



*A progressive, diverse and caring community,
with access to modern services and infrastructure,
in a unique part of the world*

SUMMARY MINUTES

of the

Ordinary Meeting of Council

held

WEDNESDAY 17th APRIL 2019

Popanyinning Town Hall
Cnr Francis & Howard Streets, Popanyinning

COUNCIL MEETING PROCEDURES

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting at “Public Question Time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the Presiding Member announces Public Question Time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the town.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Cuballing for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Cuballing disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person’s or legal entity’s own risk.

In particular, and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Cuballing during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Cuballing. The Shire of Cuballing warns that anyone who has an application lodged with the Shire of Cuballing must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Cuballing in respect of the application.

Contents

1.	DECLARATION OF OPENING:	2
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	2
2.1.1	Attendance	2
2.1.2	Apologies	2
2.1.3	Leave of Absence	2
3.	STANDING ORDERS:	2
4.	PUBLIC QUESTION TIME:	2
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:	3
4.2	WRITTEN QUESTIONS PROVIDED IN ADVANCE:	3
4.3	PUBLIC QUESTIONS FROM THE GALLERY:	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE:	5
6.	CONFIRMATION OF MINUTES:	5
6.1.1	Ordinary Meeting of Council held on Wednesday 20 th March 2019	5
6.1.2	Annual Electors Meeting held on Wednesday 20 th March 2019	6
7.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:	6
8.	DISCLOSURE OF FINANCIAL INTEREST:	6
9.	REPORTS OF OFFICERS AND COMMITTEES:	6
9.1	DEPUTY CHIEF EXECUTIVE OFFICER:	6
9.1.1	List of Accounts Submitted for Council Approval and Payment – March 2019	6
9.1.2	Statement of Financial Activity	7
9.1.3	Budget Review 2018/2019	7
9.2	CHIEF EXECUTIVE OFFICER:	7
9.2.1	Draft Disability Access and Inclusion Plan 2019-2024	7
9.2.2	Appointment of Fire Control Officers	8
9.2.3	Cuballing War Memorial Redevelopment	8
9.2.4	Wheatbelt South Aged Housing Alliance – Royalties For Regions Program – Grant Application	9
9.3	MANAGER OF WORKS AND SERVICES:	9
9.3.1	10 Year Road Construction Program – 2019 – 2029	9
10.	ELECTED MEMBERS’ MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	10
11.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:	10
12.	CONFIDENTIAL MATTERS:	11
13.	NEXT MEETING	11
14.	CLOSURE OF MEETING:	11

1. **DECLARATION OF OPENING:**

The Shire President, Cr Conley, declared the meeting open at 2.04pm.

2. **ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:**

2.1.1 Attendance

Cr Mark Conley	President
Cr Eliza Dowling	Deputy President
Cr Scott Ballantyne	
Cr Roger Newman	
Cr Dawson Bradford	
Cr Tim Haslam	(from 3.53pm)
Mr Gary Sherry	Chief Executive Officer
Ms Bronwyn Dew	Deputy Chief Executive Officer
Mr Bruce Brennan	Manager of Works and Services
Mr Steven Cunningham	
Mr Wayne Bird	
Mr Stan Maughan	
Mr Paul Lewis	
Mr Charles Lansdell	

2.1.2 Apologies

Cr Tim Haslam

2.1.3 Leave of Absence

Nil

3. **STANDING ORDERS:**

COUNCIL DECISION – 2019/22:

That Standing Orders be suspended for the duration of the meeting to allow for greater debate on items.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

4. **PUBLIC QUESTION TIME:**

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

Nil

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

Nil

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

4.3.1 Replacement of Windows at the Cuballing CWA Hall

Mr Lewis asked about the Council project to replace the six windows of the Cuballing CWA Hall for a total cost of \$13,749.85 and what involvement Council had had in such a significant project.

Shire President, Cr Conley, advised that this project had been discussed by Council at the inclusion of the project into the 2018/19 Council budget.

4.3.2 Cuballing Golf Club – Liquor Licence – Extension of Licenced Area

Mr Lewis referred to the upcoming report to Council considering the possible extension of the licenced area of the Cuballing Golf Club's Restricted Club Licence at the Cuballing Golf Club. Mr Lewis believed that although consumption of alcohol across the golf course was contrary to the club licence but had been occurring for many years, this move to formalise approval did not reflect well on the Shire and could possibly lead to consumption of alcohol to excess. Mr Lewis also outlined his belief that the Cuballing Golf Club's new lease arrangements didn't reflect the cost to Council and that the Cuballing Golf Club could restrict access to Council property.

