
Shire of Kalamunda

General Services Committee

MINUTES FOR 2 MARCH 2010



SHIRE OF KALAMUNDA

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Minutes of General Services Committee Held in the Council Chambers 2 Railway Road, Kalamunda Tuesday 2 March 2010

1.0 OFFICIAL OPENING

1.1 The Chairman opened the meeting at 7:00 pm and welcomed Councillors and Staff.

2.0 APOLOGIES AND LEAVE OF ABSENCE

2.1 PRESENT

Councillors

D McKechnie	(SHIRE PRESIDENT) NORTH WARD
S Bilich	NORTH WARD
M Thomas	(DEPUTY CHAIRMAN) NORTH WARD
A Morton	SOUTH WEST WARD
M Robinson	SOUTH WEST WARD
C Everett	SOUTH EAST WARD
F Lindsey	SOUTH EAST WARD
G Stallard	SOUTH EAST WARD
D O'Connor	NORTH WEST WARD
M Cresswell	(CHAIRMAN) NORTH WEST WARD
P Heggie	NORTH WEST WARD

Officials

J Trail	CHIEF EXECUTIVE OFFICER
N Wilson	DIRECTOR OF CORPORATE SERVICES
K O'Connor	DIRECTOR OF COMMUNITY DEVELOPMENT
C Higham	DIRECTOR OF PLANNING & DEVELOPMENT SERVICES
M Singh	DIRECTOR OF ENGINEERING SERVICES
S Leeson	MANAGER FINANCIAL SERVICE
D Jones	MANAGER COMMUNITY DEVELOPMENT
M Comber	MINUTE SECRETARY

Leave of Absence

N Townsend

Apologies

Nil.

Observers

Nil.

Newspapers

Nil.

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

4.0 PETITIONS

4.1 Nil.

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 That the Minutes of the General Services Committee Meeting held on 1 February 2010 is confirmed as a true and correct record of the proceedings.

Moved: Cr Thomas

Seconded: Cr McKechnie

CARRIED UNANIMOUSLY

Statement by Presiding Member

“On the basis of the above motion I now sign the Minutes as a true and accurate record of the meeting on 1 February 2010.”

6.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

6.1 Invitation from WALGA to a Conversation on Drainage with Chris Chesterfield

The Shire President has received the above invitation from WALGA, but unfortunately neither he, nor his Deputy can attend. He wishes to know if any other Councillor would be able to represent the Shire on Thursday 11 March 2010.

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 Nil.

8.0 DISCLOSURE OF INTERESTS

Disclosure of Financial and Proximity Interests

- (a) Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).
- (b) Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the Local Government Act 1995)

Nil.

Disclosure of Interest Affecting Impartiality

- (a) Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

Item 9.23 Proposed Revision to Lesmurdie Community Library Management Committee Rules

Cr Everett declared an interest affecting impartiality in this item as she is a member of the Lesmurdie Community Library Management Committee

Item 9.24 Scott Reserve (Reserve Number 34946) Proposal to use Cash-in-lieu Funds for a Grandstand Viewing Area Project

Cr O'Connor declared an interest affecting impartiality in this item as he is a member of the Scott Reserve Management Committee

9.0 REPORT TO COUNCIL

Please Note:

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.14	Creditors Accounts Paid for the month of February 2010	6
9.15	Financial Activity Statements for the Period ended 31 January 2010	17
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9.26	Legal Representation Policy	100

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.14 Creditors Accounts Paid for the month of February 2010

Previous Items: N/A
Service Area: Corporate
File Reference:
Applicant: N/A
Owner: N/A

PURPOSE

1. To receive creditors' accounts for the month of February 2010.

BACKGROUND

2. It is a requirement of the Local Government (Financial Management) Regulations 1996 (Regulation 12) that a list of Creditors' Accounts paid is compiled each month.
3. The report is required to show payee's name, the amount of the payment, the date of the payment and sufficient information to identify the transaction.

DETAILS

4. The list of Creditors' paid in February 2010 is attached, ***(Attachment 1)*** (This excludes payments made after the 22 February 2010).

STATUTORY AND LEGAL IMPLICATIONS

5. Nil.

POLICY IMPLICATIONS

6. Nil.

PUBLIC CONSULTATION/COMMUNICATION

7. Nil.

FINANCIAL IMPLICATIONS

8. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

9. Nil.

OFFICER COMMENT

10. Nil.

MEETING COMMENT

11. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL

GS-14/2010

1. That the list of Creditors' paid for the month of February 2010 attached (***GSC Item 14/2010 Attachment 1***) be received by Council in accordance with the requirements of Regulation 12 of the Local Government (Financial Management) Regulations 1996.

Moved: Cr Robinson

Seconded: Cr Heggie

CARRIED UNANIMOUSLY

**Shire of Kalamunda
Cheque Listing
February 2010**

Chq/EFT	Date	Name	Description	
293	4/02/2010	COMMONWEALTH BANK - BUSINESS CARD	BUSINESS CORPORATE CARD - VARIOUS PURCHASES	5946.24
294	4/02/2010	WESTNET PTY LTD	MONTHLY LICENCE	59.94
295	4/02/2010	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	102954.30
296	5/02/2010	LES MILLS AUSTRALIA	MONTHLY LICENCE FEE	536.43
297	9/02/2010	IINET TECHNOLOGIES PTY LTD	INTERNET ACCESS	853.55
298	17/02/2010	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	104143.85
EFT10485	28/01/2010	ADAMS & ASSOCIATES PTY LTD	CONSULTING SERVICES	8030.00
EFT10486	5/02/2010	KALAMUNDA ACCIDENT REPAIR CENTRE	VEHICLE REPAIRS	591.35
EFT10487	5/02/2010	ROBERT DUVAL FOODS PTY LTD	CATERING	2890.00
EFT10488	5/02/2010	MOTORCHARGE LTD	FUEL	1692.16
EFT10489	5/02/2010	DOMINANT PROPERTY SERVICES	CLEANING SERVICES	140061.96
EFT10490	5/02/2010	KALAMUNDA GLASS & WINDSCREENS ON WHEELS	GLASS REPAIRS / MAINTENANCE	530.55
EFT10491	5/02/2010	CARDNO EPELL OLSEN PTY LTD	ROAD DESIGN STUDY	21817.13
EFT10492	5/02/2010	GTS TELEPHONE SERVICE	TELEPHONE REPAIRS / MAINTENANCE	539.00
EFT10493	5/02/2010	IAN KINNER AND ASSOCIATES	CONSULTING SERVICES	1388.75
EFT10494	5/02/2010	COUNTRYWIDE PUBLICATIONS	ADVERTISING	429.00
EFT10495	5/02/2010	PETER HAMMOND	SUPPLY AND LAY CONCRETE FOOTPATHS	20905.26
EFT10496	5/02/2010	ACCESS ECONOMICS PTY LIMITED	UPDATING FINANCIAL SUSTAINABILITY ASSESSMENT	2500.00
EFT10497	5/02/2010	CARLA BOND	GROUP FITNESS CLASSES	440.00
EFT10498	5/02/2010	DAVRHO HANDYMAN & CLEANING	GARDENING SERVICES	1005.95
EFT10499	5/02/2010	MORRISON LOW CONSULTANTS PTY LTD	CONSULTANCY FEES	9005.34
EFT10500	5/02/2010	FOOD SAFETY PLUS PTY LTD	FOOD SAFETY WORKSHOP	440.00
EFT10501	5/02/2010	NAYS USBORNE BOOKS AT HOME	LIBRARY SUPPLIES	567.80
EFT10502	5/02/2010	DRAKE AUSTRALIA PTY LTD	TEMP STAFF	6075.14
EFT10503	5/02/2010	NORMAN DISNEY & YOUNG	CONSULTING ENGINEERING SERVICES	7700.00
EFT10504	5/02/2010	MAD COW ELECTRICS	ELECTRICAL MAINTENANCE/REPAIRS	17549.88
EFT10505	5/02/2010	J.CORP P/L T/A JCP CONSTRUCTION	FOOTPATH DEPOSIT REFUND	700.00
EFT10506	5/02/2010	EHS-WA	CARPET CLEANING	1038.84
EFT10507	5/02/2010	JUMPING J-JAYS	WATER SLIDE- AUSTRALIA DAY	465.00
EFT10508	5/02/2010	HILLS BOUNCY CASTLES	BOUNCY CASTLES- AUSTRALIA DAY	360.00
EFT10509	5/02/2010	ONE SMALL STEP COLLECTIVE	BUS SHELTER MURAL PAINTING	214.32
EFT10510	5/02/2010	RAPID IT SERVICES	COMPUTER SERVICES	260.00
EFT10511	5/02/2010	PAUL SALAS	CROSSOVER REIMBURSEMENT	350.00
EFT10512	5/02/2010	PHYLLIS MAY DUNCAN	KEY BOND REFUND	50.00

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EFT10513	5/02/2010 SJ LLOYD	RATES REFUND	771.46
EFT10514	5/02/2010 THERESE MARY OUWENDYK	RATES REFUND	486.29
EFT10515	5/02/2010 PINWOOD INVESTMENTS P/L	RATES REFUND	2046.76
EFT10516	5/02/2010 CC & DM CLARKE	RATES REFUND	619.69
EFT10517	5/02/2010 GARY MARTIN LAWNMOWING	RESERVE / GARDEN MAINTENANCE	280.00
EFT10518	5/02/2010 WA LOCAL GOVERNMENT SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	21000.50
EFT10519	5/02/2010 SHIRE OF KALAMUNDA STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	280.00
EFT10520	5/02/2010 CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	518.55
EFT10521	5/02/2010 AUSTRALIA POST	POSTAL EXPENSES / TRANSACTION FEES	7830.08
EFT10522	5/02/2010 ECHO NEWSPAPER	ADVERTISING	660.00
EFT10523	5/02/2010 MCKAY EARTHMOVING PTY LTD	PLANT EQUIPMENT HIRE	16137.00
EFT10524	5/02/2010 AUSSIE MAINTENANCE	BUILDING MAINTENANCE	1617.00
EFT10525	5/02/2010 EASTERN METROPOLITAN REGIONAL COUNCIL	TIPPING / CONSULTING	80538.97
EFT10526	5/02/2010 DOMUS NURSERY	PLANTS	527.72
EFT10527	5/02/2010 HILLS APPLIANCES	ELECTRICAL APPLIANCES	1536.00
EFT10528	5/02/2010 SANDGROPER SEPTICS	HIRE OF TRAILER MOUNTED SITE TOILET	440.22
EFT10529	5/02/2010 MOBITOW PTY LTD	TOWING FEES	88.00
EFT10530	5/02/2010 LINDLEY CONTRACTING	BUILDING MAINTENANCE/REPAIRS	2500.00
EFT10531	5/02/2010 GRIMES CONTRACTING PTY LTD	BUILDING MAINTENANCE / REPAIRS	6509.46
EFT10532	5/02/2010 ADASOUND	SOUND EQUIPMENT- AUSTRALIA DAY CITIZENSHIP	770.00
EFT10533	5/02/2010 HILL TOP TROPHIES (MILPROP WA)	NAME BADGES	235.95
EFT10534	5/02/2010 FOODWORKS FRESH FORRESTFIELD	GROCERIES	801.50
EFT10535	5/02/2010 LO-GO APPOINTMENTS	TEMP STAFF	8852.36
EFT10536	5/02/2010 STAFFLINK INDUSTRIAL	TEMP STAFF	1566.06
EFT10537	5/02/2010 THE POOL SHOP KALAMUNDA	POOL SUPPLIES	123.45
EFT10538	5/02/2010 FLEXI STAFF PTY.LTD.	TEMP STAFF	3206.06
EFT10539	5/02/2010 ZIG ZAG GRAPHICS AND PRINT	PRINTING	30.00
EFT10540	5/02/2010 CRABBS KALAMUNDA (IGA)	GROCERIES	967.23
EFT10541	5/02/2010 VENTURA HOMES PTY LTD	FOOTPATH DEPOSIT REFUND	1400.00
EFT10542	5/02/2010 CONTENT LIVING PTY LTD	FOOTPATH DEPOSITS REFUND	1400.00
EFT10543	5/02/2010 WATTLE GROVE VETERINARY HOSPITAL	VETERINARY FEES	165.00
EFT10544	5/02/2010 SCOTT PARK HOMES	REFUND FOOTPATH DEPOSIT	700.00
EFT10545	5/02/2010 ASHMY PTY LTD	FOOTPATH DEPOSIT REFUND	486.00
EFT10546	5/02/2010 SWAN HILLS PARTY HIRE	EQUIPMENT HIRE- AUSTRALIA DAY	4928.10
EFT10547	5/02/2010 HAWLEY'S BOBCAT SERVICE	PLANT EQUIPMENT HIRE	4793.58

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EFT10548	5/02/2010 L & C JACKSON t/a FORRESTFIELD NEWS DELIVERY ROUND	NEWSPAPER DELIVERY	69.29
EFT10549	5/02/2010 PRINT SOLUTIONS GROUP - RICOH	PHOTOCOPIER REPAIRS	198.00
EFT10550	5/02/2010 GRASS TREES AUSTRALIA	SERVICE / MAINTENANCE GRASS TREES	440.00
EFT10551	5/02/2010 C.Y. BOBCATS	PLANT EQUIPMENT HIRE	2310.00
EFT10552	5/02/2010 METZ HANDYMAN SERVICES	BUILDING MAINTENANCE/REPAIRS	2630.15
EFT10553	5/02/2010 CENTAMAN SYSTEMS PTY LTD	ANNUAL LICENCE AND SUPPORT	3441.90
EFT10554	5/02/2010 HILL TOP BUILDING MAINTENANCE	BUILDING MAINTENANCE	4079.80
EFT10555	5/02/2010 JIMMYS BOBCAT PTY LTD	PLANT EQUIPMENT HIRE	5970.25
EFT10556	5/02/2010 KATHRYN SIMS	HOLIDAY LEISURE PROGRAM REFUND	33.00
EFT10557	5/02/2010 DAWSON PARK PRIMARY SCHOOL	HALL BOND REFUND	350.00
EFT10558	5/02/2010 JAE CONTRACTORS	FIREBREAK / SLASHING	12276.00
EFT10559	5/02/2010 GET SMART SECURITY	SECURITY MAINTENANCE / REPAIRS	82.50
EFT10560	5/02/2010 MAIN ROADS (WA)	PAVEMENT MARKING AND SIGNAGE	25873.96
EFT10561	5/02/2010 DAVID LORENS	RATES REFUND	544.10
EFT10562	5/02/2010 NICHOLAS ROBIN HUNT-DAVIES	HOME OCCUPATION APPLICATION FEE REFUND	199.00
EFT10563	5/02/2010 SAMANTHA CROSBY	TRAVEL COMMUNITY VISITORS SCHEME	22.50
EFT10564	5/02/2010 TERRELLE MARIE STERVAGGI	RATES REFUND - PAID INCORRECT SHIRE	1139.90
EFT10565	5/02/2010 DAPS	VERGE MAINTENANCE	8459.00
EFT10566	5/02/2010 MATHEW HENDERSON	KEY BOND REFUND	50.00
EFT10567	5/02/2010 HILLS GOURMET	CATERING	79.00
EFT10568	5/02/2010 JOHN BIGGERSTAFF	PERFORMANCE - AUSTRALIA DAY	400.00
EFT10569	5/02/2010 GEMMILL HOMES	FOOTPATH DEPOSIT REFUND	700.00
EFT10570	5/02/2010 HARVEY FRESH (1994) LTD	MILK SUPPLY	136.17
EFT10571	5/02/2010 COUNCIL ON THE AGEING WA INC	LIVING LONGER LIVING STRONGER - CONFERENCE	130.00
EFT10572	5/02/2010 NINA ROSE	FACE PAINTING- AUSTRALIA DAY	400.00
EFT10573	5/02/2010 KALAMUNDA SWEEPING	ROAD & PATH SWEEPING	12876.32
EFT10574	5/02/2010 SONYA SNARE	HALL BOND REFUND	350.00
EFT10575	5/02/2010 A BARGAIN BIN SERVICE	SKIP BIN DELIVERY	300.00
EFT10576	5/02/2010 G.D.CHARLTON	PODIATRY SERVICES	684.72
EFT10577	5/02/2010 SECURE TRAFFIC	TRAFFIC MANAGEMENT	3822.50
EFT10578	5/02/2010 REDINK HOMES PTY LTD	FOOTPARH DEPOSIT REFUND	950.00
EFT10579	5/02/2010 ANDREW FOWLER-TUTT	TRAVEL REIMBURSMENT	650.78
EFT10580	5/02/2010 RAJENDRA RAHATE	FOOTPATH DEPOSIT REFUND	700.00
EFT10581	5/02/2010 S & M EARTHWORKS	PLANT EQUIPMENT HIRE	3415.50
EFT10582	5/02/2010 ROSE SMART	VERGE / GARDEN MAINTENANCE	1454.75

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EFT10583	5/02/2010 WA CONCRETTERS PTY LTD	SUPPLY AND LAY CONCRETE FOOTPATHS	12388.42
EFT10584	5/02/2010 THE SANCTUARY OF TANTRA	KEY BOND REFUND	50.00
EFT10585	5/02/2010 DIGITAL MAPPING AUSTRALIA PTY LTD	DIGITAL MAPPING	330.00
EFT10586	5/02/2010 THE TYRE DOCTOR	PLANT / VEHICLE PARTS	1053.80
EFT10587	5/02/2010 NEVERFAIL SPRINGWATER LTD	SUPPLY BOTTLED WATER	253.61
EFT10588	5/02/2010 SHARON CUSACK	CROSSOVER REFUND	204.70
EFT10589	5/02/2010 NEVERFAIL SPRINGWATER LTD (HACC)	SUPPLY BOTTLED WATER	40.00
EFT10590	5/02/2010 MALCOLM HARDINGHAM	FOOTPATH DEPOSIT REFUND	700.00
EFT10591	5/02/2010 EDMUND WALSH	TRAVEL COMMUNITY VISITORS SCHEME	94.50
EFT10592	5/02/2010 VERA MURRAY	TRAVEL COMMUNITY VISITORS SCHEME	30.00
EFT10593	5/02/2010 FIBRE SOLUTIONS	PROVIDE A FIBRE-OPTIC CONNECTION HACC	11715.00
EFT10594	5/02/2010 COOL RUNNINGS (AUSTRALIA) PTY LTD	COOLROOM- CITIZENSHIP CEREMONY AUSTRALIA	335.50
EFT10595	5/02/2010 VIOLET PICKETT	HALL BOND REFUND	389.00
EFT10596	5/02/2010 JESSICA HOLLY TELFORD	REFUND DOG REGISTRATION	20.00
EFT10597	19/02/2010 KALAMUNDA ACCIDENT REPAIR CENTRE	INSURANCE EXCESS - INSURANCE CLAIM	500.00
EFT10598	19/02/2010 ROBERT DUVAL FOODS PTY LTD	CATERING	2061.60
EFT10599	19/02/2010 SALMAT MEDIAFORCE PTY LTD	BROCHURE- EVENTS DELIVERY	908.72
EFT10600	19/02/2010 TANIA M BELLETTY	GRANT WRITING ASSISTANCE	2100.00
EFT10601	19/02/2010 NEVERFAIL SPRINGWATER LTD (KALA LIB)	BOTTLED WATER	46.25
EFT10602	19/02/2010 DOMINANT PROPERTY SERVICES	CLEANING SERVICES	1424.50
EFT10603	19/02/2010 KALAMUNDA GLASS & WINDSCREENS ON WHEELS	GLASS REPAIRS / MAINTENANCE	444.79
EFT10604	19/02/2010 PARTY BUDDIES	SUPPLY OF PINK BALLOONS	90.00
EFT10605	19/02/2010 ROYAL AUSTRALIAN AIRFORCE ASSOCIATION (WA DIV)	CATERING	2425.00
EFT10606	19/02/2010 GTS TELEPHONE SERVICE	TELEPHONE REPAIRS / MAINTENANCE	352.00
EFT10607	19/02/2010 IAN KINNER AND ASSOCIATES	CONSULTING SERVICES	1430.00
EFT10608	19/02/2010 CA TECHNOLOGY PTY LTD	CAM MANAGEMENT SOLUTIONS TRAINING	12320.00
EFT10609	19/02/2010 PAUL'S BUS COMPANY PTY LTD	BUS SERVICE	550.00
EFT10610	19/02/2010 OLK & ASSOCIATES	PREPARATION OF BUILDING LICENSE DOCUMENTATION	42317.00
EFT10611	19/02/2010 AUSTRALIAN TAX COLLEGE	TRAINING	329.40
EFT10612	19/02/2010 PETER HAMMOND	CONCRETE CROSSOVER & KERB REPAIRS	3794.53
EFT10613	19/02/2010 WEST COAST LIBRARY TRAINING	TRAINING	275.00
EFT10614	19/02/2010 GRAHAM WALNE	KALAMUNDA PERFORMING ARTS CENTRE APPRAISAL	3960.00
EFT10615	19/02/2010 JOHN BEAZLEY HOME & GARDEN MAINTENANCE	HOME AND GARDEN MAINTENANCE CONTRACTOR	1364.00
EFT10616	19/02/2010 DAVRHO HANDYMAN & CLEANING	GARDENING SERVICES	1381.05

