



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 20 NOVEMBER 2003**

MINUTES

SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING **THURSDAY 20 NOVEMBER 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 NOVEMBER 2003

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

President welcomed Councillors, declared meeting open 2.00pm.

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

ATTENDANCE

President I L Watts

Cr J D Brown

Cr C R McKenzie

Cr T H Wittwer

Chief Executive Officer P T Naylor

Deputy President D S Bradford

Cr C R Hawksley

Cr R D J Newman

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. **PUBLIC QUESTION TIME**

Nil

4. **APPLICATION FOR LEAVE OF ABSENCE**

Nil

5. **MINUTES**

5.1 **CONFIRMATION OF 16 OCTOBER 2003 ORDINARY MEETING OF COUNCIL**

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 16 October 2003 be confirmed.

COUNCIL ACTION

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

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 – NOVEMBER 2003

V	NAME	PARTICULARS	MUNI	TRUST
T1845	BT & SA MCBURNEY	Wyonning Creek Revegetation Project		2860.00
9054	WA LOCAL GOVT ASSOCIATION	Advertising – The West Australian	277.99	
9055	ATO	September 2003 BAS	4529.00	
T1846	VM LEESON & SONS	U/H Landscape Resilience Project		7920.00
T1847	R HARRIS	U/H Landscape Resilience Project		1980.00
9104	BOISE CASCADE	Stationery	66.53	
9105	MUNICIPAL WORKCARE SCHEME	Insurance	10232.20	
9106	MUNICIPAL LIABILITY SCHEME	Insurance	8695.50	
9107	STAR TRACK EXPRESS	Freight	28.78	
9108	SOS BUNBURY	Photocopier Charges	53.55	
9109	TELSTRA	Phone A/C	898.55	
9110	WATER CORPORATION	Water A/C	47.15	
9111	WESTERN POWER	Power A/C	41.25	
9056	SALARIES & WAGES	Wages 08/10/03 – 21/10/03	22336.59	
T1848	WA LOCAL GOVT ASSOCIATION	October 2003 Contributions		4552.78
T1849	AUSTRALIAN SERVICES UNION	October 2003 Deductions		31.00
9057	WA ELECTORAL COMMISSION	3 May 2003 Postal Election Costs	2587.00	
9058	SHIRE OF CUBALLING	Reimburse Unexpired Portion of Deceased Dog Licence to New Dog Registration	15.00	
9059	I L WATTS	Travel & Accommodation Allowance	324.60	
9060	SALARIES & WAGES	Wages 22/10/03 – 04/11/03	22650.17	
T1850	CASH	Social Club Melbourne Cup Sweep		120.00
T1851	THE FISH VAN	Social Club Do 7/11/03		184.00
T1852	COLES	Social Club Do 7/11/03		100.42
T1853	HILLSIDE MEATS	Social Club Do 7/11/03		139.40
9112	EAST NGN PRIMARY SCHOOL	Annual Book Awards Donation	100.00	
9113	ATO	October 2003 BAS	6006.00	
9114	PETTY CASH	Petty Cash Recoup	225.25	
T1854	BILL & BENS HOT BREAD SHOP	Social Club Do 7/11/03		14.00
T1855	PORK INDUSTRY TRAINING	Reimburse Bond Paid 101103.1*041		100.00
9115	WATER CORPORATION	Water A/C	93.95	
9116	WESTERN POWER	Power A/C	1867.60	
9117	TELSTRA	Mobile Phone A/C	17.14	
9118	CUBALLING TENNIS CLUB	Subscriptions 2003/04 F & S Tournament	106.00	
9119	A RICHARDSON	Reimbursement for Tyres – Trailer	80.00	
T1856	CUBALLING TAVERN	Social Club Do 7/11/03		344.50
9131	ANTHONY MORT GARDENING	Garden Maintenance	40.00	
9132	APS REWINDS & SALES	Materials – Recreation	528.00	
9133	RD & RA BETTELEY	Clear Trees and Push Gravel	3773.00	
9134	BOISE CASCADE	Stationery	205.92	
9135	BUTLER SETTINERI	Audit 2002/03	1980.00	
9136	COLES	Council Shopping	111.33	
9137	COURIER AUSTRALIA	Freight	53.96	