Shire President, Cr Conley, advised that he was satisfied that the Cuballing Golf Club were an active local community group and that Council would continue to appropriately support both the Cuballing Golf Club and other active local community groups in the future.

The Chief Executive Officer, Mr Sherry, advised that:

- the Cuballing Golf Club had significantly contributed to the construction of the Shire assets on the golf course and continued to meet nearly all of the annual maintenance and utility costs at the golf course; and
- the responsible behaviour of the Cuballing Golf Club for the last 60, although in breach of liquor licencing regulation, indicated that it was unlikely that a change in licencing area would alter the way the club members behaved.

4.3.3 Popanyinning Tourism – RV Access

Mr Maughan believed that the Shire of Cuballing had negatively impacted on tourism in Popanyinning by not allowing camping on the railway reserve in Popanyinning. Since the Shire had erected signs prohibiting camping, self contained recreation vehicles (RV'S) pull up in the area, look at the sign and drive out of the Shire. Mr Maughan indicated that in the past such campers would stay overnight on the railway reserve, use their own self contained facilities and spend in his business. Mr Maughan believes that travelling in RV's is the new way of touring, replacing caravans and caravan parks and that the Shire of Cuballing has been left behind.

Shire President, Cr Conley, advised that the Shire of Cuballing is not able to permit camping on the area of the Popanyinning railway reserve leased by Council. Arc Infrastructure, who control the reserve, have specifically advised Council that this is not permitted.

Cr Conley believes that Council remains committed to locating areas in Cuballing and Popanyinning where free camping could occur. Cr Conley has met and discussed with the Public Transport Authority the process that could allow Arc Infrastructure to permit camping at the Popanyinning rail reserve. Cr Conley advised that while he was optimistic a positive outcome could be achieved, it may take some time.

4.3.4 Popanyinning Tourism – RV Access

Mr Cunningham advised that he believed that the Popanyinning Recreation Ground was a good place for free camping for self contained RV's and had the Council considered this site.

Shire President, Cr Conley, advised that Council remained committed to locating suitable sites for self contained RV's in both Cuballing and Popanyinning that could assist local businesses and in supporting local business the sites should be located as close to the businesses as possible.

4.3.5 Parking – Francis Street Popanyinning

Mr Maughan asked about the parking of trucks in Francis Street Popanyinning and actions of a local resident, who is also the Popanyinning Town Fire Control Officer, in trying to discourage these vehicles parking when their drivers are accessing Mr Maughan's business.

Shire President, Cr Conley, advised that all Fire Control Officer's have no authority in relation to parking.

4.3.6 Popanyinning Town Fire Control Officer

Mr Cunningham questioned the Shire of Cuballing's appointment of the Popanyinning Town Fire Control Officer. Mr Cunningham advised that the Officer regularly has the fire brigade vehicle parked in the street in front of the Officer's house. Mr Cunningham believes that the Officer is so unpopular in Popanyinning that people do not wish to join the Popanyinning Fire Brigade or have the Officer attend their property in the event of a fire.

The Shire President, Cr Conley, advised that the Shire did have considerable issues in providing the Officer with a bush fire radio so that he was able to participate in the Shire's Fire Control Officer communications. During this time without a radio, the officer was permitted to have the vehicle with a radio parked outside his residence when conditions required a radio

contact. Cr Conley advised that Council did have an expectation that people appointed to volunteer positions of authority act in a manner befitting the role.

4.3.7 Popanyinning Fire Hazards – Fuel Reduction

Mr Lansdell believes that the Shire has been neglectful in not acting to reduce fire hazards in and around Popanyinning. In particular Mr Lansdell noted the long grass and vegetation on the Popanyinning rail reserve and along the river reserves through Popanyinning. Mr Lansdell asked why the Shire wasn't actively burning these areas to reduce the fire hazard.

The Chief Executive Officer, Mr Sherry, advised that the Shire was working with the Department of Fire and Emergency Services to reduce fuel bush fire risks in Cuballing and Popanyinning. While this will include some fuel load reduction burns, it also includes establishing and improving fire breaks.

4.3.8 Popanyinning Volunteer Bush Fire Brigade

Mr Maughan noted that when he was a member of the Popanyinning Volunteer Bush Fire Brigade the Brigade was in a very financial position and now the Brigade was significantly less so.

