

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 15 SEPTEMBER 2011

MINUTES

TABLE OF CONTENTS

- 1. OPENING - ANNOUNCEMENT OF VISITORS**
- 2. ATTENDANCE APOLOGIES, LEAVE OF ABSENCE**
- 3. PUBLIC QUESTION TIME**
- 4. STANDING ORDERS**
- 5. APPLICATIONS FOR LEAVE OF ABSENCE**
- 6. MINUTES**
- 7. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS**
- 8. DISCLOSURES OF INTEREST**
- 9. REPORTS**
 - 9.1 FINANCE**
 - 9.1.1 List of Accounts Submitted for Council Approval*
 - 9.1.2 Statement of financial Activity*
 - 9.2 CEO's REPORT**
 - 9.2.1 Policy – Write off & Adjustments to Debtors Accounts*
 - 9.2.2 WA Waste Authority Request for commitment to regional Groupings*
 - 9.2.3 Review of Country Local Government Fund*
 - 9.2.4 Cuballing Town Bushfire Brigade*
 - 9.2.5 Cuballing Football Club Trust Funds*
 - 9.3 WORKS**
- 10. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11. OTHER URGENT BUSINESS**
 - 11.1.1 Permission to erect oversized shed*
- 12. NEXT MEETING**
- 13. CLOSURE OF MEETING**

1. **OPENING - ANNOUNCEMENT OF VISITORS**

Meeting commenced at 3.31pm

2. **ATTENDANCE & APOLOGIES**

Cr Tom Wittwer	President
Cr Roger Newman	Deputy President
Cr Joy Meharry	
Cr Tim Haslam	
Cr Chad Hawksley	
Cr Carol McDougall	
Cr Mark Conley	
Mrs Eva Haydon	Chief Executive Officer

3. **PUBLIC QUESTION TIME**

Nil

4. **STANDING ORDERS**

COUNCIL DECISION

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items.

Moved: Cr Conley Seconded: Cr McDougall

Carried 7/0

5. **LEAVE OF ABSENCE:**

Nil

6. **MINUTES**

6.1 CONFIRMATION OF 18 August 2011 ORDINARY MEETING OF COUNCIL

COUNCIL DECISION

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 18 August 2011 be confirmed.

Moved: Cr Meharry Seconded: Cr McDougall

Carried 7/0

7. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

Nil

8. DISCLOSURES OF INTEREST

Councillors' and Employees' Disclosures of Interest.

8.1 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.

8.2 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.

9.1 REPORTS – FINANCE AND ADMINISTRATION

9.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – AUGUST 2011

Submission to:	Ordinary Meeting of Council
Location/Address:	Not applicable
Reporting Officer:	Nichole Gould, 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 Council's bank accounts is attached to this item.

Council Decision:

That Council:

Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling	\$615,271.97
Vouchers 14103	\$304,02.09
Electronic Fund Transfers	\$584,869.88
Credit Card	\$2,276

Approve for payment the list of Creditors paid from the Trust Fund, as detailed below, totalling	\$0
Electronic Fund Transfers	\$0

Moved: Cr Newman

Seconded: Cr Conley

Carried 7/0

9.1.2 STATEMENT OF FINANCIAL ACTIVITY

Submission to:	Ordinary Meeting of Council
Location/Address:	Not applicable
Reporting Officer:	Eva Haydon, CEO
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 been prepared for period ending 31 August 2011 in accordance with the abovementioned legislation and circulated with the Council Meeting Agenda.

COUNCIL DECISION:

That the Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 August 2011, be received.

Moved: Cr Hawksley Seconded: Cr Meharry

Carried 7/0

9.2.1 POLICY - WRITE OFFS AND ADJUSTMENTS TO DEBTOR ACCOUNTS

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act
Council Policy:	Nil
Budget Implications:	Minimal
File Reference:	
Voting Requirements:	Absolute Majority

Background

Nil

Comment

It is common practice for Councils to have a policy on minor write offs and adjustments to debtor accounts. Adjustments are made for example when rates are paid using internet banking and staff are unable to identify the property to which the payment applies. The funds are placed in trust and interest continues to accrue on the debtor account until final notices are sent out and the ratepayer contacts staff to advise when payment was made.

Write offs occur when there are a few dollars (or in some instances cents) left on an account and it is not economically practical to pursue the debtor for such a small amount.

COUNCIL DECISION:

That a policy be adopted as follows:

2.0 Administrative Finance

2.13 Write Offs and Adjustments to Debtor Accounts

- a) **Where debtor accounts have a balance under fifty dollars and, in the Chief Executive Officer's opinion, it will not be economically practical to pursue payment of the account through the court system, the Chief Executive Officer may approve that the amount be written off.**
- b) **Where an amount, under fifty dollars, was raised in error, the Chief Executive Officer may approve that the amount be written off.**

Moved: Cr Conley

Seconded: Cr Meharry

Carried 7/0

9.2.2 WA Waste Authority Request for Commitment to Regional Groupings

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	
Council Policy:	Nil
Budget Implications:	
File Reference:	
Voting Requirements:	Simple Majority

Background

From 2006-2008, the Waste Authority provided over \$2.8M to local governments under the Zero Waste Plan Development Scheme (ZWPDS) to establish base line data and support the development of Strategic Waste Management Plans (SWMPs) throughout the state. In response, 24 groupings of local governments and 11 individual local governments developed SWMPs.

Subsequently in 2009, the Minister for Environment approved a Waste Authority Regional Funding Program (RFP) pilot. Under the pilot, regional groupings of local governments were allocated funds in excess of \$2.5M to assist in the implementation of priority actions contained in regional SWMPs.

Following the successful completion of the ZWPDS and RFP pilot, the Waste Authority has resolved to continue a RFP as the preferred method for supporting the ongoing implementation of local government SWMPs. The Minister for Environment and Water has now approved funding totalling \$6.78M for a RFP from 2011/12 to 2015/16. It is considered that running the RFP over five years will allow groupings of local governments adequate time to plan and implement strategic projects.

In phase 1 of the RFP, groupings of local governments will receive notional allocations of funding based on the number of local governments in the group, regional weightings, population and an allocation for updating SWMP's. Notional allocations made in phase 1 that are not committed by 27 December 2013 will be directed into Phase 2 of the RFP.

Phase 2 will comprise a competitive funding process where groupings of local governments that have finalised commitment of funding from phase 1 can compete for project funding based on best value for money, alignment with the nature of targets outlined in the draft Waste Strategy and consistency with the principles and objectives of the program. Both phase 1 and phase 2 funding must be fully committed prior to 26 June 2015 or its availability will lapse.

Funding allocation and payment is dependent upon all participating local governments within the Regional Grouping having completed and submitted the current census of local government waste and recycling services. (The CEO and Wagin Group Project Officer completed the census on 31 August 2011)

In order for the Department of Environment and Conservation to finalise group funding allocations in phase 1, we are invited to provide a list of local governments we intend to work with as part of the Regional Funding Program.

Once our regional grouping has been finalised and allocations calculated, we will be advised of notional funding available to the group.

A number of information sessions regarding the RFP will be conducted in metropolitan and regional areas in the near future.

Comment

Nil

COUNCIL DECISION

That the Department of Environment and Conservation be advised that Council intends to work with the following local governments:

**Shire of Dumbleyung
Town of Narrogin
Shire of Wagin
Shire of Wickepin
Shire of Williams**

**Shire of Narrogin
Shire of Pingelly
Shire of Wandering
Shire of West Arthur
Shire of Woodanilling**

Moved: Cr Newman

Seconded: Cr Hawksley

Carried 7/0

9.2.3 Review of Country Local Government Fund

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	
Council Policy:	Nil
Budget Implications:	Unknown
File Reference:	
Voting Requirements:	Simple Majority

Background

The Minister for Regional Development and Lands, Hon Brendon Grylls MLA, announced a review of the Royalties for Regions Country Local Government Fund (CLGF). The review is being undertaken by the Western Australian Regional Development Trust (WARDT) and is to be completed with a report to the Minister by 31 January 2012.

To undertake the review, an issues paper, which outlines the purpose and history of the CLGF, the submission and consultation process and the terms of reference, has been released by WARDT.

An extract of the Terms of Reference is included below and includes the issues for consideration in the review:

Overall, whether there is a continuing need for the CLGF, and if so, in what form, with what budget parameters, and with what purpose.

- 1 The extent to which the stated aims of the CLGF are being met, in particular, have the objectives of the CLGF been materially achieved:
 - How the CLGF is addressing local governments' infrastructure backlogs and enhancing local governments' capacity building
 - How the financial sustainability of country local governments is being improved through improved asset management
 - The effectiveness of funds directed to voluntary amalgamation
 - How CLGF is assisting groups of country local governments to fund larger scale infrastructure projects
 - The effect or impact of funds allocated under the CLGF
- 2 Whether country local government or the Department of Regional Development and Lands has experienced difficulties in applications and approvals, executing, acquitting, reporting, or managing projects under CLGF
- 3 The efficacy of the current formula in allocating funds to individual and groups of local governments, including whether this approach should be retained, reformed or replaced
- 4 The appropriate proportional allocation of funding between individual, group and regional components over time
- 5 The scope of initiatives that should be funded, and in particular, whether the existing focus on infrastructure and capacity building should be retained, narrowed, broadened or otherwise changed

- 6 Matters that would improve the efficiency and effectiveness of the Fund's implementation, including the existing processes for forward capital works development, and business plan development
- 7 Any other relevant matters

Submissions to the review are being sought by WARDT from WALGA, Country local governments and other stakeholders no later than 31 October 2011

WALGA requires input, with a particular focus on Terms of Reference 1, 2 and 6, prior to 12 October to guide a comprehensive sector submission to the review.

Comment

COUNCIL DECISION:

For Council consideration.

Moved: Cr McDougall

Seconded: Cr Newman

Carried 7/0

9.2.4 Cuballing Town Bushfire Brigade

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Absolute Majority

Background

The sum of \$6,044 was deposited into the Shire of Cuballing Trust Fund several years ago.

Due to changeover of accounting systems, it is not possible to ascertain exactly when it was deposited, however it would probably have been prior to the inception of the Emergency Services Levy.

Comment

The Cuballing Town Bushfire Brigade have been advised of these funds and have requested that they be spent on the following:

20 lockers	Stackable Chairs
6 fold up chairs	3 folding tables
Privacy Curtain	Gas Barbecue
New Fridge	Chest Freezer
Portable gazebo	Blackboard in frame
2 Sensor Lights	Electric Kettle
2 Fatigue Floor Mats	

They will prioritise the items should the total expenditure be more than the available trust funds.

COUNCIL DECISION:

That the Cuballing Bushfire Brigade Trust funds of \$6,044 be used to purchase the abovementioned items.

Moved: Cr Newman

Seconded: Cr Haslam

Carried 7/0

9.2.5 Cuballing Football Club Trust Funds

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	
Council Policy:	Nil
Budget Implications:	
File Reference:	
Voting Requirements:	Simple Majority

Background

The Cuballing Football Club deposited the sum of two thousand dollars into the Shire of Cuballing Trust Fund in order that memorabilia currently located at the Cuballing Tavern would be maintained if required in the future.

The Cuballing Cricket Club wrote to request that the funds be provided to them in order that they are able to erect a “hall of fame” at the Cuballing Tavern. They were advised to gain permission from the Football Club as Council was unable to transfer the funds without permission from former office bearers of the Football Club.

Ken Ashworth (former office bearer of the Cuballing Football Club) has written to advise that he had no problem with transferring the funds to the Cricket Club, however he was concerned about the fate of their memorabilia in the event that the Cuballing Tavern changed hands and was no longer able to remain there.

Comment

Given that sporting clubs form a large part of any local government area’s history, it would not be inappropriate for Council to take responsibility for both the football and cricket memorabilia should it be required in the future.

It seems strange however that there is no memorabilia at the Cuballing Recreation Centre. Perhaps it would be appropriate to have some from each club placed there as well in order that young people are able to view it.

COUNCIL DECISION:

That:

- 1 The Cuballing Football Club Trust Funds of two thousand dollars be transferred to the Cuballing Cricket Club;**
- 2 Council make a commitment to ensure that football and cricket memorabilia displayed at the Cuballing Tavern be kept in good order; and**
- 3 Both the football and cricket clubs be requested to place some memorabilia at the Cuballing Recreation Centre.**

Moved: Cr Haslam

Seconded: Cr Newman

Carried 7/0

11. OTHER URGENT BUSINESS

OFFICER RECOMMENDATION:

That the urgent business item 11.1.1 be considered.

Moved:

Seconded:

Carried

11.1.1 PERMISSION TO ERECT OVERSIZED SHED

Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Shire of Cuballing Town Planning Scheme, Building Code
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: Simple Majority

Background

Mrs L Carroll has written to request that Council give preliminary approval to build an Australian barn style shed towards the rear of her vacant block (Lot 17 Campbell Street, Cuballing).

The proposed shed is approximately 72 m², will be used only for storage and will not have services connected.

Comment

Council has a Local Planning Policy on Outbuildings which states that no planning approval will be granted for any outbuildings on any Rural Townsite or Rural Residential zoned lot which does not contain a residence.

As Mrs Carroll has an existing residence on the lot adjacent to Lot 17, she is requesting a variation to the Local Planning Policy. Amalgamation of both land parcels is not a sound economic decision for her at this stage.

OFFICER RECOMMENDATION:

For Council consideration.

Moved:

Seconded:

Item 11.1.1 was withdrawn at rate payer's request

CEO PERFORMANCE REVIEW

Mrs Haydon Left the room at 4:20pm

Council reviewed the Chief Executive Officers performance over the past eleven months and resolved that the President would discuss with the CEO key performance Indicators for the next 12 months

Mrs Haydon returned at 4:42

COUNCIL DECISION:

That the CEO receive a vote of thanks for her performance thus far

Moved: Cr Newman

Seconded: Cr Haslam

Carried: 7/0

12. NEXT MEETING

Next ordinary Council Meeting 20 October 2011, commencing at 3pm

13. CLOSURE OF MEETING

There being no further business, the meeting closed at 5.45pm