9138	CUBALLING TAVERN	Council Luncheon & Refreshments	383.30
9139	DOLA	Title Search – Lot 141	13.40
9140	DRYANDRA ELECTRICAL	Fire Siren Repairs	110.00
9141	DUGALD FERGUSON MACHINERY	Parts	45.10
9142	ELDERS LTD	Materials (Tanks) - Depot & Shire House	990.00
9143	ENVIRO MONITORING SYSTEMS	Chq Cancelled – Refer to EFT 201103	
9144	FRANK WESTON & CO	Parts	37.40
9145	GEOFF PERKINS' FARM MACHINE	Parts	95.79
9146	GREAT SOUTHERN FUELS	Fuels & Oils	8391.81
9147	INGERSLEY ELECTRICAL	Pump Repairs	247.50
9148	KULKER PLUMBING SERVICE	Repairs – Popo Toilets	92.80
9149	LANDMARK	Parts & Materials	222.45
9150	LOCAL GOVT MANAGERS AUST.	2004 Diaries	22.90
9151	MAKIT NGN HARDWARE	Materials	837.85
9152	MCDOUGALL WELDMENTS	Recycle Bin	420.42
9153	NGN AGRICULTURAL REPAIRS	Parts & Repairs	329.60
9154	NGN AUTO ELECTRICS	Parts & Repairs	72.55
9155	NGN BEARING SERVICE	Parts & Repairs	99.24
9156	NGN GLASS & QUICKFIT WIND.	Materials – Plant Maintenance	231.00
9157	NGN PUMP SALES & SERVICE	Materials	13.75
9158	PARRYS	Protective Clothing – Boots	108.00
9159	PIONEER CONSTRUCTION MATER.	Blue Metal	1467.42
9160	PLANNING INSTITUTE AUST.	2003/04 Subscription – Western Planner	35.00
9161	ROCLA PIPELINE PRODUCTS	Materials – Pipes	6389.57
9162	ROTALOO WESTERN AUSTRALIA	Turbo Vent – Recreation Grounds	136.23
9163	SANITAIRE	Hall Maintenance	214.50
9164	SHIRE OF WANDERING	CLC Expenses October 2003	285.25
9165	SHIRE OF WICKEPIN	Recycling Program	264.00
9166	SOS BUNBURY	Photocopier Charges	110.40
9167	SOUTH WEST PRINTING	Advertisements & Stationery (Cheques)	1087.46
9168	SOUTHERN IRRIGATION & PUMP	Parts	396.00
9169	STAR TRACK EXPRESS	Freight	25.87
9170	STATE LAW PUBLISHER	Gazette Advertising	152.34
9171	SUNNY SIGN COMPANY	Speed Limit Signs	59.40
9172	THE PAPER COMPANY	Paper	125.40
9173	TOWN OF NARROGIN	Building Inspection Fees September 2003	1634.33
9174	VALUER GENERALS OFFICE	Valuations	271.25
9175	WESTCOAST SYNTHETIC SURFACES	Resurfacing of Cuballing Tennis Courts	40700.00
9176	WESTRAC EQUIPMENT	Parts	125.42
9177	WML CONSULTANTS	Cuballing East, Pauley, Nebrikinning & Congelin Road/Intersection Design Fees	3685.00
9178	WOTTOS TRANSPORT	Carting of Materials to Tennis Courts	1242.78
	ELEC TSFR TRANSACATIONS		
201103	ENVIRO MONITORING SYSTEMS	Environmental Health Service Oct 2003	1384.91
	CREDIT CARD TRANSACTIONS		
260903	BUSINESS NEWS	12 Month Subscription	159.00
071003	MINISTRY OF SPORT & REC	Sport & Recreation Conference	260.00
151003	LOCAL GOVT MANAGERS AUST.	LGMA Conference	1076.50

TOTALS \$

161496.90 18346.10

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That payment of Accounts Vouchers T1845 – T1856, 9054 – 9060, 9104 – 9119, 9131 – 9178, Electric Transfer/s 201103 and Credit Card Transaction/s 260903, 071003 & 151003, totalling \$179,843.00, as presented, be endorsed.

Creditors invoices processed and outstanding as at 20 November 2003 and not included in the cheque list presented to the Council meeting on 20 November 2003 total \$37,529.32.

COUNCIL ACTION

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

CARRIED 7/0

7.1.2

SHIRE OF CUBALLING FINANCIAL REPORTS AS AT 31 OCTOBER 2003

ROADS MAINTENANCE AND CONSTRUCTION

MAINTENANCE				
Details	Job No	Status	Budget \$	Actual YTD \$
Refuse Sites (Cuby & Popo)	1000.1/2		58,710	7,834
Parks and Reserves	1100.9		68,310	4,832
Road Maintenance General	1201.31		196,190	83,955
Tree Lopping/Mulching	1201.34		30,000	11,919
Tree Lopping (Contract)	1201.34		15,970	11,760
Town Maintenance - Cuballing	1201.35		10,000	9,200
Town Maintenance - Popanyinning	1201.36		5,000	2,183
Bitumen Patching	1201.37		20,000	7,217
Bridges & Culverts - General	1201.38		75,000	5,691
Grading Maintenance - Winter	1201.41		91,500	78,110
Grading Maintenance - Shoulder	1201.42		67,090	5,742
Grading Maintenance - Summer	1201.43		90,000	12,772
Storm Damage (Williams Road)	1201.44		90,000	0
Weed Control – Declared Plants	1300.1		12,060	8,712
Weed Control - Roadside	1300.3		12,060	2,340
Total Maintenance			841,890	252,267
CONSTRUCTION				
Cuballing East (RRG)	1200.30		91,260	6,410
Nebrikinning/Congellin (BS)	1200.42		76,470	3,750
Popanyinning East (DG)	1200.50		60,250	24,330
Congellin (R2R)	1200.60		63,300	0
Nebrikinning (R2R)	1200.63		60,880	0
Springhill (R2R)	1200.64		64,540	3,939
Yornaning West (Own)	1200.71		60,340	0
Stratherne (Own)	1200.74		30,610	36,549
Town Streets (Own)			33,820	0
Total Construction			541,470	74,978
GRAND TOTAL			1,383,360	327,245

		Annual Budget 2003/04 \$	Actual YTD 2003/04 \$
OPERATING ACTIVITIES	Sch		
Income			
General Purpose Funding	3	5,070	497,545
Governance	4	10,420	2,439
Law, Order & Public Safety	5	24,550	33,481
Health	7	1,200	992
Education and Welfare	8	0	164
Housing	9	0	75
Community Amenities	10	2,900	1,440
Recreation and Culture	11	2,350	615
Transport	12	4,350	5,031
Economic Services	13	3,750	2,037
Other Property and Services	14	42,500	31,391
Total Operating Income		97,090	575,210
Expenditure			
General Purpose Funding	3	-19,870	-4,742
Governance	4	-188,440	-80,739
Law, Order & Public Safety	5	-27,980	-28,473
Health	7	-18,300	-3,796
Education and Welfare	8	-1,550	-120
Housing	9	-22,380	-5,174
Community Amenities	10	-104,720	-11,304
Recreation and Culture	11	-116,170	-23,251
Transport	12	-875,000	-302,782
Economic Services	13	-102,750	-39,327
Other Property and Services	14	-83,340	-84,750
Total Operating Expenditure		-1,560,500	-584,458
ADJUSTMENTS FOR CASH REPORTING REQUIREMENTS:			
Depreciation (Assets Register)		548,680	183,588
Profit/Loss on Sale of Assets		-4,100	-1,796
Capital Expenditure & Income			
Proceeds on Sale of Assets		65,000	28,903
Capital Grants and Subsidies		1,063,530	252,553
Land and Buildings		-271,900	-522
Infrastructure Assets - Roads		-543,490	-70,275
Plant and Equipment		-199,700	-35,373
Furniture and Equipment		-8,000	0
Proceeds from New Loans		0	0
Loan Repayments		-16,000	-3,913
Transfer to Reserves		-123,000	-5,694
Reserves (Cash Backed)		180,700	0
Opening Funds		250,000	250,016
Less Closing Funds		0	-578,129
CLOSING POSITION		-521,690	10,110

BANK RECONCILIATION

	Municipal Fund	Trust Fund	<u>Reserve Accts</u>
Opening balance	\$583,712.45	\$77,645.52	\$496,521.95
Income	\$447,730.75	\$52,700.99	\$5,694.35
	\$631,443.20	\$130,346.51	\$502,216.30
Expenditure	-\$132,615.89	-\$69,267.89	-\$0.00
Closing balance	\$498,827.31	\$61,078.62	\$502,216.30
Bank account	\$154,729.82	\$62,753.93	\$0.00
Investments	\$350,000.00	\$0.00	\$502,216.30
	\$504,729.82	\$62,753.93	\$502,216.30
Plus O/S deposits	\$1,033.95	\$0.00	\$0.00
	\$505,763.77	\$62,753.93	\$502,216.30
Less O/S cheques	-\$5,543.76	-\$1,675.31	-\$0.00
	\$500,220.01	\$61,078.62	\$502,216.30
Less O/S licensing	-\$1,364.10	\$0.00	\$0.00
	\$498,855.91	\$61,078.62	\$502,216.30
Adjustments	-\$28.60	\$0.00	\$0.00
Closing balance	\$498,827.31	\$61,078.62	\$502,216.30

