitor Centre.

7) *It is important that this matter be addressed in order that the financial situation of the York Visitor Centre can be stabilised.*

Attached for your information please find the documentation relevant to the superannuation guarantee charge for the above mentioned periods.

Your kind consideration to this request is much appreciated.”

Consultation:

York Visitor Centre; and
Dominic Carbone

Statutory Environment:

Local Government Act 1995.

Policy Implications:

Not applicable.

Financial Implications:

Council has funds allocated within the budget and can advance the fourth quarter payment in part or in full (General Ledger Account 132148 – Funds Available \$28,809.50). This would see the Visitor Centre through its immediate crisis.

Strategic Implications:

Economic Development.

Voting Requirements:

Absolute Majority Required: No – (4th Quarterly Payment Budgeted)

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Closure of the York Visitor Centre would have a negative impact on Tourism and visitor servicing in York and this would have an economic impact on the businesses of York.

Closure of the Visitor Centre would then require Council to employ additional staff to deal with all of the tourist queries that the Visitor Centre currently deals with. If this were to happen the cost to Council is unlikely to be any less than the funds currently expended on supporting the Visitor Centre as our cost structures are much higher than those of the Visitor Centre. In effect the community would get less value from the same dollars.

Social Implications:

Failure of Council to provide some form of financial assistance is most likely to see the Visitor Centre close.

Failure to provide some form of assistance would be discouraging to those people who volunteer their time on the Committee of the York Tourist Bureau. It would see the closure of the York Visitor Centre lessening the service and enjoyment of visitors to York.

Environmental Implications:

Not applicable.

Comment:

Unfortunately due to some poor financial management practices in the past these have placed the York Tourist Bureau Inc. (York Visitor Centre) under significant financial strain. Advancing funds is considered the only option at this time. The funds are available and have been budgeted. If Council agrees to this it should be on the understanding that this will be a payment made directly to the Australian Taxation Office.

Officers Recommendation

“That Council:

1. *agrees to make an advance payment of \$19853.07 for Superannuation Guarantee Charges for employees of the York Tourist Bureau Inc. T/A York Visitor Centre directly to the Australian Taxation Office using funds from the fourth quarter available from within the existing budget;*
2. *advise Dominic Carbone of DCA and Associates to lodge the Superannuation Guarantee Charge Statements; and*
3. *advise the York Visitor Centre that the remaining monies from the fourth quarter will be released when due.*

Advice Note:

The payment for the Superannuation Guarantee Charge is for the period between 1 July 2008 to 31 December 2009.”

**RESOLUTION
200310**

Moved: Cr Randell

Seconded: Cr Boyle

That ‘when due’ in point three (3) of the Officers Recommendation be changed to ‘upon approval by Council’ to read:

“That Council:

1. ***agrees to make an advance payment of \$19853.07 for Superannuation Guarantee Charges for employees of the York Tourist Bureau Inc. T/A York Visitor Centre directly to the Australian Taxation Office using funds from the fourth quarter available from within the existing budget;***
2. ***advise Dominic Carbone of DCA and Associates to lodge the Superannuation Guarantee Charge Statements; and***
3. ***advise the York Visitor Centre that the remaining monies from the fourth quarter will be released upon approval by Council.***

Advice Note:

The payment for the Superannuation Guarantee Charge is for the period between 1 July 2008 to 31 December 2009.”

CARRIED (6/0)

The Officers Recommendation was varied to give greater financial control to Council.

9.4 Confidential Reports

9.5 Late Reports

9. OFFICER'S REPORTS
9.2 LATE REPORT
9.5.1 ESL Request

FILE NO:	RS.FES.7
COUNCIL DATE:	15 March 2010
REPORT DATE:	10 March 2010
LOCATION/ADDRESS:	Not applicable
APPLICANT:	Not applicable
SENIOR OFFICER:	A / Deputy Chief Executive Officer
REPORTING OFFICER:	Ranger Services
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Quotations and Requests

Summary:

Requests have been received from the Greenhills, Talbot and Burges Siding fire brigades for inclusion on the Capital and Operating Grants.

The brigades have requested the following:

Greenhills brigade:

- Camlock fittings
- Transfer pump
- Suction and delivery hoses

Talbot brigade:

- Transfer pump
- Camlock fittings

Burgess Siding brigade:

- Fire shed

It should be noted that whilst Malebelling is not included in the above, a project dealing with the building of the shed has been discussed whilst gathering information for the Application to Fire and Emergency Services Authority of Western Australia (FESA).