The Chief Executive Officer, Mr Sherry, noted that while Bush Fire Brigades often maintained an account for social matters, the financing of a Volunteer Bush Fire Brigade's bush fire fighting activities was undertaken by the Shire of Cuballing using funding under the Emergency Services Levy grant program.

Mr Maughan left the meeting at 2.33pm.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council held on Wednesday 20th March 2019

COUNCIL DECISION – 2019/23:

That the minutes of the Ordinary Meeting of Council held on Wednesday 20th March 2019 be confirmed as a true record of proceedings.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 5/0

6.1.2 Annual Electors Meeting held on Wednesday 20th March 2019

COUNCIL DECISION – 2019/24:

That the minutes of the Annual Electors Meeting held on Wednesday 20th March 2019 be confirmed as a true record of proceedings.

Moved: Cr Newman

Seconded: Cr Bradford

Carried 5/0

**7. PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS:**

Nil

8. DISCLOSURE OF FINANCIAL INTEREST:

Cr Newman declared a Proximity Interest in 11.1.2 in that he owns property adjoining the Cuballing East Road.

Cr Ballantyne declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Cr Conley declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Mr Sherry declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Cr Newman declared a Proximity Interest in 11.1.3 in that he leases property adjoining the Cuballing Golf Club.

9. REPORTS OF OFFICERS AND COMMITTEES:

9.1 DEPUTY CHIEF EXECUTIVE OFFICER:

9.1.1 List of Accounts Submitted for Council Approval and Payment – March 2019

COUNCIL DECISION – 2019/25:

That Council receives the List of Accounts for March 2019 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 payments including payments from Council's:

1. Trust Fund in March 2019 totalling \$40,404.40 included at Attachment 9.1.1A; and
2. Municipal Fund in March 2019 totalling \$202,995.30 included at Attachment 9.1.1B.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 5/0

9.1.2 Statement of Financial Activity

COUNCIL DECISION – 2019/26:

That the Statement of Financial Activity, as included at Attachment 9.1.2A for the Shire of Cuballing for period ending 31st March 2019 be received.

Moved: Cr Newman

Seconded: Cr Bradford

Carried 5/0

9.1.3 Budget Review 2018/2019

COUNCIL DECISION – 2019/27:

That Council adopt the Budget Review Report for the Period Ending 28th February 2019, included at Attachment 9.1.3A, that has been conducted in accordance with Regulation 33A (2) and (3) of the Local Government (Financial Management) Regulation 1996.

Moved: Cr Bradford

Seconded: Cr Newman

Carried 5/0

9.2 CHIEF EXECUTIVE OFFICER:

9.2.1 Draft Disability Access and Inclusion Plan 2019-2024

COUNCIL DECISION – 2019/28:

That Council:

1. advertise the Shire of Cuballing Draft Disability Access and Inclusion Plan 2019-2024 and the Draft DAIP 2019-2024 Upgrade Program – June 2019 implementation plan for a period of four weeks; and
2. consider the Shire of Cuballing Draft Disability Access and Inclusion Plan 2019-2024, the Draft DAIP 2019-2024 Upgrade Program – June 2019 implementation plan and any submissions received at the June 2019 Ordinary Meeting of Council.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

9.2.2 Appointment of Fire Control Officers

COUNCIL DECISION – 2019/29:

That Council, for the 2019/20 bush fire season,:

1. appoint Anthony Mort as Chief Bush Fire Control Officer (CBFCO);
2. appoint Graeme Dent as Deputy Chief Bush Fire Control Officer (DCBFCO);
3. appoint the following persons as Fire Control Officers;

CBFCO	Anthony Mort
DCBFCO	Graeme Dent
Popanyinning East:	Justin Page
Popanyinning West:	Craig Cousins
Cuballing East:	Mike Burges and Rob Harris
Cuballing Town:	Daniel Christensen
Cuballing West:	Nelson Young and Brayden Potts
Shire of Cuballing:	Gary Sherry and Bruce Brennan

4. seek to have neighbouring Council's appoint the following persons as Dual Fire Control Officers;

Shire of Narrogin:	Rob Harris
Shire of Wickelup:	Mike Burges
Shire of Pingelly:	Graeme Dent
Shire of Wandering:	Craig Cousins
Shire of Williams:	Nelson Young

5. appoint Anthony Mort and Gary Sherry as Clover Burn Permit Officers for the Shire of Cuballing; and
6. cancel all previous appointments.

Moved: Cr Bradford

Seconded: Cr Newman

Carried 5/0

Council did not resolve the Officer's Recommendation because Council had concerns over the appointment of the recommended person meeting Council's expectations of a volunteer appointed to a position of authority.

9.2.3 Cuballing War Memorial Redevelopment

COUNCIL DECISION – 2019/30:

That Council seek community comment on the proposed schedule of works for the Memorial Park in Cuballing.

Moved: Cr Dowling

Seconded: Cr Newman

Carried 5/0

9.2.4 Wheatbelt South Aged Housing Alliance – Royalties For Regions Program – Grant Application

Mr Bird left the meeting at 2.33pm.

COUNCIL DECISION – 2019/31:

That Council:

1. agree to participate in funding applications as part of the Wheatbelt South Aged Housing Alliance to construct either 2 or 4 independent living aged units on lots 7, 90 and 8 at 74 Austral Street, Cuballing;
2. authorise the Chief Executive Officer to commit Council to a financial contribution in funding applications for 2 or 4 independent living aged units in Cuballing for a contribution of up to \$110,000 per unit;
3. agree to expending reserve funds to ensure the lots 7, 90 and 8 at 74 Austral Street, Cuballing sites are ready to commence including the commencement of the design process by completing concept plans for the siting of the 4 aged units and design of a suitable sewerage disposal system; and
4. continues to have a preference for insitu construction rather than transportable/modular construction and for rental rather than lease for life for accommodating tenants.

Moved: Cr Dowling

Seconded: Cr Ballantyne

Carried 5/0

Council did not resolve the Officer's Recommendation because Council believes that an independent living aged unit development at the lots 7, 90 and 8 at 74 Austral Street, Cuballing site would provide greater expansion over time than the other identified sites.

9.3 MANAGER OF WORKS AND SERVICES:

9.3.1 10 Year Road Construction Program – 2019 – 2029

COUNCIL DECISION – 2019/32:

That Council adopt the draft 10 Year Road Construction Program included at Attachment 9.3.1A.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

10. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil

Mr Cunningham and Mr Lansdell left the meeting at 3:45pm.

11. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

11.1.1	Urgent Business - Cuballing East Road AAMS Level 3 & Cuballing Golf Club Liquor Licence
--------	---

COUNCIL DECISION – 2019/33:

That Council consider the urgent business relating to approving the Cuballing East Road for RAV 4.3 vehicles and support of the Cuballing Golf Club's application to extend their licenced area.

Moved: Cr Ballantyne

Seconded: Cr Bradford

Carried 5/0

Cr Newman declared Proximity Interests in:

- 11.1.2 in that he owns property adjoining the Cuballing East Road; and
 - 11.1.3 in that he leases property adjoining the Cuballing Golf Club;
- and left the meeting at 3.46pm.

11.1.2	Cuballing East Road – AAMS Level 3 – Application for Access
--------	---

COUNCIL DECISION – 2019/34:

That Council support the application of CBH Group to have the Cuballing East Road in the Shire of Cuballing added to the Restricted Access Vehicle Tandem Drive Network 4 AMMS Level 3 Network.

Moved: Cr Bradford

Seconded: Cr Dowling

Carried 4/0

Cr Ballantyne declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Cr Conley declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Mr Sherry declared an Impartiality Interest in 11.1.3 in that he is a member of the Cuballing Golf Club.

Cr Haslam entered the meeting at 3.53pm.

COUNCIL DECISION – 2019/35:

That Council support the application of the Cuballing Golf Club Inc to extend the licenced area included in their Restricted Club Licence to include the entirety of the leased area of the Cuballing Course as included at Attachment 11.2.3B conditional upon the Club looking at ways that the Club can allow unsupervised young people to access the course to play golf.

Moved: Cr Dowling

Seconded: Cr Haslam

Carried 5/0

Cr Newman returned to the meeting at 4.06pm

12. CONFIDENTIAL MATTERS:

Nil

13. NEXT MEETING

Ordinary Council Meeting, 2.00pm, Wednesday 15th May 2019 at the Shire of Cuballing Council Chambers, Campbell Street, Cuballing.

14. CLOSURE OF MEETING:

There being no further business, the Shire President, Cr Conley, closed the meeting at 4.07pm.