RATING INFORMATION 2003/2004

	Budget 2003/04	Actual 2003/04
UV Rates Levied	\$407,360	\$411,616
GRV Rates Levied	\$44,380	\$44,108
UV Minimum Rates Levied	\$2,250	\$2,500
GRV Minimum Rates Levied	\$67,450	\$67,120
Interim Rates UV	\$0	\$0
Interim Rates GRV	\$0	\$0
Mining Tenement	\$250	\$250
	\$521,690	\$525,594
Rates o/s from previous years (1 July)	\$10,630	\$10,631
Rates Written Off	\$0	\$0
Discount Allowed	-\$37,000	-\$38,491
Net Rates Receivable	\$495,320	\$497,734
Emergency Services Levy	\$17,850	\$17,820
Net Rates & ESL Receivable	\$513,170	\$515,554
Less Rates & ESL Paid		-\$471,492
RATES OUTSTANDING		\$44,062
Pensioner Deferred Rates		\$1,791
UV Rates as a % of total rates		79.0%
GRV Rates as a % of total rates		21.0%
Payment Discount as a % of total rates		7.3%
Rates Paid as a % of net rates receivable		91.5%
Rates Outstanding as a % of net rates		8.5%
Pensioner Deferred Rates as a % of O/S Rates		4.1%

INVESTMENTS

Account Number	Maturity Date	Interest Rate	Fund/Account		
			Municipal	Trust	Reserve
652250053782	9 January 2004	4.75%			\$502,216.30
652250054259	9 January 2004	4.75%	\$350,000.00		
			\$350,000.00	\$0.00	\$502,216.30

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Financial Reports for the period ended 31 October 2003 be adopted by Council.

COUNCIL ACTION

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

CARRIED 7/0

7.1.3 SHIRE OF CUBALLING ANNUAL CHRISTMAS FUNCTION

Background

The Shire of Cuballing Christmas Function is held annually following the December meeting of Council.

Comment

Last year (2002) the Christmas function was held at the Cuballing Tavern after being held at the Recreation Centre on previous occasions. Everybody seemed reasonably pleased with this venue and it is proposed to again book the Tavern for 2003, and organise a similar type of function.

Does Council wish consider a change for this year or to continue as in the past?

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing Christmas Function for 2003 be held at the Cuballing Tavern with the same or similar format to previous years.

COUNCIL ACTION

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

CARRIED 7/0

7.1.4 SHIRE OF CUBALLING OFFICE CLOSURE CHRISTMAS/NEW YEAR PERIOD 2003/2004

Background

In 2002/2003 Council granted approval for closure of the Shires Administration Office over the Christmas/New Year period from Wednesday 25 December 2002 to Wednesday 1 January 2003, inclusive. In approving this staff transferred two days of public holiday entitlements and Council granted staff one days paid leave.

Comment

This year Christmas Day is on Thursday 25 December 2003 and New Years Day is on the following Thursday. Friday 26 December is a public holiday (Boxing Day) and Friday 2 January 2004 is observed as a public service holiday under the provisions of the Local Government Officers (WA) Award 1999.

This year Staff are again requesting Council consideration for closure of the administration office over the Christmas/New Year period, from Thursday 25 December 2003 to Friday 2 January 2004, inclusive. As with last year the office staff are willing to transfer the public service holiday for Easter Tuesday to be taken during this period, however the public service holiday for the day after New Years day will be taken on that day and are requesting Council to grant two additional days paid leave for the other two days between Boxing Day and New Years Day.

The office closure enables staff to have an uninterrupted break over the festive, between Christmas and New Year. Generally this time of the year is very quiet in the administration office with most residents away on holidays. There were no adverse comments received in the office from last years closure.

If this request is approved by Council extensive advertising will be undertaken to ensure all residents are aware of the office closure.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council grants approval for the Shire of Cuballing Administration Office to be closed over the Christmas/New Year period from Thursday 25 December 2003 to Friday 2 January 2004, inclusive. Public notice of the Office closure to be advertised in the Narrogin Observer and Shire Newsletter, and posters to be displayed within the Shire.

COUNCIL ACTION

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

CARRIED 7/0

7.1.5 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – LOCAL GOVERNMENT (OFFICIAL CONDUCT) BILL 2003

Background

Correspondence received from the Western Australian Local Government Association (WALGA) in relation to the Local Government (Official Conduct) Bill 2003, which seeks to establish a disciplinary framework for Local Government elected members.

Comment

WALGA has received a confidential copy of the proposed Local Government (Official Conduct) Bill 2003 from the Minister for Local Government and Regional Development, which was referred to the Governance Policy Team for consideration and comment.

The Governance Policy Team paper is very comprehensive and deals with each part of the proposed in detail, providing the effect of the law and the Teams comment and recommendation. It appears that the Team has covered most areas and that Council could support their recommendations to the WALGA State Council.

A copy of the comments and recommendations from the WALGA Governance Policy Team accompanies the Council meeting agenda.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council informs the Western Australian Local Government Association that it supports the comments and recommendations made by the WALGA Governance Policy Team on the proposed Local Government (Official Conduct) Bill 2003.

COUNCIL ACTION

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

CARRIED 7/0

7.1.6 NARROGIN OBSERVER – PROPOSAL FOR SHIRE OF CUBALLING COLUMN

Background

Marchelle McMath the new Manager of the Narrogin Observer has approached the Shire of Cuballing, along with other Councils in the region, in regards to running a regular monthly column in the newspaper similar to what the Town of Narrogin does.

Comment

The Narrogin Observer is currently running a campaign to improve its community profile and develop better working relationships with the outlying towns and Shires within the region. Part of

this process is offering the opportunity for the Shires to have a monthly column in the newspaper providing various and relevant information on the Shires, and towns within the Shires. The cost to do this is \$160 per edition (per month).

The concept is excellent and in Cuballings situation could well replace the Cuballing Newsletter, which is prepared on a bi monthly basis. The limitations from a newsletter perspective is that it is only circulated within the Shire and does not give people from other areas the opportunity to know what is happening in our area, and similarly for us to know what is happening elsewhere.

If the cost of \$160 per month seems too expensive for this type of exercise, perhaps Council could consider only publishing a newspaper column on a bi monthly basis or as deemed necessary.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing supports the Narrogin Observers proposal and agrees to contribute to a Council Column in the paper on a Monthly basis at cost of \$160 per edition.

COUNCIL ACTION

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

CARRIED 7/0

7.1.7 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CENTRAL COUNTRY ZONE – INDIGENOUS LAND USE AGREEMENT, ESTABLISHMENT OF LIAISON COMMITTEE

Background

Correspondence from the WALGA Central Country Zone advising that in accordance with clause 12 of the Indigenous Land Use Agreement (ILUA) it is proposed to establish a Liaison Committee and to seek a grant through the Wheatbelt Regional Development Scheme to help fund the process.

Comment

As part of this process the Central Country Zone is seeking a commitment from each of the 16 Councils within the Zone for cash and in kind contributions over a two year period to support the grant application.

The contributions required are:

- \$1,000 cash over two years (\$500 per year); and
- \$2,160 in kind over two years.

The contributions (cash and in kind) being requested are not extremely high and given that Council has supported the ILUA project to date it would seem reasonable to continue with its support for advancing the project further.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing informs the Western Australian Local Government Association Central Country Zone that it supports the grant application to the Wheatbelt Regional Development Scheme and is prepared to provide cash (\$1,000) and in kind (\$2,160) support over a two year period as contribution to the project.

COUNCIL ACTION

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

CARRIED 6/1

7.2 REPORTS – WORKS

7.2.1 WORKS SUPERVISORS REPORT

SPRINGHILL ROAD

Culvert pipes have been extended ready for the widening of this road early in the New Year.

POPANYINNING EAST ROAD

Gravel sheeting has been done from the end of the bitumen to just east of Tanners Road intersection. Clearing of vegetation from the road verge has greatly improved the traffic vision on the road.

POPANYINNING TOWNSITE

Work has begun on the upgrade of the old footpath in Popanyinning with the base being removed and new gravel for the asphalt surface laid.

Town maintenance has been done in the form of slashing of the oval and streets close to the highway.

A new recycle bin has been completed and this will be placed at the Popanyinning Refuse site in the future.

DRUM MUSTER

The Drum Muster collection was conducted on 5 November 2003, which was well received by all. The number of drums received was sufficient for the one-day collection.

CUBALLING TOWNSITE

The drainage from the roadhouse to the creek on the eastern side of the Youth and Community Park has been installed.

The condition of the oval is good at present and the water level of the dam is still very high.

MACHINERY

All items of plant and machinery are being serviced and maintained as required.

PRIVATE WORKS

Various private works orders are being received and these are being completed as time permits.

Private Works invoices issued for the month of October 2003 total \$7,080.75.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Supervisors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.2.2 YORNANING EAST ROAD – ROAD REALIGNMENT

Background

This matter was previously presented to the September 18, 2003, meeting of Council where it was resolved to proceed with the formal closure, merger and dedication of the road reserve as a result of road works carried in 1998.

Comment

In accordance with the legislative requirements and Councils resolution from September 2003, the intent to close portion of the Yornaning East Road Reserve was advertised in the Narrogin Observer on Wednesday 1 October 2003, and letters forwarded to Telstra, Western Power and the Department of Industry and Resources. No submissions were received at the closing date on Wednesday 5 November 2003.

It is now proposed to process this matter further and refer it to the Western Australian Planning Commission and the Department of Land Information for appropriate land transfers to be formalised.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Information be noted and the Chief Executive Officers actions be endorsed.

COUNCIL ACTION

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

CARRIED 7/0

7.2.3 CUBALLING CRICKET CLUB – PLANTING OF TREES CUBALLING OVAL

Background

Letter from the Cuballing Cricket Club requesting Council consideration to allow the planting of trees on the western side of the oval south of the recreation centre.

Comment

The Cricket Club proposal is for the planting of about six (6) trees for shade and beautification on the western side of the oval. Currently there is no shade in this area for persons when watching cricket or other activities from their vehicles and the request has merit. The proposal does not include the removal of the large Sugar Gum tree at this stage, however when the new plantings are sufficiently large enough this could be an option as the grass is struggling to grow on the south western area of the oval because of this tree.

The Cricket Club will be responsible for the purchase, transportation and planting of the trees.

Included with the application is a list of suggested tree species that the Club have investigated planting at the site. Perhaps the two most suitable trees based on the information available and their growth success in Narrogin would be the Queensland Box Brush or the Chinese Elm, possibly they could be planted alternatively to provide a contrast. However Council discussion and direction is invited.

The application continues the efforts of the Cuballing Cricket Clubs involvement in the improvement of the Recreation Grounds area and would certainly help improve the visual amenity of the area as well as provide shade.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council supports the application by the Cuballing Cricket Club for the purchase, transportation and planting of six (6) trees on the western side of the Cuballing oval south of the Recreation Centre.

Council suggests that the trees be of the Queensland Box Brush and/or the Chinese Elm variety.

COUNCIL ACTION

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

CARRIED 7/0

Council discussed the condition of the large Sugar Gum Tree on the western side of the Cuballing Oval and whether or not the tree was becoming unsafe and possibly pose a danger to users of the Recreation Grounds. Council decided to undertake an inspection of the tree at a later time during the Council meeting.

7.2.4 GRANICH PARTNERS – APPLICATION FOR ROAD CLOSURE, JAMIESON STREET, CUBALLING

Cr Newman declared an interest in this item as a part owner of adjoining property, Location 1917.

3.35pm Cr Newman departed the Council Chamber.

Moved Cr Wittwer, seconded Cr Hawksley that Cr Newman be invited to rejoin the meeting and participate in discussions on this matter to provide information relating to his discussions with the applicants but not be permitted to participate in the debate or to vote.

CARRIED 6/0

3.38pm Cr Newman returned to the Council Chamber.

Background

Correspondence received from Granich Partners, Barristers & Solicitors, acting on behalf of D W Barber, C R Ferrell, and D K Ferrell & M J Ferrell, requesting Council consideration to the formal closure of Jamieson Street and for the land to be amalgamated with the adjoining land owners on the south side of the road.

Comment

Messrs D W Barber, C R Ferrell and D K Ferrell & M J Ferrell are the owners of the properties on the south side of Jamieson Street and they are requesting closure of the unmade road reserve and for the land to be amalgamated into their respective properties.

Council has in the past not agreed to the closing of road reserves throughout the Shire because of the lengthy process involved and should a road be required in the future the amount of work required for land to be dedicated as a road reserve. However this is a different situation with the road reserve being on the northernmost extremities of the gazetted Cuballing townsite boundary and adjoining land that is zoned for General Agriculture. Councils Town Planning Scheme does not permit the further breakdown of land zoned as general agriculture and therefore is unlikely that a future subdivision will happen and forming of the road required for access purposes.

Therefore Council could support the application and request that the applicants be responsible for all costs associated with the road closure and land amalgamation fees and charges.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Shire of Cuballing supports the application for the closure of Jamieson Road within the Cuballing townsite subject to the applicants agreeing to pay all costs associated with the closure and the land amalgamation process;**
- **If the applicants agree to paying all costs, the intent to close the road be advertised for public comment in accordance with section 58 of the Land Administration Act 1997; and**
- **Letters to be forwarded to relevant government agencies advising of Councils resolution and requesting their comments on the proposal.**

COUNCIL ACTION

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

CARRIED 5/1
Cr Newman abstained from voting.

7.3 REPORTS – BUILDING

7.3.1 BUILDING SURVEYORS REPORT

Summary:

There were no building applications approved or licenses issued for the month of October 2003.

Comment: Nil

Consultation: Nil

Statutory Environment: Nil

Policy Implication: Nil

Financial Implications: Nil

Strategic Implications: Nil

Reporting Officer

Darryle Baxter, Building Surveyor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Building Surveyors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.2.5 BUSH FIRE INCIDENT REPORTS

Background

Three Bush Fire Incident Reports have been received in respect to fires resulting from lightning strikes on 12/13 November 2003.

Comment

The three fires were quickly brought under control with the fast and efficient services of the local Bush Fire Brigade network with assistance from the Shires works crew and machinery. The worst loss occurred on the property of I White where approximately 130 ha of crop was burnt. Details of the fires and their respective losses are:

- K Wiles, Williams Road, Popanyinning West, ¾ ha Oats;
- D L & N J Dent, Dents Road, Yornaning East, 1 ha pasture; and
- I White, Reeds Road, Popanyinning East, 130 ha crop.

A letter has been received from Mr White thanking Council and the bush fire network for its assistance during the fire and for helping with the mop up the following morning.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The three Bush Fire Incident Reports be noted and forwarded to the Bush Fires Service; and**
- **The letter from Mr White be received and a copy provided to the outside works crew acknowledging their efforts at the fire.**

COUNCIL ACTION

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

CARRIED 7/0

7.4 REPORTS – HEALTH

7.4.1 ENVIRONMENTAL HEALTH OFFICERS REPORT

PURPOSE

To advise Council of Environmental Health inspections that have been carried out in the District.

REPORT

The following inspections have been carried out during the month of October 2003.

Rubbish Tips

- (i) Cuballing Rubbish Tip
Wind blown litter around site.
Action required – 1. Pick up windblown litter in bush around site.
- (ii) Popanyinning Rubbish Tip
Wind blown litter around site.
Action required – 1. Pick up windblown litter in bush around site.

The rubbish tips should be inspected monthly by the local Fire Control Officer to assess compliance with bushfire safety requirements.

On-site Effluent Disposal

- (i) Lot 89 Beeston Street, Cuballing
Inspection of on-site effluent disposal system.
- (ii) Lot 397 Beeston Street, Cuballing
Inspection of proposed on-site effluent disposal system.
- (iii) Location 3984 Bunmulling Road, Popanyinning
Inspection of proposed on-site effluent disposal system
- (iv) Location 119 Popanyinning East Road, Popanyinning
Inspection of proposed on-site effluent disposal system

CORPORATE PLAN/POLICY IMPLICATIONS

Nil.

FINANCIAL/BUDGET IMPLICATIONS

None anticipated.

Reporting Officer

Maurice Walsh, Environmental Health Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Environmental Health Officers Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.4.2 **OFFICE OF THE GENE TECHNOLOGY REGULATOR, COMMONWEALTH DEPARTMENT OF HEALTH AND AGEING – REQUEST FOR COMMENT ON RISK ASSESSMENT & RISK MANAGEMENT PLAN FOR APPLICATION DIR020/2002 FROM MONSANTO AUSTRALIA LTD, COMMERCIAL RELEASE OF GENETICALLY MODIFIED CANOLA**

Background

Correspondence received from the Office of The Gene Technology Regulator seeking Councils comments on the Risk Assessment and Risk Management Plan (RARMP) that has been prepared to help form the basis of whether the Gene Technology Regulator will issue a licence for the abovementioned application.

Comment

The Gene Technology Regulator appreciates that Council may not have specialist scientific advice available on this matter, and she is also aware that genetically modified canola may not be grown in the local government area. The key reason for the consultation process is to keep Council informed of the evaluation process and to seek feedback from people who are familiar with areas where the proposed release may occur some time in the future.

Circulated with the Council meeting agenda is a copy of the Executive Summary of the RARMP and a set of answers to commonly asked questions on this matter.

The Chief Executive Officer does not have the necessary qualifications and/or expertise to advise Council on this matter and therefore will rely on Council direction.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council discussion and direction please.

COUNCIL ACTION

Resolved that the correspondence be received and information noted.

7.4.3 MR ROBERT LOWE – APPLICATION FOR A NON COMMERCIAL KENNEL LICENCE TO KEEP MORE THAN SIX (6) DOGS ON A PROPERTY

Background

Correspondence from Mr Lowe requesting Council consideration for the issue of a Kennel Licence to permit the keeping of more than six (6) dogs on his property at Popanyinning, being Williams location 3339, Bunmulling Road.

There is further information contained within Mr Lowe's letter, however this is not relevant to the matter at hand.

Comment

As Council is aware this matter has been ongoing since about the 4 October 2003, when the Chief Executive Officer received a complaint in relation to Mr Lowe's dogs attacking sheep belonging to Mr Mark Graham. Further information pertaining to this ongoing saga is attached.

Initial visit to Mr Lowe's property by the Chief Executive Officer and the Works Supervisor on Wednesday 8 October 2003, realised the problem at hand. There were approximately 20 unregistered dogs of German Shepherd breed on the property being kennelled in small and inadequate cages. The requirement for Mr Lowe to comply with the provisions of the Dog Act 1976 was explained and a letter to this effect was then forwarded to him on 9 October 2003. There were three further visits to the property by the Chief Executive Officer and Works Supervisor, and the RSPCA also visited the property on 31 October 2003, which eventually resulted in the RSPCA taking eight dogs from the property on Wednesday 12 November 2003. Mr Lowe indicated to the RSPCA that he could be willing to hand over a further six dogs in about a fortnights time (26 November 2003).

The situation is that Mr Lowe, to comply with the provisions of the Dog Act 1976, needs to obtain a Kennel Licence to keep more than six dogs on the property and the dogs have to be registered.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council grants permission for a Kennel Licence to be issued to Mr Robert Lowe for the keeping of more than six dogs on his property, being Williams Location 3339, Bunmulling Road, Popanyinning, subject to the following conditions:

- **All dogs are to be registered with the Shire of Cuballing within 21 days of the date of Councils letter of advise/response to Mr Lowe;**
- **Should any of the dogs die or no longer kept on the property, no replacement dog is to be obtained;**
- **No breeding of dogs is allowed and all dogs on the property are to be sterilised within six months of the date of Councils letter of advise/response to Mr Lowe; and**
- **Mr Lowe to be reminded that the property is situated within a rural area and therefore the dogs must at all times be restricted to the confines of his property (Williams location 3339) to prevent attacks on livestock on neighbouring properties.**

Copy of Council resolution to be forwarded to the RSPCA.

COUNCIL ACTION

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

CARRIED 7/0

7.5 REPORTS – TOWN PLANNING

7.5.1 WESTERN AUSTRALIAN PLANNING COMMISSION – PLANNING APPLICATION 123559 WANDERING NARROGIN ROAD, CUBALLING, G G & J M HUNTER

Background

Correspondence received from the Western Australian Planning Commission (WAPC) requesting Council consideration and comment on Planning Application 123559.

Comment

The Planning Application seeks to realign the existing boundaries of Locations 8733 and 6123 and replacing the Lots with two new Locations A and B as indicated on the proposed subdivision plan.

Councils Town Planning Scheme No 1 does not support the further breakdown of Rural Farm Land however as this application is redefining the boundaries of existing lots and there are no new land parcels or titles being created there is no reason for Council not to support the application as submitted.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council supports Planning Application 123559 as submitted for the realignment of the boundaries of existing Locations 8733 and 6123.

COUNCIL ACTION

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

CARRIED 5/2

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

Nil

9. **OTHER URGENT BUSINESS**

9.1 **MS NATASHA HOBBS - TRAINEESHIP**

Cr Watts presented Ms Hobbs with Certificate III in Business Administration after she recently completed her traineeship. Cr Watts congratulated Natasha on her achievements.

9.2 **YORNANING COOPERATIVE BULK HANDLING SITE**

Council discussed the possible future development/upgrading of the Yornaning CBH site.

Moved Cr Wittwer, seconded Cr Hawksley that Council contacts the CBH to ascertain their plans for the possible future development/upgrade of the Yornaning site in relation to works to be undertaken and land requirements. CBH to be advised that the Shire of Cuballing supports and encourages the future development of this site.

CARRIED 7/0

9.3 **HOTHAM CATCHMENT GROUP**

Cr Wittwer provided the meeting with an update of the activities of the Hotham Catchment Group and the availability of Landcare Grants.

5.00pm the Council meeting adjourned for onsite inspection of the large Sugar Gum Tree at the Cuballing Recreation Grounds.

5.20 pm Council meeting was reconvened.

9.4 **CUBALLING RECREATION GROUNDS – LARGE SUGAR GUM TREE**

Following the onsite inspection Council discussed the possible safety hazard presented by the tree (i.e. falling limb rate) and also its heritage significance at the Recreation Grounds.

Moved Cr Wittwer, seconded Cr Bradford that the large Sugar Gum Tree on the western side of the Cuballing Oval be removed and be replaced with suitable semi grown trees to the value of \$500 - \$600.

LOST 3/4

10. **CLOSURE OF MEETING**

There being no further business the Shire President declared the meeting closed at 5.30 pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT