



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 21 SEPTEMBER 2006**

MINUTES

SHIRE OF CUBALLING

COUNCIL MEETING THURSDAY 21 SEPTEMBER 2006

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
21 SEPTEMBER 2006**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President welcomed Councillors, declared meeting open 3.05pm.

2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

Shire President, Cr I L Watts	Deputy President, Cr T H Wittwer
Cr J D Brown	Cr C R Hawksley
Cr R J D Newman	Cr C R McKenzie
Cr D S Bradford	
Chief Executive Officer, Mr P T Naylor	

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Moved Cr Wittwer, seconded Cr Newman that leave of absence be granted to Cr Brown for the Ordinary Meeting of Council to be held on Thursday 19 October 2006.

CARRIED 6/0

5. MINUTES

5.1 CONFIRMATION OF 17 AUGUST 2006 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 17 August 2006 be confirmed.

COUNCIL ACTION

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

CARRIED 7/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

Nil

7. DISCLOSURES OF INTEREST

Councillors' and Employees' Disclosures of Interest.

7.1 DISCLOSURE OF FINANCIAL INTEREST AND PROXIMITY INTEREST

Members must disclose the nature of their interest in matters to be discussed at the meeting.

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting.

Councillor McKenzie declared a Financial Interest in Agenda Item 8.5.1 (Western Australian Planning Commission (WAPC) – Planning Application 132282 Locations 4122, 4124 & 4125 Daylesford Road Popanyinning), as Cr McKenzie is the planning applicant.

7.2 DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the Member or employee has given or will give advice.

Nil

8.1 REPORTS – FINANCE AND ADMINISTRATION

8.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – SEPTEMBER 2006

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, as detailed below, totalling \$98,011.11:**

Vouchers 10701-10723 inclusive	\$20,426.10
Vouchers 11370-11410 inclusive	\$37,060.03
Electronic fund transfers	\$39,264.20
Credit Card Payments	\$ 1,260.78
- **Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$666.70:**
Vouchers T1971-T1975

COUNCIL ACTION

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

CARRIED 7/0

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Shire of Cuballing
 Cheque Detail
 September 2006

Type	Num	Date	Name	Account	Muni	Trust
Cheque	10701	08/14/2006	Australian Taxation Office	Bas Statement July 2006	1868.00	
Cheque	10702	08/17/2006	CUBY ROADHOUSE	Refreshments & Gas	80.10	
Cheque	10703	08/17/2006	CUBALLING TAVERN	Refreshments	524.00	
Cheque	10704	08/17/2006	Great Southern Ranger Services	Ranger Service	205.16	
Cheque	10705	08/17/2006	INGERSLEY ELECTRICAL	Workshop	334.83	
Cheque	10706	08/17/2006	PARRYS	Work Clothing - Outside Staff	143.80	
Cheque	10707	08/17/2006	SHIRE OF NGN	Supplies for bitumen patching	1,304.00	
Cheque	10708	08/17/2006	STEWART & HEATON CLOTHING CO. P/L	Protective Clothing - Fire	769.34	
Cheque	10709	08/17/2006	SUNNY SIGN COMPANY PTY LTD	Signage	685.30	
Cheque	10710	08/17/2006	TELSTRA	Telephone Account	630.75	
Cheque	10711	08/17/2006	WALGA	Advertising	200.31	
Cheque	10712	08/17/2006	WATER CORPORATION	Water Account - Popo Public Toilet	21.20	
Cheque	10713	08/22/2006	Dryandra Country Visitor Centre	2006/07 Contribution	3,600.00	
Cheque	10714	08/22/2006	Shire of West Arthur	Golf Day - Cancelled	50.00	
Cheque	10715	08/25/2006	SHIRE OF CUBALLING.	Social Club Contributions	150.00	
Cheque	10716	08/25/2006	AUSTRALIAN SERVICES UNION	ASU Contributions - August 2006	34.40	
Cheque	10717	08/25/2006	WA Local Government Superannuation Plan	Super Contributions - August 2006	6,236.93	
Cheque	10718	08/29/2006	PETTY CASH	Petty Cash Recoup	229.00	
Cheque	10719	08/31/2006	Irdi Settlements	Refund	27.20	
Cheque	10720	09/04/2006	BUILDERS REGISTRATION BOARD OF WA	BRB Payment - August 2006	95.00	
Cheque	10721	09/08/2006	Synergy	Power Accounts	2,588.20	
Cheque	10722	09/08/2006	TELSTRA	Mobile Phone Account - CEO & W/S	112.43	
Cheque	10723	09/08/2006	WATER CORPORATION	Water Account - Standpipe, Popo	36.15	
Cheque	11370	09/21/2006	AIR LIQUIDE WA PTY LTD	Workshop Supplies	261.87	
Cheque	11371	09/21/2006	ASPHALT SURFACES PTY LTD	Bitumen Patching	1,195.48	
Cheque	11372	09/21/2006	BILL EXPRESS	Fees & Charges	3.63	
Cheque	11373	09/21/2006	CORPORATE EXPRESS	Stationery	187.28	
Cheque	11374	09/21/2006	ALGWA - WA BRANCH	Membership	40.00	
Cheque	11375	09/21/2006	Anda-Lea Tree Nursery	Trees- Townscape Committee	515.00	
Cheque	11376	09/21/2006	AUSTRALIA POST	Postage - Rates	276.00	
Cheque	11377	09/21/2006	BILL & BENS HOT BREAD SHOP	Buns - WA Giant Walk	27.00	
Cheque	11378	09/21/2006	BURSWOOD INTERNATIONAL RESORT CASINO	Accommodation - WA Local Govt Week	6,800.55	
Cheque	11379	09/21/2006	COCKBURN CEMENT	Materials	772.29	
Cheque	11380	09/21/2006	COURIER AUSTRALIA	Freight	291.80	
Cheque	11381	09/21/2006	CUBY ROADHOUSE	Refreshments & Gas	489.60	
Cheque	11382	09/21/2006	DEPARTMENT OF LAND INFORMATION	Valuations	88.20	

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 September 2006

Cheque	11383	09/21/2006	DUGALD FERGUSON MACHINERY	Parts & Repairs	49.30
Cheque	11384	09/21/2006	EDWARDS MOTORS PTY LTD	Parts & Repairs	314.65
Cheque	11385	09/21/2006	GREAT SOUTHERN FUEL SUPPLIES	Fuel	10,914.34
Cheque	11386	09/21/2006	Great Southern Ranger Services	Ranger Service	81.75
Cheque	11387	09/21/2006	GT RADIATOR & MACHINING SERVICES	Parts & Repairs	110.00
Cheque	11388	09/21/2006	HILLSIDE MEATS	Sausages - WA Giant Walk	31.00
Cheque	11389	09/21/2006	JBE Office Choice	Stationery	89.44
Cheque	11390	09/21/2006	LGIS PROPERTY	Insurance	3,431.98
Cheque	11391	09/21/2006	LOCAL GOVERNMENT MANAGERS AUSTRALIA	Membership	345.00
Cheque	11392	09/21/2006	MAKIT NARROGIN HARDWARE	Workshop Supplies	183.10
Cheque	11393	09/21/2006	MCDUGALL WELDMENTS	Cuballing Rec Centre	392.09
Cheque	11394	09/21/2006	Nairrogin Pumps Sales & Service	Repairs - Popo Standpipe	70.40
Cheque	11395	09/21/2006	NGN AG REPAIRS	Parts & Repairs	400.00
Cheque	11396	09/21/2006	Repeat Plastics	Seating Stats	540.87
Cheque	11397	09/21/2006	Retravision	Digital Camera	550.00
Cheque	11398	09/21/2006	RJ & PJ TOMBLESON	Parts for BBQ at Rec Centre	42.00
Cheque	11399	09/21/2006	SETON	Safety Stickers - Rec Centre	67.54
Cheque	11400	09/21/2006	SFM Engineering Parts	Parts	82.50
Cheque	11401	09/21/2006	SHERIDAN'S FOR BADGES	Plaques for display machinery	412.50
Cheque	11402	09/21/2006	SHIRE OF CUBALLING.	Rates	1,795.79
Cheque	11403	09/21/2006	SHIRE OF NGN	Bitumen Patching	1,804.00
Cheque	11404	09/21/2006	SOS OFFICE EQUIPMENT	Photocopier	207.45
Cheque	11405	09/21/2006	Startrack Express	Freight	228.67
Cheque	11406	09/21/2006	TOORAK LODGE MOTEL	Accommodation - Staff Training	146.00
Cheque	11407	09/21/2006	WA College of Agriculture - NGN	Sponsorship	110.00
Cheque	11408	09/21/2006	WALGA	Local Government Directory	77.00
Cheque	11409	09/21/2006	WEL-QUIP	Parts & Repairs	882.34
Cheque	11410	09/21/2006	WESTRAC EQUIPMENT	Parts & Repairs	2,751.62
Cheque	T1971	08/31/2006	Helen Kelso	Refund - Hall Hire Bond	100.00
Cheque	T1972	Void	Void	Void	
Cheque	T1973	09/04/2006	Building & Construction Industry Training	BCITF Payment - August 2006	428.70
Cheque	T1974	09/11/2006	Phil Everitt	Reimbursement	38.00
Cheque	T1975	09/12/2006	Jennifer Brown	Refund - Hall Hire Bond	100.00
EFT	220806	08/22/2006	SHIRE OF CUBALLING.	Wages & Salaries 9/8/06 - 22/8/06	18,020.07
EFT	10906	09/01/2006	Peter Naylor	Uniform Allowance	380.00
EFT	50906	09/05/2006	SHIRE OF CUBALLING.	Wages & Salaries 23/8/06 - 05/09/06	17,869.63
EFT	70906	09/07/2006	GREAT SOUTHERN DINGO SERVICES	Fencing - Playground	2,282.50

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**Shire of Cuballing
Cheque Detail
September 2006**

EFT	120906	09/12/2006	ChemCert WA	Staff Training	712.00	
Credit Card	290706	07/29/2006	Man to Man	Uniform Allowance	446.90	
Credit Card	70806	08/07/2006	Fraser's Restaurant	Local Govt Week	773.63	
Credit Card	210806	08/21/2006	Victoria Park Photos	Photo & Frame - Tim Bradford	40.25	
Totals					98011.11	666.70

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8.1.2 STATEMENT OF FINANCIAL ACTIVITY

Background

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

Comment

A Statement of Financial Activity has been prepared for period ending 31 August 2006 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 Position, as circulated, for the Shire of Cuballing for period ending 31 August 2006 be received.

COUNCIL ACTION

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

CARRIED 7/0

8.1.3 COMMUNITY SAFETY AND CRIME PREVENTION PLAN – APPOINTMENT OF CONSULTANT

Background

Councillors may recall that a funding application was submitted to the Office of Crime Prevention to prepare a Community Safety and Crime Prevention Plan. The application was successful with Council receiving a grant of \$5,000 for the preparation of the Plan, in addition to \$1,200 to cover administration costs.

In recent months, this matter has been discussed with member Councils of the Dryandra Voluntary Regional Organisation of Councils (DVROC), with Mr Stuart Hobley, Chief Executive Officer of the Shire of Pingelly, making enquiries with suitable consultants and other local authorities who have already completed their Plan, in regards to the costs associated with the preparation of the Plan and other relevant matters.

From these enquiries it was revealed that the Shires of Williams and Narrogin have recently completed their Plans utilising the services of Mrs Heidi Cowcher, Community Development Officer with the Shire of Williams, at a very cost effective rate. Mrs Cowcher is also currently in the process of preparing a Plan for the Shire of West Arthur. The Chief Executive Officer has made contact with the Shire of Williams and Mrs Cowcher who have both confirmed that she would be available to coordinate the planning process and preparation of the report on behalf of DVROC Councils for probably less than the grant sum allocated for this purpose.

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Acceptance of this proposal is now required from Council in order for this project to proceed, or alternatively, detailed quotation documents will need to be prepared for the purpose of seeking firm proposals from the panel of consultants recommended by the Office of Crime Prevention.

Comment

It is the view of the Chief Executive Officer that the proposal received from the Shire of Williams is advantageous in terms of the costs of preparing such a Community Safety and Crime Prevention Plan and in the interests of promoting regional cooperation, and on this basis should be supported by Council.

Further, a Steering Committee to oversee the planning and report writing process needs to be appointed by Council to assist the Coordinator (whether that be the Shire of Williams or another external party) and to ensure that there is local ownership of the completed Plan.

There are no specific guidelines or criteria for the appointment of members of the Steering Committee. Therefore it is recommended by the Chief Executive Officer that a five or six person Committee be formed comprising of representatives of Council and the Cuballing and Popanyinning communities, ie the Shire President or Councillor, Chief Executive Officer, Chairman (or representative) of Shire of Cuballing Townscape Committee, President (or representative) of Popanyinning Progress Association, and a local youth, to provide a broad community input into the issues to be addressed in the Plan. Local Police representation could also be invited.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council;

- **Appoint the Shire of Williams to coordinate the Community Safety and Crime Prevention Plan, with the total cost not to exceed \$5,000; and**
- **Appoint (or invite) the following representatives to the Community Safety and Crime Prevention Steering Committee, to assist the Coordinator with the preparation of the Plan;**
 - **Shire President (or Councillor)**
 - **Chief Executive Officer**
 - **Chairman (or representative) of the Shire of Cuballing Townscape Committee**
 - **President (or representative) of the Popanyinning Progress Association**
 - **Local Youth (Cuballing and Popanyinning)**
 - **Local Police Representative**

COUNCIL ACTION

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

CARRIED 7/0

SHIRE PRESIDENT

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8.2 REPORTS – WORKS

8.2.1 WORKS SUPERVISORS REPORT

STRATHERNE/PARSONS ROADS INTERSECTION

It is expected that the survey work will soon commence for the realignment of this intersection. Survey coordinates will then be forwarded to engineering consultants for preparation of working plans.

POPANYINNING WEST ROAD

Preparation of the section of this road to be widened in this financial year (2 kilometres west of Pennys Road) is underway. Gravel is being sourced close to the project from Mr Lyneham.

CUBALLING OVAL

The oval is looking in very good condition but will require an application of fertilizer soon (within next month).

The new change rooms project is nearing completion and pathways have been installed around the building to allow wheel chair access.

The new playground area, immediately east of the tennis courts area, has been prepared for erection of fence and playground equipment in the next 5-6 weeks. Sand will then be carted and spread at the site for the free fall and play area.

MAINTENANCE GRADING

Winter grading and bitumen shoulder maintenance is being undertaken where needed throughout the Shire.

The bitumen edges along the Wandering-Narrogin, Popanyinning West, Stratherne, Yornaning East and Popanyinning East Roads have been completed. Most roads within the Shire have had major winter grading completed.

ROADSIDE SPRAYING

Spraying for declared plants within the road reserves will start shortly, targeting Cape tulip, Soursob and Bridle Creeper.

STAFF

The new training schemes available have been beneficial to all members of staff. A representative from Hortus Australia will soon be in Cuballing to demonstrate machine operational practices specifically in relation to trucks, front-end loader and graders.

Two staff members (Mick Harris and Tim Bradford) recently attended a Chem-cert course in Wandering.

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 Cherrypicker has returned from Albany, after having maintenance works done to the electrical and hydraulic systems by Western Power.

PRIVATE WORKS

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

Private works invoices for the month of August 2006, total \$7,318.45.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Works Supervisors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

8.3 REPORTS – BUILDING

8.3.1 BUILDING SURVEYORS REPORT

Summary

There were nine (9) applications approved and licenses issued for the month of August 2006.

Listed below is a summarized breakdown of the application and proposed structure:

Approval License No	Name of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Location of Building
6/06-07	Ross & Diane Parker	OB	Two Storey Barn Style Home	Lot 4 Beeston Street Cuballing
7/06-07	John Robertson	OB	Verandah & Shed Extension	Lot 397 Beeston Street Cuballing
8/06-07	G Cardell	OB	Patio	Lot 138 Brundell Street Cuballing
9/06-07	Bruce Brennan	OB	Carport & Verandah to New Home	Lot 55 Colin Street Cuballing
10/06-07	Les & Lori Western	OB	Bird's Shelter	Lot 303 Knight Street Cuballing

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11/06-07	Phil Everitt	OB	Re- Locatable Home	Lot 3 Francis Street Popanyinning
12/06-07	Bob Stonehill	OB	Kit Style Home	Lot 105 Alexander Road Popanyinning
13/06-07	Helen Lansdell	OB	Games Room	Lot 11-12 Francis Street Popanyinning
14/06-07	Neil Richardson	OB	Carport to Shed	Lot 17 Alton Street Cuballing

Illegal Habitation

It has come to Council's attention that a transportable building has been delivered to a property in Popanyinning without any building and health approvals and a person is living in it illegally.

The Environmental Health Officer/Building Surveyor has informed the property owner of the building and health requirements, and Council's policy for the payment of a \$5,000.00 bond to ensure that the building was constructed and completed to an acceptable standard, and further reiterated this information in correspondence following the arrival of the building. However to date this information and advice appears to have completely ignored.

Prior to the building being placed on the property the property owner did indicate that all the required information would be provided however this has not happened and Council staff will continue to pursue the matter.

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

CARRIED 7/0

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8.3.2 CUBALLING COUNTRY WOMENS ASSOCIATION – CUBALLING AGRICULTURAL HALL

Background

Letter received from the Cuballing Country Womens Association (CWA) requesting Council consideration to installing heating in the Cuballing Agricultural Hall.