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EFT10617	19/02/2010 NEVERFAIL SPRINGWATERLTD (FORRESTFIELD LIB)	BOTTLED WATER SUPPLIES	43.75
EFT10618	19/02/2010 AVELING	SAFETY & HEALTH REPRESENTATIVES COURSE	1680.00
EFT10619	19/02/2010 DRAKE AUSTRALIA PTY LTD	LABOUR HIRE	8390.43
EFT10620	19/02/2010 BPA ENGINEERING	CONSULTANCY SERVICES	14850.00
EFT10621	19/02/2010 MAD COW ELECTRICS	ELECTRICAL MAINTENANCE /REPAIRS	15198.07
EFT10622	19/02/2010 J.CORP P/L T/A JCP CONSTRUCTION	FOOTPATH DEPOSIT	700.00
EFT10623	19/02/2010 AIR ROOFING CO PTY LTD	CEILING REPAIRS / MAINTENANCE	78650.00
EFT10624	19/02/2010 ANITA HARROP	CONVERSION OF HAND DRAWINGS INTO FORMAT	583.00
EFT10625	19/02/2010 GRADA ANDRI	DATA ENTRY - YOUR WELCOME WEBSITE	960.00
EFT10626	19/02/2010 WORKPLAN FOUNDATION INCORPORATED	TRAINING	580.00
EFT10627	19/02/2010 JUSTIN HAWKINS - ACOUSTIC INC	PERFORMANCE AT WOMEN IN LOCAL GOVERNMENT LAUNCH	440.00
EFT10628	19/02/2010 APMM GROUP PTY LYD	TRAINING	3000.00
EFT10629	19/02/2010 JL BOASE	RATES REFUND	266.64
EFT10630	19/02/2010 DJ & KA MEREFIELD	RATES REFUND	185.07
EFT10631	19/02/2010 ZANTHORREA NURSERY	GARDEN SUPPLIES	88.75
EFT10632	19/02/2010 RMB WARDOJO	RATES REFUND	437.28
EFT10633	19/02/2010 KEYSTART LOANS LTD	FOOTPATH DEPOSIT	700.00
EFT10634	19/02/2010 SHIRE OF KALAMUNDA STAFF SOCIAL CLUB	PAYROLL DEDUCTIONS	264.00
EFT10635	19/02/2010 CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	518.55
EFT10636	19/02/2010 CLEANAWAY (7004295)	HOUSEHOLD REFUSE REMOVAL	166613.15
EFT10637	19/02/2010 GULLY VIEWS NEWSAGENCY	PAPER AND MAGAZINE DELIVERIES	886.77
EFT10638	19/02/2010 KALAMUNDA AUTO ELECTRICS	PLANT / VEHICLE PARTS	878.05
EFT10639	19/02/2010 KALAMUNDA TOYOTA	PLANT / VEHICLE PARTS	380.67
EFT10640	19/02/2010 KOSTERAS KALAMUNDA PTY LTD	PLANT / VEHICLE PARTS	225.00
EFT10641	19/02/2010 WA LOCAL GOVERNMENT ASSOC	TRAINING	1408.00
EFT10642	19/02/2010 MIDWASTE	WASTE SERVICES	3024.10
EFT10643	19/02/2010 AUSSIE MAINTENANCE	BUILDING MAINTENANCE	2475.00
EFT10644	19/02/2010 EASTERN METROPOLITAN REGIONAL COUNCIL	TIPPING / CONSULTING	57840.81
EFT10645	19/02/2010 3 VODAFONE HUTCHISON AUSTRALIA PTY LTD	COMMUNICATION EXPENSES	740.90
EFT10646	19/02/2010 FORRESTFIELD MOWER CENTRE	PLANT PARTS	79.60
EFT10647	19/02/2010 BRADOCK PODIATRY SERVICES PTY LTD	PODIATRY SERVICES	873.40
EFT10648	19/02/2010 THE SHELL COMPANY OF AUSTRALIA LTD	FUEL	1506.02
EFT10649	19/02/2010 GRIMES CONTRACTING PTY LTD	BUILDING MAINTENANCE	12390.77
EFT10650	19/02/2010 HILL TOP TROPHIES (MILPROP WA)	NAME BADGE	28.05
EFT10651	19/02/2010 FOODWORKS FRESH FORRESTFIELD	GROCERIES	422.11

**Shire of Kalamunda
Cheque Listing
February 2010**

EFT10652	19/02/2010 AUSTRALASIAN PERFORMING RIGHTS ASSOCIATION	ANNUAL LICENCE FEES	352.00
EFT10653	19/02/2010 LO-GO APPOINTMENTS	TEMP STAFF	2536.51
EFT10654	19/02/2010 FORRESTFIELD MEDICAL CENTRE	MEDICAL AND AUDIOGRAM	137.50
EFT10655	19/02/2010 FLEXI STAFF PTY.LTD.	TEMP STAFF	2564.84
EFT10656	19/02/2010 LOVEGROVE TURF SERVICES PTY	TURF RENOVATION	6050.00
EFT10657	19/02/2010 CRABBS KALAMUNDA (IGA)	GROCERIES	1015.69
EFT10658	19/02/2010 CONTENT LIVING PTY LTD	FOOTPATH DEPOSITS REFUND	700.00
EFT10659	19/02/2010 CHRISTINE BRAHAM	RATES REFUND	554.91
EFT10660	19/02/2010 LITTLE LOADS	GARDEN / RESERVE SUPPLIES	575.00
EFT10661	19/02/2010 ASHMY PTY LTD	FOOTPATH DEPOSIT REFUND	950.00
EFT10662	19/02/2010 ST JOHN AMBULANCE AUSTRALIA (WA) INC	FIRST AID TRAINING	5618.00
EFT10663	19/02/2010 HAWLEY'S BOBCAT SERVICE	PLANT EQUIPMENT HIRE	6789.20
EFT10664	19/02/2010 CAI FENCES	FENCING SUPPLIES	23100.00
EFT10665	19/02/2010 LOCAL GOVERNMENT MANAGERS AUSTRALIA	2010 LGMA CONFERENCE	4059.00
EFT10666	19/02/2010 GRASS TREES AUSTRALIA	SUPPLY AND PLANT GRASS TREES	3280.00
EFT10667	19/02/2010 METZ HANDYMAN SERVICES	BUILDING MAINTENANCE/REPAIRS	4076.71
EFT10668	19/02/2010 HILL TOP BUILDING MAINTENANCE	WORK CARRIED OUT AT KALAMUNDA WET 'N WILD	54595.89
EFT10669	19/02/2010 INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA WA	MEMBERSHIP SUBSCRIPTION FEE	319.00
EFT10670	19/02/2010 A1 WALLISTON TREE SERVICES	TREE REMOVAL	4563.00
EFT10671	19/02/2010 CY O'CONNOR COLLEGE OF TAFE	TRAINING COURSE	570.00
EFT10672	19/02/2010 LIONS CLUB OF LESMURDIE (INC)	LIONS CLUB OF LESMURDIE- AUSTRALIA DAY	500.00
EFT10673	19/02/2010 JIMMYS BOBCAT PTY LTD	PLANT EQUIPMENT HIRE	4254.25
EFT10674	19/02/2010 IPAA	TRAINING COURSES	1510.00
EFT10675	19/02/2010 CATHERINE STEELS	HALL BOND REFUND	1050.00
EFT10676	19/02/2010 FOOD TECHNOLOGY SERVICES PTY LTD	TEMP STAFF	807.27
EFT10677	19/02/2010 HILLS GOURMET	CATERING	298.80
EFT10678	19/02/2010 HARVEY FRESH (1994) LTD	MILK SUPPLY	136.17
EFT10679	19/02/2010 INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA LTD (IPWEA LTD)	TRAINING COURSE	880.00
EFT10680	19/02/2010 ALLCARE MOBILE DRYCLEANING	DRYCLEANING SERVICES	50.00
EFT10681	19/02/2010 KALAMUNDA SWEEPING	REMOVE STREET SWEEPING DEBRIS	25468.16
EFT10682	19/02/2010 WESTERN POWER	KEY BOND REFUND	100.00
EFT10683	19/02/2010 KERB - FIX	SUPPLY AND LAY CONCRETE	3586.00
EFT10684	19/02/2010 MAIDA VALE DELIVERY ROUND	PAPER DELIVERIES	55.80
EFT10685	19/02/2010 G.D.CHARLTON	PODIATRY SERVICES	2054.48

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EFT10686	19/02/2010 MP CAMPBELL	RATES REFUND	442.11
EFT10687	19/02/2010 SECURE TRAFFIC	HIRE OF TRAFFIC CONTROLLERS	5065.50
EFT10688	19/02/2010 EASIFLEET MANAGEMENT	NOVATED LEASING	4524.74
EFT10689	19/02/2010 BRODEEN ATKINSON	FOOTPATH DEPOSIT REFUND	700.00
EFT10690	19/02/2010 JOSHUA COSGROVE	CONTRIBUTION - STATE TEAM FUNDING	150.00
EFT10691	19/02/2010 DEBORAH CORK	TRAVEL COMMUNITY VISITORS SCHEME	37.50
EFT10692	19/02/2010 ZEOWEST	GARDEN / RESERVE SUPPLIES	1161.60
EFT10693	19/02/2010 TYSON COSGROVE	CONTRIBUTION STATE TEAM FUNDING	150.00
EFT10694	19/02/2010 OVEN SPARKLE PTY LTD	PROVIDE CLEANING SERVICES	1196.25
EFT10695	19/02/2010 JAMES TRAIL	REIMBURSEMENT	381.45
EFT10696	19/02/2010 S & M EARTHWORKS	PLANT EQUIPMENT HIRE	2640.00
EFT10697	19/02/2010 WA CONCRETTERS PTY LTD	CONCRETE PATH	9441.00
EFT10698	19/02/2010 NICHOLAS STUBBS	CONTRIBUTION - STATE TEAM FUNDING	150.00
EFT10699	19/02/2010 BURKEAIR	AIR CONDITIONING INSTALLATION / MAINTENANCE	12232.00
EFT10700	19/02/2010 GAMEZON ENTERPRISES PTY LTD	PLANT / VEHICLE PARTS	550.00
EFT10701	19/02/2010 LIBERTY OIL WESTERN AUSTRALIA PTY LTD	LITRES OF DIESEL	37025.54
EFT10703	19/02/2010 CHRIS DAINES	FOOTPATH DEPOSIT	950.00
EFT10704	19/02/2010 DESIREE KOVACEVICH	TELEPHONE REIMBURSEMENT	105.67
EFT10705	19/02/2010 AQUA TRANS	PLANT EQUIPMENT HIRE	3506.25
EFT10706	19/02/2010 SOMERVILLE ECO VILLAGE	KEY BOND REFUND	50.00
EFT10707	19/02/2010 J & M HEATLEY	RATES REFUND	269.15
63970	28/01/2010 DEPARTMENT OF TREASURY AND FINANCE	UNCLAIMED MONIES	4168.09
63971	28/01/2010 CASH - PETER ANDERTON CENTRE	PETTY CASH REIMBURSEMENT	675.36
63972	2/02/2010 DINERS CLUB INTERNATIONAL	REIMBURSEMENT	1254.65
63973	3/02/2010 LOUISE FLETCHER	LEADERSHIP FOR LIFE CONTRIBUTION	500.00
63974	4/02/2010 GWEN CRAMP	RATES REFUND	527.15
63975	4/02/2010 SH & W SMART	RATES REFUND	319.31
63976	4/02/2010 SJ AMOS	RATES REFUND	465.19
63977	4/02/2010 KG & HM CARRINGTON	RATES REFUND	517.89
63978	4/02/2010 HOSPITAL BENEFIT FUND OF WA	PAYROLL DEDUCTIONS	1095.00
63979	4/02/2010 MEDIBANK PRIVATE	PAYROLL DEDUCTIONS	88.46
63980	4/02/2010 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	330.10
63981	4/02/2010 MUNICIPAL EMPLOYEES UNION	PAYROLL DEDUCTIONS	262.40
63982	4/02/2010 TELSTRA CORPORATION	TELEPHONE ACCOUNTS	9766.70
63983	4/02/2010 BCITF	LEVY FEE - JAN 10	21566.38
63984	4/02/2010 SYNERGY	POWER CHARGES	32317.15

**Shire of Kalamunda
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February 2010**

63985	4/02/2010 ALINTA GAS	GAS	451.35
63986	4/02/2010 KALAMUNDA CRICKET CLUB	MAINTENANCE TO TURF WICKET BLOCK	2750.00
63987	4/02/2010 TELSTRA	REPAIRS TO DAMAGED TELSTRA PROPERTY	435.53
63988	4/02/2010 BUILDERS REGISTRATION BOARD OF WA	BUILDING LEVY - JAN 10	4899.00
63989	4/02/2010 O & IM CHEPIL	RATES REFUND	715.24
63990	4/02/2010 SOILS AIN'T SOILS WA PTY LTD	GARDEN / RESERVE SUPPLIES	1071.00
63991	4/02/2010 COMMISSIONER OF STATE REVENUE	FESA REBATE REFUND	31.62
63992	4/02/2010 CASH - PETER ANDERTON CENTRE	PETTY CASH REIMBURSEMENT	150.00
63993	4/02/2010 WH & GA WENNEKES	RATES REFUND	226.08
63994	4/02/2010 KALMAR PTY LTD	FEE REFUND	132.00
63995	4/02/2010 GREAT AUSSIE PATIOS	FEE REFUND	132.00
63996	4/02/2010 CASH - KALAMUNDA LIBRARY	PETTY CASH REIMBURSEMENT	243.44
63997	4/02/2010 CASH - HARTFIELD PARK	PETTY CASH REIMBURSEMENT	94.82
63998	4/02/2010 MLC MASTERKEY SUPER GOLD STAR VERSION ACCOUNT	PAYROLL DEDUCTIONS	40.00
63999	4/02/2010 CASH - MEALS ON WHEELS	PETTY CASH REIMBURSEMENT	635.00
64000	4/02/2010 CASH - KALAMUNDA HACC	PETTY CASH REIMBURSEMENT	243.65
64001	4/02/2010 JC & ME VAN BEEK	RATES REFUND	508.64
64002	9/02/2010 RELIANCE PETROLEUM	KEROSENE	1099.77
64003	11/02/2010 FINES ENFORCEMENT REGISTRY	FINES ENFORCEMENT REGISTRY	2408.00
64004	11/02/2010 CASH - PETER ANDERTON CENTRE	PETTY CASH REIMBURSEMENT	372.15
64005	18/02/2010 HOSPITAL BENEFIT FUND OF WA	PAYROLL DEDUCTIONS	1095.00
64006	18/02/2010 MEDIBANK PRIVATE	PAYROLL DEDUCTIONS	88.46
64007	18/02/2010 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	330.10
64008	18/02/2010 MUNICIPAL EMPLOYEES UNION	PAYROLL DEDUCTIONS	311.60
64009	18/02/2010 TELSTRA CORPORATION	TELEPHONE ACCOUNTS	39550.63
64010	18/02/2010 WATER CORPORATION	WATER EXPENSES	8384.60
64011	18/02/2010 SYNERGY	POWER CHARGES	46552.60
64012	18/02/2010 ALINTA GAS	GAS	389.95
64013	18/02/2010 MATTEOS PIZZA	CATERING	390.00
64014	18/02/2010 WATER CORPORATION (LEEDERVILLE)	HIRE OF WATER CORP STAND PIPE METRE	990.00
64015	18/02/2010 JASMIN SHINGLES	HALL BOND REFUND	550.00
64016	18/02/2010 CASH - ADMIN	PETTY CASH REIMBURSEMENT	725.00
64017	18/02/2010 JASON LIVINGSTONE	DEVELOPMENT APPLICATION FEE REFUND	132.00
64018	18/02/2010 DIANNE WAIT	REFUND FOR DOG STERILISATION	57.00
64019	18/02/2010 CASH - KALAMUNDA LIBRARY	PETTY CASH REIMBURSEMENT	248.83

**Shire of Kalamunda
Cheque Listing
February 2010**

64020	18/02/2010 RELIANCE PETROLEUM	BULK KEROSENE	109.97
64021	18/02/2010 MLC MASTERKEY SUPER GOLD STAR VERSION ACCOUNT	PAYROLL DEDUCTIONS	40.00
64022	18/02/2010 CASH - MEALS ON WHEELS	PETTY CASH REIMBURSEMENT	752.60
64023	18/02/2010 CASH - KALAMUNDA HACC	PETTY CASH REIMBURSEMENT	380.00
64024	18/02/2010 CASH - HIGH WYCOMBE LIBRARY	PETTY CASH REIMBURSEMENT	94.13
64025	18/02/2010 PAUL BURNABY	REFUND - DISPNSATION FEES	132.00
64026	18/02/2010 THE OPEN HAND	KEY BOND REFUND	50.00
64027	19/02/2010 TELSTRA CORPORATION	TELEPHONE ACCOUNTS	205.09
64028	19/02/2010 WESTERN AUSTRALIAN ELECTORAL COMMISSION	ELECTION EXPENSES	72131.70
64029	19/02/2010 KWICKS	PLANT / VEHICLE PARTS	123.96
64030	19/02/2010 CASH - FORRESTFIELD LIBRARY	PETTY CASH REIMBURSEMENT	107.95
64031	19/02/2010 ARTHUR AUGUSTE PORTFOLIO	WORKS BOND REFUND	3600.00

1727013.36

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.15 Financial Activity Statements for the Period ended 31 January 2010

Previous Items: N/A
 Service Area: Corporate
 File Reference: FI-SRR-006
 Applicant: N/A
 Owner: N/A

PURPOSE

1. To receive the draft financial activity statement reports for the periods ended 31 January 2010.

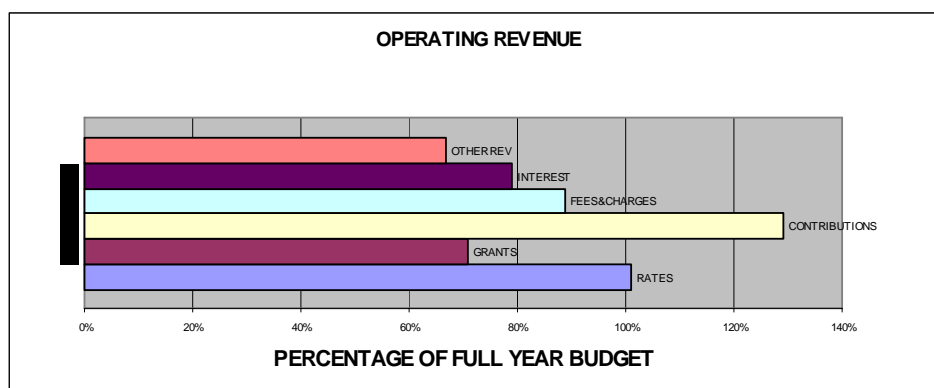
BACKGROUND

2. Attached are the financial activity statement reports for the periods ending 31 January 2010 (**Attachment 1**) prepared in accordance with the requirements of Section 34 of the Local Government (Financial Management) Regulations 1996.
3. It is also a requirement of this regulation that each financial year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances.

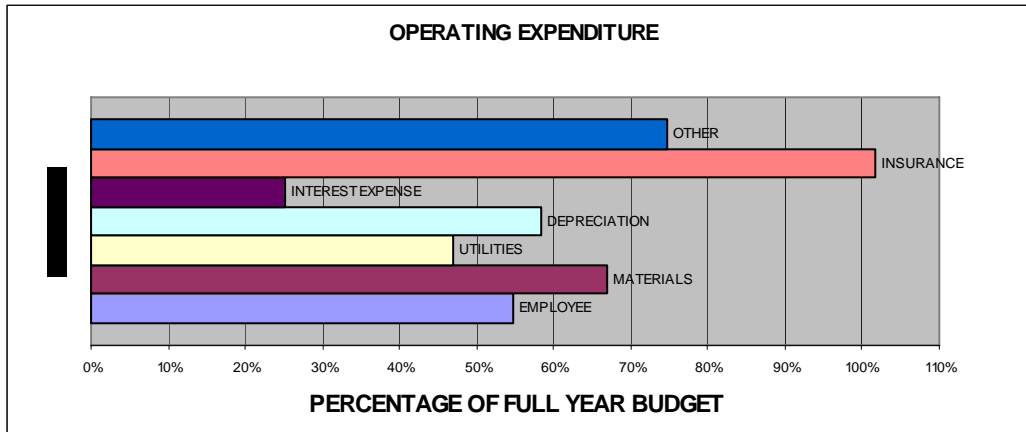
DETAILS

4. It has previously been agreed a percentage value of 10% variance be used for the financial Activity Statement. This amount is in accordance with the materiality provision of the Australian Accounting Standards (refer AAS5) which is also set at 10%.
5. Refer (**Attachment 1**) for the comments relating to the above mentioned variances.
6. Financial Commentary for period ended 31 January 2010

Operating income is again performing well on both a full year and year to date budget comparison. Operating contributions exceed budget as a result of identifying recoverable expenditure from lease holders. Interest earnings has increased on last month due to maturity of several term deposits combined with increasing interest rates and tighter cash management. Fees and charges are exceeding budget, though cash in lieu funds received are restricted in nature.



Operating expenditure Insurance expenses have exceeded annual budgeted amounts due to the receipt of retrospective adjusted premiums for prior years, though these are funded from the insurance contingency reserve. Electricity and water utility charges are under budget primarily due to the timing of street lighting invoices. Interest expense is under due to the timing of loan payments and by not establishing new loans until the second half of the year. Other expenditure budgeted comprises only \$24,000 in 2009/10 and is currently at 70%. Material purchases and salaries are as expected.

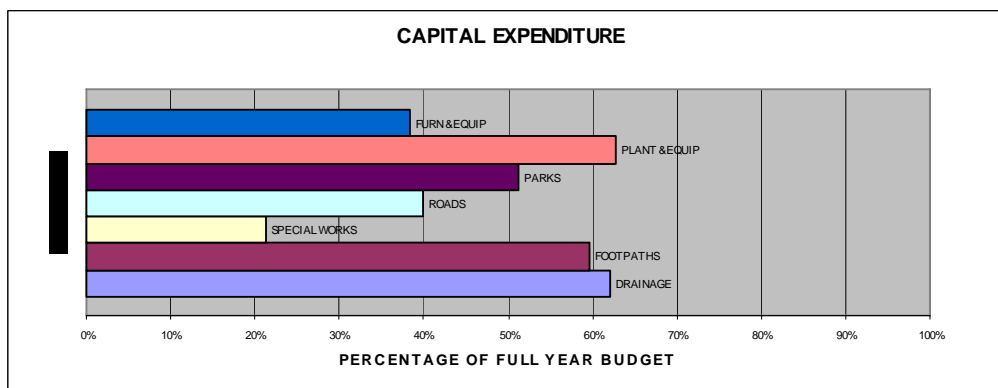


Salaries and Wages

Although showing on target for year to date budget, the budget review has revealed that salaries and wages costs are expected to exceed budget. This is a result of accounting for HACC employee wages within program expenses. There has been a significant increase in staff numbers within this grant funded service. Training expenses are nearing expected budgeted levels. Other employee costs are currently on budget and mainly comprised of workers compensation insurance.

Capital Expenditure

The capital works program, including both roadworks infrastructure and building construction is at 26.9% of original budget based upon actual expenditure, with outstanding purchase orders of \$1,844,844 issued. This is influenced heavily by two projects, the \$5m Community Centre and the \$2.1m Depot Administration Building, both of which are in their early stages. Asset purchases are at 50.32% of budget.



FINANCIAL RATIOS	2009/10	2008/09
<u>Current Ratio</u>	7.1 : 1	1.11 : 1
Calculated as follows:	$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$	

The current ratio is used to evaluate the liquidity, or ability to meet short term debts.

<u>Untied Cash to Trade Creditors Ratio</u>	16.7 : 1	1.33
Calculated as follows:	$\frac{\text{Untied cash}}{\text{Unpaid trade creditors}}$	

<u>Debt Ratio</u>	2.04%	1.71%
Calculated as follows:	$\frac{\text{Total liabilities}}{\text{Total assets}}$	

<u>Debt Service Ratio</u>	0.25%	0.36%
Calculated as follows:	$\frac{\text{Debt Service Cost (Principal \& Interest)}}{\text{Available operating revenue}}$	

The debt service ratio represents Council's ability to service debt out of uncommitted or general purpose funds available for operations. Self supporting loans should be taken into consideration when evaluating this ratio.

