



SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING
HELD ON THURSDAY 20 FEBRUARY 2003

MINUTES

SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING **THURSDAY 20 FEBRUARY 2003**

MINUTES

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ORDINARY COUNCIL MEETING MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE
OF CUBALLING HELD IN THE COUNCIL CHAMBERS, CAMPBELL
STREET, CUBALLING ON THURSDAY
20 FEBRUARY 2003**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President welcomed Councillors, declared meeting open 2.10 pm.

2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

President I L Watts
Cr C R Hawksley
Cr J D Brown
Cr R J Newman

Deputy President D S Bradford
Cr C J Browne
Cr T H Wittwer
Chief Executive Officer P T Naylor

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. MINUTES - CONFIRMATION OF 19 DECEMBER 2002 MEETING MINUTES

Moved Cr Brown, seconded Cr Newman that the minutes of the ordinary meeting of the Shire of Cuballing held in the Council Chambers 19 December 2002 be confirmed.

CARRIED 7/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS

Nil

7. REPORTS OF OFFICERS

7.1 CHIEF EXECUTIVE OFFICER

**7.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT –
FEBRUARY 2003**

V	NAME	PARTICULARS	MUNI	TRUST
T1744	CASH	Social Club Lotto		100.00
WP454	EXTEND WEST	WPGC Admin Costs – Reports		5993.90
8489	BUILDERS REGISTRATION BOARD	Building Dispute Levy Nov 02	73.50	
8490	SALARIES & WAGES	Wages 4/12/02 – 17/12/02	31279.67	
8491	CASH	Councillors Meeting Fees 2002	3650.00	
8551	BEAUREPAIRES	Parts & Repairs	53.90	
8552	BOISE CASCADE	Stationery	106.87	
8553	COCKBURN CEMENT	Materials (Cement)	480.48	
8554	COLES	Council Shopping & Christmas Function	150.64	
8555	CUBY ROADHOUSE	Refreshments	19.20	
8556	NGN AGRICULTURAL REPAIRS	Parts & Repairs	79.20	
8557	NGN BEARING SERVICE	Parts	135.20	
8558	PIONEER ROAD SERVICES	Road Construction Materials	14325.70	
8559	RADIOWEST	Fire Safety Messages	110.00	
8560	SHIRE OF WANDERING	CLC Expenses November 02	165.00	
8561	SUNNY SIGN COMPANY	Signs	261.80	
8562	WA LOCAL GOVERNMENT ASSOC.	Chq Cancelled – refer to chq 8488		
8492	SALARIES & WAGES	Wages 18/12/02 – 31/12/02	17595.96	
8493	I L WATTS	Presidents Allowance 2002	4000.00	
8494	THE FISH VAN	Christmas Function	178.00	
8495	DEPARTMENT OF TRANSPORT	OCN New Registration (Changeover)	109.30	
WP455	NATURAL HERITAGE TRUST	HWWPGC O/S Funds Returned to NHT		140002.00
WP456	KELLIHER BROS.	Mallees		1925.00
WP457	NAIBILLI FARMING CO.	Mallees		1925.00
8496	I L WATTS	Travel Allowance – ILUA Meetings	520.30	
8497	SALARIES & WAGES	Wages 1/01/03 – 14/01/03	20996.01	
T1745	WA LOCAL GOVT SUPER PLAN	Dec 02 Super Contributions		7210.36
T1746	ASU	Dec 02 ASU Deductions		45.30
8498	DEPARTMENT OF TRANSPORT	Transfer of New Trailer Licence	31.55	
T1747	HILLSIDE MEATS	Social Club BBQ		11.90
T1748	COLES	Social Club BBQ		14.53
T1749	KIPLING MARKET	Cuby LCDC		57.00
T1750	NGN LIQUOR STORE	Cuby LCDC		54.63
8534	EDWARDS MOTORS	Purchase of Trailer & Accessories OCN	1142.30	
T1751	JL & MC WHITELY	Better Water Management Program		1777.50
8535	ATO	December 02 BAS	10363.00	
8536	BUILDERS REGISTRATION BOARD	Building Dispute Levy Dec 02	49.00	
T1752	CUBALLING FIRE BRIGADE	Reimburse Fire Brigade Subs		180.00
T1753	CUBALLING FIRE BRIGADE	Reimburse Fire Brigade Subs		90.00
T1754	CO-OPERATIVE BULK HANDLING	Reimburse Hall Hire Bond 22/10/02		100.00
T1755	POPANYINNING FIRE BRIGADE	Reimburse GST Received Oct-Dec 01		13.00
8537	LOCAL GOVT MANAGERS AUSTRALIA	Membership Subs 2002/03	286.00	
8538	SALARIES & WAGES	Wages 15/01/03 – 28/01/03	22142.80	
T1756	WA LOCAL GOVT SUPER PLAN	Jan 03 Super Contributions		4120.05
T1757	ASU	Jan 03 ASU Deductions		30.20
8539	I L WATTS	Travel Allowance	214.20	
8540	PETTY CASH	Petty Cash Recoup	265.95	
8541	WA LOCAL GOVT ASSOCIATION	Cr Watts Rural Summit Registration Fee	55.00	
8542	WESTERN POWER	Power A/C	1486.01	
8543	TELSTRA	Phone A/C	756.75	

