

**SHIRE**  
**OF**  
  
**CUBALLING**

**COUNCIL MEETING  
HELD ON 17 APRIL 2014**

# **MINUTES**

These minutes were confirmed at a meeting on.....

Signed.....  
Presiding Person at the meeting at which the minutes were confirmed

Date:.....

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 17 APRIL 2014

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
    - 9.1.65 *List of Accounts Submitted for Council Approval*
    - 9.1.66 *Statement of financial Activity*
    - 9.1.67 *Sale of Land*
    - 9.1.68 *Caveat Sundry Debtor*
  - 9.2 CEO's REPORT
    - 9.2.108 *Bituminous Surfacing Quality Assurance Policy*
  - 9.3 WORKS
    - 9.3.41 *Road Closure*
  - 9.4 HEALTH & BUILDING REPORT

*Nil*
10. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
11. OTHER URGENT BUSINESS
  - 11.1.50 *Confidential Item*
  - 11.1.51 *Application for Exploration License 70/4595*
12. NEXT MEETING
13. CLOSURE OF MEETING

1. **OPENING - ANNOUNCEMENT OF VISITORS**

Meeting Commenced at 3.05pm

2. **ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE**

Cr M Conley	President
Cr R Newman	Deputy President
Cr T Haslam	
Cr S Ballantyne	
Cr E Dowling	
Cr D Bradford	
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 Haslam**

**Seconded: Cr Ballantyne**

***Carried 6/0***

5. **APPLICATIONS FOR LEAVE OF ABSENCE:**

Nil

6. **MINUTES**

**6.1 CONFIRMATION OF 27 MARCH 2014 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 27 March 2014 be confirmed.**

**Moved: Cr Dowling**

**Seconded: Cr Newman**

***Carried 6/0***

**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

### 9.1.67 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – FEBRUARY 2014

---

**Location/Address:** Not applicable  
**Date:** 03/04/2014  
**Reporting Officer:** Clare Thomson, Accountant  
**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: \$752244.00

Electronic Fund Transfers/Chq: \$749416.46

Credit Card: \$2827.54

#### Trust

Electronic Funds Transfers \$32006.95

Moved: Cr Newman

Seconded: Cr Bradford

*Carried 6/0*

Date: 03/04/2014  
Time: 11:03:18AM

SHIRE OF CUBALLING  
List of accounts due and submitted to Council - 1 March  
to 31 March 2014

USER: Accountant  
PAGE: 1

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,984.90
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,059.10
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	362.60
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	454.05
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	121.20
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,972.20
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	250.00
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	563.85
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,408.80
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	928.55
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	235.45
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	88.95
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	3,809.40
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,577.55
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	1,463.50
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	14,328.30

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	334.75
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	511.70
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	465.85
12		4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	2	66.25
EFT641		Air Liquide PTY LTD	rental gas cylinders	1	102.60
EFT642		Anderson Munro & Wyllie	completion of audit	1	1,650.00
EFT643		Artistralia	copyright for screening Escape from Planet Earth	1	330.00
EFT644		BELVEDERE NURSERY	plants office	1	191.85
EFT645		CORNER'S AUTOMOTIVE ELECTRICS	repairs various plant	1	2,409.00
EFT646		COVS	tail lights	1	45.84
EFT647		CUBY ROADHOUSE	monthly account	1	104.73
EFT648		DYNAMIC PRINT	2000 ENVELOPES	1	342.00
EFT649		Department Fire and Emergency Services	2013/14 ESL 3rd quarter contribution	1	12,222.00
EFT650		FUJI XEROX	printing charges - photocopier	1	241.94
EFT651		Filters Plus	filters for equipment	1	273.24
EFT652		GREAT SOUTHERN FUEL SUPPLIES	fuel and oil for the month	1	11,756.81
EFT653		HAINES NORTON (WA) PTY LTD	Shire of Somewhere Manual and usb	1	990.00
EFT654		HANCOCKS HOME HARDWARE	shadecloth - depot fence	1	218.70
EFT655		JR & A HERSEY P/L	depot mtnce and protective clothing	1	477.68
EFT656		LANDGATE	valuations	1	110.75
EFT657		LGIS INSURANCE	adjustment to workers comp premium	1	527.65
EFT658		MAKIT NARROGIN HARDWARE	various items	1	182.30
EFT659		McDougall Weldments	repairs various plant	1	528.08

SHIRE OF CUBALLING  
 List of accounts due and submitted to Council - 1 March  
 to 31 March 2014

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount
EFT660		NARROGIN BEARING SERVICES	repairs to standpipe and other job	1	68.51
EFT661		NARROGIN FRUIT MARKET	lunches	1	54.50
EFT662		Narrogin Packaging	various consumables	1	255.01
EFT663		ROCLA PTY LIMITED	pipes and headwalls various jobs	1	6,809.81
EFT664		Radiowest Broadcasters Pty Ltd	advertising for community workshop	1	264.00
EFT665		RoadTech Constructions Pty Ltd	supply and lay 25mm black asphalt at intersection	1	31,900.00
EFT666		TOLL IPEC (COURIER AUSTRALIA)	freight graders	1	11.43
EFT667		WSSGMA Drafting	constructionTanners road culvert	1	2,310.00
EFT668		Water Wise Water Trucks Australia Pty Ltd	freight on parts from omitted from previous invoice	1	88.00
EFT669		CHILD SUPPORT AGENCY	Payroll deductions	1	322.82
EFT670		Avon Waste	bulk bin service and rent 3 for Popo and 4 at Cub.	1	1,270.92
EFT671		BEAUREPAIRES	repairs	1	1,779.74
EFT672		BITUTEK	primer seal, spray cover - various jobs	1	139,278.43
EFT673		BUILDERS REGISTRATION BOARD Building Commission	February payment	1	282.00
EFT674		Ballards Of Narrogin	LWG Dispenser	1	200.00
EFT675		DEWS MINI EXCAVATIONS	excuvate culverts - various jobs	1	627.00
EFT676		Hillcroft Farms	gravel for J409 and J410	1	6,600.00
EFT677		Jason Signmakers	MMS Core Flute signs	1	2,400.20
EFT678		LANDGATE	title searches shire blocks	1	72.00
EFT679		NARROGIN EARTHMOVING AND CONCRETE	J410 roller hire and float roller to Garth Road	1	8,148.25
EFT680		PAGE TRUCK HIRE	Pushing Popo tip and shed pad (private works)	1	4,210.00
EFT681		ROAD SIGNS AUSTRALIA	roadsigns J299	1	806.96
EFT682		TOLL IPEC (COURIER AUSTRALIA)	freight road signs	1	62.75
EFT683		Komatsu	change over price on two new graders	1	491,480.00



