



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 18 NOVEMBER
2004**

MINUTES

CHIEF PRESIDENT

DATE

SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING
THURSDAY 18 NOVEMBER 2004

MINUTES

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Ordinary Council Meeting Minutes 18 November 2004
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
18 NOVEMBER 2004

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

Shire President Cr I L Watts	Deputy President Cr D S Bradford (from 2.15 pm)
Cr J D Brown (from 2.35 pm)	Cr C R Hawksley
Cr C R McKenzie	Cr R J D Newman
Cr T H Wittwer	
Chief Executive Officer P T Naylor	
Mr Terry Waldron, MLA, Member for Wagin (from 4.05 pm to 5.05 pm)	

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. MINUTES

5.1 CONFIRMATION OF 21 OCTOBER 2004 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 21 October 2004 be confirmed.

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

CARRIED 5/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS

At 4.00pm, Mr Terry Waldron, MLA, Member for Wagin, will address Council on the State National Party's views on local government structural reform.

Refer item 6.1 later in the meeting.

2.15 pm Councillor Bradford entered the meeting.

7. REPORTS OF OFFICERS

7.1 CHIEF EXECUTIVE OFFICER

7.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – NOVEMBER 2004

V	NAME	PARTICULARS	MUNI	TRUST
9859	AUSTRALIA POST	Postage – Firebreak Notices	115.60	
9860	BELINDA WILCOX	Council Shopping	78.42	
9861	BJ SNELGAR	Pensioner/Senior Rebate Rates Ass 950	55.69	
9862	ACTION PROPERTY SETTLEMENT	Refund Rates Ass 219 – Already Paid	365.00	
9863	BUILDERS REGO BOARD OF WA	Building Dispute Fees September 2004	73.50	
9864	EAST NGN PRIMARY SCHOOL	Donation to Annual Book Awards	100.00	
9865	SHIRE OF CUBALLING	Payment of Debtor Invoice GR435 from Overpayment of Rates Ass229	44.00	
9866	AUSTRALIAN SERVICES UNION	Deductions October 2004 – P. Naylor	31.80	
9867	WA LOCAL GOVT SUPER PLAN	Contributions October 2004	4803.09	
9868	SHIRE OF CUBALLING	Social Club Deductions October 2004	160.00	
9869	TELSTRA	Phone A/C – Mobile	50.00	
9870	WESTERN POWER	Power A/C	2013.65	
9885	CHEMCERT	Chemical Training Course – J. Ramage	365.00	
9886	BOISE CASCADE	Stationery	84.32	
9887	VALUER GENERALS OFFICE	GRV Interim Valuations	3342.60	
9888	AARONS AUTO AIR	Parts & Repairs	84.70	
9889	AGK QUALITY WOODWARE	Materials	59.07	
9890	ATO	Chq Cancelled		
9891	BEAUREPAIRES	Parts & Repairs	1475.22	
9892	RD & RA BETTELEY	Push Gravel & Leveling	2415.60	
9893	BIRDS SILOS & SHELTERS	Town Entrance Signs & Materials	1797.40	
9894	CANNON HYGIENE AUSTRALIA	Cuby Hall & Rec Centre - ½ Yrly Service	214.50	
9895	COLES	Council Shopping	88.47	
9896	COURIER AUSTRALIA	Freight - Stationery	39.95	
9897	CUBY ROADHOUSE	Refreshments & Gas	64.10	
9898	DEPT FOR PLAN & INFRAST	Trailer Licence Renewal	36.75	
9899	DOWD CORPORATION	Staff Uniform	596.00	
9900	EDWARDS MOTORS	Parts & Repairs	236.50	
9901	FESA	ESL Charged – for Improved Properties	360.00	
9902	GREAT SOUTHERN FUELS	Fuels & Oils	19311.91	

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9903	JR & A HERSEY	Protective Clothing & Batteries	76.42	
9904	MAKIT NGN HARDWARE	Materials	202.60	
9905	MCDOUGALL WELDMENTS	Materials & Plant Hire	1691.75	
9906	MUNICIPAL LIABILITY SCHEME	Insurance	7315.00	
9907	NGN AGRICULTURAL REPAIRS	Parts & Repairs	63.00	
9908	NGN SHOE REPAIR & LOCKS	Shire Padlocks	168.00	
9909	NGN SPORTS ARENA	Tennis Court Nets	590.00	
9910	PERTH AUTO ALLIANCE	Parts & Repairs	185.01	
9911	RAM PAPER DISTRIBUTORS	Stationery	143.00	
9912	SHIRE OF WICKEPIN	Recycling	858.00	
9913	SOS BUNBURY	Photocopier Charges October 2004	79.46	
9914	SOUTH WEST PRINTING & PUBL.	Advertising	336.00	
9915	STAR TRACK EXPRESS	Freight – Parts & Signs	162.07	
9916	STATE LAW PUBLISHER	Gazettal – Bush Fire Control Officers	125.40	
9917	SUNNY SIGN COMPANY	Signs	1810.60	
9918	THE PAPER COMPANY OF AUST.	Stationery	125.40	
9919	TIMES PRINT	Stationery	165.00	
9920	TOTAL EDEN WATERING SYSTEM	Cuballing Oval Reticulation (2 nd Claim)	14289.00	
9921	WA LOCAL GOVT ASSOCIATION	Advertisement	767.39	
9922	WATER CORPORATION	Water A/C	3050.50	
9923	WESTRAC EQUIPMENT	Parts & Repairs	570.07	
T1907	BCITF	BCITF September 2004		182.43
 ELEC TSFR TRANSACATIONS				
191004	SALARIES & WAGES	Wages 06/10/04 – 19/10/04	17392.97	
021104	SALARIES & WAGES	Wages 20/10/04 – 02/11/04	17032.79	
041104	AJ RAMSAY	EHO/Building Surveyor Travel Expenses October 2004	133.20	
 CREDIT CARD TRANSACTIONS				
011004	INSTITUTE OF MUNICIPALITY	LGMA Conference	890.00	
081004	CLKBANK*COM DOWNLOAD	Computer Maintenance	41.65	
081004	FX CONVERSION FEE	Computer Maintenance	.62	
131004	MR NOZZLE (ADELAIDE)	Fire Weather Meters	1380.00	
161004	BP	Fuel	35.15	
181004	AMPOL	Fuel	55.32	
TOTAL			108,198.21	182.43

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That payment of Accounts Vouchers 9859 – 9870, 9885 – 9923, Electric Transfer/s 191004, 021104, 041104, and Credit Card Transaction/s 011004 - 181004, totalling \$108,380.64, as presented, be endorsed.

Creditors invoices processed and outstanding as at 18 November 2004 and not included in the cheque list presented to the Council meeting on 18 November 2004 total \$_____.

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Ordinary Council Meeting Minutes 18 November 2004

Moved Cr Wittwer, seconded Cr Newman that payment of Accounts Vouchers 9859 – 9870, 9885 – 9923, Electric Transfer/s 191004, 021104, 041104, and Credit Card Transaction/s 011004 - 181004, totalling \$108,380.64, as presented, be endorsed.

Creditors invoices processed and outstanding as at 18 November 2004 and not included in the cheque list presented to the Council meeting on 18 November 2004 total \$11,111.94.

CARRIED 6/0

2.35 pm Councillor Brown entered the meeting.

7.1.2 SHIRE OF CUBALLING FINANCIAL REPORTS AS AT 31 OCTOBER 2004

RATING INFORMATION

	Budget 2004/05	Actual 2004/05
UV Rates Levied	\$424,510	\$418,612
GRV Rates Levied	\$44,930	\$47,504
UV Minimum Rates Levied	\$2,860	\$2,600
GRV Minimum Rates Levied	\$69,030	\$67,370
Interim Rates UV	\$0	\$3,541
Interim Rates GRV	\$0	\$25
Mining Tenement	\$0	\$0
	\$541,330	\$539,652
Rates o/s from previous years (1 July)	\$7,619	\$7,619
Rates Written Off	\$0	\$0
Discount Allowed	-\$38,000	-\$38,001
Net Rates Receivable	\$510,949	\$509,270
Emergency Services Levy	\$18,000	\$17,820
Net Rates & ESL Receivable	\$528,949	\$527,090
Less Rates & ESL Paid		-\$480,662
RATES OUTSTANDING		\$46,428
Pensioner Deferred Rates		\$2,000
UV Rates as a % of total rates		78.7%
GRV Rates as a % of total rates		21.3%
Payment Discount as a % of total rates		7.0%
Rates Paid as a % of net rates receivable		91.2%
Rates Outstanding as a % of net rates		8.8%
Pensioner Deferred Rates as a % of O/S Rates		4.3%

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		Annual Budget 2004/05 \$	Actual YTD 2004/05 \$
OPERATING ACTIVITIES	Sch		
Income			
General Purpose Funding	3	3,100	534,270
Governance	4	11,310	1,329
Law, Order & Public Safety	5	40,750	23,496
Health	7	1,200	1,206
Education and Welfare	8	750	234
Housing	9	0	0
Community Amenities	10	2,000	3,734
Recreation and Culture	11	2,410	469
Transport	12	11,400	-2,118
Economic Services	13	5,800	4,551
Other Property and Services	14	61,990	12,945
Total Operating Income		140,710	580,116
Expenditure			
General Purpose Funding	3	-39,440	-39,839
Governance	4	-236,270	-118,525
Law, Order & Public Safety	5	-55,650	-31,371
Health	7	-14,750	-5,824
Education and Welfare	8	-3,000	-302
Housing	9	-18,990	-3,990
Community Amenities	10	-96,000	-9,278
Recreation and Culture	11	-96,220	-22,159
Transport	12	-961,110	-281,594
Economic Services	13	-85,350	-22,684
Other Property and Services	14	-35,300	-32,462
Total Operating Expenditure		-1,642,080	-568,027
ADJUSTMENTS FOR CASH REPORTING REQUIREMENTS:			
Depreciation (Assets Register)		568,650	142,918
Profit/Loss on Sale of Assets		-9,860	3,367
Capital Expenditure & Income			
Proceeds on Sale of Assets		159,000	39,947
Capital Grants and Subsidies		898,940	213,512
Land and Buildings		-132,690	-21,233
Infrastructure Assets - Roads		-480,450	-71,547
Plant and Equipment		-465,000	-57,465
Furniture and Equipment		-11,000	-99
Proceeds from New Loans		0	0
Loan Repayments		-16,990	-4,153
Transfer to Reserves		-131,000	-0
Reserves (Cash Backed)		302,190	0
Opening Funds		278,750	278,750
Less Closing Funds		0	-536,085
CLOSING POSITION		-541,330	0

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BANK RECONCILIATION

	Municipal Fund	Trust Fund	<u>Reserve Accts</u>
	\$	\$	\$
Opening balance	597,460.80	53,118.09	477,153.65
Income	18,339.69	256.60	2,562.63
	615,800.49	53,374.69	479,716.28
Expenditure	-132,386.33	-377.43	0.00
Closing balance	483,414.16	52,997.26	479,716.28
Bank account	39,374.83	41,473.70	2,716.28
Investments	450,000.00	11,946.30	477,000.00
	489,374.83	53,420.00	479,716.28
Plus O/S deposits	2,670.80	0.00	0.00
	490,045.63	53,420.00	479,716.28
Less O/S cheques	-6,589.07	-422.74	0.00
	485,456.56	52,997.26	479,716.28
Less O/S licensing	-2,042.40	0.00	0.00
Less Adjustments	0.00	0.00	0.00
Closing balance	483,414.16	52,997.26	479,716.28