T1758	DEPARTMENT OF TRANSPORT	Local Authority Plates – L Shields	110.00
T1759	NGN LIQUOR STORE	Social Club BBQ	37.59
8544	BBC ENTERTAINMENT	Centenary Celebration – Entertainment	660.00
8545	SALARIES & WAGES	Wages 29/01/03 – 11/02/03	21709.41
8546	STAR TRACK EXPRESS	Freight	35.72
8547	PIONEER ROAD SERVICES	Road Construction Materials	14018.40
8563	AARONS AUTO AIR	Chq Cancelled	
8564	ARGUS PEST CONTROL	Housing Maintenance – Pest Control	165.00
8565	RD & RA BETTELEY	Push Gravel	2387.00
8566	BILL & BENS HOT BREAD SHOP	Christmas Function	21.00
8567	BLADON WA	Centenary Celebration Glasses	1129.70
8568	BOISE CASCADE	Stationery	191.52
8569	BUCKINGHAM PEWTER	Centenary Celebration Medallions	1095.60
8570	COCKBURN CEMENT	Materials (Cement)	480.48
8571	COLLIER KNYN & ASSOCIATES	Software Maintenance	1127.64
8572	COURIER AUSTRALIA	Freight	113.26
8573	CUBY TAVERN	Council Luncheon & Christmas Function	988.30
8574	CUBY ROADHOUSE	Refreshments & Gas	375.60
8575	DANDI DESIGNS	Centenary Celebration Luncheon	130.75
8576	DAVREEN NOMINEES	Cuballing History Book – Editing	348.00
8577	DEPT OF INDUSTRY & TECHNOLOGY	Credit Card Contract Fees	76.46
8578	DOLA	Shire Maps, Rating Valuation	216.00
8579	DRYANDRA ELECTRICAL SERVICES	Repairs to Dam Pump	78.65
8580	DUGALD FERGUSON MACHINERY	Plant Maintenance (CN0 Service)	32.67
8581	EDWARDS MOTORS	Vehicle Maintenance (OCN)	392.70
8582	FILTERS PLUS	Parts & Repairs	71.28
8583	FRANK WESTON & CO	Parts	35.20
8584	GREAT SOUTHERN FUEL SUPPLIES	Fuels & Oils	8546.16
8585	HILLSIDE MEATS	Christmas Function	117.00
8586	IKES HOME IMPROVEMENTS	Parts & Repairs	100.91
8587	LANDVISION	Planning Consultancy Services	275.00
8588	MAKIT NGN HARDWARE	Parts & Materials	120.55
8589	MAXWELLS PHARMACY	OHS – Michael Harris Vaccination	60.00
8590	MOBILE MASTERS	Parts & Repairs	74.03
8591	O W MOFFLIN	Removal of Trees – Popo East Road	60.00
8592	NGN AUTO ELECTRICS	Parts & Repairs	1222.15
8593	NGN BEARING SERVICE	Parts & Repairs	429.12
8594	NGN FIBREGLASS PRODUCTS	Parts & Repairs	145.75
8595	NGN HIRE SERVICE	Hire of Parts	44.70
8596	NGN OBSERVER	Advertisements	491.02
8597	NGN PUMPS SALES & SERVICE	Parts & Repairs	1689.80
8598	NGN REMOVALS	Employee House Maintenance	80.00
8599	NEWSREEL NEWSAGENCY	Dale Sanders Farewell	12.70
8600	PARRYS	Protective Clothing	50.00
8601	PIONEER CONSTRUCTION	Blue Metal	6558.63
8602	QUALUP BELL NURSERY	Maintenance General – Plants	85.90
8603	RAM PAPER	Office Paper	129.78
8604	REGIONAL SIGNS	Signs	286.00
8605	REINFORCED CONCRETE PIPES	Pipes	283.25
8606	SHIRE OF NGN	Patching Maintenance Materials	1430.00
8607	SHIRE OF WANDERING	CLC Expenses December 02	836.54
8608	SOS BUNBURY	Photocopier Charges	559.14
8609	STATE LAW PUBLISHER	Gazettal – Ward Boundary Changes	251.60
8610	TELSTRA	Mobile A/C	13.68
8611	THE PAPER COMPANY	Office Paper	150.48

8612	THOMPSON ELECTRICAL SERVICES	Supply & Install Air Conditioner	2750.00
8613	TOWN OF NGN	Building Inspection Fees Dec 02	907.48
8614	VOGUE FABRICS	Employee Housing Maintenance	962.00
8615	WA LOCAL GOVT ASSOCIATION	Roman Software Maintenance	880.00
8616	WESTERN POWER	Power A/C	238.81
8617	WESTRAC EQUIPMENT	Parts	303.38
8618	WHEATBELT DEVELOPMT COMM	Central South Action Plan Contribution	1100.00
8619	WJ & MD PATMORE	Recreational Grounds Maintenance	400.00
8620	AARONS AUTO-AIR	Parts & Repairs	166.10
8621	TELSTRA	Phone A/C	1034.45
8622	BEAUREPAIRES	Parts & Repairs	3184.66
8623	PIONEER CONSTRUCTION	Blue Metal	4466.70
8624	DIRECT OFFICE PRODUCTS	Stationery	288.20
ELECT FUNDS TRANSERS			
120/03	EPAC SYSTEMS	Environmental Health Services	2789.69
CREDIT CARD TRANSACTIONS			
281102	D W THORPE	Cuballing History Book – ISBN Number	50.00
051202	MAUS BUSINESS SYSTEMS	Purchase of Computer Software	311.00
TOTAL			220899.99 163797.96

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That payment of Accounts Vouchers T1744 – T1759, WP454 – WP457, 8489 – 8498, 8534 – 8547, 8551 – 8624, electric transfer 120203 and credit card transaction/s 281102 & 051202 totalling \$384697.95, as presented, be endorsed.

Creditors invoices processed and outstanding as at 20 February 2003 and not included in the cheque list presented to the Council meeting on 20 February 2003 total \$16,812.81.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.2 SHIRE OF CUBALLING FINANCIAL REPORTS AS AT 31 JANUARY 2003

		Annual Budget 2002/03 \$	Actual YTD 2002/03 \$
OPERATING ACTIVITIES	Sch		
Income			
General Purpose Funding	3	7,070	494,128
Governance	4	-600	2,164
Law, Order & Public Safety	5	1,150	1,754
Health	7	950	720
Education and Welfare	8	0	0
Housing	9	49,500	0
Community Amenities	10	8,400	4,933
Recreation and Culture	11	2,080	3,028
Transport	12	21,020	10,721
Economic Services	13	8,130	19,604
Other Property and Services	14	82,000	27,745
Total Operating Income		179,700	564,797
Expenditure			
General Purpose Funding	3	-18,850	-10,856
Governance	4	-180,860	-98,213
Law, Order & Public Safety	5	-24,790	-17,226
Health	7	-11,600	-8,548
Education and Welfare	8	-1,750	-80
Housing	9	-37,230	-10,635
Community Amenities	10	-127,190	-17,088
Recreation and Culture	11	-93,900	-41,081
Transport	12	-712,010	-394,468
Economic Services	13	-84,270	-23,537
Other Property and Services	14	-80,970	-232,554
Total Operating Expenditure		-1,373,420	-854,286
ADJUSTMENTS FOR CASH REPORTING REQUIREMENTS:			
Depreciation (Assets Register)		521,320	275,853
Profit/Loss on Sale of Assets		-62,940	-6,616
Capital Expenditure & Income			
Proceeds on Sale of Assets		206,000	92,217
Capital Grants and Subsidies		835,180	417,795
Land and Buildings		-245,630	-146,220
Infrastructure Assets - Roads		-544,480	-173,052
Plant and Equipment		-298,000	-126,128
Furniture and Equipment		-12,800	-6,061
Proceeds from New Loans		0	0
Loan Repayments		-26,320	-15,782
Transfer to Reserves		-183,000	-12,146
Reserves (Cash Backed)		182,800	0
Opening Funds		325,000	332,058
Less Closing Funds		-3,000	-342,470
CLOSING POSITION		-499,590	41

