



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 24 OCTOBER 2005**

MINUTES

SHIRE OF CUBALLING

ORDINARY COUNCIL MEETING
THURSDAY 24 OCTOBER 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
24 OCTOBER 2005**

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

President welcomed Councillors, declared meeting open 3.15 pm.

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

ATTENDANCE

Deputy President Cr T H Wittwer	Cr D S Bradford
Cr J D Brown	Cr C R Hawksley
Cr C R McKenzie	Cr R J D Newman
Chief Executive Officer P T Naylor	

APOLOGIES

Shire President Cr I L Watts

LEAVE OF ABSENCE

Nil

3. **PUBLIC QUESTION TIME**

Nil

4. **APPLICATION FOR LEAVE OF ABSENCE**

Nil

5. **MINUTES**

5.1 **CONFIRMATION OF 16 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 16 September 2005 be confirmed.

COUNCIL ACTION

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

CARRIED 6/0

SHIRE PRESIDENT

DATE

5.2 **Ordinary Council Meeting Minutes 20 October 2005**
SHIRE OF CUBALLING BUSH FIRE ADVISORY COMMITTEE MEETING
HELD ON THURSDAY 13 OCTOBER 2005

Background

Minutes of the Shire of Cuballing Bush Fire Advisory Committee meeting held on Thursday 13 October 2005.

Comment

The minutes contain one recommendation from the Bush Fire Advisory Committee (item 4.4) in relation to the appointment of the Fire Control Officers for the Cuballing townsite.

In addition, since the Committee meeting, the Chief Bush Fire Control Officer has had discussions with Mr Grant Alcock in relation to fire services in the Cuballing West Sector. Mr Alcock has agreed to take on the position of Radio Operator for Cuballing West but not be a Fire Control Officer. This continues to leave Cuballing West without a Fire Control Officer since the departure of Ken Ashworth.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **the minutes of the Shire of Cuballing Bush Fire Advisory Committee meeting held on Thursday 13 October 2005 be received;**
- **the appointment of Mr Anthony Mort and Mr Clive Caldwell to the positions of Fire Control Officer and Deputy Fire Control Officer, respectively, for the Cuballing Town be endorsed, and the previous appointments of Mr Graham Dean and Mr Bruce Brennan be cancelled; and**
- **the appointment of Mr Grant Alcock to the position of Radio Operator for the Cuballing West Sector be endorsed and previous appointment of Mr Ken Ashworth as Fire Control Officer be cancelled.**

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr Newman that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

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

Mr Max Trenorden MLA attended the Council Chamber prior to the Council meeting and addressed Council on several matters as follows:

- Regional Development;
- Road funding;
- Closure of rail lines;
- Realignment of electoral boundaries in 2007 as a result of the State governments one vote one value reform;
- Current problems affecting the State Labour Party;
- Acute shortage of labour in Western Australia; and
- Western Power problems and proposal to upgrade the Narrogin – York line.

7. **REPORTS OF OFFICERS**

7.1 **CHIEF EXECUTIVE OFFICER**

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

Background

Council is supplied only with a list of payment 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;

1. Approve for payment the list of Creditors paid from the Municipal fund totalling \$95,663.69.
2. Approve for payment the list of Creditors paid from the Trust fund totalling \$815.25.

COUNCILS ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

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 30 September 2005 in accordance with the abovementioned legislation and circulated with the Council meeting agenda.

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 30 September 2005 be received.

COUNCIL ACTION

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

CARRIED 6/0

7.1.3 **WESTERN AUSTRALIAN COLLEGE OF AGRICULTURE NARROGIN – YEAR 12 LEAVERS DAY**

Background

Correspondence from the Narrogin Agricultural College requesting Council consideration to again make a financial contribution towards the Colleges Year 12 Leavers Day Ceremony and Awards.

Comment

Council received a similar request in 2004 and resolved at the November 2004 Council meeting to contribute amount of \$100 in the Sheep Production section.

As the College has requested a response from Council by Friday 14 October 2005, prior to the October 2005 Council meeting, the Chief Executive Officer has responded to the College indicating that Council will make a contribution the same as in 2004.

It is noted that this contribution was taken into account when preparing the Budget for 2005/2006.

In addition please note that the Narrogin Agricultural Colleges Open Day is to be held on Friday 21 October 2005, commencing at 9.00am to 3.00pm.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Chief Executive Officers actions be endorsed.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

7.1.4 SHIRE OF CUBALLING POLICY MANUAL

Background

At the previous Council meeting, in September 2005, Council commenced the biannual review of the Shire of Cuballing Policy Manual.

