



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 17 NOVEMBER 2005**

MINUTES

SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING
THURSDAY 17 NOVEMBER 2005

MINUTES

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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
17 NOVEMBER 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

Nil

5. MINUTES

5.1 CONFIRMATION OF 20OCTOBER 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 20 October 2005 be confirmed.

COUNCIL ACTION

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

CARRIED 7/0

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6. **PETITIONS, DEPUTATIONS, PRESENTATIONS**

Nil

7. **REPORTS OF OFFICERS**

7.1 **FINANCE AND ADMINISTRATION**

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

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.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council:

- Approve for payment the list of Creditors paid from the Municipal fund totalling \$136,316.98.
- Approve for payment the list of Creditors paid from the Trust fund totalling \$743.38.

COUNCIL ACTION

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

CARRIED 7/0

7.1.2 **STATEMENT OF FINANCIAL ACTIVITY**

Background

Local Government (Financial Management) Regulations 1996, section 34, provides for new monthly financial reporting requirements for local government.

Comment

A Statement of Financial Activity has been prepared for period ending 31 October 2005 in accordance with the abovementioned legislation and circulated with the Council meeting agenda.

At the August 18, 2005, meeting of Council, Council resolved, in accordance with section 34 (5) of the Local Government (Financial Management) Regulations 1996, to adopt percentage value of 10% with a minimum dollar value of \$250 for the purpose of reporting material variances on the monthly statement of financial activity. Recent discussions with representatives from the Department of Local Government and Regional Development indicate that the dollar value has been set too low and should be raised somewhere between \$3,000 and \$5,000 to alleviate having to report on all line items on a monthly basis.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 October 2005 be received; and**
- **The minimum dollar value of \$250, as previously adopted by Council on 18 August 2005, for the purpose of reporting material variances on the monthly statement of financial activity, be amended to \$5,000.**

COUNCIL ACTION

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

CARRIED 7/0

Moved Cr Bradford, seconded Cr Wittwer that Shire of Cuballing Trust Fund monies held in the Cuballing LCDC (BWMP), Heritage 14 Mile Brook, Heritage Seed Orchard, LCDC Cuballing, Upper Hotham Landscape, Upper Hotham Water and Land Management, and Wyonning Creek Revegetation accounts, and totalling \$4,717,55, be transferred to a new Environmental and Townscape account.

CARRIED 7/0

7.1.3 **SHIRE OF CUBALLING ANNUAL CHRISTMAS FUNCTION AND DECEMBER 2005
ORDINARY COUNCIL MEETING DATE**

Background

The Shire of Cuballing Christmas Function is held annually following the December meeting of Council. In 2004 Council changed the date of the December meeting from Thursday to Friday so that staff wouldn't have to attend work on the day following the Christmas function.

Comment

The Christmas Function generally has little effect on the outside works crew as they traditionally break up on the Thursday for the Christmas/New Year period, except for a small maintenance works crew, however the office staff have to attend to normal duties on the Friday. In addition to this the Thursday evening has in the past clashed with the Narrogin Chamber of Commerce Late Night Shopping day.

Staff are requesting Council consideration to changing the date of the December 2005 Council meeting to the third Friday of the month (being Friday 16 December 2005) instead of the third Thursday.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The date December 2005 Ordinary Meeting of Council, scheduled to be held on Thursday 15 December 2005, be changed to Friday 16 December 2005, and advertised accordingly; and**
- **The Shire of Cuballing Annual Christmas Function be held at the Cuballing Tavern on Friday 16 December 2005.**

COUNCIL ACTION

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

CARRIED 7/0

Moved Cr Newman, seconded Cr Bradford that future December meetings of Council be held on the third Friday of the month instead of the third Thursday.

CARRIED 7/0

7.1.4 **SHIRE OF CUBALLING OFFICE CLOSURE CHRISTMAS/NEW YEAR PERIOD 2005/2006**

Background

In 2004/2005 Council granted approval for closure of the Shire Administration Office over the Christmas/New Year period, from Monday 27 December 2004 to Monday 3 January 2005, inclusive. In approving this staff transferred public holiday entitlements for the Christmas/New Year period and Easter Tuesday, and Council granted staff one days paid leave.