Cheque /EFT No	Date	Name	Invoice Description	Bank Code	Amount
EFT684		CHILD SUPPORT AGENCY	Payroll deductions	1	322.82
738		10 - ANNITTEL	ANNITTEL	1	116.14
14363		HOSTPLUS SUPER	Superannuation contributions	1	367.24
14364		PRIME SUPER	Superannuation contributions	1	366.33
14365		Westscheme	Superannuation contributions	1	172.15
14366		Westscheme	Superannuation contributions	1	162.16
14367		Westscheme	Superannuation contributions	1	172.15
14368		Westscheme	Superannuation contributions	1	162.16
14369		WA Local Government Super Plan	Superannuation contributions	1	7,294.86
14370		MATRIX SUPERANNUATION	Superannuation contributions	1	185.99
14371		RAMSAY SUPERANNUATION	Superannuation contributions	1	179.46
14372		Australia Post	PO Box rental	1	64.00
14373		BUILDING & CONSTRUCTION INDUSTRY TRAINING	February payment	1	231.75
14375		SYNERGY	various accounts	1	747.10
14377		Telstra	phone charges mobiles	1	341.66
14378		DEPARTMENT OF TRANSPORT	licences entered correctly	1	1,059.10
14379		Shire of Cuballing (CASH)	building licence fee	1	70.00
14389		SYNERGY	power costs	1	2,714.10
14390		Telstra	various phone accounts	1	445.94
14391		Water Corporation	water usage various accounts	1	2,233.85
14392		J & S Drilling	RETURN OF STANDPIPE CARD	2	20.00

**REPORT TOTALS**

Bank Code	Bank Name	TOTAL
1	Muni A/c 066-522 00000005	749,416.46
2	Trust 066-522 00050002	32,006.95
<b>TOTAL</b>		<b>781,423.41</b>

## 9.1.68 STATEMENT OF FINANCIAL ACTIVITY

---

**Location/Address:** Not applicable  
**Date:** 07/04/2014  
**Reporting Officer:** Clare Thomson  
**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

Nil

### COUNCIL DECISION:

That the Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 March 2014, be received.

Moved: Cr Ballantyne

Seconded: Cr Dowling

*Carried 6/0*

Bank Reconciliation for the month of March 2014

	Municipal Fund	Trust Fund	Reserve Accts
Opening balance	\$2,286,989.74	\$58,478.67	\$ 711,602.89
Income	\$246,377.07	\$31,750.85	
Add interest	3,730.00	-	776.12
Adjustment	\$0.00	-	
Expenditure	-\$839,195.40	-\$32,006.95	
Closing balance	\$1,697,901.41	\$58,222.57	\$ 712,379.01
Bank account	\$457,654.61	\$57,666.57	\$ 2,903.89
Investments	\$1,242,210.29	0.00	\$ 709,475.12
Plus O/S deposits	-	500.00	
Less O/S cheques	-\$1,963.49		
Closing balance	\$1,697,901.41	\$58,166.57	\$ 712,379.01

Investments 31 March 14

Account Number	Maturity Date	Interest Rate	Fund/Account Municipal	Trust	Reserve
24455506	Cash Deposit	2.50%	-		709,475.12
34681402	Cash Deposit	2.25%	300,000.00		
	Online account	2.50%	942,210.29		
Total			1,242,210.29	0	709,475.12

**SHIRE OF CUBALLING**  
**MONTHLY STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

**TABLE OF CONTENTS**

Statement of Financial Activity	2
Notes to and Forming Part of the Statement	3 to 15

**SHIRE OF CUBALLING**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

	NOTE	31-Mar 2014 Actual \$	31-Mar 2014 Y-T-D Budget \$	2013/2014 Budget \$	Variences Budget to Actual Y-T-D %
<b><u>Operating</u></b>					
<b>Revenues/Sources</b>					
Governance		7,947	6,500	5,300	(22.27%)
General Purpose Funding		269,981	260,000	333,961	(3.84%)
Law, Order, Public Safety		18,606	18,000	30,940	(3.37%)
Health		1,243	650	1,000	(91.23%)
Education and Welfare		-	-	-	
Housing		-	-	-	
Community Amenities		3,142	2,300	3,000	(36.61%)
Recreation and Culture		20,358	20,000	17,200	(1.79%)
Transport		930,225	900,000	905,251	(3.36%)
Economic Services		13,933	12,500	23,260	(11.47%)
Other Property and Services		206,715	200,000	208,552	(3.36%)
		<u>1,472,152</u>	<u>1,419,950</u>	<u>1,528,464</u>	
<b>(Expenses)/(Applications)</b>					
Governance		(135,218)	(132,000)	(160,119)	(2.44%)
General Purpose Funding		(31,315)	(30,500)	(69,422)	(2.67%)
Law, Order, Public Safety		(100,032)	(98,000)	(141,470)	(2.07%)
Health		(24,366)	(22,500)	(35,550)	(8.29%)
Education and Welfare		(6,955)	(6,500)	(12,000)	(7.00%)
Housing		(14,285)	(13,500)	(15,200)	(5.82%)
Community Amenities		(98,580)	(96,500)	(181,310)	(2.16%)
Recreation & Culture		(164,211)	(162,400)	(160,169)	(1.12%)
Transport		(1,660,578)	(1,658,000)	(2,110,822)	(0.16%)
Economic Services		(57,102)	(56,500)	(98,872)	(1.07%)
Other Property and Services		(10,236)	(8,500)	(98,846)	(20.43%)
		<u>(2,302,877)</u>	<u>(2,284,900)</u>	<u>(3,083,780)</u>	
<b><u>Adjustments for Non-Cash</u></b>					
<b><u>(Revenue) and Expenditure</u></b>					
(Profit)/Loss on Asset Disposals		(105,999)	(87,052)	(87,052)	
Depreciation on Assets		718,782	482,821	813,360	
Movement current leave entitlements		-	-	-	
<b><u>Capital Revenue and (Expenditure)</u></b>					
Purchase Land Held for Resale		-	-	-	
Purchase Land and Buildings		(324,650)	(324,650)	(441,985)	
Purchase Infrastructure Assets - Roads & Footpaths, Other		(1,158,210)	(1,158,210)	(1,360,704)	
Other		(3)	-	-	
Purchase Plant and Equipment		(618,800)	(618,800)	(636,000)	
Purchase Furniture and Equipment		(6,194)	(6,194)	(12,000)	
Proceeds from Disposal of Assets		172,000	172,000	180,000	
Repayment of Debentures		(18,710)	(18,710)	(65,539)	
Repayment of Debentures		(10,505)	(10,505)		
Proceeds from New Debentures		300,000	300,000	300,000	
Transfers to Reserves (Restricted Assets)		(13,344)	(13,344)	(120,000)	
Transfers from Reserves (Restricted Assets)		-	-	100,000	
Transfer from Restricted Cash		1,473,882	1,473,882	1,457,248	
ADD Net Current Assets July 1 B/Fwd		888,795	888,795	580,215	
LESS Net Current Assets Year to Date		(1,333,388)	(1,062,859)	-	
<b>Amount Raised from Rates</b>		<u>(867,068)</u>	<u>(837,270)</u>	<u>(847,772)</u>	

