

SHIRE OF CUBALLING
MINUTES OF THE
MEETING HELD 17th DECEMBER 2010

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2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

Shire President	Cr TH Wittwer
Deputy President	Cr RDJ Newman
Councillors:	M Conley
	TP Haslam
	C Hawksley
	JRA Meharry
	CJ McDougall
Chief Executive Officer	Mrs Eva Haydon

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Brian Harvison from the Cuballing Tavern advised that there was a crack in the concrete at the front of the hotel and requested Council's assistance in the repair of that area.

4. APPLICATIONS FOR LEAVE OF ABSENCE

February Meeting Nil

5. MINUTES

5.1 CONFIRMATION OF 17th NOVEMBER 2010 COUNCIL MEETING MINUTES

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 17th November 2010 be confirmed.

Moved Cr JRA Meharry Seconded Cr R Newman

7/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

Nil

7. DISCLOSURES OF INTEREST

Councillors' and Employees' Disclosures of Interest.

7.1 DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST

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

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

7.2 DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

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

8.1 REPORTS – FINANCE AND ADMINISTRATION

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

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

Background

Council is supplied with a list of payments for consideration.

Comment

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

That Council:

1 Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling \$110959.89:

Vouchers 13961-13974	\$14895.25
Electronic fund transfers	\$96064.64 and

2 Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$508.80:

Voucher T2111-T2112	\$ 350.00
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Moved: Cr Haslam

Seconded: Cr Conley 7/0

8.1.2 STATEMENT OF FINANCIAL ACTIVITY

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

Background

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

Comment

A Statement of Financial Activity has been prepared for period ending 30 September 2010 in accordance with the abovementioned legislation and circulated with the Council Meeting Agenda.

That the Statement of Financial Position, as circulated, for the Shire of Cuballing for period ending 30 November 2010, be received.

Moved: Cr Haslam

Seconded: Cr Conley

7/0

8.1.3 ANNUAL REPORT

Location/Address: Not applicable
Reporting Officer: Eva Haydon - Chief Executive Officer
Enabling Legislation: Local Government Act 1995
Local Government (Audit) Regulations 1996
Local Government (Financial Management) Regulations
1996
Council Policy: Nil
Budget Implications: Nil
File Reference: Finance 6
Voting Requirements: Absolute Majority

Background

Butler Settineri (Audit) Pty Ltd completed their on-site Audit of Council's functions and operations for the 2009/2010 Financial Year in October 2010. .

Comment

The Audit has been conducted in accordance with the Australian Audit Standards to ensure that during the reporting period the Shire of Cuballing complied with all statutory requirements, including the Local Government Act 1995 and associated Regulations.

Due to time constraints the Auditor, Mr Paul Chabrel, requested not to meet with the Shire of Cuballing Audit Committee at the time of the audit and that a telephone conference be arranged at a later date. This is similar to the process undertaken in previous years and which has worked out satisfactorily for the Audit Committee and Auditors.

That:

- 1. The Audit Report for the financial year ended 30 June 2010 be received; and**
- 2. The Annual Report (with amendments advised by councillors) for the financial ended 30th June 2010 year be accepted.**

Moved: Cr Meharry

Seconded: Cr Haslam

7/0

Carried by Absolute Majority

8.1.4 AUDIT COMMITTEE MEETING WITH AUDITOR

Location/Address: Not applicable
Reporting Officer: Eva Haydon - Chief Executive Officer
Enabling Legislation: Local Government Act 1995
Local Government (Audit) Regulations 1996
Council Policy: Nil
Budget Implications: Nil
File Reference: Finance 6
Voting Requirements: Absolute Majority

Background

It is a requirement that the Audit Committee meet with Council's auditor once each year and it is customary for an auditor to attend the meeting by telephone.

Comment

Mr Paul Chabrel is happy to meet with the Committee in February 2011.

COUNCIL DECISION

That:

- 1 Council authorise the attendance, by way of telephone link, of its auditor Mr Paul Chabrel at the next Audit Committee meeting;**
- 2 Councillors Meharry, Wittwer, Newman, and Conley be appointed to the Audit Committee; and**
- 3 The next Audit Committee meeting be held at 2pm on 10 February 2011.**

Moved: Cr Hawksley

Seconded: Cr McDougall

7/0

Carried by Absolute Majority

8.1.5 PROPOSED LOCAL GOVERNMENT ACT AMENDMENTS

Location/Address:	Whole of shire
Reporting Officer:	WA Local Government Association Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Potential implications unknown
File Reference:	C & A 2
Voting Requirements:	Simple Majority

Background

The Minister for Local Government has invited the sector to comment on a number of proposed amendments to the Local Government Act 1995. The latest amendments to the Act occurred with the introduction of the Local Government (Official Conduct) Amendment Act 2007 and the proclamation of the Local Government Amendment Act 2009. It is therefore of some consequence that this consultation process results in a strong response from the Local Government sector to ensure comments and feedback are representative of the majority of Local Governments.

The Association requests that Council gives formal consideration to the following proposals and provide comment by way of a Council resolution, and inform WALGA by 7th January 2011.

1. Reducing Elected Members to between six and nine

Minister's Proposal:

As part of the reform process, local governments were asked by the Minister for Local Government to consider reducing the number of elected members to between six and nine. The rationale is that a smaller number of elected members will encourage greater competition for positions on Council and contribute to a more strategic decision-making focus by councils. Fifty one local governments have committed to reducing the number to the range requested. Sixty one local governments already have Councillor numbers in this range.

It is proposed that section 2.17 of the Act be amended to reduce the number of elected members to between six and nine. Despite the new permitted range, local governments may continue with existing elected member numbers for up to an eight year period from the October 2011 elections. This will be for two full electoral terms. If they have not made the changes by then, the Local Government Advisory Board would take the action as set out in Schedule 2.1, Clause 6.(3) to implement the necessary change for the 2019 elections.

WALGA Comment:

The Association has expressed to the Minister on a number of occasions, the continual opposition of this recommendation by the Local Government sector, most recently with the State Council resolving on 12 October 2010:

“That WALGA;

c.Oppose the Local Government Reform Steering Committee Report recommendation 8 concerning prescribing the number of Elected members to between 6 and 9”

The reduction in the numbers to this extent would require Elected Members in large metropolitan Councils to become full time Councillors. A significant number of Local Governments have provided the Association with reasoned arguments explaining the detrimental nature of this one size fits all approach.

It has been suggested the Minister engage the Department of Local Government in researching the benefits of this proposal in greater detail, and provide to the sector similarly reasoned arguments in support of this proposal.

CEO Comment

In light of current sector reform several Councils may amalgamate, voluntarily or otherwise. Nine Councillors may be too small a number for a Council consisting of 5 or 6 former Councils.

2. Salaries and Allowances Tribunal to set the fees for Elected Members

Minister's Proposal:

Elected Members

At present, the head of power for the setting of elected member fees and allowances is provided under the Act and monetary values are prescribed in Regulations. The Governor approves the setting or amending of these fees and allowances on a recommendation by the Minister for Local Government. Elected member meeting fees have only been amended twice since 1996 and, in both cases, in line with changes to the Consumer Price Index.

It is proposed that the responsibility for the setting of the dollar values for elected member fees and allowances be transferred to the Salaries and Allowances Tribunal, through amendment to the Act and the Salaries and Allowances Tribunal Act 1975. The approach envisaged would be for the Tribunal to provide its advice to the Minister for Local Government, who will then have the final decision about whether the fees and allowances are adopted.

The 2006 Local Government Advisory Board's report into Structural and Electoral Reform, as well as the 2008 WALGA Sustainability Study, both recommended that the Salaries and Allowances Tribunal be responsible for the setting of elected member fees.

Providing for an independent body to set the value of fees and allowances for local government elected members will bring the approach into line with that already in place for State Members of Parliament. In addition, other States have independent tribunals established to set fees and allowances for local government members.

The Minister for Local Government will also retain responsibility for the types of fees, allowances and expenses that elected members can be paid or reimbursed and the circumstances in which they are made.

Chief Executive Officers (CEOs)

At present, the Tribunal has a statutory role in making **recommendations** as to the remuneration to be paid or provided to local government CEOs. These recommendations are to be taken into account by the local government before entering into, or renewing, a contract of employment with a CEO.

It is proposed that the legislation be amended so that local governments are required to ensure the salaries of their CEOs are set within the salary bands recommended by the Tribunal. Similar to that for elected members, the approach envisaged would be for the Tribunal to provide its advice to the Minister for Local Government, who will then have the final decision about whether the salary bands are adopted.

WALGA Comment:

Elected Members – It is pleasing to note that the setting of remuneration levels for Elected Members by the Salaries and Allowances Tribunal has not been linked to the State Government’s plan to reduce elected members.

The Association has advocated on this issue since 2004 and reaffirmed this advocacy when State Council considered this matter in light of the 2006 Local Government Advisory Board (LGAB) Report on Structural Reform, subsequently resolving:

That recommendation 1.35 of the Local Government Advisory Board report be supported and that the State Government be requested to amend the Local Government Act 1995 accordingly to achieve the following outcome:

“That the Western Australian Salaries and Allowances Tribunal be given the responsibility for establishing the range of fees and allowances for elected members, with each Local Government having the ability to set a fee within this range. The Tribunal also be required to update the fees and allowances on an annual basis.”

That the State Government be requested to amend the Local Government Act accordingly;

In the event the Local Government Act 1995 is amended as per the Association’s advocacy:

that the question of the quantum and extent of Councillor Fees and Allowances be sought from other states with a view of presenting this to the Western Australian Salaries and Allowances Tribunal to support any Association submission on this subject; and

that targeted research be undertaken on Councillor responsibilities, level of control and work values, so that these can be extrapolated as industry averages and provided to the Tribunal in further support of any Association submission.

Chief Executive Officers (CEOs) – This is a recent addition by the Minister to the Local Government Act amendment proposals and did not feature in the Local Government Reform Steering Committee Report recommendations. WALGA takes a view that Local Governments should retain the general competence power to determine appropriate remuneration levels for their key executive.

3. New mechanism for the temporary suspension of a Council

Minister's Proposal:

The Department delivers both proactive and reactive assistance and support to Councils to aid them in providing good governance to the people of its district. However, on occasion, division and conflict between Council members, and between Council Members and the administrative officers, arises leading to Councils becoming dysfunctional.

Section 8.19 of the Act provides for the suspension of a Council, however, this only applies where an Inquiry Panel is appointed by the Minister to inquire and report on a local government's operation or affairs within six months of the suspension. The operation of Inquiry Panels has been found to be effective in dealing with serious and systemic governance issues. However, because the Inquiry process can recommend dismissal of a council, it involves a process that is necessarily exhaustive, and correspondingly time consuming and costly. It is estimated that a Panel Inquiry would cost approximately \$1-1.5 million. It is not viewed as being an appropriate mechanism to deal with the type of situations outlined above.

Section 8.15(2) of the Act also provides for a council to be suspended in circumstances where the council has not complied with an order made with respect to the recommendations of an Authorised Inquiry that is conducted pursuant to section 8.3 of the Act. Although less costly and time consuming than a Panel Inquiry, an Authorised Inquiry still typically takes between 6 – 12 months from commencement to completion. As a consequence, an Authorised Inquiry does not provide an immediate response to issues that are detrimentally affecting the operation of the local government.

It is proposed that Part 8 of the Act be amended to provide an alternative mechanism for the Minister to utilise where the Minister becomes aware of significant issues that he or she believes may lead to a breakdown in the effective decision making process of an elected Council. This mechanism will allow for the suspension of a Council and the appointment of a Commissioner to act on behalf of the Council for a maximum period of six months. Prior to the end of this period, the Minister would decide whether to reinstate the Council or to keep it suspended and establish a Panel Inquiry, as required by section 8.19 of the Act.

This new approach is considered to provide a circuit breaker to allow the issues that have arisen to be quickly resolved by the Commissioner and for the Council to be reinstated. The addition of an alternative 'issue resolution' process will enable the Minister to choose the most practical 'suspension' mechanism for each specific circumstance.