Comment

During the review process three of Councils policies were identified for possible amendment. These being:

- *Policy 4.20 Gratuity Payments*
Recent changes to legislation with the introduction of Regulation 19A of the Local Government (Administration) Regulations 1996 makes provision for the payment to employees in addition to contract or award. However this provision does not take meaningful effect until 1 January 2010 and therefore no change is required to Councils Policy at this time.
- *Policy 5.18 Road Reserve Vegetation and Clearing*
Council Policy allows for the clearing of within one (1) metre of a fence line to allow access, fence erection and maintenance.

Provision contained within the new Environmental Protection (Clearing of Native Vegetation) Regulations 2004, Regulation 5, item 11, allows for the clearing of up to 1.5 metres for this purpose, and therefore it is proposed to amend Policy 5.18 from 1 metre to 1.5 metres.

- *6.16 Fire Break Order*
Council requested that the Fire Break Order be amended to include provision for the construction of firebreaks around buildings and dwellings on rural townsite and rural residential properties.

Therefore it is proposed that the following words be included at the end of the second paragraph under the heading of Townsite and Rural Residential Land in the Shire of Cuballing Fire Break Order (Policy 6.16): *'and around all buildings and dwellings'*.

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The paragraph to now read: *'All lots or combination of lots that comprise of one holding and having an area of 2,024m² (1/2 acre) or greater shall be either clear of all inflammable material or have a firebreak 2.5 metres wide free of all inflammable material provided inside and along all external boundaries and around all buildings and dwellings'*.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council adopts the following changes to Shire of Cuballing Policies:

- ***Policy 5.18 Road Reserve Vegetation and Clearing***
Distance of one (1) metre to be increased to 1.5 metres.
- ***Policy 6.16 Fire Break Order***
The following wording to be included at the end of the second paragraph under the heading of Townsite and Rural Residential Land: *'and around all buildings and dwellings'*.

COUNCIL ACTION

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

CARRIED 6/0

7.1.5 PUBLIC AUCTION OF LOT 136 BRUNDELL STREET, CUBALLING

Background

Council, at its ordinary meeting held on Thursday 15 September 2005, resolved for the abovementioned land to be sold by public auction utilising the services of Mr Les Chitty as the auctioning agent.

Comment

The Chief Executive Officer has progressed the matter with Mr Chitty and the auction has been scheduled for Saturday 12 November 2005, at 10.00am.

Details pertaining to the auction will be advertised in the Narrogin Observer on Wednesday 19 & 26 October 2005, and the West Australian on Saturday 22 October 2005.

Reporting Officer

Peter Naylor, Chief Executive Officer

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CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the information be noted and received.

COUNCIL ACTION

Resolved that the information be noted and received.

7.1.6 BUTLER SETTINERI – AUDIT REPORT 2004/2005 FINANCIAL YEAR

Background

Butler Settineri have completed their Audit of Council's functions and operations for the 2004/2005 Financial Year.

Comment

The Audit has been conducted in accordance with the Australian Audit Standards, and the Audit Report states that during this process they did not become aware of any instances where the Shire did not comply with the statutory requirements and the Local Government Act 1995 (and associated Regulations).

The Shire of Cuballing Audit Committee met with the Auditors during their on site visit on Thursday 1 September 2005, and the minutes from this meeting was presented to the September 2005 meeting of Council.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Audit Report for the Shire of Cuballing for the 2004/2005 Financial Year be received.

COUNCIL ACTION

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

CARRIED 6/0

7.1.7 SHIRE OF CUBALLING ANNUAL REPORT 2004/2005 FINANCIAL YEAR

Background

Sections 5.53 and 5.54 of the Local Government Act 1995, requires local governments to prepare an Annual Report in each financial year, the Report is to be received by the local government by the 31 December. The Report is to be prepared in accordance with the provisions of the Act and the Local Government (Financial Management) Regulations 1996.

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Comment

A copy of the draft Annual Report prepared for the Shire of Cuballing for the 2004/2005 Financial Year has been circulated with the Council meeting agenda for comment and/or amendment as considered necessary.

Section 5.26 of the Local Government Act 1995 requires that a General Electors meeting be held within 56 days of Council receiving the annual report. Section 5.29 of the Act requires public notice of 14 days of the meeting. Therefore it is proposed that the General Electors meeting for the Shire of Cuballing be held immediately following the November 17, 2005, meeting of Council, commencing at 7.30pm.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- Pursuant to section 5.54 of the Local Government Act 1995, the draft Annual Report for the Shire of Cuballing for the 2004/2005 Financial Year, as circulated and presented to the Council meeting, be received and accepted; and
- The General Electors meeting be held in the Shire of Cuballing Council Chambers on Thursday 17 November 2005, commencing at 7.30pm.

COUNCIL ACTION

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

CARRIED 6/0

7.1.8 **HOTHAM CATCHMENT – HOTHAM CATCHMENT LANDCARE MEMORANDUM OF UNDERSTANDING**

Background

The Memorandum of Understanding (MoU) is an agreement between the Shires of Boddington, Cuballing and Wandering, and their key stakeholder land care groups, and relates to the employment of a Natural Resource Management Officer (NRMO) utilising Natural Heritage Trust Funding together with funding from other sources, including the three Shires.

Comment

The MoU identifies the roles of the Project Management Committee and their responsibilities in relation managing the employment of the NRMO.

Council has in the past supported the MoU and there are no major changes to not continue with supporting and signing this document.

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Correspondence has also been received from the Hotham Catchment Committee and the Shire of Wandering in relation to the future administration of the NRMO and transfer of its operations to the Shire of Boddington. The Shire of Wandering has been administering the project since its inception, however it appears that there may have been some recent disharmony and decision has been made to move to Boddington. This should not have an adverse effect on the service being provided to the Shire of Cuballing, however this will be monitored and the Chief Executive Officer will pursue if necessary.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- The draft Memorandum of Understanding be endorsed and the document be duly executed on behalf of the Shire of Cuballing; and
- The correspondence be received and information noted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

7.1.9 MINISTER FOR LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT – LOCAL GOVERNMENT REFORM IN WESTERN AUSTRALIA, ENSURING FUTURE SUSTAINABILITY OF COMMUNITIES

Background

Further to item 3.29 of the Councillors Information Bulletin and information circulated with the Council meeting agenda, correspondence has now been received from the Ministers office further outlining the Governments approval for the Local Government Advisory Board to carry out a study on structural and electoral reform in local government in Western Australia, including the terms of reference.

Comment

The aforementioned process is of no surprise, given recent comments made by the Minister and the President of WALGA at the recent Local Government Week conference, and Council has discussed the matter on several occasions. Council has generally indicated that it is opposed to wholesale amalgamations of local governments, however is in favour of reform in the local government industry particularly by way of resource sharing and development of regional facilities and amenities.

It is pleasing to note in the terms of reference that the triple bottom line, of economic, environmental and social sustainability, is to be taken into account. Too often in the past when

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undertaking the amalgamation or reform process the environmental and social factors are discarded and the decisions are based on economic sustainability only.

Whilst the Shire of Cuballing appears to only be a small local government, in terms of population, the urban nodes of Cuballing and Popanyinning are experiencing real growth and Council is in the process of providing the residents with modern new and improved facilities and amenities without competing with similar infrastructure being provided in adjoining communities. It would be difficult to see a large amalgamated local government body continuing to provide and maintain the infrastructure as mentioned above, which is necessary for the social fabric of two small country towns and provides the residents with a comfortable environment in which to live and raise their families. Further to this Council maintains some 645km of road network to a high standard that is acceptable to its residents.

In previous discussions on reform Council has indicated that should amalgamations become inevitable between the Shire and Town of Narrogin and the opportunity came to present a submission to the Local Government Advisory Board, Council would suggest that its southern boundary be moved further south to adjoin a larger Narrogin district that catered for the future development of the town over the next 50 years. This would offer the current Shire of Narrogin rural properties in their northern sector the opportunity to remain with a Shire Council that provides them with a similar community of interest to their existing position. Perhaps now is the time for Council to consider formulating a suitable submission for presentation to the Board.

Submissions to the Board close on Friday 23 December 2005.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **the Shire President, Deputy Shire President and the Chief Executive Officer formulate a draft submission for presentation to the Local Government Advisory Commission; and**
- **the draft submission be presented to the November 2005 meeting of Council for consideration and adoption by the full Council.**

COUNCIL ACTION

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

CARRIED 6/0

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7.2 REPORTS – WORKS

7.2.1 WORKS SUPERVISORS REPORT

POPANYINNING WEST ROAD

The road clearing has been completed on the next section to be widened as part of the 2005/2006 Program. Culvert extension and gravelling works has recommenced.

CUBALLING EAST ROAD

Road clearing has been completed on the section to be widened this year, all of the gravel has been carted in and works will continue with the warmer weather for water binding.

POPANYINNING EAST ROAD

The clearing for widening of this road to the Shire boundary has been completed. The balance of the program to widen the road formation will be completed in early 2006.

PLANT AND EQUIPMENT

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

The minor problems being experienced with the new Vanieri Front End Loader are being attended to be Welquip.

Tender for changeover of Councils Multi Tyred Roller, in accordance with 2005/2006 budget provisions, was advertised on Saturday 8 October 2005. Tenders close on Wednesday 9 November 2005 and will be presented to the November 2005 meeting of Council for consideration.

DRUM MUSTER

The Drum Muster collection was undertaken on Wednesday 28 September 2005, some 1000 drums were collected.

Arrangements have been made with Drum Muster for another collection day to be held on Wednesday 29 March 2005.

PRIVATE WORKS

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

Councils tender to provide maintenance grading within CALM Reserves was accepted and work is now completed.

Private works invoices for the months of September totalled \$4,201.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Supervisors Report be received and information noted.

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COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

7.2.2 CUBALLING RECREATION GROUNDS – LARGE SUGAR GUM TREE

Background

In November 2003, Council considered the future of the large Sugar Gum tree at the Cuballing Oval and resolved for the tree not to be removed.

Comment

The consideration at the time was whether or not the tree could be removed and replaced with suitable semi grown trees.

It is requested that Council revisits this matter.

Concern is that with the construction of change rooms at the oval, between the existing recreation hall and the tree, should a limb from the tree fall it could cause severe damage to the new building and or cause serious injury to a person/persons using the building.

In addition to this, in late 2003 the Cuballing Cricket Club planted 6 trees at the oval to the south of the tree. These trees have now grown to a reasonable height but their growth appears to have been restricted by the larger tree. The newly planted trees, once grown to reasonable maturity, will provide good shade for oval users and nice visual amenity.

The possible public outcry and political ramifications of removing the tree are understood, however Council needs to take into consideration the safety aspect and also look at the possibility of damage to a new public facility.

On site inspection should be undertaken.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council reconsiders it previous resolution of 20 November 2003 in relation to the large sugar gum tree at the Cuballing Recreation Ground.

COUNCIL ACTION

Moved Cr McKenzie, seconded Cr Hawksley that the large Sugar Gum Tree at the Cuballing Recreation Grounds be removed.

CARRIED 5/1

7.3 REPORTS – BUILDING

7.3.1 BUILDING SURVEYORS REPORT

Summary:

There were five (5) building applications approved and licenses issued for the month of September 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	Situation of Building Lot or Street No & Town
03/09/05	3/05-06	G.&C Cardell	O/B	Shed	Lot 138 Brundell Street, Cuballing
03/09/05	5/05-06	Wendy Moor	Oakpoint	Patio	11 Knight Street, Cuballing
29/09/05	7/05-06	G.&C Cardell	RB 8570	3 Bedroom Two Bathroom Transportable Home	Lot 138 Cnr Morell Street & Brundell Street, Cuballing
29/09/05	8/05-06	Peter Cooper-Davies	O/B	Shed	Lot 92 Hotham Street, Popanyinning
29/09/05	9/05-06	John McDougall	O/B	Games Room (under \$12,000.00)	Lot 226 Campbell Street, Cuballing

Reporting Officer

Allan Ramsay, EHO/BS

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Building Surveyors Report be received.

COUNCIL ACTION

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

CARRIED 6/0

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7.3.2 **MR. JOE CARCIC – LOCATION 3269 GREAT SOUTHERN HIGHWAY, YORNANING**

Background

Correspondence has been received seeking to relocate a second hand house onto Location 3269 Great Southern Highway, Yornaning. Photographs from four angles including internal photographs of the house are attached.

Comment

The building is of clay tiles and asbestos cement cladding.

A practicing structural engineer has reported on the building indicating the propose relocation is approved. The engineer has specified conditions for when the house is relocated of which conditions will be placed on the building approval.

Council's Environmental Health Officer/Building Surveyor has inspected the building and is satisfied that it be visually acceptable for its location on Mr. Cacic's 160 acre property at Yornaning.

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.

Reporting Officer

Allan Ramsay, EHO/BS

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **Council approves the relocation of the house to Location 3269 Great Southern Highway, Yornaning 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 Hawksley, seconded Cr Bradford that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

7.4 REPORTS-HEALTH

7.4.1 ENVIRONMENTAL HEALTH OFFICERS REPORT

On – Site Effluent Disposal

One permit to use an on site effluent disposal system was issued during the month of September 2005 as follows:

Permit Number	Name and address
33/04-05	N & J Young Lot 2680 Turner Road, Cuballing

Reporting Officer

Allan Ramsay, EHO/BS

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Environmental Health Officers Report be received.

COUNCIL ACTION

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

CARRIED 6/0

7.4.2 DISCUSSION PAPER - REVIEW OF THE CARAVAN PARKS AND CAMPING GROUNDS ACT 1995

Background

The Department of Local Government and Regional Development has asked for feedback on proposed changes to the Caravan Parks and Camping Grounds Act 1995.

Comment

One issue that would affect the Shire of Cuballing is a proposal from the camping associations (Regulation 11) to extend the period of time that a person may camp on land once they have permission from the owner or occupier from three days to seven days. Whilst this proposal may be suitable in more remote areas of the state, it would result in health, safety, environmental and risk management issues for areas such as within the Shire of Cuballing. The Department has also pointed out this issue in the Discussion Paper. Furthermore, Council has already experienced problems with property owners living on unimproved land and consequently extending the period to seven days would compound the problem.

Reporting Officer

Allan Ramsay, EHO/BS

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Department of Local Government be advised that Council objects to any proposed amendments to Regulation 11 allowing the camping on any land other than a caravan park or camping ground for up to seven nights irrespective of whether camping occurs within the town site or rural area of the Shire of Cuballing.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers recommendation be adopted.

CARRIED 6/0

7.5 REPORTS – TOWN PLANNING

7.5.1 DEPARTMENT OF HOUSING AND WORKS – CUBALLING JOINT VENTURE PROPOSAL FOR SENIORS

Background

In June 2005 Council submitted an application to the Department of Housing and Works for development of a joint aged accommodation project (two 2 bedroom units) in Cuballing on lots 387 and 388.

Subsequent to the above application a further application has been submitted to the WA Planning Commission (WAPC) for portion of lot 387 to be amalgamated with former Council property, lot 40, (now owned by Renfree) as was agreed to at the time of sale, and for the balance of lot 387 to be amalgamated with lot 388, forming one large Council owned lot of about 1,150m².

Comment

The properties referred to above are currently zoned R10 under the Shire of Cuballing Town Planning Scheme Number 2, and the Department is suggesting Council give consideration to rezoning to R30 to enable additional buildings to be developed with the minimum requirements as set down in the WAPC Residential Design Codes for Western Australia.

In the Residential Design Codes land zoned R10 is only permitted to have one unit/dwelling constructed per 1,000m², whereas R30 permits one unit per 300m². Rezoning the land will allow three units to be established on the proposed amalgamated site.

If Council is agreeable to the rezoning proposal for the new amalgamated lot, then it may also be prudent to consider rezoning Council owned lot 2 fronting onto Alton Street. This land adjoins lot 388 at its western boundary and may enable Council to develop an aged accommodation precinct in the future if the demand is sufficient. Given the size of the two adjoining lots it could be possible for 6 – 7 units to be established.

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It is expected that the rezoning process could take 9 – 12 months.

There may also be a problem regarding the development of grouped housing in an area without deep sewerage connection, staff will ascertain further details from the Health Department and inform Council accordingly.

Reporting Officer

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

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Councils Town Planning Consultant be requested to commence actions for the rezoning, from R10 to R30, of the new amalgamated lot as a result of the planning application presently before the Western Australian Planning Commission, being all of lot 388 and portion of lot 387, and lot 2.

COUNCIL ACTION

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

*CARRIED *4/3*

*Note: In accordance with the provisions of section 5.21 (3) of the Local Government Act 1995, the presiding member cast a second vote.

8 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

9 OTHER URGENT BUSINESS

9.1 Small Town Survival Conference

Cr Brown provided the meeting with a brief report on the Small Town Survival Conference held in York on Wednesday 19 October 2005.

9.2 2005 South West and Peel Regional Tidy Towns Awards

The Chief Executive Officer informed the meeting that the above awards ceremony is to be held in Greenbushes on Wednesday 26 October 2005. Helen Grainger and Helen Elliott are to attend on behalf of the Shire but it would be nice if a Council representative could also be in attendance. Unfortunately Cr's Brown and Newman and the Chief Executive Officer are unavailable on this particular day due to prior commitments. Cr Hawksley advised that he may be available and if so will attend as Council representative.

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10 **MEETING CLOSURE**

There being no further business the Shire President declared the meeting closed at 5.18 pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT

SHIRE PRESIDENT

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