INVESTMENTS

Account Number	Maturity Date	Interest Rate	Fund/Account		
			Municipal	Trust	Reserves
652250055120	8 November 2004	5.30%		\$11,946.30	
652250055147	30 January 2005	5.18%			\$477,000.00
652250055155	6 December 2004	5.19%	\$450,000.00		
			\$450,000.00	\$11,946.30	\$477,000.00

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ROADS MAINTENANCE AND CONSTRUCTION

MAINTENANCE				
Details	Job No	Status	Budget 2004/05 \$	Actual YTD \$
Refuse Sites (Cuby & Popo)	1000.1/2		72,670	7,893
Parks and Reserves	1100.9		48,700	7,690
Road Maintenance General	1201.31		301,350	80,580
Tree Lopping/Mulching	1201.34		47,600	10,593
Tree Lopping (Contract)	1201.34		25,000	0
Town Maintenance - Cuballing	1201.35		18,380	3,802
Town Maintenance - Popanyinning	1201.36		18,380	17,093
Bitumen Patching	1201.37		23,050	13,513
Bridges & Culverts - General	1201.38		9,810	2,007
Grading Maintenance - Winter	1201.41		93,070	64,937
Grading Maintenance - Shoulder	1201.42		34,560	13,025
Grading Maintenance - Summer	1201.43		116,450	15,526
Storm Damage	1201.44		5,150	3,286
Weed Control – Declared Plants	1300.1		14,160	4,522
Weed Control - Roadside	1300.3		14,150	4,476
Total Maintenance			842,480	248,943
CONSTRUCTION				
Cuballing East (RRG)	1200.30		47,870	0
Cuballing West (RRG)	1200.31		37,570	332
Popanyinning East (DG)	1200.50	IP	60,600	0
Congellin (R2R)	1200.60		51,700	0
Bunmulling (Own)	1200.70		20,080	0
Yornaning West (Own)	1200.71	IP	40,520	51,242
Town Streets (Own)	1200.72		49,980	0
Congellin (Own)	1200.75		47,870	0
Popanyinning West (Own)	1200.76	IP	72,380	0
Springhill (Own)	1200.77		29,880	0
Total Construction			458,450	51,574
GRAND TOTAL			1,300,930	300,517

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Financial Reports for the period ended 31 October 2004 be adopted by Council.

COUNCIL ACTION

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

CARRIED 7/0

SHIRE PRESIDENT

DATE

7.1.3 WESTERN AUSTRALIAN COLLEGE OF AGRICULTURE NARROGIN – YEAR 12 LEAVERS DAY CEREMONY

Background

Correspondence from the Narrogin Agricultural College requesting Council consideration to making a financial contribution towards the Colleges Year 12 Leavers Day Ceremony and Awards.

Comment

Council has not been requested to contribute to this ceremony previously, however given the nature of the teachings of the college and its direct input into the rural sector it certainly is worthy of consideration.

Council budgets annually for contributions to school awards and extra provision was included in the current budget to allow for any increase that Council may like to consider, which would cater for this request.

There are several categories in which Council can choose to participate as a sponsor.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Shire of Cuballing agrees to contribute towards the Narrogin Agricultural Colleges Year 12 Leavers Day Ceremony and Awards, and provides sponsorship of \$100 in the section.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Newman that the Shire of Cuballing agrees to contribute towards the Narrogin Agricultural Colleges Year 12 Leavers Day Ceremony and Awards, and provides sponsorship of \$100 in the Sheep Production section.

CARRIED 7/0

7.1.4 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – AMENDMENTS TO FINANCIAL MANAGEMENT REGULATIONS

Background

Correspondence from the Association pertaining to a draft amendment being proposed by the Minister for Local Government to the Local Government (Financial Management) Regulations, to further prescribe section 6.47 of the Local Government Act 1995 and how it may be applied.

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Comment

The Shire of Augusta Margaret River has recently caused a furor by applying section 6.47 of the Act to allow a concession for property owners whom reside as permanent residents and apply additional costs for absentee owners. The Ministers proposed amendment is a direct result of Augusta Margaret Rivers actions.

The Association is concerned that the Minister is over reacting and that such an amendment is not necessary, especially without due consultation with the Local Government sector. They believe that the Shire of Augusta Margaret River has used the provisions of the Act as they deem necessary and that the democratic process will determine if their actions are acceptable to the local community and ratepayers when local elections are held. It also reduces the autonomy of local government when the provisions of the Act and associated Regulations cannot be determined and used on an individual basis without the Minister or Department of Local Government intervening and dictating the terms on which they can be applied.

It does appear that in the actions of the Shire of Augusta Margaret River they do not seem to have invoked the provisions of section 6.47 of the Act in the spirit of its intent. However as has been the case in recent times as soon as a local government interprets something different to the Department or they seem to be doing something wrong the Minister looks to change or introduce legislation which further erodes the autonomy of local government and effects the operations and functions of all Councils. Whilst the proposed amendment will not adversely effect the functions of most Shires perhaps Council needs to support the Association on this matter and register its dissatisfaction at the Minister attempting to introduce legislative change without consultation with the local government sector.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Minister for Local Government and Regional Development be informed that the Shire of Cuballing does not support any amendments or the introduction of new legislation to the Local Government Act 1995, and associated Regulations, without prior consultation with the local government sector.

COUNCIL ACTION

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

CARRIED 7/0

SHIRE PRESIDENT

DATE

**7.1.5 SHIRE OF CUBALLING ANNUAL CHRISTMAS FUNCTION AND DECEMBER 2004
ORDINARY COUNCIL MEETING DATE**

Background

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

Comment

The Christmas Function is held following the Council meeting on the third Thursday of December. Whilst this does not affect the outside staff whom traditionally break on this day for the Christmas/New Year period, except for a maintenance works crew, the office staff generally have to attend to normal duties the following day. Also in 2002 and 2003 the Christmas Function clashed with the Narrogin Chamber of Commerce Christmas Late Night Shopping day, and it appears that this will again happen this year (2004).

Therefore the question is being put to Council as to the possibility of changing the date of the December 2004 Council meeting to be on the third Friday of December instead of the third Thursday.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council discussion and direction please.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Newman that the Ordinary Meeting of Council scheduled to be held on Thursday, 16 December 2004, be transferred to Friday, 17 December 2004, commencing at 2.00 pm.

CARRIED 7/0

**7.1.6 SHIRE OF CUBALLING OFFICE CLOSURE CHRISTMAS/NEW YEAR PERIOD
2004/2005**

Background

In 2003/2004 Council granted approval for closure of the Shires Administration Office over the Christmas/New Year period, from Thursday 25 December 2003 to Friday 2 January 2004, inclusive. In approving this staff transferred public holiday entitlements for the Christmas/New year period and Easter Tuesday, and Council granted staff two days paid leave.

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Comment

This year Christmas Day is on Saturday 25 December 2004 and New Years Day on the following Saturday. Monday 27 and Tuesday 28 December 2004 are public holidays in lieu of Christmas Day and Boxing Day, and Monday 3 January 2005 is a public holiday in lieu of New Years Day. Tuesday 4 January 2005 is recognised as a public service holiday under the Local Government Officers (WA) Award 1999.

Staff are again this year requesting Council consideration for closure of the administration office over the Christmas/New Year period, from Monday 27 December 2004 to Monday 3 January 2005, inclusive. As with last year the office staff are willing to transfer public service entitlements, including Easter Tuesday, to be taken during this period, and requesting Council for one days additional paid leave.

The office closure enables staff to have an uninterrupted break over the festive period, 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 have been no adverse comments received in the office over the past couple of years' 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 Monday 27 December 2004 to Monday 3 January 2005, inclusive. Public notices of the Office closure to be advertised in the Narrogin Observer and Shire Newsletter, and posters displayed within the Shire.

COUNCIL ACTION

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

CARRIED 7/0

7.1.7 DEPARTMENT OF LAND INFORMATION, VALUATION SERVICES – MARKET VALUATION: LOT 138 BRUNDELL STREET, CUBALLING

Background

As requested by Council the Department of Land Information (DLI) has provided an unimproved valuation for Council property Lot 138 Brundell Street, Cuballing.

Comment

The valuation provided is \$16,500, which they consider would be a fair market price for purposes of selling the property and/or the setting of a reserve price. Full details pertaining to the valuation provided are included in a report which will be available at the Council meeting.

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Section 3.58 of the Local Government Act 1995 stipulates how a local government can dispose of a property, details of which follow.

Section 3.58 (2): Except as stated in this section, a local government can only dispose of property to –

- (a) the highest bidder at public auction; or*
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

Section 3.58 (3) provides other means for the sale of property but this requires Statewide public notice as was the case when Council sold a property to B & D Dartnell in 2003.

Should Council wish to continue with the sale of the property and advertise it for public tender it could be worthwhile considering the inclusion of an incentive to encourage the early development of the property, perhaps within two years of purchase. Incentives that could be considered for inclusion are: Council prepare house pad at no cost; Council provide mulch and possibly other materials/fill at no cost; Council provide property owner with a rebate equivalent to the building licence fees of the day; Council assist with the connection of electricity or water to the property (these services are currently available to the property so this would be for connection only).

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **Lot 138 Brundell Street be offered for sale by public tender with reserve price set at \$16,500; and**
- **Council offers an incentive for the development of the property within two years of the sale date. Incentive to be preparation of house pad and one truck load of mulch, at no cost to property owner.**

COUNCIL ACTION

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

CARRIED 7/0

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7.1.8 **BIRD'S SILOS & SHELTERS, POPANYINNING – APPLICATION TO PURCHASE LANEWAY**

Background

Correspondence from Bird's Silos and Shelters requesting Council consideration for the closure of the laneway between Howard and Spragg Streets in Popanyinning, and for sale of the land to their business.

Comment

The laneway in question is currently not used or needed for accessing the land that adjoins it, which Birds's own or lease the majority of. However there is a Telstra depot situated on Lot 23, two lots to the north of Bird's main workshop, and they may require access in the future, particularly if Bird's ever develop their land. The only other access for Lot 23 would be directly off Francis Street (the Great Southern Highway) and Main Roads would be unlikely to support this.

The Chief Executive Officer (CEO) has discussed the application with Mr Wayne Bird and pointed out the above situation. It has been indicated to Mr Bird that Council is unlikely to support the closure of the laneway given the above scenario, but would most likely support their use of the laneway land providing it was used as an access way and/or storage area, and not developed. Mr Bird acknowledged the CEO's comments and advised that this would be in.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **Bird's Silos & Shelters be advised that Council does not support the closure of the laneway between Howard and Spragg Streets, Popanyinning; and**
- **Council supports the use of the laneway as an access way and/or storage area by Bird's Silos & Shelters, and that the land is not to be considered for development of workshops, etc.**

COUNCIL ACTION

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

CARRIED 7/0

7.2 **REPORTS – WORKS**

7.2.1 **WORKS SUPERVISORS REPORT**

POPANYINNING EAST ROAD

Clearing of the road verge and upgrading of culverts from Tanners Road east to Shaddicks Road is nearly completed.

POPANYINNING WEST ROAD

Mulching of the road verge in preparation of road widening has been completed. The remaining debris will be windrowed up ready to be carted away as soon as possible. In conjunction with these works it is planned to install extensions to the culverts.

NEBRIKINNING ROAD

Gravel sheeting of this road has been completed. There are still some headwalls to be constructed and this will be undertaken in the near future.

PLANT AND MACHINERY

All items of plant and machinery are being serviced and maintained as required, and all plant is in good working order.

PRIVATE WORKS

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

Private works invoices for the month of October 2004, totaling \$4,691.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Supervisors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.3 **REPORTS – BUILDING**

7.3.1 **BUILDING SURVEYORS REPORT**

Summary:

There were three (3) building applications approved and licenses issued for the month of October 2004.

Listed below is a summarised breakdown of the applications and proposed structures.

Approval Date	License No	Name & Address of Owner	Registered Builder or Owner Builder	Structure	Situation of Building Lot or Street No & Town
4 Oct 04	15/04.05	B Harvison PO Box 37 Narrogin	OB	Barn Style Home	Lot 303 Bullara Street Cuballing
28 Oct 04	16/04.05	G Dean 42 Corrie Street Cuballing	OB	Storage Shed & Septic System	54 Cuballing Street Cuballing
28 Oct 04	17/04.05	R Sayles 50 Derby Street Cuballing	Oakpoint Pty Ltd (does not require a registered builder as work is less than \$12,000)	Patio	11 Knight Street Cuballing

Comment: Mr & Mrs G Dean (license No 16/04.05) have recently sold the family property and they are in the process of arranging a new home on newly acquired land at 54 Cuballing Street, Cuballing. In the meantime they have arranged to build a shed and have an on-site effluent disposal system connected for their private use. The disposal system will eventually service the new home once constructed. The building of a shed on land zoned rural residential prior to construction of a residence is not in accordance with Councils Town Planning Scheme and therefore will require Council approval.

Reporting Officer

Allan Ramsay, Building Surveyor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Building Surveyors Report be received and information noted; and**
- **Approval be granted to Mr & Mrs Dean to build a shed on their property at 54 Cuballing Street, Cuballing, prior to a residence being constructed.**

COUNCIL ACTION

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

CARRIED 7/0

7.3.2 **CONSTRUCTION OF BUSHFIRE SHED**

Background

Council has been allocated \$30,000 under the Emergency Services Levy to construct a Bushfire Shed in Cuballing.

Comment

Three quotations have been obtained for construction of a suitable Bushfire Shed, two from Wide Span Sheds in Narrogin and one from Cuballing shed builder OakPoint.

Full details pertaining to the quotes received will be tabled at the Council meeting, however a summary is provided hereunder.

Wide Span Sheds

- \$20,340 (GST inclusive)
To construct 14 metres (width span, including amenities area) by 12 metres (length) building to height of 5 metres, including two roller doors.
- \$18,589 (GST inclusive)
To construct 14 metres (width span, including amenities area) by 12 metres (length) building to height of 5 metres, including two roller doors.

OakPoint (R & C Sayles)

- \$22,797.50 (GST inclusive)
To construct 12 metres (width span, including amenities area) by 12 metres (length) building to height of 4.5 metres, including four roller doors to allow drive through. Mr Sayles will also manage the overall project including laying of concrete floor, etc.

The quotations provided are very competitive and it is believed that either of the shed designs would be suitable. However preference would be to use a local Cuballing contractor if possible. FESA regional staff, Albany and Narrogin, endorse the designs and quotations received and are happy for Council to accept whichever quote it considers appropriate.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Quotation provided by OakPoint, R & C Sayles, of \$22,797.50 (GST inclusive) for construction of Bushfire shed in Cuballing be accepted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie 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 during the month of October 2004.

On-site Effluent Disposal

- (i) Two approvals were issued to install a septic tank and leach drain system at Lot 303 Bullara Street, Cuballing, and 54 Russell Street, Cuballing.
- (ii) One approval was issued to use a septic tank system at Location 9916 Turton Road, Popanyinning, property owned by Mr Kim Parker.

Illegal Camping

The Environmental Health Officer delivered a letter to Mr R W Lowe at Lot 3339 Bunmulling Road, Popanyinning on 4 November 2004. The letter made it quite clear that living at the property without approved sanitary facilities was a clear breach of many sections of the Health Act 1911 and Council may take action for any continuing offences. For further information please refer to a copy of the letter.

Illegal Dumping of Tyres

The Chief Executive Officer informed Council of a load of tyres that have been dumped illegally on Location 3339 Bunmulling Road, Popanyinning, property of Mr R W Lowe. Investigations by Shire staff have revealed that Mr Lowe has no knowledge of the person responsible for dumping of the tyres. The matter has been referred to the Department of Environmental Protection for their action.

Reporting Officer

Allan Ramsay, Environmental Health Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Environmental Health Officers Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.5 **REPORTS – TOWN PLANNING**

7.5.1 **WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – PLANNING APPLICATION 126752 GATHS ROAD CUBALLING**

Background

Correspondence from the WAPC requesting Council consideration and comment to Planning Application 126752.

Comment

Planning Application 126752 has been jointly lodged by A M & B M Furphy and B W & H G Dixon for transfer of land to realign the boundaries of adjoining locations 14737 and 9213 (Lot 21). The proposal is for the section of location 9213 (Lot 21) that joins location 14737 on the north side of Gaths Road to amalgamate with that location, this will provide Gaths Road as the natural boundary between the two properties.

The proposal does not include the creation of additional lots or titles and therefore is not contrary to the Shire of Cuballing Town Planning Scheme for development in rural areas.

Reporting Officer

Peter Naylor, Chief Executive Officer
Trevor Moran, Landvision, Town Planning Consultant

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Planning Application 126752, as submitted, be supported by the Shire of Cuballing.

COUNCIL ACTION

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

CARRIED 7/0

7.5.2 **DEPARTMENT FOR PLANNING AND INFRASTRUCTURE – NEW GRAZING LEASE FOR CUBALLING LOT 348 (LEASE I179371) HALL**

Background

Correspondence from the Department for Planning and Infrastructure (DPI) advising that the above Lease has expired and requesting Council comments on their proposal to renew the lease for a five year term.

Comment

Mr Hall has been leasing the property for a number of years and in that time the rates and charges have been paid and there does not appear to have been problems in relation to installation of

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firebreaks and other Council requirements. Therefore there seems no reason for Council not to support the proposal.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The proposal by the Department for Planning and Infrastructure to issue a new replacement lease for a five year term for the lease of Cuballing Lot 348 to Mr W R Hall be supported.

COUNCIL ACTION

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

CARRIED 7/0

8 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

9 OTHER URGENT BUSINESS

9.1 TIDY TOWNS AWARD

The Chief Executive Officer informed Council that at the Tidy Towns Presentations held in Darkan on Wednesday 10 November 2004, Cuballing received the Cultural Heritage Achievement Award for the Peel Region.

4.05 pm Mr Terry Waldron entered the meeting.

6.1 MR TERRY WALDRON ADDRESS TO COUNCIL

Mr Waldron addressed Council on the State National Party's views and policies on structural reform and regional cooperation for Local Government in Western Australia. Mr Waldron stated that the National Party believes that there needs to be greater cooperation by Local Governments on a regional basis and certainly if elected to State Government the coalition will be advocating this and where agreeable between Local Governments encouraging structural reform, however, they are opposed to forced amalgamations. Mr Waldron advised that he has discussed this matter with the leader of the National Party, Max Trenorden, and the Shadow Minister for Local Government, Jamie Edwards. The Liberal Party's recently released position papers pertaining to Local Government caused some fear within the Local Government sector, however, Mr Waldron stated that forced amalgamations is not on the Liberal Party agenda either.

5.05 Mr Terry Waldron left the meeting.

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10 MEETING CLOSURE

There being no further business the Shire President declared the meeting closed at 5.20 pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT

SHIRE PRESIDENT

DATE