Comment

The CWA recently (on Monday 28 August 2006) hosted the CWA Golden Wave in the Cuballing hall. The weather conditions on the day were very cold and particularly cold within the hall. The CWA hired gas heaters for the day, however consider that Council could install some sort of permanent heating in the building or alternatively purchase portable type heaters that could also be hired out for private use.

The installation of heating in the hall, and indeed the Popanyinning Community Hall, would be an improvement for hall users and could well lead to the halls being used more often.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Chief Executive Officer and Environmental Health Officer/Building Surveyor investigate and obtain quotations for the installation of suitable types of heating for the Cuballing Agricultural Hall and Popanyinning Community Hall.

COUNCIL ACTION

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

CARRIED 7/0

8.4 REPORTS – HEALTH

8.4.1 ENVIRONMENTAL HEALTH OFFICERS REPORT

Purpose

To advise Council of Environmental Health inspections that have been carried out in the district during the month of August 2006.

On-Site Effluent Disposal

Five applications to construct effluent disposal systems were approved during the month of August 2006 as follows:

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Approval Number	Name & Address
35/05-06	Mike Burges Lot 8647 Wardering Road Cuballing
6/06-07	Ross & Diane Parker Lot 4 Beeston Street Cuballing
11/06-07	Phil Everitt Lot 3 Francis Street Popanyinning
12/06-07	Bob Stonehill Lot 105 Alexander Road Popanyinning
31/05-06	Bruce Brennan Lot 55 Colin Street Cuballing

Food Premises Inspections

The following food premises were inspected in accordance with the statutory requirements of the Health Act 1911.

1. Cuballing Tavern;
2. Cuballing Roadhouse; and
3. Popanyinning General Store

All premises were found to be satisfactory.

Public Building Inspections

The Cuballing Tavern was inspected and complied with the requirements of the Health (Public Buildings) Regulations.

Health Local Laws

Work is progressing on the next stage of the making of the Health Local Law. It is proposed at the October Council meeting to have a summary of the purpose and effect of the proposed local law read aloud at the meeting. This is a requirement under Section 3.12 (2) Local Government Act 1995.

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.

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COUNCIL ACTION

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

CARRIED 7/0

8.4.2 WHEATBELT HEALTH MEMORANDUM OF UNDERSTANDING

Background

This item was previously presented to the June 15, 2006, meeting of Council for consideration. At that meeting Council adopted the following resolution:

That Council endorses the Memorandum of Understanding between the Central, Great Eastern and Avon-Midlands Zones (of the WA Local Government Association), Central Wheatbelt Division of General Practice, Wheatbelt Development Commission, and the WA Country Health Service – Wheatbelt, with regards to providing communication, structures and processes that will enhance health service delivery in the Wheatbelt region.

Comment

Since the above time the working group has continued to meet with stakeholders and all other interested parties to finalise the MOU. To this end a final draft document has now been agreed upon and circulated for industry support prior to signing off.

There have been two major changes (inclusions) to the draft document presented to Council in June 2006. They are the inclusion of two new clauses to primarily protect the local government role played in provision of health services. The over-riding purpose of the MOU is to create the structure for on-going discussion and consultation. The two dot points of new subclause 2.1 (c) form part of the framework in which the discussions take place.

Full details of the changes are:

2.1 (c) *It is acknowledged that:*

- *while the State is the principal agency for provision and management of health services in Western Australia, the community is served by all three tiers of government, and by private agencies and individuals*
- *the principles of the Inter Government Agreement signed on 12 April 2006 and attached as Schedule 3, are to be recognised by this MOU, specifically that there will not be a transfer of obligation or function without corresponding transfer of resource funding.*

4.5 *It is agreed that media releases relating to the MOU, or associated discussions, will be made jointly, as agreed by the Principal Contacts named in clause 7 (or person acting in that capacity).*

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council endorses the draft Memorandum of Understanding, dated 4 September 2006, between the Central, Great Eastern and Avon-Midlands Zones (of the WA Local Government Association), Central Wheatbelt Division of General Practice, Wheatbelt Development Commission, and the WA Country Health Service – Wheatbelt, with regards to providing communication, structures and processes that will enhance health service delivery in the Wheatbelt region.