BANK RECONCILIATION

	Municipal Fund	Trust Fund	Reserve Accts
Opening balance	\$354,101.13	\$121,438.60	\$441,879.46
Income	\$53,613.75	\$60,827.66	\$5,235.94
	\$407,714.88	\$182,266.26	\$447,115.40
Expenditure	-\$56,372.63	-\$69,322.73	-\$0
Closing balance	\$351,342.25	\$112,943.53	\$447,115.40
Bank account	\$148,871.81	\$113,363.90	\$1,633.76
Investments	\$203,606.90	\$3,888.59	\$445,481.64
	\$352,478.71	\$117,252.49	\$447,115.40
Plus O/S deposits	\$440.80	\$0	\$0
	\$352,919.51	\$117,252.49	\$447,115.40
Less O/S cheques	-\$1,164.06	-\$4,308.56	-\$0
	\$351,755.45	\$112,943.93	\$447,115.40
Less O/S licensing	-\$384.60	-\$0	-\$0
	\$351,370.85	\$112,943.93	\$447,115.40
Adjustments	-\$28.60	-\$0.40	
Closing balance	\$351,342.25	\$112,943.53	\$447,115.40
Ledger No.	1.5.901	5.21.961	1.5.903

SHIRE OF CUBALLING INVESTMENTS

Account Number	Maturity Date	Interest Rate	Fund/Account		
			Municipal	Reserve	Trust
6522 50052472	21 April 03	4.35%		\$445,481.64	\$3,888.59
6522 50052579	4 April 03	4.10%	\$203,606.90		
			\$203,606.90	\$445,481.64	\$3,888.59

ROADWORKS REPORT

MAINTENANCE			
Details	Job No	Budget \$	Actual YTD \$
Parks and Reserves	1100.9	53,450	47,879
Road Maintenance General	1201.31	51,350	106,016
Tree Lopping/Mulching	1201.34	51,350	24,626
Town Maintenance - Cuballing	1201.35	51,350	895
Town Maintenance - Popanyinning	1201.36	51,350	301
Bitumen Patching	1201.37	51,350	8,492
Bridges & Culverts - General	1201.38	3,615	0
Bridges & Culverts - Cuballing	1201.39	3,615	0
Bridges & Culverts - Popanyinning	1201.40	3,620	0
Grading Maintenance - Winter	1201.41	79,096	50,797
Grading Maintenance - Shoulder	1201.42	79,046	230
Grading Maintenance - Summer	1201.43	79,048	18,893
Weed Control – Declared Plants	1300.1	15,970	12,919
Weed Control - Roadside	1300.3	15,970	0
Total Maintenance		590,180	271,048
CONSTRUCTION			
Cuballing East (RRG)	1200.30	74,710	63,010
Popanyinning West/Dowling (BS)	1200.40	23,400	16,589
Bunmulling/Popanyinning East (BS)	1200.41	0	15,578
Popanyinning East (DG)	1200.50	59,970	1,098
Congellin (R2R)	1200.60	59,950	16,945
Alton Street (R2R)	1200.61	39,980	0
Nebrikinning (R2R)	1200.63	0	1,905
Bunmulling (Own)	1200.70	55,420	864
Yornaning West (Own)	1200.71	49,950	56,876
Brundell Street (Own)	1200.72	52,550	0
Morrell Street (Own)	1200.73	52,550	0
Total Construction		468,480	172,865
GRAND TOTAL		1,058,660	443,913

RATING INFORMATION

	Budget 2002/03	Actual 2002/03
UV Rates Levied	\$391,770	\$396,308
GRV Rates Levied	\$41,370	\$41,834
UV Minimum Rates Levied	\$0	\$0
GRV Minimum Rates Levied	\$66,450	\$66,450
Interim Rates UV	\$0	\$381
Interim Rates GRV	\$0	\$518
	\$499,590	\$505,491
Rates o/s from previous years (1 July)	\$8,960	\$8,957
Rates Written Off	\$0	\$0
Discount Allowed	-\$35,000	-\$35,829
Net Rates Receivable	\$473,550	\$478,619
Less Rates Paid		-\$459,636
RATES OUTSTANDING		\$18,983
UV Rates as a % of total rates		79%
GRV Rates as a % of total rates		21%
Payment Discount as a % of total rates		7%
Rates Paid as a % of net rates receivable		96%
Rates Outstanding as a % of net rates		4%

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Shire of Cuballing Financial Reports for period ending 31 January 2003 be received and adopted.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.1 DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT – COMPLIANCE AUDIT RETURN FOR LOCAL GOVERNMENT 2001/2002

Background

In accordance with clause 14 of the Local Government (Audit) Regulations 1996, each Local Government is to carry out a Compliance Audit for the period 1 January to 31 December in each year. The compliance audit is to be prepared in the prescribed format and presented to Council at a meeting of Council, adopted by Council, and the adoption recorded in the meeting minutes. The audit is to be submitted to the Department by the 31 March 2003.

Comment

The Compliance Audit for the Shire of Cuballing for period 1 January 2002 to 31 December 2002 has been completed and is circulated with the meeting agenda for Council information. During the audit process there have been no instances during the reporting period where Council has failed to comply with relevant legislation and the processes required.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Compliance Audit Report for the Shire of Cuballing for period 1 January 2002 to 31 December 2002, as circulated and presented to the Council meeting be adopted and forwarded to the Department of Local Government and Regional Development.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.2 WESTERN AUSTRALIAN ELECTORAL COMMISSION – WESTERN AUSTRALIAN STATE ELECTORAL BOUNDARIES

Background

Correspondence from the WA Electoral Commission (WAEC) advising that an electoral distribution process will commence on 5 February 2003 to determine the electorate areas for the next State General Election due in late 2004 or early 2005.

Comment

The State Electoral Boundary for the Shire of Cuballing has been a source of concern for the Cuballing Shire in past times as the boundaries often change between the Wagin and Avon electorates to suit the quotient required. Given the proximity of the Cuballing Shire to the Member for Wagin's electoral office in Narrogin as opposed to the Northam office of the Member for Avon, and the community of interest that residents of the Shire have with Narrogin and surrounding areas, it would appear more satisfactory if Wagin became the permanent electorate. Discussions with Mr Warren Richardson of the WAEC

indicate that because of the expanding population in the south west region of the state and the declining population in the agricultural areas, there could eventually be a change in the electoral boundaries east to west instead of north south as previously, and indeed lead to an eventual change altogether of the electoral boundaries and names.

Perhaps it may be appropriate for Council to make a suggestion to the WAEC that in accordance with the six factors that are used to help determine the electoral boundaries the Shire of Cuballing should remain in the Wagin Electorate for the 2004/05 State General Elections.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Western Australian Electoral Commission be informed that the Shire of Cuballing, given its community of interest with Narrogin and the surrounding areas, and other factors in determining the electoral boundaries, wishes to remain in the Wagin Electorate for the 2004/05 State General Elections

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.3 SOUTH WEST CATCHMENTS COUNCIL INC – MINUTES OF 25 NOVEMBER 2002

Background

Minutes of the meeting of the South West Catchments Council Inc. held on 25 November 2002.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Minutes of the meeting of the South West Catchments Council Inc. held on 25 November 2002 be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.4 AUSTRALIAN TRANSPORT SAFETY BUREAU – NATIONAL ROAD SAFETY ACTION PLAN 2003 AND 2004

Background

The Australian Transport Safety Bureau has released the latest National Road Safety Plan for the years 2003 and 2004. The Action Plan has been developed under the National Road Safety Strategy, which aims to achieve a reduction of 40% in road fatalities over the ten year period to 2010.

Comment

Further copies of the Action Plan have been requested and these should be available for distribution to Councillors on meeting day.

The Action Plan includes background to the National Road Safety Strategy, a review of actions implemented in the first two years, and major actions areas for 2003 and 2004.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The National Road Safety Action Plan for 2003 and 2004 be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.5 ENVIRONMENTAL PROTECTION AUTHORITY – SHIRE OF CUBALLING TOWN PLANNING SCHEME NO 2 AND LOCAL PLANNING STRATEGY

Background

Letter received from the Environmental Protection Authority (EPA) providing comments and feedback on the Shire of Cuballing Draft Town Planning Scheme No 2 and Local Planning Strategy.

Comment

The issues raised by the EPA are similar to those previously brought to Councils attention, at the November 2002 meeting, from the Department of Planning and Infrastructure (DPI) with comments by Councils Town Planning Consultant, Mr Trevor Moran.

Arrangements have been made for Mr Moran to attend the March 2003 meeting of Council to discuss the various issues raised by the EPA and DPI further.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Environmental Protection Authority be received and comments made pertaining to the Shire of Cuballing Draft Town Planning Scheme No 2 and Local Planning Strategy be noted. Mr Trevor Moran (Shire of Cuballing Town Planning Consultant) to be invited to attend the March 2003 meeting of Council to address the various matters raised.

COUNCIL ACTION

Moved Cr Newman, seconded Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.6 HERITAGE COUNCIL OF WA – REGISTER OF HERITAGE PLACES

Background

Letter from the Heritage Council of WA advising that the former Cuballing Post Office and Quarters has now officially been entered on the State Register of Heritage Places on a permanent basis.

Comment

This process has been ongoing for some time and has previously been reported to Council.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Heritage Council of WA be received and information noted.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.7 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – DRAFT STATE MITIGATION FRAMEWORK

Background

WALGA has been involved in developing a state mitigation framework to establish a unified State approach to natural hazard mitigation through the State Mitigation Committee. The overall aim of the Committee is to reduce the social, economic and environmental cost of natural hazards to the WA Community and to ensure that natural hazards are adequately considered when making decisions about land use and development.

Comment

The proposed Framework seeks to establish a unified State approach to natural hazard mitigation under which all levels of government, households, communities, businesses, volunteer organizations, insurers and other interests operate in concert to:

- Create safer, more sustainable communities and regions in social, economic and environmental terms;
- Reduce risks, damages and losses from natural hazards;
- Find the right balance among mitigation, preparedness, response, relief and recovery activities; and
- Recognise the investment and savings opportunities provided by mitigation.

The proposed Framework sets out details of the five-year state mitigation program, the integration of emergency mitigation and operating principles as well as the roles and responsibilities for the Commonwealth, State and Local Governments. The

responsibilities for Councils include assessing risk, determining priorities, providing leadership and implementing emergency mitigation initiatives. In particular Councils will have responsibility for risk assessments in land use planning, local public awareness and education activities, appropriate local resourcing and arrangements and representing community interests to other levels of government.

WALGA has requested feedback from Councils by the end of January 2003, as they have to report to the State Mitigation Framework by the beginning of February 2003. I realise it is too late for Council to make comment on the proposed Framework, however it is an important issue and therefore included in the agenda for information.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The correspondence from WALGA be received and information pertaining to the Draft State Mitigation Framework be noted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.8 CENTRAL SOUTH TOURISM ASSOCIATION (INC)

Background

Minutes of a Special Meeting of the Central South Tourism Association (Inc) held in Kulin on Monday 18 November 2002, Tourism Association letter on a review of its structure, Tourism Association Agenda for General Meeting to be held at the Dryandra Village on Tuesday 25 February 2003.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The minutes of the Special Meeting of the Central South Tourism Association (Inc) held in Kulin on Monday 18 November 2002, letter from the Central South Tourism Association, and Agenda for the General Meeting of the Association to be held at the Dryandra Village on 25 February 2003, be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

Cr Brown to represent the Shire of Cuballing at the Central South Tourism Association meeting to be held at Dryandra on 25 February 2003.

7.1.3.9 MRS RUBY GROUT – WAR SERVICE HONOUR BOARD

Background

Letter received from Mrs Ruby Grout requesting Council consideration to the preparation of a War Service Honour Board recognising the persons from the Cuballing district that gave and/or offered their lives in the Second World War.

Comment

This matter has been raised by Mrs Grout on several occasions over a period of time and initially the request was for the names to be recorded on the War Memorial in Memorial Park. It has been ascertained however that the War Memorial only relates to the First World War and there is no recognition within Cuballing of the Second World War or other Wars. Therefore Mrs Grout request is not unreasonable.

The Department of Veterans Affairs has grants available up to a maximum of \$4,000 for the restoration of existing or preparation of new memorials/plaques, etc. If Council supports the proposal consideration will have to be given to the type of honour board to be prepared and what conflicts to include.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Mrs Ruby Grouts request for the preparation of an Honour Board to recognise War Veterans from the Cuballing District be supported. Further consideration be given to the type of Honour Board and conflicts to be included thereon. A grant application to be submitted to the Department of Veterans Affairs for financial assistance of up to \$4,000 for the development of the Honour Board.

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Newman Mrs Ruby Grouts request for the preparation of an Honour Board to recognise War Veterans from the Cuballing District be noted. Council investigates the development of plaques for installation at the Cuballing War Memorial area recognising the names of persons who enlisted from within the Cuballing district and offered and/or gave their lives for the freedom of Australia in conflicts of war. A grant application to be submitted to the Department of Veterans Affairs for financial assistance of up to \$4,000 for the development of the plaques.

CARRIED 7/0

7.1.3.10 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – SIGNING OF COMMITMENT TO STATE AND LOCAL GOVERNMENT PARTNERSHIPS

Background

Letter from WALGA formally advising of the signing of the partnership between State and Local Governments for both spheres of government to work together for the future benefit of the State.

Comment

The signing of the partnership commitment represents a major achievement in the pursuit of Local Government for a mutually beneficial relationship with the State Government, and it is anticipated the first step will pave the way for increased involvement for Local Government in major State decisions that affect local communities.

Only time will tell if the partnership agreement will realise any great benefits to Local Government, however Councils are encouraged to embrace this opportunity to work closer with the State on matters of significant importance to their local areas.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Western Australian Local Government Association be received and the State/Local Government Partnerships documentation be noted and endorsed.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.11 NARROGIN & DISTRICTS TOURIST BUREAU INC – MINUTES OF MEETING HELD ON 18 DECEMBER 2002

Background

Minutes of the meeting of the Narrogin & Districts Tourist Bureau Inc held at the Shire of Narrogin Council Chambers on Wednesday 18 December 2002.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Minutes of the meeting of the Narrogin & Districts Tourist Bureau Inc held on Wednesday 18 December 2002 be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.12 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – NEW STRUCTURE FOR CRIME PREVENTION IN WA

Background

Letter from WALGA advising of their submission to the State Government on the new Structure being proposed for Crime Prevention in WA.

Comment

This matter was previously presented to the November 2002 meeting of Council where it was resolved that Council agreed that the State and Local Government needed to work more closely on crime prevention, however that the responsibility of employing law enforcement officers should remain with the State.

WALGA in their submission have indicated to the Office of Crime Prevention that they are not able to support the proposed new structure until further information is provided in relation to all roles and responsibilities of all stakeholders.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Western Australian Local Government Association be received, and their Response to the New Structures for Crime Prevention in WA Report be noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.13 WHEATBELT DEVELOPMENT COMMISSION – WHEATBELT REGIONAL DEVELOPMENT SCHEME

Background

Letter from the Wheatbelt Development Commission advising the Shire of Cuballing Grant Application submitted to the 2002/03 Wheatbelt Regional Development Scheme on behalf of the Shires of Cuballing, Narrogin, Pingelly, Wickepin and Williams, and the Town of Narrogin, for financial assistance for a Feasibility Study for a Regional Refuse Site, has not been successful.

Comment

As Council is aware the Cuballing and Popanyinning Landfill Refuse Sites are very unsightly and in need of urgent works to bring them up to an acceptable standard. It was hoped that developing a Feasibility Study and eventually a Regional Refuse Site somewhere within the lower Wheatbelt South Region would perhaps alleviate the urgency for Council to allocate funds to upgrade the existing sites. The problem at Cuballing and Popanyinning is not isolated and all unmanned and unrestricted refuse sites are of similar concern to their governing bodies. Mr Harold McKenzie whom provided the quotation to undertake the Feasibility Study has indicated he will inspect the Cuballing and Popanyinning sites and provide a report for Councils consideration to bring the quality of the sites up to standard and also provide recommendations for best practise at the sites, ie restricted operating hours with site manager in attendance. Mr McKenzie has provided a verbal quotation of approximately \$1,000 to undertake this process. The idea of restricting the operating hours of the refuse sites may not instantly be appealing to the residents of the district, however, it is difficult to maintain satisfactory control over dumping at the sites any other way and it is something Council needs to give serious consideration. The manning of the sites during hours of operation will also

be an expensive exercise, however, the offering of salvage rights can go some way to offsetting the cost.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Wheatbelt Development Commission be received and information noted.

Mr Harold McKenzie be employed to provide a report to Council on the operations of the Cuballing and Popanyinning Refuse Sites. Report to include works necessary to bring the Refuse Sites to an acceptable standard and advise on future operation of the Sites with restricted hours and management during hours of operation.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 6/1

7.1.3.14 LOTTERIES COMMISSION OF WESTERN AUSTRALIA – GRANT APPLICATION FOR PLAYGROUND EQUIPMENT

Background

Letter from the Lotteries Commission advising Councils Grant Application for the purchase of Playground Equipment, for the proposed park/playground area between the Cuballing Road House and Qualup Bell Nursery, has been successful to the value of \$2,823.00 (GST exempt).

Comment

Council Grant Application was for amount of \$3,000 on a dollar for dollar basis to enable the purchase of equipment to the value of \$6,000 (GST exempt). However, the Lotteries Commission advise that amount of \$2,823 is the maximum to be allocated following recent grant applications to the Commission for similar projects.

Plans of Playground Equipment to the value of \$6,000 were presented to the meeting of the Townscape Committee on Tuesday 11 February 2003. The Committee preferred a plan from Forpark Australia that did not include delivery and installation and therefore would provide additional equipment. The Committee agreed to assist with the installation of the equipment. The Playground Equipment has been ordered and will be available in mid March 2003.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Lotteries Commission be received and information noted.

The Chief Executive Officers actions in requesting the Townscape Committee to select suitable Playground Equipment to the value of \$6,000, and subsequent ordering of the Equipment be endorsed.

COUNCIL ACTION

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

CARRIED 7/0

7.1.3.15 ROADWISE – APPOINTMENT OF REGIONAL ROAD SAFETY OFFICER FOR THE WHEATBELT SOUTH REGION

Background

Letter from Roadwise introducing Ms Elizabeth Kelly as the new Acting Regional Road Safety Officer for the Wheatbelt South Region. Ms Kelly will be relocating to Narrogin to take up the position in a full time capacity on 18 February 2003.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from Roadwise be received and information on the appointment of Ms Elizabeth Kelly as the Regional Road Safety Officer for the Wheatbelt South Region be noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.16 MR DON BARBER – APPLICATION FOR HOME BUSINESS, AQUACULTURE

Background

Letter from Mr Don Barber requesting Council consideration for future approval to establish an Aquaculture project on Lots 289 and 290 Brundell Street, Cuballing. Mr Barber has placed an offer of purchase on the two properties and the offer is subject to Council considering such an application in the future. The land is zoned Rural Residential.

Comment

The establishment of an Aquaculture Project is not specifically covered in the Shire of Cuballing Town Planning Scheme #1, however, could possibly be determined as a Rural Pursuit, which has an "AA" approval and can be approved at Councils discretion. This type of project is specifically covered in the Shire of Cuballing Draft Town Planning Scheme #2 for land in the Rural Residential zone as an "A" approval, which means that Council can exercise its discretion and grant planning approval after giving special notice in accordance with the requirements of the Town Planning Scheme.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Mr Barber be informed that Council will be prepared to consider favourably an planning application to commence an Aquaculture Project on Lots 289 and 290

Brundell Street, Cuballing, subject to the application at the time meeting all the necessary legislative requirements.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Browne that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.17 DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT – REVIEW OF WARDS AND REPRESENTATION

Background

Advise from the Department of Local Government and Regional Development that Councils proposal to reduce the number of ward boundaries within the Shire from seven to two (North Ward and South Ward) has been approved and the changes were gazetted on 14 January 2003.

Comment

An extract of the Gazettal notice was provided to all Councillors via facsimile transaction on 16 January 2003. As previously discussed by Council this will result in a total spill of all Councillor positions for the May 2003 Local Government Elections. The new Councillor representation will be three in the North Ward and four in the South.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Department of Local Government and Regional Development be received and the information pertaining to the changes in Ward Boundaries for the Shire of Cuballing be noted.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.18 MR D & MRS D MARWICK – REQUEST TO PURCHASE ROAD RESERVE ADJOINING LOT 3 POPANYINNING

Background

Letter from Mr & Mrs Marwick requesting Councils support for them to purchase the road reserve adjoining their property at Lot 3 Bunmulling Road, Popanyinning.

Comment

This land is part of the break-up of the Henderson Corporation properties previously owned by C R & M Browne. The road reserve in question has never been formed as a road and it is not envisaged that it will be a requirement in the future. All properties that

surround/adjoin Lot 3 have suitable access via alternative routes and therefore do not require this particular road reserve.

Purchase of the land by Mr & Mrs Marwick will effectively close the road reserve and reduce Councils responsibility for managing the property.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Mr D & Mrs D Marwick be informed that Council will support an application to the Department of Land Administration for them to purchase the road reserve adjoining their property at Lot 3 Bunmulling Road, Popanyinning.

COUNCIL ACTION

Moved Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

Motion lapsed for want of a seconder.

Moved Cr Newman, seconded Cr Bradford that Council does not support the application for Mr and Mrs Marwick for purchase of the road reserve adjoining their property at Lot 3 Bunmulling Road, Popanyinning. Council's preference is for the road reserve to be retained as a nature strip.

CARRIED 6/1

7.1.3.19 LOCAL EMERGENCY MANAGEMENT ADVISORY COMMITTEE – MINUTES OF MEETING HELD ON 30 JANUARY 2003

Background

Minutes of a meeting of the Local Emergency Management Advisory Committee held in the Town of Narrogin Council Chambers on Thursday 30 January 2003.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Minutes of the Meeting of the Local Emergency Management Advisory Committee held on Thursday 30 January 2003 be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.20 FIRE & EMERGENCY SERVICES AUTHORITY OF WA – EMERGENCY SERVICES LEVY, SERVICE CATEGORY BOUNDARIES

Background

Letter from the Fire & Emergency Services Authority (FESA) advising the FESA Emergency Services Legislation (ESL) has been passed by State Parliament and will come into effect from 1 July 2003.

Comment

The letter further advises that the whole of the Shire of Cuballing is encompassed by ESL Category 5, which should result in all properties within in the Shire paying the fixed minimum amount of \$30 per rate assessment.

CHIEF EXECUTIVE OFFICERS RECOMMEDATION

The letter from the Fire & Emergency Services Authority of WA be received and information noted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Browne that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.21 SHIRE OF CUBALLING ANNUAL ELECTORS MEETING

Background

The Annual Electors Meeting for the Shire of Cuballing 2001/02 Financial Year was held in the Shire Council Chambers on Thursday 6 February 2003, and the Minutes from the meeting are enclosed.

Comment

There are some issues that were raised at the Annual Electors Meeting that will require further consideration by Council.

- Reduction of Truck Noise on the approaches to the Great Southern Highway from the Cuballing East and Cuballing West Roads.

This matter was raised by Mr P Denton whom stated that the noise, particularly at night, can be very disturbing to the local residents. Mr Denton has requested Council consideration to the placement of signs on the Cuballing East and Cuballing West Roads informing truck drivers that they are approaching a residential area and to reduce noise.

- Mr N Robertson tabled a letter at the Electors Meeting seeking clarification/information on four matters.

Council Rubbish Tip

I believe this matter was adequately answered at the meeting and has been again addressed earlier at today's meeting.

Skate/BMX Park

This matter was addressed at the Electors meeting.

Private Works

Mr Robertson is requesting that details of the Private Works undertaken by Council be included in the Council Meeting Agenda and Minutes. This is not a requirement of the Local Government (Financial Management) Regulations and has not previously been requested by Council. I do not see a need to provide a detailed report on Private Works to Council as it is essentially a management issue. The Works Supervisor has been instructed to undertake budgeted works as a first priority and only do private works as time permits. He has also been instructed not to compete with local commercial business when undertaking private works. Normal works that Council undertakes is public works and I believe that some people may see it as an invasion of their privacy if Council was to publicise the private works being carried out, however, it may be pertinent for the Works Supervisor to include in his report a list of private works undertaken without showing the names of persons/properties involved.

New Shire House

Mr Robertson has requested a breakdown of the costs pertaining to the new Shire House. This is not a problem and can be provided.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Minutes of the Shire of Cuballing Annual Electors Meeting held on 6 February 2003 be received.

In relation to the matters to be addressed Council resolves:

- **Truck Noise Signage: Signs be purchased for installation on the Cuballing East and Cuballing West Roads.**
- **Private Works: Mr Robertson be informed that separate disclosure of information pertaining to Private Works is not a Local Government Financial Reporting requirement and as such Council does not require a detailed report to be included in the Council Meeting Agenda and Minutes, however, some information is to be included in future Works Supervisors Reports to Council.**
- **New Shire House: Mr Robertson be informed that the costs pertaining to the construction of the new Shire House can be obtained from the Shire Administration Office.**

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.22 FIRE & EMERGENCY SERVICES AUTHORITY OF WA (FESA) – FIRE AND EMERGENCY SERVICES LEGISLATION AMENDMENT ACT 2002

Background

Correspondence from FESA in relation to the Fire and Emergency Services Legislation Amendment Act 2002 which was passed by Parliament late in 2002, and which came into effect on 30 November 2002.

Comment

The Amendment Act 2002 made significant changes to the various emergency services Acts and FESA have provided a summary of the changes to each Act that have relevance to Local Government.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The correspondence from the Fire and Emergency Services Authority of WA be received and information pertaining to the Fire and Emergency Services Legislation Amendments Act 2002 be noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.23 AGRICULTURE PROTECTION BOARD – NARROGIN ZONE CONTROL AUTHORITY

Background

Letter from the Agriculture Protection Board advising that a position on the Narrogin Zone Control Authority (ZCA) has recently become vacant and seeking nominations for the position.

Comment

Councillor Roger Newman is currently on the Narrogin ZCA, are any other Councillors interested in nominating for the vacant position?

Nominations close at 5.00 pm on Friday 21 February 2003.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The letter from the Agriculture Protection Board be received and information noted.

COUNCIL ACTION

Resolved that the Chief Executive Officers Recommendation be adopted.

7.1.3.24 MRS D CAPEL – APPROVAL TO OPERATE FAMILY DAY CARE FACILITY AT LOT 10 FRANCIS STREET, POPANYINNING

Background

Letter from Mrs D Capel of Lot 10 Francis Street, Popanyinning, requesting Council permission to operate a Family Day Care Facility at the property. The property is zoned Rural Townsite.

Comment

Final approval for this type of facility has to be provided by the Department for Community Development and is subject to stringent guidelines in accordance with the Community Services Regulations (Child Care) 1988. The Department will require a letter of approval from the Local Government to support the application when submitted to the Department.

The operation of a Family Day Care Facility is not specifically covered under the Shire of Cuballing Town Planning Scheme #1, however, could possibly be determined as a Home Occupation, which has an “AA” use and Council may, at its discretion, permit the use. The function is separately identified in Draft Town Planning Scheme #2 as a “D” use and therefore Council can exercise its discretion by granting planning approval.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

A letter of approval be provided to Mrs D Capel of Lot 10 Francis Street, Popanyinning, to support her application to the Department for Community Development to operate a Family Day Care Facility at the premises.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Bradford that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3.25 CHIEF EXECUTIVE OFFICERS REPORT

1. Australia Day Honours

It was pleasing to note that Councils nomination for Mr Geoffrey William Foster (former CEO) to receive recognition for his services to Local Government in the Australia Day Awards was successful. I have spoken to Geoff via telephone to offer Councils congratulations and he was very pleased that Council saw fit to nominate him and quite proud of the award.

2. Naming of two roads off Bunmulling Road, Popanyinning

With the selling off of properties (single locations) along Bunmulling Road by the Henderson Corporation it has become necessary to form two road reserves running south off Bunmulling Road to provide vehicular access to locations 3507 and 3933. These roads have now been constructed and will

require to be officially named. Perhaps Council could consider allocating the following names to the roads:

- Browne Road: after the former owner/s of the farming property as a whole and whose family was in the district since 1946.
- Centenary Road: after the Centenary of the Shire being celebrated in 2003.

Cr Browne provided information to the meeting confirming that one of the two road reserves has already been named Quartermaine Road. Council discussed the naming of the other road reserve and was of the opinion that Box Road may be appropriate to recognise Mr Harry Box who was a pioneer of the district.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council recommends to the Geographical Names Committee that the two newly constructed roads running south off Bunmulling Road to provide access to locations 3507 and 3933 be named Browne Road and Centenary Road.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that further investigations be made with the Geographical Names Committee to determine if names for the road reserves have already been established and if not Box Road be recommended as one of the road names.

CARRIED 7/0

3. Water Standpipe Cuballing East Road, intersection with Strahans Road

Mr Kevin Pauley has submitted a request for the standpipe at the above junction to be reinstated. The standpipe was removed about ten years ago and water tank installed to the mains supply. This is suitable to obtain drinking water but is difficult to utilise for filling of a fire unit or watering of stock.

Water Corporation advise that from their perspective the size of the water mains serving the area is only 50mm and they would not be prepared to provide an unlimited supply in the form of a standpipe as this will cause problems for water supply to other customers in the area.

Perhaps Council could overcome the problems being experienced by Mr Pauley if a larger tank was placed at the site with a camlock fitting towards the bottom to enable a small pump to be connected to enhance the water flow for filling of mobile tanks.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The water tank on Cuballing East Road, intersection with Strahans Road, be replaced with a larger tank with a camlock fitting towards the bottom to allow connection of a small pump for filling of fire units and mobile tanks.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

4. Bush Fire Incident Reports

There are two Bush Fire Incident Reports included in the Agenda.

One of the incidents related to a lightning strike and does not warrant further action, however, the second incident is a cause for concern and the Chief Bush Fire Control Officer has submitted a separate report. The land owner was allegedly burning off during the Prohibited Burning Period and not taking the necessary duty of care in relation to a fire situation.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The property owners be informed that this matter is viewed most seriously by Council and the indiscriminant lighting of fires during the Prohibited Burning Period is a blatant violation of the Bush Fires Act. A repeat of this nature in the future will leave Council with no alternative but to take necessary actions in accordance with the Bush Fires Act 1954 and associated legislation.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

5. Chief Executive Officer Annual Performance Appraisal/Review

Copy of documentation for the above process has been circulated to Councillors with the meeting agenda. Council needs to determine when this process is to take place (possibly prior to the March 2003 Council meeting) and if the full Council is to be involved.

6. Tour of Barna Mia, Dryandra Woodland Viewing Enclosure

Tentative arrangements have been made with CALM for Councillors and partners to participate in a tour of the Barna Mia facility at 7.15 pm on Thursday 20 February 2003, following the Council meeting. It would be appreciated if Councillors can please confirm your attendance at the tour and numbers by Monday 17 February 2003, to enable the tour to be finalised.

7. Fitting of Back Flow Devices to Water Standpipes

This process has been a matter of conjecture for some time and the Shire of Wickepin have been defending the rights of Local Government stating they believe it should be the responsibility of the Water Corporation. The matter

was again raised at a recent teleconference for the Central Country Zone prompting the Executive Officer of the Zone to write to the Water Corporation. A response has been received from the Water Corporation basically stating that the use and fitting of devices to protect the water supply scheme at a certain service connection point is the responsibility of the applicant, and therefore Local Government in the case of public standpipes. A copy of the letter is included in the meeting agenda for Council information.

8. Australian Citizenship Ceremony

Mr Colin Sutherland of 272 Bullara Street, Cuballing, and his wife, have been invited to be in attendance at today's Council meeting at 5.00 pm for Mr Sutherland to undertake Australian Citizenship.

Unfortunately Mr Southerland has been admitted to hospital and was unable to take the citizenship ceremony.

7.1.3.26 WORKS SUPERVISORS REPORT

POPANNINING EAST ROAD

Most preparation works have been completed with this project and expect to bitumen seal in the near future. Will incorporate the sealing of the Stratherne Road Black Spot job at the same time to complete that project.

ROADSIDE SPRAYING

This project has commenced and a few roads have been completed already. We have concentrated on the main arterial roads at this stage. More will be done as time permits and weather conditions are suitable for spraying.

BUNMULLING ROAD

Work has been completed on the first road of the Henderson Estate running south of Bunmulling Road to provide access to location 3507.

CONGELIN ROAD

Headwalls have now been completed and only a small quantity of gravel needs to be carted to get the job ready for water binding. Water binding will start as soon as practical, however, due to water shortage and possible necessity to cart water from long distances, the whole project may have to be delayed to keep costs in proportion with the job.

RESERVES

The Cuballing oval has been fertilized and is being prepared in readiness for the centenary celebrations in March.

MAINTENANCE

Is ongoing, trees are being delimbed/cleared to make signs more visible, and bitumen patching various roads where cracks are appearing. The rubbish tips are covered on a weekly basis to meet the Environmental Protection Authority requirement and papers have been picked from the surrounding bush around both tips

PLANT AND MACHINERY

Maintenance works continue on all plant and machinery with special attention to the fire truck. The new fire pump trailer is nearly completion.

PERSONNEL

All staff have returned from annual leave and there do not appear to be any problems. The new lunch room is due in the next month and staff are looking forward to this facility.

PRIVATE WORKS

Various Private Works jobs have been done in the past month by Council staff whilst the work force was restricted due to employees clearing leave entitlements. These works will help to subsidise Council revenue and invoices have been issued for the months of December and January totalling \$6,560.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Works Supervisors report be received.

CARRIED 7/0

7.2 ILLEGAL DWELLING LOT 88 HOTHAM STREET POPANYINNING

Background

Council staff has received several complaints from residents in the Popanyinning townsite regarding a person living in tents on Lot 88 Hotham Street, Popanyinning. The complaints were found to be justified. As a result a Health Act Notice was served on the owner and occupier of Lot 88 Hotham Street, Popanyinning. The notice was served on 11th February 2003 and required that the owner cease living on the property within 7 days. As of 19th February the notice has not been complied with nor has Council received an application, which is suitable or in accordance with the various buildings codes and regulations, and Councils Building Policy, from the owner to construct a dwelling on the property.

Legal

The Health Act 1911 (as amended) and the Caravan Parks and Camping Grounds Regulations 1997 (as amended) control the manner in which people live on both private and crown land. The Health Act specifically requires the construction of dwellings to be approved by Council and outlines minimum requirements for dwellings, such as the provision of a kitchen, bathroom, laundry, toilet, adequate ventilation and on-site effluent disposal. The Caravan Parks and Camping Grounds Regulations make provision for general camping at approved facilities and temporary camping on private property. In the case of camping on private property a person may camp on private property for up to 3 consecutive nights. A person wishing to camp for more than 3 nights, must either obtain Council approval or approval from the Minister. Council can grant approval for a person to camp on private land for up to 3 months. The Minsiter has the power to extend this period. However, no person may camp on any land unless they have access to normal facilities provided in a dwelling, i.e. a kitchen, bathroom, laundry, toilet, adequate ventilation and on-site effluent disposal, on the property.

A breach of the provisions of the Health Act carries a maximum penalty of \$1,000 plus a further potential daily penalty of \$100. A breach of the Caravan Parks and Camping Grounds Regulations carries a maximum penalty of \$1,000.

Council Policy

The Shire of Cuballing building policy states:

1. The first building that may be approved on town-site land must be a residential building.
2. Camping on land to effect building construction must be approved by Council in writing. No application for camping will be approved unless septic and bathroom facilities in accordance with Health Act Regulation has been installed, which must include a potable and adequate water supply. Maximum approval will be for 3 months.
- 2a. Except where a reticulated water supply is provided, a person shall not construct a dwelling house unless a concrete water tank of not less than 54,000 litres, (12,000 gallons) or other type of domestic water supply approved by the Council is incorporated in the plans and specifications thereof and constructed at the same time as the dwelling house.
3. Connection of electricity must be made before the house is occupied.
4. No dam is permitted on residential land without written approval of Council.
5. The owner of any land should ensure that plans for building are aesthetically compatible with the surrounding area. In the event of this not being so, Council may refuse applications.
6. Council refusal of building plans will be advised to the applicant.
7. Payment of appropriate fees and charges must be paid before construction is commenced.
8. Council reserves the right to alter or amend these proposals without notice.

Comment

Since the Health Act Notice has been served the owner of the Lot 88 Hotham Street, Popanyinning he has contacted the Council Office. The owner's actions indicate that he does not intend to comply with the notice. As such Council staff has initiated legal proceedings to be taken against the owner of Lot 88 Hotham Street, Popanyinning.

ENVIRONMENTAL HEALTH OFFICER'S RECOMMENDATION

Council notes the above report and endorses the action taken by Council staff regarding this matter.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Bradford that the Environmental Health Officers Recommendation be adopted.

CARRIED 7/0

7.3 BUILDING SURVEYOR REPORT

Summary:

There were 2 building applications for the months of December 2002 and January 2003. Councils Building Surveyor has issued building licenses as this proposal as all the information required has supplied.

Comment:

Listed below are the application details of the proposed structure.

Approval Date	Lic No	Name & Address of Owner	Name & Address of Contractor. If owner-builder please indicate	Structure	Situation of Building Lot or Street No & Town or Suburb
17-12-02	20/02.0 3	ROBIN SAYLES LOT 1 DERBY ST CUBALLING	WEST AUSTRALIAN BUILDING GROUP 10 HANSON ST MADDINGTON	SHED	LOT 1 DERBY ST CUBALLING
30-1-03	22/02.0 3	MR. LYNEHAM LOT 316 FORREST STREET POPANYNING	J ROBERTSON 11 AUSTRAL STREET CUBALLING	PATIO	LOT 316 FORREST ST POPANYNING

Consultation:

Nil.

Statutory Environment:

Nil.

Policy Implication:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Nil.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Newman that the Building Surveyors report be received.

CARRIED 7/0

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

Nil

9. **GENERAL BUSINESS**

Nil

10. **CLOSURE OF MEETING**

There being no further business the Shire President declared the meeting closed at 5.15pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT