

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 19th AUGUST 2010

MINUTES

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ORDINARY COUNCIL MEETING MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE
CUBALLING SHIRE, HELD IN THE COUNCIL CHAMBER, CAMPBELL
STREET, CUBALLING ON THURSDAY 19 AUGUST 2010**

1. OPENING – ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors and declared the meeting open at 3:02pm.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

Shire President, Cr TH Wittwer
Deputy President, Cr RDJ Newman
Cr M Conley
Cr TP Haslam
Cr C Hawksley
Cr JRA Meharry
Acting Chief Executive Officer, Mr Allan Middleton

3. APOLOGIES

Cr CJ McDougall has leave of absence

4. APPLICATIONS FOR LEAVE OF ABSENCE

Moved Cr. Newman seconded Cr. Conley that leave of absence be granted to Cr. Tim Haslam for the Ordinary Meeting of Council to be held on 16th September 2010.

5. **MINUTES**

5.1 **CONFIRMATION OF 15 JULY 2010 ORDINARY MEETING OF COUNCIL**

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 19 August 2010 be confirmed.

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Newman that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

6. **PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS**

7. **DISCLOSURES OF INTEREST**

Councillors' and Employees' Disclosures of Interest.

7.1 **DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST**

Members must disclose the nature of their interest in matters to be discussed at the meeting.

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting.

Budget - Item 8.1.3

Councillors Hawksley, Haslam, Meharry, declare a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own, is owned by family members, and/or they occupy in a professional capacity.

In accordance with the provisions of S5.69 of the *Local Government Act 1995*, the Minister for Local Government has approved for the disclosing members (Councillors Hawksley, Haslam, Meharry,) to fully participate in the discussion and adoption of the 2010/2011 Budget.

Regional Waste Disposal Site - Item 8.3.2

Cr. Roger Newman declared an interest in item 8.3.2 as he is the owner of the land subject to the preliminary investigation for land for a regional waste site.

Yornaning East Road – Item 8.2.2

Cr Wittwer declared an interest in item 8.2.2 as he is the owner of land adjacent to bridge 3180A on Yornaning Road.

7.2 DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the Member or employee has given or will give advice.

8.1 REPORTS – FINANCE AND ADMINISTRATION

8.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – AUGUST 2010

Submission to: Ordinary Meeting of Council
Location/Address: Not applicable
Reporting Officer: Tanya Stobie, Administration Officer
Enabling Legislation: Local Government (Financial Management) Regulations 1996
Council Policy: Register Delegated Authority
Budget Implications: Nil
File Reference: CMR 7
Voting Requirements: Simple Majority

Background

Council is supplied with a list of payments for consideration.

Comment

A copy of the list of payments made from each of Councils bank accounts is attached to this item.

Any Councillor wishing to discuss any aspect of accounts, payment of creditors, profit or loss or general accounting matters to do with the Shire of Cuballing please do not hesitate to contact the Chief Executive Officer.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council:

- **Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling \$248,241.88:**

Vouchers 13889-139068	\$ 17,299.22
Electronic fund transfers	\$230,709.26
Credit Card	\$ 00.00

- **Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$233.40:**

Vouchers T2109	\$ 233.40
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COUNCIL ACTION

Moved Cr Conley, seconded Cr Newman that the Chief Executive Officers recommendation be adopted.

CARRIED 6 /0

8.1.2 STATEMENT OF FINANCIAL ACTIVITY

Submission to: Ordinary Meeting of Council
Location/Address: Not applicable
Reporting Officer: Clare Thomson, Accountant
Enabling Legislation: Local Government (Financial Management) Regulations 1996
Council Policy: Nil
Budget Implications: Nil
File Reference: CMR 7
Voting Requirements: Simple majority

Background

Local Government (Financial Management) Regulations 1996, section 34, provides for monthly financial reporting requirements for local government.

Comment

A Statement of Financial Activity has not been prepared for period ending 31 July 2009 in accordance with the abovementioned legislation. Due to the commencement of the new financial year, and that Council is yet to adopt its budget for 2010/2011, no budget information has been loaded into the reporting system and therefore the financial statements, especially after only one month of operation, would provide little indication of Councils financial or operating position.

A Bank Reconciliation Statement, Profit and Loss Statement, and Balance Sheet Statement for period ending 31st July 2010 are included in the Council Meeting Agenda.

The Statement of Financial Activity for two-month period ending 31 August 2010 will be presented to the September meeting of Council.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Bank Reconciliation, Profit & Loss, and Balance Sheet Statements for period ending 31 July 2009, be received.

COUNCIL ACTION

Moved Cr Meharry, seconded Cr Hawksley that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.1.2 SHIRE OF CUBALLING BUDGET 2009/2010 FINANCIAL YEAR

Councillors Hawksley, Haslam & Meharry declare a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own, is owned by family members, and/or they occupy in a professional capacity.

In accordance with the provisions of S5.69 of the *Local Government Act 1995*, the Minister for Local Government has approved for the disclosing members (Councillors Hawksley, Haslam, Meharry) to fully participate in the discussion and adoption of the 2010/2011 Budget.

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Middleton, A/Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	3.11
Budget Implications:	Nil
File Reference:	Finance 9
Voting Requirements:	Absolute Majority

Background

The Shire of Cuballing Budget for the 2010/2011 Financial Year has been prepared in the required Australian Accounting Standard format (in accordance with the provisions of the Local Government Act 1995, and Local Government (Financial Management) Regulations 1996), and is presented to Council for adoption. A copy of the Budget has been circulated with the Council Meeting Agenda.

Comment

The various amendments have been made to the Budget in accordance with discussions from July 2010 Budget Forum of Council, and the document has been prepared based on a 4% rate increase as per Council direction.

Any Councillor wishing to discuss any aspect or seek clarification of the final budget documentation please do not hesitate to contact the Chief Executive Officer prior to the meeting.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Shire of Cuballing Budget 2010/2011

The Shire of Cuballing Budget, as presented and showing rates to be levied of \$725,646.00, to be applied for the 2010/2011 Financial Year.

Levying of Rates

That the following Rates be adopted:

	General Rate in \$	Minimum per Property
• UV Rural Properties	0.5072c	\$355
• GRV Cuballing/Popanyinning Townsites	5.4790c	\$410
• Mining Tenement	0.5072c	\$355

Rates Penalty

A penalty of 11% to be applied where the ratepayer has not selected the instalment option and payment has not been received within three (3) calendar months of the rate notice being issued or where an instalment remains unpaid, if the instalment method has been chosen.

Adoption of Discount of 8% for Early Payment of Rates

That an 8% discount be offered for early payment of rates, providing all rate arrears, Fire and Emergency Services Levy and all current rates levied, are paid within 35 days from the issue of the rate notice.

Miscellaneous Fees and Charges

That the following items be adopted:

1. **Shire President's Annual Allowance and Council Meeting Attendance Fee**
The Shire President's Annual Allowance for 2010/20110 be \$4,500.00
Attendance at Council meetings \$280.00 per meeting
2. **Councillor's Meeting Attendance Fee**
Attendance at Council meetings \$140.00 per Councillor per meeting
3. **Rates Payment Incentive Prize**

Two Rate Payment Incentive Prizes be offered:

- a) **Donated by Quality Resort Sorrento Beach. Overnight accommodation package for two people.**
- b) **Donated by Esplanade Hotel, Fremantle: An overnight accommodation package for two people.**

The two prizes to be offered to the first GRV and first UV properties drawn from those who pay their total rate account within 35 days of issue of the rate notice.

4. Rates by Instalment

Council offers a one and four instalment option with the first payment being required within 35 days of issue of the rate notice. The following Administration Fee and Interest Charges to apply to the instalment option.

Administration Fee: An administration fee of \$10.00 per instalment, after the initial payment, being that required within 35 days.

Interest Charge: An interest charge of 5.5% to be levied on rates to be paid by instalments, after the first payment is made.

5. Schedule of Fees and Charges

The Schedule of Fees and Charges as presented to the Council meeting be adopted for the Shire of Cuballing for the 2010/2011 Financial Year as part of the budget document.

6. The additional road projects - Beeston/Brundell Street, Cuballing Street, Ingram/Carton Street and Hart Street as discussed at the Budget Forum held on 6th July 2010 be represented for consideration during the 2011/2012 budget process.

COUNCIL ACTION

Moved Cr Meharry, seconded Cr Newman that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.1.4 STRUCTURAL REFORM

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Middleton, A/Chief Executive Officer
Enabling Legislation:	Local Government Act
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	C & A 7
Voting Requirements:	Absolute majority

Background

Over the past eighteen months local government in Western Australia has dealing with the question of structural reform. The Shire of Cuballing has considered the question on a number of occasions; the current situation and Council's last position on the subject was determined at its meeting held on 17th September 2009 when the following decision was made :-

1. The Shire of Cuballing will solicit support for the following proposal:

- A merger of the Shire of Cuballing with the Shire of Narrogin, Shire of Wickelup, and the Town of Narrogin;*
- The preferred number of elected members in the new local government will be eight;*
- The regional grouping of the new local government will be based on the current boundaries of the Wheatbelt South Regional Road Group;*
- The transition timeline will see the new local government established from 1 July 2011; and*
- Subject to receiving support for the merger proposal a list of conditions be developed establishing the basis for an agreement that will be used as direction to the new local government.*

2. In relation to dot point 5 of clause 1 (above), the following list of conditions be included in the Shire of Cuballing submission to the Local Government Reform Steering Committee:

- Each existing local government should form a ward in the new local government;*
- The number of Councillors in the new local government should be eight with two from each ward (for at least two election cycles; 8 years);*
- President of the new local government to be elected from within the elected members;*
- Existing works depots should continue as service depots for each ward;*
- Existing offices, in each ward, should continue to provide an office front and be a point of contact for senior staff;*

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- *Existing Reserve Funds should be quarantined to existing wards;*
- *Existing road programs and funding levels should be maintained;*
- *Community and sporting groups support should continue;*
- *Existing assets, facilities and amenities should be continued and maintained;*
- *The total cost of amalgamation, including any new facilities; i.e. offices and/or extensions, IT, project officer, financial systems, town planning schemes, local laws, etc; should be borne by the State Government;*
- *Phasing in of rates over period of time; perhaps three to five years;*
- *Commissioner(s) of new local government to be the three Presidents and Mayor of merging Councils;*
- *Interim Chief Executive Officer to be appointed by the Commissioner(s) and then permanent Chief Executive Officer appointment to be made by new Council when elected (not commissioner(s));*
- *The raising of loans by the merging Councils prior to the merger date be restricted and with the agreement of the existing Councils;*
- *Staffing levels to be maintained as existing levels;*
- *Shire of Narrogin offices to have ownership transferred from Crown Grant to freehold title of new local government;*
- *The Local Government Grants Commission Policy and Methodology for voluntary amalgamated Councils be modified to ensure that Local Governments that embrace structural reform are not financially disadvantaged beyond the current five year stay of grants policy; and*
- *A new name for the new Local Government be developed, i.e. "Shire of Dryandra".*

Comment

During Local Government Week (2010) an address by the Minister for Local Government and the President of the Western Australian Local Government Association clearly identified that reform in local government is to be an on-going process. As a result of those comments it was thought prudent the subject should again be raised and discussed by Council.

It is clear, with in any process involving structural reform in Western Australia, local governments within the Narrogin region will be some of the first targeted. If reform is to take place then each council should endeavour to gain the best possible outcome for its residents. The decision reached at the

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17th September appears to a reasonable proposal however when dealing with three other local governments compromise, will always be necessary.

Reform should never be seen as a take-over but a cooperative venture where by all participants are treated with respect.

It would appear, after discussing the subject with neighbouring Chief Executive Officers and Shire President Cr. Wittwer that a combined meeting with the four local governments would be a prudent move to determine if progress can be made to reach agreement on structural reform between the four local governments.

A brief examination of statistics provides the following information:-

(Rate figures from 2010 Local Government Directory and population from Australian Bureau of Statistics – 2008)

Town Narrogin	Population 4687 (65%)	Rates \$2,218,000 (48%)
Shire of Narrogin	Population 905 (13%)	Rates \$ 646,000 (14%)
Shire of Cuballing	Population 843 (12%)	Rates \$ 672,000 (14%)
Shire of Wickepin	Population 753 (10%)	Rates \$1,108,000 (24%)

Subject to Council support a meeting has been scheduled for Tuesday 31st August at 5.30 p.m. in the John Higgins Centre, Narrogin. Ms. Joanne Burges has kindly accepted an invitation to act as chairman and facilitator for the meeting. All Councillors are encouraged to attend.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing supports an initiative to hold a joint meeting between the Town of Narrogin and the Shires of Cuballing, Narrogin and Wickepin to further discuss structural reform and determine if a consensus can be reached whereby a proposal could be forwarded to form a Regional Transitional Group which eventually will see a voluntary merger of the four local governments.

An independent person from outside the direct management (elected members and staff) of the four local governments be invited to act as a facilitator to progress the discussions.

COUNCIL ACTION

Moved Cr Haslam, seconded Cr Meharry that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.1.5 SMALL BUSINESS CENTRE – FUNDING PROPOSAL

Submission to:	Ordinary Meeting of Council
Location/Address:	Nil
Reporting Officer:	Allan Middleton A/, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Not provided for in budget
File Reference:	Fin 15
Voting Requirements:	Simple Majority

Background

The Small Business Centre was previously known as Business Enterprise Centre and was revamped some two years ago when the State Government made fundamental changes to the number of centres and the financial arrangement towards funding.

The Small Business Centre – Wheatbelt South currently receives funding from the Small Business Development Corporation, believed to be \$125,000 last financial year, however is seeking support from the local governments in its area to provide extra support and training that they believe is necessary.