COUNCIL ACTION

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

CARRIED 7/0

8.5 REPORTS – TOWN PLANNING

8.5.1 WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – PLANNING APPLICATION 132282 LOCATIONS 4122, 4124 & 4125 DAYLESFORD ROAD, POPANYINNING

Cr McKenzie declared a financial interest and departed the Council Chambers at 4:00pm.

Background

Correspondence from the WAPC requesting Council to provide any information, comment or recommended conditions on a subdivision proposal received for Williams Locations 4122, 4124 & 4125.

Comment

The application has been submitted by Paul Kraft & Associates on behalf of property owner Mr C R McKenzie.

The planning application intends to realign existing location boundaries and create one additional lot. The Shire of Cuballing Town Planning Scheme No 2 generally does not support the further subdivision or breakdown of land within the agricultural land. Whilst it does not explicitly state it on the application, the proponent advises that one of the proposed new lots (lot C) has been identified as a “bush” block and it is intended for it to remain in its natural state with developmental conditions to apply.

The planning application has been referred to Councils Town Planning Consultant, and Mr Moran has responded as follows:

- 1. The proposed subdivision creates one more lot than currently exists, however the resultant lot sizes are not significantly different to the prevailing lot size.*
- 2. Proposed Lot C appears to be about 90% vegetated and may be considered a conservation lot:*
 - a) if CALM assessed the vegetation as worthy of retention; and*

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- b) *the applicant was prepared to voluntarily enter into a conservation agreement which would ensure retention of vegetation.*
3. *Irrespective of whether CALM assesses the vegetation or not, Council could consider the vegetation worthy of retention anyway, given the general paucity of remnant vegetation in the locality.*
4. *Council may also consider a condition requiring revegetation/tree planting on the remaining lots, consistent with Council's Local Planning Policy Hotham River Environs and for Natural Resource Management. Although the subject land is outside the policy area for the former, the latter lists as an objective:*
- a) *the need to protect watercourses;*
- b) *the need for the preservation of existing trees and nature corridors and the planting of additional trees and other vegetation.*

In summary, I believe that Council could support the creation of the extra lot as it will:

- (1) have significant benefits to the landowner in managing his landholding;*
- (2) remove a landlocked lot;*

and can through conditions:

- * protect existing vegetation on Lot C;*
- * revegetate parts of the remaining lots.*

In addition to the above comments, by Mr Moran, it will also be necessary to ensure that all of the lots have suitable road access. Whilst road reserves are indicated on the maps provided not all of the roads have been constructed at this stage. Clause 5.8 of the Shire of Cuballing Town Planning Scheme No 2 covers new development lots with no constructed road access.

Reporting Officer

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

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Planning Application 132282 be supported subject to the following conditions:

- **Suitable constructed road access must be provided to all lots by way of existing traffic corridors/road reserves;**
- **Proposed Lot C to become a conservation lot and be subject to a conservation agreement with the Department of Environment and Conservation, with at the very least a covenant to be placed on the certificate of title to ensure that any proposed clearing of vegetation be restricted to a building envelope, property access and agreed fire management measures; and**
- **Revegetation and tree planting be carried out on the remaining lots consistent with the Shire of Cuballing Local Planning Policy Hotham River Environs and for Natural Resource Management.**

SHIRE PRESIDENT

DATE

COUNCIL ACTION

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

CARRIED 6/0

Cr McKenzie entered the Council Chambers at 4:25pm.

8.5.2 WESTERN AUSTRALIAN PLANNING COMMISSION (WAPC) – PLANNING APPLICATION 131712 LOCATION 5256 SPRINGHILL ROAD CUBALLING

Background

Council considered this application at the Ordinary meeting on Thursday 20 July 2006. Council resolved to support the application subject to certain conditions being imposed to restrict the amount of clearing that could be undertaken at the property.

Correspondence has now been from the WAPC advising that the Commission is prepared to endorse a deposited plan in accordance with the plan date-stamped 28 June 2006 (as originally presented for Council consideration), once the conditions as detailed hereunder have been fulfilled.

Conditions:

A Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificate of Title of proposed lot A advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:

“Any proposed clearing of native vegetation on proposed Lot A is to be restricted to a building envelope, property access and agreed fire management measures”. (Local Government)

Comment

The conditions and restrictive covenant as detailed above is in accordance with what Council resolved and as per letter of response to the WAPC.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the correspondence be received and information noted.

COUNCIL ACTION

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

CARRIED 7/0

9. **MEETING CLOSURE**

There being no further business the Shire President declared the meeting closed at 4:30pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON

SHIRE PRESIDENT

DATE