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Minutes of the Ordinary Meeting of the Yalgoo Shire Council,
held in the Council Chambers, 37 Gibbons Street, Yalgoo,
on Thursday 17 June 2010, commencing at 11.42 am.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Ordinary Meeting of Council open at 11.42am

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

MEMBERS	Cr TK Iturbide, Shire President Cr EC Rowe, Deputy President Cr L Hodder Cr LJ Terry
STAFF	Ms SH Daishe, Chief Executive Officer Mrs H Duffey, Senior Administration Officer Mr CF Hodder; Works Foreman
GUESTS:	Mr Kumar Arunachalam, Manager of Geology and Approvals, Venus Metals Corporation Ltd Mr Patrick McDonald, Senior Field Assistant, Venus Metals Corporation Ltd
OBSERVERS	
LEAVE OF ABSENCE	
APOLOGIES	Cr MJ Forster Cr MR Valenzuela

3. DISCLOSURE OF INTERESTS

Cr EC Rowe

- 11.2.1 Yalgoo Water Reserve Drinking Water Source Protection Plan
Disclosure of financial interest and proximity interest

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO QUESTIONS TAKEN ON NOTICE

None

4.2 QUESTIONS WITHOUT NOTICE

None

5. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

7.1 PRESIDENT

24 May Attended meeting with Mike Fitzgerald, Deputy President Cr EC Rowe and Chief Executive Officer Ms Sharon Daishe, re support to propose a new country Shires Association

14 June Attended Local Emergency Management Arrangement (LEMA) with Tex McPherson from Fire and Emergency Service Association (FESA) and Chief Executive Officer Ms SH Daishe

7.2 COUNCILLORS

Cr EC Rowe

3 June Attended Women in Local Government Conference in Perth

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING

BACKGROUND

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0601 Confirmation of Minutes

Moved Cr EC Rowe, Seconded Cr LJ Terry

That the Minutes of the Ordinary Council Meeting held on 20 May 2010 be confirmed

Motion put and carried 4/0

9. MINUTES OF COMMITTEE MEETINGS

None

10. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

None

Mrs H Duffey left the meeting at 11.45am and returned at 11.46am.

11. REPORTS OF OFFICERS

11.0 MATTERS BROUGHT FORWARD

11.1 WORKS

Order of Business: Council agreed to consider item 11.2.1 Yalgoo Water Reserve Drinking Water Source Protection Plan before item 11.1.1 Works Activity Report while waiting for the works foreman to attend the meeting.

11.2.1 YALGOO WATER RESERVE DRINKING WATER SOURCE PROTECTION PLAN

Cr EC Rowe being a lessee of pastoral land that the proposed extension to the water reserve will encompass declared a Financial and Proximity interest on this item.

Cr EC Rowe left the meeting at 11.49am

File: P3-4 (new file)
Author: Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: 9 June 2010
Attachments: p.1 Correspondence from Department of Water, Yalgoo Water Reserve Drinking (yellow) Water Source Protection Plan

MATTER FOR CONSIDERATION

The Department of Water and Conservation has invited the Shire of Yalgoo to comment on the draft Yalgoo Water Reserve drinking water source protection plan.

BACKGROUND

The Shire of Yalgoo is responsible for land in the Yalgoo Water Reserve and is in a position to make decisions about land uses within the Yalgoo Water Reserve.

The draft protection plan proposes enlargement of the area of the Yalgoo Water Reserve to encompass the full recharge area for the Yalgoo well field to ensure that surrounding land use now and in the future does not compromise the drinking water source.

Recommendations 3-5 of the draft also commit the Shire regarding development applications, the Town Planning Scheme and incidents covered by WESTPLAN-HAZMAT.

STATUTORY ENVIRONMENT

Country Areas Water Supply Act 1947

STRATEGIC IMPLICATIONS

The extension of the Yalgoo Water Reserve and recommendations 3-5 will assist in protecting the Yalgoo town water supply from contamination.

POLICY IMPLICATIONS

NA

FINANCIAL IMPLICATIONS

NA

CONSULTATION

Bill Atyeo, Environmental Health Officer

COMMENT

VOTING REQUIREMENTS

Simple majority.

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0602 Yalgoo Water Reserve Drinking Water Source Protection Plan

Moved Cr LJ Terry, Seconded Cr L Hodder

That the Council endorses the Yalgoo drinking water source protection plan for the Yalgoo Water Reserve, as proposed by the WA Department of Water in the attached draft extract, including recommendations 3-5 and changes to the area of the Yalgoo Water Reserve.

Motion put and carried 3/0

Cr EC Rowe returned in the meeting at 11.50am.

11.1.1 WORKS ACTIVITY REPORT

Item 11.1.1 be dealt with it now after item 11.2.1

Mr CF Hodder entered the meeting at 11.50am.

File: N/A
Author: Cliff Hodder, Works Foreman
Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: 10 June 2010
Attachments: None

MATTER FOR CONSIDERATION

Works report for the past month.

BACKGROUND

Overview of works for the past month.

STATUTORY ENVIRONMENT

None

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

None

FINANCIAL IMPLICATIONS

None

CONSULTATION

None

COMMENT

- a) Construction – nil this month
- b) Maintenance
 - Morawa Road widen creeks/floodways, cover rocks/stones on road, put gravel on broken surfaces, cart gravel to washaways, grade edges to bitumen
 - Dalgarranga/Cue Road remove grids and general maintenance to gravel surface
 - Uhanna Ridge Road remove grids and general maintenance to gravel surface
 - North Road – maintenance grade
- c) Plant
 - Westrac to service plant
- d) Other

- Clean up yard as recommended by David Painter from Local Government Insurance Services re occupational safety and health
- e) Private Work
 - Drill pads & sumps for Venus Metals Corporation Ltd
- f) Councillor Local Roads Tour
 - Reminder to Councillors that the local roads tour will be on Thursday 24 and Friday 25 June 2010 departing from the Shire offices at 8.00am.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0603 Works Activity Report

Moved Cr LJ Terry, Seconded Cr L Hodder

That Council receives the works report for the period ended 10 June 2010.

Motion put and carried 4/0

11.2 DEVELOPMENT

11.2.1 YALGOO WATER RESERVE DRINKING WATER SOURCE PROTECTION PLAN

Item 11.2.1 has been dealt with prior to item 11.1.1

11.2.2 LOCAL PLANNING SCHEME NO.2 AND LOCAL PLANNING STRATEGY

File: P3.3 Town Planning Scheme
Author: Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: 11 June 2010
Attachments: p.15 Letter from Department of Planning dated 31 March 2010 (Vickie Wood on
(yellow) behalf of Tony Evans) with Schedule of Modifications to Local Planning Scheme No. 2 and Local Planning Strategy

MATTER FOR CONSIDERATION

Preparation of modified scheme documents.

BACKGROUND

The Shire of Yalgoo commenced a review of the Local Planning Strategy No. 1 in 2006.

Notice of the prepared scheme was advertised in the Government Gazette in May 2008 and published in the Western Australian newspaper in June 2008.

In accordance with regulation 15 of the Town Planning Scheme Regulations (as amended) the Shire wrote to 21 agencies to invite submissions.

The Minister for Planning has determined the submissions and has decided not to approve the Scheme until modifications, as detailed in the attached schedule of modifications, are effected. The modifications are mostly administrative in nature and the Shire is not required to re-advertise the scheme.

STATUTORY ENVIRONMENT

- Town Planning Regulations 1967
 - Regulation 21 (2) (c) Approval of Scheme by Minister, requires the Shire to comply with any modifications required by the Minister;
 - Regulation 22 (1) Endorsement of Scheme requires the Shire to endorse three copies of the modified Scheme for final approval by the affixing of its seal and to lodge these with the Commission.

STRATEGIC IMPLICATIONS

With the increasing activity of mining interests in the Shire of Yalgoo, it is important to finalise Local Planning Scheme No. 2 and the associated Strategy and policies in order to establish whether this Scheme suits the Shire's current needs or requires further review.

POLICY IMPLICATIONS

The Shire may develop and adopt policies under the Scheme and Strategy.

FINANCIAL IMPLICATIONS

None

CONSULTATION

- Public notice in newspapers and government gazette
- Department for Planning and Infrastructure
- Department of Agriculture
- Department of Conservation and Land Management
- Department of Education
- Department of Environment & Conservation
- Department of Health
- Department of Housing and Works
- Department of Industry and Resources
- Fire and Emergency Services Authority

- Heritage Council of Western Australia
- Indigenous Affairs Department
- Midwest Development Commission
- Main Roads Western Australia
- Water Corporation
- Western Australia Tourism Commission
- Western Power
- Shire of Cue
- Shire of Dalwallinu
- Shire of Perenjori
- Shire of Mt Magnet
- Shire of Morawa

COMMENT

The Shire will effect the amendments to text and the Department of Planning will make any required map amendments.

The Department of Planning has also commented on additional matters:

- With respect to point (1) of the letter, this action will only need to occur in the case of planned development of any of the area south of Piesse Street that is currently crown land reserve. This item does not affect the area of the railway station and houses, which are separately owned lots.
- Point (2) – this matter is reported at item 11.2.1 Yalgoo Drinking Water Reserve Drinking Water Source Protection Plan.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0604 Local Planning Scheme No.2 and Local Planning Strategy

Moved Cr EC Rowe, Seconded Cr LJ Terry

That in accordance with the Town Planning Regulations 1967 the Shire:

- 1) amends the Local Planning Scheme No.2 and Local Planning Strategy in accordance with the modifications required by the Minister for Planning as detailed in the attached schedules of modification; *and***
- 2) authorises the President and CEO to endorse three copies of the Scheme and Strategy documents by signing and affixing the common seal; *and***
- 3) lodges the amended Scheme and Strategy.**

Motion put and carried 4/0

**11.2.3 VENUS METALS CORPORATION LTD BUILDING AND DEVELOPMENT APPLICATION
YALGOO CARAVAN PARK**

File: C1
Author: Sharon Daishe, CEO
Interest Declared: No interest to disclose
Date: Thursday 10 June 2010
Attachments: p.31 Development Application and Building Licence Application received from
(yellow) Venus Metals Corporation Ltd

MATTER FOR CONSIDERATION

Venus Metals Corporation Ltd has requested permission to place donga accommodation and associated infrastructure on the Yalgoo Caravan Park to accommodate mining personnel.

BACKGROUND

At the previous meeting, Council resolved to advise Venus Metals Corporation Ltd that they must submit a development application and building licence application before proceeding with any further use or occupancy of Yalgoo Caravan Park.

Venus Metals Corporation Ltd has submitted part of the required information and to date they have demonstrated a high standard of housekeeping in their current use of the dongas and caravan bays at the caravan park and at premises in town that they are renting.

STATUTORY ENVIRONMENT

- Caravan Parks and Camping Act and Regulations
- Residential Parks Long Stay Tenants Act 2006 and Regulations (2007)
- Yalgoo Town Planning Scheme #1
- Health Act and Regulations

STRATEGIC IMPLICATIONS

The primary function of the Yalgoo Caravan Park is to provide accommodation for tourists and assist in soliciting tourist investment in the town of Yalgoo.

Established mining projects such as Golden Grove have made substantial contributions to the community of Yalgoo.

It is in the Shire's interests to take reasonable measures to assist mining ventures with their requirements for accommodation and infrastructure, as long as the interests of the town and the Shire of Yalgoo are not comprised and are preferably enhanced.

POLICY IMPLICATIONS

FINANCIAL IMPLICATIONS

The Council will need to set a fee for the mining company to occupy the caravan park.

CONSULTATION

Venus Metals Corporation Ltd – Matt Hogan, Managing Director and Kumar Arunachalam
Bill Atyeo, Environmental Health Officer, Shire of Yalgoo

COMMENTS

- Venus Metals Corporation Ltd is currently occupying all six of the Shire dongas at the caravan park. When the camp is relocated, some of these will be released and available again for tourists and itinerant tradespersons.
- Further research is required to establish whether the provisions of the Residential Parks Long Stay Tenants Act and Regulations apply, which may mandate a formal tenancy agreement under this legislation.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION

That the Council confirms their in –principle approval for Venus Metals Corporation Ltd to place donga accommodation at Yalgoo Caravan Park to accommodate mining personnel and authorises the CEO to determine the development application, negotiate an appropriate fee and if required, engage a legal professional to draft a long term tenancy arrangement.

AMENDMENT/COUNCIL DECISION

C2010-0605 Venus Metals Corporation Ltd Building and Development Application at Yalgoo Caravan Park

Moved Cr LJ Terry, Seconded Cr L Hodder

That the Council confirms their in–principle approval for Venus Metals Corporation Ltd to place donga accommodation at Yalgoo Caravan Park to accommodate mining personnel.

Motion put and carried 4/0

Mrs H Duffey left the meeting at 12.40pm.

NEW MOTION/ COUNCIL DECISION

C2010-0606 Venus Metals Corporation Ltd Building and Development Application at Yalgoo Caravan Park

Moved Cr TK Iturbide, Seconded Cr EC Rowe

That the Council requires the Chief Executive Officer to present the first draft agreement and fee structure to Council for consideration before determining the development application.

Motion put (2/2) and lost 2/3 on the President’s casting vote

COUNCIL DECISION

C2010-0607 Venus Metals Corporation Ltd Building and Development Application at Yalgoo Caravan Park

Moved Cr LJ Terry, Seconded Cr L Hodder

That the Council confirms their in–principle approval for Venus Metals Corporation Ltd to place donga accommodation at Yalgoo Caravan Park to accommodate mining personnel and authorises the CEO to determine the development application, negotiate an appropriate fee and if required, engage a legal professional to draft a long term tenancy arrangement.

Motion put and carried 4/0

Reason for Variation

The CEO, via Council delegation 2.7, is authorised to issue planning consent for development applications that fully comply with all requirements. (Delegation 2.7 adopted 17 April 2008).

The application from Venus Metals Corporation Ltd is incomplete but the CEO sought Council’s discretionary in–principle consent for the mining company to locate their donga accommodation on the site of the Yalgoo Caravan Park. Further, the CEO sought Council’s approval to negotiate a fee and legal agreement with the mining company for such occupation.

Whilst agreeing in principle that Venus Metals Corporation Ltd could locate their accommodation dongas at the Yalgoo Caravan Park, Councillors debated whether the CEO should re–present the complete application including the fee structure and legal agreement for Council to review before the CEO determines the development application.

- The Officer recommendation was amended to exclude the second part then put and carried.
- A new motion was then moved and was lost on the President's casting vote.
- The complete original Officer recommendation was then moved put and carried 4/0.

ADJOURNMENT

The meeting adjourned for lunch break at 12.55pm and resumed at 2.10pm with all who were in attendance before the adjournment being present at the resumption together with Mrs H Duffey except Mr CF Hodder.

11.3 FINANCE

11.3.1 DEPUTY CEO – ACTIVITY REPORT – MONTH OF MAY 2010

File: N/A
 Author: Heide Duffey, Acting Deputy Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 11 June 2010
 Attachments: None

Investments

Fund	Institution	Invested	Due	Interest Rate %	Amount Due	Govt guarantee
Municipal	NAB	varying		Up to 3%		Yes
Reserve	Suncorp	1,049,235.70			1,049,235.70	No
Reserve	Suncorp	1,080,673.68	15 June 2010	5.00	1,082,894.24	No

Comparative investment rates

WA Treasury (Overnight):	4.50
WA Treasury 30 days:	4.61
Macquarie 30 Days	4.70

Finance Report

Due to the interim audit, the Quickbooks file has had to remain at the office rather than be sent for the auditor’s end of month processing. The financial report for the month ended 31 May will be presented at the next meeting.

Tidy Town

As the tourist season has commenced, a concerted effort is being made to clean our tourist attractions and streets within the town. Further, with a busy bee planned for the museum and funding approved for the Holy Trinity Anglican Church, we should see a marked improvement.

Posters

Thank you to the children from the school who have made posters highlighting vandalism within the town. These posters have been put on display at various sites in an attempt to relay the message that vandalism is antisocial and criminal behaviour.

Ranger

Several staff members participated in a dog licence training session conducted by the ranger on the 2nd of June 2010.

Over the past month the ranger:

Destroyed 5 dogs
 Impounded 2 dogs

Meetings

12 May John Butler: Fuel rebates
 13 May Gratten Riggs Mechanic from Morawa: Follow up from previous discussions regarding work in Yalgoo.
 26 May Geraldton Disability Services (Disability Access and Inclusion Plans)

- 28 May Trish: new nurse arriving 19 June (Gayle from a previous stay) is staying until Christmas and wishing to live in the house attached to the Clinic.
31 May Victor Ware from MEEDAC : Update on situation with the tearoom
3 June Nigel Goode Greenfields: Visit to Payne's Find

Future meetings

16 June Bill Atyeo, Environmental Health Officer & Kumar Arunachalam from Venus Metals Pty Ltd.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0608 Deputy CEO Activity Report

Moved Cr LJ Terry, Seconded Cr EC Rowe

That the Deputy CEO's Activity Report for June 2010 and material variance be received.

Motion put and carried 4/0

11.3.2 DIFFERENTIAL RATING 2010/2011

File: B3
 Author: Violet Rowe, Deputy Chief Executive Officer
 Interest Declared: Nil
 Date: 3 June 2010
 Attachments: None

MATTER FOR CONSIDERATION

Determination of the rate in the dollar and the minimum rates for the various differential and specified area rate categories for the 2010/2011 financial year.

BACKGROUND

The Valuer General's Office (Landgate) provides Council with a rateable value for each rateable property within the Shire. Properties located in the townships of Yalgoo and Paynes Find are valued based on a gross rental value (GRV). Pastoral/rural, mining and exploration/prospecting are valued based on unimproved value (UV). Council will then set a "rate in the dollar" (RID) and minimum rate values. The rateable value (as advised by the Valuer General's Office) is multiplied by the rate in the dollar to produce the annual rates to be charged to the property. If this value is less than the minimum rate value agreed by Council, then the ratepayer will be charged the minimum rate value.

In the past Council has adopted a differential rating strategy and currently has four rating categories being residential, pastoral, mining, exploration/prospecting.

The annual differential rating proposal is to be advertised for public comment for a period of 21 days prior to its adoption by Council. Should Council adopt these differential rates at the Ordinary Meeting on 17th June 2010, the intention is to advertise the proposed rates in the Western Australian on the Saturday 19th June 2010. Submissions from ratepayers and electors would be invited to be received up to Monday 12th July 2010. If any submissions are received, Council is required to consider them. Submissions will be considered at the July Ordinary council meeting. If there are no submissions received then approval will be sought from the Minister.

As Council has a differential rate that is more than twice the lowest differential rate imposed, the approval from the Minister for Local Government and Regional Development must be obtained before these rates are formally adopted by Council. The approval of the Minister will be sought towards the end of the public consultation phase in order to obtain feedback prior to the July Ordinary Meeting.

Once Council has advertised for the required time, processed any submissions from ratepayers and Ministerial approval has been granted, Council can then adopt the budget. As required by the Local Government Act 1995 the budget must be adopted by August 31.

As in previous years, the justification for the higher minimum rate on vacant land is related to land supply issues. Development of the town is restricted by a lack of land available, especially for housing. Housing is still in critically short supply and Council is trying to address this by building houses and ensuring blocks are available for building. Vacant lots in Yalgoo are predominantly owned by absentee owners who apparently have no intention of developing them. The intention of the continued high minimum rates for vacant blocks is to clearly indicate Council's desire to pursue its goal to have town blocks developed. The purpose of the greater minimum rates is motivational rather than based on revenue considerations. We believe that this course of action will provide motivation to the owners of vacant land needed for development either to improve their properties by the construction of dwellings or other buildings, or to sell them to people who are willing to implement such improvements.

STATUTORY ENVIRONMENT**Local Government Act 1995**

- s.6.32 – States that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.
- s.6.33(1) – Provides that a local government may impose differential general rates according to a number of characteristics.
- s.6.33(2) – States that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.

- s.6.34 – States that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency.
- s.6.35 – States a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.
- s.6.36 – Requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

POLICY IMPLICATIONS

Policy 7.5 Rates Calculation – outlines the steps for staff to prepare a draft budget using Local Government Cost Index (LGCI).

Policy 7.6 Preparation of Budget – outlines the steps and timetable leading to the adoption of the Budget.

FINANCIAL IMPLICATIONS

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure. However, it is allowed to adopt a budget that has a deficit that does not exceed 10% of its rates revenue.

For the 2010/2011 draft Budget it is proposed a total of \$1,061,759.89 be raised from GRV property and UV area rates.

STRATEGIC IMPLICATIONS

Nil

CONSULTATION

CEO, Shire of Yalgoo

COMMENT

Determining the Percentage Increase for Property Rates

Factors such as the growth of the Shire, need for additional resources to meet growth demands, the rising cost of labour and materials, previous rate increases approved and a perception of the affordability of a reasonable rate increase are some of the factors taken into account when considering the percentage by which rates in the dollar and minimum rates have to be increased.

In 2007 it was adopted by Council that the basis for determining increases to rates should be the Local Government Cost Index (LGCI) as this provides a better representation of the cost of goods consumed by local government than the basket of goods used to compile the Consumer Price Index (CPI). It is argued CPI provides a good estimate of a household’s expectation of the price changes (increases) to the goods and services they consume but it does not provide a good estimate of the cost pressures faced by local government. The LGCI is an important key in forecasting expenses and it is prudent for Council to increase rates to at least the minimum percentage of the LGCI to enable Council to maintain current services. The most recent Local Government Cost Index increased 1.9% in the year to March 2010.

Because this year is a revaluation year, the rate in dollar is to be based on the previous year’s rate yield multiplied by the Local Government Cost Index (LGCI) as dictated by Policy 7.5.

The below table demonstrates the implications of calculating the rate based on the previous year’s rate yield multiplied by the LGCI as well as the recommended rate. It is recommended that the policy formula for calculation of rates be used except for Town Vacant. Altering the Town Vacant rate to match the Town Improved will ensure consistency with previous year’s rate setting.

Rate Category	Basis	2009/2010 Rate cents in \$	2009/2010 Minimum	Rate cents in \$ as per Policy calculation	Proposed 2010/2011 minimum	Proposed 2010/2011 Rate cents in \$
Town Improved	GRV	7.59	225	6.40	230.00	6.40
Town Vacant	GRV	7.59	521	1141.46	530.00	6.40
Pastoral/Rural	UV	7.83	225	5.65	230.00	5.65
Mining/Mining Tenement	UV	24.46	225	23.29	230.00	23.29
Exploration/ Prospecting	UV	13.08	225	17.06	230.00	17.06

Determining the Yield from Property Rates

Rate Modelling was performed using the above mentioned proposed rates. The results of this model provide the rate yield target for the Shire’s budget. The model provided a rate yield of \$1,061,759.89 from 435 assessments. Of this total \$1,035,886.73 is obtained from UV properties and \$25,873.16 from GRV properties.

Rate Classification	No of Properties	Minimums	Yield
Town Improved (GRV)	40	5	\$19,513.16
Town Unimproved (GRV)	12	12	\$ 6,360.00
Mining/Mining Tenement (UV)	158	38	\$871,911.59
Exploration/Prospecting (UV)	202	90	\$112,785.48
Pastoral/Rural (UV)	23	2	\$51,189.66
Total rates Yield			\$1,061,759.89

Rates	Town	2.4%
	Pastoral	4.8%
	Mining	82.2%
	Exploration	10.6%

VOTING REQUIREMENT
 Absolute Majority

OFFICER RECOMMENDATION 1/ COUNCIL DECISION

C2010-0609 Differential Rating 2010/11

Moved Cr LJ Terry, Seconded Cr L Hodder

That Council advertise its intention in accordance with Section 6.36 of the Local Government Act 1995 to adopt the following rates in the dollar and minimum rates for the differential rating categories specified for the 2010/2011 financial year.

Rate Category	Basis	2010/2011 Rate cents in the dollar	2010/2011 Minimum
Town Improved	GRV	6.40	\$230
Town Vacant	GRV	6.40	\$530
Pastoral/Rural	UV	5.65	\$230
Mining/Mining Tenement	UV	23.29	\$230
Exploration/ Prospecting	UV	17.06	\$230

Motion put and carried by Absolute Majority 4/0

VOTING REQUIREMENT
 Simple majority

OFFICER RECOMMENDATION 2/ COUNCIL DECISION

C2010-0610 Application be made to Minister for Approval

Moved Cr EC Rowe, Seconded Cr LJ Terry

That application be made to the Minister, for approval to adopt differential rating and rates in the \$ that exceed the 2:1, immediately following the close of the submission period subject to no submissions being received.

Motion put and carried 4/0

11.3.3 BUDGET – RUBBISH COLLECTION CHARGE DRAFT BUDGET 2010/2011

File: Violet Rowe, Deputy CEO
 Interest Declared: No interest to disclose
 Date: 9 June 2010
 Attachments: None

MATTER FOR CONSIDERATION

Determine Rubbish Collection charge for the 2010/2011 draft budget

BACKGROUND

The Health Act permits Council to charge for rubbish collection services.

STATUTORY ENVIRONMENT

Local Government Act –
 - s.6.16 – Fees and charges
 Financial Management Regulations, 1996 –
 - r.24, 25 – setting of fees and charges
 Health Act 1911 –
 - s.11 – health rates and charges

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

None

FINANCIAL IMPLICATIONS

Rubbish Collection charges – probable increase in income to the Shire

CONSULTATION

CEO, Shire of Yalgoo

COMMENT

Council adopted a flat charge per bin of \$180 excluding GST in 2009/2010 for domestic and commercial bin collection. The Shire of Yalgoo has contracted Veolia to collect rubbish. The agreement with Veolia allows for one collection per week.

Currently the cost of maintaining the waste site far exceeds the income from fees. Yearly expenditure for rubbish collection and associated costs (direct and indirect) is stated below.

Contractor Rubbish Collection charges	22,011
Maintenance of tip	14,160
Admin Allocation	<u>7,218</u>
Total	43,389

For the Shire to break even the rubbish charge would have to be \$850 per bin, which would be one of, if not the highest, rubbish charges in the state. It is therefore recommended that the fee for 2010/2011 draft budget be \$200 excluding GST, representing a 10% increase from the 2009/2010 collection rate. Modelling the rate of \$200 per bin resulted in projected income of \$10,200, comprised of \$8,000 from domestic and \$2,200 from commercial collections.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

Moved Cr EC Rowe, Seconded Cr LJ Terry

C2010-0611 Draft Budget for Rubbish Collection Charge

That Council adopt a flat charge per bin of \$200 excluding GST for the 2010/2011 draft budget regardless of whether or not it is a domestic or commercial collection.

Motion put and carried 4/0

11.3.4 DRAFT BUDGET 2010/2011 – CONSULTATION REQUESTS

File: B3-1
 Author: Violet Rowe, Deputy Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 10 June 2010
 Attachments: None

MATTER FOR CONSIDERATION

Review requests from councillors, staff and the community for inclusion in the draft budget for 2010/2011

BACKGROUND

During 2007, Council resolved to have a budget process in place in order to adopt timely budgets. Part of this policy was to ask councillors, staff and the community to submit requests for the draft budget.

STATUTORY ENVIRONMENT

Local Government ACT 1995
 Section 6.2–Requires that each year a local government prepare and adopt an annual budget.

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

Policy 7.6 Preparation of Annual Budget.

FINANCIAL IMPLICATIONS

None

CONSULTATION

- Community – via advertisement in the Yalgoo Bulldust requesting budget submissions in January 2010
- Councillors – via written and verbal request for submission at the January 2010 council meeting
- Staff - via a memo seeking requests in January 2010
- CEO, Shire of Yalgoo

COMMENT

Community Requests

Submissions from the community were invited to be received until 5th February 2010.

One community member, Ruth Burmiester, lodged several submissions as summarised below:

Draft budget request	Comment
Shamrock Park facilities including better lawn, upgrade of swings, more trees	Additional trees have been planted and reticulation repaired as part of park maintenance resulting in improved lawn. New swings seats will be ordered as part of maintenance at park to replace broken swing seats.
Median Strip - Shamrock and Gibbon St Trees and garden planted at entrance of Gibbon St	Council has commissioned a project concept for main street beautification and this will be included in the forward capital works plan.
Footpaths	The Shire has applied for funding for footpaths. We are not yet aware of the outcome of application.
Pedestrian signage and maze at the crossing point of Mt Magnet Geraldton Road	This is considered a priority by School Drug Education and Road Aware (Department of Education) for improving road safety in Yalgoo. Estimated cost \$4,000

Councillor Requests

Cr Rowe requested that \$10,000 be put aside in draft budget for mobile communications

Staff Requests

One member of staff had several requests for inclusion in the 2010/2011 draft budget. Most of the requests have been fulfilled during the current financial year as part of maintenance provided for in 2009/2010 adopted budget.

Draft budget request	Comment
New toilet block and camp kitchen for Caravan Park	<ul style="list-style-type: none"> ▪ The donga toilet block at the caravan park is outdated, unattractive and difficult to maintain in a hygienic condition. ▪ A camp kitchen will improve the facilities available to users. ▪ Council has applied for funding to develop a mandatory forward capital works plan by 31 December 2010. These items will be considered in the forward plan.
Additional BBQ for Caravan Park est. cost \$1,000	There is currently one BBQ at the Caravan Park. There are also two BBQ's at the Community Park.
Two outside picnic settings for Caravan Park est. Cost \$3,000	Council has recently installed outdoor seating at the caravan park.
Shamrock Park new play equipment est. Cost \$8000	The current play equipment is in fair condition other than one of the swing seats needing replacement.
Shamrock Park new picnic setting	The current seating at Shamrock Park is useable although requires sanding and painting to improve aesthetic appeal. Additional seating could be an option.

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATIONS/ COUNCIL DECISION

C2010-0612 Draft Budget 2010/11 – Consultation Request

Moved Cr LJ Terry, Seconded Cr EC Rowe

1. That the following items be considered in the draft budget for 2010/2011:

- **Pedestrian Signage and maze at the crossing point of Mt Magnet Geraldton Road**
- **Additional BBQ for Caravan Park**
- **Shamrock Park picnic setting restoration and/or new additional picnic setting**
- **Shamrock Park repair playground equipment**
- **\$10,000 for mobile communications**

2. That the following items be included in the five year forward capital works plan:

- **Replace amenities block at Caravan Park**
- **Camp kitchen at Caravan Park**
- **Main street beautification including consideration of safety for pedestrians and local traffic on/crossing Geraldton Mount Magnet Road**

Motion put and carried 4/0

11.4 ADMINISTRATION

11.4.1 CEO – ACTIVITY REPORT 14 MAY to 10 JUNE 2010

File: N/A
 Author: Sharon Daishe, CEO
 Interest Declared: No interest to disclose
 Date: 13 May 2010
 Attachments: p.41 Murchison Shires Organisational Risk Management Proposed Service
 (yellow) Structure, Local Government Insurance Services

Use of Common Seal

In accordance with Council resolution C2010-0514, the Shire President and CEO signed and sealed an amended Memorandum of Understanding between the Shire and MMG Golden Grove.

Policy Schedule 3.2 (b) – Councillors

In accordance with item 8. Accountability of the above policy schedule, I report that the Shire funded councillors to attend conferences and training during the reporting period as follows:

- Local Government Manager’s Association Women in Local Government Conference (day 1 only) Deputy President Ellen Rowe

Project Update

A summary of activities on capital works, administration projects and other matters will be provided on the day for the information of councillors.

Councillor Information Requests

Received From	Details	Status
2010-04-22 Cr Valenzuela	What is the current police policy regarding managing youth issues in Yalgoo?	<ul style="list-style-type: none"> ▪ ACTIONED & CLOSED, see details under Meetings Attended – 8 June
2010-04-22 Cr Forster	Council consider placing security cameras at office building, Community Park and sporting venues.	<ul style="list-style-type: none"> ▪ SAO Duffey is investigating types/cost of lighting and is discussing options with Geraldton & Midwest Security ▪ Police have suggested lighting as preferred first option as cameras are expensive and are ineffective if not monitored. ▪ \$20,000 funding approved to audit and upgrade lighting in public places.
2010-03-10 Cr Terry	Request to fit 2 way radio to Paynes Find fire truck	<ul style="list-style-type: none"> ▪ Radio is expected to arrive at the Shire on Tuesday 15 June and should be available to give to Cr Terry on 17 June.
2010 President Iturbide	Artists to have use of railway tearooms	<ul style="list-style-type: none"> ▪ Whilst artists are still very interested, apparently TAFE are no longer offering the course that the Yalgoo artists were doing. ▪ MEEDAC has arranged for the Art Group to go to Perth to meet with an art group in Fremantle and Janet Holmes à Court and visit venues able to offer this course. Victor Ware of MEEDAC will keep the Shire informed

Meetings Attended

Date	Details	Comments
17 May	Tex McPherson and President Iturbide re local emergency management	<ul style="list-style-type: none"> ▪ 9 June Lucinda Jose forwarded 1st draft of Local Emergency Management Arrangement (LEMA) document. CEO to review. ▪ 14 June CEO/President/FESA meet to finalise draft to present to next LEMC meeting (proposed for 11am 24 Aug)

Date	Details	Comments
18 May	CEOs from Sandstone, Yalgoo, Mt Magnet and Meekatharra Shires and Jordan Reid from LGIS met at Sandstone	<ul style="list-style-type: none"> ▪ CEOs agreed to direct resources to essential regional planning for Country Local Govt fund ▪ Jordan Reid, Local Government Insurance Services (LGIS), presented details for regional approach to occupational safety and health (OSH) risk management (refer attachment). The total cost to Yalgoo for 10 professional service days is less than \$4,000 which includes an LGIS discount and members experience account funding. Yalgoo will need to purchase additional hours to engage assistance to carry out comprehensive work to comply with OSH legislation.
19 May	Ruth Burmeister, Centacare	
20 May	Council, Yalgoo	
24 May	Mike Fitzgerald (with President & Deputy) to discuss representation for country Shires	Mike Fitzgerald has garnered support to propose a new Country Shires Association. An inaugural meeting may be held in Perth in August to consider a constitution, membership and a position description for an employed advocate.
24 May	Raul Valenzuela	Brief re Councillor Information Request
25 May	Greg Fletcher, Fletcher Communications	Re mobile service coverage, 2 way radio coverage and telephone at depot
26 May	Rhonda Anderson re Museum	<ul style="list-style-type: none"> ▪ Handed over items railway and station master items donated by O'Connor family on behalf of last Yalgoo station master. ▪ Agreed to hold community working bee on Saturday 19 May to clean museum. All Councillors welcome to attend and assist please; with a friend.
27 May	Matt Hogan, Venus Metals Corporation Ltd (with SAO Duffey)	Re development application
28 May	Works foreman Cliff Hodder	Re vacancy, plant operator/general hand
31 May	Jim Dillon, Mid West Accounting Services, Geraldton	Discuss accountancy service provision and SynergySoft council software package
31 May	Jerom Hurley, Department of Planning, Geraldton	Re finalise Yalgoo Local Planning Scheme #2
1 June	Digital Regions Initiative Briefing, Perth	The complex requirements of this project mean that Council would be unlikely to attract partners and apply for funding by 14 July. However, the briefing was an invaluable opportunity to establish contacts in the communications arena.
1 June	Michael Keene, Greenfields Technical Services, Perth	Road funding and projects, Water Playground and Health Centre
1 June	Jenny Law and Stuart Fraser, Dept of Local Govt, Perth	Various local government matters, legislation and CEO mentor program
3 June	Local Government Act Course, Perth	
4 June	LGMA Women in Local Government Conference, Perth	The conference was particularly relevant to a new CEO and targeted leadership, change management and making tough calls to achieve reform
8-9 June	Interim audit visit	
8 June	Simon Barras, Department of Sport and Recreation and Zane D'Mello, Mid West Community Service Network	Discussed Week 8 program and various options for sport, recreation and community services in Yalgoo

Date	Details	Comments
8 June	Robert Duffey, Acting OIC Yalgoo Police Lyndy Richmond, Principal, Yalgoo Primary (apologies President Iturbide and Cr Valenzuela)	Refer Councillor Information Request, police activities for managing youth issues in Yalgoo: <ul style="list-style-type: none"> ▪ Police regularly visit school and work with Principal regarding behaviour ▪ Working on rewarding positive behaviour rather than punishing negative behaviour eg: children on Individual Behaviour Plan can earn a voucher reward to spend at store ▪ Concentrating on highest risk behaviours and being realistic, eg: Roadwise to provide child car restraints for hire in Yalgoo. ▪ Police can assist community in many areas such as funding and support to develop Police and Citizens Youth Club ▪ School runs Constable Care program at least once each year; this year included protective behaviour program ▪ Police and school are going to run a ‘walking school bus’ program to focus on road safety. Many other ideas were discussed such as having a Yalgoo Safety Day and awards for road safety. ▪ Gambling – this is a social problem and is not illegal (people playing cards at their home) therefore is not in police jurisdiction ▪ Drugs – police regularly respond to intelligence regarding drugs coming into town. Citizens can help by being willing to make a formal police report when they are aware of suspect activities. Police cannot search premises etc without real evidence. When police on highway patrol stop motorists for traffic offences, this also leads to uncovering drug offences.
9 June	Jim McNamara Equipment maintenance training for bush fire brigade with works crew.	<ul style="list-style-type: none"> ▪ Jim McNamara of FESA trained the works crew and town crew to check and maintain the light tanker and fire truck. A number of required items were absent and will be purchased and placed in the fire units. ▪ The brigade audited personal protective equipment and identified the need to order some clothing items, helmets and gloves. ▪ The bush fire brigade captain will carry out monthly checks on both items of equipment and hand the completed checklist to the Shire so that maintenance is properly monitored.

Future Commitments

Date	Details	Comments
14 June	Meet with President Iturbide, OIC Yalgoo Police Gordon Hughes and Tex McPherson, FESA	To finalise draft Local Management Arrangement (LEMA) for public consultation.
14 June	Yalgoo Interagency	To present LEMA to agencies
15 June	Staff & Executive meetings	
16-17 June	Housing inspections, staff housing, EHO Bill Atyeo and SAO H Duffey	
16 June	Environmental Health Officer Bill Atyeo and Venus Metals Corporation Ltd	On site meeting regarding development application, Yalgoo Caravan Park
17 June	Council	
18 June	Geraldton – Round table discussions with Telstra’s Technology Specialist, Nik Lukich	½ day invitation only session for WA Councils covering sustainability and technology.

Date	Details	Comments
19 June (Sat, non work)	Museum Busy Bee	
Tba (21/22?)	Nigel Goode, Greenfields Technical Services and Works Foreman Cliff Hodder re forward roads planning	
23 June	Lotteries Commission	
24 June	Roads tour south	
25 June	Roads tour north	
30 June	End of financial year (inventory, payroll, financial, other reporting obligations)	
9-19 July	Absent on leave (interstate)	

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0613 CEO Activity Report

Moved Cr EC Rowe, Seconded Cr LJ Terry

That Council receives the activity report prepared by CEO Sharon Daishe for the period 14 May to 10 June 2010.

Motion put and carried 4/0

12. NOTICE OF MOTIONS

12.1 PREVIOUS NOTICE RECEIVED

None

13. URGENT BUSINESS

ADMISSION OF URGENT BUSINESS

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

C2010-0614 Admission of Urgent Business

Moved Cr LJ Terry, Seconded Cr L Hodder

That Council admits the following additional matters for discussion and decision –
 13.1 – Memorandum of Understanding – Department of Environment and Conservation
 13.2 – Reserve Fund Transfer

Motion put and carried 4/0

13.1 MEMORANDUM OF UNDERSTANDING – Department of Environment and Conservation

File:
Author: Violet Rowe, Deputy CEO
Interest Declared: No interest to disclose
Date: 15 June 2010
Attachments: p.5 Draft MOU with Department of Environment and Conservation

MATTER FOR CONSIDERATION

To consider a draft MOU with Department of Environment and Conservation

BACKGROUND

Since 1997 the Department of Environment and Conservation (DEC) has purchased eight pastoral leases within the Shire of Yalgoo. During this time a Memorandum of Understanding (MOU) was established between DEC and the Shire of Yalgoo with the foremost point of the agreement being that DEC would pay the Shire the lost rates income from the properties. This MOU expired in July 2007. Attached is the new draft MOU between DEC and the Shire of Yalgoo.

STATUTORY ENVIRONMENT

Local Government Act 1995 –

- s.3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

STRATEGIC IMPLICATIONS

None

POLICY IMPLICATIONS

None

FINANCIAL IMPLICATIONS

Income around \$15,684 per year (varies depending on CPI)

CONSULTATION

Sharon Daishe, CEO Shire of Yalgoo
Niel Mitchell, CEO Shire of Trayning (previously held position of CEO, Shire of Yalgoo)
David Rose, DEC

COMMENT

The development of a new MOU has been in discussion between DEC, the previous CEO, previous DCEO and myself since 2007. A copy of the attached MOU was received by the Shire some time in February 2010. This coincided with executive staff change over; consequently no action has been taken on new MOU until now.

The attached MOU is similar to that proposed by previous CEO Niel Mitchell in 2007 with the only difference being the requirement that funds are spent on Shire owned/managed roads through the properties and maintenance of shire managed facilities on properties. The maintenance of these roads and facilities will cost more than the money received from DEC. However this would be the case even if the properties were owned by pastoralists, as it is a common case of expense equalling more than rates income.

The MOU will ensure that the Shire continues to receive income that would have otherwise been lost.

As an MOU, while it does have some legal standing, it is not a contract and therefore unenforceable in law.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0615 Memorandum of Understanding – Department of Environment and Conservation

Moved Cr LJ Terry, Seconded Cr EC Rowe

That the draft Memorandum of Understanding between the Shire of Yalgoo and the Department of Environment and Conservation be approved, and the President and CEO be authorised to affix the Common Seal of the Shire of Yalgoo to the Memorandum of Understanding.

Motion put and carried 4/0

13.2 RESERVE FUND TRANSFERS

File: F8
 Author: Violet Rowe, Deputy CEO
 Interest Declared: No interest to declare
 Date: 17 June 2010
 Attachments: Nil

MATTER FOR CONSIDERATION

To correct resolution C2010-0519 relating to Reserve Transfers

BACKGROUND

During the May Council meeting, Council resolved to approve various transfers from Reserves to the Municipal Account. It has since come to our attention that the incorrect Reserve names were used in the resolution for two of the proposed transfers, namely Housing Maintenance Reserve instead of Building Reserve and Roads Reserve instead of Yalgoo Ningham Road Reserve.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.11–Provides that where a local government wishes to set aside money for purposes in a future financial year, it is to establish and maintain a reserve account for each such purpose.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

In line with the adopted budget for 2009/10 transfer from Building Reserve to Municipal Account an amount of \$45,280

In line with the adopted budget for 2009/10 transfer from Plant Reserve to Municipal Account an amount of \$ 200,000

In line with the adopted budget for 2009/10 transfer from Yalgoo Ningham Road Reserve to Municipal Account an amount of \$ 100,000

The total of the Reserves transfers will be \$345,280.

COMMENT

As previously commented on in the May Council meeting:

Funding has been kept in a reserve account for approved projects in the 2009/2010 Budget. Listed are some of the projects where allocated monies have been spent.

Yalgoo Ningham Road,	Budget \$261,333	Actual Cost \$249,000
Patio to 3 Gibbon Street	Budget \$ 15,000	Actual Cost \$ 7,500
Air Conditioners to 30 Selwyn St	Budget \$ 10,000	Actual Cost \$ 9,780
Verandas to 54 Campbell & 6 Henty St	Budget \$ 50,000	Actual Cost \$ 28,000
Prime Mover	Budget \$210,000	Actual Cost \$ 209,168

As the listed projects indicate these jobs have been completed and in all instances have come in under budget.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION 1/ COUNCIL DECISION

C2010-0616 Reserve Fund Transfers

Moved Cr LJ Terry, Seconded Cr EC Rowe

That Resolution C2010-0519 Reserve Fund Transfer be revoked

Motion put and carried by Absolute Majority 4/0

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION 2/ COUNCIL DECISION

C2010-0617 Council to approve the reserve Fund Transfers

That Council:

- 1. approve the transfer of \$45,280 in June 2010 from Building Reserve to the Municipal Account.**
- 2. approve the transfer of \$200,000 in June 2010 from the Plant Reserve to the Municipal Account.**
- 3. approve the transfer of \$100,000 in June 2010 from the Yalgoo Ningham Road Reserve to the Municipal Account.**

Motion put and carried by Absolute Majority 4/0

14. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

None

15. NEXT MEETINGS

15.1 SPECIAL MEETING

Councillors can expect to receive draft 2010/11 budget papers before the end of June 2010 for review.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION/ COUNCIL DECISION

C2010-0618 Special Meeting

Moved Cr LJ terry, Seconded Cr EC Rowe

That a Special Meeting of Council to review the draft 2010-2011 Budget be held on Tuesday 6 July 2010 at 10.00am.

Motion put and carried 4/0

15.2 ORDINARY MEETING

The next Ordinary Meeting of Council is due to be held in the Council Chamber in Gibbons Street, on Thursday, 22 July 2010, commencing at 11.00 am.

16. MEETING CLOSURE

There being no further business, the President declared the meeting closed at 2.54pm.

DECLARATION

These minutes were confirmed by Council at the Ordinary Meeting held on _____.

Signed: _____
Person presiding at the meeting at which these minutes were confirmed