



# SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING  
HELD ON THURSDAY 15 SEPTEMBER  
2005**

# MINUTES

**SHIRE OF CUBALLING**

**ORDINARY COUNCIL MEETING**  
**THURSDAY 15 SEPTEMBER 2005**

MINUTES

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**Ordinary Council Meeting Minutes 15 September 2005**  
**ORDINARY COUNCIL MEETING MINUTES**

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF CUBALLING  
HELD IN THE COUNCIL CHAMBERS, CAMPBELL STREET, CUBALLING ON THURSDAY  
15 SEPTEMBER 2005**

**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

President welcomed Councillors, declared meeting open 3.00 pm.

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

**ATTENDANCE**

Shire President Cr I L Watts

Cr D S Bradford

Cr C R Hawksley

Cr R J D Newman

Chief Executive Officer P T Naylor

Deputy President Cr T H Wittwer

Cr J D Brown

Cr C R McKenzie

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

Nil

**3. PUBLIC QUESTION TIME**

Nil

**4. APPLICATION FOR LEAVE OF ABSENCE**

Moved Cr Newman, seconded Cr McKenzie that leave of absence be granted to Crs Bradford and Brown for the October 2005 meeting of Council.

*CARRIED 7/0*

**5. MINUTES**

**5.1 CONFIRMATION OF 18 SEPTEMBER 2005 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 18 September 2005 be confirmed.

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SHIRE PRESIDENT

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**COUNCIL ACTION**

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

*CARRIED 7/0*

5.2

**SHIRE OF CUBALLING AUDIT COMMITTEE**

The Shire of Cuballing Audit Committee met with Council’s Auditor, Mr Paul Chabrel of Butler Settineri, on Thursday 1 September 2005.

A copy of the minutes has been circulated.

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

That the minutes (as circulated) of the Shire of Cuballing Audit Committee meeting held on Thursday 1 September 2005 be received, and recommendation be endorsed.

**COUNCIL ACTION**

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

*CARRIED 7/0*

**6. PETITIONS, DEPUTATIONS, PRESENTATIONS**

Nil

**7. REPORTS OF OFFICERS**

**7.1 CHIEF EXECUTIVE OFFICER**

**7.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – SEPTEMBER 2005**

V	NAME	PARTICULARS	MUNI	TRUST
10306	NGN AG REPAIRS	Parts & Repairs	80.00	
10307	TELSTRA	Phone A/C	896.38	
10311	ATO	July 2005 BAS	1444.00	
10312	PETTY CASH	Petty Cash Recoup	268.45	
10313	CASH	Council Shopping Gift Card	500.00	
10318	EDWARDS MOTORS	Parts & Repairs	197.00	
10319	NGN AUTO ELECTRICS	Parts & Repairs	335.24	
10320	COMMANDER AUSTRALIA	Phone Networking	100.32	
10321	PIE NETWORKS	Telecentre Access Point A/C’s	286.00	
10322	JUDITH MCDOUGALL	Cuballing Changerooms Plans	1320.00	
10323	WA LOCAL GOVT SUPER PLAN	Super Contributions August 2005	4645.77	
10324	AUSTRALIAN SERVICES UNION	ASU Deductions August 2005	33.00	
10325	SHIRE OF CUBALLING	Social Club Deductions August 2005	130.00	
10326	NGN COMPUTERS	New Office Computers	5996.00	
10327	DNR GROUP	Workscrew Traineeships	20250.00	

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10328	INGERSLEY ELECTRICAL	Popo Town Maintenance	92.60
10329	TELSTRA	Mobile Phone A/C	51.88
10330	WATER CORPORATION	Water A/C	469.20
10331	WESTERN POWER	Power A/C	2944.95
10332	PETTY CASH	Petty Cash Recoup 070905	299.20
10333	SHIRE OF CUBALLING	Shire Rates	1507.15
11064	WESTRAC EQUIPMENT	Parts & Repairs	115.91
11065	Cancelled Cheque	Misprint	
11066	Cancelled Cheque	Misprint	
11067	AUSTRALIA DAY COUNCIL	Membership 2005/06	165.00
11068	BEAUREPAIRES	Tyres	2638.43
11069	COFFEY GEOSCIENCES	Testing for MRD Basecourse	225.50
11070	COUNTRY PAINT SUPPLIES	Materials	121.60
11071	COURIER AUSTRALIA	Freight	14.49
11072	CUBY ROADHOUSE	Refreshments & Gas	76.60
11073	DEWS MINI EXCAVATIONS	Kerbing Around Shire Office	661.10
11074	DRYANDRA COUNTRY VISITORS	Contribution to D.C.V.C. 2005/06	3300.00
11075	DUGALD FERGUSON MACHINE.	Parts & Repairs	21.65
11076	FAIRWAY CARRIERS	Cuballing Country Festival	5940.00
11077	FARMWORKS AUSTRALIA	Weed Control	2513.50
11078	FRANK WESTON & CO	Parts & Repairs	48.40
11079	GREAT SOUTHERN FUELS	Fuels & Oils	11683.21
11080	GT RADIATOR & MACHINING	Sharpening of Mulcher Blades	88.00
11081	HILLSIDE MEATS	Cuballing Country Festival	212.70
11082	INFRINGEMENT PAYMENT CENTRE	Infringement – CN2	400.00
11083	JR & A HERSEY	Protective Clothing	886.21
11084	LANDMARK OPERATIONS	Weed Control	104.50
11085	LANDVISION	Town Planning Services	137.50
11086	LOCAL GOVT MANAGERS AUST.	Subscriptions 2005/06	330.00
11087	MAJOR MOTORS	Parts & Repairs	272.94
11088	MCDUGALL WELDMENTS	Depot Materials	55.71
11089	METROCOUNT	Road Counter Equipment	158.00
11090	MUNICIPAL PROPERTY SCHEME	Insurance	3364.63
11091	NGN HIRE SERVICE	Cuballing Country Festival	328.00
11092	NGN PACKAGING	Cuballing Country Festival	203.80
11093	NGN AUTO ELECTRICS	Parts & Repairs	15.31
11094	OFFICEMAX	Stationery	61.19
11095	PARRYS	Protective Clothing – Boots	108.00
11096	REINFORCES CONCRETE PIPES	Materials – Pipes	5490.70
11097	RJ & PJ TOMBLESON	Hall Maintenance – Gas System	146.62
11098	SHIRE OF WAGIN	Staff Training – A. Richardson	209.00
11099	SHIRE OF WICKEPIN	Recycling Costs August 2005	330.00
11100	SOS OFFICE EQUIPMENT	Photocopier Charges August 2005	250.44
11101	SOUTHWEST PRINTING & PUBL.	Advertising	369.60
11102	STAR TRACK EXPRESS	Freight	89.88
11103	SUNNY SIGN COMPANY	Signs	2965.60
11104	MITCHELL VET HOSPITAL	Animal Control	8.80
11105	THE PAPER COMPANY	Stationery	62.70
11106	VALUER GENERALS OFFICE	Valuations	185.88
11107	VERMEER	Parts & Repairs	702.24
11108	WA LOCAL GOVT ASSOCIATION	Local Government Week	4257.00
11109	WHEATBELT SOUTH TOURISM	Membership 2005/06	660.00
T1934	SHIRE OF CUBALLING	Rate Payments Received Prior to	1387.70

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T1935	INGERSLEY ELECTRICAL	05/06 Rates Levied – Banked in Trust		
	<b>ELECT TSFR TRANSACTIONS</b>	New Fire Shed – Electrical Work		2464.62
230805	SALARIES & WAGES	Salaries & Wages 100805 – 230805	16059.17	
060905	SALARIES & WAGES	Salaries & Wages 240805 – 060905	16151.00	
080905	FESA	July & August 2005 ESL	1611.51	
	<b>CREDIT CARD TRANSACTIONS</b>			
010805	TICKETMASTER7	Local Government Week	537.03	
090805	WITCH'S CAULDRON	Local Government Week	850.00	
160805	COUNTRY FRESH FLOWERS	Staff Gift	78.80	
		<b>TOTALS \$</b>	<b>127,114.99</b>	<b>3,852.32</b>

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

That payment of Accounts Vouchers 10306 - 10307, 10311 - 10313, 10318 - 10333, 11064 – 11109, T1934 – T1935, Electric Transfer/s 230805 – 080905, and Credit Card Transaction/s 010805 – 160805, totalling \$130,967.31, as presented, be endorsed.