Comment

This year Christmas Day is on Sunday 25 December 2005 and New Years Day on the following Sunday. Monday 26 December and Tuesday 27 December are public holidays in lieu of Christmas Day and Boxing Day, and Monday 2 January 2006 is a public holiday in lieu of New Years Day. Tuesday 3 January 2006 is recognised as a public service holiday under the Local Government Officers (WA) Award 1999.

Staff are again this year requesting Council consideration for the closure of the Shire Administration Office over the Christmas/New Year period, from Monday 26 December 2005 to Monday 2 January 2006, inclusive. As with last year the office staff are willing to transfer public service holiday entitlements, including Easter Tuesday, to be taken during this period, and requesting Council for one days additional paid leave.

The office closure enables staff to have an uninterrupted break over the festive period between Christmas and New Year. Generally this time of the year is very quiet in the administration office with most residents away on holidays. There have been no adverse comments received over Councils decision to close the administration office in the past few years.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council grants approval for the Shire of Cuballing Administration Office to be closed over the Christmas/New Year period from Monday 26 December 2005 to Monday 2 January 2006, inclusive. Public notices of the Office closure to be advertised in the Narrogin Observer and Shire Newsletter, and posters displayed within the Shire.

COUNCIL ACTION

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

CARRIED 7/0

7.1.5 **MINISTER FOR LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT – LOCAL GOVERNMENT STRUCTURAL AND ELECTORAL REFORM IN WESTERN AUSTRALIA, ENSURING THE FUTURE SUSTAINABILITY OF COMMUNITIES**

Background

Council on the 20 October 2005, resolved for the Shire President, Deputy Shire President and Chief Executive Officer to prepare a draft submission to the Local Government Advisory Board for presentation at the November 2005 meeting of Council for consideration.

Comment

The Shire President, Deputy Shire President and Chief Executive Officer met on Friday 4 November 2005 to progress this matter. A draft submission has been prepared and circulated with the Council meeting agenda.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

For Council consideration and direction please.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Wittwer that:

- the draft submission to the Local Government Advisory Board as prepared and presented to the Council meeting be endorsed and forwarded to the Advisory Board; and
- Council supports the Shire President, Deputy Shire President and Chief Executive Officer seeking a meeting with the Local Government Advisory Board to further explain Councils position on the Review.

CARRIED 7/0

Moved Cr Bradford, seconded Cr Newman that Council supports the participation of the Shire of Cuballing in discussions with the Shires of Brookton, Pingelly, Wandering, Wickepin and Williams with view for the formation of a Voluntary Regional Organisation of Councils.

CARRIED 7/0

7.1.6 **OFFICE OF CRIME PREVENTION – COMMUNITY SAFETY AND CRIME PREVENTION PARTNERSHIP**

Background

Correspondence from the Office of Crime Prevention (OCP) inviting the Shire of Cuballing to enter into a partnership arrangement with the OCP and the Shires of Pingelly, Wandering and Wickepin to develop a Community Safety & Crime Prevention Plan.

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Comment

Under the partnership arrangement the OCP will fund the development of the Community Safety & Crime Prevention Plan for each of the Shires. Upon endorsement of the Shires respective plans, each Shire will be eligible to receive an inventive grant of \$20,000 towards implementing strategies to address key priorities identified within their individual plans.

Further information pertaining to the project has been provided by the OCP and is detailed hereunder.

Structures of Crime Prevention in Western Australia were reviewed in 2002, the review focussed upon the Safer WA strategy and the involvement of other agencies including Local Government and other key partners.

The key findings from the review were:

- *That there was a need to reduce duplication and overlap in community safety strategies*
- *There was a need for a more effective way to engage minority or marginalised group in the community*
- *A need to formalise and recognise the important role of local government in crime prevention with a strategic alliance between State and Local Government*
- *Formalise agreements with appropriate State Government Agencies to participate in local crime prevention partnerships*
- *Support evidence based decision making*

In October 2003, the Minister for Community Safety, announced a new approach to community safety and crime prevention with the Safer Community and Crime Prevention Strategy for the state.

The new approach focuses around the development of local Community Safety and Crime Prevention Partnerships and Plans, to be facilitated by local government, with plans based on local government areas.

