

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 20 AUGUST 2009

AGENDA

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ORDINARY COUNCIL MEETING MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE
CUBALLING SHIRE, HELD IN THE COUNCIL CHAMBER, CAMPBELL
STREET, CUBALLING ON THURSDAY 20 AUGUST 2009**

1. OPENING – ANNOUNCEMENT OF VISITORS

The Shire President welcomed Councillors and declared the meeting open at 3:08pm.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

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

3. APOLOGIES

Nil

4. APPLICATION(S) FOR LEAVE OF ABSENCE

Moved Cr Haslam, seconded Cr Hawksley that Leave of Absence be granted to Cr Brown for the Ordinary Meeting of Council to be held on Thursday 15 October 2009.

CARRIED 7/0

5. MINUTES

5.1 CONFIRMATION OF 30 JULY 2009 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 30 July 2009 be confirmed.

COUNCIL ACTION

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

CARRIED 7/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

Nil

7. **DISCLOSURES OF INTEREST**

Councillors' and Employees' Disclosures of Interest.

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

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

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

Item 8.1.4:

Councillors Brown, Haslam, Meharry, Newman & Wittwer declared a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own, is owned by family members, and/or they occupy in a professional capacity.

In accordance with the provisions of S5.69 of the *Local Government Act 1995*, the Minister for Local Government has approved for the disclosing members (Councillors Brown, Haslam, Meharry, Newman & Wittwer) to fully participate in the discussion and adoption of the 2009/2010 Budget.

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.

Nil

8.1 REPORTS – FINANCE AND ADMINISTRATION

8.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – AUGUST 2009

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

Background

Council is supplied with a list of payments for consideration.

Comment

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

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council:

- **Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling \$251,008.42:**

Vouchers 13189-13268	\$228,810.81
Electronic fund transfers	\$ 22,142.64
Credit Card	\$ 55.00
- **Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$200.00:**

Voucher T2072	\$ 200.00
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COUNCIL ACTION

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

CARRIED 7/0

Type	Num	Date	Name	Description	Original Amount
Bill Pmt - Cheque	13189	02/07/2009	AUSTRALIA POST	June West Australian Papers	-28.60
Bill Pmt - Cheque	13190	02/07/2009	Avon Waste	Bin Service	-481.41
Bill Pmt - Cheque	13191	02/07/2009	Baileys Hotel Motel	Staff Training - Alex Richardson	-243.65
Bill Pmt - Cheque	13192	02/07/2009	BORAL CONSTRUCTION MATERIALS GROUP	pick up CRS Emulsion 501 -1000lts	-1,210.00
Bill Pmt - Cheque	13193	02/07/2009	CENTRAL COUNTRY ZONE WALGA	Annual Subscription 2009/2010	-2,420.00
Bill Pmt - Cheque	13194	02/07/2009	Chem Loo	RV Chemicals	-2,334.20
Bill Pmt - Cheque	13195	02/07/2009	CUBY ROADHOUSE	Gas, Milk, ULP, Paper	-293.05
Bill Pmt - Cheque	13196	02/07/2009	DEPT FOR PLANNING & INFRASTRUCTURE	License CN3193 Boxtop Trailer	-56.75
Bill Pmt - Cheque	13197	02/07/2009	DRYANDRA COUNTRY VISITOR CENTRE INC.	Advertising in 2009 Beautiful South	-160.00
Bill Pmt - Cheque	13198	02/07/2009	FARMWORKS AUSTRALIA PTY LTD	Talon Pellets	-213.40
Bill Pmt - Cheque	13199	02/07/2009	Fuji Xerox	Photocopier Account	-338.41
Bill Pmt - Cheque	13200	02/07/2009	GREAT SOUTHERN FUEL SUPPLIES	Fuel and oil for June 09	-8,945.69
Bill Pmt - Cheque	13201	02/07/2009	Great Southern Waste Disposal	Management of Shire tip	-2,750.00
Bill Pmt - Cheque	13202	02/07/2009	GT RADIATOR & MACHINING SERVICES	Sharpen mulcher blades	-55.00
Bill Pmt - Cheque	13203	02/07/2009	IN2BALANCE	Annual License Maintenance and Support Fees for the year ending 30th June 2010	-16,632.00
Bill Pmt - Cheque	13204	02/07/2009	LGIS Liability	LGIS Liability Policy Schedule for cover - First Instalment	-10,257.50
Bill Pmt - Cheque	13205	02/07/2009	LGIS Workcare	LGIS Workcare Policy - First Instalment	-13,277.00
Bill Pmt - Cheque	13206	02/07/2009	LO-GO Appointments	Wages - L. Thomas	-3,168.44
Bill Pmt - Cheque	13207	02/07/2009	LOCAL GOVERNMENT MANAGERS AUSTRALIA	2009-2010 LGMA Council Corporate Membership - Small Local Govt	-710.00
Bill Pmt -	13208	02/07/2009	MAKIT NARROGIN HARDWARE	Nuts and bolts, lamp	-224.80

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Cheque

Bill Pmt - Cheque	13209	02/07/2009	MCDUGALL WELDMENTS	Z purlins	-330.66
Bill Pmt - Cheque	13210	02/07/2009	NARROGIN AGRICULTURAL REPAIRS	Metric bolts	-20.50
Bill Pmt - Cheque	13211	02/07/2009	NARROGIN AUTO ELECTRICS	Battery Bosch	-383.94
Bill Pmt - Cheque	13212	02/07/2009	NARROGIN BEARING SERVICE	Air fitting couplings	-73.40
Bill Pmt - Cheque	13213	02/07/2009	NARROGIN HIRE SERVICE AND RETICULATION	Jack hammer kango	-59.01
Bill Pmt - Cheque	13214	02/07/2009	Narrogin Pumps Sales & Service	Superflex	-70.40
Bill Pmt - Cheque	13215	02/07/2009	Narrogin Technology Solutions	Laptop configuration - A Ramsay Office	-150.00
Bill Pmt - Cheque	13216	02/07/2009	NARROGIN TOYOTA	Repair CN1557	-2,787.34
Bill Pmt - Cheque	13217	02/07/2009	PAGE TRUCK HIRE	Grave at Cuballing cemetery	-396.00
Bill Pmt - Cheque	13218	02/07/2009	PARRYS	Protective Clothing	-368.48
Bill Pmt - Cheque	13219	02/07/2009	STAR TRACK EXPRESS	South Guildford to Cuballing - Westrac	-63.91
Bill Pmt - Cheque	13220	02/07/2009	Synergy	Electricity charges for June 2009	-1,902.30
Bill Pmt - Cheque	13221	02/07/2009	TELSTRA	Phone charges for June 09	-714.04
Bill Pmt - Cheque	13222	02/07/2009	VISIMAX SAFETY PRODUCTS	Cat/Possum Trap Plate Release x 2	-196.60
Bill Pmt - Cheque	13223	02/07/2009	WALGA	Advertising for June 2009	-82.96
Bill Pmt - Cheque	13224	02/07/2009	WATER CORPORATION	Water service charges for 09/10	-1,388.20
Bill Pmt - Cheque	13225	02/07/2009	WESTRAC EQUIPMENT	Parts & Repairs	-305.18
Bill Pmt - Cheque	13226	22/07/2009	LGIS Insurance Broking	Insurance Vehicles	-45,270.53
Bill Pmt - Cheque	13227	22/07/2009	LGIS Liability	Insurance Renewal	-2,338.88
Bill Pmt - Cheque	13228	22/07/2009	LGIS PROPERTY	Property Insurance	-4,748.04
Bill Pmt - Cheque	13229	30/07/2009	COURIER AUSTRALIA	8540195467, CEXP0105164	-25.35

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Bill Pmt - Cheque	13230	30/07/2009	CUBALLING TAVERN	Council Meeting and depot	-210.50
Bill Pmt - Cheque	13231	30/07/2009	LO-GO Appointments	Wages L Thomas W/E 18/07/09	-1,584.22
Bill Pmt - Cheque	13232	30/07/2009	NARROGIN BEARING SERVICE	Ratchet handle	-70.60
Bill Pmt - Cheque	13233	30/07/2009	PETTY CASH	Petty cash reimbursement 29/07/09	-219.90
Bill Pmt - Cheque	13234	30/07/2009	STAR TRACK EXPRESS	Guildford to Cuballing	-64.47
Bill Pmt - Cheque	13235	30/07/2009	TIMEBASE PTY LTD	Annual subscription	-210.00
Cheque	13236	01/07/2009	Australian Taxation Office	BAS Statement Correction for June 2009	-9,934.00
Cheque	13237	04/08/2009	BUILDERS REGISTRATION BOARD OF WA	BRB Payments for July 2009	-102.50
Bill Pmt - Cheque	13238	05/08/2009	Avon Waste	Bulk Bin service & Rent	-492.00
Bill Pmt - Cheque	13239	05/08/2009	East Narrogin Primary	Banner Costs - Local Govt Week Competition	-301.26
Bill Pmt - Cheque	13240	05/08/2009	Great Southern Ranger Services	Patrol Cuballing & Popanyinning towns and Klms	-290.40
Bill Pmt - Cheque	13241	05/08/2009	HIF	Health Insurance Fund Contribtuions - P Naylor	-214.50
Bill Pmt - Cheque	13242	05/08/2009	LO-GO Appointments	Wages L Thomas 25/7/09	-1,584.22
Bill Pmt - Cheque	13243	05/08/2009	LOCAL GOVERNMENT MANAGERS AUSTRALIA	LGMA Membership Subscription - Member 2009/10	-390.00
Bill Pmt - Cheque	13244	05/08/2009	Origin	LP Gas Popanyinning Hall	-56.40
Bill Pmt - Cheque	13245	05/08/2009	Synergy	Electricity	-365.80
Bill Pmt - Cheque	13246	05/08/2009	WALGSP	Superannuation Contributions July 2009	-6,484.73
Bill Pmt - Cheque	13247	06/08/2009	CUBALLING TAVERN	Local Government Reform Information Day Catering	-500.00
Bill Pmt - Cheque	13248	06/08/2009	JR & A HERSEY P/L	Safety Equipment Gloves	-1,124.53
Bill Pmt - Cheque	13249	06/08/2009	MCDOUGALL WELDMENTS	Materials for Mens Shed	-225.81
Bill Pmt - Cheque	13250	06/08/2009	NARROGIN GAS	Gas Cylinder Filled & Exchange Order No. 4913	-121.00
Bill Pmt - Cheque	13251	06/08/2009	SHIRE OF CUBALLING.	Social Club & Rates Contributions July 2009	-235.00
Bill Pmt -	13252	06/08/2009	WALGA	Subscription Renewals	-13,357.20

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Cheque					
Bill Pmt -					
Cheque	13253	06/08/2009	WESTRAC EQUIPMENT	Parts for Cat930G Mirrors	-334.07
Bill Pmt -					
Cheque	13254	06/08/2009	JR & A HERSEY P/L	Safety Equipment Ear Plugs etc	-277.64
Bill Pmt -					
Cheque	13255	06/08/2009	TELSTRA	Mobile Accounts CEO, MOW & Leading Hand	-253.35
Bill Pmt -					
Cheque	13256	11/08/2009	CEMETERIES & CREMATORIA ASSOC. OF WA	Membership renewal 2009/10	-100.00
Bill Pmt -					
Cheque	13257	11/08/2009	COURIER AUSTRALIA	Malaga to Cuballing 27/07 Allpacks	-13.19
Bill Pmt -					
Cheque	13258	11/08/2009	Great Southern Waste Disposal	Management of Shire tip 01/07/09 to 31/07/09	-2,750.00
Bill Pmt -					
Cheque	13259	11/08/2009	LANDGATE	Gross rental valuations 13/06 to 10/07	-252.93
Bill Pmt -					
Cheque	13260	11/08/2009	LGIS Insurance Broking	2008/09 Motor vehicle premium adjustment	-1,708.41
Bill Pmt -					
Cheque	13261	11/08/2009	NARROGIN PACKAGING	Toilet rolls, paper towels	-247.66
Bill Pmt -					
Cheque	13262	11/08/2009	Narrogin Technology Solutions	LG DVD Burner	-155.00
Bill Pmt -					
Cheque	13263	11/08/2009	PIE NETWORKS	Keys for telecentre	-168.25
Bill Pmt -					
Cheque	13264	11/08/2009	Shire of Brookton.	Nomination fees for golf day 14/08/09	-120.00
Bill Pmt -					
Cheque	13265	11/08/2009	STAR TRACK EXPRESS	Westrac 24/07	-64.47
Bill Pmt -					
Cheque	13266	11/08/2009	Twinkarri	Tree pruning and mulching of various roads	-49,252.50
Bill Pmt -					
Cheque	13267	11/08/2009	WATER CORPORATION	Standard water service	-8,354.00
Bill Pmt -					
Cheque	13268	11/08/2009	Australian Taxation Office	Amended charges enegy grants, interest	-1,144.68
Trust	T2072	08/05/2009	Kelvin Kickett	Hall Bond Refund	-200.00
Direct	F908043680772	4/08/2009	SHIRE OF CUBALLING.	Employee Wages	-20,238.21
Direct	F908043692165	4/08/2009	Commander	Telephone System	-119.74
Direct	F908043692234	4/08/2009	Stamp-it Rubber Stamps	Date Stamp Office	-83.57
Direct	F908063770716	6/08/2009	A. Ramsay	Travel June & July 2009	-957.60
Direct	F908123885502	12/08/2009	SHIRE OF CUBALLING.	Trans Muni to Licensing	-700.20
Direct	Direct		Watch 24 Pty Ltd	monthly fee	-43.29

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Credit card	Direct	27/07/2009	Euforia	Flowers Sarah Hawksley	-55.00
					-
					251,208.42
					-
				Municipal	228,810.81
				Trust	-200.00
				Direct Debit	-22,142.61
				Credit Card	-55.00

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 not been prepared for period ending 31 July 2009 in accordance with the abovementioned legislation. Due to the commencement of the new financial year, and that Council is yet to adopt its budget for 2009/2010, no budget information has been loaded into the reporting system and therefore the financial statements, especially after only one month of operation, would provide little indication of Councils financial or operating position.

A Bank Reconciliation Statement, Profit and Loss Statement, and Balance Sheet Statement for period ending 31 July 2009 are included in the Council Meeting Agenda.

The Statement of Financial Activity for two-month period ending 31 August 2009 will be presented to the September meeting of Council.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Bank Reconciliation, Profit & Loss, and Balance Sheet Statements for period ending 31 July 2009, be received.

COUNCIL ACTION

Moved Cr Hawsley, seconded Cr Haslam that the Chief Executive Officers recommendation be adopted.

CARRIED 7/0

8.1.3 LOCAL GOVERNMENT REFORM

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: C&A 7
Voting Requirements: Absolute majority

Background

February 2009 Minister for Local Government announced Reform.

Immediately following the Ministers announcement of the reform process, Council prepared a notice to the local community which included a small survey.

Survey results:

Do you want the Shire to remain as is?

Yes: 149 95.5%

No: 6 3.8%

Non Committal: 1 0.6%

Do you believe the Shire is efficient & effective?

Yes: 148 94.9%

No: 5 3.2%

Non Committal: 3 1.9%

If amalgamation is inevitable, who would you prefer to be merged with?

Narrogin (Shire/Town): 19 9.4%

Pingelly: 53 26.1%

Wandering: 56 27.6%

Wickepin: 67 33.0%

Non Committal: 8 3.9%

Whilst the results of the survey were overwhelmingly in favour of the status quo remaining, however they also indicated that if Council is forced into a merger situation then the community would prefer to be aligned with either the Shires of Wickepin, Wandering or Pingelly rather than Narrogin Town or Shire.

Councils had to submit a Local Government Reform Checklist to the Local Government Reform Steering Committee (LGRSC) by the end of April 2009, and a Submission to the Reform Steering Committee by 31 August 2009.

At the recent Local Government Week Convention the Premier (Hon Colin Barnett), Minister for Local Government (Hon John Castrilli), and Leader of the State National Party & Minister for Regional Development (Hon Brendan Grylls), all addressed the conference on the reform agenda. From the addresses it became blatantly obvious that whilst they are saying the reform process is voluntary there could (will) be repercussions for the

Councils that don't want to voluntarily amalgamate by way of grant reductions to the point where those Councils will find it difficult to function.

Many Councils throughout the State were relying on the National Party to be there saviour, however Minister Grylls stated that whilst the Nationals do support reform as a voluntary process only, they would not be the "champion for local government" and the sector could expect funding reductions.

The Premier indicated that small Councils with a population of less than 1,000 (there are 37 in the State) are virtually inefficient and ineffective and need to be amalgamated. He further stated that State Government money keeping them afloat would be directed to newly amalgamated authorities.

The Local Government Minister said that the State Government would work favourably and assist (financially) local governments that choose to voluntarily reform. Those that choose not to will not be forced to amalgamate but could almost definitely expect reductions in financial assistance.

Comment

This latest information has left Council in a precarious position as it has always favoured the Status Quo and certainly never been in favour of merging with Narrogin. However the Premier's comment that Councils need to seriously look at their community of interest and where the local people shop and recreate, and where children attend schooling, makes it quite obvious in which direction they will expect the Shire of Cuballing to move.

Whilst Council and/or Councillors may not agree with the reform process the messages at Local Government Week were quite clear and there may not be too many alternatives available.

Council needs to look at the whole reform process quite seriously as at this stage a submission needs to be lodged with the LGRSC by 31 August 2009.

The Premier's comments in relation to community of interest and for Councils to take a hard look at where people shopped and children attend school needs to be kept in mind when working through the reform process.

In this situation Council perhaps needs to be able to cast aside previous concerns or prejudices about being merged with Narrogin.

It needs to be remembered that in a merger situation a whole new local government will be formed of which the Shire of Cuballing district will have some representation and input on future decisions.

There are obviously a number of models that Council can investigate and these also need to be investigated.

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The Chief Executive Officer has discussed the reform process with officers of the WA Local Government Association. The comments made clearly indicate that it would be beneficial for Council to agree with a neighbour or neighbours on reform and try to ensure that that Council or Councils submit the same or a similar proposal to the LGRSC and this will help achieve the same objective.

A reform meeting was held at the Cuballing Recreation Hall on Wednesday 12 August 2009. The Shires of Boddington, Cuballing, Dumbleyung, Narrogin, Pingelly, Wagin, Wandering, West Arthur, Wickepin, Williams & Woodanilling and Town Narrogin participated.

The general outcome from this meeting was that some Councils favour the status quo and this is to be the basis of their submission to the Reform Steering Committee and at other end of the scale one Council is looking at the bigger picture and amalgamation of up to eleven Councils. It is fair to say that most Councils are very indecisive and are still considering what, if any, options are available to them.

A likely scenario in the event that Council's submission details the status quo to remain, is that the Minister will recommend to the Local Government Advisory Board that the Shire of Cuballing's position is untenable in terms of the Government's reform agenda. The outcome from that point is Council may receive advice that recommends it to merge with Shires of A, B and C. This would then instigate poll provisions that require a 50% +1 response for the official poll result to be binding upon the Government. It is a reasonable presumption that the poll result would reject any proposal for the Shire of Cuballing to amalgamate with another Council.

The consequences and risks with such a scenario is that the shire could then be subject to significant funding cuts, which would ultimately leave it in a position where it could not function at a level the community expects. Council would not have sufficient revenue streams to sustain an adequate level of services or infrastructure maintenance and enhancement programs. This outcome is possibly the biggest risk of doing nothing in terms of the Governments structural reform agenda.

The current reform discussion across the industry focuses on attempting to mesh together new local government proposals using existing local government boundaries. However utilising existing boundaries particularly across the south west of WA may not bring about the best outcomes in the event of structural reform implementation.

If there is to be local government structural reform then the industry may be better served drawing new boundaries which reflect contemporary communities of interest rather than those boundaries which are decades old.

Council also needs to bear in mind that many Councils across the state will make submissions to the Minister for Local Government which propose amalgamations of multiple shires. It is interesting to note that on Thursday

13 August 2009 it was reported that the Great Southern Shires of Cranbrook, Broomehill-Tambellup, Kojonup and Plantagenet have all agreed to amalgamate as part of this current Government structural reform process. Council does need to consider what position it will be left in, in the event that Council does nothing. Is doing nothing the best thing in the long term for the Shire of Cuballing community?

Granted that this is not an easy process for the Council, and whatever decision is made will not sit easily or be agreed with by a number of community members. However the State Government has instigated the process and it is not an option for Council to simply do nothing. Whatever the decision is Council must remember that it has been an extremely difficult time and be confident that all available alternatives have been worked through and the right or best decision has been made in the long-term interest of the community and ratepayers.

The Chief Executive Officer informed the meeting that advice has been received from the Ministers Office extending closure of the submission period to 30 September 2009.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

For Council consideration and direction please.

COUNCIL ACTION

Moved Cr Haslam, seconded Cr Bradford that in order to comply with the requirement to submit a Reform Submission as proposed by the Minister for Local Government, the Shire of Cuballing will solicit support for the following proposal:

- 1. A merger of the Shire of Cuballing with the Shire of Narrogin, Shire of Wickepin, and the Town of Narrogin;**
- 2. The preferred number of elected members in the new local government will be eight;**
- 3. The regional grouping of the new local government will be based on the current boundaries of the Wheatbelt South Regional Road Group;**
- 4. The transition timeline will see the new local government established from 1 July 2011;**
- 5. Subject to receiving support for the merger proposal a list of conditions be developed establishing the basis for an agreement that will be used as direction to the new local government;**
- 6. A public forum be held in Cuballing on Thursday 3 September 2009, commencing at 7:30pm to discuss the reform process with the Shire of Cuballing community; and**
- 7. The support for a merger as indicated above in dot point 1 is subject to all four local governments agreeing to the proposal, if this is not the case then the matter is to be referred back to a Special Meeting of Council for further consideration.**

CARRIED 7/0

8.1.4 SHIRE OF CUBALLING BUDGET 2009/2010 FINANCIAL YEAR

Councillors Brown, Haslam, Meharry, Newman & Wittwer declared a Proximity Interest in this item as proposed road works on the Draft Budget is adjacent to property that they own, is owned by family members, and/or they occupy in a professional capacity.

In accordance with the provisions of S5.69 of the *Local Government Act 1995*, the Minister for Local Government has approved for the disclosing members (Councillors Brown, Haslam, Meharry, Newman & Wittwer) to fully participate in the discussion and adoption of the 2009/2010 Budget.

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: Absolute Majority

Background

The Shire of Cuballing Budget for the 2009/2010 Financial Year has been prepared in the required Australian Accounting Standard format (in accordance with the provisions of the Local Government Act 1995, and Local Government (Financial Management) Regulations 1996), and is presented to Council for adoption. A copy of the Budget has been circulated with the Council Meeting Agenda.

Comment

The various amendments have been made to the Budget in accordance with discussions from the June 2009 and July 2009 Ordinary Meetings of Council, and the document has been prepared based on a 4% rate increase as per Council direction.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Shire of Cuballing Budget 2009/2010

The Shire of Cuballing Budget, as presented and showing rates to be levied of \$697,024.00, to be applied for the 2009/2010 Financial Year.

Levying of Rates

That the following Rates be adopted:

General Rate in \$	Minimum per Property
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• UV Rural Properties	0.5357c	\$345
• GRV Cuballing/Popanyinning Townsites	9.3570c	\$400
• Mining Tenement	0.5357c	\$345

Rates Penalty

A penalty of 11% to be applied where the ratepayer has not selected the instalment option and payment has not been received within three (3) calendar months of the rate notice being issued or where an instalment remains unpaid, if the instalment method has been chosen.

Adoption of Discount of 8% for Early Payment of Rates

That an 8% discount be offered for early payment of rates, providing all rate arrears, Fire and Emergency Services Levy and all current rates levied, are paid within 35 days from the issue of the rate notice.

Miscellaneous Fees and Charges

That the following items be adopted:

1. **Shire President's Annual Allowance and Council Meeting Attendance Fee**

The Shire President's Annual Allowance for 2009/2010 be \$4,500.00

Attendance at Council meetings \$280.00 per meeting

2. **Councillor's Meeting Attendance Fee**

Attendance at Council meetings \$140.00 per Councillor per meeting

3. **Rates Payment Incentive Prize**

Three Rate Payment Incentive Prizes be offered:

- a) Donated by Margarets Beach Resort, Margaret River: One (1) nights accommodation for two people staying in a Studio Apartment at the Margarets Beach Resort, Margaret River.
- b) Donated by Esplanade Hotel, Fremantle: An overnight accommodation package for two people staying at the Esplanade Hotel, Fremantle.
- c) Donated by Mont Clare Boutique Apartments, East Perth: An overnight accommodation package in a 2 Bedroom Apartment (for up to 4 people) staying at the Mont Clare Boutique Apartments, East Perth.

The three prizes to be offered to the first GRV and first UV properties drawn from those who pay their total rate account within 35 days of issue of the rate notice.

4. Rates by Instalment

Council offers a one and four instalment option with the first payment being required within 35 days of issue of the rate notice. The following Administration Fee and Interest Charges to apply to the instalment option.

Administration Fee: An administration fee of \$10.00 per instalment, after the initial payment, being that required within 35 days.

Interest Charge: An interest charge of 5.5% to be levied on rates to be paid by instalments, after the first payment is made.

5. Schedule of Fees and Charges

The Schedule of Fees and Charges as presented to the Council meeting be adopted for the Shire of Cuballing for the 2009/2010 Financial Year as part of the budget document.

COUNCIL ACTION

Moved Cr Brown, 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:	Bruce Brennan, Leading Hand 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

Winter and shoulder grading maintenance is proceeding throughout the Shire as weather permits.

Bitumen patching is progressing throughout the Shire, again as weather permits.

Tree planting has been carried out in the gravel pit on Halls Road and Cuballing Refuse Site.

Cuballing townsite was cleaned up for tidy towns inspection on Thursday 13 August 2009.

The Mulching Machine has completed works on Springhill, Grout, Stratherne and Wardering Roads, and is currently working on Pennys Road.

PLANT AND EQUIPMENT

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

Recently repairs have been carried out Venieri FEL and road broom.

STAFF

Alex Richardson, Works Manager, recently cleared some annual leave entitlements, returning to work on Wednesday 19 August 2009.

Anthony Mort commenced long service leave on Monday 17 August 2009.

Graeme Renfrey commenced extended sick leave on Wednesday 12 August 2009 to have surgery on his legs.

PRIVATE WORKS

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

Private works invoices for the month of July 2009, total \$1,199.01.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Managers Report be received and information noted.

COUNCIL ACTION

Moved Cr Meharry, seconded Cr Haslam 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: Allan Ramsay, Environmental Health Officer/Building Surveyor
Enabling Legislation: Local Government (Miscellaneous Provisions) Act 1960
Building Code of Australia, Building Regulations 1989
Builders' Registration Act 1939
Environmental Protection (Noise) Regulations 1997
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 was one (1) application(s) approved and license(s) issued for the month of August 2009. Listed below is a summarized breakdown of the application(s) and proposed structure(s):

Approval License No	Name of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Location of Building
4-2009/10	P Hilder	OB	S/F Shed	Lot 340 Carton Street Cuballing

Inspection of Food Premises

Cuballing Tavern was inspected in relation to food and public building safety under the statutory provisions of the Health Act 1911. The premises was noted as clean and well maintained during the inspection.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Environmental Health Officer/Building Surveyors Report be received.

COUNCIL ACTION

Moved Cr Meharry, seconded Cr Hawksley that the Chief Executive Officers recommendation be adopted.

CARRIED 7/0

8.3.2 AGED ACCOMMODATION CUBALLING TOWNSITE

Submission to: Ordinary Meeting of Council
Location/Address: Lot 3111 Austral Street, Cuballing
Reporting Officer: Peter Naylor, Chief Executive Officer
Enabling Legislation: Nil
Council Policy: Nil
Budget Implications: Nil
File Reference: Buildings 14
Voting Requirements: Simple majority

Background

On 21 November 2008 a proposal was submitted to the Department of Housing for the development of two Aged Accommodation Units in Cuballing, at Lot 3111 Austral Street.

A Management Order has been issued by the State Land Services for Lot 3111 in favour of the Shire of Cuballing for purpose of “Aged Accommodation”.

Lot 3111 has been rezoned to accommodate multiple units (up to four) on the property.

Correspondence from the Department of Housing, dated 24 July 2009, advises that the proposal submitted by Council has been declined for the following reasons:

1. There is a lack of demand in the area.
2. The Shire has no prior housing management history with the Department.
3. The Shire has no experience in housing or tenancy management.
4. The Shire is unregistered.
5. The project does not fit into the broader sector development and consolidation plans for the region.

Comment

In response to the reasons given by the Department of Housing for declining Council's proposal, the Chief Executive Officer has written to the Department addressing each of the matters and seeking further explanation/clarification; as follows:

1. *There is a lack of demand in the area*
There were four accommodation application forms from local residents submitted with the proposal to construct two units. If we had been advised that a greater number were required we could have had additional applications submitted.
2. *The Shire has no prior housing management history with the Department*
This is correct because there is currently no Department of Housing accommodation within the Shire of Cuballing. However the Chief Executive Officer has worked at previous Councils, ie Shire of Northam & Shire of Jerramungup, where accommodation is situated and therefore has past experience in housing and tenancy management with the Department.
3. *The Shire has no experience in housing or tenancy management*
Refer comments for item 2.
4. *The Shire is unregistered*
This is correct because as previously stated there is currently no Department accommodation within the Shire. This was acknowledged in an email transmission forwarded to Mr Paul Pendergast of the Department on 10 December 2008 (copy attached), in which it was requested that information be provided to the Shire to enable the registration process to be completed.
5. *The project does not fit into the broader sector development and consolidation plans for the region*
The project certainly fits into the future plans for the Shire of Cuballing and this has been reflected in our Town Planning Scheme and Local Planning Strategy Amendment that is currently with the WA Planning Commission. In addition to this Lot 3111 has had management order made to the Shire of Cuballing for purpose of aged accommodation and the land has been rezoned for the specific purpose.

If the project does not fit within the broader sector development and consolidation plans for the region from a Department of Housing perspective can you please advise further and the reasons for adopting such.

The rejection of Council's proposal is very disappointing given the amount of time put into preparing the proposal, and obtaining management and rezoning the property, however depending on the response received in relation to the CEO's letter it may be a case of submitting another proposal for consideration for next financial year.

Hopefully a response will be received in time to be tabled at the Council Meeting.

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the correspondence be received and information noted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Hawksley that the Chief Executive Officers recommendation be adopted.

CARRIED 7/0

8.4 REPORTS – TOWN PLANNING

Nil

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

Nil

10. OTHER URGENT BUSINESS

Nil

11. CLOSURE OF MEETING

There being no further business the Shire President declared the meeting closed at 4:45pm.