**COUNCIL ACTION**

**Moved Cr Bradford, seconded Cr Newman that payment of Accounts Vouchers 10306 - 10307, 10311 - 10313, 10318 - 10333, 11064 – 11109, T1934 – T1935, Electric Transfer/s 230805 – 080905, and Credit Card Transaction/s 010805 – 160805, totalling \$130,967.31, as presented, be endorsed.**

*CARRIED 7/0*

**7.1.2 SHIRE OF CUBALLING STATEMENT OF FINANCIAL ACTIVITY AS AT 31 AUGUST 2005**

**Background**

Statement of Financial Activity for period ending 31 August 2005, in accordance with recent amendments to section 34 of the Local Government (Financial Management) Regulations 1996.

**Comment**

Unfortunately due to an error being experienced with the new Haines Norton System, the statement of financial activity has not been prepared in accordance with the new requirements for period ending 31 August 2005. This does not contravene the new legislation as Clause 34(4)(a)(ii) allows for the statement to be presented to the next ordinary meeting of Council if not prepared in time to be presented to the first ordinary meeting of Council following the end of the month. Therefore it is proposed that the statement for 31 August 2005 will be presented to the October meeting of Council.

A Balance Sheet Statement, Operating Statement by Program and Profit & Loss Statement for period ending 31 August 2005 have been prepared and included in the meeting agenda.

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Ordinary Council Meeting Minutes 15 September 2005

**Reporting Officer**

Peter Naylor, Chief Executive Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That the Balance Sheet Statement, Operating Statement by Program and Profit & Loss Statement for period ending 31 August 2005 be received by Council.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

**7.1.3 TELSTRA ADSL BROADBAND**

**Background**

Upgrade of the Cuballing Telstra Exchange for installation of the Telstra ADSL Broadband service.

**Comment**

Council has for some time been working with Telstra for the installation of the ADSL Broadband at the Cuballing Exchange. The ADSL service improves the broadband on which the Internet service operates and enhances the speed of the service.

Registrations of interest were completed by Cuballing residents and forwarded to Telstra in accordance with their requirements. Telstra have now completed their assessment for the upgrading of the Cuballing Exchange and set the threshold at 110 Expressions of Interest prior to them providing the ADSL service. This is a ridiculous number and one that will be almost impossible to meet.

Following Telstras advice, the Chief Executive Officer (CEO) has been investigating alternative services to improve the Internet service throughout the whole of the Cuballing Shire. Advice received is that installation of a Satellite system may not be the best option and further options, including a Wireless system are being looked into. In respect to this, Mr Paul Oostergard of Ocean Broadband will be addressing the Local Government Managers Australia, Wheatbelt South Branch meeting in Dumbleyung on Tuesday 13 September 2005, on the Wireless system.

Further information will be provided to Council following the abovementioned meeting at Dumbleyung.

The Chief Executive Officer provided further information to Council on the Wireless Broadband system and advised that Ocean Broadband would be interested in doing as assessment of the District.

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**Reporting Officer**

Peter Naylor, Chief Executive Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

That Council gives further consideration to the possible implementation of a Wireless Broadband system within the Shire.

**COUNCIL ACTION**

**Moved Cr Brown, seconded Cr Wittwer that the Shire of Cuballing requests Ocean Broadband to undertake assessment of district with view to future installation of Wireless Broadband.**

*CARRIED 7/0*

**7.1.4 SHIRE OF CUBALLING POLICY MANUAL**

**Background**

In September and October 2003 Council undertook a review of the Policy Manual. At the completion of that process, at the October 16, 2003, Council meeting, it was resolved that the Policy Manual be reviewed on a bi-annual basis following the Local Government Elections.

**Comment**

Council's resolution from the October 2003 meeting was primarily to be for the benefit of new Councillors elected at the elections, to help them get a thorough knowledge of Council policies through the review process. Even though no new Councillors were elected in May 2005 there are advantages in continuing with the review process to update and modify any policies as deemed appropriate.

A copy of the Policy manual has been circulated with the Council meeting agenda and it would be appreciated if Councillors could please peruse the document and raise any policies that could be considered for review or perhaps repealed if considered necessary.

Council worked through the Policy Manual document and requested the Chief Executive Officer to investigate and amend (if necessary) the following Shire of Cuballing Policies that may now be covered by other legislation or require additional information:

- 4.20 Gratuity Payments
- 5.18 Road Reserve Vegetation and Clearing
- 6.16 Firebreak Order

**Reporting Officer**

Peter Naylor, Chief Executive Officer

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**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

For Council attention please.

**COUNCIL ACTION**

**Council resolved that the Chief Executive Officer address appropriate changes to the Policy Manual, as mentioned above, and present to the October 2005 meeting of Council.**

*CARRIED 7/0*

**7.1.5 SHIRE OF CUBALLING LOAN NUMBER 61 – CUBALLING CHANGE ROOMS PROJECT**

**Background**

Council, when adopting the budget for the 2005/2006 Financial Year, made provision for loan funds of \$81,300 to assist with the construction of change rooms at the Cuballing Recreation Grounds.

Total cost of project \$135,500, balance of funds \$54,200 from approved Department of Sport and Recreation Community Sporting and Recreation Facilities Fund grant.

**Comment**

Now that tenders have been called for the construction of the change rooms the Chief Executive Officer, on 24 August 2005, submitted a loan application for amount of \$81,300 to the Western Australian Treasury Corporation (WATC).

Preliminary notification has been received from the WATC that Councils loan application will be approved and firm loan details will be provided on 15 September 2005 for consideration at the Council meeting.

**Reporting Officer**

Peter Naylor, Chief Executive Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That:**

- **Council accepts the loan conditions as provided by the Western Australian Treasury Corporation and proceeds with Loan 61 for amount of \$81,300 for financial assistance for construction of change rooms at the Cuballing Recreation Grounds; and**
- **The Chief Executive Officers actions in submitting the loan application to the Western Australian Treasury Corporation be endorsed.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

**7.1.6 DEPARTMENT OF SPORT AND RECREATION COMMUNITY SPORTING AND RECREATION FACILITIES FUND**

**Background**

Each year the Department of Sport and Recreation (DSR) invites local governments and community sporting organizations to submit applications for funding under its Community Sporting and Recreation facilities Fund (CSRFF).

**Comment**

In recent years Council has been quite successful in receiving grant funding under the CSRFF program.

2003/04	Cuballing Tennis Courts upgrade	\$40,000
	Cuballing Skate Park	\$15,000
2004/05	Cuballing Oval Reticulation	\$21,460
2005/06	Cuballing Change rooms	\$54,200

The process is for grant applications to be submitted to

A grant application has been prepared for the installation of two light towers (and lights) at the south end of the new netball/tennis court, constructed in 2003/04 as part of the tennis court program. It is proposed that this application be submitted to the DSR for consideration for funding in 2006/07. Part of the proposal is to install three lights on the towers with one facing out onto the BMX track. This would then provide the opportunity for the BMX track to be used in the evening.

A copy of the grant application is circulated with the Council meeting agenda.

**Reporting Officer**

Peter Naylor, Chief Executive Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That Council endorses the grant application as prepared and submits it to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund.**

**COUNCIL ACTION**

Moved Cr Wittwer, seconded Cr McKenzie that the Chief Executive Officers Recommendation be adopted.

*CARRIED 7/0*

**7.1.7 PUBLIC AUCTION OF LOT 136 BRUNDELL STREET, CUBALLING**

**Background**

Council resolved, at the July 21, 2005, Council meeting, for the abovementioned Lot to be sold by public auction at a date to be determined.

**Comment**

The Chief Executive Officer has obtained quotations from two Real Estate companies/independent auctioneers in Narrogin to perform an auction on behalf of Council. The third company contacted, Landmark, indicated that they will not be providing a quote.

Details of the two quotes received are:

Mr Les Chitty, Independent Auctioneer:

- Fee \$200 to conduct the auction, including pre-sale preamble, and any immediate post sale assistance; and
- All advertising costs (including other marketing costs) and other auction costs will be at Councils expense.

Ray White Real Estate:

- Minimum Fee \$2,200, this includes all associated costs for the property to be auctioned.

**Reporting Officer**

Peter Naylor, Chief Executive Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That:**

- **Mr Les Chitty be appointed by Council to auction Lot 136 Brundell Street, Cuballing for fee of \$200; and**
- **The Chief Executive Officer be authorised to liaise with Mr Chitty and arrange for suitable date and time for the auction.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

7.2 **REPORTS – WORKS**

7.2.1 **WORKS SUPERVISORS REPORT**

**CUBALLING WEST ROAD**

Preparations are continuing on this road for works as part of the 2005/2006 construction program. Due to the wetness of the area a proper clean up has not been completed but this will be done when conditions improve.

Design drawings are being finalised for the Black Spot corner and will be tabled at the Council meeting.