The partnership will formalise the relationship between local governments and the State Government of Western Australia, through the formation of a Community Safety and Crime Prevention Partnership Agreements. The Local Government will then act as the lead agency to develop a community safety and crime prevention plan that is evidence based, and engages widely with the community..

As part of the partnership arrangement the Office of Crime Prevention has formed a community engagement team to work with local governments to develop partnership agreements and support the development of community safety plans.

As part of the new approach to crime prevention the Safer WA initiative has been de-funded by the State Government as of March 31 2004.

Detail

In 2003/04 the Office of Crime Prevention identified 30 priority communities that were approached to enter into a partnership agreement and develop a plan. Recently the remaining local government authorities were invited to nominate for consideration to enter into a partnership agreement this

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financial year. The Office of Crime Prevention is currently prioritising these nominations and hopes to invite and additional 50 priority communities to enter into partnership agreements and develop plans. Although non-prioritised communities were able to enter into a partnership agreement, funding for the planning process and associated incentive grants has only been available to those communities identified. Already to date 61 local governments have formally entered into partnership agreements.

Partnership Agreement:

A partnership agreement guide has been developed with a template agreement, which is available on the website.

The proposed Partnership Agreement has been developed to define the roles and responsibilities of each partner. It's purpose is to support and facilitate the development and implementation of Community Safety and Crime Prevention Plans which engage widely with the community and is evidence based.

- It acknowledges that the State Government has primary responsibility for law enforcement, policing, community safety and crime prevention, and recognises the role of local government in enhancing community safety and preventing crime;*
- It outlines the principles underpinning the Agreement, its scope, and responsibilities of each party;*
- The agreement has a break clause, so it can be terminated by either party on written notice to the other party.*

Community Safety and Crime Prevention Partnership Process:

The Community Safety and Crime Prevention Partnership process has a number of steps. These are:

- Local government decides to enter into a partnership agreement and lead development of a local Community Safety and Crime Prevention Plan on behalf of the local community, Police and State Government agencies;*
- Partnership Agreement signed between local government and the Government of Western Australia;*
- Payment is made to local government to assist with the development of a local Community Safety and Crime Prevention Plan which is evidence based and engages with the community, including with marginalised groups;*
- Office of Crime Prevention provides a community profile compiled by the University of Western Australia Crime Research Centre which includes crime data, trends and basic socio economic data to assist with the planning process (evidence based);*
- A strategic crime prevention and community safety plan is developed identifying priorities and strategies for the area in conjunction with community and state government agencies in an*

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inclusive process;

- *Plan submitted to the Office of Crime Prevention for endorsement and registration to ensure that it is inclusive of marginalized groups and evidence based;*
- *Incentive Grant of \$20,000, a once off payment paid on endorsement of the Plan, to assist to address a priority issue identified in the Plan;*
- *Local government coordinates implementation, ongoing assessment and evaluation of the Plan;*
- *An annual payment of \$1,200 is also paid to local governments towards any committee or working party meeting administrative costs. This is paid to all Local Governments entering into a partnership agreement;*
- *Additional funding for the implementation will be available to local governments that have entered into a partnership agreement with the Government of WA through the an annual funding round which will replace the current Local Government Partnership Fund administered by the Office of Crime Prevention.*

Community Safety and Crime Prevention Plan

This strategy is not State Government telling Local Government how to engage with their community. One of the things that was recognized in the review, is that Local Government already engages very well with its community. Many Local Governments already have processes in place with community safety elements that can feed into this process.

As a result, there is no prescription as to how the structure should look in any Local Government Area or how your planning process is conducted. There are three essential requirements that must be met in the planning process, but how it is conducted is up to the Local Government. These three requirements are:

- *Require that the plan is evidence based.*
- *Requires wide consultation, and that minority or marginalized groups are consulted in a meaningful way.*
- *Requires that there is an ongoing process of consultation and monitoring of the plan.*

Once developed, plans will be assessed by the OCP to ensure that these three criteria are met. Plans are valid for a period of three years. At the end of the first year the plan will need to be reviewed for outcomes and to ensure that the direction of the plan is still valid.

