
INDEX

| | | |
|---------|--|----|
| 0608.01 | DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS | 2 |
| 0608.02 | RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE | 2 |
| 0608.03 | RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE | 2 |
| 0608.04 | PUBLIC QUESTION TIME | 3 |
| 0608.05 | APPLICATIONS FOR LEAVE OF ABSENCE | 3 |
| 0608.06 | CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS | 3 |
| 0608.07 | ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION..... | 4 |
| 0608.08 | PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS..... | 4 |
| 0608.09 | REPORTS OF COMMITTEES/MEMBERS | 4 |
| 0608.10 | REPORTS OF OFFICERS..... | 4 |
| | 10.4 <i>FINANCE AND GENERAL PURPOSE</i> | 4 |
| | 10.4.1 Statement Of Financial Activity | 4 |
| | 10.4.2 Finance Report 31 st May 2008 | 5 |
| | 10.4.3 Accounts For Payment..... | 5 |
| | 10.4.4 Mid West Regional Council Draft Budget | 7 |
| | 10.4.5 Financial Management Review – Receipt Of | 8 |
| | 10.4.6 Community Youth Development Officer – Extension Of Vehicle Lease | 10 |
| | 10.5 <i>CHIEF EXECUTIVE OFFICERS REPORT</i> | 11 |
| | 10.5.1 Land Under Roads Acquired On Or Before 30 th June 2008 | 11 |
| | 10.5.2 Urawa Road Reserves | 13 |
| | 10.5.3 Mullewa Town Enhancement & Trails Project Stage 2..... | 14 |
| 0608.11 | NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING | 16 |
| 0608.12 | ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN..... | 16 |
| 0608.13 | DELEGATED AUTHORITY..... | 16 |
| 0608.14 | CLOSURE OF MEETING | 16 |

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF MULLEWA HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 18 JUNE 2008.**0608.01 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

1:12pm The President declared the meeting open.

0608.02 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**PRESENT:**

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

OFFICERS:

Mr TA (Tom) Hartman - Chief Executive Officer
Ms NJ (Noelene) Holmes – Deputy Chief Executive Officer

APOLOGIES:

Nil

LEAVE OF ABSENCE:

Nil

VISITORS

Mullewa District High School

Teacher: Matthew Pots
Students: Nikkita Little
Helen Little

0608.03 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

0608.04 PUBLIC QUESTION TIME

Helen:

1. *Will there be anymore pole painting in the main street?*
The CEO advised that there may be more poles painted in the future.
2. *We saw that there is a new pathway outside Our Lady of Mt Carmel. Is it possible for us to have a new one put in as well in the future?*
The President advised that the footpath was a part of the Mons. Hawes Trail and in time the footpath past the district high school would be upgraded. The CEO advised that Mullewa Bike Plan incorporated dual use footpaths around town.

Nikkita:

1. *Why have the buildings in the main street been painted different colours?*
The CEO advised that the buildings had been painted with colours from a colour palette which was formulated from community workshops which were held at the Telecentre.
2. *Are we able to get more things for the youth centre, like more movies and a new pool table?*
The CEO advised that the Youth Centre Co-ordinator will survey users of the youth centre to identify their needs. He also advised that the youth can approach the coordinator to discuss requirements for the centre and that the pool table may be replaced shortly.
3. *I think we may need bigger brighter signs to get people to slow down near the school and in the main street. Would this be possible?*
The CEO advised that the Education Department had been approached in regards to school staff parking off Jose Street and that Councils speed trailer had been used in the past to identify speeding motorists.

1:24pm The visitors left the meeting

0608.05 APPLICATIONS FOR LEAVE OF ABSENCE

Moved: M Kerkmans **Seconded:** J L Freeman

COUNCIL DECISION: THAT CR THOMAS AND CR WAINWRIGHT BE GRANTED LEAVE OF ABSENCE FOR THE JULY 2008 MEETING.