<u>Gross Debt to Revenue Ratio</u>	11.57%	1.83%
Calculated as follows:	$\frac{\text{Gross debt}}{\text{Total revenue}}$	

<u>Gross Debt to Economically Realisable Assets Ratio</u>	1.78%	0.31%
Calculated as follows:	$\frac{\text{Gross debt}}{\text{Economically realisable assets}}$	

The gross debt to economically realisable assets ratio relates actual borrowings directly to tangible assets (excludes infrastructure assets). It illustrates a Council's reliance on borrowings to fund new projects and gives an indication as to its future

<u>Rate Coverage Ratio</u>	51.54%	47.55%
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Calculated as follows:

$$\frac{\text{Net rate revenue}}{\text{Operating revenue}}$$

The rates coverage ratio measures Council's dependence on rate revenue to fund operations. It is considered that a higher ratio would indicate a higher controllable dependency on rates revenue and less of a dependency on government grants and other uncontrollable funding sources. Large grants or contributions of a once-off nature will affect this ratio.

<u>Outstanding Rates Ratio</u>	15.38%	2.36%
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Calculated as follows:

$$\frac{\text{Rates outstanding}}{\text{Rates collectable}}$$

The outstanding rates ratio helps to determine the effectiveness of Council's rate collection procedures. The lower the ratio the better the collection policy and procedures. This ratio ignores pensioner rates deferrals due to their nature. The ratio should be low as at 30 June each year

STATUTORY AND LEGAL IMPLICATIONS

7. Nil.

POLICY IMPLICATIONS

8. Nil.

PUBLIC CONSULTATION/COMMUNICATION

9. Nil.

FINANCIAL IMPLICATIONS

10. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

11. Nil.

OFFICER COMMENT

12. Nil.

MEETING COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-15/2010

1. That the Financial Activity Statement report for the period ending 31 January 2010 (*GSC Item 15/10 Attachment 1*) be received.

Moved: Cr Thomas

Seconded: Cr Robinson

CARRIED UNANIMOUSLY

SHIRE OF KALAMUNDA

FINANCIAL ACTIVITY STATEMENTS

AS AT

31 JANUARY 2010

SHIRE OF KALAMUNDA

STATEMENT OF FINANCIAL POSITION

FOR THE PERIOD ENDED 31 JANUARY 2010

	Actuals 2009/2010 \$	Actuals 2008/2009 \$
CURRENT ASSETS		
Cash and Cash Equivalents	25,430,398	18,908,051
Inventories	62,404	75,527
Prepayments	-	-
Trade and Other Receivables	4,681,502	1,299,755
TOTAL CURRENT ASSETS	\$30,174,304	\$20,283,333
NON CURRENT ASSETS		
Investments	8,086,193	8,086,193
Infrastructure Assets	150,101,922	149,295,098
Property, Plant and Equipment	151,339,388	151,393,626
Trade and Other Receivables	1,104,408	852,518
TOTAL NON CURRENT ASSETS	\$310,631,911	\$309,627,435
TOTAL ASSETS	\$340,806,215	\$329,910,768
CURRENT LIABILITIES		
Borrowings	70,232	53,122
Trade and Other Payables	2,234,314	3,761,760
Provisions	1,146,554	1,146,554
TOTAL CURRENT LIABILITIES	\$3,451,100	\$4,961,436
NON CURRENT LIABILITIES		
Borrowings	3,318,154	513,903
Trade and Other Payables	-	-
Provisions	168,726	168,726
TOTAL NON CURRENT LIABILITIES	\$3,486,881	\$682,629
TOTAL LIABILITIES	\$6,937,981	\$5,644,065
NET ASSETS	\$333,868,234	\$324,266,703
EQUITY		
Accumulated Surplus	191,693,674	182,190,928
Asset Revaluation Reserve	129,875,629	129,875,629
Reserves - Cash Backed	12,298,932	12,200,147
TOTAL EQUITY	\$333,868,234	\$324,266,703

SHIRE OF KALAMUNDA

INCOME STATEMENT

BY PROGRAM

FOR THE PERIOD ENDED 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Budget YTD \$	2009/10 Actual \$
OPERATING REVENUES (Refer Notes 1,2,8 to 13)			
General Purpose Funding	18,963,409	18,696,929	19,159,819
Governance	-	-	-
Law, Order, Public Safety	283,230	212,404	204,764
Health	50,080	31,772	19,995
Education and Welfare	2,287,785	1,337,571	1,956,901
Community Amenities	6,096,993	5,755,959	5,919,697
Recreation and Culture	959,682	564,553	425,925
Transport	53,000	30,912	109,485
Economic Services	35,500	19,125	16,645
Other Property and Services	2,004,951	1,392,851	1,437,503
	<u>30,734,630</u>	<u>28,042,076</u>	<u>29,250,734</u>
OPERATING EXPENSES (Refer Notes 1,2 & 14)			
Governance	(440,000)	(258,785)	(276,413)
General Purpose Funding	(1,380,880)	(908,432)	(1,027,507)
Law, Order, Public Safety	(1,047,721)	(626,966)	(631,801)
Health	(647,759)	(381,760)	(378,896)
Education and Welfare	(2,485,488)	(1,453,164)	(1,773,623)
Community Amenities	(10,795,135)	(6,296,785)	(5,955,953)
Recreation & Culture	(9,171,143)	(5,360,064)	(5,649,869)
Transport	(6,881,340)	(4,121,332)	(4,221,453)
Economic Services	(241,810)	(142,127)	(211,041)
Other Property and Services	(2,796,476)	(1,775,848)	(1,700,354)
	<u>(35,887,752)</u>	<u>(21,325,264)</u>	<u>(21,826,912)</u>
NON OPERATING ACTIVITIES			
Other Property & Services	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
BORROWING COSTS EXPENSE (Refer Notes 2 & 5)			
Other Property and Services	(105,762)	(53,598)	(26,621)
	<u>(105,762)</u>	<u>(53,598)</u>	<u>(26,621)</u>
GRANTS/CONTRIBUTIONS FOR THE DEVELOPMENT OF ASSETS			
Law, Order, Public Safety	-	-	-
Education and Welfare	-	-	148,258
Community Amenities	3,890,746	2,158,331	77,337
Recreation & Culture	520,083	303,380	890,281
Transport	1,568,290	914,830	1,069,210
Other Property and Services	-	-	21,545
	<u>5,979,119</u>	<u>3,376,541</u>	<u>2,206,630</u>
PROFIT/(LOSS) ON DISPOSAL OF ASSETS (Refer Note 4)			
Governance			
Law, Order, Public Safety			
Health			
Education and Welfare			
Community Amenities			
Recreation & Culture			
Transport	140	84	(2,300)
Economic Services			
Other Property and Services			
Transport			
	<u>140</u>	<u>84</u>	<u>(2,300)</u>
NET RESULT	<u>720,374</u>	<u>10,039,838</u>	<u>9,601,531</u>

SHIRE OF KALAMUNDA

INCOME STATEMENT

BY NATURE OR TYPE

FOR THE PERIOD ENDED 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Budget YTD \$	2009/10 Actual \$
REVENUES FROM ORDINARY ACTIVITIES			
Rates	18,784,609	18,599,636	18,972,032
Grants and Subsidies	3,417,549	2,241,683	2,417,038
Contributions Reimbursements and Donations	522,406	242,050	675,340
Service Charges	-	-	-
Fees and Charges	7,712,055	6,676,389	6,837,417
Interest Earnings	456,757	264,075	361,425
Other Revenue	24,000	13,574	16,003
	<u>30,917,377</u>	<u>28,037,407</u>	<u>29,279,255</u>
EXPENSES FROM ORDINARY ACTIVITIES			
Employee Costs	(11,481,611)	(6,268,637)	(6,288,098)
Materials and Contracts	(14,745,854)	(9,342,339)	(9,877,841)
Utilities	(999,967)	(572,611)	(470,082)
Depreciation	(8,328,289)	(4,836,375)	(4,869,834)
Interest Expenses	(105,762)	(53,598)	(26,621)
Insurance	(271,563)	(266,712)	(275,858)
Other Expenditure	(60,470)	(38,590)	(45,200)
	<u>(35,993,516)</u>	<u>(21,378,862)</u>	<u>(21,853,533)</u>
Grants and Subsidies - non-operating	2,088,373	1,218,210	2,027,249
Contributions Reimbursements and Donations - non-operating	3,708,000	2,163,000	150,860
Profit on Asset Disposals	140	84	(2,300)
Loss on Asset Disposals	-	-	-
Increase in Equity - EMRC	-	-	-
	<u>-</u>	<u>-</u>	<u>-</u>
NET RESULT	<u><u>720,374</u></u>	<u><u>10,039,838</u></u>	<u><u>9,601,531</u></u>

Shire of Kalamunda

RATE SETTING STATEMENT

FOR THE PERIOD ENDED 31 JANUARY 2010

	NOTE	2009/10 Adopted Budget	2009/10 Budget YTD	2009/10 Actual	Variance Actual to Budget YTD
		\$	\$	\$	
REVENUES					
General Purpose Funding	1,2	178,800	97,293	187,787	93.01%
Governance		-	-	-	-
Law, Order, Public Safety		283,230	212,404	204,764	-3.60%
Health		50,080	31,772	19,995	-37.07%
Education and Welfare		2,287,785	1,337,571	1,956,901	46.30%
Community Amenities		6,096,993	5,755,959	5,919,697	2.84%
Recreation and Culture		959,682	564,553	425,925	-24.56%
Transport		53,000	30,912	109,485	254.18%
Economic Services		35,500	19,125	16,645	-12.96%
Other Property and Services		2,004,951	1,392,851	1,437,503	3.21%
		11,950,021	9,442,440	10,278,702	
EXPENSES					
General Purpose Funding	1,2	(440,000)	(258,785)	(276,413)	6.81%
Governance		(1,380,882)	(750,178)	(903,029)	20.38%
Law, Order, Public Safety		(1,047,721)	(579,604)	(631,801)	9.01%
Health		(647,759)	(338,152)	(378,896)	12.05%
Education and Welfare		(2,485,488)	(1,418,003)	(1,773,623)	25.08%
Community Amenities		(10,795,135)	(4,684,335)	(5,955,953)	27.15%
Recreation & Culture		(9,171,143)	(4,402,751)	(5,649,869)	28.33%
Transport		(6,881,340)	(1,980,851)	(4,221,453)	113.11%
Economic Services		(241,810)	(142,127)	(211,041)	48.49%
Other Property and Services		(2,902,238)	(1,987,700)	(1,851,454)	-6.85%
		(35,993,516)	(16,542,487)	(21,853,533)	
		(24,043,495)	(7,100,048)	(11,574,832)	
ADJUSTMENTS FOR CASH BUDGET REQUIREMENTS:					
NON-CASH EXPENDITURE & REVENUE					
Depreciation on Assets	2(a)	8,328,289	4,836,375	4,869,834	0.69%
Non-cash capital contributions	4				
Movement in Provisions (Non-current)				-	
Pensioners Deferred Rates Movement				-	
CAPITAL EXPENDITURE & REVENUE					
Purchase Land and Buildings	3	(10,383,504)	(6,024,879)	(1,407,017)	-76.65%
Purchase Infrastructure Assets					
Drainage	3	(680,000)	(396,641)	(422,230)	6.45%
Footpaths	3	(375,300)	(218,904)	(223,897)	2.28%
Special Works	3	(375,000)	(207,074)	(79,630)	-61.55%
Roads	3	(3,639,056)	(283,318)	(1,454,959)	413.54%
Parks & Ovals	3	(2,347,694)	(1,544,237)	(1,199,875)	-22.30%
Purchase Plant and Equipment	3	(951,051)	(554,785)	(595,879)	7.41%
Purchase Furniture and Equipment	3	(978,470)	(548,345)	(375,061)	-31.60%
Proceeds from Asset Disposals	4	150,000	75,000	104,461	39.28%
Contributions / Grants for the Development of Assets		5,979,119	3,376,541	2,206,630	-34.65%
Repayment of Debentures	5	(78,716)	(26,239)	(35,808)	36.47%
Self-Supporting Loan Principal Income	5	53,123	17,708	35,808	102.22%
Loan Funds Raised		2,868,181			
Public Open Space Funds Used		1,564,760	521,587	449,776	-13.77%
Public Open Space Funds (Transfer to Restricted Assets)				(99,675)	
Roadworks Contributions Used					
				(68,369)	
Roadworks Contributions (Transfer to Restricted Assets)				(68,369)	
Transfers to Reserves (Restricted Assets)	6	(1,188,584)	(693,322)	(209,435)	-69.79%
Transfers from Reserves (Restricted Assets)	6	6,542,939	3,816,708	110,650	-97.10%
Estimated Surplus/(Deficit) July 1 B/Fwd	7	768,966	250,000	1,033,849	
Estimated Surplus/(Deficit) June 30 C/Fwd	7	(884)	14,018,159	10,036,373	
Amount to be Raised from Rates	8	(18,784,609)	(18,722,032)	(18,972,032)	

SHIRE OF KALAMUNDA

CASH FLOW STATEMENT

FOR THE PERIOD ENDED 31 JANUARY 2010

	NOTE	2009/10 Budget \$	2009/10 Actual \$	2008/09 Actual \$
Cash Flows From Operating Activities				
Receipts				
Rates		18,784,609	21,026,777	17,376,595
Grants and Subsidies - operating		3,417,549	2,417,038	3,569,122
Contributions, Reimbursements & Donations		522,406	826,201	1,744,627
Fees and Charges		7,712,055	1,825,054	8,609,567
Interest Earnings		456,757	411,425	1,322,835
Goods and Services Tax		-	211,103	1,792,385
Other		24,000	16,003	28,476
		<u>30,917,377</u>	<u>26,733,600</u>	<u>34,443,606</u>
Payments				
Employee Costs		(11,481,611)	(6,287,517)	(8,673,178)
Materials and Contracts		(14,745,854)	(6,442,322)	(17,347,030)
Utilities (gas, electricity, water, etc)		(999,967)	(470,082)	(836,406)
Insurance		(271,563)	(275,858)	(249,067)
Interest		(105,762)	(26,621)	(39,878)
Goods and Services Tax		-	-	-
Other		(60,470)	(45,200)	(103,266)
		<u>(27,665,227)</u>	<u>(13,547,600)</u>	<u>(27,248,825)</u>
Net Cash Provided By Operating Activities	14(b)	<u>3,252,150</u>	<u>13,186,000</u>	<u>7,194,781</u>
Cash Flows from Investing Activities				
Payments for Development of Land Held for Resale	3			
Payments for Purchase of Property, Plant & Equipment	3	(1,929,521)	(2,377,957)	(4,092,022)
Payments for Construction of Infrastructure	3	(17,800,554)	(3,380,591)	(6,546,597)
Advances to Community Groups				
Grants/Contributions for the Development of Assets		5,979,119	2,027,249	5,240,587
Proceeds from Sale of Plant & Equipment	4	150,000	104,461	274,970
Proceeds from Advances				
Net Cash Used in Investing Activities		<u>(13,600,956)</u>	<u>(3,626,838)</u>	<u>(5,123,061)</u>
Cash Flows from Financing Activities				
Repayment of Debentures	5	(78,716)	(35,807)	(70,632)
Increase / (Decrease) in Bonds		-	89,353	11,122
Proceeds from Self Supporting Loans		53,123	(221,361)	70,633
Proceeds from New Debentures	5	2,868,181	(2,869,000)	
Net Cash Provided By (Used In) Financing Activities		<u>2,842,588</u>	<u>(3,036,815)</u>	<u>11,124</u>
Net Increase (Decrease) in Cash Held		<u>(7,506,218)</u>	<u>6,522,347</u>	<u>2,082,843</u>
Cash at Beginning of Year		<u>18,841,250</u>	<u>18,908,051</u>	<u>16,825,209</u>
Cash and Cash Equivalents at the End of the Year		<u><u>11,335,032</u></u>	<u><u>25,430,398</u></u>	<u><u>18,908,052</u></u>

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this financial report are:

(a) Basis of Accounting

The budget has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), other mandatory professional reporting requirements, the Local Government Act 1995 (as amended) and accompanying regulations (as amended). The budget has also been prepared on the accrual basis under the convention of historical cost accounting.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements, but a separate statement of those monies appears at Note 15 to this budget document.

(c) Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the result of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(d) Rounding Off Figures

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(e) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(f) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(g) Superannuation

The Shire of Kalamunda contributes to the the Local Government Superannuation Scheme and other funds as directed by its employees. These funds are defined contribution schemes.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent a cash refund or a reduction in the future payments is available.

(h) Cash and Cash Equivalents

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Cash Flow Statement, cash and cash equivalents consist of cash and cash equivalents as defined above, net of outstanding bank overdrafts. Bank overdrafts are included as short-term borrowings in current liabilities.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

SIGNIFICANT ACCOUNTING POLICIES (Continued)

(i) Trade and Other Receivables

Trade receivables, which generally have 30 - 90 day terms, are recognised initially at fair value and subsequently measured at amortised cost using the effective interest rate method, less any allowance for uncollectible amounts.

Collectibility of trade receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(j) Inventories

Inventories are valued at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Inventories held from trading are classified as current even if not expected to be realised in the next 12 months.

(k) Fixed Assets

Initial Recognition

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed includes the cost of all materials, direct labour and variable and fixed overheads.

Revaluation

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on a basis to reflect the already consumed or expired future economic benefits.

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

Land Under Roads

Land under roads is excluded from infrastructure in accordance with the transitional arrangements available under AASB 1045 and in accordance with legislative requirements.

(l) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

(m) SIGNIFICANT ACCOUNTING POLICIES (Continued)

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	30 to 50 years
Furniture and Equipment	5 to 10 years
Plant and Equipment	5 to 10 years
Infrastructure	
Roads and Footpaths	50 years
Drains	80 years
Parks (Plant and Equipment)	10 to 40 years

Only individual items with a value of \$500 or more have been capitalised, in accordance with asset management policy

(n) Investments and Other Financial Assets

Classification

Council classifies its investments in the following categories: financial assets at fair value through profit or loss, loans and receivables, held-to-maturity investments and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

(i) Financial assets at fair value through profit and loss

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term.

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the balance sheet date which are classified as non-current assets. Loans and receivables are included in trade and other receivables in the balance sheet.

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that the Council's management has the positive intention and ability to hold to maturity.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

SIGNIFICANT ACCOUNTING POLICIES (Continued)

(n) Recognition and derecognition

Regular purchases and sales of financial assets are recognised on trade-date – the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

Subsequent measurement

Loans and receivables and held-to-maturity investments are carried at amortised cost using the effective interest method.

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value. Gains or losses arising from changes in the fair value of the financial assets at fair value of the financial assets at fair value through profit or loss category are presented in the income statement within other income or other expenses in the period in which they arise. Dividend income from financial assets at fair value through profit and loss is recognised in the income statement as part of revenue from continuing operations when Council's right to receive payments is established. Changes in the fair value of other monetary and non-monetary securities classified as available-for-sale are recognised in equity.

Impairment

Council assesses at each balance date whether there is objective evidence that a financial asset or group of financial assets is impaired. In the case of equity securities classified as available-for-sale, a significant or prolonged decline in the fair value of a security below its cost is considered as an indicator that the securities are impaired. If any such evidence exists for available-for-sale financial assets, the cumulative loss- measured as the difference between the acquisition cost and the current fair value, less any impairment loss on that financial asset previously recognised in profit or loss – is removed from equity and recognised in the income statement. Impairment losses recognised in the income statement on equity instruments classified as available-for-sale are not reversed through the income statement.

(o) Estimation of Fair Value

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the balance sheet date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques. Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date. These include the use of recent arm's length transactions, reference to other instruments that are substantially the same, discounted cash flow analysis, and option pricing models making maximum use of market inputs and relying as little as possible on entity-specific inputs.

Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments held. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

SIGNIFICANT ACCOUNTING POLICIES (Continued)

- (o) The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their fair values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

Recognition and derecognition

(p) Impairment

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an estimate of the recoverable amount of the asset is made in accordance with AASB 136 "Impairment of Assets" and appropriate adjustments made.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating unit exceeds its recoverable amount. Impairment losses are recognised in the Income Statement.

At the time of adopting the budget, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2009.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on this budget document.

(q) Trade and Other Payables

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the Municipality prior to the end of the financial year that are unpaid and arise when the Municipality becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Council expects to pay and includes related on-costs.

(ii) Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where Council does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

SIGNIFICANT ACCOUNTING POLICIES (Continued)

(r) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs.

After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(s) Provisions

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

(t) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non-current based on Council's intentions to release for sale.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Actual \$	2008/09 Actual \$
2. OPERATING REVENUES AND EXPENSES			
(a) Net Result from Ordinary Activities was arrived at after:			
(i) Charging as Expenses:			
Depreciation			
<u>By Program</u>			
Governance	-	-	-
General Purpose Funding	-	-	-
Law, Order, Public Safety	81,197	48,580	80,583
Health	59,640	34,465	5,881
Education and Welfare	112,669	34,859	98,397
Community Amenities	2,764,209	1,610,674	2,620,888
Recreation and Culture	1,641,136	982,536	1,580,922
Transport	3,669,438	2,158,721	3,571,100
Economic Services	-	-	-
Other Property and Services	-	-	-
	<u>8,328,289</u>	<u>4,869,834</u>	<u>7,957,772</u>
<u>By Class</u>			
Land and Buildings	2,986,974	1,739,364	2,928,076
Furniture and Equipment	341,021	200,386	270,601
Plant and Equipment	614,701	356,317	536,480
Roads	2,580,582	1,500,652	2,490,455
Footpaths	230,649	133,792	223,615
Drainage	350,903	203,975	340,351
Parks	1,168,914	703,518	1,055,465
Other	54,545	31,829	112,729
	<u>8,328,289</u>	<u>4,869,834</u>	<u>7,957,772</u>
Borrowing Costs (Interest)			
- Finance Lease Charges			
- Debentures (refer note 5(a))	105,762	26,621	39,878
	<u>105,762</u>	<u>26,621</u>	<u>39,878</u>
Rental Charges			
- Operating Leases			
(ii) Crediting as Revenues:			
Interest Earnings			
Investments			
- Reserve Funds	197,974	162,530	806,802
- Other Funds	146,126	85,239	319,785
Other Interest Revenue	112,656	113,656	196,248
	<u>456,757</u>	<u>361,425</u>	<u>1,322,835</u>
Other Significant Items			
Increase in Equity Value - EMRC		-	459,884

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

Council operations as disclosed in this statement encompass the following service orientated activities/programs:

GOVERNANCE

The provision to allow decision-making process to efficiently allocate scarce resources. Administration services allocated to other areas and administration of council members.

GENERAL PURPOSE FUNDING

Collection of revenue to finance Council activities including; rates, government grants, interest revenue collection and administration.

LAW, ORDER, PUBLIC SAFETY

To provide services to ensure a safer community through the supervision of local laws, fire prevention, emergency services and animal control.

HEALTH

To provide an operational structure for good community health including pest control, immunisation and child health services.

EDUCATION AND WELFARE

To aid the needs of the community by providing senior citizens and day-care centres, pre-schools, playgroup assistance and other voluntary services.

COMMUNITY AMENITIES

The provision of services required by the community, including; waste management, collection and recycling programmes, environmental controls, town planning and storm water drainage and maintenance.

RECREATION AND CULTURE

To establish and manage facilities for the well-being of the community and ensure the availability of halls, aquatic centres, recreation centres, sports grounds and libraries.

TRANSPORT

The provision of effective infrastructure to the community through the construction and maintenance of roads and footpaths, bridges, lighting and cleaning of streets.

ECONOMIC SERVICES

To promote the Shire and improve its economic base through the promotion of tourism, rural services and building control.

OTHER PROPERTY & SERVICES

Private works operations, plant repairs and general operations costs.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

3. ACQUISITION OF ASSETS	2009/10 Actual Year to Date \$	2009/10 Adopted Budget \$
The following assets have been acquired during the period under review:		
<u>By Program</u>		
Governance	94,071	581,794
General Purpose Funding	-	-
Law, Order, Public Safety	-	-
Health	-	-
Education and Welfare	3,557	-
Community Amenities	1,407,017	10,780,180
Recreation and Culture	-	2,351,194
Transport	2,182,439	6,016,907
Economic Services	-	-
Other Property and Services	-	-
	<u>3,687,083</u>	<u>19,730,075</u>
<u>By Class</u>		
Land Held for Resale	-	-
Land and Buildings	1,407,017	10,383,504
Infrastructure Assets - Roads	2,180,716	4,944,356
Infrastructure Assets - Parks and Ovals	1,199,875	2,372,694
Plant and Equipment	595,879	997,551
Furniture and Equipment	375,061	1,031,970
	<u>5,758,548</u>	<u>19,730,075</u>

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

4. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

<u>By Program</u>	Net Book Value	Sale Proceeds		Profit(Loss)
	2009/10 Actual YTD \$	2009/10 Actual YTD \$	2009/10 Actual YTD \$	2009/10 Actual YTD \$
Governance	-		-	-
Law, Order & Public Safety	-		-	-
Health	-		-	-
Education & Welfare	-		-	-
Community Ammenities	-		-	-
Recreation & Culture	-		-	-
Transport	136,128		104,461	(31,667)
	136,128		104,461	(31,667)

<u>By Class</u>	Net Book Value	Sale Proceeds		Profit(Loss)
	2009/10 Actual YTD \$	2009/10 Actual YTD \$	2009/10 Actual YTD \$	2009/10 Actual YTD \$
Furniture Fittings & Equipment	-		-	-
Plant & Equipment	136,128		104,461	(31,667)
	136,128		104,461	(31,667)

<u>Summary</u>	2009/10 Actual YTD \$	0 Adopted Budget \$
Profit on Asset Disposals	8,000	15,000
Loss on Asset Disposals	(10,300)	(14,860)
	<u>(2,300)</u>	<u>140</u>



3D Networks (Australia) Pty. Ltd. ABN 63 098 084 712
 593-695 Blackburn Road, Notting Hill, VIC 3168
 Telephone (+61 3) 9590 1000 Facsimile (+61 3) 9590 1111
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TAX INVOICE

294928:1
 Reprinted 17/02/10 09:39

Customer No: 61240
 SHIRE OF KALAMUNDA
 PO BOX 42
 KALAMUNDA WA 6076

D E L I V E R T O

Date: 17 FEB 2010
 Page: 1
 Cust. O/No: MAINTENANCE
 S/Tax Ref.
 Reference No.
 Rep. Mark Whitfield

Supply Br: 60 Western Australia Sales Br: 60 Western Australia
 Currency: AUD Australian Dollars Payment Terms:

Ln#	Product Code	Manf. Code	Description	Qty	Each	Disc%	GST%	Total
1	AUS11C05		Site 1 KALAMUNDA 2 RAILWAY ROAD KALAMUNDA WA 6076 AUSTRALIA Business - Maintenance contract# 4345 M-1 OPTION 11C BASIC PKG AC 07/02/10 to 06/05/10 @ 575.75 per month	1	1727.25		10.00	\$1727.25
<p style="text-align: right;">NO CLAIMS RECOGNISED AFTER 7 DAYS</p>								Subtotal \$1727.25 GST Total \$172.73 Please pay this amount ▶ \$1899.98

3D Networks is a company.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Loan Number	Loan Provider	Principal 1-Jul-09 \$	Budgeted New Loans \$		Principal Repayments \$		Principal Balance \$		Interest Repayments \$	
				2009/10 Budget	2009/10 Actual	2009/10 Budget	2009/10 Actual	2009/10 Budget	2009/10 Actual	2009/10 Budget	2009/10 Actual
Forrestfield Bowling Club	199	WATC	41,381	2,442	1,196	38,940	40,186	3,332	1,690		
Kalamunda Tennis Club	204	WATC	6,477	6,477	6,304	-	174	356	450		
Kalamunda Cricket Club	207	WATC	15,239	1,286	632	13,953	14,607	991	506		
Kalamunda & District Basketball	208	WATC	152,165	12,858	6,325	139,307	145,840	9,834	5,021		
Kalamunda Swimming Pool	212	WATC	-	-	-	-	-	-	-		
Hartfield Country Club	213	WATC	16,743	16,743	16,743	-	-	555	555		
Forrestfield Utd Soccer Club	214	WATC	137,924	4,238	2,090	133,686	135,834	7,610	3,834		
Lesmurdie Tennis Club	215	WATC	36,813	2,926	1,440	33,887	35,373	2,299	1,173		
Foothills Netball Assoc	216	WATC	99,104	2,647	1,303	96,456	97,801	6,370	3,206		
Maida Vale Tennis Club	217	WATC	51,360	2,094	1,031	49,266	50,328	3,061	1,546		
Kalamunda United Soccer Club	218	WATC	9,819	1,413	1,413	8,352	8,406	583	583		
*Kalamunda Club	219	WATC		-	9,163	250,000	240,837	-	7,875		
*Forrestfield Junior Football Club	220	WATC		-	-	19,000	19,000	-	-		
*Shire Depot	221	WATC		25,593	-	2,074,407	2,100,000	70,770	-		
*Wet'n'Wild	222	WATC		-	-	500,000	500,000	-	-		
*Sweeper trucks				-	-	300,000		-	-		
			567,025	78,716	47,639	3,357,255	3,388,386	105,762	26,439		

All loans are self supporting loans financed by payments from third parties.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

5. INFORMATION ON BORROWINGS (cont'd)

(b) New Debentures

New debentures previously budgeted for in 2008/09 are for:

*Kalamunda Club - To remove 1 bowling green replacing it with a carpark, and converting 2 bowling greens to synthetic turf.

*Forrestfield Junior Football Club - 2 additional light towers..

*These will be self-supporting loans with repayments sourced from the clubs associated.

New debentures budgeted for in 2009/10 are for:

- Depot administration building and workshop.

- Kalamunda swimming pool (Wet'n'Wild) upgrade.

Particulars/Purpose	Amount Borrowed Budget	Institution	Loan Type	Term (Years)	Total Interest & Charges	Interest Rate %	Amount Used Budget	Balance Unspent \$
<u>Kalamunda Club</u> - Replace 1 bowling green with a carpark, converting 2 bowling greens to synthetic turf. *A self-supported loan. Originally included in 2008/09 budget.	250,000	WATC	Fixed Int.	10	109,343	6.28	-	250,000
<u>Forrestfield Junior Football Club</u> - Install 2 additional light towers. *A self-supported loan. Originally included in 2008/09 budget.	19,000	WATC	Fixed Int.	10	8,310	6.28	-	19,000
<u>Shire of Kalamunda</u> - To construct a new depot administration and workshop	2,100,000	WATC	Fixed Int.	20	1,754,547	6.74	-	2,100,000
<u>Shire of Kalamunda</u> - For upgrade and maintenance of the Wet'n'Wild swimming pool.	500,000	WATC	Fixed Int.	10	8,310	6.74	-	500,000

(c) Overdraft

The Shire of Kalamunda has not established any overdraft facility.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF FINANCIAL REPORT

AS AT 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Actual \$
6. RESERVES - CASH BACKED		
(a) Building Construction		
Opening Balance	6,458,157	6,458,157
Transfer from Accumulated Surplus - Interest	90,031	-
Transfer from Accumulated Surplus	1,178,000	-
Transfer to Accumulated Surplus	(5,552,939)	-
	<u>2,173,249</u>	<u>6,458,157</u>
<p>This reserve was set up to provide for new buildings and the refurbishment to existing Shire owned buildings. To be spent according to budget.</p>		
(b) Waste Management		
Opening Balance	3,568,443	3,568,443
Transfer from Accumulated Surplus - Interest	68,995	-
Transfer from Accumulated Surplus	(1,576,130)	-
Transfer to Accumulated Surplus	(25,000)	-
	<u>2,036,308</u>	<u>3,568,443</u>
<p>This reserve was set up to fund financing operations for the development of Council's sanitation service. To be spent according to budget.</p>		
(c) EDP - IT Equipment		
Opening Balance	334,791	334,791
Transfer from Accumulated Surplus - Interest	2,067	-
Transfer from Accumulated Surplus	328,850	-
Transfer to Accumulated Surplus	(261,000)	-
	<u>404,708</u>	<u>334,791</u>
<p>This reserve was set up to provide for the upgrade / replacement of the Shire's computer hardware and software requirements. To be spent according to budget.</p>		
(d) Local Government Elections		
Opening Balance	105,789	105,789
Transfer from Accumulated Surplus - Interest	977	-
Transfer from Accumulated Surplus	45,000	-
Transfer to Accumulated Surplus	(100,000)	-
	<u>51,766</u>	<u>105,789</u>
<p>This reserve was set up to fund the cost of future Council elections. To be spent according to budget.</p>		
(e) Long Service Leave		
Opening Balance	154,858	154,858
Transfer from Accumulated Surplus - Interest	1,783	-
Transfer from Accumulated Surplus	5,500	-
Transfer to Accumulated Surplus	-	-
	<u>162,141</u>	<u>154,858</u>
<p>The purpose of this reserve is to provide cash-backing for all annual and long service leave entitlements. Transfers to this reserve are based on the leave liability at each year end. To be spent according to budget.</p>		

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Actual \$
6. CASH BACKED RESERVES (cont'd)		
(f) Plant and Equipment		
Opening Balance	565,360	565,360
Transfer from Accumulated Surplus - Interest	8,764	
Transfer from Accumulated Surplus	522,000	-
Transfer to Accumulated Surplus	(304,000)	-
	<u>792,124</u>	<u>565,360</u>
<p>This reserve was set up to fund future replacement of Council's plant and associated equipment. To be spent according to budget.</p>		
(g) Stirk Park		
Opening Balance	44,585	44,585
Transfer from Accumulated Surplus - Interest	1,321	
Transfer from Accumulated Surplus	-	-
Transfer to Accumulated Surplus	-	-
	<u>45,906</u>	<u>44,585</u>
<p>This reserve was set up to fund improvements to Stirk Park. To be spent according</p>		
(h) HACC		
Opening Balance	239,798	207,676
Transfer from Accumulated Surplus - Interest	7,911	
Transfer from Accumulated Surplus	52,390	-
Transfer to Accumulated Surplus	-	(100,000)
	<u>300,099</u>	<u>107,676</u>
<p>This reserve was set up to fund future HACC Services programmes and asset replacement. To be spent according to budget.</p>		
(i) Forrestfield Industrial Area		
Opening Balance	266,720	266,720
Transfer from Accumulated Surplus - Interest	7,906	
Transfer from Accumulated Surplus	-	-
Transfer to Accumulated Surplus	-	-
	<u>274,625</u>	<u>266,720</u>
<p>This reserve was set up to fund infrastructure requirements for the Forrestfield Industrial Area. To be spent according to budget.</p>		
(j) Insurance Contingency Reserve		
Opening Balance	226,363	226,363
Transfer from Accumulated Surplus - Interest	5,826	
Transfer from Accumulated Surplus	-	187,890
Transfer to Accumulated Surplus	-	10,650
	<u>232,190</u>	<u>403,604</u>
<p>This reserve was set up to fund insurance premium variations and potential call backs. To be spent according to budget.</p>		

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

	2009/10 Budget \$	2009/10 Actual \$
6. CASH BACKED RESERVES (cont'd)		
(k) Light Plant Reserve		
Opening Balance	203,416	203,416
Transfer from Accumulated Surplus - Interest	1,301	
Transfer from Accumulated Surplus	380,000	-
Transfer to Accumulated Surplus	(300,000)	-
	<u>284,717</u>	<u>203,416</u>
<p>This reserve was set up to fund future replacement of Council's plant and associated equipment. To be spent according to budget.</p>		
(l) Revaluation Reserve		
Opening Balance	63,989	63,989
Transfer from Accumulated Surplus - Interest	1,091	
Transfer from Accumulated Surplus	55,000	-
Transfer to Accumulated Surplus	-	-
	<u>120,080</u>	<u>63,989</u>
<p>This reserve was set up to fund triannual rating revaluations. To be spent</p>		
(m) Nominated Employee Leave Provisions Reserve		
Opening Balance		
Transfer from Accumulated Surplus - Interest		
Transfer from Accumulated Surplus		21,545
Transfer to Accumulated Surplus		-
	<u>-</u>	<u>21,545</u>
<p>This reserve was set up to receive funds for nominated staff leave entitlements. To be spent according to budget.</p>		
(n) Swimming Pool Inspections Reserve		
Opening Balance		
Transfer from Accumulated Surplus - Interest		
Transfer from Accumulated Surplus		-
Transfer to Accumulated Surplus		-
	<u>-</u>	<u>-</u>
<p>This reserve was set up to receive funds for the swimming pool inspection program. To be spent according to budget.</p>		
Total Reserve Closing Balance	<u>6,877,914</u>	<u>12,298,932</u>

	2009/10 Budget \$	2009/10 Actual \$
SUMMARY		
Opening Balance	12,232,270	12,200,147
Transfer from Accumulated Surplus - Interest	197,974	-
Transfer from Accumulated Surplus	990,610	209,435
Transfer to Accumulated Surplus	(6,542,939)	(110,650)
Closing Balance	<u>6,877,914</u>	<u>12,298,932</u>

All of the cash backed reserve accounts are supported by money held in financial institutions and match the amount shown as restricted cash in Notes 7 and 8 of this financial report.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

	January 2009 Actual \$	Brought Forward 01-Jul 2009 \$
7. Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	9,159,112	2,468,504
Cash - Restricted	16,271,286	16,439,547
Receivables	4,681,502	1,299,755
Inventories	62,404	75,527
	<u>30,174,304</u>	<u>20,283,332</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(3,866,645)</u>	<u>(3,069,867)</u>
NET CURRENT ASSET POSITION	26,307,659	17,213,465
Less: Cash - Restricted	<u>(16,271,286)</u>	<u>(16,439,547)</u>
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD	<u>10,036,373</u>	<u>773,917</u>

The estimated surplus/(deficiency) c/fwd in the 2008/09 actual column represents the surplus (deficit) brought forward as at 1 July 2009. This figure is not finalised.

The estimated surplus/(deficiency) c/fwd in the 2009/10 actual column represents the surplus (deficit) carried forward as at 31 January 2010.

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

8. NOTES TO THE CASH FLOW STATEMENT

(a) Reconciliation of Cash

For the purposes of the cash flow statement, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Estimated cash at the end of the reporting period is as follows:

	2009/10 Budget \$	2009/10 Actual \$	2008/09 Actual \$
Cash - Unrestricted	85,435	9,159,112	2,468,504
Cash - Restricted	11,249,595	16,271,286	16,439,547
	<u>11,103,199</u>	<u>25,430,398</u>	<u>18,908,051</u>

The following restrictions have been imposed by regulation or other externally imposed requirements:

Building Construction Reserve	4,263,113	6,458,157	6,458,157
Waste Management Reserve	3,525,653	3,568,443	3,568,443
EDP Reserve	79,969	334,791	334,791
Forrestfield Industrial Area Reserve	263,522	266,720	266,720
HACC Reserve	345,673	107,676	207,676
Local Government Election Reserve	60,060	105,789	105,789
Long Service Leave Reserve	56,680	154,858	154,858
Plant & Equipment Reserve	183,137	565,360	565,360
Stirk Park Reserve	44,050	44,585	44,585
Insurance Contingency Reserve	126,623	403,604	226,363
Light Plant Reserve	3,375	203,416	203,416
Revaluation Reserve	8,881	63,989	63,989
Nominated Employee Leave Provisions Reserve		21,545	-
Public Open Space	776,334	2,347,833	2,347,833
Roadwork Contributions			356,400
Bonds	1,502,204	1,601,879	1,512,526
Grants Received in Advance			
Meals on Wheels Surplus Funding Acquired		18,199	18,199
CVS Surplus Grant Funding Acquired (Ex KCC)		4,443	4,443
	<u>11,239,273</u>	<u>16,271,286</u>	<u>16,439,547</u>

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

9. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	Budget Rate Revenue \$	Budget Interim Rate \$	Budget Back Rate \$	Budget Total Revenue \$
Differential General Rate											
GRV	0.06499	17,766	241,487,629	14,919,249	\$123,563	\$48,090	15,090,902	14,500,075	250,000	0	14,750,075
General Industrial	0.06758	176	28,945,859	1,850,331			1,850,331	1,947,717			1,947,717
Light Industrial	0.06758	83	3,838,211	245,467			245,467	258,386			258,386
UV	0.00242	300	164,392,040	376,533			376,533	396,350	0	0	396,350
Sub-Totals		18,325	438,661,739	17,391,579	123,563	48,090	17,563,232	17,102,527	0	0	17,352,527
Minimum Rates											
GRV	549.85	2,451		1,347,682			1,347,682	1,347,682	0	0	1,347,682
General Industrial	571.85	17		9,721			9,721	9,721			9,721
Light Industrial	571.85	2		1,144			1,144	1,144			1,144
UV	549.85	4		2,199			2,199	2,199	0	0	2,199
Sub-Totals		2,474	0	1,360,746	0	0	1,360,746	1,360,747			1,360,747
Cash in Lieu of Rates Totals				18,923,979			18,923,979				18,713,274
				48,053			48,053				71,335
				18,972,032			18,972,032				18,784,609

CASH IN LIEU OF RATES

	Budget Rate Revenue \$	Rate Revenue 2009/10 \$
Dampier Pipeline Contribution	20,223	48,053
Co-operative Bulk Handling	51,112	48,053
	71,335	48,053

SHIRE OF KALAMUNDA

NOTES TO AND FORMING PART OF THE FINANCIAL REPORT

FOR THE PERIOD ENDED 31 JANUARY 2010

10. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in the financial statements are as follows:

	Balance 01/07/08 \$	Estimated Amounts Received \$	Estimated Amounts Paid \$	Estimated Balance 30/06/09 \$
Unclaimed Monies	7,037	9,680	(7,030)	9,687
Wattlegrove - Cell 9	2,634,612			2,634,612
B.C.I.T.F Levies	29,892	85,207	(93,157)	21,943
B.R.B Levies	5,735	29,192	(29,247)	5,680
	<u>2,677,276</u>			<u>2,671,921</u>

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget 2009/2010 \$	Budget YTD \$	Actual YTD \$	Variance \$	Variance %
120 Members					
Income	-	-	-	-	
Expense	505,723	349,044	293,987	(55,057)	-16%
Net Expenses Members	505,723	349,044	293,987	(55,057)	
150 Chief Executive Office					
Income	-	-	-	-	
Expense	689,652	400,994	601,497	200,503	50%
Net Expenses Chief Executive Office	689,652	400,994	601,497	200,503	
201 Corporate Services Administration					
Income	-	-	-	-	
Expense	418,773	240,017	224,202	(15,815)	-7%
Net Expenses Corporate Services Administration	418,773	240,017	224,202	(15,815)	
205 Customer Services					
Income	-	-	(47)	(47)	-8%
Expense	410,502	240,135	220,784	(19,351)	
Net Expenses Customer Services	410,502	240,135	220,737	(19,398)	
210 Compliance					
Income	-	-	-	-	
Expense	78,467	46,577	42,589	(3,988)	-9%
Net Expenses Compliance	78,467	46,577	42,589	(3,988)	
215 Project Funding					
Income	-	-	-	-	
Expense	34,690	20,209	9,744	(10,465)	-52%
Net Expenses Project Funding	34,690	20,209	9,744	(10,465)	
220 Financial Services					
Income	(110,602)	(68,568)	(160,606)	(92,038)	134%
Expense	1,054,277	694,638	664,837	(29,801)	-4%
Net Expenses Financial Services	943,675	626,070	504,231	(121,840)	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget	Budget	Actual	Variance	Variance
	2009/2010	YTD	YTD	\$	%
	\$	\$	\$		
225 General Purpose Income					
Income	(1,901,849)	(1,327,577)	(1,163,660)	163,917	-12%
Expense	-	-	-	-	-
Net Expenses General Purpose Income	(1,901,849)	(1,327,577)	(1,163,660)	163,917	
230 Human Resources					
Income	(528,943)	(309,627)	(432,197)	(122,570)	40%
Expense	511,464	319,583	294,329	(25,254)	-8%
Net Expenses Human Resources	(17,478)	9,956	(137,868)	(147,823)	
240 Information Technology					
Income	(657,728)	(383,670)	(386,980)	(3,310)	1%
Expense	673,728	444,979	393,140	(51,839)	-12%
Net Expenses Information Technology	16,000	61,309	6,159	(55,150)	
250 Rates					
Income	(18,963,409)	(18,696,929)	(19,159,819)	(462,890)	2%
Expense	440,000	258,785	276,413	17,628	7%
Net Expenses Rates	(18,523,409)	(18,438,144)	(18,883,406)	(445,262)	
260 Records Management					
Income	(1,000)	(581)	(376)	205	-35%
Expense	220,472	130,815	116,156	(14,658)	-11%
Net Expenses Records Management	219,472	130,234	115,780	(14,454)	
270 Rangers					
Income	(143,100)	(108,555)	(102,416)	6,139	-6%
Expense	570,426	335,297	344,614	9,317	3%
Net Expenses Rangers	427,326	226,742	242,198	15,456	
275 Fire Prevention					
Income	(5,000)	(2,500)	(1,000)	1,500	-60%
Expense	286,831	171,792	136,890	(34,902)	-20%
Net Expenses Fire Prevention	281,831	169,292	135,890	(33,402)	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget	Budget	Actual	Variance	Variance
	2009/2010	YTD	YTD		
	\$	\$	\$	\$	%
280 Bush Fire Brigade					
Income	(97,000)	(72,750)	(72,750)	-	0%
Expense	125,688	82,154	126,714	44,560	54%
Net Expenses Bush Fire Brigade	28,688	9,404	53,964	44,560	
285 State Emergency Services					
Income	(38,130)	(28,599)	(28,598)	2	0%
Expense	64,776	37,723	23,583	(14,140)	-37%
Net Expenses State Emergency Services	26,646	9,124	(5,015)	(14,139)	
301 Community Services Administration					
Income	-	-	(1,918)	(1,918)	
Expense	764,097	445,989	487,592	41,603	9%
Net Expenses Community Services Administration	764,097	445,989	485,675	39,686	
310 Economic Development					
Income	-	-	-	-	
Expense	-	-	-	-	
Net Expenses Economic Development	-	-	-	-	
315 Tourism and Promotions					
Income	(35,500)	(19,125)	(16,645)	2,480	-13%
Expense	276,710	162,483	255,941	93,458	58%
Net Expenses Tourism and Promotions	241,210	143,358	239,296	95,938	
320 Youth Services					
Income	(10,000)	(5,831)	42	5,873	-101%
Expense	242,488	119,300	128,774	9,475	8%
Net Expenses Youth Services	232,488	113,469	128,816	15,348	
330 Recreation Services					
Income	(520,083)	(303,380)	(747,687)	(444,307)	146%
Expense	91,131	53,945	50,759	(3,186)	-6%
Net Expenses Recreation Services	(428,952)	(249,435)	(696,928)	(447,493)	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget		Actual		Variance \$	Variance %
	2009/2010 \$	YTD \$	YTD \$	YTD \$		
335 Hartfield Park Recreation Centre						
Income	(453,300)	(264,404)	(279,861)	(15,457)	6%	
Expense	1,096,563	641,192	708,059	66,867	10%	
Net Expenses Hartfield Park Recreation Centre	643,263	376,788	428,198	51,410		
340 High Wycombe Recreation Centre						
Income	(35,500)	(20,699)	(26,002)	(5,303)	26%	
Expense	262,181	156,289	153,502	(2,787)	-2%	
Net Expenses High Wycombe Recreation Centre	226,681	135,590	127,500	(8,091)		
350 Community Halls and Buildings						
Income	(342,382)	(196,618)	(210,156)	(13,539)	7%	
Expense	961,915	562,194	720,931	158,737	28%	
Net Expenses Community Halls and Buildings	619,533	365,577	510,775	145,198		
355 Reserve Hire						
Income	(70,500)	(49,050)	(21,659)	27,391	-56%	
Expense	46,159	32,760	23,907	(8,853)	-27%	
Net Expenses Reserve Hire	(24,341)	(16,290)	2,248	18,538		
360 Swimming Pools						
Income	(20,000)	(11,669)	-	11,669	-100%	
Expense	67,701	48,312	55,389	7,077	15%	
Net Expenses Swimming Pools	47,701	36,643	55,389	18,746		
370 Environmental Health						
Income	(30,080)	(20,103)	(19,995)	109	-1%	
Expense	580,058	333,448	323,507	(9,941)	-3%	
Net Expenses Environmental Health	549,978	313,345	303,513	(9,833)		
375 Waste Management						
Income	(5,360,713)	(5,319,155)	(5,244,314)	74,841	-1%	
Expense	5,265,936	3,064,299	2,648,310	(415,989)	-14%	
Net Expenses Waste Management	(94,777)	(2,254,856)	(2,596,004)	(341,148)		

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget	Budget	Actual	Variance	Variance
	2009/2010	YTD	YTD		
	\$	\$	\$	\$	%
380 Senior Citizen Services					
Income	(67,600)	(39,820)	(40,033)	(213)	1%
Expense	283,475	155,056	175,902	20,847	13%
Net Expenses Senior Citizen Services	215,875	115,236	135,869	20,633	
385 HACC Services					
Income	(2,132,854)	(1,244,236)	(2,011,883)	(767,647)	62%
Expense	2,132,854	1,244,173	1,533,152	288,979	23%
Net Expenses HACC Services	-	(63)	(478,731)	(478,668)	
386 Kalamunda Community Care					
Income	-	-	-	-	
Expense	-	-	-	-	
Net Expenses Kalamunda Community Care	-	-	-	-	
387 Meals on Wheels					
Income	(91,752)	(53,515)	(53,243)	272	-1%
Expense	91,759	53,515	76,186	22,671	42%
Net Expenses Meals on Wheels	7	-	22,943	22,943	
390 Libraries - Administration					
Income	(1,200)	(700)	(27)	673	-96%
Expense	147,320	83,774	47,367	(36,407)	-43%
Net Expenses Libraries - Administration	146,120	83,074	47,340	(35,734)	
391 Library - Kalamunda					
Income	(10,650)	(6,195)	(13,305)	(7,110)	115%
Expense	750,940	444,906	459,578	14,672	3%
Net Expenses Library - Kalamunda	740,290	438,711	446,272	7,561	
392 Library - Forrestfield					
Income	(4,800)	(2,786)	(1,225)	1,561	-56%
Expense	331,862	195,889	215,482	19,593	10%
Net Expenses Library - Forrestfield	327,062	193,103	214,257	21,154	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget	Budget	Actual	Variance	Variance
	2009/2010	YTD	YTD	\$	%
	\$	\$	\$		
393 Library - High Wycombe					
Income	(3,300)	(1,918)	(1,418)	500	-26%
Expense	282,101	166,417	152,839	(13,579)	-8%
Net Expenses Library - High Wycombe	278,801	164,499	151,421	(13,079)	
394 Libraries - Lesmurdie					
Income	(1,050)	(602)	2,429	3,031	-504%
Expense	114,920	67,835	69,484	1,648	2%
Net Expenses Libraries - Lesmurdie	113,870	67,233	71,913	4,680	
395 Arts and Culture					
Income	-	-	-	-	-1%
Expense	77,354	45,835	45,209	(626)	
Net Expenses Arts and Culture	77,354	45,835	45,209	(626)	
396 Museums					
Income	(27,000)	(15,750)	(17,336)	(1,586)	10%
Expense	128,451	78,797	71,606	(7,192)	-9%
Net Expenses Museums	101,451	63,047	54,269	(8,778)	
401 Engineering					
Income	-	-	-	-	0%
Expense	290,911	167,937	167,192	(746)	
Net Expenses Engineering	290,911	167,937	167,192	(746)	
410 Design and Technical Services					
Income	(2,000)	(1,162)	(687)	475	-41%
Expense	(479,657)	(278,866)	(230,321)	48,545	-17%
Net Expenses Design and Technical Services	(481,657)	(280,028)	(231,009)	49,019	
415 Engineering Works (Maintenance)					
Income	-	-	(1,147)	(1,147)	-1%
Expense	6,527,104	3,818,770	3,783,955	(34,815)	
Net Expenses Engineering Works (Maintenance)	6,527,104	3,818,770	3,782,808	(35,962)	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget 2009/2010 \$	Budget YTD \$	Actual YTD \$	Variance \$	Variance %
420 Engineering Works (Construction)					
Income	(1,619,290)	(944,580)	(1,139,655)	(195,075)	21%
Expense	63,821	37,177	39,739	2,562	7%
Net Expenses Engineering Works (Construction)	(1,555,469)	(907,403)	(1,099,917)	(192,514)	
430 Depot Operations					
Income	-	-	-	-	
Expense	97,856	57,050	71,599	14,549	26%
Net Expenses Depot Operations	97,856	57,050	71,599	14,549	
440 Plant Operations					
Income	-	-	-	-	
Expense	381,305	319,264	389,290	70,027	22%
Net Expenses Plant Operations	381,305	319,264	389,290	70,027	
450 Parks and Reserves Maintenance					
Income	-	-	(37,206)	(37,206)	
Expense	4,594,630	2,688,890	2,771,983	83,093	3%
Net Expenses Parks and Reserves Maintenance	4,594,630	2,688,890	2,734,778	45,887	
501 Planning and Development Administration					
Income	-	-	-	-	
Expense	408,532	236,518	209,473	(27,045)	-11%
Net Expenses Planning and Development Administration	408,532	236,518	209,473	(27,045)	
510 Environmental Management					
Income	-	-	(75)	(75)	
Expense	481,651	279,427	230,068	(49,359)	-18%
Net Expenses Environmental Management	481,651	279,427	229,992	(49,435)	
520 Planning Service					
Income	(252,300)	(148,492)	(300,124)	(151,632)	102%
Expense	816,675	483,609	448,584	(35,024)	-7%
Net Expenses Planning Service	564,375	335,117	148,460	(186,656)	

SHIRE OF KALAMUNDA
Operating Budget Variance Analysis
FOR THE PERIOD ENDED 31 JANUARY 2010

Description	Budget	Budget	Actual	Variance	Variance
	2009/2010	YTD	YTD	\$	%
	\$	\$	\$	\$	
530 Land Management					
Income	-	-	-	-	
Expense	79,399	47,155	51,587	4,432	9%
Net Expenses Land Management	79,399	47,155	51,587	4,432	
540 Building Services					
Income	(483,980)	(288,312)	(375,184)	(86,872)	30%
Expense	552,275	323,354	347,217	23,863	7%
Net Expenses Building Services	68,295	35,042	(27,967)	(63,008)	
550 Property Maintenance					
Income	(3,700,000)	(2,158,331)	(77,337)	2,080,994	-96%
Expense	3,368,393	1,966,093	2,028,258	62,165	3%
Net Expenses Property Maintenance	(331,607)	(192,238)	1,950,921	2,143,159	
TOTAL NET EXPENDITURE	(458,261)	(10,040,258)	(9,685,464)	354,794	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
120	Members		
120I	Income		
120E	Expense	(55,057)	Functions and events exceeding year to date budget. Contractor elections invoice received in February.
T	Net Expenses Members	(55,057)	
150	Chief Executive Office		
150I	Income		
150E	Expense	200,503	Advertising, training and legal expenses under budget, consultants exceeding year to date budget.
T	Net Expenses Chief Executive Office	200,503	
215	Project Funding		
215I	Income		
215E	Expense	(10,465)	Project (Grant seeding funds) expenditure under year to date budget.
T	Net Expenses Project Funding	(10,465)	
220	Financial Services		
	Income		Profit on sale of asset exceeds budget. (Disposal of asset to be posted). Advertising contribution (Kalamunda Toyota - Rates Prize) not budgeted. General and insurance reimbursements exceeding budget.
220I	Income	(92,038)	
220E	Expense	(29,801)	Salaries and interest on loans under budget (timing).
T	Net Expenses Financial Services	(121,840)	
221	Property and Procurement		
221I	Income		
221E	Expense	60,960	New service area. Salaries and wages budgeted under Financial Services.
T	Net Expenses Property and Procurement	60,960	
225	General Purpose Income		
225I	Income	163,917	General purpose grants instalment not received.
225E	Expense		
T	Net Expenses General Purpose Income	163,917	
230	Human Resources		
	Income		Workers compensation allocation credit, offset by transfer to reserve charge. Administration allocation charges under budget as department expenses are under budget.
230I	Income	(122,570)	
230E	Expense	(25,254)	Salaries and wages, recruitment and subscriptions under budget. Occupational Health & Safety under budget (timing).
T	Net Expenses Human Resources	(147,823)	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
240	Information Technology		
240I	Income		(3,310) Internal allocations exceed budget as based on actual expenditure / timing differences.
240E	Expense	(51,839)	Annual licence fees under budget (timing difference), IT general expenses exceed budget.
T	Net Expenses Information Technology	(55,150)	
260	Records Management		
260I	Income		205 FOI fee income under budget.
260E	Expense	(14,658)	Salaries & wages under budget / timing difference.
T	Net Expenses Records Management	(14,454)	
275	Fire Prevention		
275I	Income	1,500	Fines exceed budget.
275E	Expense	(34,902)	Salaries and wages, sundry purchases and training under budget.
T	Net Expenses Fire Prevention	(33,402)	
280	Bush Fire Brigade		
280I	Income	44,560	Building maintenance (white ants) exceeding budget.
280E	Expense		
T	Net Expenses Bush Fire Brigade	44,560	
285	State Emergency Services		
285I	Income		
285E	Expense	(14,140)	All expenditure categories under budget.
T	Net Expenses State Emergency Services	(14,139)	
315	Tourism and Promotions		
315I	Income		Lotterywest grant (Zig Zag) received exceed year to date budget. Other budgeted grants will not be received.
315E	Expense	93,458	Advertising, salaries and wages exceeding budget.
T	Net Expenses Tourism and Promotions	95,938	
320	Youth Services		
320I	Income	5,873	No contributions received. Grant funding under budget / timing difference.
320E	Expense	9,475	Programmes expenditure over year to date budget / timing difference.
T	Net Expenses Youth Services	15,348	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
330	Recreation Services		
330I	Income	(444,307)	Full CSRRF grant funds received, timing.
330E	Expense	(3,186)	Allocation of IT & Donations exceeds budget. Salaries and wages, advertising under budget
T	Net Expenses Recreation Services	(447,493)	
340	High Wycombe Recreation Centre (HWRC)		
340I	Income	(5,303)	Hall hire, creche, programme and gym fees exceeding budget.
340E	Expense	(2,787)	Casual wages exceed budget, offset by under budget full time wages. Purchases and maintenance expenditure under budget / timing difference.
T	Net Expenses High Wycombe Recreation Centre (HWRC)	(8,091)	
350	Community Halls and Buildings		
350I	Income	(13,539)	Hall hire exceeding budget (permanent user charges)
350E	Expense	158,737	Maintenance exceeding budget.
T	Net Expenses Community Halls and Buildings	145,198	
355	Reserve Hire		
355I	Income	27,391	Reserve hire charges exceeding budget - seasonal. Contributions under budget.
355E	Expense	(8,853)	Community group donations under budget.
T	Net Expenses Reserve Hire	18,538	
360	Swimming Pools		
360I	Income	11,669	No lease revenue raised.
360E	Expense	7,077	Building maintenance exceeds budget. Depreciation under budget.
T	Net Expenses Swimming Pools	18,746	
375	Waste Management		
375I	Income	74,841	Waste collection charges (rates) under budget. Receipting problem to be fixed.
375E	Expense	(415,989)	Contractor expenditure under budget / timing differences.
T	Net Expenses Waste Management	(341,148)	
380	Senior Citizens Services		
380I	Income	(213)	Annual podiatry grant received (timing). Fees under budget. Seniors week income under budget.
380E	Expense	20,847	Building maintenance & programmes expenses over budget.
T	Net Expenses Senior Citizens Services	20,633	
T	Net Expenses Income	41,480	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
385	HACC Services		
385I	Income	(767,647)	Third quarterly grant revenue received (timing). Unbudgeted non-recurrent and growth grants received (\$148K).
385E	Expense	288,979	Program expenses and salaries and wages exceeds budget.
T	Net Expenses HACC Services	(478,668)	
387	Meals on Wheels		
387I	Income	272	Grant revenue under budget. (timing) Fees exceed budget.
387E	Expense	22,671	Program expenses exceed budget.
T	Net Expenses Meals on Wheels	22,943	
390	Libraries - Administration		
390I	Income	673	Grant income not received.
390E	Expense	(36,407)	Consumables exceeding budget, salaries and wages under budget.
T	Net Expenses Libraries - Administration	(35,734)	
391	Library - Kalamunda		
391I	Income	(7,110)	Lost & damaged and miscellaneous fees exceed budget.
391E	Expense	14,672	Building maintenance exceeds budget (timing). Salaries and wages under budgeted.
T	Net Expenses Library - Kalamunda	7,561	
392	Library - Forrestfield		
392I	Income	1,561	Lost & damaged and miscellaneous fees under budget.
392E	Expense	19,593	Building maintenance exceeds budget (timing). Salaries and wages under budgeted.
T	Net Expenses Library - Forrestfield	21,154	
393	Library - High Wycombe		
393I	Income	500	Lost & damaged and miscellaneous fees exceed budget.
393E	Expense	(13,579)	Salaries and Wages under budgeted.
T	Net Expenses Library - High Wycombe	(13,079)	
394	Libraries - Lesmurdie		
394I	Income	3,031	Lost & damaged and miscellaneous fees exceed budget.
394E	Expense	1,648	Building Maintenance exceeds budget.
T	Net Expenses Libraries - Lesmurdie	4,680	
395	Arts and Culture		
395I	Income	(626)	All expenditure categories under budget.
395E	Expense	(626)	
T	Net Expenses Arts and Culture	(626)	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
401	Engineering		
401I	Income		
401E	Expense	(746)	Salaries and wages exceed budget, legal expenses under budget.
T	Net Expenses Engineering	(746)	
410	Design and Technical Services		
410I	Income		475 Reimbursements general exceeds budget. Miscellaneous fees under budget.
410E	Expense	48,545	Overhead allocations under budget.
T	Net Expenses Design and Technical Services	49,019	
415	Engineering Works (Maintenance)		
415I	Income		(1,147) Miscellaneous reimbursements not budgeted.
415E	Expense	(34,815)	Maintenance and superannuation exceeding budget. Streetlighting invoices not received.
T	Net Expenses Engineering Works (Maintenance)	(35,962)	
420	Engineering Works (Construction)		
420I	Income		Grants exceed year to date budget / timing difference. Unbudgeted capital contributions received (Westralia - Abermethy Rd). Private works revenue under budget.
420E	Expense	2,562	Motor vehicle expenditure over budget.
T	Net Expenses Engineering Works (Construction)	(192,514)	
430	Depot Operations		
430I	Income		
430E	Expense	14,549	Maintenance exceeding budget.
T	Net Expenses Depot Operations	14,549	
440	Plant Operations		
440I	Income		
440E	Expense	70,027	Fuel & oil, insurance (timing) exceed budget. Cost recovery under budget.
T	Net Expenses Plant Operations	70,027	
450	Parks and Reserves		
450I	Income		(37,206) Unbudgeted grant revenue.
450E	Expense	83,093	Project expenditure under budget / timing difference.
T	Net Expenses Parks and Reserves	45,887	
501	Planning Services Administration		
501I	Income		
501E	Expense	(27,045)	CSRFF tennis courts program waiting on application.
T	Net Expenses Planning Services Administration	(27,045)	

SHIRE OF KALAMUNDA
Variance Analysis Details
FOR THE PERIOD ENDED 31 JANUARY 2010

Exp	Description	Variance \$	Comments
510	Environmental Management		
510I	Income	(75)	Unbudgeted grant revenue.
510E	Expense	(49,359)	Project expenditure under budget / timing difference.
T	Net Expenses Environmental Management	(49,435)	
520	Planning Services		
520I	Income		Application fee revenue exceeding budget. Cash in lieu of public open space received (\$99k),
520E	Expense	(151,632)	though these funds are restricted in nature.
T	Net Expenses Planning Services	(35,024)	All expenditure categories under budget.
		(186,656)	
540	Building Services		
540I	Income	(86,872)	Application fees revenue exceeding budget.
540E	Expense	23,863	Unbudgeted consultant expenditure. Salaries and wages under budget. Employee training exceeds year to date budget.
T	Net Expenses Building Services	(63,008)	
550	Property Maintenance		
550I	Income	2,080,994	Capital Grant funds not received.
550E	Expense	62,165	Building maintenance exceeds budget.
T	Net Expenses Property Maintenance	2,143,159	

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.16 Debtors and Creditors Report for the Period Ending 31 January 2010

Previous Items:
Service Area: Corporate
File Reference: FI-SRR-006
Applicant:
Owner:

PURPOSE

1. To receive a monthly report on debtors and creditors.

BACKGROUND

2. Attached is a report detailing aged debtors and creditors as at 31 January 2010 (*Attachment 1 & 2*).
3. Council has requested information as to outstanding debtors and creditors be reported on a monthly basis.

DETAILS

4. Debtors
See (*Attachment 1*) for details.
5. Creditors
See (*Attachment 2*) for details.

STATUTORY AND LEGAL IMPLICATIONS

6. Nil.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. Nil.

MEETING COMMENT

12. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-16/2010

1. That the outstanding debtors and creditors reports as at 31 January 2010 (***GSC Item 16/10 Attachment 1 & 2***) be received.

Moved: Cr Robinson

Seconded: Cr Thomas

CARRIED UNANIMOUSLY

SHIRE OF KALAMUNDA

SUMMARY OF CREDITORS

FOR THE PERIOD ENDED 31 JANUARY 2010

Sundry Creditors Trial Balance - Summary Aged Listing

	> 90 days	> 60 days	> 30 days	Current	Total
31/07/2009	-\$866	\$33,372	\$45,780	\$704,637	\$782,923
31/08/2009	\$0	\$0	\$44,316	\$437,987	\$482,303
30/09/2009	\$906	\$35,676	\$160,930	\$680,511	\$878,022
31/10/2009	-\$233	\$578	\$14,351	\$568,342	\$583,038
30/11/2009	\$578	\$338	\$30,819	\$451,942	\$483,676
31/12/2009	\$89,921	\$40,572	\$2,248,356	\$518,207	\$2,897,056
31/01/2010	-\$763	\$48,709	\$50,549	\$258,831	\$357,325

Comment

- > 90 days Credit note to be applied
- > 60 days Australian Bowls Construction - Payment due 28/02/10
- > 30 days These invoices are paid on the third fortnightly payment run.

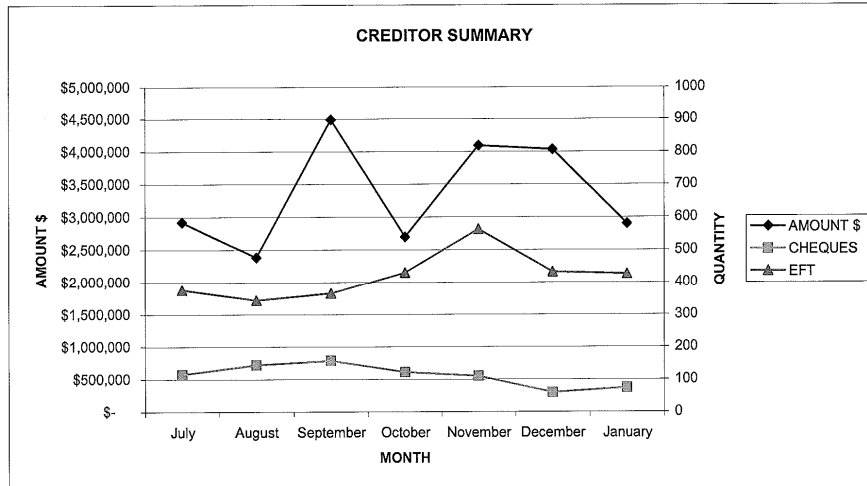
Creditor Payments made

Month	Amount \$	Quantity		
		Cheques	EFT's	Total
July	\$ 2,918,625	115	375	490
August	\$ 2,378,644	144	343	487
September	\$ 4,486,053	157	365	522
October	\$ 2,692,534	122	430	552
November	\$ 4,089,794	110	563	673
December	\$ 4,026,810	59	432	491
January	\$ 2,896,656	74	426	500

*Excludes net staff payroll

*Creditors on 30 day terms are paid on the 28th of the month following.

*Local suppliers are paid on 14 day terms.



SHIRE OF KALAMUNDA

SUMMARY OF DEBTORS FOR THE PERIOD ENDED 31 JANUARY 2010

Sundry Debtors Trial Balance - Summary Aged Listing

	> 90 days	> 60 days	> 30 days	Current	Total
31/07/2009	\$68,975	\$58,193	\$34,028	\$93,101	\$254,297
31/08/2009	\$120,660	\$17,228	\$28,881	\$197,660	\$364,429
30/09/2009	\$120,171	\$15,885	\$17,515	\$159,182	\$312,752
31/10/2009	\$123,804	\$17,365	\$139,416	\$18,836	\$299,421
30/11/2009	\$127,983	\$4,514	\$1,676	\$151,327	\$285,499
31/12/2009	\$131,280	\$266	\$80,139	\$256,777	\$468,462
31/01/2010	\$121,991	\$63,820	\$236,645	\$214,072	\$636,528

Comment

Formal legal proceedings have been initiated against:

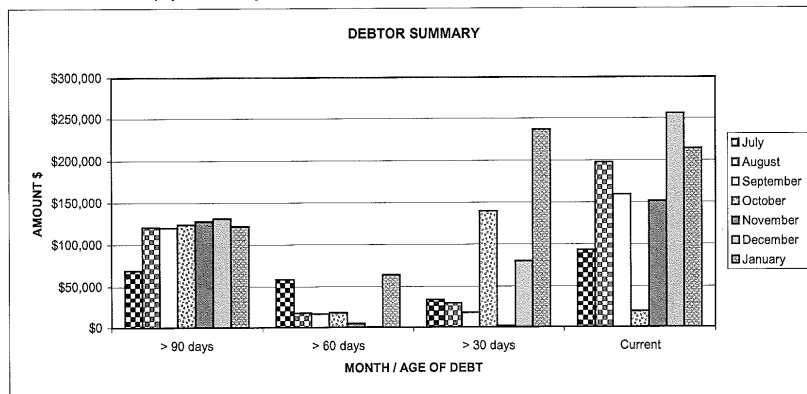
\$550.00 Belgrade Developments Pty Ltd - Lodged debt with Austral Mercantile on 17/07/2009
 \$4,317.00 Silverado Bootscooting Company - Judgement entered 02/02/09
 \$45,996.00 Roger & Raimunda Townend - POS and valuation costs; McLeods pursuing

New debt since aged >90 days

>90 days	\$1,602 Emilee Performing Arts Company ^	Hall Hire - Direct debit instalment plan
	\$2,330 Fit 2 Cheer	Building Maintenance
	\$5,207 Forrestfield & Districts Bowling Club Inc ^	Loan - Direct debit Instalment plan
	\$11,926 Forrestfield United Soccer Club WA Inc ^	Building Electricity Usage - instalment plan
	\$1,729 Hills Districts Softball Association	Lease/Hire Costs
	\$4,700 Jasmine Lee Frost ^	Legal Costs - Direct debit instalment plan
	\$1,958 Kalajos Gymnastics	Building Maintenance
	\$7,022 Kalamunda & Districts Basketball Association	Building Security Costs
	\$3,387 Kalamunda & Districts Football Club Inc	Building Maintenance
	\$3,295 Kalamunda & Districts Junior Football Club Inc	Building Maintenance
	\$5,733 Kalamunda & Districts Netball Association	Building Security Costs
	\$3,941 Kalamunda Cricket Club	Building Maintenance
	\$45,996.00 Roger & Raimunda Townend	Public Open Space and valuation costs
	\$11,110 Rangebay Pty Ltd	Fencing Costs
	\$1,888 WA Institute Tae Kwon Do ^	Hall Hire - Direct Debit Instalment Plan
>60 days	\$3,804 Forrestfield Cricket Club	Building Insurance
	\$1,423 Forrestfield Junior Football Club	Building Insurance
	\$7,967 Forrestfield United Soccer Club WA Inc	Loan Payment / Building Insurance
	\$2,889 Kalamunda & Districts Basketball Association	Building Maintenance
	\$2,052 Kalamunda & Districts Netball Association	Building Maintenance
	\$4,345 Kalamunda Wet N Wild	Building Insurance / Legal Costs
	\$3,164 Pickering Brook Sports Club	Building Insurance
	\$10,500 Public Transport Authority Gov of WA	Accessible Pathways Grant
	\$9,375 Ray Pengilley	Outstanding Works Bond
	\$2,278 WA Institute Tae Kwon Do ^	Hall Hire - Direct Debit Instalment Plan
>30 days	\$75,206 52/52 Pty Ltd	Drainage Levy
	\$4,487 Austpeak Constructions	Footpath & Drainage Works
	\$150,957 Forrestfield United Soccer Club WA Inc	Hartfield Park Lighting Project/CSRFF
	\$3,456 Goldline Asset Pty Ltd	Maintenance Bond

* Denotes currently in negotiation of invoice amount and details

^ Denotes payment arrangement in place



Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.17 Rates Debtors Report for January 2010

Previous Items: N/A
Service Area: Corporate
File Reference:
Applicant: N/A
Owner: N/A

PURPOSE

1. To receive a report on rates debtors as at 31 January 2010.

BACKGROUND

2. Attached is the report detailing rates debtors as at 31 January 2010.

DETAILS

3. Rates Debtors
See (*Attachment 1.*) for details.

STATUTORY AND LEGAL IMPLICATIONS

4. Nil.

POLICY IMPLICATIONS

5. Nil.

PUBLIC CONSULTATION/COMMUNICATION

6. Nil.

FINANCIAL IMPLICATIONS

7. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

8. Nil.

OFFICER COMMENT

9. Nil.

MEETING COMMENT

10. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-17/2010

1. That the rates debtors report as at 31 January 2010 (*GSC Item 17/2010 Attachment 1*) be received.

Moved: Cr Morton

Seconded: Cr Robinson

CARRIED UNANIMOUSLY

SHIRE OF KALAMUNDA

SUMMARY OF OUTSTANDING RATES

FOR THE PERIOD ENDED 31 JANUARY 2010

Rates Outstanding Debtors

	3rd Previous Year +	2nd Previous Year	Previous Year	Current	Total
31/01/2009	\$232,634	\$65,548	\$158,189	\$3,733,724	\$4,190,095
28/02/2009	\$231,883	\$64,912	\$150,035	\$3,340,384	\$3,787,214
31/03/2009	\$230,357	\$62,398	\$133,566	\$1,133,490	\$1,559,810
30/04/2009	\$229,298	\$57,547	\$118,697	\$870,513	\$1,276,055
31/05/2009	\$228,325	\$48,735	\$102,997	\$804,634	\$1,184,691
30/06/2009	\$226,976	\$46,449	\$98,047	\$511,211	\$882,684
31/07/2009	\$253,065	\$74,790	\$298,466	\$18,466,427	\$19,092,748
31/08/2009	\$234,491	\$42,242	\$53,124	\$15,694,102	\$16,023,958
30/09/2009	\$234,448	\$41,989	\$51,244	\$9,673,941	\$10,001,621
31/10/2009	\$233,494	\$40,297	\$41,212	\$8,796,419	\$9,111,422
30/11/2009	\$232,793	\$40,296	\$40,632	\$6,739,712	\$7,053,434
31/12/2009	\$226,733	\$39,025	\$39,106	\$6,122,770	\$6,427,635
31/01/2010	\$226,393	\$39,025	\$38,897	\$4,080,667	\$4,384,983

Total rates levied 2006/07	\$14,866,246
Total rates levied 2007/08	\$15,649,167
Total rates levied 2008/09	\$17,047,620
Total rates levied 2009/10	\$18,466,427
Interim rates levied	\$327,969
Back rates levied	\$102,610
Total to date for 2009/2010	\$18,897,006

Number of Assessments	20,936
Current rates outstanding	21.59%

Current deferred rates amount	\$338,615
Total amount to be collected	\$4,046,368

Comment

The 2009/10 Instalment Dates are as follows:

- 1st Instalment 11th September 2009
- 2nd 13th November 2009
- 3rd 15th January 2010
- 4th 12th March 2010

Statistics as of 31/01/2010

11,619	Assessments Paid in Full
8,395	Assessments Paid via 4 x Instalment Option
295	Assessments who are Pensioners with rates not due until 30/06/2010
215	Assessments on Direct Debit Arrangements
255	Assessments on Alternative Arrangements
<u>20,779</u>	

127	Assessments not yet paid
-----	--------------------------

Late payment interest of 4% pa has begun accruing on rates arrears from 1 July 2009.

The 2009/2010 rate notices were issued on 7th August 2009.

Final Notices were issued in the week of 5th October - 12th October.

A phone campaign took place the week of 2nd - 6 November contacting ratepayers before proceeding with legal action.

An advert was placed in the local Newspapers on the weekend of 31st/1st November reminding ratepayers of the due date and inviting them to contact the shire to avoid legal action and costs.

Approximately 600 assessments were forwarded to our Debt Collection Agency to issue a Letter of Demand.

Another phone campaign was carried out from 23rd November - 27th November reducing the number of outstanding assessments to 212 with further legal action to follow.

General Procedure Claims (previously called Summons) were Served during the 3rd December - 18th December.

A small number of claims that could not be served during this time will be attempted to be served during the week starting 4th January.

As at 31st January, 7 claims were left to be served.

Another Phone campaign will be carried out to the ratepayers who did not respond to the General Procedure Claim beginning the Week of 15th February.

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.18 Additional Rates Instalment Option

Previous Items:	N/A
Service Area:	Corporate
File Reference:	
Applicant:	N/A
Owner:	N/A

PURPOSE

1. To introduce a third instalment option for the payment of annual rates.

BACKGROUND

2. Council has two existing instalment options for the payment of annual rates, being payment in full, or by four equal instalments made at two monthly intervals.
3. Past experience has shown that a majority of ratepayers choose to pay by instalments, with many preferring to pay their rates in two payments.
4. A two payment instalment option is a common option with many Local Governments in Western Australia. The Synergy Soft system used at the Shire of Kalamunda is enabled with a two payment instalment option.

DETAILS

5. The proposal is to introduce a two payment instalment option commencing with the 2010/2011 Annual Budget, subject to the standard instalment fee charged.
6. Introducing this payment option would also benefit Rates staff in the collection process for overdue rates. Rates received other than in full payment or the quarterly instalment amounts, appear as overdue on collection reports requiring manual confirmation.

STATUTORY AND LEGAL IMPLICATIONS

7. 6.45 (1)(b) Local Government Act.

POLICY IMPLICATIONS

- 8.

PUBLIC CONSULTATION/COMMUNICATION

9. As set forth in the Shire's annual budget.

FINANCIAL IMPLICATIONS

10. No significant financial benefit is anticipated, apart from benefits in managing the Shire's cashflow and improvements in Rates collection processes.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

- 11.

OFFICER COMMENT

12. Offering this additional instalment option requires no further effort on the part of Rates staff and will improve predicting rates receipts for cashflow management and reduce staff effort involved in collecting over due rates.

MEETING COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-18/2010

1. That the 2010/2011 Annual Budget be prepared on the basis of offering payment of rates by two equal instalment option.

Moved: Cr Robinson

Seconded: Cr. Thomas

CARRIED UNANIMOUSLY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.19 Delegation to Chief Executive Officer - Writing Off Minor Rates Debt Balances

Previous Items:
Service Area: Corporate
File Reference:
Applicant:
Owner:

PURPOSE

1. To adopt a delegation to the Chief Executive Officer to allow the write off of minor amounts of Rates debt owed (under \$5.00).

BACKGROUND

2. Council has existing delegations for small rates debts, being a FESA delegation for writing off ESL penalty interest under \$2 and a CEO delegation for writing off small rates interest amounts under \$5.
3. These minor amounts affect debt collection procedures, appearing on reports and notices generated for pursuing overdue rates and are considered uneconomical to pursue.

DETAILS

4. The proposal is to delegate to the Chief Executive Officer the authority to write off minor rates debts up to \$5 per property.
5. It is expected that this action will form part of normal property ownership transfers, debt collection and end of month accounting procedures.

STATUTORY AND LEGAL IMPLICATIONS

6. 6.12(1)(c) of the Local Government Act.
5.42 and 5.43 of the Local Government Act.

POLICY IMPLICATIONS

7. Nil.

PUBLIC CONSULTATION/COMMUNICATION

8. Nil.

FINANCIAL IMPLICATIONS

9. The annual cost of this exercise is unknown but is not expected to be high. The total of outstanding rates debt of \$5 and under as at 31 January 2010 is \$49.28.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

10. Nil.

OFFICER COMMENT

11. The delegation will partly alleviate the existing problem of minor rates debts being flagged for formal debt and removes the requirement for staff to pursue amounts considered inefficient to collect which would be attracting penalty interest.

MEETING COMMENT

12. A Councillor foreshadowed a Motion that the limit of this delegated authority should be increased.
13. Director Corporate Services noted this delegated authority is to write off established debt when justified by the circumstances; he agreed this could be more helpful to staff if set at a higher amount.

OFFICER RECOMMENDATION

1. That the Chief Executive Officer be delegated the authority to write off minor rates debt owed up to a maximum of \$5 (five dollars) per property.

There was no Mover and the recommendation **LAPSED**

COMMITTEE RECOMMENDATION TO COUNCIL**GS-19/2010**

1. That the Chief Executive Officer be delegated the authority to write off minor rates debt owed up to a maximum of \$100 (one hundred dollars) per property.

Moved: Cr Robinson

Seconded: Cr Thomas

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.20 Decision of Annual General Electors Meeting - 15 February 2010

Previous Items: N/A
Service Area: Corporate
File Reference: OR-MTG-005/1
Applicant: N/A
Owner: N/A

PURPOSE

1. To receive the decisions made at the Electors Meeting held on 15 February 2010.

BACKGROUND

2. Under Section 5.33 of the Local Government Act 1995 all decisions made at an Electors Meeting are to be considered at the next Ordinary Council Meeting if practicable.

DETAILS

3. At the Annual General Electors Meeting held at the Administration Centre on 15 February 2010 the following decision was made.

"RESOLVED AGM 1/2010

That the Shire of Kalamunda Annual Report 2010 be received

Moved: Cr Thomas

Seconded: Cr Cresswell

CARRIED"

STATUTORY AND LEGAL IMPLICATIONS

4. Section 5.33 of the Local Government Act 1995.

POLICY IMPLICATIONS

5. Nil.

PUBLIC CONSULTATION/COMMUNICATION

6. Nil.

FINANCIAL IMPLICATIONS

7. Nil.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

8. Nil.

OFFICER COMMENT

9. As the only decision made at the Annual General Electors Meeting was to receive the Shire of Kalamunda Annual Report 2009, no further action is required by Council.

MEETING COMMENT

10. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-20/2010

1. That the decision of the Annual General Electors Meeting held on 15 February 2010 to receive the Shire of Kalamunda Annual Report 2009 be noted.

Moved: Cr Thomas

Seconded: Cr McKechnie

CARRIED UNANIMOUSLY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.21 Amendments to the Adopted Schedule of Fees and Charges 2009/10

Previous Items: OCM 96/09 and 98/09
 Service Area: Corporate Services
 File Reference: FI-BUD-012
 Applicant:
 Owner:

PURPOSE

1. To amend the adopted 2010/11 schedule of fees and charges, effective 15 April 2010.

BACKGROUND

2. Fees and charges were adopted for Waste Management Operations and the Kalamunda Home and Community Care (KHACC) Program as part of the 2010/11 annual budget.

DETAILS

3. It is proposed to make changes in accordance with Red Hill Waste Facility fees and charges. Vouchers for vans / utilities are available from the Shire administration centre and all libraries.
4. The existing transfer station charges are (inclusive of GST);

2. Walliston Transfer Station

The deposit of rubbish at Walliston Transfer Station will be charged as follows:

• Car or station wagon	\$14.00
• Van or utility	\$23.00
• Trailer (6 x 4)	\$26.00
• Trailer (6 x 4) high sides	\$32.00
• Tandem/horse float	\$48.00

5. The proposed transfer station charges are (inclusive of GST);

Car or station wagon (per vehicle)	\$16.00
Van or utility (per vehicle)	\$30.00
Utilities / trailers (1 tonne)	\$99.50
Trailers (6x4, per vehicle)	\$33.00
Trailers (6x4 high sided, per vehicle)	\$38.00
Tandem/horse float (per vehicle)	\$70.00

6. The 2010/11 schedule of fees and charges for the KHACC program included increases effective 1st September 2009. It is proposed to include further details of Level 2 and 3 charges.

7. The existing KHACC charges are (inclusive of GST);

WA HACCC FEE SCHEDULE GUIDE

Commencing 1st September 2009

Activity Name

Domestic Assistance	Per Hour	8.00
Food Services (Meal Preparation	Per Hour	8.00
Respite Care	Per Hour	8.00
Social Support	Per Hour	8.00
Nursing Care	Per Hour	8.00
Personal Care	Per Hour	8.00
Centre Based Day Care (includes transport & meal)	Per Visit	8.00
Allied Health Care	Per Hour	8.00
Home Maintenance	Per Hour	8.00

Services Excluded in Fee Cap

Home Modification	Per Job	\$ Variable
Transport 0km - 10km	Per Trip	6.00
0km - 30km		8.00
31km - 90km		10.00
Greater than 90km by negotiation		25.00
More Kms Negotiated fee		
Meals on Wheels	Per Meal	6.00
Allied Health Care - Podiatry	Per Hour	20.00

8. The proposed changes are (inclusive of GST);

Activity	Service	Fee -Level 1	Fee—Level 2
Domestic Assistance	Per Hour	\$8.00	\$10.00
Respite Care	Per Hour	\$8.00	\$10.00
Social Support	Per Hour	\$8.00	\$10.00
Personal Care	Per Hour	\$8.00	\$10.00
Home Maintenance	Per Hour	\$8.00	\$10.00
Shoppers Bus	Per Occasion	\$8.00	
Centre Based Care	Per Occasion	\$19.00 (includes meal)	
Transport – local	Per Occasion	\$8.00	
Transport – non-local	Per Occasion	\$10.00	
Transport over 90kms	Per Occasion	By Negotiation	

Level 3 clients should be charged at "cost recovery"

STATUTORY AND LEGAL IMPLICATIONS

9. LGA s6.16 and s6.19 Imposition of fees and charges, to give public notice.

POLICY IMPLICATIONS

10. Nil.

PUBLIC CONSULTATION/COMMUNICATION

11. To give local public notice for a period of 14 days prior to coming into effect.

FINANCIAL IMPLICATIONS

12. The transfer station increases are inline with the fees charged in turn by the Red Hill Waste Facility.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

13. Nil

OFFICER COMMENT

14. Nil

MEETING COMMENT

15. A Councillor queried whether any studies have been carried out to indicate whether when less is charged for rubbish disposal there is a decrease in dumping in the bush. The Director Corporate Services replied there have been studies but they are not essentially applicable to the local circumstances as those dumping rubbish are not necessarily from the Shire of Kalamunda.
16. The charges for the Walliston Transfer Station were queried.
17. The Chief Executive Officer noted that the activities at Walliston Transfer Station will be completely reviewed with regard to whom shall operate the service, hours of opening and how charges are arrived at.

COMMITTEE RECOMMENDATION TO COUNCIL GS-21/2010

1. That the amendments to the fees and charges be initially advertised for a period of 14 days, the charges effective from the 15 April 2010.

Moved: Cr Lindsey

Seconded: Cr Robinson

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.22 Mid Year 2009/2010 Budget Review

Previous Items: N/A
Service Area: Corporate
File Reference: FI-BUD-001
Applicant: N/A
Owner: N/A

PURPOSE

1. To adopt the midyear review on the 2009/10 Budget.

BACKGROUND

2. It is a requirement of the Local Government (financial management) Regulations that between 31 January and 31 March in each year a Local Government is to carry out a review of its Annual Budget for that year. The review of the 2009/10 Budget has been completed and is based upon the financial position as at 31 December 2009.

DETAILS

3. Budget Review documents presented as (*Attachment 1.*) under separate cover..

STATUTORY AND LEGAL IMPLICATIONS

4. Regulation 33A of the Local Government (Financial Management) Regulations.

POLICY IMPLICATIONS

5. N/A.

PUBLIC CONSULTATION/COMMUNICATION

6. N/A.

FINANCIAL IMPLICATIONS

7. The Budget review is designed to both report on Budget Performance to 31 December 2009 (the half year point) and to estimate the 30 June 2010 financial position based on that information, the Budget as reviewed remains in balance with no net change from the original deficit/surplus position.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

8. Goal 5: Governance and Organisation. A Shire that is well governed, provided positive leadership and efficient service delivery to the community.

OFFICER COMMENT

9. Details of the Budget Review have been circulated for Councillor information, the review document which is presented at ***(Attachment 1.)*** contains both an explanation of how to use the document and a summary of contents including major items of note.

MEETING COMMENT

10. A Councillor queried the use of the Reserve Funds. The Director Corporate Services noted that funds at the end of the financial year are transferred into the Reserves and then used to deal with carryovers. In recent times there has been a move to build up and transfer to the reserves an amount equivalent to the depreciation, thus enabling assets to be maintained.

COMMITTEE RECOMMENDATION TO COUNCIL**GS-22/2010**

1. That the 2009/2010 mid year Budget Review as presented as ***(GSC Item 22 Attachment 1.)*** be adopted.

Moved: Cr Thomas**Seconded:** Cr Everett**CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY**

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Cr Everett declared an Interest Affecting Impartiality as she is the Councillor Delegate on the Lesmurdie Community Management Committee

9.23 Proposed Revision to Lesmurdie Community Library Management Committee Rules

Previous Items:	N/A
Service Area:	Community Development
File Reference:	CO-CCS-008/1
Applicant:	N/A
Owner:	N/A

PURPOSE

1. To seek Council endorsement of the revised and updated Lesmurdie Community Library Management Committee Rules 2009.

BACKGROUND

2. In 1982 a License Agreement was established between the Department of Education and the Shire of Kalamunda for the effective operation of the Lesmurdie Community Library.
3. A Management Committee was subsequently established, under a licence agreement and rules developed to provide guidelines for operation of the Management Committee that were reflective of the intent behind the License Agreement (***Attachment 1***).
4. The Management Committee comprises staff from the Education Department plus staff and a Councillor from the Shire of Kalamunda.
5. As the Agreement was written in 1982, the Management Committee considered it appropriate that the language and content should be revised. This review was carried out over two Management Committee meetings and the final draft is now presented for Council approval (***Attachment 2***).

DETAILS

6. Changes have been made as per (***Attachment 3***).

STATUTORY AND LEGAL IMPLICATIONS

7. The Lesmurdie Community Library Management Committee is not a formal Management Committee of Council under the Local Government Act 1995.

POLICY IMPLICATIONS

8. Nil

PUBLIC CONSULTATION/COMMUNICATION

9. Nil

FINANCIAL IMPLICATIONS

10. Nil

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

11. Nil

OFFICER COMMENT

12. The original rules for the Lesmurdie Community Library Management Committee have not been revised for many years and do not reflect current standards of operation. The revised and updated rules provide clearer guidelines to the Lesmurdie Community Library Management Committee without changing the intent of the rules.

MEETING COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL GS-23/2010

1. That Council endorse the revised and updated Lesmurdie Community Library Management Committee Rules 2009.

Moved: Cr Robinson

Seconded: Cr Lindsey

CARRIED UNANIMOUSLY/ABSOLUTE MAJORITY

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MANAGEMENT COMMITTEE - RULES

1. Name

The name of the Committee is THE LESMURDIE SCHOOL COMMUNITY LIBRARY MANAGEMENT COMMITTEE.

2. Functions

Subject to the Minister and the Shire the functions of the Committee are :

- 2.1 To facilitate the management and control of the Library by the Shire and the Minister according to the terms of the Licence.
- 2.2 To undertake the overall planning and management of the Library in accordance with the requirements and policies of the Shire and the Minister.
- 2.3 To develop community awareness of the potential and the limitations of the Library and to facilitate communication between users of the Library the Shire and the Minister.
- 2.4 To make recommendations to the Shire and the Minister on the standard of facilities and services provided by the Library.
- 2.5 To prepare an annual operating budget to satisfy the requirements of the Shire and the Minister and having regard to the prime objectives of providing a co-ordinated and comprehensive library service.
- 2.6 To provide firm guidelines for the School Community Librarian and staff to follow and together with the School Community Librarian to design and implement a method of acquisition storage control and issue of all materials held in the Library.
- 2.7 To make the maximum use of all the resources of the Library (including staff) in order to provide the best-possible service to all users of the Library.
- 2.8 To assist in the natural assimilation of the Library into the School and the community of Lesmurdie.

3. Powers of the Committee

The Committee may -

- (a) advise the Minister and the Shire on the selection and appointment of the School Community Librarian;
- (b) make recommendations to the Minister and the Shire relating to other staff of the Library;
- (c) where applicable endorse the duty statement of any member of the staff of the Library;
- (d) accept additional materials offered to the Library by way of community donation;

and

- (e) with the prior written approval of the Minister and the Shire establish advisory Committees to include community users of the Library and prescribe the functions of those committees.

4. Method of Operation

- 4.1 The Committee shall elect a Chairman who shall hold office for one (1) year and preside at all meetings of the Committee. In the absence of the Chairman the Committee shall elect another member to act as Chairman at that meeting.
- 4.2 The quorum necessary for the transaction of the business of the Committee shall be four (4) comprising two (2) members appointed by the Minister and two (2) members appointed by the Shire.
- 4.3 Each member has one (1) vote and the chairman shall not have a casting vote.
- 4.4 In the case of an equality of votes the matter shall be referred to the Minister and the Shire for consideration and direction.
- 4.5 The Committee shall meet at least twice in each calendar year and shall prepare and furnish to the Minister and the Shire as soon as practicable after the last day of each calendar year a report in writing of the operations of the Library during that calendar year.
- 4.6 The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these rules or the policies bylaws and regulations of the Minister or the Shire or any right power authority or duty conferred or imposed on the Minister or the Shire or any person acting under the authority of either (including without limiting the generality the Principal and the Shire Clerk).

- 3 -

4.7 The School Community Librarian shall be the Executive Officer to the Committee and shall attend meetings and keep accurate minutes of all business transacted at the meetings, but shall not be entitled to vote. Minutes shall be forwarded to the Shire Clerk and each member of the Committee no later than two (2) weeks after each meeting.

4.8 The School Community Librarian will be responsible to -

(a) the Principal for the provision of those library services to the school as have been authorised by the Committee.

and

(b) the Shire Clerk or his nominee for the provision of those library services to the general community as have been authorised by the Committee.

4.9 The Committee shall not -

(a) handle any money;

or

(b) undertake any obligation involving the expenditure of money without the prior written approval of the Minister and the Shire or in a case involving expenditure of money by only one of those parties then the prior written approval of the Minister or the Shire as the case may require.

5. Access

All persons entitled to use the Library may have access thereto at all hours of operation provided that use of the School's computer and video facilities shall be limited to the staff and students of the School.

6. Definitions

In these rules -

"School" means the Lesmurdie High School;

"Shire" means the Shire of Kalamunda;

"Shire Clerk" means the clerk of the council of the Shire or the person for the time being acting in that position;

"Committee" means The Lesmurdie School Community Library Management Committee;

"Library" means the Lesmurdie High School Community Library;

"Licence" means the Licence to which these Rules are in annexure;

"Minister" means the Minister for Education;

"School Community Librarian" means the person appointed to that position pursuant to clause 6(1) of the Licence or the person for the time being acting in that position;

"Principal" means the principal of the School or the person for the time being acting in that position.

YBBLICENCE1

**LESMURDIE COMMUNITY LIBRARY MANAGEMENT
COMMITTEE – RULES 2009**

1. Name

The name of the Committee is LESMURDIE COMMUNITY LIBRARY MANAGEMENT COMMITTEE (**the Committee**).

2. Functions

Subject to mutual directions from the Shire and the Minister and subject to the Agreement to which these Rules are annexed (**the Agreement**), the Committee's functions are:

- 2.1 To facilitate the management and control of the Library in accordance with the requirements and policies of the Shire and the Minister, including the selection and appointment of the Community Librarian and to make recommendations relating to other staff of the library;
- 2.2 To develop community awareness of the potential and the limitations of the Library and to facilitate communication between users of the Library, the Shire and the Minister;
- 2.3 To provide input into the annual operating budgets of the partners having regard to the prime objectives of providing a coordinated and comprehensive library resource service;
- 2.4 To encourage and facilitate access to the facilities and the resources of the Library so that they are available to both school and public/community users;
- 2.5 To ensure that the equipment and other resources of the Library will be of good quality and suitable to meet the needs of the school and community users;
- 2.6 To ensure that there will be coordinated management and administration of all information materials, items and resources used in the Library; and
- 2.7 To encourage and facilitate the provision of fully integrated and efficient services, facilities and operation for the benefit of both school and community users;

3. Method of Operation

- 3.1 The Committee shall elect a Chairperson and Deputy Chairperson who shall hold office for 1 year. In the absence of the Chairperson, the Deputy Chairperson shall act as Chairperson at that meeting.

- 3.2 The quorum necessary for the transaction of the business of the Committee shall be four (4) members which must include two (2) representatives of the Minister and two (2) representatives of the Shire.
- 3.3 Each member has one (1) vote and the Chairperson shall not have a casting vote. The Community Librarian, as the Executive Officer, shall not be entitled to vote.
- 3.4 In the case of a voting deadlock the matter shall be referred to the Minister and the Shire for consideration and direction.
- 3.5 The Committee shall meet at intervals of no greater than 6 months. At the meetings the Community Librarian will table a report outlining the operations of the library for the preceding period.
- 3.6 The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules, any legislation or other law, or the policies bylaws or regulations of the Minister or any right power authority or duty conferred or imposed on the Minister or the Shire or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal and the CEO.
- 3.7 Minutes of each meeting shall be recorded by the Community Librarian and be forwarded to each member of the Committee not later than 2 weeks after each meeting.
- 3.8 The Committee shall not -
 - (a) handle any money; or
 - (b) undertake any obligation involving the expenditure of money without the prior written approval of the Minister and the Shire or (in a case involving expenditure of money by only one of those Parties) the prior written approval of the Minister or the Shire as the case may require.
- 3.9 The Community Librarian will be responsible to the Principal and the Shire CEO, or his nominee, for the provision of library services to the school and the general community as recommended by the Committee.

4. Definitions

Unless the context otherwise requires, in these Rules all words and phrases shall have the same meanings as those ascribed to them in the Agreement.

Proposed Changes to the Lesmurdie Community Library Management Committee Rules

Section	Existing Rules	Proposed Rules
2	<p><u>Functions</u></p> <p>Subject to the Minister and the Shire the functions of the Committee are:</p>	<p><u>Functions</u></p> <p>Subject to mutual agreement between the Shire and the Minister and subject to the Agreement to which these Rules are annexed (the Agreement), the Committee's functions are:</p>
2.4	<p>To make recommendations to the Shire and the Minister on the standard of facilities and services provided by the library.</p>	<p>To encourage and facilitate access to the facilities and the resources of the Library so that they are available to both school and public/community users;</p>
2.5	<p>To prepare an annual operating budget to satisfy the requirements of the Shire and the Minister and having regard to the prime objectives of providing a co-ordinated and comprehensive library service.</p>	<p>To ensure that the equipment and other resources of the Library will be of good quality and suitable to meet the needs of the school and community users;</p>
3	<p><u>Powers of the Committee</u></p> <p>The Committee may –</p> <p>(a) advise the Minister and the Shire on the selection and appointment of the School Community Librarian;</p> <p>(b) make recommendations to the minister and the Shire relating to other staff of the library;</p> <p>(c) where applicable endorse the duty statement of any member of the staff of the library;</p> <p>(d) accept additional materials offered to the Library by way of community donation;</p> <p>And</p> <p>(e) with the prior written approval of the Minister and the Shire establish advisory Committees to include community users of the Library and prescribe the functions of those committees.</p>	<p><i>Parts (a) and (b) reworded and included in the following sections:</i></p> <p>2.1 To facilitate the management and control of the Library in accordance with the requirements and policies of the Shire and the Minister, including the selection and appointment of the Community Librarian and to make recommendations relating to other staff of the library;</p> <p><i>Delete Parts (c), (d) and (e) as these are considered operational and not relevant to the Committee</i></p>

Section	Existing Rules	Proposed Rules
4.7	The School Community Librarian shall be the Executive Officer to the Committee and shall attend meetings and keep accurate minutes of all business transacted at the meetings, but shall not be entitled to vote. Minutes shall be forwarded to the Shire Clerk and each member of the Committee no later than two (2) weeks after each meeting.	3.7 Minutes of each meeting shall be recorded by the Community Librarian and be forwarded to each member of the Committee not later than 2 weeks after each meeting. 3.3 Each member has one (1) vote and the Chairperson shall not have a casting vote. The Community Librarian, as the Executive Officer, shall not be entitled to vote.
4.8	The school Community Librarian will be responsible to – (a) the Principal for the provision of those library services to the school as have been authorised by the Committee. And; (b) the Shire Clerk or his nominee for the provision of those library services to the general community as have been authorised by the Committee.	3.9 The Community Librarian will be responsible to the Principal and the Shire CEO, or his nominee, for the provision of library services to the school and the general community as recommended by the Committee.
5	<u>Access</u> All persons entitled to use the Library may have access thereto at all hours of operation provided that use of the School's computer and video facilities shall be limited to the staff and students of the School.	<i>Section removed and reworded to:</i> 2.4 To encourage and facilitate access to the facilities and the resources of the Library so that they are available to both school and public/community users;
6	<u>Definitions</u> - In these rules – "School" means the Lesmurdie High School; "Shire" means the Shire of Kalamunda "Shire Clerk" means the clerk of the council of the Shire or the person for the time being acting in that position; "Committee" means The Lesmurdie School Community Library Management Committee; "Library" means the Lesmurdie High School Community Library; "Licence" means the Licence to which these rules are in annexure; "Minister" means the Minister for Education; "School Community Librarian" means the person appointed to that position pursuant to clause 6(1) of the Licence or the person for the time being acting in that position; "Principal" means the principal of the School or the person for the time being acting in that position.	4. Definitions Unless the context otherwise requires, in these rules all words and phrases shall have the same meanings as those ascribed to them in the Agreement.

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Cr O'Connor declared an Interest Affecting Impartiality as he is the Councillor Delegate on the Scott Reserve Management Committee

9.24 Scott Reserve (Reserve Number 34946) Proposal to use Cash-in-lieu Funds for a Grandstand Viewing Area Project

Previous Items: N/A
Service Area: Community Development
File Reference: NR-03/020
Applicant: Shire of Kalamunda
Owner: Shire of Kalamunda

PURPOSE

1. To consider an allocation of cash-in-lieu funds for the construction of a grandstand viewing area at Scott Reserve.

BACKGROUND

2. At the last Scott Reserve Management Committee meeting, it was recommended that Council allocate cash-in-lieu funds towards the construction of a viewing area at Scott Reserve.
3. Currently, the Shire has no formal approval policy/procedure in place to assess any community based requests for projects seeking to utilise cash-in-lieu funds.
4. Council is requested to consider the Scott Reserve Management Committee's recommendation.

DETAILS

5. The Committee's proposed project is to construct a 21m x 6m grandstand viewing area attached to the existing clubrooms facing north-east onto the reserve (**Attachment 1**). The structure will include a steel girder patio covering a concrete pad with 3 tiered seating.

STATUTORY AND LEGAL IMPLICATIONS

6. Sections 20C (1) to 20C (7) of the Planning & Development Act 2005 contain provisions under which a cash payment can be made by the subdivider to the relative Local Government Authority in lieu of providing land for open space.
7. Expenditure of cash-lieu funds must be directly related to the use or development of land for public open space purposes. The land must be vested or administered for recreation purposes with unrestricted public access and be within the locality in which the land included in the plan of subdivision is situated.

POLICY IMPLICATIONS

8. Nil

PUBLIC CONSULTATION/COMMUNICATION

9. All affected Scott Reserve Clubs have a representative on the Management Committee and as such all have been consulted on the proposed project.
10. Consultation has also taken place internally between Operational Services, Parks and Reserves, Planning Services and Community Development.

FINANCIAL IMPLICATIONS

11. The Committees proposed project is estimated at \$50,000.
12. Currently, the Shire has \$375,552 in unallocated cash-in-lieu funds for the High Wycombe area.
13. This financial year \$150,000 of cash in lieu funds has been budgeted for various projects at Scott Reserve, in particular carpark/drainage and cricket practice nets.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

14. *Shire of Kalamunda Strategic Plan 2009-2014*
 - 1.3.3 Effective management of recreational open space requirements to maintain the feeling of a community and family friendly atmosphere; and*
 - 1.3.5 Development of active & passive recreational facilities based on evidence supported evaluation and environmentally sustainable principles.*

OFFICER COMMENT

15. Scott Reserve is Crown Land vested in the Shire for the purposes of recreation. The High Wycombe Cricket Club, High Wycombe Amateur Football Club and High Wycombe Junior Football Club have regular access to the clubroom facilities at the Reserve under a Licence Agreement with the Shire.
16. In terms of Councils options in considering this cash-in-lieu funding request, Council may approve the cash in lieu funds now, defer for consideration pending the adoption of a cash in lieu funding policy or refuse the cash-in-lieu request and encourage the Committee to source alternative funding options.
17. It should be noted, that the proposed project would not be considered eligible for CSRFF funding, as it does not meet the CSRFF main criteria of increasing physical activity.
18. Within the next month, Officers intend to provide Council with a draft policy on the approval process of Cash-in-lieu funding requests. As such, in the absence of a specific policy and to ensure consistency across all cash in lieu funding requests, it may be prudent to defer a decision on the proposed grandstand viewing area project until the draft policy has been adopted.

MEETING COMMENT

19. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL

GS-24/2010

That Council

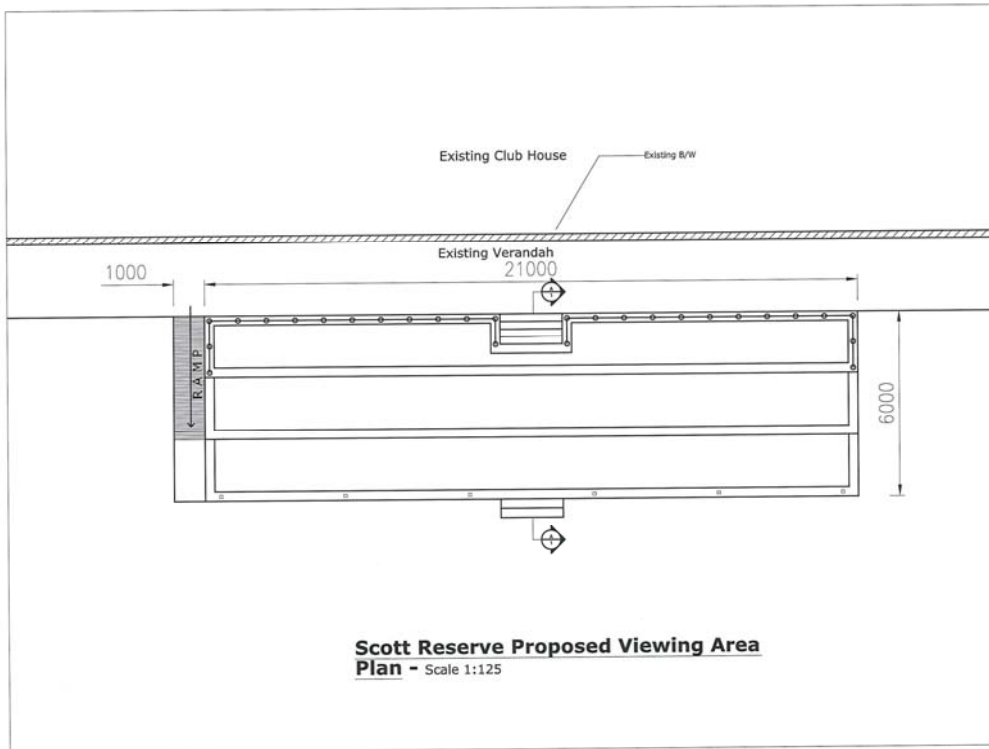
1. Defers consideration of the Scott Reserve Management Committee's recommendation to use cash-in-lieu funds to construct a "grandstand viewing area" at Scott Reserve pending the adoption of a cash-in-lieu approval policy.

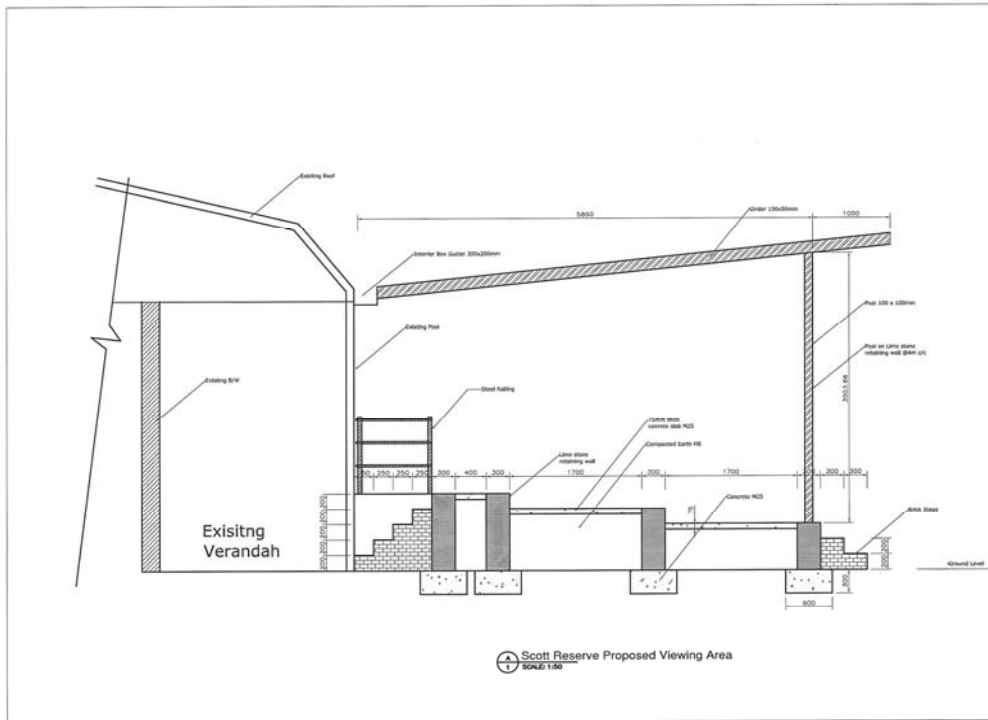
Moved: Cr O'Connor

Seconded: Cr Heggie

CARRIED UNANIMOUSLY







Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.25 Delegation to Chief Executive Officer - Food Act 2008

Previous Items: GS20091221 & GS20100201
Service Area: Community Development
File Reference: LE-ACT-006
Applicant:
Owner:

PURPOSE

1. For Council to consider delegating the power to appoint Authorised Persons for the purpose of carrying out the functions of the Food Act 2008 (the Act) to the Chief Executive Officer.

BACKGROUND

2. The Food Act 2008 was enacted on 8 July 2008. Sections one and two came into effect on that day and the rest of the Act came into effect on 23 October 2009.
3. In order to undertake the functions of the Act it is necessary for Council to appoint Authorised Persons.
4. Council resolved at the December 2009 Ordinary Council Meeting to appoint all existing Environmental Health Officers as Authorised Persons.

DETAILS

5. A new Environmental Health Officer commenced employment in January 2010 and therefore Council was required to resolve at the February 2010 Ordinary Council Meeting to appoint that officer as an Authorised Person.

STATUTORY AND LEGAL IMPLICATIONS

6. Section 118 (2) of the Food Act 2008

POLICY IMPLICATIONS

7. Delegation

PUBLIC CONSULTATION/COMMUNICATION

8. Nil

FINANCIAL IMPLICATIONS

9. Nil

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

10. Outcome 5.6 of the Shire of Kalamunda Strategic Plan 2009-2014 skilled, committed and professional staff.

OFFICER COMMENT

11. Currently on every occasion than a new Environmental Health Officer is employed by the Shire of Kalamunda it is necessary for Council to approve that officer as an Authorised Person in order for that person to be able to undertake required food safety duties.
12. To expedite the approval process in appointing new officers as Authorised Persons it is recommended that Council delegate the power to appoint Authorised Persons to the Chief Executive Officer under section 118 (2) of the Food Act 2008.

MEETING COMMENT

13. Nil.

COMMITTEE RECOMMENDATION TO COUNCIL

GS-25/2010

1. That Council delegate the power to appoint Authorised Persons for the purposes of the Food Act 2008 to the Chief Executive Officer under Section 118 (2) of the Food Act 2008.

Moved: Cr Thomas

Seconded: Cr Everett

CARRIED UNANIMOUSLY

Declaration of financial/conflict of interests to be recorded prior to dealing with each item.

9.26 Legal Representation Policy

Previous Items: N/A
Service Area: Chief Executive's Office
File Reference: LE-OAP-001
Applicant: N/A
Owner: N/A

PURPOSE

1. To consider adopting a policy in regard to the payment of costs where a Shire employee or elected member requires legal representation.