Once the Minister becomes aware of a dysfunctional Council, the suspension powers would operate in the following manner. The Minister would request the Department of Local Government to carry out an assessment and provide a

report on the issues about a local government that have been brought to his or her attention. Based on this information, the Minister would then decide whether to take any action and, if so, whether the new suspension power would be utilised, or a Panel Inquiry held.

If this new suspension power was used, the Council would be issued a 'notice of intent to suspend' by the Minister and be given a period of 21 days to respond to this notice. If the Minister chose to carry through with the intention to suspend, a Commissioner would be appointed and the elected members of council temporarily suspended for a period of no more than six months. Elected members would continue to receive their meeting allowance.

Prior to the end of the six month suspension, the Minister would either reinstate the Council, or appoint an Inquiry Panel in line with the current section 8.19 of the Act.

In summary, Part 8 would require amendment to incorporate the following steps:

- (a)The Minister issues the Council with a notice of intention to suspend due to issues arising that the Minister believes may lead to a breakdown in the effective decision making process of an elected Council;
- (b)The Council will have a period of 21 days in which to respond to the Minister's notice detailing the Minister's reasons for providing a notice of intention to suspend;
- (c)The Minister would give serious consideration to the reasons provided and determine whether the council should be suspended;
- (d)If the Minister decides to suspend the Council, he or she has the option of suspending and appointing a Commissioner for a maximum period of six months (new power) or if the identified issues are considered so significant that a Commissioner would not be able to resolve them within six months, to immediately appoint an Inquiry Panel (existing power) to investigate the issues; and
- (e)Prior to the end of the six month suspension period, the Minister is to reinstate the Council or appoint a Panel Inquiry.

The Minister is to have the power to require council members to undertake remedial action, such as undergoing training or mediation, during the period of suspension.

WALGA Comment:

The proposed amendment appears to have its origin in situations the Minister and his Department have encountered, where there was insufficient reason to conduct a Panel Inquiry yet the operations of a Council were affected by internal conflicts that could potential escalate. From this perspective, WALGA appreciates there may the need for extraordinary powers to immediately provide to a community, a cost-effective remedy that will lead to the resumption of good governance.

WALGA's policy position on this issue was considered in 2008 where there was support for a mechanism to suspend individual Elected Members rather than an entire Council.

4. Require Elected Members to resign when they are elected to State or Commonwealth Parliament

Minister's Proposal:

The Act provides that if a local government elected member is elected as a Member of Parliament, his or her council position does not become vacant until the next ordinary election day. There is no requirement in the Act, or other legislation, for the local government elected member to resign and, as such, a person can be an elected member of a local government Council and the Western Australian Parliament.

Section 36(1)(b) of the Constitution Acts Amendment Act 1899 requires a member of the WA Parliament to immediately resign when elected to Commonwealth Parliament.

It is proposed to amend the Act to require elected members to immediately resign (or for their position to become automatically vacant) when elected to State or Commonwealth Parliament. This will contribute to appropriate separation of responsibilities and reduce potential conflicts of interest that might arise if representing at a State or Federal and Local level simultaneously.

This will also align with the eligibility requirements for nomination or membership into State and Commonwealth Parliament set by the State Electoral Act 1907 and Constitution Acts Amendment Act 1899.

In 2008, WALGA requested the Minister consider an amendment of this type.

WALGA Comment:

The proposal aligns with a State Council resolution of August 2007 –

That the Minister for Local Government be requested to consider amending the Local Government Act 1995 to require Elected Members to resign from Council immediately upon being declared elected to State or Federal Parliament.

5 Restricting the types of local government investments to low risk products such as those with the WA Treasury Corporation, major banks and government bonds.

Minister's Proposal:

The investment options available to local governments were altered in 1997 when the prescribed list of investments in the Trustees Act 1962 was removed and replaced by the 'Prudent Person' rule. This rule is no longer viewed as providing sufficient clarity and guidance in relation to local government investment management policies.

In 2007, it was revealed that eight local governments and two regional local governments had invested in Collateralised Debt Obligations with Lehman Brothers (formerly Grange Securities). This has resulted in multi-million dollar losses by the affected local governments and concerns have been raised in the community about the performance of local governments in this area.

It is proposed to amend the Act to allow for regulations to prescribe the investments that can be made by local government. This will include Government guaranteed and other low risk investments. A requirement for local governments to only invest in these types of products is expected to minimise the investment exposure of local governments and the loss of ratepayer funds.

At this stage, the following forms of investment are being considered to be included in this regulation:

a deposit with the Western Australian Treasury Corporation or an investment facility of the Western Australian Treasury Corporation;
any public funds or securities issued by, or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory; and
interest bearing deposits with, and/or debentures or bonds issued by, an authorised deposit-taking institution (as defined in the Banking Act 1959 (Cwth)) where the Institution has a Standard & Poor's Rating of A-1+ (short-term) or AA (long term, but excluding subordinated obligations).

Further discussion is proposed to take place between the Department of Local Government, local governments and the WA Treasury Corporation to develop this regulation.

WALGA Comment:

There remains subjectivity in the definition of the term 'low risk' in the context of this proposal. The WA Local Government Association supports the sector's right to retain the principle of general competency powers as provided under the Local Government Act 1995, and that Local Governments be allowed to continue to decide for themselves how best to deal with investment opportunities.

CEO Comment

This is an issue that came to light during the global financial crisis. Several local governments held high risk investments which cost ratepayers substantial funds.

6 Align criminal conviction criteria for Elected Members with that of Western Australian Members of Parliament

Minister's Proposal:

It is proposed to amend the Act to preclude a person who has been convicted of an offence with a statutory penalty of imprisonment for five years or more from standing for election to local government.

This will align the eligibility requirements for local government candidates with those that apply to State Members of Parliament. This requirement will have a positive impact on the calibre of those standing and ultimately representing the community on Council.

These provisions need to be modelled on section 32(1)(b) of the Constitution Acts Amendment Act 1899 whereby a person is disqualified where he or she has been convicted on indictment of an offence for which the indictable penalty was or included imprisonment for life, or imprisonment for more than five years.

Serving elected members with such records will be able to serve out their terms, however, would not be eligible for re-election once the legislation was amended.

WALGA Comment:

This proposal is consistent with the Association's policy position.

It is suggested that for true alignment of criteria, the proposal take a holistic approach incorporating all aspects of Candidates/Elected Member qualification and disqualification rather than one aspect of disqualification, namely criminal convictions.

One option would be for this proposal to be broadened to "Align the qualification and disqualification criteria for Local Government election candidates and Elected Members with that of Western Australian Members of State Parliament".

7. To limit employee termination payments to one year's salary

Minister's Proposal:

Recent consideration of the current provisions in the Act indicates that it is possible for employees of local governments, including CEOs, to receive up to two years' salary on redundancy. This situation has arisen out of an anomaly in the Act not intended when the Act was developed.

It is proposed that an amendment to regulations to limit payouts to all such employees to a maximum of one year's salary will bring local government provisions into line with Western Australian State and Commonwealth public sector arrangements and would be consistent with organisational practice in other jurisdictions.

This proposal will not affect the two year guarantee of employment as provided for in Clause 11 (4) of Schedule 2.1 of the Act.

WALGA Comment:

There is no current Association policy position on this proposal.

CEO Comment

The Chief Executive Officer declares an impartiality interest and potential financial interest in this amendment.

It will be interesting to note which other amendments (not as yet circulated for sector comment) the steering groups have recommended for inclusion in this round of legislative change.

CHIEF EXECUTIVE OFFICER'S RECOMMENDATION

For Council consideration

No Action was taken on this matter

8.1.6 Wagin Group – Regional Waste Site

Location/Address:	To be resolved
Reporting Officer:	M Oliver – Shire of Pingelly Eva Haydon – Chief Executive Officer
Enabling Legislation:	Section 68 of the Waste Avoidance and Resource Recovery Act 2007 provides local government with the power to impose a fee or charge in respect of waste services under section 6.16 of the Local Government Act 1995. Section 3.1 of the Local Government Act 1995 enables local government to set fees that are for the “good governance” of the local government district
Council Policy:	Nil
Budget Implications:	Budget provision for this project will be required
File Reference:	Health 10e
Voting Requirements:	Absolute Majority

Background

The time is fast approaching for all Member Councils to consider and advise in-principal participation in the regional waste disposal site proposed by the Wagin Group. The Group has effectively reached the *crossroads* and cannot proceed without known participation partners.

The Wagin Group **was formed** in 2007 for the purpose of responding to the Waste Authority of WA’s Zero Waste Plan (subsequently changed to Towards Zero Waste). Significant achievements of the Group to date include the Landfill Environmental Management Plan for each refuse disposal site and the Strategic Waste Management Plan (3 April 2009).

The Group is consists of 12 member local governments:

- Cuballing
- Dumbleyung
- Lake Grace
- Narrogin Town
- Narrogin Shire
- Pingelly
- Wagin
- Wandering
- West Arthur
- Wickepin
- Williams
- Woodanilling



and represents a population of a little over 14,000 people generating an estimated 27,000 tonne per annum of waste. Council has been a member of this Group since its inception and Staff **have** participated in and contributed to the various processes.

Whilst the *2009 Landfill Environmental Management Plan* proposed the continuation of the 21 individual landfill sites across the Group the preference from the Department of Environment and Conservation (DEC) was for fewer, well run

landfill sites serviced by transfer stations rather than multiple loosely-managed landfills.

Recognising this preference from DEC, the Group has spent the last twelve months closely considering the option of a regional refuse site. Other driving factors have included some local governments with limited life left in their existing sites and other local governments recognising the difficulties in low volume sites being able to meet the higher standards expected in refuse site management and seeking to change.

More recently a Working Committee was established to assist the appointed consultant Lindsay Stephens of Landform Research with site selection and to look at a range of issues including appropriate management structure, method of transport, equitable capital & operating costs.

The Working Committee has inspected the Regional Waste Disposal Site at Kondinin and two of the transfer sites feeding this Disposal Site at Kondinin and Kulin.

In broad terms, a Regional Waste Disposal Site will provide member participating local governments with a facility (*a hole in the ground*) where putrescibles are disposed. Existing collection sites to continue will require a transfer station. Initially, only putrescibles will be accepted into the Regional Waste Disposal Site – with consideration to other waste streams (eg recyclables) once the Regional Waste Disposal Site is operational. As such, provision for green waste and sewage disposal at the existing sites will still be required in the interim.

With a lot of assumptions, estimated costs of the proposed Regional Refuse Site are:

Capital Costs:

• Land purchase	\$500,000	
• Fencing	\$10,000	
• Shed	\$50,000	
• Weighbridge	\$200,000	
• Gen Set/electrics	\$10,000	
• Access Road	\$10,000	
• Other site costs (contour banks, monitoring bores)	\$10,000	
• Initial excavation	<u>\$10,000</u>	\$800,000

Annual Operational Costs:

• Waste freight from Transfer Stations	\$95,757	
• Regional Waste Site management	<u>\$110,160</u>	\$205,917

Two sites are being explored – Tarwonga Road (preferred) and Walker Road – both south of Narrogin. Different areas are involved for these sites.

In addition, each local government will need to provide their own Transfer Stations – at an estimated capital cost of \$60,000 each. (The Shire of Kondinin has an

engineering drawing for this.) All local governments also need to be aware of the necessary process (and costs) to de-commission a refuse disposal site. The Department of Environmental Protection has issued guidelines for this.

The Group has considered the significant issues associated with the Project. The decision on some of these issues has not been unanimous and the options with an initial position of the Group is indicated on each issue as *Proposed*. Ultimately, a decision will be made by a majority of the final partners in the project. Those issues considered are:

Ownership Equity

Options considered were:

1. Equal shares, equal purchase contributions, equal equity.
2. Proportional shares with purchase contributions based on population (equating to approximate tonnage of waste).
3. Proportional shares with purchase contributions based on a flat minimum payment plus a proportion based on population. A variety of different *mixes* have been thrown around – with Option 3A showing an example of proportional shares (population/tonnage) in the land purchase component (\$500,000) and equal shares in the site development costs (\$300,000). Option 3B shows 10% of the capital costs on proportional shares (population/tonnage) and 90% with equal shares.

None of the options has a *fact* basis and as such a philosophical decision is required.

	Option 1	Option 2	Option 3A	Option 3B
Cuballing	\$66,666	\$45,259	\$53,287	\$64,526
Dumbleyung	\$66,666	\$36,789	\$47,993	\$63,679
Lake Grace	\$66,666	\$75,095	\$71,934	\$67,509
Narrogin Town	\$66,666	\$246,397	\$178,998	\$84,640
Narrogin Shire	\$66,666	\$48,167	\$55,104	\$64,817
Pingelly	\$66,666	\$67,889	\$67,430	\$66,789
Wagin	\$66,666	\$105,436	\$90,898	\$70,544
Wandering	\$66,666	\$20,607	\$37,879	\$62,061
West Arthur	\$66,666	\$49,431	\$55,894	\$64,943
Wickepin	\$66,666	\$31,479	\$44,674	\$63,148
Williams	\$66,666	\$50,190	\$56,369	\$65,019
Woodanilling	<u>\$66,666</u>	<u>\$23,261</u>	<u>\$39,540</u>	<u>\$62,325</u>
Total	\$800,000	\$800,000	\$800,000	\$800,000

It needs to be noted that the total cost to commission the Regional Refuse Site is not dependent on the number of local governments involved – as such, naturally if 12 local governments agree to participate, the costs per local government will be substantially cheaper than if only 8 agree to participate.

Consideration needs to be given to the ability for other local governments to *buy in* at some future time. Equal equity provides this option in a less complicated manner.

Some local governments are interested in becoming initial *silent* membership – participation in the capital costs of the Regional Refuse Site firstly but not its operation until they are ready. Any of the options would be suitable to this.

A further *twist* was a proposal to split the capital costs such that the land purchase (which has limited access to grant funding) is treated differently to the site development (which may be fully funded by grants). This could be applied such that there **are** proportional shares in the land purchase and equal shares (or even no shares) in the site development costs – see Option 3A.

Certificate of Title considerations are also required – with tenants in common being proposed on the title deed from among the participating local governments. This might be 1 share (as in Option 1 assuming 12 shares issued) or for Option 3B for Pingelly:

$$\frac{\$66,789}{\$800,000} \times 12 = 1.0018 \text{ shares.}$$

Proposed – equal shares, equal purchase contributions, equal equity (Option 1), tenants in common.

Ownership Future

Options considered were:

- Inability of Partners to sell out – Partners could only hold their equity until the Site was ultimately closed down.
- Ability to sell out only to another local government. (Refer to Clause 4 and 6 of Roe Group Regional Waste Site Agreement).

No support was given to the ability to sell out to private enterprise.

The ability to sell out would be dependent on the question of Ownership Equity – if there is proportional equity based on population then that equity would not be able to be traded.

Proposed – inability of parties to sell out.

Corporate Structure

Options considered were:

- Legal agreement between all parties with a Sponsor/Host local government to act as lead local government.
- Formal Regional Organisation of Councils (ROC).
- Incorporated structure (currently not permitted under legislation but being considered by the government).

Given the governance overheads and setup processes of a ROC and the ability to opt out easily the legal agreement option is the preferred – with a provision to be included in the document that will allow conversion to a ROC or some other entity (perhaps the Hon Max Trenorden’s subsidiary model for local government being introduced into Parliament as a Private Members Bill) on the agreement of all parties in the future. The legal agreement option will require a “lead” local

government to be the various contracts signatory – with more than one local government indicating in-principal agreement to accept this responsibility.

Proposed – Legal agreement between all parties with Sponsor/Host Local Government in the first instance.

Transfer Stations

No alternative options to the proposal for individual local governments to construct and manage their own transfer station/s were considered. However it is noted that the waste collection receptacles at the Transfer Stations will need to be standardised to work with the waste cartage system.

Proposed – individual local governments to be responsible for determining the number of sites, location and size of their Transfer Station/s together with their funding.

Waste Cartage

Whilst the mechanics of the cartage of waste from the Transfer Stations to the Regional Refuse Site are still to be determined, the different options considered were:

- Individual local governments to arrange their own waste cartage
- Kerbside collection contractor to arrange the cartage of the kerbside collected waste together with the Transfer Station waste.
- Separate contractor to arrange the cartage of the Transfer Station waste.

It is acknowledged that specialist equipment will be required for the transfer and that compaction of the waste is likely to be more economical.

A key agreement in neutralising the Regional Refuse Site location (and consequent freight distance differential between the various local governments) was for creation of a flat cost per tonne regardless of distance, for all of the local governments (Option 2) as opposed to each local government paying the tonne km freight cost (Option 1).

	Option 1	Option 2
Cuballing	\$4,332	\$5,417
Dumbleyung	\$6,402	\$4,403
Lake Grace	\$26,136	\$8,989
Narrogin Town	\$16,079	\$29,493
Narrogin Shire	\$3,143	\$5,765
Pingelly	\$11,814	\$8,126
Wagin	\$9,403	\$12,620
Wandering	\$2,690	\$2,467
West Arthur	\$5,376	\$5,917
Wickepin	\$4,656	\$3,768
Williams	\$2,184	\$6,008
Woodanilling	<u>\$3,542</u>	<u>\$2,784</u>
Total	\$95,757	\$95,757

For example, for Pingelly for Option 1 (tonne km rate), at 80km from the Tarwonga site and 537 calculated tonnes of the 6,328 calculated total tonnes, a total of 42,960 tonne km is involved (of the Groups total 348,208 tonne km). A freight cost of \$2.75 per km per 10 tonne load has been used – which calculates to a total freight cost across all 12 local governments of \$95,757.

<u>42,960 tonne km</u>	x \$2.70/km	\$11,814
10 tonne load		

For Option 2 (flat tonnage rate) for Pingelly, the 537 ton

Option 2		
<u>537 tonnes</u>	x \$95,757	\$8,126
6,328 calculated tonnes		

Proposed – flat tonnage freight cost regardless of distance, across all of the local governments with further deliberations on the transport system (Option 2).

Regional Refuse Site Location

Following an invitation for all local governments to nominate potential sites, a number were initially investigated. Factors in this consideration were:

- the tonne/kms freight cost of the putrescible waste.
- Land owner interest in sale (forcible acquisition was not considered appropriate or necessary).

The potential sites have reduced to two – Tarwonga Road and Walker Road – both in the triangular of the borders of the Shires of Wagin, Narrogin, West Arthur and Williams. Both sites are currently being investigated for suitability.

Proposed – Regional Refuse Site to be located in the triangular of the borders of the Shires of Wagin, Narrogin, West Arthur and Williams.

Regional Refuse Site Operation

No other alternatives to local government owners being charged for waste disposal equally on a per tonne basis were considered. However, non-owners (local governments or otherwise) are to be charged a margin.

A weighbridge on site will be required to determine this charging system. Solar power is adequate for a weighbridge – negating the need to locate the Site on the power grid.

	Proposed
Cuballing	\$6,232
Dumbleyung	\$5,068
Lake Grace	\$10,341
Narrogin Town	\$33,929
Narrogin Shire	\$6,633
Pingelly	\$9,348
Wagin	\$14,519
Wandering	\$2,838

West Arthur	\$6,807
Wickepin	\$4,335
Williams	\$6,911
Woodanilling	<u>\$3,199</u>
Total	\$110,160

Proposed – waste disposal be charged equally on a per tonne basis

Timing

The decision making process will involve the following steps (currently up to Step 4):

1. Site options selection.
2. Site testing.
3. Budget costing.
4. Agreement on partners (in-principle decision).
5. Site selection.
6. Determination of corporate structure (after taking legal advice).
7. Site Option purchase – subject to gazettal.
8. Resolution of Ownership and Governance structure.
9. Site gazettal as refuse site.
10. Purchase site.
11. Tender out Site development requirements and operational services.
12. Commence operations.

Investigation costs involved with site testing (Step 2) are currently being funded by surplus funds from previous waste projects. The first significant expenditure will occur when an option (Step 7) is taken out over site. This will be followed by the detailed work necessary to gazette the property (Step 9) as a refuse disposal site. Further expenditure will then be required to purchase the land (Step 10).

This expenditure is likely to occur in early 2011/12.

Officer's Comment

The group are advancing the project and a number of important decisions will be required shortly, therefore Council will need to decide whether to continue its involvement or otherwise. The Wagin Group believes that there is sufficient information now for Councils to be able to make this decision.

It is important to consider some other factors when interpreting the results of any cost benefit analysis for a regional landfill site verses the costs involved in maintaining a local landfill site, including the following:

- The cost of maintaining a fully compliant site rather than the cost for what is currently operating.
- The regulatory requirements and the degree of enforcement for landfill are bound to increase over time.
- Future reporting obligations will be more easily met by having a regional site as the weighbridge will give accurate figures of tonnes to landfill. This will be particularly important with regards to possible future carbon accounting obligations or if the landfill levy is extended to cover regional areas.
- Future grant funding is likely to only be available for projects on a regional scale.

- There may be commercial opportunities that develop from having a regional facility. The profits from any such opportunities could then be used to reduce the cost of handling the waste, be used for future infrastructure investments or simply be shared amongst the member local governments that have invested in the site.
- Cooperating on waste management may make it easier to save money on shared waste infrastructure, contracts and services into the future.
- This is a long term investment that could benefit all local governments involved over a period of time (possibly 50 to 100 years).

COUNCIL DECISION

That Council commit to the establishment and operation of a regional waste site and make appropriate provision in the 2011/12 budget.

Moved: Cr Newman

Seconded: Cr McDougall

7/0

Carried by Absolute Majority

8.1.7 TENDER – UNDERCOVER ARENA

Location/Address:	Dryandra Equestrian Park
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Recreation 17
Voting Requirements:	Absolute Majority

Background

Council has provided budget provision for the next stage of the Dryandra Equestrian Centre, part of which is funded by grants.

The author was holding off the tender advertisement until the forward Capital Works Plan is complete in order that the 2010/11 Country Local Government Fund allocation can be applied for, however it is necessary to complete this stage of the project in order that the CSRFF funding can be acquitted prior to June 2011.

The difficulty is the fact that the project cannot be commenced until the Financial Assistance Agreement has been executed

The draft Regional Business Plan, (which is a requirement for the regional component of the Country Local Government Fund) has been circulated to Councillors and the equestrian people.

Tenders for the design and construction of the undercover arena have been advertised and will close on 23 December 2010. Prospective tenderers were invited to attend a site meeting on 9 December. The author advised that the commencement date for the project would be mid February to mid March as they indicated it would take only 8 weeks for the successful tenderer to construct the building.

Officer's Comment

Due to the fact that Council will next meet in February, it is necessary to delegate the tender evaluation and selection process in order to expedite this project.

COUNCIL DECISION

That:

- 1. Tender 03/2010 evaluation and selection be delegated to the President and Cr T Haslam; and**
- 2. The following criteria be used to evaluate the tenders received**

- | | |
|---------------------------------------------------------------|------------|
| a) Value for money. | 30% |
| b) Engineering assessment and structural capacity | 20% |
| c) Aesthetics of the building. | 20% |
| d) Completion date. | 20% |
| e) Reputation and referee of the supplier and builder. | 10% |

Moved: Cr Haslam

Seconded: Cr Conley

7/0

Carried by Absolute Majority

Councillor Newman declared a proximity interest in item 8.1.8 and departed the room at 4:20pm.

8.1.8 PROPOSED SUBDIVISION LOTS 2774, 2775, 5954 AND 6372 GREAT SOUTHERN HIGHWAY CUBALLING

Location/Address:	As above
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Nil
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Town Planning 10
Voting Requirements:	Simple Majority

Background

The Western Australian Planning Commission has received an application for subdivision of the above lots and has invited comment from Council.

The owner of the lots has indicated that the purpose of the subdivision is boundary rationalisation.

