

NOTICE OF MEETING

Dear Councillor,

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD

ON: Thursday 12th November 2009

IN: Council Chambers

COMMENCING AT: 3.00 pm

Henry Van Der Ende
Chief Executive Officer

Note: That, under section 5.65 of the Local Government Act 1995, care should be exercised by all councillors to ensure that a 'financial interest' is declared and that they refrain from voting on any matters which are considered that may come within the ambit of the Act.

DUMBLEYUNG SHIRE COUNCIL DISCLAIMER

No responsibility whatsoever is implied or accepted by the Dumbleyung Shire Council for any act, omission or statement or imitation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Dumbleyung Shire disclaims any liability for loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement 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 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 Dumbleyung Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Dumbleyung Shire Council. The Dumbleyung Shire Council warns that anyone who has an application lodged with the Dumbleyung Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Dumbleyung Shire Council in respect of the application.

Chief Executive Officer



SHIRE OF DUMBLEYUNG

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1. OFFICIAL OPENING

The Presiding Member Cr G Davidson opened the meeting at _____ pm.

2. APOLOGIES AND APPROVED LEAVE OF ABSENCE

2.1 ATTENDANCE

Cr Gordon Davidson JP, Shire President	North Ward
Cr Ross Ditchburn, Deputy Shire President	Kukerin Ward
Cr James Dare	South Ward
Cr Jacki Ball	North Ward
Cr G Wilson	North Ward
Cr Beverley Bracknell	Dumbleyung Ward
Cr Michele Brown	Dumbleyung Ward
Cr Margaret Frame	Dumbleyung Ward
Cr Thomas Pearce	South Ward
H Van Der Ende	Chief Executive Officer
P R Godfrey	Deputy Chief Executive Officer
J Alderton	Manager of Works and Services

3. PUBLIC QUESTION TIME

4. DECLARATIONS OF INTEREST BY MEMBERS

4.1 *Declarations of Financial Interest – Local Government Act Section 560A*

4.2 *Declarations of Proximity Interest – Local Government Act Section 5.60B*

4.3 *Declarations of Impartiality Interest – Administration Regulation Section 34C*

5. APPLICATIONS FOR APPROVED LEAVE OF ABSENCE

6. PETITIONS/DEPUTATIONS - PRESENTATIONS

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON THURSDAY 15th October 2009

Moved Cr

Seconded Cr

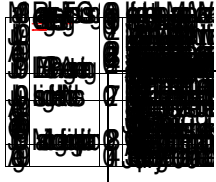
That the Minutes of the Ordinary Meeting of Council held on Thursday 15th October 2009 and circulated to all councillors, be confirmed as a true and accurate record.

8. BUSINESS ARISING FROM MINUTES

8.1 STATUS REPORT

MONTH	SUBJECT	MOTION NO.	ACTION/PROGRESS
Jan 03	Kukerin Sewerage Scheme installation		Last advice was that Kukerin would be considered after Tambellup, maybe 2007/8 financial year. Advice received via local member to await state government budget 09/10 prior to next determination. Awaiting Government action.
Oct 08	Future Aged Care Residential facility		Confirmation of agreement of Country Health Service to allow eastern portion of site to be used. Letter received from Country Health advising information sent to State Land Services on 29/09/08 Advice from DPI that they are awaiting valuation from state valuer generals office (requested 16/12/08)
April 09			Letter sent to DPI advising acceptance of their offer.
Jul 09			Information received from DPI that Health Department need to conduct a contamination report on the site before they agree to sell it to the Shire. A committee for this project has been established and the inaugural meeting is to be held on 14 th August 2009.

Oct 08	Cemetery Information Boards	017	Manager of Works and Services obtaining quotes.	
Mar 09			Manager of Works and Services and council staff preparing info to order boards.	
July 09			Ford Signs have been busy in Perth and we expect some affirmative action within the next 2-4 weeks.	
Aug 09			See Manager of Works and Services report	
Feb 09	Local Government Response to minister for Local Government Amalgamation Proposal	008	Correspondence sent to WALGA and Minister for Local Government, 4WD VROC meeting held 03/03/09.	
		009		
		010		
Mar 09		003		Response and final checklist provided to councillors and sent to the structural reform committee.
July 09		004		The reply from the Department is in the July 09 Agenda.
August 09		See results of Special council meeting 11.08.09		
Sept 09		Submission sent to Minister		
Feb 09	Moulyinning Cemetery	018	Enquiry made re vesting order with DPI. Received advice no management order issued. Awaiting further advice of implications. Letter sent to DPI	
May 09		019		
Jul 09				Advised by DPI that application to change the use of the land to nature reserve has been received and is progressing.
Aug 09				No response received to date
Mar 09	Royalties for Regions	005	Projects submitted to Department for Local Government & Regional Development.	
May 09		006	Tender awarded to Fortress Home building systems	
Jun 09			Preparation work commenced on the block	
July 09			Tender for bitumen accepted	
Jun 09			Manager of Works and Services arranging pool repairs.	
July 09	Swimming pool painting – completed			
Mar 09	Robert & Daphne McIntyre Award Committee	023	Seeking legal advice on MOU or other arrangements.	
Apr 09			Letter sent to solicitors, awaiting response.	
May 09			2 nd letter sent to solicitors, awaiting response.	



Aug 09		018 019 020	<p>Draft MOU received from solicitors. Committee meeting held. Minutes in August Agenda. MOU signed and a copy provided to R& D McIntyre. Selection criteria drawn up and placed on website, application forms available on website, advertising begun, articles in all local papers.</p>
	Committee Meeting to select winner		
Apr 09	Formation of VROC with Shires of Kent & Lake Grace	026	Progressing
Jun 09			Chief Executive Officer's met in Dumbleyung and agreed on format for MOU, which is in the July agenda.
July 09			Latest developments in the August 2009 Special Meeting.
Aug 09			MOU signed by all councils

Aug 09	Ian McCormack – Bluebird Museum	029	Letter sent inviting Mr McCormack to attend September Council meeting.
Sept 09			Awaiting proposal from Mr McCormack.
Sept 09	Kukerin Bowling Club – CSRFF Grant Application	018	Approved by Council and sent to DSR
Oct 09	Planning Application - Proposed storage shed , Lot 11 Love Street Dumbleyung	02	Approval letter sent in accordance with motion
Oct 09	Introduction of Development assessment panels	03	Letter sent to DPI re Council opposition to Development Panels
Oct 09	Tender 2 2009/10 Tender 3 2009/10	04 05	Tenders accepted in accordance with Council motion
Oct 09	Grain Freight Network	06	Application submitted to Main Roads
Oct 09	Regional Road Groups 2010/11 Projects	07	Main Roads Advised
Oct 09	Main Roads – Establishment of Concession Loading Network	08	Main Roads Advised
Oct 09	Community Infrastructure Grants – Official Opening	09	Shire President to open as part of Bluebird Festival
Oct 09	Shire of Lake Grace – Structural Reform Submission	10	Correspondence sent to Minister and Lake Grace Shire
Oct 09	Policy Manual – Christmas Bonus	13	Policy Manual Updated and all staff notified
Oct 09	Christmas Close Down	16	Invitations to be sent
Oct 09	Plant Replacement – Tractor	22	Tractor Ordered
Oct 09	R & G Gurnall	23	Letter Sent

Oct 09	Australia Day Awards	24	Awards Advertised
Oct 09	Men's Shed	25	Advertised in Wagin Argus
Oct 09	RLCIP	26	Application made
Oct 09	Councillor M Frame – Resignation	27	Election Advertised
Oct 09	Community Survey	28	Survey Issued

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

10. REPORTS TO COUNCIL

10.5 CHIEF EXECUTIVE OFFICERS REPORT

10.5.1 Election of Shire President

Background

After the General Elections every two years Councillors are required to elect a President and Deputy President and nominate Councillors to various committees and positions within the Community as representatives of Council. I have attached a copy of Schedule 2.3 which deals with the election of Presidents and Deputy President as well as a list of Council Committees and groups for Councillor Representation.

AT the time of preparing the Agenda I have received one written nomination for the Position of President that being from Cr Peace nominating Cr Gordon Davidson. Should there be any further nominations these can be given to me in writing prior to the start of the meeting. I have also received one nomination for Deputy President, being Councillor Ditchburn and again any further nominations should be given to me prior to the meeting.

The Chief Executive Officer conducted the election for the position of Shire President and declared Councillor _____ elected as Shire President for the period up until the end of the next Presidential election to be held in 2011. The Shire President then made the declaration by an elected member and the oath of affirmation of Allegiance.

The Shire President then conducted the election for the position of Deputy President 2009-2011 and declared Cr _____ elected as Deputy President 2009-2009. Cr _____ then made the declaration of an elected member and the oath of affirmation of Allegiance.

Voting

Absolute Majority

10.5.2 Election of Committees

Background

The Local Government Act stipulates that a Council may establish committees of three or more persons to assist Council to discharge the duties of the Local Government. At any given time each Council member is entitled to be a member of at least one committee. The establishment of Committees is to be done by an absolute majority. It would be useful to the administration if Council could indicate when establishing their representatives if it is Councils intentions to make the appointments subject to sitting and travelling fees.

Staff Recommendation

That Council make the appointment to Committees and representative bodies as follows.

COMMITTEES OF COUNCIL 2007-2009

Finance and Audit Committee

President
Cr Ditchburn
Cr Bracknell
Cr Wilson
Cr Pearce

Designated Staff Committee

President
Cr Ditchburn
Cr Brown
Cr Dare
Cr Bracknell

Works and Engineering Committee

President
Cr Ditchburn
Cr Pearce
Cr Dare
Cr Frame

Town Planning, Health and Building Committee

President
Cr Ditchburn
Cr Frame
Cr Bracknell
Cr Ball

Fencing Unmade Road Reserves Committee

President
Cr Ditchburn
Cr Pearce
Mr Owen Dare

Nippering Cemetery Committee

Cr Bracknell
Cr Ball
Cr Frame

Kukerin Cemetery Committee

President
Cr Ditchburn
Cr Pearce

Kukerin Townscape, Tourist and Tidy Towns Committee

Cr Ditchburn

Cr Pearce

Community members: Mrs C Watkins
Mrs T Leo
Mrs S Leo
Mrs D Adams
Mr K Gooding

Dumbleyung Townscape, Tourism and Tidy Towns Committee

Cr Ball

Cr Bracknell

Cr Frame

Mrs H Gooding

Mrs E Dare

Regional Road Group Lakes Sub-Group

Fixed Appointments - President
Deputy President
Chief Executive Officer
Manager of Works
Deputy Chief Executive Officer (proxy)
Cr Pearce (Shire President Proxy)
Cr Dare (Deputy President Proxy)

Bush Fire Advisory Committee

Fixed Appointments - President
Chief Fire Control Officer
Chief Executive Officer

Kukerin Sewerage Scheme Committee

President

Cr Ditchburn

Cr Wilson

Cr Pearce

Local Emergency Management Advisory Committee (LEMAC) Representatives

Shire President (Chair)

Chief Executive Officer (Secretary)

Cr Dare

Cr Frame (Proxy)

Cr Ditchburn (Proxy)

Stubbs Park Board Representative

Cr Pearce
Cr Bracknell (proxy)

Nenke Park Board Representative

Cr Ditchburn
Cr Pearce (Proxy)

Cottage Homes Committee Representative

Cr Frame
Cr Brown

School Bus Committee Representative

Dumbleyung	Kukerin
Cr Bracknell	Cr Pearce

Rye Grass Toxicity Committee Representative

Vacant

Agricultural Protection Board Representative

Mr Jon Adams

Central South Zone WALGA Representatives

President
Deputy President
Cr Wilson – proxy
Cr Pearce – proxy

Dumbleyung Centenary Committee

President
Cr Ball
Cr Bracknell
Cr Frame
Cr Brown
Mrs Lyn Cook
Mrs Beth Bartram
Mrs Meryn Clune

Dumbleyung Hospital Watch Committee

President

Cr Ball

Chief Executive Officer

Dr John Parry

Terry Waldron MLA

Mr Paul Seats (Director Clinical Services Narrogin)

Felicity Htun (Manager Dumbleyung Hospital (Wagin))

Jenny Menasse (Manager Clinical Services Narrogin)

Representative from Wheatbelt Development Commission (Pip Shields)

Ms Emma Mitchell

Mrs H Gooding

Mrs Shelley Joyce

Mrs Beverley Davidson

Land Drainage Advisory Committee

Cr Ditchburn (Chair)

Cr Pearce

Cr Dare

June Mott

Todd Gray

Damian Gooding

Eric Gossage

Laurie Pearce

Brad Ward

Robert & Daphne McIntyre Award Advisory Committee

Cr Davidson (Chair)

Cr Bracknell

J Adams

A Wendpaap

K Pangler

Robert McIntyre

Daphne McIntyre

Aged Care Advisory Committee

Cr G Davidson (Chair)

Cr J Ball

Cr M Brown

Cr B Bracknell

Cr M Frame

H Gooding

O Dare

E Mitchell

Voting – Absolute Majority

10.5.3 Structural Reform – Addendum

Background

Council did it at its last meeting determine to send a letter to the Structural Reform Committee concerning the Lake Grace submission. A copy of the final letter sent to the Hon Minister is attached as well as copies of correspondence from the Shires of Kulin and Kent. It appears from both Kent and Kulin that there is not much support of the Lake Grace proposal.

Financial Implications

Nil

Policy Implications

Nil

Statutory Implications

Nil

Staff Recommendation

That the correspondence is received and Council await further information from the Minister for Local Government in respect of Structural Reform.

Voting Requirements

Simple Majority

10.5.4 Emmott Ochtman Environmental Pty Ltd Re: Collection of Native Seed

Background

Correspondence has been received from the above mentioned seeking Council permission for them to collect native seeds from Council Road Reserves and Native Reserves. Council has received other requests for the collection of seeds and has in the past approved requests subject to the application having necessary approvals from the Department of Environment and not causing any damage to Council property.

Financial Implications

Nil

Policy Implications

Nil

Statutory Implications

Nil

Staff Recommendation

That subject to having the necessary Environmental approvals that Council authorizes Emmott Ochtman Environmental approval to collect native seeds from Council Road reserves and reserves.

Voting Requirements

Simple Majority

10.5.5 Katanning Senior High School P & C Association Re: Donation

Background

Correspondence has been received from the Katanning P&C Association seeking a donation from Council towards the Senior School Ball. Council does support the senior class at Katanning by supporting their "Spirit Day" function. Although the School Ball may appear a worthwhile project Council should be cautious in providing a donation as this could open the way for several other Senior Schools to approach Council for a similar contribution. Any Private school or Agricultural School could also approach Council.

Financial Implications

Nil

Policy Implications

Nil

Statutory Implications

Nil

Staff Recommendation

That Council decline the application from the Katanning Senior High School P&C Association for financial assistance for the 2010 School Ball.

Voting Requirements

Simple Majority

10.6 REPORTS OF COMMITTEES
Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. FINANCIAL REPORT AND ACCOUNTS FOR PAYMENT

12.1 ACCOUNTS FOR PAYMENT

Moved Cr

Seconded Cr

That the creditors payment list submitted to Council on Thursday 2009 12th November totalling \$289,516.17, in accordance with FM Regulation 13 be accepted and approved.

12.2 STATEMENT OF FINANCIAL ACTIVITY

Moved Cr

Seconded Cr

That the statement of financial activity in accordance with Financial Management Regulation 34 for the period ending 2009 as presented to Council be accepted.

Will be provided to Councillor by email at a later date

12.3 FINANCIAL REPORT (BANK RECONCILIATION)

Moved Cr

Seconded Cr

That the Financial Report of the Bank Reconciliation for the month ending 31st October 2009, in accordance with Financial Management Regulations 34, as presented be accepted.

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE IS GIVEN

14. CORRESPONDENCE: BUSINESS ARISING

14.1 INFORMATION BULLETIN

Moved Cr

Seconded Cr

That the Information Bulletin as circulated be noted en bloc.

Note: With the exception of any items to be considered separately.

- 15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION OF COUNCIL**

- 16. MATTERS BEHIND CLOSED DOORS**

- 17. CLOSURE**