CARRIED 9/0

0608.06 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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

COUNCIL DECISION: THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HLED ON 21ST MAY 2008, AS PRINTED BE CONFIRMED.

CARRIED 9/0

| | |
|----------------|---|
| 0608.07 | ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION |
|----------------|---|

Nil

| | |
|----------------|--|
| 0608.08 | PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS |
|----------------|--|

Nil

| | |
|----------------|--------------------------------------|
| 0608.09 | REPORTS OF COMMITTEES/MEMBERS |
|----------------|--------------------------------------|

Nil

| | |
|----------------|----------------------------|
| 0608.10 | REPORTS OF OFFICERS |
|----------------|----------------------------|

10.4 FINANCE AND GENERAL PURPOSE

| | |
|---------------|--|
| 10.4.1 | STATEMENT OF FINANCIAL ACTIVITY |
|---------------|--|

DATE OF MEETING: 18 June 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: -

PREVIOUS MINUTE/S & REFERENCE: -

DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

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

SUMMARY

BACKGROUND: Financial Management Regulation 34 requires a local government to prepare a 'Statement of Financial Activity' reporting on the sources and applications of funds on a monthly basis.

COMMENT: Attached at **APPENDIX A** is the Statement of Financial Activity for May 2008.

CONSULTATION:

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

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

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

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

VOTING REQUIREMENT: Simple majority

OFFICER RECOMMENDATION THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MAY 2008 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MAY 2008 BE RECEIVED.**

CARRIED 9/0

10.4.2 FINANCE REPORT 31ST MAY 2008

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & -
 REFERENCE:
 DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF Author has no disclosure of interest.

INTEREST:
 SUMMARY

BACKGROUND:

COMMENT:

BANK RECONCILIATION

The Bank Reconciliation for the month of May 2008 is listed below at **APPENDIX B**. The CDA account is a Cash Deposit Account where excess Municipal funds are transferred to obtain maximum interest. This account attracts an interest rate of 6.75%.

CONSULTATION:

STATUTORY There are no known statutory implications at this time.

ENVIRONMENT:

POLICY There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT: Simple majority

OFFICER

RECOMMENDATION

THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST MAY 2008 BE RECEIVED.

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

COUNCIL DECISION: **THAT THE FINANCE REPORT FOR THE PERIOD ENDED 31ST MAY 2008 BE RECEIVED.**

CARRIED 9/0

10.4.3 ACCOUNTS FOR PAYMENT

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & -

REFERENCE:
 DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

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

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

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

The summary of the schedule of accounts to be passed for payment totalling \$ 452,800.14 covers the following:

| | | |
|--------------------------|---------------|----------------------|
| <u>Municipal Account</u> | | |
| Cheque No. | 9845 - 9872 | \$ 76,594.19 |
| Electronic Fund Trans | 4169 - 4238 | \$ 314,675.51 |
| Payroll & Fees | VARIOUS | \$ 60,948.43 |
| <u>Trust Account</u> | | |
| Cheque No. | 350 | \$ 487.40 |
| | Total: | \$ 452,800.14 |

CONSULTATION: Nil

STATUTORY ENVIRONMENT: Local Government Act and Regulations

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

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

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

VOTING REQUIREMENT: Simple majority

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

| | | |
|--------------------------|---------------|----------------------|
| <u>Municipal Account</u> | | |
| Cheque No. | 9845 - 9872 | \$ 76,594.19 |
| Electronic Fund Trans | 4169 - 4238 | \$ 314,675.51 |
| Payroll & Fees | VARIOUS | \$ 60,948.43 |
| <u>Trust Account</u> | | |
| Cheque No. | 350 | \$ 487.40 |
| | Total: | \$ 452,800.14 |

Moved: J L Freeman **Seconded:** M D Tierney

COUNCIL DECISION: THAT THE ACCOUNTS FOR PAYMENT LISTED ON THE SCHEDULE AS PRESENTED BE PASSED FOR PAYMENT.

| | | |
|--------------------------|-------------|--------------|
| <u>Municipal Account</u> | | |
| Cheque No. | 9845 - 9872 | \$ 76,594.19 |

| | | |
|------------------------------|--------------------|----------------------|
| Electronic Fund Trans | 4169 - 4238 | \$ 314,675.51 |
| Payroll & Fees | VARIOUS | \$ 60,948.43 |
| <u>Trust Account</u> | | |
| Cheque No. | 350 | \$ 487.40 |
| | Total: | \$ 452,800.14 |

CARRIED 9/0

10.4.4 MID WEST REGIONAL COUNCIL DRAFT BUDGET

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: Tom Hartman, Chief Executive Officer
 DISCLOSURE OF INTEREST: Author has no disclosure of interest.
 SUMMARY: Report submits the Draft Budget of the MWRC for consideration.
 BACKGROUND: At the last meeting of the MWRC held on 14th May 2008, it was resolved that –

Council endorses the Mid West Regional Council 2008/2009 First Draft Budget as presented, to be forwarded to all member Shires for comment prior to being presented to Council for adoption in accordance with the format and requirements of the Local Government Act & Regulations.

CARRIED 7/0
MINUTE REF: 05/08-06

The complete MWRC Draft Budget is attached under separate cover at **APPENDIX C.**

COMMENT: The MWRC has requested that member shires view the draft budget and make any comment prior to being considered for adoption. Notwithstanding other matters in the draft, page 15 outlines possible Shire contributions for future grant reliant service/projects that will need discussion.

There is however further developments in relation to the Engineering Service Delivery Unit, following a recent workshop with Main Roads WA concerning the development of a future alliance that could involve a partnership in delivering a maintenance contract throughout the Mid West Region. This development adds value to the proposal to set up the Engineering unit within the next financial year.

Further information will be provided in the near future to allow Council the opportunity to consider the Engineering Service Unit and it will be recommended that this proposal be considered in the 2008/09 budget.

There is provision within the State and Federal road funding allocations to allow for an engineering component in developing and administering projects. This aspect will need further investigation prior to any decision

on funding issues for the service.

| | |
|-------------------------|---|
| CONSULTATION: | Members of the MWRC TAG Kim Edmeades MRWA |
| STATUTORY ENVIRONMENT: | There are no known statutory implications at this time. |
| POLICY IMPLICATIONS: | There are no known policy implications at this time. |
| FINANCIAL IMPLICATIONS: | There are no known financial implications at this time. |
| STRATEGIC IMPLICATIONS: | There are no known strategic implications at this time. |
| VOTING REQUIREMENT: | Simple majority |
| OFFICER RECOMMENDATION | THAT COUNCIL REVIEW THE MWRC DRAFT BUDGET; MAKE COMMENT AS NECESSARY AND CONSIDER THE CONTRIBUTION TOWARDS THE ENGINEERING SERVICE DELIVERY UNIT IN THE 2008-2009 BUDGET DELIBERATIONS. |

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

COUNCIL DECISION: **THAT COUNCIL REVIEW THE MWRC DRAFT BUDGET; MAKE COMMENT AS NECESSARY AND CONSIDER THE CONTRIBUTION TOWARDS THE ENGINEERING SERVICE DELIVERY UNIT IN THE 2008-2009 BUDGET DELIBERATIONS.**

CARRIED 9/0

1:58pm The CEO left the meeting

1:59pm The CEO returned to the meeting

10.4.5 FINANCIAL MANAGEMENT REVIEW – RECEIPT OF

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS:
 NAME OF APPLICANT:
 FILE REFERENCE: 204
 PREVIOUS MINUTE/S & REFERENCE:
 DATE AND AUTHOR: Noelene Holmes, Deputy Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.
 SUMMARY Report presents Financial Management Review

BACKGROUND: Under Financial Management Regulation 5(2)(c) the Chief Executive Officer is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every four financial years) and report to the local government the results of these reviews. The review was last carried out in April 2004.