Officer's Comment

The proposed subdivision is allowable under Section 4.5 of Development Control Policy 3.4 Subdivision of Rural Land:

4.5 Boundary realignments

*Lot boundaries which are poorly aligned with natural or constructed features and/or which result in encroachments may be Corrected through **minor** boundary realignments.*

The 800 plus acre property is currently for sale with an option to sell individual lots which raises a concern regarding the lack of road fronting the property. (Parallel to the highway and railway line) There is a gravel track there at the moment, however as there is no known road reserve, it may have been created as a maintenance track for the railways. The four proposed lots back onto a reserve, so access for the middle two lots would have to be the gravel track.

COUNCIL DECISION

Staff advise the Western Australian Planning Commission that:

- 1. As four lots currently exist, there is no objection to boundary realignment.**
- 2. There is currently no named road reserve along the highway frontage of Lots 2774, 2775, 5954 and 6372, and the current owner or future owners of the land should make provision for the construction of a road to service those lots should they be sold individually; and**
- 3. The property is currently being advertised for sale, either as one landholding or as individual lots.**

Moved: Cr Hawksley

Seconded: Cr McDougall

7/0

Cr Newman returned at 4:32pm

8.1.9 SHIRE OF CUBALLING ELECTORS' GENERAL MEETING

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995 and associated regulations
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Finance 2
Voting Requirements:	Absolute Majority

Background

Council is required to hold the Electors' General Meeting no more than 56 days after the acceptance of the annual report for the previous financial year.

As a result the meeting must be held on or before 11 February 2011. The February meeting date is the following week so it may suit Councillors to bring the meeting forward to the Friday before and hold the Electors' General Meeting on the same day.

Officer's Comment

Nil

OFFICER'S RECOMMENDATION

For Council consideration

COUNCIL DECISION:

That the Electors General Meeting be held at 1pm on 10 February 2011 and February Ordinary Council Meeting at 3pm, 10 February 2011.

Moved: Cr Conley

Seconded: Cr Meharry

7/0

Carried by Absolute Majority

8.2 LOTTERYWEST COMPUTER GRANT

Location/Address:	Whole of Shire
Reporting Officer:	Nichole Gould - Admin/ CDO
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Minimal
File Reference:	Grants 9
Voting Requirements:	Absolute Majority

Background

Currently, the Shire of Cuballing has two TeleCentre access points. One located at the Cuby Roadhouse and the other at the Popanyinning Store. These machines are outdated and do not provide sufficient use for a student to adequately complete assignments as they do not provide connection points for USB devices and SD cards. They also do not have a CD/DVD drive.

Council currently pays just over \$3,000 for both locations

Officer's Comment

Staff have applied for a grant from Lotterywest, to assist in the purchase of two new computers, printers and internet connection. This will be of benefit to students, adults and tourists alike.

The children will have the same access to the internet as their classmates from Narrogin do. This will benefit them when undertaking research for assignments, plus enable them to socialise with other young people in the towns.

As the sites will be advertised as internet access points, tourists can utilise them to check emails and save their photos to disk etc, and as most of the residents that do have internet are satellite connections, these often go down during rain or windy weather so the service will be a benefit to them also.

The internet access will be organised separately.

COUNCIL DECISION

That Council:

Authorise staff to terminate the agreement for the supply and operation of the internet kiosks;

1. Endorse staff action regarding the grant application; and Purchase two computers and printers;

2. Locate the computers in Popanyinning and Cuballing for use by tourists and the community.

Moved: Cr Meharry

Seconded: Cr Hawksley 7/0

Carried by Absolute Majority

8.3 REPORTS - WORKS

Location/Address:	Whole of Shire
Reporting Officer:	Alex Richardson, Works Manager
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	
Voting Requirements:	Simple Majority

REGIONAL ROAD GROUP

Shire has been advised of more funds being made available for the widening and drainage improvements on the Wandering Narrogin Road. The reasons being that this road has scored a higher rating which determines the upgrade is necessary. The project total cost is at \$406,570 which is funded at 2 to 1 with council funds. Revised applications have been submitted to Main Roads

SUMMER GRADING

Maintenance grading is proceeding throughout the shire especially where the roads have higher traffic volumes. .

DRYANDRA EQUESTRIAN PARK

There have been ongoing discussions onsite in regards to the facilities and location of the covered arena. The arena has now been put to tender.

ROAD WORKS

Works have started on both the Wandering Narrogin Road and Popanyinning West Road with all of the culvert extensions and headwalls constructed. Gravel widening being undertaken on the Wandering Narrogin Road in preparation for water binding and cement stabilization prior to the widening and bitumen sealing. Popanyinning West Road has been widened and the prime seal to 7 metres has been applied.

PLANT AND EQUIPMENT

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

STAFF

Outside staff are working well with main emphasis on major construction projects on the budget 2010/ 2011

Tim Bradford has an ongoing compensation claim for a shoulder injury.

Tim Bradford has been on 2weeks holiday leave overseas in Thailand.

Depot will remain open and works continue through the Christmas and new year break.

PRIVATE WORKS

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

8.4 REPORTS – HEALTH AND BUILDING

8.4.1 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYORS REPORT

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Allan Ramsay, Environmental Health Officer/Building Surveyor
Enabling Legislation:	Local Government (Miscellaneous Provisions) Act 1960 Health Act 1911 Building Code of Australia, Building Regulations 1989 Builders' Registration Act 1939
Council Policy:	Register Delegated Authority Shire of Cuballing Health Local Law 2007 Shire of Cuballing Town Planning Scheme No 2
Budget Implications:	Nil
File Reference:	CMR 2
Voting Requirements:	Simple majority

Summary

There were two (2) applications approved and license issued for the month of November 2010. Listed below is a summarized breakdown of the applications and proposed structure:

Approval License No	Name of Owner	Builder (RB) Owner Build (OB)	Structure	Location of Building
15(10-11)	Joe Cacic	Joe Cacic (OB)	168m2 shed	3269 Great Southern Highway, Yornaning
16(10-11)	Jason Fuller	Jason Fuller (C)	Re-locatable House	Lot 501 West Popanyinning Road, Popanyinning

On Site Effluent Disposal System

Permit to Use:

- Jason Fuller – Lot 501 West Popanyinning Road, Popanyinnig.

Public Building Inspections

The Cuballing and Popanyinning halls were inspected in accordance with the Health (Public Buildings) Regulations. Several items were note as requiring attention as follows:

- Popanyinning Hall Two illuminated exit signs required;
Door hardware to be adjusted to make the doors open and shut freely; and
Fire blanket to be relocated away from the oven to enable access in the event of the oven catching fire;
Once these items are rectified a Certificate of Approval showing the number of people the hall can accommodate will be displayed.
- Cuballing Hall One illuminated exit sign required to the secondary door to hall;
Fire blanket required in the kitchen located in an accessible location near the oven; and
Provide another fire extinguisher and have the existing fire extinguisher serviced.

10 OTHER URGENT BUSINESS

Moved Cr Newman

Seconded Cr McDougall

That Items 10.1 to 10.5 be considered

Carried 7/0

10.1. DRY SEASON ASSISTANCE SCHEME – WATER STORAGE TANKS

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	N/A
Council Policy:	Nil
Budget Implications:	Minimal
File Reference:	Grants 10b
Voting Requirements	Absolute Majority

Background

WALGA emailed local governments regarding funding for one 50kl water tank at strategically located standpipes. Due to computer problems, the email was not received until Friday 19 November, and submissions were required by close of business that day.

Officer's Comment

The author established that the standpipe with the slowest flow rate was located on Stratherne Road, and contacted the President to obtain endorsement for the submission that day. It is possible to change the location.

Quotations have been received for both concrete and poly tanks, with the poly tank being around \$2,000 lower than concrete. Estimated earthworks and connection, together with suitable access is around \$3,500. Payment of the grant (up to \$7,500) will be made once the tank is installed

COUNCIL DECISION:

That a 46kl Poly Tank be purchased and placed at a suitable location in the vicinity of the standpipe on Stratherne Road.

Moved Cr Newman

Seconded: Cr McDougall

7/0

Carried by *Absolute Majority*

10.2 CUBALLING GOLF CLUB MOWER

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Increase in expenditure for this item
File Reference:	Recreation 2
Voting Requirements:	Simple Majority

Background

The sum of \$10,000 was provided in the 2010/11 budget as a contribution towards the purchase of a new mower for the Cuballing Golf Club.

Correspondence requesting a loan for \$12,000 was received from the Golf Club in October, together with a request that Council purchase the mower.

Comment

There appears to be some doubt as to whether the Golf Club is incorporated, which poses problems regarding the raising of a self supporting loan.

This issue will be addressed in the new year, however the mower needs to be ordered as soon as practicable.

Staff have been unable to ascertain the level of member consultation regarding the self supporting loan request.

The recommendation below is a compromise, as the increase in contribution is half the amount of the proposed loan.

COUNCIL DECISION:

That:

- 1 Council purchase a 3.7m Parkland mower from GJ & JM Wilson, Farm Machinery Specialists for the sum of \$25,000 plus GST and donate that mower to the Cuballing Golf Club; and**
- 2 The Cuballing Golf Club provide the sum of \$6,000, together with the donation, to the Shire, of the existing mower (to be used as a trade-in) as their contribution towards the purchase of the mower.**

Moved: Cr Newman

Seconded: Cr Conley

7/0

10.3 Business Case for Regional Component Country Local Government Fund

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Country Local Government Fund Guidelines
Council Policy:	Nil
Budget Implications:	Potential Increase in Expenditure and Income
File Reference:	Recreation 17
Voting Requirements:	Simple Majority

Background

The Shire of Cuballing was allocated funding through the Country Local Government Fund (CLGF) to have a business plan prepared to justify the allocation of \$500,000 from the regional component of the CLGF.

Comment

Morrison Low have forwarded the Draft Plan for Council consideration. The next step will be to have the Chair and CEO of Dryandra VROC sign off on the plan and send the documents to the Department for Regional Development and Lands for assessment prior to an application for funding being considered.

The original allocation has been scaled back in the plan as we were informed that there had been a decrease in the funding pool.

COUNCIL DECISION

That:

1 The Dryandra Equestrian Centre Business Plan be forwarded to Dryandra Voluntary Regional Organisation of Councils for endorsement; and

2 The plan be delivered to the Department for Regional Development and Lands together with an application for funding.

Moved: Cr Haslam

Seconded: Cr Hawksley

7/0

10.4 LICENCE TO USE POPANYINNING RAILWAY CORRIDOR LAND & BUILDING

Location/Address:	Great Southern Highway Popanyinning
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	\$1.00
File Reference:	Recreation 15
Voting Requirements:	Simple Majority

Background

Council has provided funding in the 2010/11 Budget to develop the area around the Popanyinning Railway Station as a memorial and recreation area.

In order to proceed with the development, Council is required to obtain a licence to use the railway corridor land and building. The rental proposed is one peppercorn

Comment

Nil

OFFICER RECOMMENDATION:

That Council authorise the President and CEO to sign and apply Council's seal to the license between Westnet Rail and the Shire of Cuballing, for the use of the Railway corridor and building for a term of five years, and pay the sum of one dollar, being the annual rental.

COUNCIL ACTION:

Deferred til February Ordinary Meeting

10.5 SHIRE OF CUBALLING DRAFT FORWARD CAPITAL WORKS PLAN

Location/Address:	Whole of shire
Reporting Officer:	Eva Haydon – Chief Executive Officer
Enabling Legislation:	Country Local Government Fund (CLGF) guidelines
Council Policy:	Nil
Budget Implications:	Unknown
File Reference:	Grants 1(f)
Voting Requirements:	Simple Majority

Background

Guidelines for the second round of CLGF funding required the lodgement of a Forward Capital Works Plan with the Department for Regional Development and Lands.

The plan requires approval prior to an application for funding being submitted by the local government.

Comment

The Draft Forward Capital Works Plan has been provided by Morrison Low and will require acceptance by Council prior to lodgement with the Department for Regional Development and Lands.

COUNCIL DECISION

That the Forward Capital Works Plan be accepted.

Moved: Cr Newman

Seconded: Cr Hawksley

7/0

11 Closure of Meeting

There being no further business, the meeting closed at 5.40pm