

SHIRE
OF

CUBALLING

**COUNCIL MEETING
HELD ON 20 FEBRUARY 2014**

MINUTES

These minutes were confirmed at a meeting on.....27/3/2014.....

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

Date:.....27/3/2014.....

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 20 FEBRUARY 2014

MINUTES

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1. **OPENING - ANNOUNCEMENT OF VISITORS**

Meeting commenced at 3.10pm

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

Cr Mark Conley	President
Cr Roger Newman	Deputy President
Cr Tim Haslam	
Cr Scott Ballantyne	
Cr Dawson Bradford	
Cr Eliza Dowling	
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 Newman

Seconded: Cr Dowling

Carried 6/0

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

Nil

6. **MINUTES**

6.1 CONFIRMATION OF 19 DECEMBER 2013 ORDINARY MEETING OF COUNCIL

COUNCIL DECISION

That the minutes and the item held in confidence (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on December 2013 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.

Cr D Bradford declared a proximity interest in item 9.2.95

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

9.1.51 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – DECEMBER 2013 & JANUARY 2014

Location/Address:	Not applicable
Date:	3 February 2014
Reporting Officer:	Nichole Gould, Admin 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: \$457,761.30 (December 2013: \$219,982.80 January 2014: \$237,778.50)

Electronic Fund Transfers/Chq:	\$425,543.49
Credit Card:	\$2456.96

Trust

Electronic Funds Transfers	\$29,760.85
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Moved: Cr Newman

Seconded: Cr Ballantyne

Carried 6/0

Accounts Due and Submitted to Council - December 2013

Date	Name	Description	Amount
02/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-67.30
16/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-41.65
17/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-3834.75
18/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-485.05
19/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-397.90
20/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-4635.10
23/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-5413.90
24/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-744.90
27/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1047.15
30/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-210.45
04/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1118.20
06/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-762.00
09/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-494.40
10/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-949.55
11/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1366.70
12/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-388.30
13/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-191.80
01/12/2013	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-292.45
02/12/2013	Cuballing Christmas Tree	CUBALLING CHRISTMAS TREE DONATION	-150.00
02/12/2013	Popanyinning Progress Association	donation to the annual popanyinning christmas tree	-150.00
12/12/2013	Air Liquide PTY LTD	rental gas cylinders	-102.60
12/12/2013	All Services Roads	traffic control on Wandering Narrogin road	-220.00
12/12/2013	BEAUREPAIRERS	repair tyre CNO	-41.41
12/12/2013	BUILDERS REGISTRATION BOARD Building Commission	payment November	-429.50
12/12/2013	C&D Cutri	culvert works on various roads	-68519.00
12/12/2013	CORNER'S AUTOMOTIVE ELECTRICS	Install VHF radio to truck CN 026	-214.50
12/12/2013	CUBY ROADHOUSE	November account - various	-240.93
12/12/2013	Cuby Tavern	November meals	-411.40
12/12/2013	FUJI XEROX	photocopy charges month Nov	-617.85
12/12/2013	GREAT SOUTHERN FUEL SUPPLIES	fuel and oil	-8967.76

12/12/2013 LANDGATE	interim valuations	-248.60
12/12/2013 LRA Civil Pty Ltd	Hire of multityre roller various jobs	-5282.75
12/12/2013 Lg People	final payment workforce planning agreement	-16500.00
12/12/2013 Linton's Electrical Service	repairs to office lights and fluro light Popo Hall	-970.20
12/12/2013 MECHANICAL AND DIESEL SERVICES	service cat loader CN92	-1272.15
12/12/2013 MJ & JL Dyke	repairs cat loader and bomag roller	-1134.11
12/12/2013 McDougall Weldments	parts for various jobs	-772.37
12/12/2013 Melchiorre Plumbing And Gas	repairs to toilets	-345.84
12/12/2013 NARROGIN FRUIT MARKET	sandwiches	-63.00
12/12/2013 Narrogin Hire Service And Reticulation	parts	-383.20
12/12/2013 Narrogin Packaging	paper towels, bin liners and toilet rolls	-383.26
12/12/2013 PAGE TRUCK HIRE	Push Popo tip	-950.00
12/12/2013 PERTH SAFETY PRODUCTS	bollards for various roads	-1301.30
12/12/2013 PHONOGRAPHIC PERFORMANCE COMPANY	licence for public venues re music and music on hold	-237.49
12/12/2013 Staples Australia Pty Ltd	stationery	-120.38
12/12/2013 TOLL IPEC (COURIER AUSTRALIA)	freight	-47.39
12/12/2013 TRACKSPARES	30 cutting edge 5/8	-1716.00
12/12/2013 WESTRAC	parts	-43.12
12/12/2013 Narrogin Sports & Camping	DONATION OF SCHOOL PRIZE	-100.00
23/12/2013 Avon Waste	bulk bin service and rent	-1270.92
23/12/2013 BILL & BENS	Rolls for christmas function	-37.35
23/12/2013 BURGESS RAWSON (WA) PTY LTD	water usage	-75.66
23/12/2013 COVS	repairs P307	-23.93
23/12/2013 EDWARDS MOTORS PTY LTD	service CN0 120,000km	-832.15
23/12/2013 FARMWORKS RURALCO	cement and postrcrete	-261.25
23/12/2013 Great Southern Street Frames	roof cemetery	-2400.00
23/12/2013 NARROGIN EARTHMOVING AND CONCRETE	sand pad for equestrian centre	-6897.00
23/12/2013 REINFORCED CONCRETE PIPES	Pipes Reeds road	-17787.00
23/12/2013 SNAP FREMANTLE	rates stationery	-1023.60
23/12/2013 SOUTHERN LOCK AND SECURITY	keys	-218.50
23/12/2013 Staples Australia Pty Ltd	stationery	-101.76
23/12/2013 Stewart And Heaton Clothing Co	protective clothing	-1350.14
23/12/2013 TOLL IPEC (COURIER AUSTRALIA)	freight - fire fighters clothing and stationery	-25.33

23/12/2013 WILSON'S SIGN SOLUTIONS	signs for honour board	-385.00
23/12/2013 Boral Construction Materials Group	patching various roads	-4092.00
24/12/2013 BGC Quarries	GRANITE	-27081.92
24/12/2013 Fairway Carriers	CARTAGE	-6897.00
24/12/2013 KNIGHTLINE COMPUTERS	1.5M CABLE	-29.95
24/12/2013 NARROGIN FRUIT MARKET	salads and fruit for staff party	-375.00
24/12/2013 Narroging Country Fresh Meats	staff party meat	-297.60
24/12/2013 ROAD SIGNS AUSTRALIA	combo signs	-1624.70
17/12/2013 10 - ANNITTEL	ANNITTEL	-116.49
03/12/2013 WA Local Government Super Plan	Superannuation contributions	-6242.22
03/12/2013 RAMSAY SUPERANNUATION	Superannuation contributions	-179.46
03/12/2013 MATRIX SUPERANNUATION	Superannuation contributions	-174.97
03/12/2013 SPECTRUM SUPER	Superannuation contributions	-316.06
03/12/2013 Westscheme	Superannuation contributions	-172.15
03/12/2013 Westscheme	Superannuation contributions	-162.16
03/12/2013 Westscheme	Superannuation contributions	-172.15
03/12/2013 Westscheme	Superannuation contributions	-162.16
03/12/2013 HOSTPLUS SUPER	Superannuation contributions	-367.24
03/12/2013 PRIME SUPER	Superannuation contributions	-315.18
06/12/2013 Shire of Cuballing (CASH)	Petty cash reconciliation 6/12/13	-442.15
12/12/2013 BUILDING & CONSTRUCTION INDUSTRY TRAINING	November payment	-564.00
12/12/2013 DEPARTMENT OF TRANSPORT	licence Ocn-01	-283.80
12/12/2013 SYNERGY	power street lights	-513.15
12/12/2013 Telstra	mobile phone bills	-262.21
12/12/2013 Water Corporation	standpipe water charges	-295.80
17/12/2013 Shire of Cuballing (CASH)	COLES CARD	-500.00
23/12/2013 Water Corporation	Water charge various	-627.92
23/12/2013 Telstra	phone charges	-434.48

Municipal	-197327.62
Trust	-22441.55
Credit Card	-213.63
TOTAL	-219982.80

Accounts Due and Submitted for Council - January 2014

Date	Name	Description	Amount
08/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-2062.05
20/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-200.00
09/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1005.60
10/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1021.45
13/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-16.20
14/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-677.05
15/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-60.60
21/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-76.10
22/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-1578.90
23/01/2014	4 - POLICE LICENSING PAYMENTS	POLICE LICENSING PAYMENTS	-621.35
15/01/2014	Air Liquide PTY LTD	rental gas cylinders	-102.60
15/01/2014	Avon Waste	Bulk bin service and rent	-1270.92
15/01/2014	BEAUREPAIRS	tyres and tubes	-867.62
15/01/2014	BUILDERS REGISTRATION BOARD Building Commission	December payment	-35.50
15/01/2014	Birds Silos & Shelters	repair tarp at skate park	-264.00
15/01/2014	Borgas Engineering	crane hire for box culvert snd slab unloading	-990.00
15/01/2014	CUBY ROADHOUSE	December monthly account	-534.94
15/01/2014	DEWS MINI EXCAVATIONS	Popo West Road	-470.25
15/01/2014	Earl Street Surgery	medical check	-99.00
15/01/2014	FUJI XEROX	photocopying costs	-130.09
15/01/2014	Filters Plus	parts	-89.10
15/01/2014	Lr Sims & Co	Progress payment Equestrian Centre	-123377.64
15/01/2014	MAKIT NARROGIN HARDWARE	various	-118.60
15/01/2014	MECHANICAL AND DIESEL SERVICES	service grader	-932.25
15/01/2014	Melchiorre Plumbing And Gas	install 2 RP2D and 3 Tundish back flow prevention devices	-3775.81
15/01/2014	Narrogin Packaging	toilet products	-352.97
15/01/2014	PAGE TRUCK HIRE	Monthly bobcat hire re push Popo tip	-1100.00
15/01/2014	ROAD SIGNS AUSTRALIA	boxed edges for RRG Narrogin Wandering road	-330.00
15/01/2014	SOUTHERN LOCK AND SECURITY	key cut	-44.00

15/01/2014 TOLL IPEC (COURIER AUSTRALIA)	freight various	-157.29
15/01/2014 Tyuen Construction	Fitting locks to Popo toilets	-185.90
15/01/2014 WA Fire Appliances	parts	-103.18
15/01/2014 WESTRAC	various parts	-395.20
15/01/2014 itvision	ATO software required	-550.00
15/01/2014 NARROGIN CARPETS AND CURTAINS	repairs	-33.00
15/01/2014 LANDGATE	mining tenements schedule	-35.65
21/01/2014 ELIZA ALICE DOWLING	return of nomination fee October Election 2013	-80.00
28/01/2014 MICHELLE KATHRYN ATWELL	Reimbursement for expenses incurred during trellis Training 12-24/01/14	-271.70
28/01/2014 CHAD HAWKSLEY	Withholding tax incorrectly allocated to councillors fees	-150.00
28/01/2014 Carol MCDUGALL	Council Meeting Fees	-450.00
28/01/2014 Dawson R Bradford	Council Meeting Fee - Oct, Nov & Dec	-450.00
28/01/2014 ELIZA ALICE DOWLING	Council Meeting Fee - Oct, Nov & Dec	-450.00
28/01/2014 MARK CONLEY	Council Meeting and President Allowance	-2925.00
28/01/2014 PETER SCOTT BALLANTYNE	Council Meeting Fees Oct, Nov & Dec	-450.00
28/01/2014 ROGER DAVID JOHN NEWMAN	Council Meeting Fees - July, August, Sept, Oct, Nov, Dec	-900.00
28/01/2014 THOMAS WITTWER	Council and president allowance Fees	-2475.00
28/01/2014 TIMOTHY PHILLIP HASLAM	Council Meeting Sitting Fees - July, August, Sept, Oct, Nov, Dec	-900.00
31/01/2014 BGC Quarries	granite various jobs	-7952.31
31/01/2014 BITUTEK	sealing various roads	-7265.50
31/01/2014 Ballards Of Narrogin	liquid gas	-122.00
31/01/2014 Bullivants	4 x 5T swift lift clutches	-1163.93
31/01/2014 CORNER'S AUTOMOTIVE ELECTRICS	fit radio to truck	-214.50
31/01/2014 COVS	parts	-29.55
31/01/2014 DYNAMIC PRINT	envelopes	-247.01
31/01/2014 Dryandra Farms	transport vbe roller	-385.00
31/01/2014 Fairway Carriers	freight pipes	-1936.00
31/01/2014 Fire & Safety WA	protective clothing boots fire fighting	-532.84
31/01/2014 GREAT SOUTHERN FUEL SUPPLIES	fuel	-10198.76

31/01/2014	MECHANICAL AND DIESEL SERVICES	service parts loader and parts fire unit	-3073.40
31/01/2014	McDougall Weldments	repairs and parts	-420.65
31/01/2014	NARROGIN AGRICULTURAL REPAIRS	parts parts	-3.80
31/01/2014	NARROGIN AUTO ELECTRICALS	parts	-122.00
31/01/2014	NARROGIN BEARING SERVICES	parts	-15.84
31/01/2014	NARROGIN EARTHMOVING AND CONCRETE	concrete	-760.10
31/01/2014	Narrogin Pumps Solar and Spraying	parts	-142.68
31/01/2014	PAGE TRUCK HIRE	vairous jobs	-11748.00
31/01/2014	Safety Barriers WA Pty Ltd	supply 40 meters guardrail with posts, blocks etc	-4600.00
31/01/2014	Staples Australia Pty Ltd	stationery - various	-165.81
31/01/2014	Stewart And Heaton Clothing Co	protective clothing fire fighters	-1191.78
31/01/2014	TOLL IPEC (COURIER AUSTRALIA)	freight various items	-77.84
17/01/2014	10 - ANNITTEL	ANNITTEL	-116.49
07/01/2014	HOSTPLUS SUPER	Superannuation contributions	-367.24
07/01/2014	PRIME SUPER	Superannuation contributions	-373.82
07/01/2014	SPECTRUM SUPER	Superannuation contributions	-193.38
07/01/2014	RAMSAY SUPERANNUATION	Superannuation contributions	-179.46
07/01/2014	WA Local Government Super Plan	Superannuation contributions	-6278.45
07/01/2014	MATRIX SUPERANNUATION	Superannuation contributions	-174.97
07/01/2014	Westscheme	Superannuation contributions	-172.15
07/01/2014	Westscheme	Superannuation contributions	-162.16
07/01/2014	Westscheme	Superannuation contributions	-172.15
07/01/2014	Westscheme	Superannuation contributions	-162.16
15/01/2014	Lr Sims & Co	slab and preparation carried out by Shire employees	-13300.00
15/01/2014	DEPARTMENT OF TRANSPORT	licences for plant	-74.55
15/01/2014	SYNERGY	various western power accounts	-3075.65
15/01/2014	Telstra	various phone accounts	-1010.51
15/01/2014	Water Corporation	water various accounts	-1323.61
29/01/2014	TERRANCE MICHAEL WATTS	Rates refund for assessment A195 124 FRANCIS STREET POPANYINNING WA 6309	-316.39
30/01/2014	Shire of Cuballing (CASH)	Petty Cash reconciliation January 2014	-442.55
31/01/2014	A&A Corasaniti	J151	-1963.49
31/01/2014	Commander	commander payament for phone system	-140.18

17+9

Municipal
Trust
Credit Card
Total

-228215.87
-7319.30
-2243.33
-237778.50

9.1.52 STATEMENT OF FINANCIAL ACTIVITY

Location/Address: Not applicable
Date: 31 January 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 January 2014, be received.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 6/0

4751

Bank Reconciliation for the month of January 2014

	Municipal Fund	Trust Fund	Reserve Accts
Opening balance	\$2,206,292.42	\$56,229.82	\$ 703,441.57
Income	\$242,496.00	\$16,783.90	
Add interest	4,233.03	-	8,161.32
Adjustment	\$0.00	-	
Expenditure	-\$276,222.70	-\$16,576.61	
Closing balance	\$2,176,798.75	\$56,437.11	\$ 711,602.89
Bank account	\$450,744.53	\$56,397.56	\$ 2,903.89
Investments	\$1,728,663.00	0.00	\$ 708,699.00
Plus O/S deposits	11.00	39.55	
Less O/S cheques	-\$2,619.78	-	
Closing balance	\$2,176,798.75	\$56,437.11	\$ 711,602.89

Investments 31 January 14

Account Number	Maturity Date	Interest Rate	Fund/Account		
			Municipal	Trust	Reserve
24455506	Cash Deposit	2.50%	-	-	708,699.00
34681402	Cash Deposit	2.25%	300,000.00		
	Online account	2.50%	1,428,663.00		
Total			1,728,663.00	0	708,699.00

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

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

	NOTE	31-Jan 2014 Actual \$	31-Jan 2014 Y-T-D Budget \$	2013/2014 Budget \$	Variances Budget to Actual Y-T-D %
<u>Operating</u>					
Revenues/Sources					
Governance		3,409	3,200	5,300	(6.53%)
General Purpose Funding		189,974	185,500	333,961	(2.41%)
Law, Order, Public Safety		17,725	15,500	30,940	(14.36%)
Health		452	400	1,000	(13.00%)
Education and Welfare		-	-	-	
Housing		-	-	-	
Community Amenities		1,405	1,305	3,000	(7.70%)
Recreation and Culture		2,194	2,100	17,200	(4.46%)
Transport		637,959	632,500	905,251	(0.86%)
Economic Services		8,383	8,200	23,260	(2.23%)
Other Property and Services		78,617	74,500	208,552	(5.53%)
		<u>940,118</u>	<u>923,205</u>	<u>1,528,464</u>	
(Expenses)/(Applications)					
Governance		(203,310)	(201,000)	(160,119)	(1.15%)
General Purpose Funding		(22,790)	(22,500)	(69,422)	(1.29%)
Law, Order, Public Safety		(68,946)	(68,500)	(141,470)	(0.65%)
Health		(20,538)	(20,500)	(35,550)	(0.18%)
Education and Welfare		(5,132)	(5,000)	(12,000)	(2.64%)
Housing		(10,474)	(9,500)	(15,200)	(10.25%)
Community Amenities		(69,262)	(68,500)	(181,310)	(1.11%)
Recreation & Culture		(126,712)	(125,500)	(160,169)	(0.97%)
Transport		(927,268)	(920,000)	(2,110,822)	(0.79%)
Economic Services		(41,725)	(41,000)	(98,872)	(1.77%)
Other Property and Services		(14,039)	(12,000)	(98,846)	(16.99%)
		<u>(1,510,196)</u>	<u>(1,494,000)</u>	<u>(3,083,780)</u>	
<u>Adjustments for Non-Cash</u>					
<u>(Revenue) and Expenditure</u>					
(Profit)/Loss on Asset Disposals		-	-	(87,052)	
Depreciation on Assets		482,821	482,821	813,360	
Movement current leave entitlements		-	-	-	
<u>Capital Revenue and (Expenditure)</u>					
Purchase Land Held for Resale		-	-	-	
Purchase Land and Buildings		(173,784)	(173,784)	(441,985)	
Purchase Infrastructure Assets - Roads & Footpaths, Other		(677,639)	(677,639)	(1,360,704)	
Other		(3)	-	-	
Purchase Plant and Equipment		-	-	(636,000)	
Purchase Furniture and Equipment		(4,904)	(4,904)	(12,000)	
Proceeds from Disposal of Assets		-	-	180,000	
Repayment of Debentures		(17,594)	(17,594)	(65,539)	
Proceeds from New Debentures		-	-	300,000	
Transfers to Reserves (Restricted Assets)		(12,558)	(12,558)	(120,000)	
Transfers from Reserves (Restricted Assets)		-	-	100,000	
Transfer from Restricted Cash		1,473,882	1,457,248	1,457,248	
ADD Net Current Assets July 1 B/Fwd		888,795	570,783	580,215	
LESS Net Current Assets Year to Date		(2,255,143)	(1,901,351)	-	
Amount Raised from Rates		<u><u>(866,204)</u></u>	<u><u>(847,772)</u></u>	<u><u>(847,772)</u></u>	

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

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 JANUARY 2014

	31-Jan	31-Jan
3. ACQUISITION OF ASSETS	Actual	Budget
	\$	\$
The following assets have been acquired during the period under review:		
<u>By Program</u>		
Governance	4,904	12,000
Community Amenities	11,388	35,000
Recreation and Culture	161,228	406,985
Transport	678,807	1,996,701
Economic Services	-	-
	<u>856,327</u>	<u>2,450,686</u>
<u>By Class</u>		
Land and Buildings	173,784	441,985
Infrastructure Assets	677,639	1,360,701
Plant and Equipment	-	636,000
Furniture and fittings	4,904	12,000
	<u>856,327</u>	<u>2,450,686</u>

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 JANUARY 2014

4. DISPOSALS OF ASSETS

No assets were disposed of in the month.

