

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 17 JULY 2008

AGENDA

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ORDINARY COUCIL MEETING MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE
CUBALLING SHIRE, HELD IN THE COUNCIL CHAMBERS, CAMPBELL
STREET, CUBALLING ON THURSDAY 17 JULY 2008**

1. OPENING - ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors and declared the meeting open at 3:00pm

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

Shire President, Cr T H Wittwer	Deputy President, Cr JD Brown
Cr DS Bradford	Cr TP Haslam
Cr C Hawksley	Cr JRA Meharry
Cr RD Newman	
Chief Executive Officer, Mr P T Naylor,	

APOLOGIES

Nil

LEAVE OF ABSENCE

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. MINUTES

**5.1 CONFIRMATION OF 19 JUNE 2008 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 19 June 2008 be confirmed.

COUNCIL ACTION

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

CARRIED 7/0

6. **PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS**

7. **DISCLOSURES OF INTEREST**

Councillors' and Employees' Disclosures of Interest.

7.1 **DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST**

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

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

Item 8.1.7:

Councillors Bradford, Brown, Hawksley, Meharry and Newman declare a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own or occupy in a professional capacity.

In accordance with S5.69 of the *Local Government Act 1995* the Minister for Local Government has approved for the disclosing members (Councillors Bradford, Brown, Hawksley, Meharry and Newman) to fully participate in the discussion and decision making procedures relating to the consideration and adoption of the 2008/2009 Budget.

Cr Haslam also declared proximity interest in this item.

7.2 **DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY**

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

8.1 REPORTS – FINANCE AND ADMINISTRATION

8.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – JULY 2008

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

Background

Council is supplied with a list of payments for consideration.

Comment

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

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council:

- **Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling \$817,195.40:**

Voucher 12425-12494	\$776,859.19
Electronic fund transfers	\$ 38,832.81
Credit Card	\$ 1,503.40
- **Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$50.00:**

Voucher T2041	\$ 50.00
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COUNCIL ACTION

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

CARRIED 7/0

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Type	Date	Num	Name	Memo	Muni	Trust
Bill Pmt -Cheque	06/20/2008	12425	BORAL CONSTRUCTION MATERIALS GROUP	Bitumen Patching	1,287.00	
Bill Pmt -Cheque	06/20/2008	12426	BURGESS RAWSON (WA) PTY LTD	Water Account Memorial Park	45.27	
Bill Pmt -Cheque	06/20/2008	12427	CORPORATE EXPRESS	Stationery Supplies	328.88	
Bill Pmt -Cheque	06/20/2008	12428	COURIER AUSTRALIA	Freight	84.82	
Bill Pmt -Cheque	06/20/2008	12429	CUBY ROADHOUSE	Kitchen Supplies, Fuel etc	576.35	
Bill Pmt -Cheque	06/20/2008	12430	DUGALD FERGUSON MACHINERY	Plant parts & repairs	27.80	
Bill Pmt -Cheque	06/20/2008	12431	EDWARDS MOTORS PTY LTD	Plant parts & repairs	641.90	
Bill Pmt -Cheque	06/20/2008	12432	FARMWORKS AUSTRALIA PTY LTD	Workshop Supplies	407.00	
Bill Pmt -Cheque	06/20/2008	12433	Fast Finishing Services	Binding of Minute Books	71.50	
Bill Pmt -Cheque	06/20/2008	12434	Filters Plus	Plant parts & repairs	197.01	
Bill Pmt -Cheque	06/20/2008	12435	Great Southern Ranger Services	Ranger Services	239.80	
Bill Pmt -Cheque	06/20/2008	12436	Great Southern Waste Disposal	Refuse Site Management - Cuballing	2,291.66	
Bill Pmt -Cheque	06/20/2008	12437	HAINES NORTON (WA) PTY LTD	2008	660.00	
Bill Pmt -Cheque	06/20/2008	12438	JR & A HERSEY P/L	Protective Clothing	422.18	
Bill Pmt -Cheque	06/20/2008	12439	LANDGATE	Valuation Fees	9.20	
Bill Pmt -Cheque	06/20/2008	12440	NARROGIN AGRICULTURAL REPAIRS	Plant parts & repairs	258.00	
Bill Pmt -Cheque	06/20/2008	12441	NARROGIN BEARING SERVICE	Plant parts & repairs	6.60	
Bill Pmt -Cheque	06/20/2008	12442	PIONEER ROAD SERVICES PTY LTD	Road Sealing Program	225,478.77	
Bill Pmt -Cheque	06/20/2008	12443	TELSTRA	Telephone Account	752.57	
Bill Pmt -Cheque	06/20/2008	12444	TOWN OF NARROGIN	Library Contribution	2,475.00	
Bill Pmt -Cheque	06/20/2008	12445	WALGA	Advertising	459.50	

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Bill Pmt -Cheque	06/20/2008	12446	WATER CORPORATION	Water Account	1,218.60
Bill Pmt -Cheque	06/20/2008	12447	CASH.	Council Shopping	500.00
Bill Pmt -Cheque	06/30/2008	12448	CASH.	Petty Cash Recoup June 2008	324.30
Bill Pmt -Cheque	07/14/2008	12449	Main Roads WA	Bridgeworks	472,069.76
Bill Pmt -Cheque	07/01/2008	12450	BUILDERS REGISTRATION BOARD OF WA	BRB Payment June 2008	126.00
Bill Pmt -Cheque	06/30/2008	12451	HIF	Insurance Contribution - P.Naylor	512.75
Bill Pmt -Cheque	06/30/2008	12452	SHIRE OF CUBALLING.	Social Club Contribution	160.00
Bill Pmt -Cheque	06/30/2008	12453	WALGSP	Super Contributions June 2008	7,781.51
Bill Pmt -Cheque	07/14/2008	12454	AIR LIQUIDE WA PTY LTD	Gas Supplies	470.46
Bill Pmt -Cheque	07/14/2008	12455	Avon Waste	Refuse Site Management - Popanyinning	462.00
Bill Pmt -Cheque	07/14/2008	12456	BEAUREPAIRES	Plant parts & repairs	949.75
Bill Pmt -Cheque	07/14/2008	12457	BILL EXPRESS	Fees	9.55
Bill Pmt -Cheque	07/14/2008	12458	BORAL CONSTRUCTION MATERIALS GROUP	Bitumen Patching	1,287.00
Bill Pmt -Cheque	07/14/2008	12459	CASH.	Donation to Cuballing Golf Club Quiz Night	100.00
Bill Pmt -Cheque	07/14/2008	12460	COMMANDER AUSTRALIA LTD	Contract Charges	152.74
Bill Pmt -Cheque	07/14/2008	12461	CORPORATE EXPRESS	Stationery Supplies	40.55
Bill Pmt -Cheque	07/14/2008	12462	COURIER AUSTRALIA	Freight	6.62
Bill Pmt -Cheque	07/14/2008	12463	CUBALLING PEST & WEED CONTROL	Termite Inspection CWA Hall	245.00
Bill Pmt -Cheque	07/14/2008	12464	CUBALLING TAVERN	Council Meeting Meals	145.00
Bill Pmt -Cheque	07/14/2008	12465	CUBY ROADHOUSE	Kitchen Supplies, Fuel etc	266.00
Bill Pmt -Cheque	07/14/2008	12466	Directions	Wages - P. Clark	2,089.62
Bill Pmt -Cheque	07/14/2008	12467	DUGALD FERGUSON MACHINERY	Plant parts & repairs	

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					130.40
Bill Pmt -Cheque	07/14/2008	12468	Fuji Xerox	Photocopier charges	235.02
Bill Pmt -Cheque	07/14/2008	12469	GREAT SOUTHERN FUEL SUPPLIES	Fuel Charges	12,656.46
Bill Pmt -Cheque	07/14/2008	12470	Great Southern Ranger Services	Ranger Services	261.80
Bill Pmt -Cheque	07/14/2008	12471	Great Southern Waste Disposal	Refuse Site Management - Cuballing	2,291.66
Bill Pmt -Cheque	07/14/2008	12472	Hamel Nursery	Trees	412.30
Bill Pmt -Cheque	07/14/2008	12473	IN2BALANCE	Annual licence management & support fees.	15,972.00
Bill Pmt -Cheque	07/14/2008	12474	Jermy's Plumbing	Maintenance - Cuballing Rec Centre	331.20
Bill Pmt -Cheque	07/14/2008	12475	LANDGATE	Valuation Fees	204.00
Bill Pmt -Cheque	07/14/2008	12476	LOVEGROVE TURF SERVICES PTY LTD	Soil & Water Tests, Analysis Cuballing Oval	990.00
Bill Pmt -Cheque	07/14/2008	12477	MAKIT NARROGIN HARDWARE	Workshop Supplies	29.80
Bill Pmt -Cheque	07/14/2008	12478	MCDOUGALL WELDMENTS	Plant parts & repairs	724.39
Bill Pmt -Cheque	07/14/2008	12479	McLEODS BARRISTERS & SOLICITORS	Legal Fees	948.42
Bill Pmt -Cheque	07/14/2008	12480	NARROGIN AGRICULTURAL REPAIRS	Plant parts & repairs	11.05
Bill Pmt -Cheque	07/14/2008	12481	NARROGIN AUTO ELECTRICS	Plant parts & repairs	1,428.08
Bill Pmt -Cheque	07/14/2008	12482	NARROGIN BEARING SERVICE	Plant parts & repairs	6.55
Bill Pmt -Cheque	07/14/2008	12483	Narrogin Technology Solutions	Computer Maintenance	264.95
Bill Pmt -Cheque	07/14/2008	12484	PARRYS	Protective Clothing	231.90
Bill Pmt -Cheque	07/14/2008	12485	Perth Professional Entertainment Service	Summer Concert Series 1st Instalment	9,075.00
Bill Pmt -Cheque	07/14/2008	12486	POPANYINNING GENERAL STORE	Fuel - Popanyinning Fire Truck	120.30
Bill Pmt -Cheque	07/14/2008	12487	SHIRE OF CUBALLING.	Licensing	381.30
Bill Pmt -Cheque	07/14/2008	12488	STAR TRACK EXPRESS	Freight	61.04

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Bill Pmt -Cheque	07/14/2008	12489	Synergy	Electricity Account	2,294.95	
Bill Pmt -Cheque	07/14/2008	12490	TELSTRA	Mobile Phones Account	40.63	
Bill Pmt -Cheque	07/14/2008	12491	TIMES PRINT	Stationery Supplies	361.00	
Bill Pmt -Cheque	07/14/2008	12492	WATER CORPORATION	Water Account	1,228.30	
Bill Pmt -Cheque	07/14/2008	12493	WESTRAC EQUIPMENT	Plant parts & repairs	311.75	
Bill Pmt -Cheque	07/14/2008	12494	Yakka	Uniform - P.Naylor	216.92	
TRUST	06/25/2008	T2041	CASH.	Flowers - Scott Fowler		50.00
DIRECT	07/01/2008	01072008	Alex Richardson	Manager of Works Phone Rental Reimbursement	98.81	
DIRECT	07/08/2008	08072008	SHIRE OF CUBALLING.	Shire Wages 08/07/2008	11,816.36	
DIRECT	06/17/2008	17062008	Belinda Furphy	Training Reimbursement	425.00	
DIRECT	06/18/2008	18062008	Watch 24 Pty Ltd	monthly fee	43.29	
DIRECT	06/23/2008	23062008	Directions	Wages - P. Clark	1,449.63	
DIRECT	06/24/2008	24062008	SHIRE OF CUBALLING.	Shire Wages 24/06/2008	17,668.42	
DIRECT	06/30/2008	30062008	SHIRE OF CUBALLING.	Shire Wages 30/06/2008	7,331.30	
CREDIT CARD	05/30/2008	30052008	CONRAD JUPITERS	CEO Conference	1,503.40	
					<hr/>	
					\$	\$
					817,195.40	50.00
					<hr/> <hr/>	

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8.1.2 STATEMENT OF FINANCIAL ACTIVITY

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

Background

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

Comment

A Statement of Financial Activity has been prepared for period ending 30 June 2008 in accordance with the abovementioned legislation and circulated with the Council meeting agenda.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Statement of Financial Position, as circulated, for the Shire of Cuballing for period ending 30 June 2008, be received.

COUNCIL ACTION

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

CARRIED 7/0

8.1.3 ANNUAL RETURNS

Submission to:	Ordinary Meeting of Council
Location/Address:	Nil
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Members 5
Voting Requirements:	Simple Majority

Background

Section 5.76 of the Local Government Act 1995, requires that in each year Councillors, the Chief Executive Officer, and other employees (relevant persons) to whom delegated powers have been authorised in accordance with the provisions of the Act, must lodge an annual return in the prescribed form by 31 August in that year.

Comment

Copies of the prescribed form (Form 3) are circulated with the Council meeting agenda for early attention.

Corruption and Crime Commission Act 2003, Sections 4 & 28, requires the Chief Executive Officer to notify the Department of Local Government and Regional Development and the Corruption and Crime Commission of any annual returns lodged after the due date of 31 August.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

For Councillor information and early attention please.

COUNCIL ACTION

Resolved that the information be noted

8.1.4 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – COMPULSORY VOTING IN LOCAL GOVERNMENT ELECTIONS

Submission to:	Ordinary Meeting of Council
Location/Address:	Nil
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995, and associated Regulations
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Local Government Act 1
Voting Requirements:	Simple Majority

Background

WALGA is surveying Local Government on their support/opposition to compulsory voting in Local Government Elections. Feedback required by 25 July 2008.

The WALGA Infopage and discussion paper is attached in this agenda document.

Survey responses will be listed for Zone consideration in September 2008 and State Council in October 2008.

Comment

The WALGA discussion paper suggests that the issue of compulsory voting in Local Government Elections has come to the fore following recent changes to the electoral provisions in the Local Government Act 1995 (*the Act*) and associated regulations introduced for the 2007 Local Government Elections. Significantly, the first past the post system of voting was changed to preferential voting and proportional preferential voting.

It is further suggested that these changes have had an impact on the election process with more overt politicking, involvement of organised groups, use of “dummy candidates” factions and alliances all of which could undermine the intention of *the Act* to provide for the good government of persons in its district.

Compulsory voting is seen as a way of countering these unwanted impacts.

The discussion paper attempts to address the various arguments for and against the introduction of compulsory voting, a summary is detailed on page 14 of the paper. It is noted that one of the important considerations against the introduction of compulsory voting has been omitted, ie Residents can participate in the democratic process more readily with local government by attending Council meetings and asking questions, making a submission or becoming a member of a committee. These opportunities are uncommon at the State and/or Federal Governments level.

A consideration in favour of compulsory voting could be that local government is seeking constitutional recognition, voting at State and Federal Elections is compulsory and if local government wants equal recognition through the constitution then it may be advantageous for compulsory voting to be supported in an endeavour to lift the profile of local government and its elections. However given that the residents have a greater opportunity to be more involved with local government affairs as compared to State and Federal Governments, this may not be such an issue.

WALGA is seeking comment on:

1. Does Council support the *principle* of compulsory voting?
2. Does Council support the introduction of compulsory voting in Local Government elections under current electoral arrangements?
3. If Council supports the introduction of compulsory voting under current electoral arrangements, what changes to the electoral arrangements would see Council withdraw its support?
4. Would Council support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting?

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council responds to the Western Australian Local Government Association as follows:

1. **Does Council support the *principle* of compulsory voting? - No**
2. **Does Council support the introduction of compulsory voting in Local Government elections under current electoral arrangements? - No**
3. **If Council supports the introduction of compulsory voting under current electoral arrangements, what changes to the electoral arrangements would see Council withdraw its support? – Not Applicable**
4. **Would Council support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting? - Yes**

COUNCIL ACTION

Moved Cr Haslam, seconded Cr Meharry that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

8.1.5 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – LOCAL GOVERNMENT WEEK CONVENTION 2008

Submission to:	Ordinary Meeting of Council
Location/Address:	Nil
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Nil
Council Policy:	Nil
Budget Implications:	2008/2009 Budget allocation
File Reference:	C & A 5
Voting Requirements:	Simple Majority

Background

The WALGA Annual General Meeting (AGM) is to be held at the Perth Convention Exhibition Centre on Saturday 2 August 2008, as part of the Local Government Week Convention.

Comment

Copies of the Agenda for the WALGA AGM have been provided to Councillors with the Council meeting agenda. Councils delegates to the AGM, Cr's Wittwer and Brown, received original copies of the document.

In past years Council has resolved for the delegates to listen to the debate on the various matters before the meeting and make a joint informed decision in the best interests of the Shire of Cuballing and the local government industry as a whole. This process appears to be working well and Council could give consideration to adopting this practice once again.

It would also be beneficial for Council to take this opportunity to peruse the AGM agenda to gain an insight into and discuss the various items being presented for consideration.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the two Council delegates for the Western Australian Local Government Association Annual General Meeting be requested to listen to the debate on the various matters presented to the meeting for consideration and make a joint informed decision in the best interests of the Shire of Cuballing and the local government industry as a whole.

COUNCIL ACTION

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

CARRIED 7/0

8.1.6 SHIRE OF CUBALLING PLAN FOR THE FUTURE OF THE DISTRICT

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Finance 10
Voting Requirements:	Absolute Majority

Background

As reported to the June 19, 2008, meeting of Council, it is a requirement in accordance with the Local Government Act 1995 (s5.56) for a Local Government to prepare a Plan for the Future of the District (replacing the former Principal Activity Plan).

A draft Plan was presented to the June meeting and Council resolved the it be advertised by Local Public Notice with inspection at the Shire office (during normal business hours) and on the Shire Website.

Comment

The draft Plan was duly advertised in the Narrogin Observer on Wednesday 25 June 2008, and placed on the Shire of Cuballing Website, with submission period closing on Friday 11 July 2008.

Whilst the draft Plan has been prepared for the four year period 2008/2009 to 2011/2012, it is a requirement that the plan be reviewed by Council every two years.

At the time of preparing this report no submissions have been received. Any submissions received prior to the closing period will be presented to Council for consideration.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the draft Plan for the Future for the Shire of Cuballing for the four year period 2008/2009 to 2011/2012 be adopted.

COUNCIL ACTION

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

CARRIED 7/0

8.2 REPORTS – WORKS

8.2.1 WORKS MANAGERS REPORT

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Alex Richardson, Works Manager Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	CMR 10
Voting Requirements:	Simple majority

GRADING/MAINTENANCE

One grader is proceeding with winter grading throughout the Shire as time, weather and resources permit. The second grader is consolidating bitumen edges/shoulders on various roads.

ROADSIDE SPRAYING

Roadside spraying is continuing along bitumen road verges to enable shoulders to be improved. Target spraying for declared weeds has commenced and will be done in conjunction with the roadside spraying.

FORREST STREET, POPANYINNING

Upgrading of Forrest Street, between Howard and Bayliss Streets, has commenced. Levels and alignments have been taken, and overhanging trees mulched to access the work site. Most of the works will be carried out about October 2008.

PLANT AND EQUIPMENT

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

Venieri Front End Loader

McLeods Barristers and Solicitors believe that Council may have a case to seek warranty compensation from the company from which the Venieri Front End Loader was purchased and have written to them stating this. The solicitors acting on behalf of the company have requested extra time to review the matter and advise their client, McLeods have given until 31 July 2008.

Front End Loader Tender 2-07/08

Council, at the June 19, 2008, Ordinary Meeting resolved to delegate Authority to the Plant/Machinery Committee (Crs Hawksley, Newman & Wittwer) and Cr Haslam, in conjunction with the Chief Executive Officer, Works Manager, Leading Hand and Front End Loader Operator (Anthony Mort), to inspect preferred Front End Loaders; and that the Plant Machinery Committee and Cr Haslam be delegated to make final decision on behalf of Council for purchase of Front End Loader machine.

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Councillors Haslam, Hawksley, Newman and Wittwer, the Chief Executive Officer, Works Manager, and employees Bruce Brennan and Anthony Mort, identified the Cat 930G, Volvo L70F and Case 721E as the preferred machines. The Councillors and staff had the opportunity to inspect and operate the machines in Perth on Monday 23 June 2008, and again at Woodanilling (Case 721D), Wagin (Cat 924G) and Yornaning (Case 721E) following that day. The general consensus was that the Cat 930G is the preferred machine. Several matters were taken into consideration and score sheet prepared by the operators.

Following this process the Committee and Cr Haslam resolved that Council accept the tender submitted by Westrac Equipment for supply of Cat 930G Front End Loader with following additional options; machine to be adapted to quick fit hitch system, material handling arm, carriage and fork tines, compuload weighing system (non trade approved), full machine warranty upgraded to 36months/6,000hours, engine fan to be fitted with reverse cycle function; total cost of purchase \$273,850 (GST ex).

STAFF

Mr Terry Clark is currently clearing 4 weeks of accrued long service leave entitlements.

PRIVATE WORKS

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

Private works invoices for the month of June 2008, total \$10,059.14 (YTD at 30 June 2008 \$84,122.53).

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Works Managers Report be received and information noted; and**
- **The Plant/Machinery Committee and Cr Haslam resolution to accept the tender submitted by Westrac Equipment for supply of Cat 930G Front End Loader (with optional extras) be endorsed.**

COUNCIL ACTION

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

CARRIED 7/0

8.2.2 SHIRE OF PINGELLY – APPOINTMENT OF DUAL FIRE CONTROL OFFICERS 2008/2009

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Bush Fires Act 1954
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Bush Fire Control 5
Voting Requirements:	Simple Majority

Background

Letter from the Shire of Pingelly advising of the appointment of Messrs Alan Parsons, Mark Watts, Neville Giles, Rodney Shaddick and Robert Kirk as Dual Fire Control Officers with the Shire of Cuballing for the 2008/2009 Fire Season.

Comment

Dual Fire Control Officers are appointed to provide legal cover for a Fire Control Officer in charge at a wildfire that burns across a Shire boundary. The Dual Fire Control Officer can stay in charge and follow the fire, or hand over control to a fire control officer from the second Shire (if one is available and in attendance).

Section 40 of the Bush Fires Act 1954 empowers Council to appoint dual fire control officers with neighbouring local authorities and section 38(2) of the Act requires such appointments to be advertised in a local paper.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That pursuant to section 40 of the Bush Fires Act 1954, Messrs Alan Parsons, Mark Watts, Neville Giles, Rodney Shaddick and Robert Kirk be appointed as Dual Fire Control Officers for the Shire of Cuballing and Pingelly for the 2008/2009 Fire Season, subject to the officer possessing the appropriate accreditations, and further noting that the Dual Fire Control Officer is not permitted to issue burning permits for land within the Shire of Cuballing.

COUNCIL ACTION

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

CARRIED 7/0

8.3 REPORTS – HEALTH AND BUILDING

8.3.1 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYORS REPORT

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

Summary

There were four (4) applications approved and licenses issued for the month of June 2008.

Listed below is a summarized breakdown of the application and proposed structures:

Approval License No	Name of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Location of Building
50-2007/08	K G Cox	Owner Builder	S/F Colour Bond Patio	Lot 144 Page Road Popanyinning
51-2007/08	G Campbell	Owner Builder	S/F Colour Bond Patio	Lot 25 Cuballing Street Cuballing
52-2007/2008	W Bird	Owner Builder	S/F Colour Bond Shelter	Lot 40 Forrest Street Popanyinning
53-2007/2008	H Rozmianiec	Great Southern Sheds Tudhoe Street Wagin	S/F Zincalume Patio	Lot 79 Russell Street Cuballing

Builders Registration Board (BRB)

The BRB advise that from 1 July 2008 their Building Licence Fee Levy will increase to \$39.00 (from \$37.00). There has been no change to the administration fee of \$5.00 (plus GST) retained by local government.

Local Government (Miscellaneous Provisions) Act 1960 Amendments

The minimum building licence fee has been increased from 1 July 2008 to \$85.00 (from \$40.00).

Building Application – Lot 127 Beeston Street, Cuballing

Property owner, Mr Paul Doyle, submits a building application to erect an oversize shed, 144m², on the property. Shed dimensions are length 16m, width 9m, wall height 3.2m.

Shire of Cuballing Town Planning Scheme No 2, Local Planning Policy – Outbuildings, parts b & c:

(b) In Rural Residential zones of the Shire where the lot size over 1500m²:

(ii) Colourbond construction, where the total outbuilding does not exceed 120m² in total floor area.

(c) Wall height of any outbuildings not to exceed 3 metres. In the case of gable floor construction, the maximum height is not to exceed 4 metres.

Mr Doyle is in the process of building a steel framed Hardies Prime Line Clad Dwelling on the lot.

Plans of the shed and a letter from Mr Doyle supporting his building application are attached.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Environmental Health Officer/Building Surveyors Report be received and information noted; and**
- **Council approves Mr Paul Doyles building application to erect an oversize shed of 144m² on Lot 127 Beeston Street, Cuballing, subject to the gable floor construction not exceeding 4 metres.**

COUNCIL ACTION

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

CARRIED 7/0

8.4 REPORTS – TOWN PLANNING

8.4.1 AUSTWIDE MINING TITLE MANAGEMENT PTY LTD – APPLICATIONS FOR EXPLORATION LICENSES 70/3487, 70/3490 & 70/3491

Submission to:	Ordinary Meeting of Council
Location/Address:	Various localities throughout the Cuballing Shire
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Mining Act 1978
Council Policy:	Nil
Budget Implications:	Nil
File Reference:	Permits & Licenses 1
Voting Requirements:	Simple majority

Background

Correspondence from Austwide Mining Title Management Pty Ltd advising that on behalf their clients, Darling Range Pty Ltd, applications have been submitted to the Department of Industry and Resources (DIR) for the abovementioned exploration licenses.

The applications have the capacity to impact large land masses within the Shire.

Comment

Council, at the 15 May 2008 meeting, acknowledged that the number of exploration licenses within the Shire is increasing and therefore resolved to impose a number of conditions for consideration by the DIR when issuing exploration licenses. It is being recommended that the list of conditions again be presented to the DIR for consideration.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council acknowledges the applications for Exploration Licenses 70/3487, 70/3490 and 70/3491, and requests the following conditions be imposed by the Department of Industry and resources if the exploration licenses are to be issued:

- **All surface holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.**
- **All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless otherwise approved in writing by the district mining engineer.**
- **Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of exploration program.**

- **No activities taking place to the detriment of any roads, streets or verges.**
- **Minimum disturbance being made to natural vegetation.**
- **Adequate dust suppression control methods and practices being used.**
- **Except with the approval of the Shire of Cuballing, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated at the completion of the operation to the satisfaction of the Shire of Cuballing.**
- **All works comply with the Environmental Protection (Noise) Regulations 1997.**
- **All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.**

COUNCIL ACTION

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

CARRIED 7/0

8.1.7 SHIRE OF CUBALLING BUDGET 2008/2009 FINANCIAL YEAR

Submission to:	Ordinary Meeting of Council
Location/Address:	Whole of Shire
Reporting Officer:	Peter Naylor, Chief Executive Officer
Enabling Legislation:	Local Government Act 1995
Council Policy:	3.11
Budget Implications:	Nil
File Reference:	Finance 9
Voting Requirements:	Simple Majority

Councillors Bradford, Brown, Hawksley, Meharry and Newman declare a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own or occupy in a professional capacity.

In accordance with S5.69 of the *Local Government Act 1995* the Minister for Local Government has approved for the disclosing members (Councillors Bradford, Brown, Hawksley, Meharry and Newman) to fully participate in the discussion and decision making procedures relating to the consideration and adoption of the 2008/2009 Budget.

Cr Haslam also declared proximity interest.

Background

Enclosed with the Council Meeting Agenda is a second draft Budget, and associated supporting information, prepared for the 2008/2009 Financial Year.

Comment

Minor amendments have been made to the initial draft budget in accordance with Council requests from the June 2008 Ordinary Meeting of Council. Other adjustments have also been made in relation to receipt of Local Government Grants Commission allocations, final quotations for insurances and inclusion of 2007/2008 end of year figure. Full details will be identified and explained as the document is dealt with at the meeting.

At the meeting it is proposed to table rating models based on 7.5% and 10% rate increases. As discussed at the June 2008 Council Meeting the local government cost index for year ending 30 June 2008 is 7.5%, however there are additional costs to rural Councils that need to be taken into consideration. A major cost for rural Councils is fuel and this also has a significant impact on the price of other materials such as bitumen. However the 30 June 2008 end of year figure is higher than originally anticipated and this may allow Council to reduce the previously considered 10% rate increase.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council discussion and direction please.

COUNCIL ACTION

Moved Cr Bradford, Seconded Cr Newman that the draft budget, with exception of the road works budget, as presented, with minor adjustment/inclusions, showing rate increase of 10%, as per model 2, be prepared in the statutory format and present to the August 2008 meeting of Council for adoption.

CARRIED 7/0

4:21pm Cr Haslam departed the Council Chambers.

Moved Cr Bradford, seconded Cr Newman that the draft road works budget, as presented, be adopted 2008/2009 financial year.

CARRIED 6/0

4:24pm Cr Haslam rejoined the Council Meeting.

9. OTHER BUSINESS

Nil

10. MEETING CLOSURE

There being no further business the Shire President declared the meeting closed at 4:25pm.