Comment

Provision has been made in the 2010/2011 financial year budget to assist the Small Business Centre. The Chief Executive Officer has advised the Centre that submissions should have been submitted some two months ago to allow Council sufficient time to consider the request and provide assistance if it so decided.

Records do not reveal what type of service received however the quarterly report provided by the Small Business Centre indicates four contacts were made, one of thirty minutes duration and three being short duration. These were consultations in the quarter ending 30th June.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

As provision has been made in the 2010/2011 budget documentation the Small Business Centre -Wheatbelt South to be advised the Shire of Cuballing will provide funding in the 2010/2011 financial year. The Centre is requested to provide quarterly reports on the activities of the Centre with particular reference to assistance provided to residents within the Shire of Cuballing. Application for assistance for the 2011/2012 financial year must be received by Council during March 2011 to enable the item to be considered in the 2011/2012 estimates.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Conley that the Matter Lay On The Table. A representative from the Small Business Centre to be invited to attend the next or a meeting of Council.

8.2 REPORTS – WORKS

8.2.1 WORKS MANAGERS REPORT

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Alex Richardson, Works Manager Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	CMR 10
Voting Requirements:	Simple majority

WINTER GRADING

Winter maintenance grading is proceeding throughout the shire.

Graders have been undertaking maintenance work, with an emphasis on shoulder grading and winter formation of gravel roads.

ROADSIDE TREE MULCHING

Roadside tree mulching is continuing on Reeds Road and Stratherne Road from Yornaning East Road to Parsons Road is now completed.

Works will next be undertaken on Popanyinning West Road in preparation of the 2010/ 2011 works program.

DRYANDRA EQUESTRAIN PARK

The road network is being lightly gravelled in preparation of the two major horse events in the next few weeks. Attention will be given to providing overflow drainage from the dam.

ENVIRO COVER

The environmental cover on the Cuballing Recreation dam has been completed

PLANT AND EQUIPMENT

All items of plant and equipment are being serviced and maintained as required, and are generally in good working order

STAFF

Outside staff had a send off for Peter in the depot and wished him well in Broome.

PRIVATE WORKS

Various works requests are still being received and these are being undertaken as time permits.

Private works invoices for the month of July 2010 are minimal and it is anticipated the income will not show any increase until summer arrives.

WORKS SCHEDULE

Attached is a schedule of works timetable which gives an indication when programmed works will be carried out. The schedule is a living document that may change throughout the year if circumstances determine changes are necessary

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Managers Report is received and information noted.

COUNCIL ACTION

Moved Cr Haslam, seconded Cr Meharry that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.2.2 YORNANING EAST ROAD BRIDGE 3180A

Submission to:	Ordinary Meeting of Council
Location/Address:	Yornaning East Road No. 9
Reporting Officer:	Allan Middleton A/Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Impact on 2011/2012 Budget
File Reference:	ENG 1
Voting Requirements:	Simple majority

Shire President, Cr TH Wittwer left room at 4.05 and did not participate in the meeting, discussions or debate. Deputy President, Cr. Newman occupied is chair.

BACKGROUND

Main Roads W.A. undertakes extensive bridge inspection programmes and will recommend when bridges within the Shire of Cuballing require a maintenance programme to keep them functional or recommend a preventative programme when termites are evident or vegetation requires clearing. The inspection also highlights any structural and upgrade work that is required.

One bridge located within the Shire is that located over the Hotham River. An inspection has apparently revealed that extensive work is required to bring the structure up to a safe standard.

Main Roads (W.A.) is recommending that expenditure of \$756,000 be undertaken in 2011/2012. The work will involve a reinforced concrete overlay between kerbs at 7.20 metres, upgrade of guard- railing; install approach slabs, wing wall extensions, embankment widening and substructure repairs, stringer and corbel bolting and a full preventative maintenance programme.

Main Roads have commented that during preliminary investigation the bridge has been load rated at bridge width of 7.20 to 8.20 metres. At 8.20 metres between kerbs strengthening of stringers is required to accommodate the temporary staging sequence. To widen to 8.20 metres, \$72,000 additional funding is required from the Shire.

OFFICERS COMMENT

An inspection by council staff reveals the bridge has a sealed surface of 6.70 metres. Back to back of gravel beam measures 7.1 metres. Discussions with the works manager question the need, in view of the cost and projected traffic count, to widen the structure to 8.20 metres. Traffic counts taken two years ago indicate low volume for the road existing standard; the count taken over the harvest carting period indicated road usage of 28 to 79 vehicles per day.

The total cost allocated to widen to 8.20 metres is \$828,000 of which \$756,000 is financed, 2/3 from the Western Australian Local Government Grants Commission ((\$504,000) and 1/3 Main Roads (W.A.) (\$252,000). The Shire of Cuballing would need to contribute \$72,000 towards the project.

Council will need to determine if it wishes to invest the additional monies over and above the Grants Commission and Main Roads contribution. In its deliberations Council will need to decide:-

- (1) In view of the 30 + years life expectancy of the refurbished bridge is it advisable to undertake the widening work now?
- (2) If work is not undertaken during the proposed repair then any additional cost to increase the width at a later date would be the responsibility of Council. Projected future costs possibly \$250,000.
- (3) What is the projected traffic count for the road in the longer term, say 15 to 20 years?
- (4) Is the current width and geometry of the road suitable for current and future needs?
- (5) Has Council the capacity to finance the works (\$72,000) from its own resources or will those funds be better used to upgrade another road network?

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing advises Main Roads (W.A.) it will require Main Roads to undertake the design, construction and supervisory work to bridge 3180A located on Yornaning East Road (9) to a reconstructed width of 8.20 between kerbs at a total cost of \$828,000 and will agree to contribute \$72,000 from its own financial resources. It is understood the work is projected for the 2011/2012 financial year.

OR

In view of the traffic count on the Yornaning East Road and as projected figures do not suggest any dramatic increase in traffic volume over the next 15 to 20 years the Shire of Cuballing advises Main Roads (W.A.) it does not wish to undertake an increase to the width of bridge 3180A on Yornaning East Road (9). Main Road (W.A.) are authorised to undertake the design and construction of the bridge work on behalf of the Shire of Cuballing. Total funds allocated to the work will therefore be \$756,000 financed as follows – Western Australian Local Government Grants Commission \$504,000 and Main Roads (W.A.) \$252,000.

COUNCIL ACTION

Moved Cr Haslam, seconded Cr Conley that in view of the traffic count on the Yornaning East Road and as projected figures do not suggest any dramatic increase in traffic volume over the next 15 to 20 years the Shire of Cuballing advises Main Roads (W.A.) it does not wish to undertake an increase to the width of bridge 3180A on Yornaning East Road (9). Main Road (W.A.) are authorised to undertake the design and construction of the bridge work on behalf of the Shire of Cuballing. Total funds allocated to the work will therefore be \$756,000 financed as follows – Western Australian Local Government Grants Commission \$504,000 and Main Roads (W.A.) \$252,000.

CARRIED 6/0

Shire President, Cr TH Wittwer returned to the Council Chambers at 4.20.

8.2.3 SHIRE OF WICKEPIN – APPOINTMENT OF DUAL FIRE CONTROL OFFICERS

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Middleton ,A/Chief Executive Officer
Enabling Legislation:	Bush Fires Act 1954
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Bush Fire Control 5
Voting Requirements:	Simple majority

Background

Correspondence from the Shire of Wickepin advising of the appointment of Mr. Steven Rose as Dual Fire Control Officers with the Shire of Cuballing for the 2010/2011 Fire Season.

Comment

Dual Fire Control Officers are appointed to provide legal cover for a Fire Control Officer in charge at a wildfire that burn across a Shire boundary. The Dual Fire Control Officer can stay in charge and follow the fire, or hand over control to a fire control officer from the second Shire (if one is available and in attendance).

Section 40 of the *Bush Fires Act 1954* empowers Council to appoint dual fire control officers with neighbouring local authorities and section 38(2) of the *Act* requires such appointments to be advertised in a local paper.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That pursuant to section 40 of the *Bush Fires Act 1954*, Mr. Steven Rose be appointed as Dual Fire Control Officers for the Shire of Cuballing and the Shire of Wickepin for the 2010/2011 Fire Season, subject to the officer possessing the appropriate accreditations, and further noting that the Dual Fire Control Officer is not permitted to issue burning permits for land within the Shire of Cuballing.

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Conley that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.2.4 ROMAN ROAD 11 – SUBSCRIPTION AGREEMENT

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole Shire
Reporting Officer:	Allan Middleton A/Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Provision made in 2010/2011 budget
File Reference:	Roads 16
Voting Requirements:	Simple majority

Background:

For the past couple of years WALGA have been working toward implementation of the new Road Asset Management System ‘ROMAN II’ to replace the older versioned ‘ROMAN I’. The ROMAN I program terminates at the end of 2010. The ROMAN II product (due to go live in February 2011) consist of road asset management software, training, support and ancillary services as described in Schedule A of the Agreement (circulated under separate cover). Council existing asset management data within the ROMAN I program will be transferred across to the ROMAN II program as part of the transition which will be done as part of the initial start up costs.

Comment:

ROMAN is a necessary asset management and data tool detailing all information relevant to Council’s road network. It details information such as;

- Road name;
- Road starting and finishing points;
- SLK’s (Standard length in kilometres);
- All intersections from start, mid and end point;
- Pavement/road surface type and condition;
- Formation width
- Culvert type and location.

ROMAN is a database utilised by regulatory funding agencies including Western Australian Grants Commission and Main Roads (W.A.) in determining recurrent grant allocations such as the Federal Assistance Grant “General Purpose Road Grant” and the Main Roads (W.A.) “Direct Grant”.

The base subscription annual fee for ROMAN II is \$4,609 and development levy paid and an annual support fee of \$792; totalling an initial annual fee of \$5,401. Clause B20 of the agreement determines the calculation of the base subscription fee and is based upon;

- Covering the cost to provide basic access facilities;
- Software license fees;
- Establishment and upkeep of the software;
- Associated services;
- Research and Development;
- Support and administration.

Annual base subscription fees of individual Local Government Subscribers are calculated by sharing the base annual cost of delivery of ROMAN II which WALGA incurs, less any State Government subsidy. Division of base annual cost of delivery amongst Subscribers is calculated using a weighted distribution formula as follows;

- 70% of base annual cost to Local Government is divided equally amongst all subscribers;
- 10% is divided pro rate amongst subscribers in proportion to the weighted length of road managed by the local government subscribers;
- 10% is divided prorata amongst subscribers in proportion to population;
- 10% is divided pro rate amongst subscribers in proportion to the annual rate revenue of the local government subscribers.

Mr. Naylor did advise the relief Chief Executive Officer that the cost of the expected ROMAN subscription for 2010/2011 has been allowed for in Council's budget however at the time of writing this report the item had yet to be identified.

ROMAN II will be a very important asset management tool for Council, providing detailed information on Councils future infrastructure enhancement and maintenance functions. The data within the program importantly, underpins the many external road grant dollars which council receives annually. It would disadvantage Council access to such funds if Council was not a subscriber to the program.

The CEO has been advised that with the programme implementation training will be provided in kind. As per the agreement, Schedule A3 (Page 6 of 39) the future training cost schedule seems very excessive. The training which is taken up will depend entirely upon what individual councils want to get out of the program, however the cost per-day, per- person of \$1,925 is extremely expensive.

The agreement is some 40 pages and has not been attached, however if Councillors wish to read the detail it is available in the administration building and will be tabled for Council's perusal at the meeting.

OFFICERS RECOMMENDATION

Council accepts the offer by the Western Australian Local Governments Associations to subscribe to ROMAN II for a three year period from the date the software is activated.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Haslam that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.3 REPORTS – HEALTH AND BUILDING

8.3.1 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYORS REPORT

Submission to: Ordinary Meeting of Council
Location/Address: Whole of Shire
Reporting Officer: Allan Ramsay, Environmental Health Officer/Building Surveyor
Enabling Legislation: Local Government (Miscellaneous Provisions) Act 1960
 Building Code of Australia, Building Regulations 1989
 Builders’ Registration Act 1939
 Environmental Protection (Noise) Regulations 1997
Council Policy: Register Delegated Authority
 Shire of Cuballing Health Local Law 2007
 Shire of Cuballing Town Planning Scheme No 2
Budget Implications: Nil
File Reference: CMR 2
Voting Requirements: Simple majority

Summary

There were four (4) applications approved and license issued for the month of July 2010. Listed below is a summarized breakdown of the applications and proposed structure:

Approval License No	Name of Owner	Builder (RB) or Owner Builder (OB)	Structure	Location of Building
1/10-11	Mr. Sexton	Wake & Beacham	Shed & water tank	Lot 347 Doust Street, Cuballing
2/10-11	Mr. Carolus Van Empel	OB	Dwelling	87 Campbell Street, Cuballing
3/10-11	Mr. Carolus Van Empel	OB	Shed	87 Campbell Street, Cuballing
4/10-11	Mr. Mark Graham	OB	Swimming Pool	Lot 15430 Great Southern Highway, Yornanning

On – Site Effluent Disposal Systems

Approval s to Construct:

- Mr. Carolus Van Empel 87 Campbell Street, Cuballing
- Dryandra Equestrian Centre Lot 3228 Campbell Street, Cuballing

Permits to use:

- Mr. Lance Smith Lot 127 Beeston Street, Cuballing
- Mr. Daniel Leonard Lot 113 Alexandra Street, Popanyinning
- Dryandra Equestrian Centre, Lot 3228 Campbell Street, Cuballing

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Environmental Health Officer/Building Surveyors Report be received.

COUNCIL ACTION

Moved Cr Conley, seconded Cr Hawsley that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.3.2 PROPOSED OUTBUILDING – LOT 92 HOTHAM STREET, POPANYINNING

Submission to: Ordinary Meeting of Council
Location/Address: Lot 92 Hotham Street Popanyinning
Reporting Officer: Allan Ramsay, Environmental Health Officer/Building Surveyor
Enabling Legislation: Local Government (Miscellaneous Provisions) Act 1960
Building Code of Australia, Building Regulations 1989
Builders' Registration Act 1939
Environmental Protection (Noise) Regulations 1997
Council Policy: Register Delegated Authority
Shire of Cuballing Health Local Law 2007
Shire of Cuballing Town Planning Scheme No 2
Budget Implications: Nil
File Reference: CMR 2
Voting Requirements: Simple majority

SUMMARY

Council has received an application for Planning Consent from Mr. Ray Cherry (the applicant) for the construction of a 98m² Colorbond outbuilding on Lot 92 Hotham Street, Popanyinning. A 60m² shed is already constructed on the property. The existing shed has zincalume walls

BACKGROUND

The applicant has indicated that the outbuilding is to be used to store vehicles and machinery he is re-locating from Quindanning.

COMMENT

The land is zoned Rural Residential under the Shire of Cuballing's Town Planning Scheme No.2. Under the Local Planning Policy for Outbuildings, Colorbond clad sheds cannot exceed a total area of 120m² on Rural Residential lots. The new shed plus existing would give a combined area of 158m² or 38m² over the permitted area. Any application that does not comply may be referred to Council for consideration.

Council has previously approved oversized outbuildings. The size of the shed would not affect the amenity of the area as the 2.5 Hectares lot is reasonably large for a Rural Residential zoned lot. Mr. Cherry has indicated that he needs the extra room to store vehicles and machinery he is re-locating from his property in Quindanning.

OFFICERS RECOMMENDATION

That Council resolves to approve the construction of the 14m long and 7m deep outbuilding on Lot 92 Hotham Street, Popanyinning, subject to the following conditions.

1. The issue of an approved building licence for the construction of the outbuilding.
2. The shed to be clad in Colorbond walls.
3. The walls of the existing shed to be painted the same colour as the new shed walls.
4. The outbuilding to be sited in accordance with the Shire of Cuballing Town Planning Scheme No 2.

Cr. Newman left the Council Chambers at 4.30 p.m. and did not participate in the meeting, discussions or debate.

8.3.3 REGIONAL WASTE FACILITY

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Middleton A/Chief Executive Officer
Enabling Legislation:	Local Government (Miscellaneous Provisions) Act 1960 Health Act. Council Policy:
Register Delegated Authority	Shire of Cuballing Health Local Law 2007 Shire of Cuballing Town Planning Scheme No 2
Budget Implications:	Non current
File Reference:	H.10.e
Voting Requirements:	Simple majority

Background

In June 2009 Council agreed to participate in a regional study to identify sites for a regional waste facility and in doing so nominated a gravel pit on the Yornaning West Road as a possible site.

Since the agreement to participate a number of meetings have been held primarily by senior staff of the participating councils to look at process and to engage consultants for various aspects of refuse site identification. Consultants were engaged to undertake preliminary studies of the region to determine the most suitable areas for a regional site.

At a meeting attended by the Relief Chief Executive Officer on Friday 30th July 2010 a presentation by Landform Research (Lindsay Stevens) identified a number of sites that could be considered for closer examination.

An interesting aspect of the presentation was the comment by the consultant that any new site should be a "Greenfield" site that meets certain criteria. Disused gravel pits in wooded areas was not a high priority primarily due to the problem of gaining approval for clearing in the future. Briefly, some of the criteria mentioned included soil type, land elevation, distance to travel, access and screening.

Officers Comment

The site nominated by the Shire of Cuballing wasn't a preferred site due to the natural vegetation surrounding the gravel pit. An alternative site has been identified and will be one of the sites that may be further investigated. ***It cannot be stressed enough that the site selection process is in the embryo stage and the site nominated is only a possibility.*** The location identified (Location 1675 on Cuballing East Road) was chosen as a brush stroke exercise, any number of properties within the Shire of Cuballing could match the criteria for a regional site. If only one site is chosen then the preferred location, more than likely, would be around the Highbury area where there would be greater access to the Town of Narrogin and the Shire of Wagin.

The twelve or so local governments participating in the "Zero Waste Management Scheme" now need to determine the future direction the project needs to take and provide information that will enable local government to decide their commitment.

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Decisions will need to be made as to the number of regional sites required; the location or locations will depend on many factors including the number of local governments participating, economical distance to transport waste, support of the local government and willingness of landowner to sell portion of their property for a regional waste site.

The process has now reached a stage where the Chief Executive Officer believes elected members now need to become involved to enable political decisions to be made. The next planning stage will involve greater emphasis on site selection, which local governments will want to participant, time frame, projected usage and whether or not the operation will be run by a local government or a regional council. Cr. Wittwer has indicated he will attend the next meeting of the group to be held on Monday 30th August at the Shire of Wagin.

The attachment indicates the number of sites that show possibility. All sites have not been shown due to the large volume of paper required, however the Cuballing property is shown; other sites will be tabled for Council's information. Again it is emphasised the site shown is only a possible site and one of many that will require further research and investigation before any proposal is submitted to a local government, land owner or government agency.

Minutes have now been received from the 30th July meeting and the one item needing Council's attention is as follows :-

5.1 Presentation by Lindsay Stevens from Landform Research Committee's Recommendation

Moved: Warren Bow Seconded: Allan Middleton

*All representatives to discuss this information with their councils at the next council meeting and the Wagin Group to meet again on the 30th August 2010 to make decision and reconfirm their commitment to a regional site.
Carried*

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing continues to participate in discussions with the Wagin Zero Waste Management Group to investigate the need for a strategic waste management scheme and a regional disposal site. Cr. Wittwer and the Chief Executive Officer represent Council at the meeting to be held on Monday 30th August 2010.

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Meharry that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

Cr. Newman returned to the Council Chambers at 4.34 p.m.

8.4 **REPORTS – TOWN PLANNING**

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Middleton, A/Chief Executive Officer
Enabling Legislation:	Planning and Development Act 2005
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	TP 8
Voting Requirements:	Simple majority

BACKGROUND

During the 15th July 2010 Council meeting Cr. Janet Thompson (Shire of Narrogin – Zone representative to a Project Partners meeting) presented a paper outlining her concerns at the process by which the Department of Planning is introducing a document titled “Wheatbelt Regional Study”. Councillors Thompson’s concern related to the membership of the working group in that it comprised primarily of centralised bureaucrats and that centralised decisions will be made about what private landowners will be able to do with their property. Cr Thompson is making local government aware of her concerns.

COMMENT

In August 2009 the Western Australian Planning Commission issued a directions paper for public comment titled “Towards a Wheatbelt Regional Study”.

The wheatbelt region within the study comprises some 43 local governments from West Arthur in the south-west, Dandaragan in the north-west, Lake Grace in the south-east and Yilgarn in the north-east.

The objects of the strategy as contained in the document stated

The WAPC and the Department of Planning in considering the future of the Wheatbelt region, have the following objectives:

Provide leadership and direction across government and for Wheatbelt communities;

Establish a sustainable settlement hierarchy for the region based on environmental, social and economic considerations;

Protect land required for food production and environmental processes;

Promote economic development and respond to emerging industries;

Understand water availability for domestic and commercial uses;

Understand the potential impact of climate change on the region's changing land use demands, including rainfall, bushfires, coastal processes and extreme climatic and weather events;

To consider the effectiveness and relevance of current state planning policy for Wheatbelt communities;

Provide strategic direction for the preparation of local planning strategies and schemes by local government; and

Provide more detailed consideration of planning issues for high-growth areas near the metropolitan region (north-west Wheatbelt).

Forums were held in Northam and Perth with workshops and presentations to various local governments, regional councils, planning consultants and Wheatbelt Development Commission.

Some 41 written submissions were received on the directions paper. It appears there was strong support for a regional planning strategy (ref: Report on Consultation) however there was also support for delivery of sub- regional strategies.

The process to date is supposed to be the consultation phase with a "White Paper" being produced later in the year. It is understood Council will have the opportunity to further comment on the strategy once the Regional Strategy has been produced.

In view of the progress made to date with the working party, it is respectfully suggested discussions on the matter be deferred until the strategy is available for further comment.

The initial strategy is available for inspection.

OFFICERS RECOMMENDATION

The Shire of Cuballing note the progress to date of the document titled "Towards a Wheatbelt Regional Strategy" and recognises the concern raised by the Central Country Zone Council representative Cr. Janet Thompson in Cr. Thompson's report received on the 27th May 2010. The item lay on the table until the revised strategy is available for comment.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Conley that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

8.5 LATE AGENDA ITEM

APPOINTMENT OF CHIEF EXECUTIVE OFFICER

Council appoints Ms. Eva Haydon as Chief Executive Officer to the Shire of Cuballing under the terms and conditions contained within the contract titled “Chief Executive Officer Employment Contract – Shire of Cuballing and Eva Haydon”. The appointment is to be for a period of five years.

The Shire President and the Acting Chief Executive Officer are hereby authorised to attach to the contract the Common Seal of the Shire of Cuballing and witness such attachment in accordance with the provisions of the Local Government Act.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Conley that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

9. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10. OTHER URGENT BUSINESS

Nil

11. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 5.00pm.