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	31-Jan 2014 Actual \$	31-Jan 2014 Actual \$	31-Jan 2014 Actual \$
	-	-	-
	-	-	-
	-	-	-
	-	-	-
	-	-	-
	-	-	-

	Net Book Value	Sale Proceeds	Profit(Loss)
	31-Jan 2014 Actual \$	31-Jan 2014 Actual \$	31-Jan 2014 Actual \$
	-	-	-
	-	-	-
	-	-	-
	-	-	-
	-	-	-
	-	-	-

Summary

	31-Jan 2014 Actual \$
Profit on Asset Disposals	-
Loss on Asset Disposals	-
	<u>-</u>

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

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars	Principal 1-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Recreation & Culture Loan #61	31,461		4,721	9,575	22,326	12,750	596	1,058
Transport Loan #62	174,562	300,000	12,873	26,178	150,064	123,885	4,898	9,362
Loan#63				29,784	-	270,217		10,349
	206,023	300,000	17,594	65,537	172,390	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 %	Balance	
							Amount Used \$	Unspent \$
Transport 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 JANUARY 2014

	31-Jan 2014 Actual \$	2013/14 Budget \$
6. RESERVES		
Cash Backed Reserves		
(a) Plant and Equipment Reserve		
Opening Balance	197,793	197,781
Amount Set Aside / Transfer to Reserve	3,553	5,658
Amount Used / Transfer from Reserve	-	(100,000)
	<u>201,346</u>	<u>103,439</u>
(b) IT and Office Equipment Reserve		
Opening Balance	9,023	9,023
Amount Set Aside / Transfer to Reserve	162	258
Amount Used / Transfer from Reserve	-	-
	<u>9,185</u>	<u>9,281</u>
(c) Employee Entitlements Reserve		
Opening Balance	116,019	116,019
Amount Set Aside / Transfer to Reserve	2,083	3,319
Amount Used / Transfer from Reserve	-	-
	<u>118,102</u>	<u>119,338</u>
(d) Housing Reserve		
Opening Balance	7,435	7,435
Amount Set Aside / Transfer to Reserve	133	216
Amount Used / Transfer from Reserve	-	-
	<u>7,568</u>	<u>7,651</u>
(e) Recreation and Community Facility Res		
Opening Balance	285,345	285,345
Amount Set Aside / Transfer to Reserve	5,126	8,163
Amount Used / Transfer from Reserve	-	-
	<u>290,471</u>	<u>293,508</u>
(f) Refuse Site Reserve		
Opening Balance	57,119	57,119
Amount Set Aside / Transfer to Reserve	1,026	1,634
Amount Used / Transfer from Reserve	-	-
	<u>58,145</u>	<u>58,753</u>
(g) Grain Freight Reserve		
Opening Balance	26,313	26,313
Amount Set Aside / Transfer to Reserve	472	752
Amount Used / Transfer from Reserve	-	-
	<u>26,785</u>	<u>27,065</u>
(h) Equestrian Reserve		
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 JANUARY 2014

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6. RESERVES	31-Jan 2014 Actual \$	2013/14 Budget \$
Cash Backed Reserves continued		
(i) General Purpose Reserve		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	98,000
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>98,000</u>
Total Cash Backed Reserves	<u>711,602</u>	<u>719,035</u>

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

6. RESERVES (Continued)	31-Jan 2014 Actual \$	2012/13 Budget \$
Summary of Transfers To Cash Backed Reserves		
Transfers to Reserves		
Plant and Equipment Reserve	3,553	5,658
Office Equipment Reserve	162	258
Employee Entitlement Reserve	2,083	3,319
Housing Reserve	133	216
Recreation and Community Facility Reserve	5,126	8,163
Refuse Site Reserve	1,026	1,634
Grain Freight Reserve	472	752
Equestrian Reserve	-	2,000
General Purpose Reserve	-	98,000
	<u>12,555</u>	<u>120,000</u>
Transfers from Reserves		
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>
Total Transfer to/(from) Reserves	<u>12,555</u>	<u>20,000</u>

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

4759

FOR THE PERIOD 1 JULY 2013 TO 30 NOVEMBER 2013

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

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FOR THE PERIOD 1 JULY 2013 TO 31 JANUARY 2014

	31-Jan 2014 Actual \$	Brought Forward 1-Jul \$
7. NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash - Unrestricted	2,180,088	900,984
Cash - Restricted Reserves	711,602	699,028
Cash - Restricted Cash	-	1,473,882
Receivables	192,832	181,530
Inventories	4,728	4,728
	<u>3,089,250</u>	<u>3,260,152</u>
LESS: CURRENT LIABILITIES		
Payables and Provisions	<u>(122,505)</u>	<u>(198,447)</u>
NET CURRENT ASSET POSITION	2,966,745	3,061,705
Less: Cash - Reserves - Restricted	(711,602)	(699,028)
Less: Cash - Restricted Municipal	-	(1,473,882)
NET CURRENT ASSET POSITION	<u>2,255,143</u>	<u>888,795</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>888,795</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.

1701

SHIRE OF CUBALLING

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2013 TO 31 JANUARY 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	-	-	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	129,857	(132,794)	(4)
Reimbursements	8,962	-	-	8,962
Swipe cards	1,090	245	-	1,335
Upper Hotham Project	15,027	-	-	15,027
	<u>54,965</u>			<u>56,437</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 TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2013 TO 31 JANUARY 2014

8. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2013/2014 Rate Revenue \$	2013/2014 Interim Rates \$	2013/2014 Back Rates \$	2013/2014 Total Revenue \$	2013/2014 Budget \$
General Rate								
UV - Cuballing	0.620600	224	100,766,999	618,117	-	-	618,117	633,479
GRV Cuballing	0.670440	172	178,987	124,464	(1,742)	-	122,722	116,143
Sub-Totals		396	100,945,986	742,581	(1,742)	-	740,839	749,622
Minimum Rates								
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
Sub-Totals		280	12,164,951	171,100	3,836	-	174,936	143,150
Ex gratia rates Specified Area Rates							915,775	892,772
Discounts							-	-
Totals							915,775 (49,571)	892,772 (45,000)
							866,204	847,772

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 2012/13 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.

9.2.94 ACTING CEO APPOINTMENT

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	11 February 2014
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Absolute Majority

Background

The CEO has requested leave in March and as this period of leave includes a Council meeting day, it is necessary to appoint an Acting CEO.

Comment

Nil

OFFICER RECOMMENDATION:

That Clare Thomson be appointed acting CEO for the period 19-22 March 2014.

Moved

Seconded

This item was not required due to the change in Council Meeting Date.

Cr D Bradford declared a proximity interest in this item. Members of Council believe that Cr Bradford has an interest in common with a large amount of ratepayers and allowed him to remain in the Chambers.

9.2.95 DRYANDRA WOODLANDS NATIONAL PARK AND NATURE RESERVES

Location/Address: Dryandra Woodlands, State Forests 51,52 and 53
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Local Government Act 1995 as amended
Date: 7 February 2014
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: Simple Majority

Background

Correspondence has been received from the Department of Parks and Wildlife, Parks and Visitor Services regarding proposed amendments to State Forests No 51,52 and 53 leading to the creation of the Dryandra Woodlands National Park and Nature Reserves.

The Woodlands are the largest and most diverse vegetation remnant in the Central Wheatbelt and in addition to the conservation and natural values that the Woodlands possess, this area is also an important recreation and tourism point.

One National Park and two Nature Reserves will be created over portions of the Dryandra Woodlands and would result in the first National Park created in the Western Australian Wheatbelt.

It is proposed that:

- An area of approximately 16,393 hectares will be excised from State Forest No. 51 and 52 to create a Class 'A' Dryandra Woodlands National Park. The areas proposed for amendment are displayed on Map 1 (attached).
- An area of approximately 110 hectares will be excised from State Forest No 53 to create a Class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 3 (attached).
- An area of approximately 2106 hectares will be excised from State Forest No 53 to create a Class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 3 (attached).

As part of the process required for excisions from State forest, Council has the opportunity to object to the proposal or provide conditions to the proposal.

Comment

As there are a number of ratepayers with rural land in areas between the proposed amendments, it may be prudent to request that a condition could be more rigorous attention to fire prevention measures be carried out in order to protect non endangered species such as sheep, cattle, pigs and cereal crops in the vicinity. More effective back burning and fire breaks should be a minimum requirement.

OFFICER RECOMMENDATION:

For Council consideration.

Moved:

Seconded:

COUNCIL DECISION:

That Department of Parks and Wildlife be requested to provide further information regarding the proposed amendments to State Forests No 51, 52 and 53 leading to the creation of Dryandra Woodland National Park and Nature Reserve particularly in reference to changes in management or legislation.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 5/0



Government of Western Australia
Department of Parks and Wildlife
Parks and Visitor Services

COPY

06 FEB 2011

Your ref:

Our ref: 2008/005484

Enquiries: Nicola Mincham

Phone: 9219 8777

Email: Nicola.Mincham@dpaw.wa.gov.au

4700

Chief Executive Officer
Shire of Cuballing
PO Box 13
CUBALLING WA 6311

Attention: Eva Haydon

**PROPOSED AMENDMENTS TO STATE FOREST NO. 51, 52 AND 53
CREATION OF THE DRYANDRA WOODLANDS NATIONAL PARK AND NATURE
RESERVES**

The Department of Parks and Wildlife (DPaW) writes to inform the Shire of Cuballing that we are beginning implementation of the tenure proposals in the *Dryandra Woodlands Management Plan 2011*. In the plan areas of State Forest No. 51 and 52 are proposed to be converted to National Park and portions of State Forest No. 53 are to be converted to Nature Reserve. The map at attachment 1 indicates these areas, as outlined in the plan.

The Dryandra Woodlands are an area of significance to the Wheatbelt Region for a numerous natural, recreational and cultural reasons. The importance of this area was highlighted in the *Dryandra Woodlands Management Plan 2011*, which proposed the creation of the National Park and Nature Reserves you see on Attachment 1.

The Woodlands are the largest and most diverse vegetation remnant in the Central Wheatbelt. They contain 12 distinct vegetation associations, which provide an important habitat for numerous threatened and priority fauna, including the State's mammalian emblem, the Numbat. These 12 vegetation types are comprised of over 800 native plant species, including rare and priority species. The Woodlands are known to support ten threatened species of fauna and two additional species in need of further protection. These include the Carnaby's Cockatoo, Woylie, Numbat, Bilby and Chuditch.

In addition to the conservation and natural values that the Woodlands possess this area is also an important recreation and tourism point. The Woodlands currently support numerous walking trails, picnic sites, two scenic drives and low cost camping. The Irabina Study Centre and Barna Mia, an animal sanctuary, also provide recreational and educational opportunities for visitors to the region.

The Woodlands also have cultural values for the indigenous and non-indigenous peoples. These values include archaeological sites associated with scar trees, an ochre quarry and landscapes of cultural significance to the Aboriginal people. The non-indigenous cultural heritage are associated with the area's early settlement and Timber Industry, the cottages from the original forestry settlement has been maintained and are now part of accommodation within the woodlands.

DPaW is proposing the creation of one National Park and two Nature Reserves over portions of the Dryandra Woodlands to ensure that these values are protected for further generations. The creation of the Dryandra Woodlands National Park would also be the first National Park created in the Western Australian Wheatbelt.

It is proposed that:

- An area of approximately 16393 hectares to be excised from State Forest No. 51 and 52 to create a Class 'A' Dryandra Woodlands National Park. The areas proposed for amendment are displayed on Map 1 at Attachment 2.
- An area of approximately 110 hectares to be excised from State Forest No. 53 to create a Class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 2 at Attachment 2.
- An area of approximately 2106 hectares to be excised from State Forest No. 53 to create a Class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 3 at Attachment 2.

As part of the process required for excisions from State forest DPaW is seeking the necessary approvals.

Would you please advise whether the Shire of Caballing has any objections to the proposal? If not, are there any conditions that you would like to see applied to the proposal?

Maps of the proposed reserves are attached. Further information regarding the Dryandra Woodland can be located in the Dryandra Woodlands Management Plan 2011, which is located at the Department of Parks and Wildlife's website, <http://www.dpaw.wa.gov.au/parks/management-plans/approved-management-plans>.

If you require further information please contact Land Administration Officer Nicola Mincham on 9219 8777.

Yours sincerely

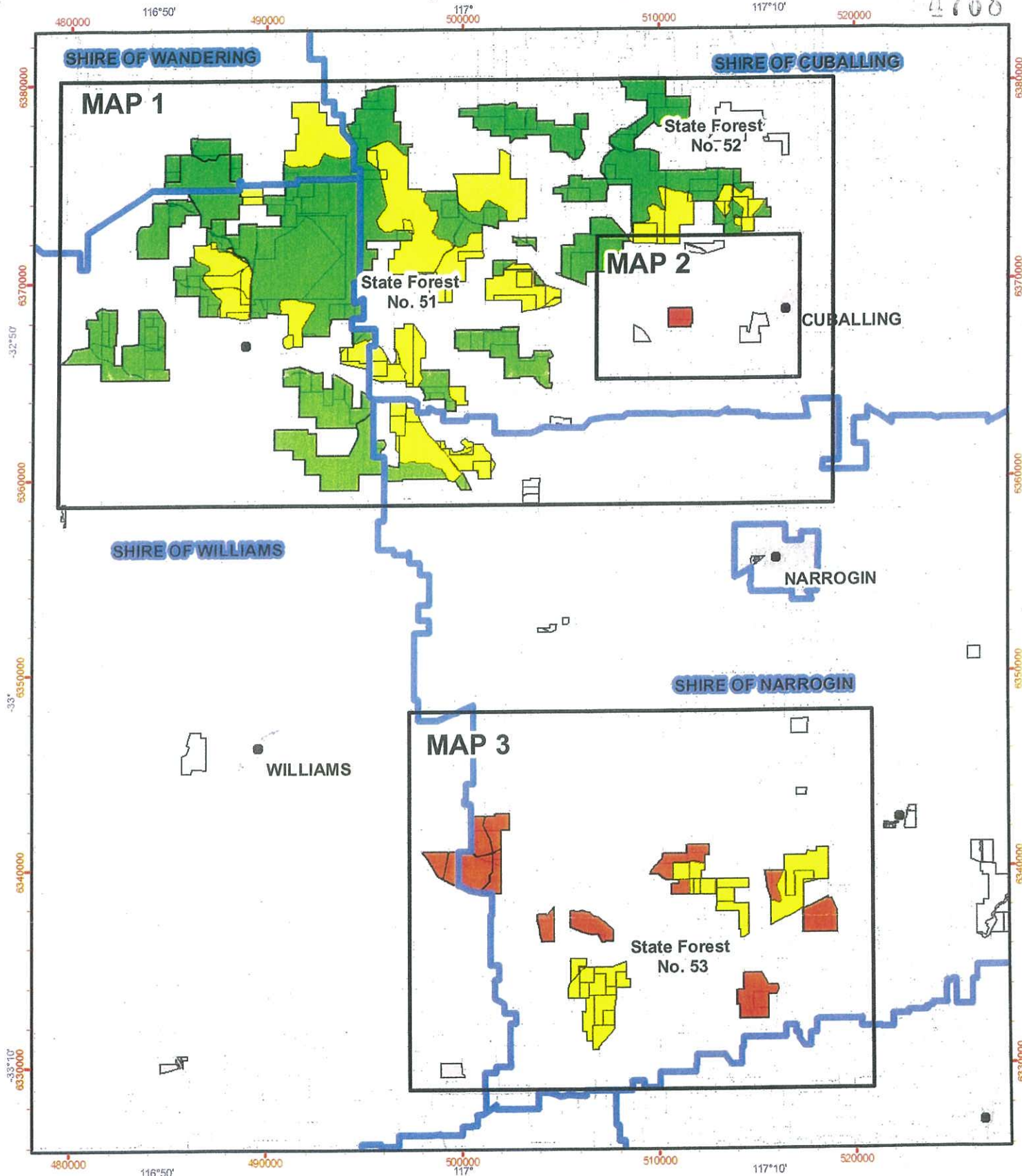


Nicola Mincham
Land Administration Officer

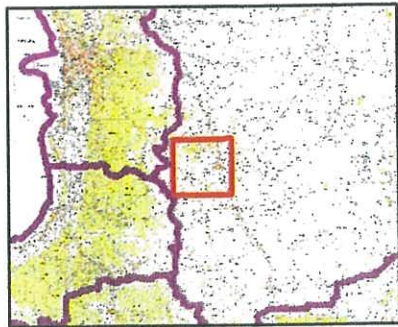
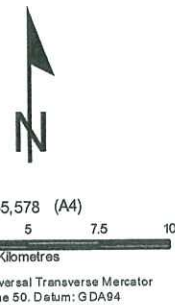
30 January 2014

Dryandra Woodland Proposed Tenure Changes

4768



- Grid shown at 10 minutes intervals
Grid shown at 10000 metre intervals
- Legend**
- Local Govt. Authorities (LGA)
 - Proposed Nature Reserve
 - Proposed National Park
 - DEC Estate (statewide)
 - 5(1)(g) Reserve
 - National Park
 - Nature Reserve
 - State Forest
 - Timber Reserve
 - WHEATBELT Cadastre (Land Parcels)
 - Crown Reserve
 - Freehold
 - Other Public Lands
 - Public Roads
 - Unallocated Crown Land
 - Water



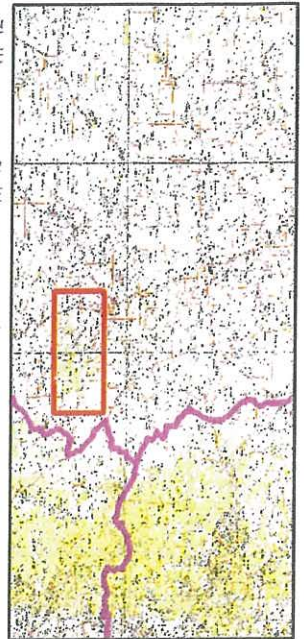
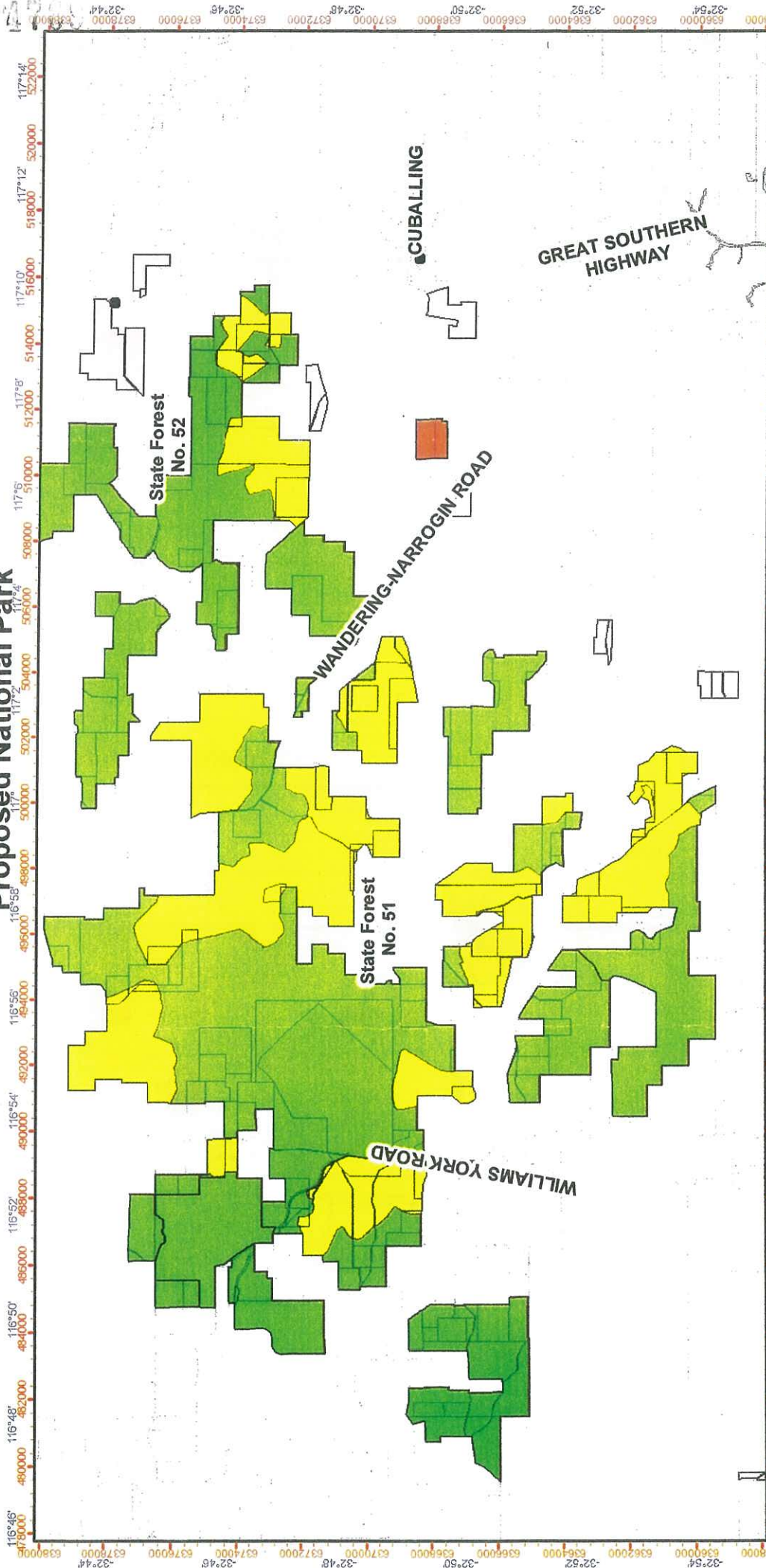
Produced by the
Department of
Parks and Wildlife

Job Ref: 2008/005484
Produced at 13:53pm, on January 29, 2014

Roads and tracks on land managed by DP&W may contain unmarked hazards and their surface condition is variable. Exercise caution and drive to conditions on all roads.

The Dept. of Parks and Wildlife does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence which may arise from relying on any information depicted.

Dryandra Woodlands (1) Proposed National Park



North Arrow
1:164,590 (A4)

0.3755 1.5 2.25 3
Kilometres
Projection: Universal Transverse Mercator
MGA Zone 50. Datum: GDA94

- Legend**
- Proposed Nature Reserve
 - Proposed National Park
 - DEC Estate (statewide)
 - 5(1)(g) Reserve
 - National Park
 - Nature Reserve
 - State Forest
 - Wheatbelt Wetlands
 - WHEATBELT Cadastre (Land Parcels)
 - Crown Reserve
 - Freehold
 - Other Public Lands
 - Public Roads
 - Unallocated Crown Land

Grids shown at 2 minutes intervals
Grid shown at 2000 metre intervals

Dryandra Woodlands (2) Proposed Nature Reserves

Legend

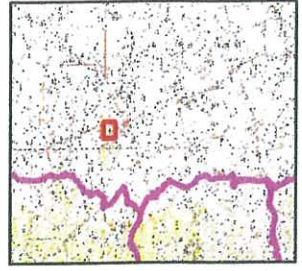
- Proposed Nature Reserve
- DEC Estate (statewide)
- 5(1)(g) Reserve
- National Park
- Nature Reserve
- State Forest
- Timber Reserve
- Wheatbelt Wetlands
- WHEATBELT Cadastre (Land Parcels)
- Crown Reserve
- Freehold
- Other Public Lands
- Public Roads
- Unallocated Crown Land
- Water



1:51,694 (A4)

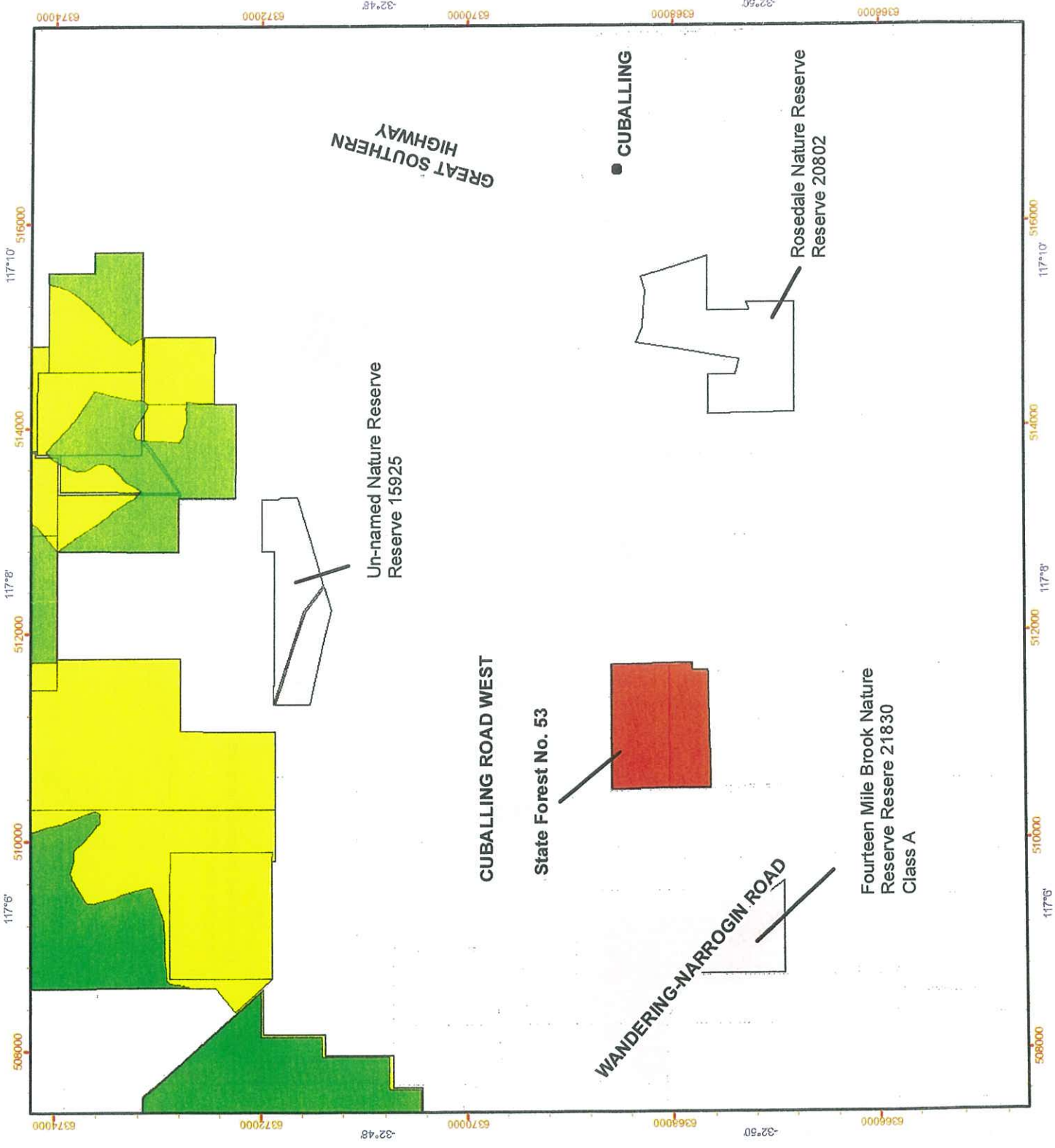


Projection: Universal Transverse Mercator
MGA Zone 50. Datum: GDA94



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4770



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Grid cells shown at 2 minutes intervals
Color shown at 3000 metre intervals

Dryandra Woodlands (3) Proposed Nature Reserves

4771

Legend

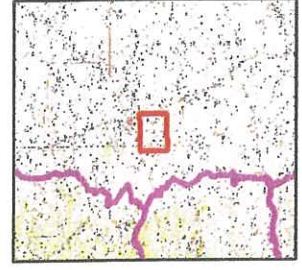
- Proposed Nature Reserve
- DEC Estate (statewide)
- 5(1)(g) Reserve
- National Park
- Nature Reserve
- State Forest
- Timber Reserve
- Wheatbelt Wetlands
- WHEATBELT Cadastre (Land Parcels)**
- Crown Reserve
- Freehold
- Other Public Lands
- Public Roads
- Unallocated Crown Land
- Water



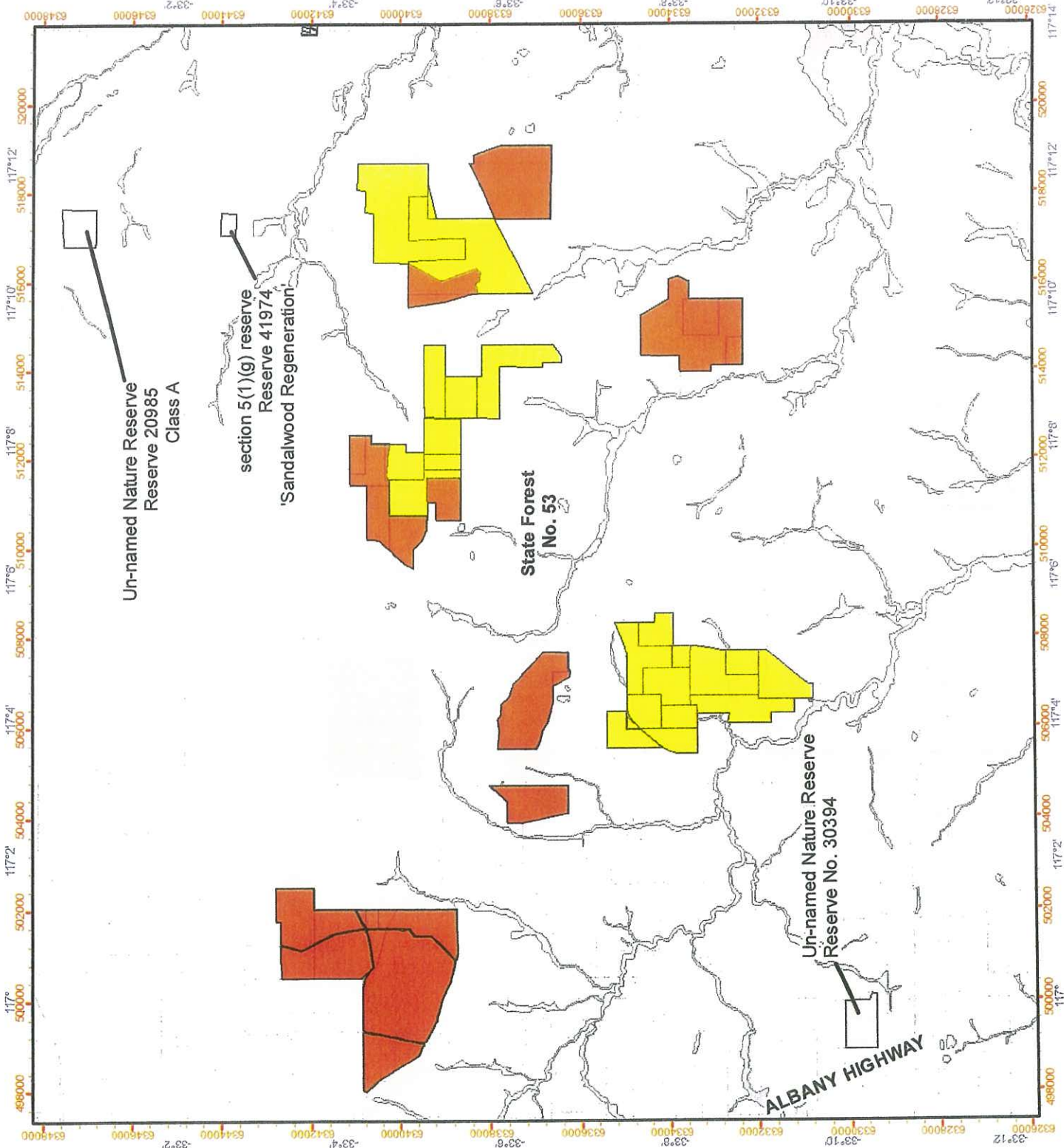
1:120,065 (A4)



Projection: Universal Transverse Mercator
MGA Zone 50. Datum: GDA94



Produced by the
Department of
Parks and Wildlife



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Grid shown at 2 minute intervals
Old shown at 2000 metre intervals

9.2.96 ENVIRONMENTAL PROTECTION (NOISE) REGULATIONS 1997

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	31 January 2014
Council Policy:	Nil
Budget Implications:	Unknown
File Reference:	
Voting Requirements:	Simple Majority

Background

Correspondence has been received from the Department of Environment Regulation (DER) regarding amendments to the Environmental Protection (Noise) Regulations 1997 which have revised existing delegations of the powers of the Chief Executive Officer (CEO) to local government officers.

The new delegations were gazetted on 20 December 2013. Central to the amendments are four new regulations providing for better management of noise from motor sport venues, shooting venues, sporting, cultural and entertainment venues and from certain essential works such as garbage collection. The powers of the CEO have been delegated to the CEO of the local government in each of these cases, to enable these important decisions to be made at the local level. In addition, the powers of the CEO that had already been delegated to local government CEOs (and to Environmental Health Officers in some cases) have been revised to fit in with the amended regulations.

DER states that local government has exercised an invaluable role in managing environmental noise issues under the noise regulations since 1997, **and it is anticipated that this will continue** under the amended regulations. In order to assist local governments in this role, DER is preparing a series of guidelines and DER Noise Regulation Branch is available to provide technical and strategic advice. The amended regulations allow the local government CEO to charge fees to enable recovery of **some** of the costs of assessing applications and processing the special approvals.

Comment

This delegated authority is another example of cost shifting from a State Government Department. The Shire of Cuballing employs an Environmental Health Officer/Building Surveyor for one day per week. This time is insufficient to deal with the current workload and a further one day per week is required to keep up to date with building and health issues.

The author has discussed the possibility of attending for an additional day with the Environmental Health Officer/Building Surveyor, however he is unable to do so due to other commitments.

COUNCIL DECISION:

That the Chief Executive Officer advise the Department of Environmental Regulation that the Shire of Cuballing does not have the personnel or equipment to enforce the Environmental Protection (Noise) Regulations.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0 Carried by Absolute Majority

9.2.97 SHIRE OF CUBALLING NEWSLETTER

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	12 February 2014
Council Policy:	Nil
Budget Implications:	Unknown
File Reference:	
Voting Requirements:	Absolute Majority

Background

The Shire of Cuballing Newsletter has been produced by Ms D Hopper and printed by the Shire of Cuballing since May 2013.