**POPANYINING WEST ROAD**

Culvert pipe extensions are being done as weather and ground conditions permit in readiness for works in accordance with the 2005/2006 program.

**CUBALLING EAST ROAD**

Road clearing has been completed on the section of road to be widened as part of this year's program. Some gravel has been carted on site and works will continue as conditions permit.

**ROADSIDE SPRAYING**

The roadside spraying program has been very successful. Some positive feedback has been received from residents.

**MAINTENANCE GRADING**

Winter grading has been done where conditions permit, however wet weather has delayed the operators from completing some sections that have received their initial grade.

**RURAL ROAD NUMBERING**

The next phase is being implemented.

**PLANT AND EQUIPMENT**

All items of plant are being serviced and maintained as required, and all plant is in good working order.

The new Veneri FEL has been experiencing some minor problems and these have been referred to Welquip and are receiving attention.

**PRIVATE WORKS**

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

Private works invoices issued for the months of July and August 2005 total \$4,553.

**Reporting Officer**

Alex Richardson, Works Supervisor

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**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That the Works Supervisors Report be received and information noted.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

**7.3 REPORTS – BUILDING**

**7.3.1 BUILDING SURVEYORS REPORT**

Due to the building surveyor being on leave and the fact that all work was up to date prior to the leave period there was no urgency in processing any building applications during the month of August.

Two applications have been received to construct a re-locatable home at Lot 322 Condor Street, Cuballing and Location 3269 Great Southern Highway, Yornaning. Both homes are currently located in the metropolitan area and the building surveyor will be inspecting both homes to ensure that they are suitable to be relocated to the Shire.

Under Council's Town Planning Scheme No. 2 it is permitted to erect a relocated second-hand building providing it is to the satisfaction of the Local Government, and is in its opinion, does not adversely affect the amenity of the locality.

**Reporting Officer**

Allan Ramsay, Building Surveyor

**CHIEF EXECUTIVE OFFICER'S RECOMMENDATION**

**That the Building Surveyor's information is received and information noted.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

**7.3.2 ILLEGAL STRUCTURE, LOT 119 POPANYINNING EAST ROAD, POPANYINNING**

**Background**

The Ordinary Council Meeting Minutes of 18 August 2005 mentioned that three letters had been sent to the owner of Lot 119 advising of the illegal structure on the property. The last letter advised the owner Ms Mabbott that should the structure not be removed by the 18 August, Council will have no option but to instigate its powers in accordance with the provisions of the Local

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Government Act (Miscellaneous Provisions) Act 1960, and have a formal notice issued for the structures removal.

### Comment

The structure has still not been removed and it is now necessary to take legal action.

Further research has revealed that under Part 5.10.2 (b) of Council's Town Planning Scheme No. 2 planning approval will not be granted for any outbuilding on any Rural Town Site or Rural Residential zone lot which does not contain a residence. There is no approved dwelling on the property and the zoning under the scheme is Rural Residential. Furthermore, under Part 11.4 of the scheme it is an offence with a penalty of \$50,000.00 and a daily penalty of \$5,000.00 if found guilty.

It is in Council best interest to seek legal advice as to what legislation is best to use the notice. Any discrepancy in the wording of the notice will affect any outcome in a Court of Law.

### Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

### **CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That Council's Solicitor prepares a notice under the appropriate legislation to be served on the owner Ms Mabbott who has an illegal structure on her property situated at Lot 119 Popanyinning East Road, Popanyinning.**

### **COUNCIL ACTION**

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

*CARRIED 7/0*

### **7.3.3 TENDER 1-05/06 CONSTRUCTION OF CHANGE ROOMS CUBALLING RECREATION GROUNDS**

#### **Background**

Council, when adopting the Budget for 2005/2006, made provision for construction of change rooms at the Cuballing Recreation Grounds. Tenders for the above project closed at 4.00pm on Wednesday 14 September 2005.

#### **Comment**

Tenders, closing at 4.00 pm on Wednesday 14 September 2005, were advertised in the Narrogin Observer on Wednesday 24 August 2005 and Western Australian Newspaper on Saturday 27 August 2005.

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At the close of tenders three tenders were received from; A & A Corasaniti, P & F Kulker, and L R Sims & Co.

Due to variance in tender figures received it is necessary for Council staff to meet with the tenderers to clarify the amounts provided.

The tender figures have not been presented to Council at this stage for confidentiality purposes.

Following clarification of the three (3) tenders received, by Council staff, the tenders were presented to Council for consideration.

#### **Reporting Officer**

Peter Naylor, Chief Executive Officer

#### **CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

That decision on this matter be deferred until the tenders have been clarified and staff can prepare a full report for Council consideration.

#### **COUNCIL ACTION**

**Moved Cr Brown, seconded Cr Newman that tender 1-05/06 be awarded to LR Sims & Co for amount of \$108,880.00 (GST Inc.).**

*CARRIED 7/0*

#### **7.3.4 A & M GRIFFITHS – LOT 322 HOTHAM STREET, CUBALLING**

##### **Background**

Correspondence has been received seeking Council permission to relocate a second hand house onto Lot 322 Hotham Street, Cuballing. Photographs of the building from two directions including internal photographs of the house are provided and tabled for Council information.

##### **Comment**

Council's Environmental Health Officer/Building Surveyor has inspected the building and is satisfied that it is visually acceptable for its location in Cuballing.

A practicing Structural Engineer has reported on the building indicating the propose relocation is approved. Copy of the Engineers Report is also tabled.

The building is of clay tiles and asbestos cement cladding.

In the past Council has adopted a bond amount of \$5,000.00 for relocated houses. This is to ensure that the relocated house is brought up to a suitable and acceptable standard.

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**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That:**

- **Council approves the relocation of the house to Lot 322 Hotham Street, Cuballing on the condition that it complies with Health, Building and Town Planning requirements; and**
- **A bond of \$5,000.00 is applied.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

**7.4 REPORTS – HEALTH**

**7.4.1 NEW PUBLIC HEALTH ACT WORKSHOPS**

The State Government has released a discussion paper for a new Public Health Act. The period for the consultation on the New Public Health Act Discussion Paper has been extended by two months. The closing date for submissions is now 30 November 2005.

The Western Australian Local Government Association in partnership with the Department of Health is planning a series of state – wide consultative workshops on the New Public Health Act during September.

The target audience is Local Government Chief Executive Officers, Councillors and Environmental Health Officers. The aim of the workshops is to provide information on the directions proposed for the new Act and seeks input on issues in relation to the Act that the Association needs to consider from a Local Government perspective.

**Reporting Officer**

Allan Ramsay, Environmental Health Officer

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**That the Environmental Health Officer's Report is received and information noted.**

**COUNCIL ACTION**

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

*CARRIED 7/0*



7.4.2 **MR. M. TOMAS – REQUEST PERMISSION TO CONSTRUCT A SHED AT 90 LORD STREET, POPANYINNING PRIOR TO COSTRUCTION OF A DWELLING**

**Background**

A letter was received from Mr M Tomas requesting Council permission to erect a shed prior to building a dwelling at Lot 90 Lord Street, Popanyinning. Mr Tomas would like to use the shed to store building material during the construction of his new home. He has indicated that he has no intention of living in the shed during the construction of the house.

**Comment**

In terms of the Town Planning Scheme No. 2 under Part 5.10.2 (b) an outbuilding can not be built prior to the construction of a dwelling on a lot in a Rural Residential Zone. However, the applicant has submitted plans of his house, drawn by a by a professional draftsman and he is still waiting on structural drawings and a permit from the Builders Registration Board to construct the house as an owner builder. Under Part 8.2 (b) (i) of the scheme the local government has discretion to approve the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools.

**Reporting Officer**

Allan Ramsay, Environmental Health Officer/ Building Surveyor

**CHIEF EXECUTIVE OFFICERS RECOMMENDATION**

**Approval is granted to Mr M Tomas to erect the shed prior to the construction of the house provided that:**

- **Mr M Tomas provide a Statutory Declaration advising that he will not live in the shed, it will only be used to store building material used for the construction of the new home and the new home will be commenced within three months of the erection of the shed.**
- **That the plans for the house and the shed be approved in one application.**

**COUNCIL ACTION**

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

*CARRIED 7/0*

8 **ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

9 **OTHER URGENT BUSINESS**

Nil

**Ordinary Council Meeting Minutes 15 September 2005**

**10 MEETING CLOSURE**

There being no further business the Shire President declared the meeting closed at 4.25 pm.

***CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON \_\_\_\_\_***

\_\_\_\_\_

**PRESIDENT**

\_\_\_\_\_  
SHIRE PRESIDENT

\_\_\_\_\_  
DATE