Background:

The Emergency Services Levy Capital and Operating Grants application is due to be lodged with FESA and information was sent to all Bush Fire Brigades requesting the need for any equipment that is required as well as providing written quotes to support this.

Consultation:

All Bush Fire Brigade Captains and Secretaries within the Shire of York;
Chief Bush Fire Control Officer; and
Mark Bowen – FESA.

Statutory Environment:

Bush Fires Act 1954;
Bush Fires Local Laws; and
Emergency Services Levy (ESL) Capital Operating Grants Manual.

Policy Implications:

Nil.

Financial Implications:

Nil – Finances provided by the ESL levy.

It should be noted that the Malebelling Brigade have a fire shed budgeted for this financial year and the construction needs to be completed prior to the 30th June 2010.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken:

Mark Bowen – FESA; and
Brigade members.

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

Providing better services to the bush fire brigades within the community.

Environmental Implications:

Nil.

Comment:

Quotes have been requested from a variety of sources for the supply of equipment and supply and building of the fire sheds.

Officers Recommendation

“That Council

- 1. acknowledge the requests from the Brigades as per the tabled documents; and*
- 2. inform the Fire and Emergency Services Authority of the brigades requests, and ask that they be included in the Capital Operating Grant.*

Advice Note:

It should be noted that Grant Applications are to be submitted no later than the 16 April 2010.”

**RESOLUTION
210310**

Moved: Cr Boyle

Seconded: Cr Lawrance

That 'and include camlocks to all Shire standpipes' be included in point 1 (one) and the Officers Recommendation to read:

"That Council

- 1. acknowledge the requests from the Brigades as per the tabled documents and include camlocks to all Shire standpipes; and***
- 2. inform the Fire and Emergency Services Authority of the brigades requests, and ask that they be included in the Capital Operating Grant.***

Advice Note:

It should be noted that Grant Applications are to be submitted no later than the 16 April 2010."

CARRIED (6/0)

The Officers Recommendation was varied to incorporate specific brigade requests after recent fires.

9. OFFICER'S REPORTS
9.2 LATE REPORT
9.5.2 Acting Chief Executive Officer

FILE NO: P55
COUNCIL DATE: 15 March 2010
REPORT DATE: 15 March 2010
LOCATION/ADDRESS: Not applicable
APPLICANT: R Hooper, Chief Executive Officer
SENIOR OFFICER: R Hooper, Chief Executive Officer
REPORTING OFFICER: R Hooper, Chief Executive Officer **DISCLOSURE OF**
INTEREST: T Cochrane – Financial Interest
APPENDICES: Nil
DOCUMENTS TABLED: Nil

Summary:

To support the appropriate administration of the Shire of York functions, Council is requested to approve the designation of Tyhscha Cochrane as Acting Chief Executive Officer during periods of absence by the Chief Executive Officer for periods of 5 (five) days or more on annual or other leave or while attending conferences.

Background:

T Cochrane has been appointed as Deputy Chief Executive Officer for a 12 month period under the contract conditions applicable to the previous Deputy CEO which required the person to act as Chief Executive Officer during periods of leave and other absences.

Consultation:

Not Applicable

Statutory Environment:

- (1) Local Government Act – Section 5.36
- (2) Collective Workplace Agreement – Higher Duty Provisions

Policy Implications:

Nil

Financial Implications:

Provisions for higher duty allowances are included in the budget and no additional costs will be incurred.

Strategic Implications:

Key Result Area 7: Community Services

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable.

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

Nil

Environmental Implications:

Nil.

Comment:

In rural local governments it is a general expectation and contract requirement that the Deputy CEO will act in the capacity of the Chief Executive Officer during any absence to ensure the functions of the local government continue.

T Cochrane has the capacity and the ability to fill this role.

Tyhscha Cochrane declared a financial interest and left the room at 4.27pm.

RESOLUTION

220310

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council

Authorise Tyhscha Cochrane to act in the Position of the Chief Executive Officer of the Shire of York during any period of absence of the Chief Executive Officer.”

CARRIED (6/0)

Tyhscha Cochrane re-entered the room at 4.28pm.

10. NEXT MEETING

RECOMMENDATION

230310

Moved: Cr Scott

Seconded: Cr Randell

“That Council:

hold the next Ordinary Meeting of the Council on April 19, 2010 at 3.00pm in the Talbot Hall, Talbot.”

CARRIED (6/0)

11. CLOSURE

The Shire President, Cr Pat Hooper, thanked everyone for their attendance and declared the meeting closed at 4.28pm.