Informal discussions have taken place regarding the risk of legal action in the future and the requirement for public liability cover in that event.

Council has public liability cover, however in order for a claim to be accepted, responsibility for content would have to be accepted by Council. Given that a very small portion of the newsletter is provided by Council Staff, there is a risk that in the future there is a possibility that a member of the community could be aggrieved by an error, omission or article within the newsletter.

The possibility of Popanyinning Progress Association taking on the responsibility for the newsletter was also discussed, although no correspondence has been received from the Association regarding acceptance or otherwise.

Comment

The liability issue is one which needs resolution as soon as possible.

COUNCIL DECISION:

That the Popanyinning Progress Association Inc. be requested to advise Council whether they are willing to accept editorial responsibility for the "Cuby Calling" newsletter.

Moved: Cr Dowling

Seconded: Cr Bradford

Carried 6/0 Carried by Absolute Majority

4775

9.2.98 SHIRE OF WAGIN SUPPORT REQUEST

Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Local Government Act 1995as amended
Date: 11 February 2014
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: Simple Majority

Background

The Shire of Wagin is submitting the attached motion to the February Central Country Zone meeting as they believe local governments need to make a stance regarding amalgamations, particularly as the proposal to amalgamate York, Tammin, Quairading and Cunderdin was not recommended by the Local Government Advisory Board.

Council has been requested to have the attached motion included in the next Council agenda and subsequently submitted to the zone meeting.

Comment

Nil

OFFICER RECOMMENDATION:

For Council consideration.

Moved

Seconded

COUNCIL DECISION:

That Council support the Shire of Wagin's Motion at Central Country Zone 28/2/2014.

Moved: Cr Haslam

Seconded: Cr Dowling

Carried 5/1

Shire of Wagin

Motion to Central Country Zone of WALGA

28th February 2014

COMMENT

As some of you would know, WALGA, as the representative body for Local Government in Western Australia, has held the position for some time that some structural reform is needed.

Several years ago it commissioned a report titled "The Journey" now commonly referred to as the SSS Report.

Clause 3.3 of The Scope for Change in the SSS Report introduction says:

"The SSS Panel Report was careful to emphasise that there was no demonstrated case that amalgamations of Local Governments will deliver improved outcomes. The forced amalgamation of Local Governments without existing capability and without specific regard to the ability to deliver more sustainable arrangements offers slim prospects of improvement. The extensive work of the five working parties which have generated the Plan has confirmed this conclusion."

In 2009 the then Minister for Local Government John Castrilli MLA announced a policy to reform local government in W.A. There were few guidelines and largely a lack of direction other than to say that there are too many local governments and this should be changed.

Sustainability was used as the focus and little or no regard was given for the valuable contribution that Local Government provides for a community and the social dividend of that.

Councils and staff have invested thousands of hours and millions of dollars to comply with the Minister's regulatory requests to submit business case plans and develop strategies within those plans.

Most, if not all Local Governments fulfilled these obligations in writing direct to the Minister through the Department of Local Government.

Since then the State Government has shifted its reform focus away from the country areas towards the metropolitan area. There are concerns however, that whatever happens in the metropolitan area will be repeated in the country.

The State Government has no mandate or ethical position to accuse Local Government of being poor managers of assets and finances.

Successive State Government's, have neglected to maintain essential infrastructure such as Tier 3 railways, roads, hospitals, electricity supply grids, water supplies throughout WA. Local Governments and their communities are adversely impacted by that.

In fact there is considerable pressure on Local Governments to increase the range of services that they deliver and also to manage this within already tight budgets. Cost shifting by both State and Federal Governments has been a large part of that. Rural local governments are increasingly having to fund medical services as well as provide housing for police, teachers and doctors. There has been a steady withdrawal of state services and decline in the standards of infrastructure.

If the State and Federal governments were to resume funding tasks that are not the core function of Local Government, then the relief to the Local Government budgets would, in most cases rejuvenate their sustainability.

The following motion is submitted by the Shire of Wagin for consideration and support

1. That WALGA reject any moves by the State Government to force the amalgamation of local governments.
2. That amalgamations, mergers and boundary changes be supported by WALGA only if introduced and supported by the affected Local Governments.
3. That each Local Government community be entitled to hold a poll if structural change is proposed.
4. That this resolution be submitted to the Central Country Zone of WALGA for consideration by the zone.
5. That the Shire President circulates this resolution to ALL WA Local Governments via email and letter seeking their support and requesting that they submit this motion to their next Zone meeting for consideration.

9.2.99 STAFF PAY INCREASE

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	6 February 2014
Council Policy:	Nil
Budget Implications:	Funds provided within current budget
File Reference:	
Voting Requirements:	Absolute Majority

Background

In the past there has been an adhoc approach taken to wage increases with an estimated CPI figure being provided in the adopted budget and applied at various times. Furthermore, due to past difficulty in obtaining experienced applicants, all staff have been paid in excess of 20% over their relevant award level. This is a common practice throughout the Wheatbelt in order to attract staff to the region.

The CPI increase from June 2012 to July 2013 was 2.6%, however it is believed that the Local Government CPI has increased by up to double that amount.

Works staff received a 4.2% increase in early 2013. The increase was higher than CPI in exchange for productivity improvements and less damage to plant. This increase was for a six month period with two separate reviews to be undertaken after five months. The previous increase had been 2011.

The works staff are all employed as Plant Operator/General Hand and are paid the same hourly rate whether they are operating plant or not.

Comment

Reviews have shown improved work practices and less damage to plant/personnel. The outside crew have worked in some extreme weather conditions over the past few months and productivity has not decreased. Council is fortunate that there is a diverse range of skills amongst the crew.

An estimate of the previous year's CPI increase (2.6%) is provided within the annual wages budget to enable a wage increase during the following year.

COUNCIL DECISION:

That permanent Shire of Cuballing staff receive a 2.6% increase effective from 26 February 2014.

Moved: Cr Bradford

Seconded: Cr Newman

Carried By Absolute Majority 6/0

9.2.100 OFFICE CLOSURE – EASTER/ANZAC

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	13 February 2014
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Simple Majority

Background

The Easter public holidays fall during the school holidays this year and admin staff have requested annual leave as there are only three working days in the week between Easter Monday and Anzac day.

During the Christmas - New Year office closure, there were no calls on the answering machine.

Comment

The Rates Officer and CEO will work on the Tuesday and Wednesday in case there are any emergencies as all but two of the outside crew will also be taking leave, however the office will be closed. Phone calls will be answered.

COUNCIL DECISION:

That the Administration office be closed from 21 April to 24 April 2014.

Moved: Cr Ballantyne

Seconded: Cr Dowling

Carried 6/0

9.2.101 REQUEST FOR FUNDING APPLICATION SUPPORT

Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Local Government Act 1995as amended
Date: 13 February 2014
Council Policy: Nil
Budget Implications: Nil
File Reference:
Voting Requirements: Simple Majority

Background

Correspondence has been received from Swan River Horse Trials regarding a grant application for upgrading the cross country course at the Equestrian Centre and purchasing new jumps. They plan to hold an international qualifying event at the centre in October this year.

Comment

Funding is being sought through the Royalties for Regions program and Council is being asked to support the application. They are not requesting any financial contribution from Council.

The improvements to the Cross Country Course will benefit the current occupants of the Dryandra Equestrian Centre.

OFFICER RECOMMENDATION:

That the Swan River Horse Trials application for Royalties for Regions funding be supported by the Shire of Cuballing.

Moved: **Seconded**

COUNCIL DECISION:

That the Swan River Horse Trials contact Narrogin Pony & Riding Club and Dryandra Regional Equestrian Association regarding the upgrading of the cross country course and

Subject to approval from Narrogin Pony & Riding Club and Dryandra Regional Equestrian Association council support the funding application.

Moved: Cr Dowling **Seconded:** Cr Ballantyne

Carried 6/0

4781

9.4.27 MOTORCYCLE PARK – LOT 101 REEDS ROAD, POPANYINNING

Submission to:	Ordinary Meeting of Council
Date:	3 February 2014
Location/Address:	Lot 101 Reeds Road, Popanyinning
Reporting Officer:	Allan Ramsay, EHO/BS & Eva Haydon, CEO
Enabling Legislation:	Health Act 2011 Building Regulations Environmental Protection (Noise) Regulations 1997 Town Planning Scheme No 2
Council Policy:	Town Planning Scheme No 2
Budget Implications:	Nil
File Reference:	Town Planning 3
Voting Requirements:	Simple majority
Attachments:	Nil

Background

Three reports have been presented to Council over the 12 months in relation to the proposed Motorcycle Park with various resolutions, including two mediation meetings with the State Administration Tribunal. The matter has so far resulted in Council resolving the following:

July 2013 9.4.23

COUNCIL DECISION:

That Council resolves to approve option A for Mr. & Mrs Street to enable them to prepare for the State Administration Tribunal mediation meeting to be held on the 7 August 2013 between the Shire of Cuballing and Mr. & Mrs. Street

Option A - That the easement be developed to the following minimum standard:

1. Pavement formation (running surface) of seven (7) metres in width;
2. Runoff batters for emergency purposes;
3. The proposed work be carried out by the Shire of Cuballing Works Department at a maximum cost of \$5,000.00;
4. Mr. Street to eradicate grass/weeds prior to any works on the easement;
5. The Shire of Cuballing Local Government Authority not to be held responsible for the location of the road works to the easement unless the easement is surveyed by a licensed surveyor;
6. This approval does not mean that the application for the motorcycle Park is approved as it only refers to the easement for the SAT mediation meeting to be held on the 7th August 2013 as the first step of the approval process; and
7. The upgrade of the easement and its use by the public needs to be understood clearly by each landowner having rights of the easement and in particular their obligations in the event of ongoing maintenance and liability in the event of accidents

Moved: Cr Haslam

Seconded: Cr Conley

Carried 5/0

August 2013

Council Decision 9.4.25**That:**

- 1 1 The Environment Health Officer/Building Surveyor's report on the Motorcycle Park is received and information noted;
- 2 The Motorcycle Park at Lot 101 Reeds Road Popanyinning be approved subject to the following conditions
- a) The Registered Easement to the property be developed to the following minimum standard with the works to be carried out by the Shire of Cuballing or an alternative competent person, with said development to be inspected and approved by the Shire of Cuballing Works Manager;
- *Pavement formation (running surface) of seven (7) metres in width;*
 - *Runoff batters for emergency purposes;*
 - *The proposed work be carried out by the Shire of Cuballing Works Department at a maximum cost of \$5,000.00 or alternatively by a private contractor, with finished pavement formation to be approved by the Shire of Cuballing Works Manager.*
 - *Mr Street to eradicate grass/weeds prior to any works on the easement;*
 - *The Shire of Cuballing Local Government Authority not to be held responsible for the location of the road works to the easement unless the easement is surveyed by a licensed surveyor;*
 - *This approval does not mean that the application for the motorcycle Park is approved as it only refers to the easement for the SAT mediation meeting to be held on the 7th August 2013 as the first step of the approval process; and*
 - *The upgrade of the easement and its use by the public needs to be understood clearly by each landowner having rights of the easement and in particular their obligations in the event of ongoing maintenance and liability in the event of accidents*
- b) A toilet, approved by the Health Department, be provided at a location as close as practicable to the motorcycle tracks on the property and the appropriate health approvals be obtained from the Shire of Cuballing.
- c) A Fire Management Plan be prepared and approved by the Popanyinning, Bushfire Control Officer and provided to Council's Emergency Services Officer and an Emergency Management Plan
- d) Other property owners along the registered easement being advised that the Motorcycle Park users will be accessing the property by way of the registered easement and written acknowledgement from the abovementioned property owners be provided to Council;
- e) Hours of operation to be as follows, excepting days when a movement of machinery in paddocks ban is in force, or days when a total fire ban has been declared:
- | | |
|----------|------------|
| Friday | 8am to 5pm |
| Saturday | 8am to 5pm |
| Sunday | 9am to 5pm |
| Monday | 8am to 5pm |
- f) There is to be no preparation of food for sale on the property.
- g) Noise levels to be monitored and recorded quarterly and provided to the Shire of Cuballing. Mr & Mrs Street to be advised that should residences be built on adjoining properties within close proximity of the motorcycle tracks, all requirement of the Environmental Protection Act with respect to noise levels will apply.
- h) The Motorcycle Park to comply with the provisions of the Health Act 1911 (as amended)

- i) The current outbuildings on the property should not be used for accommodation for either owners or users of the Motorcycle Park
- j) Dust suppression measures to be implemented and be documented in a dust management plan and approved by the Environmental Health Officer at the Shire of Cuballing.

Moved Cr McDougall

Seconded Cr Haslam

Carried 5/0

OFFICER COMMENT

In response to the Council's resolution August 2013 the following is noted:

2 (a) the easement to the property has not been graded however is able to be travelled upon by a 2wd vehicle.

In relation to the SAT mediation meeting Mr. Street decided not to pursue a hearing through SAT following a meeting he had with the CEO and the ex Shire President. This means that the initial resolution by Council at its April 2013 meeting which relates to Mr. Street providing a report by a Town Planning Consultant did not eventuate;

(b) The requirement for toilet facilities has been reduced as it has been verbally indicated that only up to 10 patrons will be using the park at any one time. Therefore, approval has been issued for the toilet facilities on the condition that the numbers using the park at any one time do not exceed 10 persons. Should the park have any more than this number then the toilet facilities will need to be re-assessed.

(c) The fire Management Plan has not been received from the Popanyinning Bush Control Officer. An inspection of the proposed Motorcycle Park by the author of this report on the 30 January 2014 in company with Chief Bushfire Control Officer Mr. Anthony Mort revealed deficiencies in egress from the park in case of an emergency such as a bush fire. The property is completely landlocked apart from the way in via an easement. Calcoran Road will be made accessible for two wheeled vehicles to the east of the property when Council has completed the Reeds Road construction project. The Chief Bushfire Control Officer (CBFCO) is satisfied that a two wheel drive vehicle is able to traverse the terrain to the South. Calcoran Road is an unmade road owned by the Shire of Cuballing and in the opinion of the CBFCO will be suitable for exit purposes once graded.

All patrons to be briefed on the location of fire extinguishers muster point and exits prior to using the facility. All emergency exits should be signed posted.

Mr. Street has done a very good job of maintaining his property as well as plenty of firebreaks. The CBFCO and CEO have advised Mr Street to hand out emergency management information to all patrons entering the facility and to have a strong set of wire cutters at the siren location should fences need to be cut in the event of an approaching fire.

(h) In relation to compliance with the Health Act the Motorcycle Park falls within the definition of a Public Building irrespective of whether there is a building or not. Consequently prior to it operating, it will need to be approved as such. The main concern as a public building is egress and until such time as this is resolved as well as all the other outstanding items from Council Resolution its meeting in August 2013 it should not be used.

The Motorcycle tracks have been built in a professional manner which may indicate that if the Motorcycle Park becomes popular the number of 10 people currently

indicated may increase. Mr. Street will invite participant through bookings only so the numbers can be controlled in this manner.

The use of the Motorcycle Park was advertised in the 'Cuby News" and no conclusive objections were received. However, there were two items of correspondence received citing noise and increase traffic as a possible issue. All adjoining landowners using the easement have been notified in writing and have given their permission to use the easement in writing. Furthermore, the owner of the land to the south of the facility has given his permission to use his property in the event of an emergency.

As there has been so much discussion on this matter it may be prudent to revoke previous decisions and list requirements for approval of the motorcycle park in a single decision.

OFFICER RECOMMENDATION

That Council consider revoking the following decisions

Moved: Cr Newman

Seconded: Cr Haslam

Carried 6/0

COUNCIL DECISION 9.4.23:

That Council resolves to approve option A for Mr. & Mrs Street to enable them to prepare for the State Administration Tribunal mediation meeting to be held on the 7 August 2013 between the Shire of Cuballing and Mr. & Mrs. Street

Option A - That the easement be developed to the following minimum standard:

- a. Pavement formation(running surface) of seven(7) metres in width;
- 8. Runoff batters for emergency purposes;
- 9. The proposed work be carried out by the Shire of Cuballing Works Department at a maximum cost of \$5,000.00;
- 10. Mr. Street to eradicate grass/weeds prior to any works on the easement;
- 11. The Shire of Cuballing Local Government Authority not to be held responsible for the location of the road works to the easement unless the easement is surveyed by a licensed surveyor;
- 12. This approval does not mean that the application for the motorcycle Park is approved as it only refers to the easement for the SAT mediation meeting to be held on the 7th August 2013 as the first step of the approval process; and
- 13. The upgrade of the easement and its use by the public needs to be understood clearly by each landowner having rights of the easement and in particular their obligations in the event of ongoing maintenance and liability in the event of accidents

Moved: Cr Haslam

Seconded: Cr Conley

Carried 5/0

Council Decision 9.4.25

That:

- 3 1 The Environment Health Officer/Building Surveyor's report on the Motorcycle Park is received and information noted;
- 4 The Motorcycle Park at Lot 101 Reeds Road Popanyinning be approved subject to the following conditions
- k) The Registered Easement to the property be developed to the following minimum standard with the works to be carried out by the Shire of Cuballing or an alternative

competent person, with said development to be inspected and approved by the Shire of Cuballing Works Manager;

- Pavement formation (running surface) of seven (7) metres in width;
 - Runoff batters for emergency purposes;
 - The proposed work be carried out by the Shire of Cuballing Works Department at a maximum cost of \$5,000.00 or alternatively by a private contractor, with finished pavement formation to be approved by the Shire of Cuballing Works Manager.
 - Mr Street to eradicate grass/weeds prior to any works on the easement;
 - The Shire of Cuballing Local Government Authority not to be held responsible for the location of the road works to the easement unless the easement is surveyed by a licensed surveyor;
 - This approval does not mean that the application for the motorcycle Park is approved as it only refers to the easement for the SAT mediation meeting to be held on the 7th August 2013 as the first step of the approval process; and
 - The upgrade of the easement and its use by the public needs to be understood clearly by each landowner having rights of the easement and in particular their obligations in the event of ongoing maintenance and liability in the event of accidents
- l) A toilet, approved by the Health Department, be provided at a location as close as practicable to the motorcycle tracks on the property and the appropriate health approvals be obtained from the Shire of Cuballing.
- m) A Fire Management Plan be prepared and approved by the Popanyinning, Bushfire Control Officer and provided to Council's Emergency Services Officer and an Emergency Management Plan
- n) Other property owners along the registered easement being advised that the Motorcycle Park users will be accessing the property by way of the registered easement and written acknowledgement from the abovementioned property owners be provided to Council;
- o) Hours of operation to be as follows, excepting days when a movement of machinery in paddocks ban is in force, or days when a total fire ban has been declared:
- | | |
|----------|------------|
| Friday | 8am to 5pm |
| Saturday | 8am to 5pm |
| Sunday | 9am to 5pm |
| Monday | 8am to 5pm |
- p) There is to be no preparation of food for sale on the property.
- q) Noise levels to be monitored and recorded quarterly and provided to the Shire of Cuballing. Mr & Mrs Street to be advised that should residences be built on adjoining properties within close proximity of the motorcycle tracks, all requirements of the Environmental Protection Act with respect to noise levels will apply.
- r) The Motorcycle Park to comply with the provisions of the Health Act 1911 (as amended)
- s) The current outbuildings on the property should not be used for accommodation for either owners or users of the Motorcycle Park
- t) Dust suppression measures to be implemented and be documented in a dust management plan and approved by the Environmental Health Officer at the Shire of Cuballing.

Moved Cr McDougall

Seconded Cr Haslam

Carried 5/0

OFFICER RECOMMENDATION

That Council revoke Decisions 9.4.23 and 9.25 as shown above

Moved: Cr Haslam

Seconded: Cr Newman

Carried 6/0

OFFICER RECOMMENDATION

That approval to operate a motorcycle park at Lot 101 Reeds Road Popanyinning be granted to Mr John & Mrs Raewyn Street subject to compliance with the following conditions:

- 1 The easement entry to the facility be maintained to a satisfactory standard to allow egress in the event of an emergency situation
- 2 A toilet, approved by the Health Department is provided at a location as close as practicable to the motorcycle tracks on the property and the appropriate health approvals are obtained from the Shire of Cuballing Environmental Health Officer
- 3 Hours of operation to be as follows, excepting days when a movement of machinery in paddocks ban is in force or days when a total fire ban has been declared

Friday	8am – 5pm
Saturday	8am – 5pm
Sunday	9am – 5pm
Monday	8am – 5pm

4. There is to be no preparation of food for sale on the property
- 5 The Motorcycle park operations to comply with the provisions of the Health Act 1911 (as amended) and the Environmental Protection Act.
- 6 The current outbuildings on the property should not be used for accommodation for either owners or users of the Motorcycle Park
- 7 The Fire and Emergency Management Plan approved by the Shire of Cuballing Emergency Services Officer be summarised distributed to all patrons of the Motorcycle Park to enable speedy evacuation in the event of an emergency
- 8 Permission (to use private land as an emergency exit point to Popanyinning East Rd) from the landowner to the south of the Motorcycle Park to be renewed on an annual basis and the egress track be made suitable for two wheel drive vehicles.
- 9 A third Emergency exit to be onto Calcoran Rd.
- 10 No more than 10 patrons at the Motorcycle Park at any one time. Should this number be exceeded, the Environmental Health Officer shall be advised to enable further assessment and subsequent approval of Council
- 11 The property is not to be sold with this approval in force. New owners must make an application to Council should they wish to operate a Motorcycle Park
- 12 The motorcycle Park not to be used until approval is granted under the provisions of the Health Act 1911 (as amended) in relation to Public Buildings.

Moved: Cr Newman

Seconded: Cr Ballantyne

Carried 6/0

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

11. OTHER URGENT BUSINESS

COUNCIL DECISION:

That the urgent business items 11.1.45, 11.1.46, 11.1.47 and 11.1.48 be considered.

Moved: Cr Newman

Seconded: Cr Ballantyne

Carried 6/0

11.1.45 CUBALLING MENS' SHED LEASE

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	13 February 2014
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Absolute Majority

Background

The Cuballing Mens' Shed has been established since 2010 and follows the principles of the Australian Mens' Shed Association, which are as follows:

The Australian Men's Sheds Association recognizes a Men's Shed as any community-based, non-profit, non-commercial organization that is accessible to all men and whose primary activity is the provision of a safe, friendly and healing environment where men are able to work on meaningful projects at their own pace in their own time in the company of other men. A major objective is to advance the well-being and health of their male members and to encourage social inclusion.