Support from the Community Engagement Team

The Community Engagement team is able to offer support to communities in the form of:

- *Briefings to staff and elected members on the proposed partnership agreements*
- *Support through the community consultation process*

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- *Information and advice on ‘what works’ and ‘what doesn’t work’ in crime prevention relating to the priorities identified.*
- *Running workshops on the planning process and understanding community crime profiles.*
- *Providing committees with a variety of toolkits, templates and draft sample plans.*
- *Follow up of State Government commitment if Local Government is having any difficulty in engaging a particular agency in the planning or implementation process.*

The reason that communities are prioritized in a staged process is that the Community Engagement Team is committed to offering support to Local Governments as these partnerships progress. By identifying an initial group to work with, we are able to ensure that this process is rolled out in a sustainable manner and that we are able to provide the support we are committed to throughout the process.

Funding

The Office of Crime Prevention has a total budget of over \$5 million dollars, most of which is channelled into accessible grant funding.

There is an initial \$1 million dollars to support the roll out of the new structure, in addition to the Local Government Partnership fund and other Office of Crime Prevention funding expected to be channelled by partnership agreement priorities and taking into consideration State Government Crime Prevention Strategy priority areas (supporting families, empowering communities etc) in future funding decisions.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Office of Crime Prevention be informed that the Shire of Cuballing is prepared to enter into a partnership arrangement with the Office and the Shires of Pingelly, Wandering and Wickepin for the development of a local Community Safety & Crime Prevention Plan.

COUNCIL ACTION

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

CARRIED 7/0

7.1.7 PUBLIC AUCTION OF LOT 136 BRUNDELL STREET CUBALLING

Background

Council previously resolved for the abovementioned property to be sold by public auction.

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Comment

The auction was conducted by Mr Les Chitty and held on site, at Lot 136, on Saturday 12 November 2005, commencing at 10.00am. The auction has generated quite a bit of local interest and there were a reasonable number of people in attendance.

I M & H M Grainger were the successful bidders and purchased the property for amount of \$20,000 (GST inclusive).

Council has budgeted for the net amount from the sale (after payment of GST and settlement costs) to be transferred to the Refuse Site Reserve Account.

The Chief Executive Officer has now commenced proceedings for settlement and transfer of the property.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the information be noted and received.

COUNCIL ACTION

Resolved that the information be noted and received.

7.2 **REPORTS – WORKS**

7.2.1 **WORKS SUPERVISORS REPORT**

WANDERING NARROGIN ROAD

The Tree Mulching Machine is now back to finish the tree pruning on this road, about 10 km's. CALM has given the shire some guidelines to follow when working adjacent to the reserves and associated environmental sensitive areas.

CUBALLING WEST ROAD

Road clearing will recommence, once the gravel has been carted for the Popanyinning West Road. It is intended that on completion of the works of the Tree Mulching Machine on the Wandering Narrogin Road that machine will be utilised to take out the high trees on the Black Spot corner.

POPANYINING WEST ROAD

Culvert extensions have now been completed on this section for the 2005/06 works programme. Some of the gravel has been carted on site and the works are continuing. It is envisaged that all the gravel will be carted in prior to any of the water binding works start.

CUBALLING OVAL – CHANGEROOMS PROJECT

Sand has been carted on site, compacted and levelled ready for the new change rooms to be constructed.

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MAINTENANCE GRADING

Summer grading is being undertaken where needed at present.

PLANT AND EQUIPMENT

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

PRIVATE WORKS

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

Private works invoices for the months of October totalled \$10,058.86.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Supervisors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.2.2 BUSH FIRE INCIDENT REPORT

Background

One Bush Fire Incident Report has been received for a recent fire within the Cuballing townsite.

Comment

The fire was on the property of Mr Brian McDowell at Lot 119 Beeston Street. According to the Fire Incident Report Mr McDowell was burning small heaps of rubbish and left the fire unattended. Due to quick response by the Cuballing Town Brigade members, minimal damage resulted from the fire.

There is little action that Council can take for the fire being left unattended as the Bush Fires Act does not make provision for this during the unrestricted burning period. An anomaly which should be addressed during the current review of the Bush Fires Act.

Reporting Officer

Peter Naylor, Chief Executive Officer

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CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Bush Fire Incident Report be noted and received, and copy forwarded to the Fire and Emergency Services Authority of WA.

COUNCIL ACTION

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

CARRIED 7/0

7.2.3 TENDER 2 05/06 – MULTI TYRED ROLLER

Background

Council included provision in the 2005/2006 Budget for the purchase of a new Multi Tyred Roller and trade of two existing multi tyred rollers and steel drum McDonald Roller.

Comment

The tender was advertised in the West Australian newspaper on Saturday ?? October 2005, closing at 4.00pm on Wednesday 9 November 2005.

At the close of tenders, tenders were received from the following Persons/Companies (full details are as per the attached spreadsheet).

Wel-Quip Road & Construction Equipment

Supply of Multipac VP2400 Multi Tyred Roller, and offering trade for all three existing machines.

BT Equipment

Supply of Bomag BW24R Multi Tyred Roller, and offering trade for all three existing machines.

Westrac Equipment

Supply of Caterpillar PS-300C Multi Tyred Roller, and no offer for purchase of any of the existing machines.

The Rollers tendered by Wel-Quip and BT Equipment meet Council specifications, however the CAT machine is of larger capacity and this is reflected in their price.

Full details pertaining to the prices tendered for provision of new roller and trade of existing machines is enclosed.

Based on this information and additional warranty offered by Wel-Quip it is recommended that Council accepts their tender for provision of new roller and trade of the three existing machines.

Reporting Officer

Peter Naylor, Chief Executive Officer
Alex Richardson, Works Supervisor

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CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- The tender submitted by Wel-Quip for supply of new 2005 Multipac VP2400 Multi Tyred Roller for price of \$143,737 (ex GST) be accepted; and
- The tender submitted by Wel-Quip for outright purchase of the Shire of Cuballing 1980 Moore Multi Tyred Roller, 1976 Pacific Multi Tyred Roller, and 1959 McDonald Steel Roller, for total amount of \$22,500 (ex GST) be accepted.

COUNCIL ACTION

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

CARRIED 7/0

7.2.4 SHIRE OF WICKEPIN – DUAL FIRE CONTROL OFFICER 2005/2006

Background

Letter from the Shire of Wickepin advising of their appointment of Mr Steve Rose as Dual Fire Control Officer with the Shire of Cuballing for the 2004/2005 Fire Season.

Comment

Dual Fire Control Officers are appointed to provide legal cover for a Fire Control Officer in charge at a wildfire that burns across a Shire boundary. The dual Fire Control Officer can stay in charge and follow the fire, or hand over control to a fire control officer from the second Shire (if one is available).

Section 40 of the Bush Fires Act 1954 empowers Council to appoint dual fire control officers with neighbouring local authorities and section 38 (2) of the Act requires such appointments to be advertised in a local paper.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That pursuant to section 40 of the Bush Fires Act 1954, Mr Steve Rose be appointed as dual Fire Control Officer with the Shire of Cuballing.

COUNCIL ACTION

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

CARRIED 7/0

7.2.5 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) – EXEMPTION FOR CLEARING IN EXISTING TRANSPORT CORRIDORS

Background

Correspondence from WALGA advising that the Department of Environment (DoE) has convened a Working Party to review the exemption provided under Schedule 2 of the Land Clearing Regulations for clearing in existing transport corridors which is due to expire on 7 July 2006.

Comment

The aforementioned exemption allows for the clearing of road and railway corridors in accordance with Schedule 2 without the requirement for a clearing permit.

A major issue for the review is whether to extend the exemption through a Code of Practice or through the introduction of a permanent exemption. DoE has advised the Working Party that due to legislative issues with the development of a Code of Practice, the preferred option is to develop a permanent exemption for road and rail maintenance under the Land Clearing Regulations.

The introduction of a permanent exemption appears to be the best alternative for Local Government, as it will ensure the exemption will be maintained in the future.

The above review is only focusing on the exemption for clearing in existing transport corridors and does not propose to continue the exemption for clearing permits beyond January 2006 for road widening, realignments or crossovers, or to introduce an exemption for clearing permits for new road construction. However it might be timely for Council to request an amendment to Schedule 2 by requesting that a provision be included to allow Local Governments to have control over all road works in 20 metre road reserves and not be required to apply for a clearing permit whenever new works are to be undertaken. Most local government roads fit within this category and it seems ridiculous that clearing permits have to be submitted to the DoE to allow Council to upgrade or improve the roads to cater for the larger machinery now being utilised.

Whilst protection of the environment is a serious issue and one that should not be taken lightly, the issue of road safety is also extremely important and perhaps Council could seek an amendment on this basis.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Western Australian Local Government Association be requested to:

- **Seek the introduction of a permanent exemption to be provided under Schedule 2 of the Land Clearing Regulations for clearing in existing transport corridors; and**
- **Seek an amendment to Schedule 2 for the introduction of a provision to allow improvement road works in 20 metre road reserves, as required, without having to seek a clearing permit.**

COUNCIL ACTION

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

CARRIED 7/0

7.2.6 SHIRE OF CUBALLING RANGER SERVICES

Background

Councils former Dog Catcher/Ranger, Mr John Ayton, has sold his Narrogin home and moved away from the district, this has resulted in staff investigating alternative options for the provision of this service.

Comment

Mr Philip Gough, former Ranger with the Shire of Boddington, has relocated to Narrogin and has been employed by the Town of Narrogin to undertake their Ranger duties. Mr Gough has also contacted the various Shires that Mr Ayton used to work for to continue this service. Mr Gough has a lot of experience in the position and has attended many Ranger Service courses to broaden his knowledge of the position (copies of certificates and Liability Insurance Policy have been provided).

The Chief Executive Officer has had two meetings with Mr Gough to discuss the Shire of Cuballing's requirements and it is proposed to engage his services and gazette him as an Authorised Officer for the Shire of Cuballing under the provisions of the following Acts and associated Regulations:

- Dog Act 1976
- Control of Vehicles (Off Road Areas) Act 1978
- Litter Act 1979
- Bush Fires Act 1954

Whilst many of the actions required under the above legislation will be handled in house by Shire staff it has been considered appropriate to appoint Mr Gough as an authorised officer to help out at various times.

In addition to providing assistance to Council when called out for specific issues, Mr Gough has been requested to pay regular adhoc visits to the townsites of Cuballing and Popanyinning to show a ranger presence and help keep any pending dog issues under control.

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Mr Gough will be paid an hourly rate of \$35.00, plus travelling in accordance with the Local Government Officers' (Western Australia) Award, currently 71.5 cents per kilometre.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the information be noted and Council endorses the appointment of Mr Philip James Gough as Ranger for the Shire of Cuballing.

COUNCIL ACTION

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

CARRIED 7/0

7.3 REPORTS – BUILDING

7.3.1 BUILDING SURVEYORS REPORT

Summary

There were six (6) building applications approved and licenses issued for the month of October 2005.

Listed below is a summarized breakdown of the applications and proposed structures:

Approval Date & License No	Name & Address of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Location of Building
21 Oct 05 6/05-06	P G Hilder	T & R Homes RB #7204	Transportable Home	Lot 340 Carton St Cuballing
21 Oct 05 10/05-06	R Sayles	OB	Colorbond Shed	1 Derby St Cuballing
21 Oct 05 11/05-06	J Nordstrom	OB	Above Ground Swimming Pool	113 Clifford St Cuballing
21 Oct 05 12/05-06	C Barrett	OB	Verandah	Ridley St Cuballing
27 Oct 05 13/05-06	R Sayles	OB	Patio	1 Derby St Cuballing
27 Oct 05 14/05-06	Best & Kickett	OB	Patio	Homeswest 1 Campbell St Cuballing

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Illegal Structure, Lot 119 Popanyinning East Road, Popanyinning

All correspondence associated with this matter has been forwarded to Council's Solicitors, McLeods (Barristers & Solicitors), for legal action to be instigated to have the illegal structure removed.

Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICER'S RECOMMENDATION

That the Building Surveyor's Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.4 REPORTS – HEALTH

7.4.1 ENVIRONMENTAL HEALTH OFFICERS REPORT

Purpose

To advise Council of Environmental Health inspections that have been carried out in the district during the month of October 2005.

Potentially Hazardous/Industrial Waste Treatment Precincts

Late last year (2004) the Core Consultative Committee on Waste identified many sites throughout the State for a potential hazardous/industrial waste treatment precinct. Some of these potential sites were identified on Crown Land within the Shire of Cuballing.

The primary role of the Committee was to facilitate a stakeholder involvement programme to establish new and better hazardous/industrial waste treatment facilities in WA, within a broader framework of minimizing hazardous waste more effectively.

In conclusion, advice recently received confirms that no sites in the Shire of Cuballing were chosen amongst the final eight. The final eight sites are located within the Goldfields and Pilbara, and the Shires of Northam, Harvey, Mount Marshall and Bruce Rock.

On – Site Effluent Disposal

One application to construct an on site effluent disposal system was issued during the month of October 2005 as follows:

Ordinary Council Meeting Minutes 17 November 2005

Application No	Name and Address
6/05-06	P G Hilder Lot 340 Carton Street Cuballing

Changes to Smoking in Enclosed Public Places Legislation

As from 1st November 2005 licensed premises such as hotels, taverns, clubs and restaurants that comprise of more than one enclosed public place of a kind outlined below, smoking is prohibited in all but one of these places at any one time.

1. A bar or lounge adjoining (but not including a dining area);
2. A bar or lounge area not adjoining a dining area;
3. An allocated room in a restaurant;
4. A cabaret or nightclub; or
5. A covered area.

Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICER'S RECOMMENDATION

That the Environmental Health Officers Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

7.5 REPORTS – TOWN PLANNING

**7.5.1 DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT –
TRANSFER OF TERRITORY TO THE SHIRE OF NARROGIN**

Background

On 21 April 2005, Council resolved to agree to the realignment of the Shire boundary with the Shire of Narrogin along the south side of Nebrikinning Road for Williams location 571 to be transferred into the Shire of Narrogin.

Comment

This matter was referred to the Local Government Advisory Board on 3 May 2005, and following the appropriate legislative procedures, the Governor has approved the land transfer.

The land transfer and consequential amendment to the Shires South Ward was advertised in the Government Gazette on Tuesday 1 November 2005.

SHIRE PRESIDENT

DATE

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the information be noted and correspondence received.

COUNCIL ACTION

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

CARRIED 7/0

7.5.2 MR G MADDISON – APPLICATION TO REZONE PROPERTY, LOT 1 CUBALLING TOWNSITE

Background

Letter from Mr Graham Maddison requesting Council consideration for the rezoning of his property within the Cuballing townsite from General Agriculture to Rural Residential.

Comment

Mr Maddison's property is within the gazetted townsite area of Cuballing on the south-western boundary. The land consists of 34.2591ha (84.59 acres).

Mr Maddison has indicated that if Council shows support for his request he intends to prepare a Rural Residential Subdivision layout, in accordance with the provisions of the Shire of Cuballing Town Planning Scheme No2, Local Planning Policy for Rural Residential Development, for about eight 4ha lots to be released along the Springhill Road and Boundary Street (road reserve) frontages. The construction of Boundary Street would be a condition of the approval. It was initially indicated by Mr Maddison that he would like to subdivide two 10ha lots along Springhill Road under the current zoning of the land, however Councils Town Planning Consultant has advised that the Western Australian Planning Commission is more likely to support rezoning of the land for a Rural Residential Subdivision as outlined above provided the owner can justify the proposal in accordance with Council's Policy.

Councils "in principle" support for rezoning of the land could lead to a Rural Residential Subdivision which will serve to further enhance the development of the Cuballing townsite with the future provision of additional land parcels.

Reporting Officer

Peter Naylor, Chief Executive Officer
Trevor Moran, Town Planning Consultant

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council informs Mr Maddison that it is prepared to support “in principle” his application for the rezoning of his property, being Lot 1, from General Agriculture to Rural Residential, subject to a proposal being prepared which meets the objectives and is in accordance with the requirements of the Shire of Cuballing Town Planning Scheme No2, Local Planning Policy for Rural Residential areas.

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Bradford 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

10 MEETING CLOSURE

There being no further business the Shire President declared the meeting closed at 5.25 pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT

SHIRE PRESIDENT

DATE