BACKGROUND

2. In April 2006, the Department of Local Government released a guideline in regard to legal representation for elected members and local government employees (***Attachment 1***). This Guideline recommended the adoption of a policy that sets out the circumstances under which the local government will pay the costs of legal representation.
3. A proposed policy has been drafted by McLeods Barristers and Solicitors (***Attachment 2***). This policy sets out examples of the types of legal representation for which costs may be approved, criteria and procedures for the payment of costs, the powers of the Council and the Chief Executive Officer in regard to the payments of costs, and the circumstances under which costs must be repaid.

DETAILS

4. Given the increasingly litigious nature of our society, it is likely that at some point an elected member or employee of the Shire will be faced with the need to obtain legal representation in a matter that directly relates to that person carrying out their functions. The question then arises as to whether the Shire should pay for that representation.
5. The purpose of the proposed policy is to set out the conditions and procedures for the payment of legal costs. This will ensure that requests for the payment of costs will be dealt with consistently, and within clear, transparent criteria.
6. It should be noted that the policy stipulates that legal representation costs will only be paid where they relate to a matter that arises from an elected member or employee carrying out their functions, and that they "must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct."
7. The proposed policy is very similar to the model policy set out in the attached Guideline. However, the proposed policy also applies to inquiries (such as an inquiry carried out under the Local Government Act or an investigation by the Corruption and Crime Commission), and also includes the power to approve funding where defamation action is taken, in certain circumstances.

STATUTORY AND LEGAL IMPLICATIONS

8. This is set out in Part 2 of the attached Guideline. Sections 9.56, 3.1 and 6.7(2) of the *Local Government Act 1995* apply.

POLICY IMPLICATIONS

9. This is a new policy.

PUBLIC CONSULTATION/COMMUNICATION

10. N/A

FINANCIAL IMPLICATIONS

11. The policy allows for legal representation costs to be paid for by the local government. Provision would need to be made in the Annual Budget.

STRATEGIC AND SUSTAINABILITY IMPLICATIONS

12. N/A

OFFICER COMMENT

13. Nil.

MEETING COMMENT

14. A Councillor foreshadowed a motion to defer this item to the March Ordinary Council Meeting to allow for some questions to be answered.
15. Councillors debated the Recommendation.

OFFICER RECOMMENDATION

1. That Council adopts the policy ADM24 – Legal Representation For Elected Members and Employees.

Moved: Cr Lindsey

Seconded: Cr Thomas

For the Recommendation

Cr Lindsey
Cr Stallard
Cr Heggie
Cr Thomas

Against the Recommendation

Cr Everett
Cr Morton
Cr Robinson
Cr O'Connor
Cr Bilich
Cr McKechnie
Cr Cresswell

LOST

COMMITTEE RECOMMENDATION TO COUNCIL

GS-26/2010

1. That Council defers to the March 2010 Ordinary Council Meeting the policy ADM24 – Legal Representation For Elected Members and Employees.

Moved: Cr McKechnie

Seconded: Cr Bilich

CARRIED UNANIMOUSLY

Legal Representation for Council Members and Employees

Local Government Operational Guidelines - **Number 14** April 2006



Legal Representation for Council Members and Employees

1. Introduction

1 In today's society there is an increased risk of legal
2 action being taken or threatened against individual
3 council members and employees. Council members and
4 employees may require legal advice and representation
5 and expect their local government to provide financial
6 assistance to meet the cost of the advice or
7 representation.

8 For example, council members or employees may be
9 threatened with legal action when an aggrieved party
10 believes that they will not or have not carried out their
11 legislative functions or responsibilities in the correct
12 and appropriate manner. Legal action may also be
13 threatened where it is anticipated that such action will
14 influence a vote or a recommendation.

15 Council members and employees may feel inhibited in
16 undertaking their roles in a full, frank and impartial
17 manner if they do not have an assurance that they are
18 protected from threats and will be given proper legal
19 representation if any legal action is taken against them.
20 Local governments have a legislative duty of care to
21 their employees to provide a safe working environment
22 and morally have the same duty to council members.
23 Accordingly, it is appropriate and prudent for local
24 governments to assist council members and employees
25 by adopting a policy to fund or partly fund the cost of
26 providing legal representation in appropriate
27 circumstances.

28 The Inquiry into the City of Joondalup criticised some
29 council members for making uninformed and ill-advised
30 decisions to pay personal legal expenses of the Chief
31 Executive Officer (CEO). It is therefore important that
32 council adopts a policy on the provision of financial
33 assistance so that it's position is known to the council
34 members, employees and the community in advance of
35 applications for funding being made. Non-elected
36 council committee members may also require assistance
37 and should be considered in any Policy adopted by
38 council.

39 This guideline, and the attached Model Policy, are provided
40 to assist councils when making decisions or developing a
41 Policy. It is important that a council devotes time to
42 understanding the issues outlined in this guideline.

43 If a Policy is adopted and legal representation costs are
44 granted under the Policy it is critical that council has
45 presented to it full and detailed accounts from the lawyer
46 approved to provide the legal representation to ensure
47 that the representation provided complies with the
48 approval given. Repayment of any costs associated with
49 matters not approved should be enforced.

50 This guideline does not address the situation where
51 council members and employees are interviewed during or
52 are required to give evidence to an inquiry into their local
53 government. Determining whether financial assistance is
54 given in these situations is a complex matter and one that
55 will relate to the circumstances and reasons for the
56 inquiry.

2. Legislation

57 Section 9.56 of the *Local Government Act 1995* (the Act)
58 provides protection from actions of tort for anything a
59 council member or employee has, in good faith, done in the
60 performance or purported performance of a function under
61 the Act or under any other written law. However, the
62 legislation does not preclude people taking action against
63 individual council members or employees if they believe
64 that the council member or employee has not acted in
65 good faith.

66 Section 3.1 of the Act provides that the general function of
67 a local government is to provide for the good government
68 of persons in its district. Section 6.7(2) provides that
69 money held in the municipal fund may be applied towards
70 the performance of the functions and the exercise of the
71 powers conferred on the local government by the Act or
72 any other written law. Under these provisions a council can
73 expend funds to provide legal representation for council
74 members and employees as long as it believes that the
75 expenditure falls within the scope of the local
76 government's function.

3. Determining a Suitable Policy

10 The Policy should have a clear set of principles or directives to help the council deal with a situation where a council member or employee is defending or will need to defend a legal action or requires advice or representation and is requesting financial assistance. The policy should set out the circumstances under which funding will be provided, the level of funding that will be provided and the processes to be followed by the applicant when making a request.

11 The degree of complexity of an appropriate policy may vary but generally could include the following matters –

- under what circumstances would financial assistance be provided. For example, where legal action is taken against a council member or employee in connection with the performance of their duties and they have not acted illegally, dishonestly or in bad faith;
- who would make the decision that financial support would be provided (eg council or the CEO);
- who would provide the legal services (eg the local government’s lawyers, other lawyers);
- what limits, if any, would be placed on financial assistance;
- how applications would be made for assistance;
- what obligations a council member or employee receiving assistance should have (eg an obligation to disclose anything that might affect representation or to act reasonably);
- whether contingent authorisation in urgent cases would be provided for and who would exercise that authority;
- under what circumstances could financial assistance be withdrawn (eg person having acted illegally, dishonestly or otherwise in bad faith);
- provision for the recoup of money already provided under the Policy where approval is withdrawn; and
- a clear statement that legal representation will not be provided for matters that relate to the personal affairs of a council member or employee (eg under investigation for a matter not related to a legislative function or an employee seeking legal advice on a contract of employment).

3.1 Other circumstances where funding requests may be made

12 Under legislation, any expenditure of a local government’s funds must be justified on the basis that the expenditure will “provide for the good government of persons in its district”. Therefore, in formulating a policy on legal representation the council must take into account the need to satisfy itself that the expenditure can be justified as providing for that good government.

13 Local government council members and employees will at times be subject to personal public criticism they consider to be unfair. Depending on the circumstances and the veracity of the criticism council members or employees may seek to redress the situation by taking legal action. Legal advice received by the Department suggests that only in exceptional circumstances would a local government be able to justify under the “good government” provisions funding the initiation of legal action by a council member or employee.

14 It is important to note that where public criticism is made about the local government, ie the City, Town, or Shire, funding could not be justified. Legal precedent dictates that it is fundamental to public scrutiny that governments be open to criticism by members of the community. The threat of civil action against any person who publicly criticises a local government will have an inhibiting effect on freedom of speech and inevitably lessen a local government’s accountability to its community.

15 Council members, if asked to vote on such a request, should ask themselves “would a reasonable person, given all the facts, conclude that the expenditure provides for the good government of the persons in the district”. If a majority of council members are satisfied, council could, under its general function power, resolve that the local government fund the obtaining of advice or initiation of legal action by the council member or employee.

16 Council members should ensure that they receive appropriate documentation that presents reasons for and against the recommendation when considering an application for such funding as they may be asked to

justify the decision at a future date. Documentation provides a proper decision-making trail that can be used to support the decision.

- 17 As a condition of approval the council may require the council member or employee to undertake to refund the costs of legal representation paid by the local government should their action be successful.

3.2 Support for former council members and employees

- 18 The council when considering the scope of its policy will need to determine if the policy extends to the funding of legal representation for former council members, commissioners and employees and under what circumstances funding would be provided.

3.3 Delegation

- 19 A number of councils have, in adopting a policy on this issue, delegated to their CEO the power to deal with requests for the payment of legal representation costs.

Because of the sensitive nature of providing funding, some CEOs have asked council not to delegate the power. A council should discuss the matter with the CCO before making any decision to delegate any aspect of its legal representation policy.

- 20 It may be appropriate for council to seek agreement from the CEO for a delegation limited to circumstances where a delay in approving a request will be detrimental to the legal rights of the council member or employee.

4. Adopting a Policy

- 21 In considering the policy all relevant people are encouraged to study and thoroughly understand the implications and likely consequences of adopting the policy.

- 22 The Department welcomes any comments that individuals or local governments believe will assist in the improvement of the model policy.

Model Policy

LEGAL REPRESENTATION FOR COUNCIL MEMBERS AND EMPLOYEES

EXPLANATION OF KEY TERMS

approved lawyer is to be –

- (a) a 'certified practitioner' under the *Legal Practice Act 2003*;
- (b) from a law firm on the *City/Town/Shire's* panel of legal service providers, if relevant, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- (c) approved in writing by the council or the CEO under delegated authority.

council member or employee means a current or former commissioner, council member, non-elected member of a council committee or employee of the *City/Town/Shire*.

legal proceedings may be civil, criminal or investigative.

legal representation is the provision of legal services, to or on behalf of a council member or employee, by an approved lawyer that are in respect of –

- (a) a matter or matters arising from the performance of the functions of the council member or employee; and
- (b) legal proceedings involving the council member or employee that have been, or may be, commenced.

legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

legal services includes advice, representation or documentation that is provided by an approved lawyer.

payment by the *City/Town/Shire* of legal representation costs may be either by –

- (a) a direct payment to the approved lawyer (or the relevant firm); or
- (b) a reimbursement to the council member or employee.

1. Payment Criteria

There are four major criteria for determining whether the *City/Town/Shire* will pay the legal representation costs of a council member or employee. These are –

- (a) the legal representation costs must relate to a matter that arises from the performance, by the council member or employee, of his or her functions;
- (b) the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- (c) in performing his or her functions, to which the legal representation relates, the council member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- (d) the legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of legal representation costs that may be approved

2.1 If the criteria in clause 1 of this policy are satisfied, the *City/Town/Shire* may approve the payment of legal representation costs –

- (a) where proceedings are brought against a council member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the council member or employee; or
- (b) to enable proceedings to be commenced and/or maintained by a council member or employee to permit him or her to carry out his or her functions – for example where a council member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the council member or employee; or
- (c) where exceptional circumstances are involved – for example, where a person or organization is lessening the confidence of the community in the local government by publicly making adverse personal comments about council members or employees.

2.2 The *City/Town/Shire* will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a council member or employee.

3. Application for payment

3.1 A council member or employee who seeks assistance under this policy is to make an application(s), in writing, to the council or the CEO.

3.2 The written application for payment of legal representation costs is to give details of –

- (i) the matter for which legal representation is sought;
- (ii) how that matter relates to the functions of the council member or employee making the application;
- (iii) the lawyer (or law firm) who is to be asked to provide the legal representation;
- (iv) the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc);
- (v) an estimated cost of the legal representation; and
- (vi) why it is in the interests of the *City/Town/Shire* for payment to be made.

3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

3.4 As far as possible the application is to be made before commencement of the legal representation to which the application relates.

3.5 The application is to be accompanied by a signed written statement by the applicant that he or she –

- (a) has read, and understands, the terms of this Policy;

- (b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
- (c) undertakes to repay to the *City/Town/Shire* any legal representation costs in accordance with the provisions of clause 7.

3.6 In relation to clause 3.5(c), when a person is to be in receipt of such monies the person should sign a document which requires repayment of that money to the local government as may be required by the local government and the terms of the Policy.

3.7 An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by an appropriate employee.

4. Legal representation costs – Limit

4.1 The council in approving an application in accordance with this policy shall set a limit on the costs to be paid based on the estimated costs in the application.

4.2 A council member or employee may make a further application to the council in respect of the same matter.

5. Council's powers

5.1 The council may –

- (a) refuse;
- (b) grant; or
- (c) grant subject to conditions,

an application for payment of legal representation costs.

5.2 Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

- 5.3 In assessing an application, the council may have regard to any insurance benefits that may be available to the applicant under the *City's/Town's/Shire's* council members or employees insurance policy or its equivalent.
- 5.4 The council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5 The council may, subject to clause 5.6, determine that a council member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –
 - (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7 Where the council makes a determination under clause 5.5, the legal representation costs paid by the *City/Town/Shire* are to be repaid by the council member or employee in accordance with clause 7.

6. Delegation to Chief Executive Officer

- 6.1 In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the council, any of the powers of the council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2 An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the council. Council may exercise any of its powers under this Policy, including its powers under clause 5.4.

7. Repayment of legal representation costs

- 7.1 A council member or employee whose legal representation costs have been paid by the *City/Town/Shire* is to repay the *City/Town/Shire* –
 - (a) all or part of those costs – in accordance with a determination by the Council under clause 5.7;
 - (b) as much of those costs as are available to be paid by way of set-off – where the council member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the *City/Town/Shire* paid the legal representation costs.
- 7.2 The *City/Town/Shire* may take action in a court of competent jurisdiction to recover any monies due to it under this Policy.



REGISTER OF COUNCIL POLICIES

Title:	Legal Representation For Elected Members and Employees		
Policy No.:	ADM24		
Date Adopted:		Date Last Reviewed:	

Objective:	Sets out guidelines to assist the Council in determining when it is appropriate to pay legal representation costs.
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Background

Under the *Local Government Act 1995*, the Shire's expenditure and 'good government' powers (sections 6.7(2) and 3.1) allow it, in appropriate circumstances, to pay for the Legal Representation Costs of an individual Elected Member or Employee.

Scope & Limitations

This Policy does not cover legal representation provided to, or on behalf of, the Shire.

Definitions

Approved Lawyer is –

- (a) a 'certificated practitioner' under the *Legal Practice Act 2003*; and
- (b) approved in writing by the Council or by the CEO under clause 7.

Elected Member or Employee means a person who is, or was, an elected member, non-elected member of a committee of the Council, or an employee of the Shire.

Legal Proceedings may be civil, criminal or investigative (including an inquiry under any written law).

Legal Representation is the provision, to or on behalf of an Elected Member or Employee, by an Approved Lawyer, of Legal Services that are in respect of –

- (a) a matter or matters arising from the performance of the functions of the Elected Member or Employee; and
- (b) Legal Proceedings involving the Elected Member or Employee that have been, or may be, commenced.

Legal Representation Costs are the costs, including fees and disbursements, properly incurred in providing Legal Representation.

Legal Services includes advice, representation or documentation that is provided by an Approved Lawyer.

Payment by the Shire of Legal Representation Costs may be either by –

- (a) a direct payment to the Approved Lawyer (or the relevant law firm); or

- (b) a reimbursement to the Elected Member or Employee.

Policy

1. Payment Criteria

There are three major criteria for determining whether the Shire should pay the Legal Representation Costs of an Elected Member or Employee. These are –

- (a) the Legal Representation Costs must relate to a matter that arises from the performance, by the Elected Member or Employee, of his or her functions and that is not of a personal or private nature;
- (b) the Legal Representation Costs must be in respect of Legal Proceedings that have been, or may be, commenced; and
- (c) in performing his or her functions, to which the Legal Representation relates, the Elected Member or Employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct.

2. Examples of Legal Representation Costs that may be approved

- (1) If the criteria in clause 1 are satisfied, the Shire may approve the Payment of Legal Representation Costs –
 - (a) where proceedings are brought **against** an Elected Member or Employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Elected Member or Employee; or
 - (b) to enable proceedings to be commenced and/or maintained **by** an Elected Member or Employee to permit him or her to carry out his or her functions – for example, an action to obtain a restraining order against a person engaged in threatening behaviour towards an Elected Member or Employee; or
 - (c) for involvement in Legal Proceedings that require or enable evidence or information to be given by an Elected Member or Employee in connection with his or her functions.
- (2) Although the Shire would not ordinarily pay for Legal Representation Costs for a defamation action instituted by an Elected Member or Employee, it may do so where it is satisfied that the defamatory material has adversely affected, or is likely to adversely affect, the community's confidence in the Shire and defamation action is necessary to protect the Shire's reputation.

3. Application for payment

- (1) An Elected Member or Employee who seeks assistance under this Policy is to make a written application to the Council for Payment of Legal Representation Costs.
- (2) So far as possible, the application is to be made before seeking the Legal Representation to which the application relates.
- (3) The application is to give details of –
 - (a) the matter for which Legal Representation is sought;
 - (b) how that matter relates to the functions of the relevant Elected Member or Employee;
 - (c) the lawyer (or law firm) who is to be asked to provide the Legal Representation;
 - (d) the nature of Legal Representation to be sought (such as advice, representation in court, preparation of a document etc);
 - (e) the estimated cost (if known) of the Legal Representation; and

(f) why it is in the interests of the Shire for payment to be made.

- (4) The application is to be accompanied by a written statement by the applicant that he or she –
- (a) has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates;
 - (b) has read, and understands, the terms of this Policy;
 - (c) acknowledges that any approval of Legal Representation Costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - (d) undertakes to repay to the Shire any Legal Representation Costs in accordance with the provisions of clause 7.
- (5) An application is also to be accompanied by a report prepared by or on behalf of the CEO or, where the CEO is the applicant, by the Director Corporate Services.

4. Legal Representation Costs – limit

- (1) Unless otherwise determined by the Council, payment of legal Representation Costs in respect of a particular application is not to exceed \$10,000.
- (2) An Elected Member or Employee may make a further application to the Council in respect of the same matter.

5. Council's Powers

- (1) The Council may –
 - (a) refuse;
 - (b) grant; or
 - (c) grant subject to conditions, including a financial limit, an application for payment of Legal Representation Costs.
- (2) A condition under clause 5(1) may include a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and/or repayment, of Legal Representation Costs.
- (3) In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Shire's Councillors and Officers insurance policy (or its equivalent).
- (4) The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of Legal Representation Costs.
- (5) The Council may, subject to clause 5(6), determine that an Elected Member or Employee whose application for Legal Representation Costs has been approved has, in respect of the matter for which Legal Representation Costs were approved –
 - (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- (6) A determination under clause 5(5) may be made by the Council only on the basis of, and consistently with, the findings of a court, tribunal or inquiry.
- (7) Where the Council makes a determination under clause 5(5), it may also determine that all or part of the Legal Representation Costs paid by the Shire are to be repaid by the Elected Member or Employee

in accordance with clause 7.

6. CEO's Powers

- (1) Where a delay in approving an application would be detrimental to the legal rights of an Elected Member or Employee, the CEO, subject to clause 6(2), may exercise, on behalf of the Council, any of the powers of the Council under clauses 5(1) and 5(2), to a limit of \$5,000.
- (2) Where the CEO is the applicant, the powers in clause 6(1) are to be exercised by the Director Corporate Services.
- (3) An application approved by the CEO under clause 6(1), or by the Director Corporate Services under clause 6(2), is to be submitted to the next meeting of the Council which may exercise any of its powers under this Policy, including its powers under clause 5(4).

7. Repayment of Legal Representation Costs

- (1) An Elected Member or Employee whose Legal Representation Costs have been paid by the Shire is to repay the Shire –
 - (a) all or part of those costs – in accordance with a determination by the Council under clause 5(7); or
 - (b) as much of those costs as are available to be paid by way of set-off – where the Elected Member or Employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire paid the Legal Representation Costs.
- (2) The Shire may take action in a court of competent jurisdiction to recover any monies due it under this Policy.

CROSS REFERENCES (If any):

Admin Policy/Procedure:		Delegation:	
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LEGAL REFERENCES

Legislation:	
Local Law:	

Notes:	
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10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**10.1 Gate on Pickering Brook Road (Cr Thomas) (GSC February 2010)**

- Q. Following an earlier request a gate was positioned on the Pickering Brook Road at the point it becomes a gravel road, however, it has been removed. Will a new gate be installed that is more durable?
- A. Tony Simpson MP has formulated a working group with a membership from the Shire, Water Corporation and Department of the Environment Conservation (DEC). At the recommendation of this group, a gate was installed at the beginning of the gravel section of the road under DEC control. The gate was vandalised within a few days of its installation. The Water Corporation will reinstall the gate after community consultation is carried out by Mr Simpson.

11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**11.1 Hale Road Car Yard (Cr Morton)**

- Q. What is the present situation with the car yard on Hale Road?
- A. The Chief Executive Officer responded that he had recently signed court documents however; the person who was living there has left the premises. It is now necessary to establish whether the landowner owns the cars or the person who vacated the premises; then the relevant action will be taken.

11.2 Soils ain't Soils (Cr Robinson)

- Q. I understand that Soils ain't Soils have been requested to move their activity from a lot adjoining their premises. Have they done this?
- A. Question taken on Notice by Director Planning and Development Services.

11.3 Local Law, Rooster (Cr McKechnie)

- Q. What is the position with regard to the Rooster Keeping Law recently passed?
- A. Director Community Development noted that written advice has been received from the Joint Standing Committee on Delegated Legislation advising that the amendment relating to the keeping of roosters in residential areas is unacceptable and the Law will need to come back to Council for amendment.

11.5 Shell Service Station Site (Cr Thomas)

- Q. Who is waiting for who to declare this site now usable?
- A. Director Planning and Development Services reported that this has now been resolved and the owner has supplied the DEC clearances.

12.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil.

13.0 MATTERS CLOSED TO THE PUBLIC

Nil.

14.0 CLOSURE

There being no further business, the Chairman declared the meeting closed at 7.38 pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed.....Chairman

Dated thisday of.....2010