In order to access grant funding, they are required to have some security of tenure such as a lease for their premises.

The Cuballing Mens' Shed endeavours to be as self supporting as possible and fundraises by collecting scrap metal and aluminium cans. It contributes to the wellbeing of menfolk in the community by providing a means of social inclusion and activity.

Comment

The land upon which the premises are located is at the depot and is held by the Shire of Cuballing as freehold land. As such, there are no requirements for permission to lease and limitations of tenure.

Council provides Oxygen, Acetylene and Argon gases and the cylinder rental for those gases, together with a petty cash float of \$500 which has been in existence since the establishment of the Mens' Shed. Electricity and water are provided from the Shire Depot supply.

A draft lease has been prepared and is attached.

The Local Government Act requires the following prior to disposing of property by private treaty:

- 3.58 (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
- a) it gives local public notice of the proposed disposition –*
 - (i) describing the property concerned; and*
 - (ii) giving details of the proposed disposition; and*

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

And

(b) it considers any submission made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

3.58 (4) The details of a proposed disposition that are required by subsection (3) (a) (ii) include

- (a) The names of all other parties concerned*
- (b) The consideration to be received by the local government for the disposition; and*
- (c) The market value of the disposition –*
 - (i) As ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) As declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition*

The valuation of the property was carried out by AVP Valuers with a reinstatement value of \$140,000. Although this valuation is more than 6 months old, it is unlikely that there would be much price movement in this type of building, furthermore, as there is only a 5.5 metre wide strip of land (to the south side of the building) included with the building and the site is zoned Rural Townsite, it is unlikely there would be a commercial or industrial demand for the property.

OFFICER RECOMMENDATION:

That:

1 Council resolve to value the Mens' Shed leased area at one hundred and forty thousand dollars; and

2 The the proposed lease of Cuballing Mens' Shed be advertised for public comment pursuant to S.3.58.

Moved

Seconded

COUNCIL DECISION:

That:

1 Council resolve to value the Mens' Shed leased area at one hundred and forty thousand dollars; and

2 The proposed lease of Cuballing Mens' Shed be advertised for public comment pursuant to S.3.58 and

3 The \$500 petty cash float recorded in the Shire of Cuballing balance sheet be donated to Mens Shed and advise it is to be discontinued and Council continue to fund power, water and cylinder rental (for oxygen acetylene and Argon cylinders)

Moved: Cr Dowling

Seconded: Cr Haslam

Carried by Absolute Majority 6/0

4701

DATED _____ 2013

AGREEMENT TO LEASE



THIS AGREEMENT FOR LEASE is made on the _____ day of _____ 2013

BETWEEN:-

1. SHIRE OF CUBALLING of PO Box 13, Cuballing, Western Australia ("Lessor") of the first part, and
2. CUBALLING MENS' SHED of c/- Post office, Cuballing Western Australia ("the Lessee") of the second part.

NOW THIS AGREEMENT FOR LEASE WITNESSES:

1. Part of those premises situated in Cuballing on Lot B9 being Freehold Land Vol 325 Folio 42; owned by the Lessor
2. The Lessor hereby agrees to lease to the Lessee all those premises which are for the purpose of identification only shown edged red on the plan attached to this Agreement ("the Demised Premises") to be held by the Lessee for a term ("the Term") of Twenty (20) years commencing on the 1st day of _____ at a total rental of 1 peppercorn subject to the covenants and conditions hereafter contained and subject to the covenants and powers implied under the Transfer of Lands Act 1983 as amended unless negated or modified by this agreement.
3. The lessee hereby covenants with the Lessor as follows:
 - a) To pay to the Lessor the rent reserved in the manner appointed for payment of same without any deduction without any deduction or abatement whatsoever.
 - b) To keep the buildings and other improvements (if any) upon the Demised Premises in the same condition as they now are fair wear and tear excepted.
 - c) To observe all statues and regulations made by any duly constituted authority affect in the Demises Premises or the occupation thereof.
 - d) Not to part with possession of the Demised Premises without obtaining the prior written consent of the Lessor such consent not to be unreasonably withheld.
 - e) To keep the Demised Premises and all fixtures and chattels (if any) in good condition, fair wear and tear excepted.
 - f) To permit the Lessor of his agent to inspect the Demised Premises at all reasonable times and reasonable intervals.
 - g) Upon the determination of the lease to yield up to the Lessor the Demised Premises in such good repair and condition as is consistent with this with this agreement in that behalf.
 - h) The Demised premises be used for the purpose of a "Mens' Shed"
 - i) To indemnify and keep indemnified the Lessor from and against all claims, demands, writs, summonses, actions, suits, proceedings, judgements, orders, decrees, damages, costs, losses and expenses of any nature whatsoever which the Lessor may suffer or incur in connection with loss of life, personal injury and or damage to property arising from or out of any occurrence in, upon or at the Demised Premises or any part thereof or to any person or the property of any person using or entering on or near the Demised Premises or occasioned (wheresoever it may occur wholly or in part by any act, neglect, default or omission by the Lessee, his agents, contractors, servants, workmen, customers or any other person or persons using or upon the Demised Premises with his consent or approval express or implied.
 - j) To use and occupy the Demised Premises at the Lessee's own risk and the Lessee hereby releases to the full extent permitted by law the Lessor and its

agents, servants, contractors and employees from all claims and demands of every kind resulting from any accident, damage or injury occurring therein.

- k) Not to mortgage lien or in any way charge or encumber the Lessee's interest in this Agreement for Lease.
- l) To keep in force all licences and permits required for the carrying on of any business conducted by the lessee in or upon the Demised Premises.
- m) To pay the lessor's legal cost and disbursements in connection with the preparation, execution, completion and stamping of this Lease.

4.

A) In default of any of the covenants contained in this Agreement for Lease and provided that such default shall continue for not less than fourteen (14) days after the day on which the notice of that default is given to the Lessee by the Lessor then the Lessor may at any time thereafter enter upon the Demised Premises and retake possession of them without prejudice to any other remedy that the Lessor may have

B) Notice in terms of clause 3 (a) of this Agreement for Lease shall be deemed to have been property given if left at the address of the Lessee specified in this Agreement or at such other address of the Lessee specified in this agreement or at such other address within Western Australia as the lessee shall have notified the Lessor in writing.

5. The lessor to the intent of binding the Demised Premises and the proprietor thereof for the time being but not so as to render the Lessor personally liable in damages except for the Lessor's own acts and defaults while the Lessor remains such proprietor hereby covenants and agrees with the Lessee:-

(a) that the Lessee duly paying the rent hereby reserved and performing and observing the terms, covenants and conditions herein expressed or implied and on the part of the Lessee to be performed and observed shall peaceably and quietly hold and enjoy the Demised Premises during said term or any extension thereof without any interruption by the Lessor or by any person or persons rightfully claiming under or in trust for the Lessor:

(b) to pay all outgoings not otherwise payable by the Lessor.

6. The Lessor and the Lessee hereby expressly agree and declare as follows:

- (a) The Lessor does not expressly agree or impliedly warrant that the Demised Premises are now or will remain suitable or adequate for all or any of the purposes of the Lessee and all warranties (if any) as to suitability and adequateness of the Demised Premises implied by law are to the extent permitted by law hereby expressly negated.
- (b) That if the Lessee shall remain in occupation of the Demised Premises after the expiration of the Lease the Lessee shall so remain as a tenant from week to week but subject nevertheless to the terms, covenants and conditions hereof so far as the same are applicable to a weekly tenancy and such tenancy shall be terminable at the expiration of one week's notice by either party to the other at any time.
- (c) (i)The Lessor shall not less the five months before the expiration of the term notify the Lessee in writing whether or not he intends to re-lease the Demised Premises .

(ii) In the event of the Lessor notifying the Lessee that he intends to re-lease the Demised Premises the Lessee shall within fourteen days after receiving the Lessor's notice advise the Lessor in writing whether or not he wishes to renew his lease of the Demised Premises subject to agreeing a new rent.

(iii) If the Lessee gives notice advising the Lessor that he does not wish to re-lease the Demised Premises the Lessor and the Lessee shall immediately commence negotiating the new rent for the new term. The New Rent for the new term shall be the then Market Rent to be agreed by the parties. PROVIDED ALWAYS that in no event shall the rent as so assessed be less than the rent payable during the last year of the Term.

(iv) If for any reason whatsoever the lessor and the Lessee are unable to agree what the new rent shall be on or before a date three months before the expiration of the Term the Lessee shall be deemed to have advised the Lessor that the Lessee does not wish to renew his lease of the Demised Premises and the Lessor shall thereupon be entitled to enter into a lease of the Demised Premises with any third party such lease to commence on a date after the expiration of the Term

- 7 If for any reason whatsoever the Cuballing Mens' Shed ceases to carry on Mens' Shed activities in the demised premises for a period of six months or more, the Lessor reserves the right to terminate the lease.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

THE COMMON SEAL of)
SHIRE OF CUBALLING)
Was affixed in accordance with its)
Constitution in the presence of)

.....
Signature of authorised person

.....
Signature of authorised person

.....
Name of authorised person

.....
Name of authorised person

.....
Office Held

.....
Office Held

Cuballing Mens' Shed)
Was hereunto signed by the authority of the Cuballing)
Mens' Shed Office Bearers previously given and in the)
presence of)

.....
Signature of authorised person

.....
Signature of authorised person

.....
Name of authorised person

.....
Name of authorised person

.....
Office Held

.....
Office Held

11.1.46 COUNCIL'S AUDITOR ATTENDANCE AT AUDIT COMMITTEE MEETING

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995as amended
Date:	20 February 2014
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Absolute Majority

Background

In the past, Council's auditor has attended the Audit Committee meeting by telephone.

The Local Government Act (Administration) Regulations 1996 provide the following:

14A. Attendance by telephone etc. (LG Act s. 5.25(1)(ba))

- (1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if —
- (a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting; and
 - (b) the person is in a suitable place; and
 - (c) the council has approved* of the arrangement.

Comment

Nil

OFFICER RECOMMENDATION:

That Council's auditor Mr Billy Joe Thomas of Anderson, Munro & Wyllie be authorised to attend all Audit Committee meetings during the term of his appointment.

Moved: Cr Haslam

Seconded: Cr Ballantyne

Carried by Absolute Majority 6/0

11.1.47 CHANGE IN DATE OF MARCH ORDINARY MEETING OF COUNCIL

That the date of March Council meeting be changed to 27 March 2014 due to the CEO's absence.

Moved: Cr Bradford

Cr Newman

Carried By Absolute Majority 6/0

11.1.48 AUDIT COMMITTEE MINUTES

That the Audit Committee Minutes of 20 February 2014 be received and all recommendations adopted.

Moved: Cr Haslam

Cr Newman

Carried By Absolute Majority 6/0

12. NEXT MEETING

Thursday, March 27 2014. Commencing at 3.00pm

14. CLOSURE OF MEETING

There being no further business, the meeting closed at 5.55pm