COMMENT: Whilst the Financial Management Regulations prescribe that a review into the appropriateness and effectiveness of the financial management

systems and procedures shall be undertaken by the Chief Executive Officer and reported to the local government on the results of that review, there is no direction as to what or how the review should consider.

The Chief Executive Officer has therefore relied upon Haines Norton to undertake a review in accordance with accounting practices and to accept that as the basis for the report to Council. Attached at **APPENDIX D** is a copy of the Financial Management Review.

In conclusion the review states:

Whilst a number of areas have been noted as requiring attention, they are relatively minor when the scale of the Shire is taken into account. We consider the overall effectiveness of the financial management system and procedures of Council are sound and appropriate for Council's current level of operations. Addressing the issues highlighted will help to ensure the controls and procedures established are not compromised in the future and the integrity of the financial management system is maintained.

CONSULTATION:

STATUTORY
ENVIRONMENT:

Local Government Act S6.10
Local Government Financial Management Regulations 5(2)©

POLICY
IMPLICATIONS:

There are no known policy implications at this time.

FINANCIAL
IMPLICATIONS:

There are no known policy implications at this time.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

**OFFICER
RECOMMENDATION**

THAT THE FINANCIAL MANAGEMENT REVIEW, AS UNDERTAKEN BY THE CHIEF EXECUTIVE OFFICER THROUGH THE SERVICES OF UHY HAINES NORTON, BE RECEIVED AND THAT HE INITIATES APPROPRIATE RESPONSES WITHIN THE ORGANISATION TO THOSE MATTERS AS IDENTIFIED IN THE REVIEW.

Moved:

J L Freeman

Seconded:

K P Keeffe

COUNCIL DECISION:

THAT THE FINANCIAL MANAGEMENT REVIEW, AS UNDERTAKEN BY THE CHIEF EXECUTIVE OFFICER THROUGH THE SERVICES OF UHY HAINES NORTON, BE RECEIVED AND THAT HE INITIATES APPROPRIATE RESPONSES WITHIN THE ORGANISATION TO THOSE MATTERS AS IDENTIFIED IN THE REVIEW.

CARRIED 9/0

| |
|--|
| 10.4.6 COMMUNITY YOUTH DEVELOPMENT OFFICER – EXTENSION OF VEHICLE LEASE |
|--|

| | |
|--------------------------------|---|
| DATE OF MEETING: | 18 June 2008 |
| LOCATION/ADDRESS: | |
| NAME OF APPLICANT: | Shire of Morawa |
| FILE REFERENCE: | |
| PREVIOUS MINUTE/S & REFERENCE: | March 2006 |
| DATE AND AUTHOR: | Noelene Holmes, Deputy Chief Executive Officer |
| DISCLOSURE OF INTEREST: | Author has no disclosure of interest. |
| SUMMARY: | Report advises of request for extension of vehicle lease |
| BACKGROUND: | In March 2006 Council resolved: The Shire of Mullewa forms a partnership and agreement with the Shire of Morawa to jointly manage grant funding from the Department of Justice over the next two years, and that provision be made in the 2006/7 and 2007/8 budget for the purpose of leasing or purchasing and maintaining a suitable vehicle for use by the project officer. |
| COMMENT: | A vehicle was subsequently leased from Custom Fleet for use by the Community Development Officer. This lease expires in July 2008. The vehicle lease was aligned with the project period but during this time the incumbent officer took leave without pay, therefore extending the expiry of the project. The Shire of Morawa have now requested that Council consider extending this lease and other vehicle costs until November 2008 to coincide with the conclusion of the CYDO's employment contract. The current lease amount for this vehicle is \$777.79 per month. A new quote for the extended period has been received at a cost of \$676.11 per month. This new amount also includes increasing the kilometres from 70,000 to 80,000. |
| CONSULTATION: | Chief Executive Officer |
| STATUTORY ENVIRONMENT: | There are no known statutory implications at this time. |
| POLICY IMPLICATIONS: | There are no known policy implications at this time. |
| FINANCIAL IMPLICATIONS: | For probable inclusion in 2008/2009 Budget |
| STRATEGIC IMPLICATIONS: | There are no known strategic implications at this time. |
| VOTING REQUIREMENT: | Simple majority |
| OFFICER RECOMMENDATION | THAT THE CYDO VEHICLE LEASE AND ASSOCIATED VEHICLE COSTS BE EXTENDED TO CONCLUDE AT THE END OF NOVEMBER 2008. |

Moved: *M D Tierney*

Seconded: *J L Freeman*

COUNCIL DECISION: **THAT THE CYDO VEHICLE LEASE AND ASSOCIATED VEHICLE COSTS BE EXTENDED TO CONCLUDE AT THE END OF NOVEMBER 2008.**

CARRIED 9/0

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 LAND UNDER ROADS ACQUIRED ON OR BEFORE 30TH JUNE 2008

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: -
 PREVIOUS MINUTE/S & REFERENCE: -
 DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

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

SUMMARY Australian Accounting Standard (AAS) 27 is about to be withdrawn with Australian Accounting Standards Board (AASB) Standards to replace the same.

Land Under Roads Acquired On or Before 30th June 2008

AASB 1051 – Land under Roads requires an entity to make an election to either recognise for the first time or not to recognise as an asset, land under roads that was acquired before 30th June 2008.

Recent UHY Haines Norton workshops provided a recommendation to officers that Local Authorities make a final election not to recognise land under roads acquired before 30th June 2008. This must be carried out through a resolution of Council between now and 30th June 2009.

BACKGROUND: **AASB 1051 - Land Under Roads**

AASB 1051.8

“An entity may elect to:

- *Recognise (including continue to recognise or to recognise for the first time), subject to satisfaction of the asset recognition criteria; or*
- *Not to recognise (including continue not to recognise or to derecognise).*

as an asset, land under roads acquired before the end of the first reporting period ending on or after 31st December 2007 (i.e. 30th June 2008).”

This means that in Western Australia local government can continue to ignore the value of any land under roads acquired prior to 30th June 2008. However in order to do so, Councils must make an election in accordance with AASB 1051.9 below: -

AASB 1051.9

“An entity shall make a final election under paragraph 8 effective as at the first day of the next reporting period following the end of the first

reporting period on or after 31st December 2007 (i.e. effective as at 1st July 2008).

Any adjustments arising from a final election made effective as at that first day shall be made against the opening balance of accumulated surplus (deficiency) of that next reporting period.”

COMMENT:

Should Council **elect to recognise** land under roads, it will need to be measured at cost or fair value as at 1st July 2008 and make an adjustment to the opening balance of accumulated surplus as at 1st July 2008.

Land Under Roads Acquired Post 30th June 2008

Any land acquired subsequent to 30th June 2008 requires measurement at cost once it qualifies for recognition. Assets qualify for recognition if:-

- a) it is probable future economic benefits associated with the item will flow to the entity; and
- b) the cost of the item can be measured reliably

In situations where the land is acquired at no cost, or for nominal cost, the cost is its fair value at date of acquisition. In practice, land under roads acquired post 30th June 2008 will most likely qualify under these criteria and need to be recognised. A new asset classification titled Land under Roads will need to be maintained in the general ledger and the asset register.

As per UHY Haines Norton advice, it will be recommended that Council **not** recognise land under roads.

CONSULTATION:

Suzanne Ward (Director Corporate Services – MWRC)

STATUTORY
ENVIRONMENT:

- AAS 27
- AASB 1051
- AASB 1051.8
- AASB 1051.9
- AASB 1051.10
- AASB 1051.11
- AASB 1051.12
- AASB 116.15
- AASB 116.7
- AASB 116. Aus 15.1

POLICY
IMPLICATIONS:

Significant Account Policies in council's policy manuals will require amendment once the new Standards become effective after 30th June 2008.

FINANCIAL
IMPLICATIONS:

There are no known financial implications at this time.

STRATEGIC
IMPLICATIONS:

There are no known strategic implications at this time.

VOTING REQUIREMENT:

Simple majority

OFFICER
RECOMMENDATION

THAT IN ACCORDANCE WITH AASB 1051 – LAND UNDER ROADS THE SHIRE OF MULLEWA ELECTS TO CONTINUE NOT TO RECOGNIZE LAND UNDER ROADS ACQUIRED ON OR BEFORE 30TH

JUNE 2008.

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

COUNCIL DECISION: **THAT IN ACCORDANCE WITH AASB 1051 – LAND UNDER ROADS THE SHIRE OF MULLEWA ELECTS TO CONTINUE NOT TO RECOGNIZE LAND UNDER ROADS ACQUIRED ON OR BEFORE 30TH JUNE 2008.**

CARRIED 9/0

2:15pm Cr Wainwright declared a proximity interest in the following item. The interest being a lessee of land on Urawa Road. Cr Wainwright left the meeting.

10.5.2 URAWA ROAD RESERVES

DATE OF MEETING: 18 June 2008

LOCATION/ADDRESS: -

NAME OF APPLICANT: -

FILE REFERENCE: 703.20

PREVIOUS MINUTE/S &
REFERENCE:

DATE AND AUTHOR: Tom Hartman, Chief Executive Officer

DISCLOSURE OF INTEREST: Author has no disclosure of interest.

SUMMARY Report submits information to Council on the Urawa road issues for consideration.

BACKGROUND: The Urawa roads have been an issue for Council since 1997. At that time Council received legal advice on the selling of freehold lots within the Urawa district; the majority of which did not have road access. The advice at the time is attached at **APPENDIX A**.

During February of this year the CEO and President met with a delegation from Urawa. This was reported through the February 2008, Information Bulletin which stated:-

6. URAWA ROAD DELEGATION MEETING – FEBRUARY 19

“On Tuesday, 19th February 2008, the President and CEO met with a delegation from the “Urawa Action Group”. The delegation asked many questions on why they did not receive a road to their properties. The President advised the past history and indicated that Council had tried to ensure that all potential buyers of Urawa lots were informed that Council was not obligated to construct and maintain roads in the area other than Urawa Road.

It was suggested to the delegation that they go away and submit a list of questions and or queries, in writing. They were also informed of the dates of Councils next meeting.

The group have responded. Comments from our legal people will be obtained prior to our submitting to Council.”

COMMENT: As can be noted in the above background, we requested comments from our legal people. This advice has been received and is attached as “Confidential Information” for Councillors only.

CONSULTATION:
 STATUTORY ENVIRONMENT: There are no known statutory implications at this time.
 POLICY IMPLICATIONS: There are no known policy implications at this time.
 FINANCIAL IMPLICATIONS: There are no known financial implications at this time.
 STRATEGIC IMPLICATIONS: There are no known strategic implications at this time.
 VOTING REQUIREMENT: Simple majority
 OFFICER RECOMMENDATION: THAT UPON THE ADVICE OF COUNCILS SOLICITOR THE URAWA ACTION GROUP BE ADVISED THE CONSTRUCTION OF ROADS WITHIN ROAD RESERVES IS AT THE ABSOLUTE DISCRETION OF THE LOCAL AUTHORITY AND THERE IS NO OBLIGATION ON THE LOCAL AUTHORITY TO CONSTRUCT ROADS.

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

COUNCIL DECISION: **THAT UPON THE ADVICE OF COUNCILS SOLICITOR THE URAWA ACTION GROUP BE ADVISED THE CONSTRUCTION OF ROADS WITHIN ROAD RESERVES IS AT THE ABSOLUTE DISCRETION OF THE LOCAL AUTHORITY AND THERE IS NO OBLIGATION ON THE LOCAL AUTHORITY TO CONSTRUCT ROADS.**

CARRIED 8/0

2:16pm Cr Wainwright returned to the meeting

10.5.3 MULLEWA TOWN ENHANCEMENT & TRAILS PROJECT STAGE 2

DATE OF MEETING: 18 June 2008
 LOCATION/ADDRESS: -
 NAME OF APPLICANT: -
 FILE REFERENCE: 509.02
 PREVIOUS MINUTE/S & REFERENCE:
 DATE AND AUTHOR: Tom Hartman, Chief Executive Officer
 DISCLOSURE OF INTEREST: OF Author has no disclosure of interest.
 SUMMARY: Report submits revised program for the Mullewa Town Enhancement & Trails Project Stage 2.
 BACKGROUND: Council submitted various funding applications throughout 2007 for the Mullewa Town Enhancement & Trails Project Stage 2. Most of these applications were successful; however, the application to Regional Partnerships was not. The stage 2 project was made up of a number of components being –

- Town Heritage Walk – Additional Works
- Wildflower Walk
- Mullewa Drive Trails
- Monsignor Hawes Heritage Walk
- Main Street / Town Centre landscaping
- Marketing & promotion

A copy of the budget estimate, submitted for funding of the above projects is attached at **APPENDIX B**.

COMMENT:

The Regional Partnerships funding application was submitted in September 2007, and was under assessment leading up to the last Federal Election. Unfortunately, when the election was called, the practise is to delay further consideration until after the election. With the election of the Labour Government there was an embargo placed on the Regional Partnerships Program. This embargo resulted in an audit being carried out, the result of which was the decision to discontinue the Regional Partnerships Program. Our application was caught up in all this and consequently was not continued with.

Our successful applications included the 2007 Trails Program, Mid West Development Commission's Regional Development Scheme and the State Government Regional Infrastructure Funding Program (RIFP).

As part of the conditions of funding we need now to provide an amended budget to the Regional Infrastructure Funding Program for approval. To do this we have to delete some of the components of the project. It is suggested we remove the Town Heritage Walk – Additional Works; Mullewa Drive Trails; Marketing & Promotion and reduce the work for the Main Street / Town Centre Landscaping; and submit the Monsignor Hawes Heritage Walk along with the reduced Townscape work to the Regional Infrastructure Funding Program for approval.

The Wildflower Walk should stand alone as a project; however, use Councils contribution as part of the total contribution for the RIFP approval.

A copy of the suggested budget is attached at **APPENDIX C**.

CONSULTATION:

STATUTORY

There are no known statutory implications at this time.

ENVIRONMENT:

POLICY

There are no known policy implications at this time.

IMPLICATIONS:

FINANCIAL

There are no known financial implications at this time.

IMPLICATIONS:

STRATEGIC

There are no known strategic implications at this time.

IMPLICATIONS:

VOTING REQUIREMENT:

Simple majority

OFFICER

RECOMMENDATION

THAT COUNCIL SUBMIT THE ATTACHED AMENDED ESTIMATE FOR STAGE 2 OF THE MULLEWA TRAILS PROJECT TO THE REGIONAL INFRASTRUCTURE FUNDING PROGRAM FOR APPROVAL.

Moved:

M Kerkmans

Seconded:

B I N Thomas

COUNCIL DECISION:

THAT COUNCIL SUBMIT THE ATTACHED AMENDED ESTIMATE FOR STAGE 2 OF THE MULLEWA TRAILS PROJECT TO THE REGIONAL INFRASTRUCTURE FUNDING PROGRAM FOR APPROVAL.

CARRIED 9/0

0608.11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

0608.12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

0608.13 DELEGATED AUTHORITY

Nil

0608.14 CLOSURE OF MEETING

The President closed the meeting at 2:34pm.

These minutes were confirmed at a meeting on 16 July 2008:

Signed:

A J Messina, President

Date: