

COUNCIL MEETING THURSDAY 18 NOVEMBER 2010

MINUTES

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

Shire President, Cr TH Wittwer
Deputy President, Cr RDJ Newman
Cr M Conley
Cr TP Haslam
Cr C Hawksley
Cr JRA Meharry
Cr CJ McDougall
Chief Executive Officer, Mrs Eva Haydon

LEAVE OF ABSENCE

Nil

5. **MINUTES**

5.1 **CONFIRMATION OF MINUTES OF THE OCTOBER ORDINARY MEETING OF COUNCIL**

Moved Cr Hawksley Seconded Cr McDougall

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 21 October 2010 be confirmed.

CARRIED 7/0

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

6.1 Nil

7. DISCLOSURES OF INTEREST

Councillors' and Employees' Disclosures of Interest.

7.1 DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST

Nil

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.

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 – OCTOBER 2010

Submission to: Ordinary Meeting of Council
Location/Address: Not applicable
Reporting Officer: Nichole Gould 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.

Moved Cr Conley	Seconded Cr Newman
That Council:	
Approve for payment the list of Creditors paid from the Municipal fund, as detailed below, totalling \$206517.38	
• Vouchers 13946-13968	\$ 32,293.59
• Electronic fund transfers	\$174,223.79
• Credit Card	\$Nil
Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling Nil:	
	\$ Nil
	CARRIED 7/0

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 31 October 2010 in accordance with the abovementioned legislation and circulated with the Council Meeting Agenda.

See attachment "A"

Moved Cr Newman	Seconded Cr Conley
That the Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 October 2010, be received.	
	CARRIED 7/0

8.1.3 Local Government Ordinary Election 2011

Submission to: Ordinary Meeting of Council
Location/Address: Whole of Shire
Reporting Officer: Eva Haydon Chief Executive Officer
Enabling Legislation: Local Government Act 1995
Council Policy: Nil
Budget Implications: Nil
File Reference: Elections 8
Voting Requirements: Simple Majority

Background

The Western Australian Electoral Commission has advised that the next ordinary election is being held on 15 October 2011 and submitted an estimate to conduct the election.

The cost, not including non-statutory advertising and one staff member (to work in the polling place on election day), is \$9,000 including GST.

It is estimated that costs to run a voting in person election would be no more than \$5,000 in total.

Moved Cr Hawksley

Seconded Cr Meharry

That the Shire of Cuballing decline the Electoral Commissioner's offer to have the 2011 Local Government Ordinary Election undertaken by the Western Australian Electoral Commission as a postal election.

CARRIED 7/0

8.1.4 NATURE CONSERVATION COVENANT –

Submission to: Ordinary Meeting of Council
Location/Address: Lot 7 on Deposited Plan 52749
Reporting Officer: Eva Haydon
Enabling Legislation: Local Government Act, Transfer of Land Act 1983
Council Policy: Nil
Budget Implications: Nil
File Reference: Town Plan 3
Voting Requirements: Absolute majority

Background

The Department of Environment and Conservation (DEC) has received an application from Peter and Alison Lacey to place a restrictive covenant on Lot 7 Springhill Road, Cuballing.

Council registered a restrictive covenant (K123439) in March 2007, to protect the native vegetation on the land as a condition of a previous subdivision approval.

DEC has advised that there would be no conflict between the two documents, however the proposed restrictive covenant would provide equivalent protection for the vegetation, together with ongoing management advice and assistance which will be available through their stewardship program.

Mr Lacey has requested that Council lift the existing covenant.

Officers Comment

It appears that the protection required by the original restrictive covenant is duplicated in the proposed covenant therefore Council's interests would be adequately protected.

Moved Cr Haslam

Seconded Cr Newman

That:

Council agree to lift the existing covenant (Doc K123439) on Lot 7 Springhill Road Cuballing; and The President and CEO be authorised to engross the necessary documentation to enable the covenant to be lifted.

CARRIED Absolute Majority

8.2.5 WORKS MANAGER'S REPORT

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

WORKS MANAGER'S REPORT

SUMMER GRADING

Maintenance grading is proceeding throughout the shire especially where the roads have higher traffic volumes. .

DRYANDRA EQUESTRIAN PARK

There have been ongoing discussions onsite in regards to the facilities and location of the covered arena.

ROAD WORKS

Works have started on both the Wandering Narrogin Road and Popanyinning West Road with all of the culvert extensions and headwalls constructed. Gravel widening being undertaken on the Popanyinning West Road in preparation for waterbinding .

PLANT AND EQUIPMENT

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

Trucks were looked at with Cr. Hawksley Bruce and Robert. The conclusion was that the UD trucks seemed to be more suitable for the Cuballing Shire requirements

Most of the truck drivers from the shire had the opportunity to test drive a similar truck to what has been suggested for our operation at Narrogin Shire ..

STAFF

Outside staff are working well with main emphasis on major construction projects on the budget 2010/ 2011

Tim Bradford has an ongoing compensation claim for a shoulder injury.

PRIVATE WORKS

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

Private works invoices for the month of October 2010 total \$\$\$\$

Moved Cr Meharry, Seconded Cr Newman

That the Works Managers Report is received and information noted.

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
Health Act 1911
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 () applications approved and license issued for the month of October 2010. Listed below is a summarized breakdown of the applications and proposed structure:

Approval License No	Name of Owner	Builder (RB) or Owner Builder (OB)	Structure	Location of Building

On Site Effluent Disposal System

Permit to Use:

- Lot 137 York Road, Popanyinning

Moved Cr McDougall

Seconded Cr Conley

That the environmental Health/Building Surveyor's report be received.

CARRIED 7/0

8.3.2 MR. JASON FULLER – LOT 501 WEST ROAD, POPANYINNING

Background

Correspondence has been received from Mr. Jason Fuller seeking approval to relocate his house from Mosman Park onto his 177.2 hectare property at Lot 501 West Road, Popanyinning. A photograph of the house is attached.

Comment

The house is clay tiles and asbestos and weatherboard cladding. Mr. Fuller has confirmed that the asbestos will be removed from the house prior to it leaving Mosman Park.

Council has adopted a bond amount of \$7,500.00 for relocated houses. This is to ensure that the relocated house is brought up to an acceptable standard.

Reporting Officer

Allan Ramsay, EHO/BS

Moved Cr Haslam, seconded Cr Hawksley

That:

Council approves the relocation of the house to Lot 501 West Popanyinning Road, Popanyinning on the condition that it complies with Health, Building and Town Planning requirements; and

A bond of \$7,500.00 is applied.

CARRIED 7/0

8.4 TOWN PLANNING REPORT

10.1 Stand Pipe Water Fees

Submission to: Ordinary Meeting of Council
Location/Address: Whole of shire
Reporting Officer: Eva Haydon – Chief Executive Officer
Enabling Legislation: Local Government Act 1995
Council Policy: Nil
Budget Implications: Minimal
File Reference: Finance 24
Voting Requirements: Absolute Majority

Background

Council's current fee for standpipe water is currently below that charged by Water Corporation.

Officer's Comment

The current amount recouped from users of standpipes is \$487, with the costs for standpipe water currently \$1,747. It is unlikely that the income will equal or exceed the costs as the standpipes are also used for fire fighting purposes. The other issue is the fact that there is unrestricted access to most of the standpipes throughout the shire.

<p>Moved Cr Meharry, Seconded Cr McDougall</p> <p>That the fee per kilolitre of standpipe water be increased to \$1.40</p> <p style="text-align: right;">CARRIED Absolute Majority</p>
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10. Next Meeting

The next ordinary meeting of Council is to be held in the Council Chambers on Friday 17 December, commencing at 3pm.

11. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 4.30pm.