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

**SHIRE OF CUBALLING**

**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**

**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

	<b>31-Mar</b>	<b>31-Mar</b>
<b>3. ACQUISITION OF ASSETS</b>	<b>Actual</b>	<b>Budget</b>
	<b>\$</b>	<b>\$</b>
The following assets have been acquired during the period under review:		
<b><u>By Program</u></b>		
Governance	4,904	12,000
Community Amenities	12,743	35,000
Recreation and Culture	312,029	406,985
Transport	1,778,178	1,996,701
Economic Services	-	-
	<b>2,107,854</b>	<b>2,450,686</b>
<b><u>By Class</u></b>		
Land and Buildings	324,650	441,985
Infrastructure Assets	1,158,210	1,360,701
Plant and Equipment	618,800	636,000
Furniture and fittings	6,194	12,000
	<b>2,107,854</b>	<b>2,450,686</b>

## SHIRE OF CUBALLING

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014

## 4. DISPOSALS OF ASSETS

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31-Mar 2014 Actual \$	31-Mar 2014 Actual \$	31-Mar 2014 Actual \$
<b>Transport</b>			
Caterpillar 120 H Motor Grader	52,840	85,000	32,160
Caterpillar 120 H Motor Grader	13,163	87,000	73,837
			-
	66,003	172,000	105,997

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31-Mar 2014 Actual \$	31-Mar 2014 Actual \$	31-Mar 2014 Actual \$
<b>Plant and Equipment</b>			
Caterpillar 120 H Motor Grader	52,840	85,000	32,160
Caterpillar 120 H Motor Grader	13,163	87,000	73,837
			-
			-
			-
			-
			-
	66,003	172,000	105,997

<u>Summary</u>	31-Mar 2014 Actual \$
Profit on Asset Disposals	105,997
Loss on Asset Disposals	
	<u>105,997</u>

**SHIRE OF CUBALLING**  
**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

**5. INFORMATION ON BORROWINGS**

(a) Debenture Repayments

Particulars	Loan Date	Years	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
<b>Recreation &amp; Culture</b>										
Loan #61 Change Rooms	31/10/2005	10	31,461		7,131	9,575	22,326	12,750	596	1,058
<b>Transport</b>										
Loan #62 - Loader	11/08/2008	10	174,562	300,000	19,470	26,178	150,064	123,885	4,898	9,362
Loan #63 - Graders	7/02/2014	8			2,611	29,784	270,216	270,217		10,349
			206,023	300,000	29,212	65,537	442,606	406,852	5,494	20,769

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

Particulars Purpose	Amount Borrowed \$	Institution	Loan Type	Term (Years)	Total Interest and Charges	Interest Rate %	Amount Used \$	Balance Unspent \$
<b>Transport</b>								
Loan #63 Graders	300,000	WATC	Debenture	8	51,522	3.9400	300,000	-



## SHIRE OF CUBALLING

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014

	31-Mar 2014 Actual \$	2013/14 Budget \$
<b>6. RESERVES</b>		
<b>Cash Backed Reserves</b>		
<b>(a) Plant and Equipment Reserve</b>		
Opening Balance	197,793	197,781
Amount Set Aside / Transfer to Reserve	3,769	5,658
Amount Used / Transfer from Reserve	-	(100,000)
	<u>201,562</u>	<u>103,439</u>
<b>(b) IT and Office Equipment Reserve</b>		
Opening Balance	9,023	9,023
Amount Set Aside / Transfer to Reserve	170	258
Amount Used / Transfer from Reserve	-	-
	<u>9,193</u>	<u>9,281</u>
<b>(c) Employee Entitlements Reserve</b>		
Opening Balance	116,019	116,019
Amount Set Aside / Transfer to Reserve	2,213	3,319
Amount Used / Transfer from Reserve	-	-
	<u>118,232</u>	<u>119,338</u>
<b>(d) Housing Reserve</b>		
Opening Balance	7,435	7,435
Amount Set Aside / Transfer to Reserve	141	216
Amount Used / Transfer from Reserve	-	-
	<u>7,576</u>	<u>7,651</u>
<b>(e) Recreation and Community Facility Res</b>		
Opening Balance	285,345	285,345
Amount Set Aside / Transfer to Reserve	5,448	8,163
Amount Used / Transfer from Reserve	-	-
	<u>290,793</u>	<u>293,508</u>
<b>(f) Refuse Site Reserve</b>		
Opening Balance	57,119	57,119
Amount Set Aside / Transfer to Reserve	1,085	1,634
Amount Used / Transfer from Reserve	-	-
	<u>58,204</u>	<u>58,753</u>
<b>(g) Grain Freight Reserve</b>		
Opening Balance	26,313	26,313
Amount Set Aside / Transfer to Reserve	500	752
Amount Used / Transfer from Reserve	-	-
	<u>26,813</u>	<u>27,065</u>
<b>(h) Equestrian Reserve</b>		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	2,000
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>2,000</u>

## SHIRE OF CUBALLING

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014

6. RESERVES	31-Mar 2014 Actual \$	2013/14 Budget \$
<b>Cash Backed Reserves continued</b>		
<b>(i) General Purpose Reserve</b>		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	98,000
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>98,000</u>
<b>Total Cash Backed Reserves</b>	<u>712,373</u>	<u>719,035</u>

All of the above reserve accounts are supported by money held in financial institutions.

6. RESERVES (Continued)	31-Mar 2014 Actual \$	2012/13 Budget \$
<b>Summary of Transfers</b>		
<b>To Cash Backed Reserves</b>		
<b>Transfers to Reserves</b>		
Plant and Equipment Reserve	3,769	5,658
Office Equipment Reserve	170	258
Employee Entitlement Reserve	2,213	3,319
Housing Reserve	141	216
Recreation and Community Facility Reserve	5,448	8,163
Refuse Site Reserve	1,085	1,634
Grain Freight Reserve	500	752
Equestrian Reserve	-	2,000
General Purpose Reserve	-	98,000
	<u>13,326</u>	<u>120,000</u>
<b>Transfers from Reserves</b>		
Plant and Equipment Reserve	-	(100,000)
IT and Office Equipment Reserve	-	-
Employee Entitlements Reserve	-	-
Housing Reserve	-	-
Recreation and Community Facility Reserve	-	-
Refuse Site Reserve	-	-
Grain Freight Reserve	-	-
Equestrian Reserve	-	-
General Purpose Reserve	-	-
	<u>-</u>	<u>(100,000)</u>
<b>Total Transfer to/(from) Reserves</b>	<u>13,326</u>	<u>20,000</u>

## SHIRE OF CUBALLING

### NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 28 FEBRUARY 2014

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Plant and Equipment Reserve

- to be used for the purchase and replacement of major items..

IT and Office Equipment Reserve

- to be used for the purchase of new and/or replacement of office equipment or furniture items.

Long Service Leave Reserve

- to be used to fund long service leave requirements.

Housing Reserve

- to be used to fund the construction of new shire housing.

Recreation and Community Facility Reserve

- to be used to fund the upgrade of the oval and associated facilities.

Refuse Site Reserve

- to be used to fund the upgrade of the refuse site.

Grain Freight Reserve

- to be used to maintain the grain freight route through the district.

Equestrian Reserve

- to be used for the maintenance and upkeep of the equestrian centre.

General Purpose Reserve

- to be used to maintain/fund various facilities throughout the district.

## SHIRE OF CUBALLING

## NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014

	31-Mar 2014 Actual \$	Brought Forward 1-Jul \$
<b>7. NET CURRENT ASSETS</b>		
<b>Composition of Estimated Net Current Asset Position</b>		
<b>CURRENT ASSETS</b>		
Cash - Unrestricted	1,700,592	900,984
Cash - Restricted Reserves	712,384	699,028
Cash - Restricted Cash	-	1,473,882
Receivables	284,076	181,530
Inventories	4,728	4,728
	<u>2,701,780</u>	<u>3,260,152</u>
<b>LESS: CURRENT LIABILITIES</b>		
Payables and Provisions	<u>(656,008)</u>	<u>(198,447)</u>
<b>NET CURRENT ASSET POSITION</b>	<b>2,045,772</b>	<b>3,061,705</b>
Less: Cash - Reserves - Restricted	(712,384)	(699,028)
Less: Cash - Restricted Municipal	-	(1,473,882)
<b>NET CURRENT ASSET POSITION</b>	<u><u>1,333,388</u></u>	<u><u>888,795</u></u>
Surplus used for budget purposes difference		580,215
Cash on hand		54,296
Receivables		44,036
Stock on hand		228
Decrease in creditors and provisions		210,020
Actual 30 June Surplus carried forward		<u><u>888,795</u></u>

Also Restricted Cash increased by \$16,634 but as this is taken off available funds to calculate the surplus it has no impact on the end result.

**SHIRE OF CUBALLING**  
**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

**8. RATING INFORMATION**

<b>RATE TYPE</b>	<b>Rate in \$</b>	<b>Number of Properties</b>	<b>Rateable Value \$</b>	<b>2013/2014 Rate Revenue \$</b>	<b>2013/2014 Interim Rates \$</b>	<b>2013/2014 Back Rates \$</b>	<b>2013/2014 Total Revenue \$</b>	<b>2013/2014 Budget \$</b>
<b>General Rate</b>								
UV - Cuballing	0.620600	224	100,766,999	618,117	-	-	618,117	633,479
GRV Cuballing	0.670440	172	178,987	124,464	(625)	-	123,839	116,143
<b>Sub-Totals</b>		<b>396</b>	<b>100,945,986</b>	<b>742,581</b>	<b>(625)</b>	<b>-</b>	<b>741,956</b>	<b>749,622</b>
<b>Minimum Rates</b>	<b>Minimum \$</b>							
UV - Cuballing	700	122	9,857,405	87,500	3,836	-	91,336	54,600
GRV Cuballing	550	158	2,307,546	83,600	-	-	83,600	88,550
<b>Sub-Totals</b>		<b>280</b>	<b>12,164,951</b>	<b>171,100</b>	<b>3,836</b>	<b>-</b>	<b>174,936</b>	<b>143,150</b>
<b>Ex gratia rates Specified Area Rates</b>							<b>916,892</b>	<b>892,772</b>
<b>Discounts</b>							<b>-</b>	<b>-</b>
<b>Totals</b>							<b>916,892</b>	<b>892,772</b>
							<b>(49,824)</b>	<b>(45,000)</b>
							<b>867,068</b>	<b>847,772</b>

All land except exempt land in the Shire of Cuballing is rated according to its Gross Rental Value (GRV) in townships or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 20012/13 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

**SHIRE OF CUBALLING**

**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**

**FOR THE PERIOD 1 JULY 2013 TO 31 MARCH 2014**

**9. TRUST FUNDS**

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

Detail	Balance 1-Jul-12 \$	Amounts Received \$	Amounts Paid (\$)	Balance \$
Badminton Club	232	-	-	232
Bonds - Building	6,839	7,550	-	14,389
Bonds - Hall Hire	1,050	50	(50)	1,050
Children Recycling Fund	1,418	-	-	1,418
Cuballing Progress	-	300	(300)	-
Commodine Tennis Club	3,190	-	(100)	3,090
Cuballing Country Festival	1,099	-	-	1,099
Cuballing Cricket Club	200	-	-	200
Cuballing Fire Brigade	3,286	-	(3,286)	-
Cuballing Football Asson	2,566	-	-	2,566
Environment and Townscape Trust Fund	5,713	-	-	5,713
LCDC East Yornaning	1,360	-	-	1,360
Police Licensing	2,933	191,859	(193,156)	1,637
Reimbursements	8,962	-	-	8,962
Swipe cards	1,090	410	(20)	1,480
Upper Hotham Project	15,027	-	-	15,027
	<u>54,965</u>			<u>58,223</u>

**10. SUPPLEMENTARY INFORMATION**

May include (not exhaustive) the following:

- Operating Statement;
- Balance Sheet;
- Debtors listings;
- Creditors listings;
- Cash/Investment summaries;
- Plant reports;
- Ratio analysis; and
- Other information considered relevant.

**Shire of Cuballing**  
**Notes on financial reports for 31 March 2014**

**General Purpose Funding**

Rates

At present rates of \$916,892 have been raised with a discount of \$49,824. This discount amount is over the budgeted discount of \$45,000. Rate debtors at 31 March are \$56,916.

**Governance**

Subscriptions

Subscriptions of \$16,105 have been paid. This comprises the following subscriptions to WALGA: Annual subscription \$6,963, Council Connect \$3,636, Members and Employee Subscription \$5,051 and Local Laws \$451.

**Law Order Public Safety**

Utilities Phone Rates and Taxes

This includes the purchase of the Yagi antenna to maintain communication in emergency situations.

**Recreation and Culture**

Halls Maintenance

This year the insurance has been allocated to relevant buildings where possible, insurance of \$6,857 has been expensed for insurances on the halls etc. In prior years this was allocation to general insurance under public works overheads.

Dryandra Regional Grants and Reimbursements

Reimbursement from the Dryandra Equestrian Association for the purchase of toilets.

**Economic Services**

Standpipe Expenditure

Includes \$3,432 for back flow devices that are required to be installed at standpipes.

**Other Property and Services**

Private Works

Private works of \$70,925 have been carried which includes \$12,600 for Department of Parks and Wildlife for the grading of Dryandra and \$10,600 to Roadwest Engineering for embankment widening and \$12,090 for the sand pad of the Equestrian Clubrooms.

Staff Training

This includes dogman tickets \$3,244, metro traffic course \$550, worksite traffic m/ment course \$4,827. Guys wages also allocated to this account when attending courses.

Parts and Repairs

Items of plant have had repair work undertaken, the main ones include seat and seatbelt for the roller of \$899, sundry plant of \$1,364, new shaft and bearing for the grader \$1,964, other work undertaken on the multi tyre roller of \$2,444. In October the main items for parts and repairs included work carried out to the loader to the value of \$3,920 for repairing the hydraulic valve, supply of parts and travel to and from the job, grader blades of \$1,380, service of the loader \$2,548, and services on the two trucks at a cost of \$1,111, repairs to the water pump of \$1,260.

**Shire of Cuballing**  
**Notes on financial reports for 31 March 2014**

**Other**

**Capital Items**

Expenditure on capital items includes the following:

- Roads \$1,158,209
- Graders 618,800
- Equestrian Centre 296,062
- Council Chairs 4,904
- Upgrade to Cemeteries 8,813
- Mens shed 2,640
- Rec centre 9,463
- Halls 3,797
- Tourist precinct 1,290



## 9.1.69 SALE OF LAND

---

Location/Address:	Whole of shire
Reporting Officer:	Leanne Shields – Rates Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	2.4
Budget Implications:	Minimal
File Reference:	Rates 7
Voting Requirements:	Absolute Majority

### PURPOSE

The Shire of Cuballing Council is requested to consider the sale of three properties which have rates in arrears by three or more years to recover the outstanding rates, service charges and summons costs.

### BACKGROUND

- **LOT 106 BULLARA STREET, CUBALLING – RESIDENCE/HOUSE**

Rates for A149 have remained unpaid since August 2009. Every year the Shire has issued the Rate Notice, Overdue Notice, Final Notice and a Notice of Intent Letter (demand letter) from the rates department to the last known address. The notices and letters haven't been returned to the Shire Office as the owner resides at the property.

Summons had previously been issued and served on the 31 May 2012. I'm unsure of previous summons as I took this on in September 2009 and I'm unable to locate a trace of any documentation.

Total outstanding as at 2 April 2014 - **\$4,510.06**

Rates	\$3,014.01
ESL	\$265.00
Penalty Interest	\$1,008.61
Legal Fees	\$222.44

- **LOT 110 ALEXANDRA STREET, POPANYINNING – VACANT LAND**

Rates for A506 have remained unpaid since August 2010. Every year the Shire has issued the Rate Notice, Overdue Notice, Final Notice, a Notice of Intent Letter (demand letter) from the rates department to the last known address, countless telephone calls and messages. The notices and letters haven't been returned to the Shire Office as the owner's current address is correct.

The first summons was issued approximately 2008 and went on a payment plan of \$50 per fortnight which they defaulted on. A second summons was issued and served on the 11 April 2012 and made a payment plan arrangement of \$50 per fortnight but made no attempt to pay.

Total outstanding as at 2 April 2014 - **\$2,809.06**

Rates	\$1,836.18
ESL	\$222.00
Penalty Interest	\$491.35
Legal Fees	\$259.53

• **LOT 33 CORRIE STREET, CUBALLING – VACANT LAND & LOT 350 CUBALLING STREET, CUBALLING – RESIDENCE / HOUSE**

Rates for A2479 & A25 have remained unpaid since August 2010 & August 2008 (paid half February 2012). Every year the Shire has issued the Rate Notice, Overdue Notice, Final Notice, a Notice of Intent Letter (demand letter) from the rates department to the last known address, countless telephone calls and messages. The notices and letters haven't been returned to the Shire Office as the owner resides at the property.

Has not paid rates on this vacant block of land since he purchased in May 2010.

Total outstanding as at 2 April 2014 - **\$2,586.63** (A2479)

Rates	\$1,885.00
ESL	\$222.00
Penalty Interest	\$479.63
Legal Fees	\$0.00

Total outstanding as at 2 April 2014 - **\$3,446.00** (A25)

Rates	\$2,616.26
ESL	\$117.00
Penalty Interest	\$712.74
Legal Fees	\$0.00

### **COMMENT**

The sale of any property to recover unpaid rates and service charges is a course of action that the Shire normally wishes not to pursue; however, other legal proceedings haven't been successful in these cases.

Ample opportunity will exist for the ratepayer to pay outstanding in full or offered a suitable payment plan to stop sale of land.

The Shire's Rates Department will be handling all matters in relation to the sale of the properties in conjunction with the CEO. Costs to sell the properties will be incurred and recoverable under section 6.56 of LGA. These funds will be received when the sale of the property has occurred.

These properties have been accruing debt since 2008 and will continue to do so until the properties are sold.

### **STATUTORY IMPLICATIONS**

Relevant legislation:  
Local Government Act 1995

#### **Section 6.55 - Recovery of rates and service charges**

*(1) Subject to subsection (2) and the Rates and Charges (Rebates and Deferments) Act 1992 rates and service charges on land are recoverable by a local government from*  
*(i) the owner at the time of the compilation of the rates record;*

**\* Absolute majority required.**

Section 6.56 – Rates or service charges recoverable in court

*(1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction*

**Section 6.64 – Actions to be taken**

(1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –*

*(b) sell the land;*

**\* Absolute majority required.**

**Section 6.68 – Exercise of power to sell land**

(1) *Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the power of sale ) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.*

(2) *A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government –*

*(a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*

*(b) having made reasonable efforts to locate the owner of the property is unable to do so.*

(3A) *A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.*

(3) *Schedule 6.3 has effect in relation to the exercise of the power of sale.*

**Section 6.69 – Right to pay rates, service charges and costs, and stay proceedings**

(1) *Up to 7 days prior to the time of the actual sale of any land for non-payment of rates or service charges a person having an estate or interest in the land may pay the rates or service charges and the costs and expenses incurred to that time in proceedings relating to the proposed sale.*

(2) *At any time after the 7 days referred to in subsection (1) but prior to the time of the actual sale of any land the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.*

(3) *On payment being made under subsection (1) or (2) the proceedings relating to the proposed sale are stayed and the local government is required to make such notifications and take such measures as are prescribed in relation to the payment and the cancellation of the proposed sale.*

**COUNCIL DECISION**

That The Shire of Cuballing approves the request to sell A149, A506, A2479 & A25 to recover outstanding rates, service charges and legal fees under section 6.64 (1b) of the Local Government Act 1995 to sell land that has outstanding rates for 3 years or more.

**MOVED: Cr Newman**

**SECONDED: Cr Dowling**

***Carried by Absolute Majority 6/0***

## 9.1.71 CAVEAT SUNDRY DEBTOR

---

<b>Location/Address:</b>	<b>Whole of shire</b>
<b>Reporting Officer:</b>	Leanne Shields – Rates Officer
<b>Enabling Legislation:</b>	<b>Local Government Act 1995</b>
<b>Council Policy:</b>	<b>2.4</b>
<b>Budget Implications:</b>	Minimal
<b>File Reference:</b>	<b>Finance</b>
<b>Voting Requirements:</b>	Absolute Majority

### PURPOSE

The Shire of Cuballing Council is requested to consider the lodgement of a caveat on a property belonging to Lance Smith to recover outstanding private works account.

### BACKGROUND

A summons was issued in September 2012. Please see attached document "Notice of Non Service by Bailiff – Attempts to Service" received October 2012 advising of findings.

### STATUTORY IMPLICATIONS

Relevant legislation:

Local Government Act 1995

#### **Section 6.55 - Recovery of rates and service charges**

*(1) Subject to subsection (2) and the Rates and Charges (Rebates and Deferments) Act 1992 rates and service charges on land are recoverable by a local government from*

*(i) the owner at the time of the compilation of the rates record;*

*\* Absolute majority required.*

#### **Section 6.56 – Rates or service charges recoverable in court**

*(1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction*

#### **Section 6.64 – Actions to be taken**

*(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –*

*(b) sell the land;*

*\* Absolute majority required.*

#### **Section 6.68 – Exercise of power to sell land**

*(1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the power of sale ) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.*

*(2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government –*

*(a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*

*(b) having made reasonable efforts to locate the owner of the property is unable to do so.*

*(3A) A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under*

section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.

(3) Schedule 6.3 has effect in relation to the exercise of the power of sale.

**Section 6.69 – Right to pay rates, service charges and costs, and stay proceedings**

(1) Up to 7 days prior to the time of the actual sale of any land for non-payment of rates or service charges a person having an estate or interest in the land may pay the rates or service charges and the costs and expenses incurred to that time in proceedings relating to the proposed sale.

(2) At any time after the 7 days referred to in subsection (1) but prior to the time of the actual sale of any land the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.

(3) On payment being made under subsection (1) or (2) the proceedings relating to the proposed sale are stayed and the local government is required to make such notifications and take such measures as are prescribed in relation to the payment and the cancellation of the proposed sale.

**COMMENT**

The lodgement of a caveat is a course of action that the Shire normally wishes not to pursue; however, other legal proceedings haven't been successful in this case.

Ample opportunity will exist for the debtor to pay outstanding account in full to remove the caveat.

The Shire's Rates Department will be handling all matters in relation to the lodgement of the caveat in conjunction with the CEO. Costs to lodge the caveat will be incurred and recoverable when the debtor pays in full.

This account has been outstanding since and will incur interest until the account is paid in full.

**COUNCIL DECISION:**

That The Shire of Cuballing approves the request to lodge a caveat on a property owned by Mr Lance Smith to recover private works outstanding account under section 6.64 (3) of the Local Government Act 1995

**Moved: Cr Newman**

**Seconded: Cr Ballantyne**

***Carried by Absolute Majority 6/0***

Claimant Copy

MAGISTRATES COURT of WESTERN AUSTRALIA  
(CIVIL JURISDICTION)  
**NOTICE OF NON SERVICE BY BAILIFF**  
Form 12

Registry: Merredin

Case No: MC/CIV/MER/MINOR/62/2012

Claimant: SHIRE OF CUBALLING (ABN:48249968875)

Defendant: Lance Bradford Smith

Take notice that the Defendant has not been served with the claim issued in this case.

Document Type: Form 4 - Minor Case ClaimForm 4 - Minor Case ClaimForm 4 - Minor Case ClaimForm 4 - Minor Case Claim

Attempts at Service:

26/09/12 13:25

Vacant property. Appears to be a new dwelling nearing completion, no one living here yet. Went to neighbours to confirm when occupants left and any other details but no answer. Left card on the front door.

In office:

Received call from Lance on a blocked number advising that he sold this property 2 months ago, no forwarding address or contact number forthcoming. He said he will sort this out directly with the shire.

Bailiff office have had many previous dealings with this debtor He will often call and refuse to give his current whereabouts. Online searches list him as the owner of several properties around WA including- 8 Rockett St, Northam 6401- vacant block;

700 Great Eastern hwy, Bakers Hill; 4606 Great Eastern Hwy, Bakers Hill (700-4606 adjoining blocks); 39 Beeston St, Cuballi (rental in Sept'11 Central Realty 9881 3388); 479B Bickley Rd, Kenwick (behind 479A); 1/50 Bates St, Merredin; 2/40 Duff St,

Merredin (Bates St-Duff St adjoining blocks, on intersection, appears to be residence on them). No phone listed at any address. All previous contact he has been polite but evasive. If still required suggest application for substituted service.

Date: 28/09/2012

  
Assistant Bailiff for Merredin

To: The claimant/lawyer  
For your information.  
Registrar: Merredin

SHIRE OF CUBALLING (ABN:48249968875)  
22 CAMPBELL STREET

CUBALLING WA 6311



## 9.2.108 BITUMINOUS SURFACING QUALITY ASSURANCE POLICY

---

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

### Background

Council does not have a policy regarding Bituminous Surfacing and given the potential for environmental factors and contractor errors, it may be beneficial to adopt clear guidelines for staff benefit.

### Comment

This policy will ensure that all future applications of Bituminous Surfacing within the Shire of Cuballing will be applied as per Main Roads WA Specification to reduce the risk of potential future surfacing failures.

### COUNCIL DECISION:

That the Council adopt the Bituminous Surfacing Quality Assurance Policy as follows:

#### Bituminous Surfacing Quality Assurance Policy

The following policy has been developed to ensure that all future applications of Bituminous Surfacing within the Shire are applied as per Main Roads WA Specification, to reduce the risk of potential future surfacing failures.

- 1 Either the Works Supervisor, or their nominee, is to be present onsite at all times whilst bitumen surfacing works are being carried out and that a Primer Sealing/Sealing Record Sheet is completed for each run in its entirety to ensure that the entire application is as per the relevant Main Roads WA specification.
- 2 Any “Request for Tender/Quote” documentation which refers to the relevant MRWA bituminous surfacing specification is to be worded accordingly, to ensure that both the Shire representative (as in 1 above) and the contractor’s onsite supervisor inspect the texture of the road surface prior to commencement of any works.

In the absence of clear specifications within the tender/quotation documentation, the consideration of other factors, such as known traffic conditions, climatic conditions, aggregate size and any other factors are to be determined and agreed between the Shire representative and the Contractor’s onsite supervisor prior to commencing the works and establishing the Binder Application Rate/Rates.

**3. The Works Supervisor or their representative to ensure the product delivered to site is the blend requested as per the seal design and relevant product and surface temperatures have been achieved prior to any application.**

**Moved: Cr Ballantyne**

**Seconded: Cr Dowling**

*Carried 6/0*



### 9.3.41 ROAD CLOSURE

---

**Location/Address:** Whole of shire  
**Reporting Officer:** Bob Walker – Works Manager  
**Enabling Legislation:**  
**Council Policy:** Nil  
**Budget Implications:**  
**File Reference:**  
**Voting Requirements:** Simple Majority

#### Background

Mr Wayne Bird of Bird's Silos is the owner of a number of blocks in an area bounded by Howard St, Forrest St, Spragg St and the Great Southern Hwy in Popanyinning.

Mr Bird is wishing to lease and then consequently purchase and amalgamate a number of blocks (Lands Department owned and UCL) into a more manageable entity with other blocks already owned by Birds Silo's.

He has approached the Department of Lands (Landgate) and has received a positive response to his current lease purchase request application.

A map and a copy of an email reply from the Department of Lands is attached for Council Information

#### Comment

Upon a satisfactory agreement being made between interested land owners at the aforementioned site, Council will be required to formalise the closure of the road (ROW). This may yet be some time before all the required agreements are in place. I have not been privy to earlier discussions on the lease/freehold arrangements. I believe that Bird's Silos (Mr Wayne Bird) should be responsible for any costs being borne by the Shire of Cuballing relating to the future road closure.

#### OFFICER RECOMMENDATION:

For Council Information at this time

**Moved**

**Seconded**

#### COUNCIL DECISION:

That the Right of Way from **part** way along lot 323 (situated on the corner of Spragg Street and the Right of Way) to the termination at Howard Street be closed.

**Moved: Cr Haslam**

**Seconded: Cr Ballantyne**

**Carried 6/0**

## CEO - Cuballing Shire

---

**From:** O'Hehir, Carmen <Carmen.O'Hehir@lands.wa.gov.au>  
**Sent:** Monday, 7 April 2014 8:53 AM  
**To:** ceo@cuballing.wa.gov.au; birdssilos@wn.com.au  
**Cc:** Hendren, Rick  
**Subject:** Popanyinning lots

Hello Wayne and Eva

Thank you for meeting with Avril and I on Wednesday to discuss the lease/freehold of Lots 24, 25, 26, 332, 331 and 330 Francis Street, Popanyinning.

I have discussed with my manager your request to include Lots 331 and 330 into the new lease and subsequently include in the amalgamation and freehold investigation. My manager has confirmed that there is no objection to this, with the proposed amalgamation and freehold being subject to Main Roads WA and Department of Planning agreement being forthcoming.

Wayne, would you please confirm that you wish to include Lots 331 and 330 into your new lease and in the amalgamation and freehold investigation? Also, please confirm the extent of the road closure area. i.e. will the road be closed to the northern boundary of Lot 330 or the northern boundary of Lot 331? If the road is closed to the northern boundary of Lot 330 then the freehold owner of Lot 323 will need to be offered portion of the closed road in line with current policy. You may wish to liaise with the owner of Lot 323 and obtain their comments and provide to this department. Should the owner of Lot 323 not be interested in any portion of the road then this will be offered to yourself.

Once the extent of the road closure has been determined, the Shire of Cuballing will then be required to undertake the road closure formalities as per the Table C and as discussed in our meeting on Wednesday.

My manager has agreed that Lot 201 remain separate and for the amalgamation of the leased area, road closure area and freehold Lots 33, 328, 35 and 36 into one composite lot to proceed.

Our department will now seek a current unimproved market rental valuation for the new lease area.

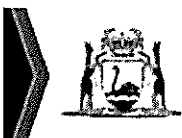
In relation to clearing the land, the lessee must obtain any authorisation required for any conduct, activity or use undertaken on the leased premises to comply with environmental law. You may wish to discuss the requirements and obligations to clear the leased premises with the Department of Environment Regulation (DER). A clearing permit may need to be obtained through DER.

Kind regards

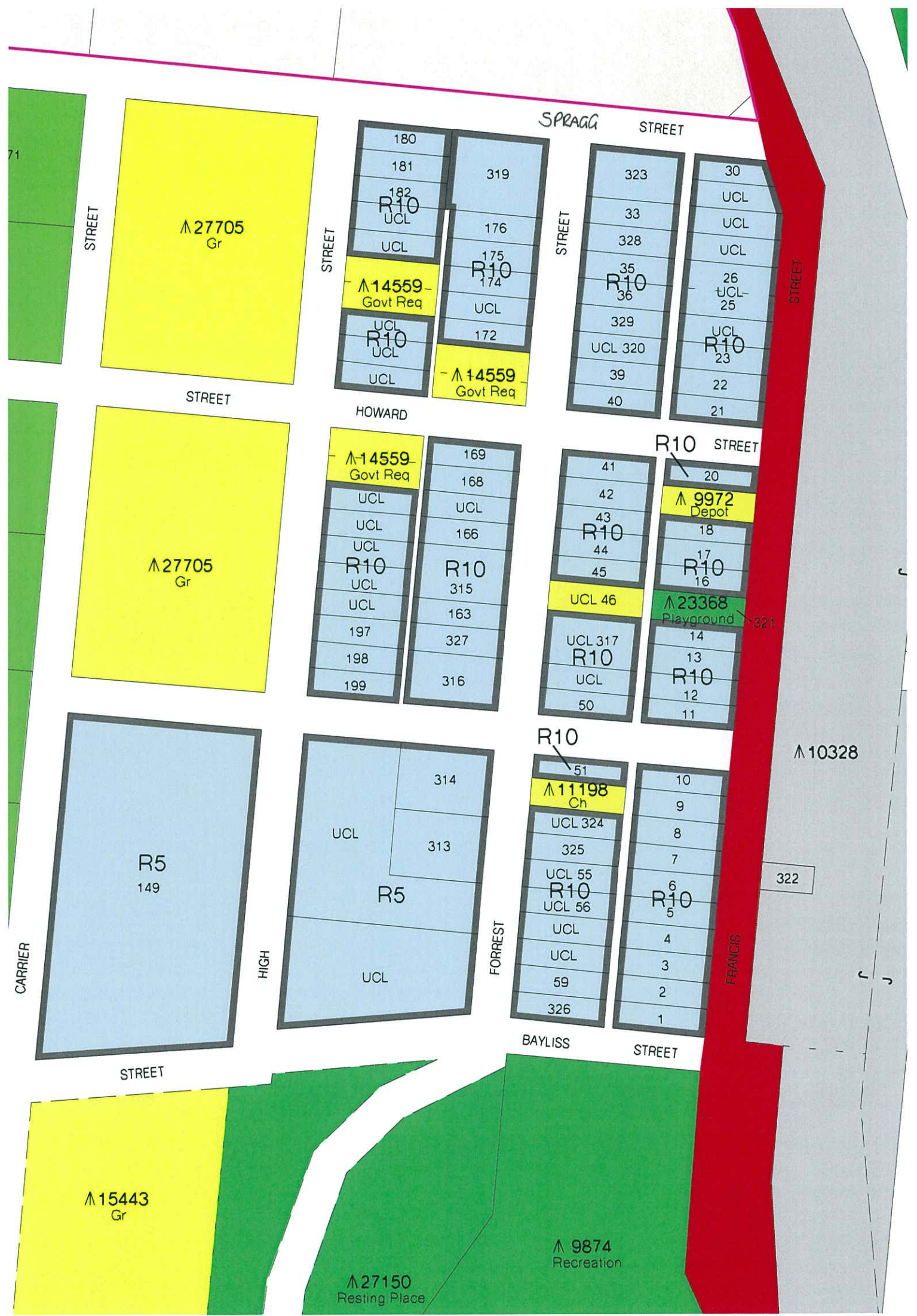
Carmen O'Hehir

A/Senior State Land Officer  
Goldfields Esperance and Wheatbelt  
Level 11, 140 William Street Perth WA 6000  
T (08) 6552 4788  
F (08) 6552 4417

W [www.lands.wa.gov.au](http://www.lands.wa.gov.au)



Government of Western Australia  
Department of Lands



STREET

71

▲ 27705  
Gr

180  
181  
182  
R10  
UCL

319  
176  
175  
R10  
174  
UCL

172

▲ 14559  
Govt Req

UCL  
R10  
UCL

UCL

▲ 14559  
Govt Req

SPRAGG STREET

323  
33  
328  
35  
R10  
36  
329  
UCL 320  
39  
40

30  
UCL  
UCL  
UCL  
26  
UCL-  
25  
UCL  
R10  
23  
22  
21

STREET

STREET

▲ 27705  
Gr

HOWARD

▲ 14559  
Govt Req

169  
168  
UCL  
UCL  
UCL  
R10  
UCL  
UCL  
197  
198  
199

166  
R10  
315  
163  
327  
316

R10 STREET

41  
42  
43  
R10  
44  
45

20  
▲ 9972  
Depot  
18  
R10  
17  
R10  
16

UCL 46

▲ 23368  
Playground

UCL 317  
R10  
UCL  
50

14  
R10  
13  
12  
11

CARRIER STREET

R5  
149

HIGH STREET

314  
313  
R5  
UCL

FORREST STREET

R10

51  
▲ 11198  
Ch  
UCL 324  
325  
UCL 55  
R10  
UCL 56  
UCL  
UCL  
59  
326

10  
9  
8  
7  
6  
R10  
5  
4  
3  
2  
1

▲ 10328

322

STREET

▲ 15443  
Gr

BAYLISS STREET

▲ 27150  
Resting Place

▲ 9874  
Recreation

FRANCIS STREET

10. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11. OTHER URGENT BUSINESS

**COUNCIL DECISION:**

That the urgent business items 11.1.50 and 11.1.51 be considered.

Moved: Cr Bradford

Seconded: Cr Ballantyne

*Carried 6/0*

### 11.1.51 APPLICATION FOR EXPLORATION LICENSE 70/4595

---

**Location/Address:** As per attached map  
**Reporting Officer:** Eva Haydon – Chief Executive Officer  
**Enabling Legislation:** Local Government Act 1995as amended  
**Date:** 14 April 2014  
**Council Policy:** Nil  
**Budget Implications:** Nil  
**File Reference:**  
**Voting Requirements:** Simple Majority

#### Background

M & M Walter Consulting have advised of an application for an exploration license on the land depicted on the attached map. The applicant is Darling Range South Pty Ltd.

#### Comment

Nil

#### COUNCIL DECISION:

That the information be received

Moved: Cr Bradford

Seconded: Cr Newman

*Carried 6/0*

**12. NEXT MEETING**

Thursday 15 May 2014, commencing at 3.00pm

**13. CLOSURE OF MEETING**

There being no further business, the meeting closed at 4.00pm