



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 20 APRIL 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
20 APRIL 2006**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President welcomed Councillors, declared meeting open 3.35 pm.

2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

Shire President Cr I L Watts
Cr D S Bradford
Cr C R McKenzie
Chief Executive Officer P T Naylor

Deputy President Cr T H Wittwer
Cr J D Brown
Cr R J D Newman

APOLOGIES

Cr C R Hawksley

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. MINUTES

5.1 CONFIRMATION OF 16 MARCH 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 16 March 2006 be confirmed.

COUNCIL ACTION

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

CARRIED 6/0

Shire President

Date

6. PETITIONS, DEPUTATIONS, PRESENTATIONS & DECLARATIONS

6.1 DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT ADDRESS ON MATTERS OF FINANCIAL INTEREST

2:55pm Ms Jenni Law, from the Department of Local Government and Regional Development, entered the Council Chambers and gave a presentation to Councillors prior to the commencement of the Council meeting. Ms Law's address specifically related to the disclosure requirements for Councillors and staff in accordance with the provisions of the Local Government Act 1995, and included:

Direct Financial Interest
Indirect Financial Interest
Impartiality Interest
Primary and Annual Returns.

Ms Law advised that the Department of Local Government and Regional Development has commenced processes to implement changes to the Local Government Act to provide exemption for Councillors to declare a Financial Interest when adopting the Annual Budget.

3:30pm Ms Jenni Law departed the chambers.

7.1 REPORTS – FINANCE AND ADMINISTRATION

7.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – APRIL 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 \$106,449.18:**

Vouchers 10562-10584 inclusive	\$27,679.14
Vouchers 11228-11266 inclusive	\$30,750.00
Electronic fund transfers	\$46,320.04
Credit Card Payments	\$ 1,700.00

Shire President

Date

- Approve for payment the list of Creditors paid from the Trust fund, as detailed below, totalling \$1,074.23:

Vouchers T1954-T1956 inclusive	\$ 1,019.28
Electronic fund transfer	\$ 54.95

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Newman 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 monthly financial reporting requirements for local government.

Comment

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

COUNCIL ACTION

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

CARRIED 6/0

7.1.3 DEFENSIVE DRIVER TRAINING – COURSE SPONSORSHIP

Background

Much has been written and reported in recent times in respect to the number of accidents and resultant deaths on country roads.

Comment

To assist the young drivers within the Cuballing Shire perhaps Council could give some consideration to providing a sponsorship for all new licence holders to undertake a defensive driver training course.

Shire President

Date

Drive Safe Australia (WA Division) are a reputed driver training provider and they have provided relevant information pertaining to the course they provide. The duration of the course is 7.5 hours and is aimed at improving participant knowledge and skills in driving passenger, light commercial and four wheel drive vehicles under a range of conditions to reduce crashes, lower risk, vehicle running costs and be more aware of environmental issues.

The normal cost of the course is \$198.00 per person but they are prepared to reduce this to \$176.00 as the Shire of Cuballing will (or could) become a regular client.

If this matter is considered favourably by Council, new young drivers from within the Shire could attend and pay for the course and then be refunded an amount (say \$100) from Council on production of the receipt. Part payment by the participant would ensure they are committed to the program.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **Council adopts a policy to provide sponsorship of \$100 to new young licence holders that reside within the Shire of Cuballing to undertake a Defensive Driver Training Course through Drive Safe Australia (WA); and**
- **The sponsorship be funded from Private Works income.**

COUNCIL ACTION

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

CARRIED 6/0

7.1.4 SHIRE OF CUBALLING ANNUAL BUDGET REVIEW

Background

Recent amendments to the Local Government (Financial Management) Regulations 1996, requires (new regulation 33A) that a Budget Review be conducted each year between 1 January and 31 March in each year. A copy of the budget review, once adopted by Council, is to be provided to the Department of Local Government and Regional Development within 30 days.

Comment

Prior to performing the budget review staff have been waiting for the capital roads works program to be completed to enable a meaningful review to be prepared.

The road works program has now been completed and invoice recently received for RNR Contracting for provision of bituminous works.

The budget review process will now be undertaken and presented at the Council meeting for consideration.

Shire President

Date

The Chief Executive Officer tabled a budget review undertaken for the Shire of Cuballing for the nine month period 1 July 2005 to 31 March 2006.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Wittwer that:

- The Budget Review, as presented, for the Shire of Cuballing for the nine month period ending 31 March 2006 be adopted; and
- A copy of the Budget Review be forwarded to the Department of Local Government and Regional Development within 30 days of being considered by Council.

CARRIED 6/0

7.1.5 REVIEW OF LOCAL LAWS

Background

It is a requirement in accordance with section 3.16 of the Local Government Act 1995 that local laws be reviewed within 8 years from the day they commenced.

Comment

A local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.

The local government is to give Statewide public notice of the proposal to review the local law and allow six weeks for submissions. After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to Council.

Council adopted the following local laws in 1998:

Standing Orders; and
Cuballing and Popanyinning Cemeteries

*Note; the Dogs Local Law was adopted in 2004.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council gives Statewide notification of its intention to review the Standing Orders and Cuballing and Popanyinning Cemeteries Local Laws, adopted in 1998, as required under section 3.16 of the Local Government Act 1995.

COUNCIL ACTION

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

CARRIED 6/0

7.1.6 REQUESTS FOR FINANCIAL ASSISTANCE

Background

Council is in receipt of letters from the Royal Flying Doctor Service and Lord Mayor's Distress Relief Fund requesting consideration for financial assistance.

Comment

This is the first request Council has received from the Royal Flying Doctor Service (RFDS) and therefore contributions have not been made in the immediate past. The work of the RFDS in rural and remote areas is well documented and an essential service to these areas of the State, and Australia in general.

The Lord Mayor's Distress Relief Fund is an annual request. Council has not in the past contributed to the Fund. This Fund has in recent times contributed to some local disasters, namely Brookton/Pingelly Fire (1997/1998) and Dumbleyung Fire (2004).

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council give consideration during the 2006/2007 Financial Year Budget Deliberations to making a financial contribution to the Royal Flying Doctor Service and the Lord Mayor's Distress Relief Fund.

COUNCIL ACTION

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

CARRIED 6/0

7.2 REPORTS – WORKS

7.2.1 WORKS SUPERVISORS REPORT

CUBALLING TOWN STREETS

Reseal of approximately 9,000 square metres of bitumen works is now complete within the Cuballing townsite. This includes the sealing of part of Alton and Beeston Streets, which were previously gravel surface. This works, plus the installation of additional drainage on the north side of Campbell Street were undertaken as part of the Hortus Training Scheme being carried out by the works staff.

REFUSE SITE (CUBALLING)

The overburden and waste material is being used from the road works to assist in the revegetation and closure management plan for the site in due course.

Plans are still being progressed to fence the Cuballing landfill site and introduce restricted opening days in the future.

PARKS AND GARDENS

Drainage is being installed at the front of the Cuballing Youth and Community Park to enable the open drain to be closed and developed as a parking area. The works have been performed in conjunction with Main Roads WA who have paid for the pipes.

CUBALLING CREEK

Cuballing Pesticide contractor, Darryl Stanton, will soon begin a spraying program along the Cuballing Creek, through the Cuballing townsite, to eradicate the invasive introduced species of "bull rushes".

STAFF

The new training scheme has been beneficial to all members of staff. Hortus will be making more frequent visits this month. To date training has been carried out in machine operations, laying of pipes/drainage, horticulture and irrigation practices.

The Works Supervisor will be taking sick leave, commencing on Monday 10 April 2006, to have a foot operation to remove bone growths. Bruce Brennan, the Leading Hand will be taking charge of outside operations during the Works Supervisors absence.

PLANT AND EQUIPMENT

All items of plant are being serviced and maintained as required, and all plant is in good working order. Further maintenance is being done on the fire trucks, as items are reported, to ensure they are in good working order.

The Front End Loader is now back and in good working order. Some minor problems still exist with the break out force for the bucket. Wel-Quip is expecting personnel to arrive from the company factory in Italy to inspect the machine.

PRIVATE WORKS

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

Private works invoices for the month of March 2006 total \$18,005.30.

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 Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 6/0

7.2.2 HOTHAM CATCHMENT LANDCARE VEHICLE

Background

The Hotham Catchment Landcare Vehicle has now travelled about 51,000km and is due for replacement.

Comment

When the current vehicle, Toyota Diesel Dual Cab 4WD, was purchased the Shires of Cuballing and Wandering each paid 50% of the purchase price. The Shire of Boddington, at the time, resolved not pay part of the purchase price and has been paying a monthly lease fee.

The Landcare Management Committee Minutes of 6 February 2006 have provided three possible scenarios for upgrading of the vehicle:

- Continue as is; with the Shires of Cuballing and Wandering each owning 50% of the vehicle and the Shire of Boddington paying a monthly lease;
- Shire of Boddington buying into the vehicle ownership; Boddington Shire pay one third cost of new vehicle before trade-in, and Cuballing and Wandering Shires paying half of the cost after trade; or
- The Hotham Catchment Landcare lease a vehicle from Lane Ford in Mandurah where the Peel-Harvey catchment Council has a leasing arrangement.

Option two (2) is probably the best scenario and has been endorsed by the Shire of Wandering at their Council meeting on 16 March 2006.

Aside to this matter is the Shire of Pingelly has recently shown interest in joining the Hotham Catchment Landcare Group and their application is being considered by the Management Committee at meeting being held on Monday 10 April 2006. Councillor Wittwer may be able to provide further information as to the outcome of the application at the Council meeting. Should the Pingelly Shire application be accepted by the Management Committee, and in turn by the Shires of Boddington, Cuballing and Wandering, it may be that an additional Natural Resource Management Officer (NRMO) and Vehicle are required.

At the recent Central Country Zome meeting in Brookton the South West Catchments Council announced a new scheme for the continued funding (for two years) of NRMO's. The funding support is available in three stages as detailed below:

Offer	Cash from SWCC to NRMO salary/year	Employer provides
Stage 1	\$16,000	In-kind contributions such as: <ul style="list-style-type: none"> • Legislated obligations to an employee • HR administration • Workstation (computer, phone, email, stationery, etc) • Access to vehicle • Access to other equipment (see In-kind Form for eligible in-kind contributions)

Shire President

Date

Stage 1 (cont)	Up to \$8,000 (matched 1:1 to your cash)	Cash to salary. SWCC will match up to \$8,000. <i>Demand assessed by SWCC</i>
Stage 2	Up to \$6,000 additional cash may be offered depending on demand across the region	Additional cash up to \$6,000 to match available extra subsidy

In relation to stage 1, if two or more local governments choose to employ an NRMO between them, then each can claim the base \$16,000, ie a total of \$32,000 for two local governments or \$48,000 for three local governments, but they will need to demonstrate that the value of the in-kind support, or in-kind and cash support they can provide matches this total against the single position. Similarly, matching cash up to \$8,000 is available for each local government involved in the partnership. The Shire of Pingelly will only be entitled to 26% of the above allocations as that is the land area of the Shire within SWCC, the balance is in the Avon Catchment Area.

This is a great initiative by SWCC and will allow the Hotham Catchment Group to plan ahead for the next two years and set some direction for the future.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Shire of Cuballing:

- Supports the Hotham Catchment Landcare Vehicle being owned by all three Shires that make up the Catchment Management Committee and the Shire of Boddington buying into the ownership of the vehicle by paying one third of the cost of the new vehicle before trade in and Cuballing and Wandering Shires each paying half of the cost after trade-in; and
- That tenders for outright purchase of a new vehicle be called immediately to ascertain costs for replacement for further consideration by member Councils.

COUNCIL ACTION

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

CARRIED 6/0

7.2.3 BUSHFIRE INCIDENT REPORT

Background

One Bushfire Incident Report has been received for a fire on the property of H M & M J Loots, location 1302 Schoolars Road, Cuballing.

Comment

The property owner and son were burning off the paddock when the fire got out of control.

The fire was attended by the Cuballing Town Brigade.

Shire President

Date

Report submitted by Fire Control Officer Anthony Mort states that there were insufficient controls in place to ensure a safe burn, and has informed the property owner to install more adequate fire breaks and in future to have more people and fire units available when undertaking burning.

Mr & Mrs Loots are new to the district (and Australia, coming from South Africa) and have indicated they will in future have more adequate controls in place.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **No further action be taken; and**
- **The Bushfire Incident Report be noted and copy provided to the Fire and Emergency Services Authority.**

COUNCIL ACTION

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

CARRIED 6/0

7.3 REPORTS – BUILDING

7.3.1 BUILDING SURVEYORS REPORT

Summary:

There were (7) building applications approved and licenses issued for the month of March 2006.

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
16/03/06	25/05-06	D. & N. Dutton	OB	Zincalume Shed	79 Russell Street, Cuballing
16/03/06	26/05-06	E. Hansen	OB	Patio	12 Alton Street, Cuballing
16/03/06	27/05/06	D. Franklin	OB	Swimming Pool	392 Carton Street, Cuballing

Shire President

Date

22/03/06	28/05-06	C. Phillips	OB	Barn Home	354 Russell Street, Cuballing
22/03/06	29/05-06	L. Page	OB	Zincalume Shed	3541 Bunmulling Road, Popanyinning
30/03/06	30/05-06	R. Dew	OB	Shed Extension	296 Knight Street, Cuballing
30/03/06	31/05-06	B. & N. Brennan	RB McGrath Homes	Transportable Home	55 Colin Street, Cuballing

Miscellaneous Provisions Act and Building Act

Council's Environmental Health Officer/ Building Surveyor sent an email to the Housing Industry Association (HIA) expressing concern about the proposed changes to the above Acts.

Concern was expressed as to likely building approval fee increases due any legislative changes not allowing Environmental Health Officers to carry out building surveying work for local authorities. The HIA is a strong lobby group and has many members in the building industry. They also have a committee looking at any impact changes of legislation would have on its members. This matter is now on their Agenda for discussion.

Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Building Surveyors Report be received and information noted.

COUNCIL ACTION

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

CARRIED 6/0

7.3.2 MR. MIKE BURGES – WILLIAMS LOCATION 8647 WARDERING ROAD, CUBALLING

Background

Correspondence has been received seeking approval to relocate a second hand transportable house onto Location 8647 Wardering Road, Cuballing from Mr.Burges other property situated at Williams Location 3142 Walsh Road, Cuballing. Mr. Burges intends to relocate the house to accommodate his full time employee. The house will have access from Cuballing East Road approximately 150m north east of Short Road. Telephone and scheme water are within 300m of the proposed location of the house and an application has been made to Western Power to connect power from the adjoining grid about 500m away. Photographs from three angles including internal photographs of the house will be tabled at the Council meeting.

Comment

The existing building is of tiles and asbestos cement cladding. The tiles will be replaced with Zinalume once relocated and the walls will be repainted.

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 will be conditions placed on the building approval.

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, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **Council approves the relocation of the house to Williams Location 38647 Wardering Road, Cuballing on the condition that it complies with Health, Building and Town Planning requirements; and**
- **A bond of \$5,000.00 is applied**

COUNCIL ACTION

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

CARRIED 6/0

7.3.3 TOWN OF NARROGIN – REGIONAL BUILDING SERVICE CERTIFICATION & APPROVAL SCHEME

Background

Correspondence from the Town of Narrogin offering Council, along with other Shires in the region, the opportunity to enter into a Regional Building Surveyor Scheme. The matter is raised because of proposed new changes to qualifications for Building Surveyors resulting from the new Building Act and Local Government (Miscellaneous Provisions) Amendment Bill 2003.

Comment

Details pertaining to the new Building Act and the Local Government (Miscellaneous Provisions) Amendment Bill were presented to the March meeting of Council. At this meeting Council passed the following resolution:

That Council writes to the Department of Housing and Works advising of the following points:

- *That existing Building Surveyors currently working in Country Local Authorities be recognized for their prior learning and other relevant qualifications and continue working as Building Surveyors during and after the transitional period;*

Shire President

Date

- *That Building Surveyors currently working in country local authorities have the portability to leave one local authority and work for another as a Building Surveyor during and after the transitional period; and*
- *That the Department of Housing and Works produce a guideline for prior learning requirements for Building Surveyors to be sent to local authorities for comment.*

No response has been received from the Department at this early stage, however the Environmental Health Officer/Building Surveyor will be requested to follow the matter up.

The Town of Narrogin is attempting to commence (or recommence) a Regional Building Surveyors Scheme and proposing to employ the services of an additional building surveyor, to work with Darryle Baxter, to service the region.

Whilst the proposal may have some merit it would take Council back to where it was about two years ago with individual officers undertaking building and health duties. This situation was not ideal at the time and would be less ideal now with the amount of new building works being undertaken throughout the district. Until such time as the legislation has been passed and firm guidelines issued staff are satisfied with the current arrangement with a single officer performing both health and building services on a regular weekly basis.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council informs the Town of Narrogin that it does not wish to participate in the proposed Regional Building Surveyors Scheme.

COUNCIL ACTION

Moved Cr Brown, 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

Purpose

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

On-Site Effluent Disposal

Three approvals to construct on-site effluent disposal systems were issued during the month of March 2006 as follows:

Permit Number	Name and Address
28/05-06	C. Phillips 354 Russell Street, Cuballing

Shire President

Date

20/05-06	L Page
7/05-06	G. Cardell 138 Cnr. Morrell & Brundell Streets, Cuballing

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

CARRIED 6/0

7.5 REPORTS – TOWN PLANNING

7.5.1 MR R M BUDDA-DEEN – APPLICATION FOR HERPETOFAUNA TAKERS LICENSE

Background

Council (via the Department of Conservation and Land Management) has received an application to commence a home business for a Pet Herpetofauna Takers License at location 9631 Lot 2 Yornaning West Road, property owned by Hillcroft Farms.

Comment

The land subject to the application is zoned “general agriculture” and “home business” or “home occupation” is listed as a permitted use on the zoning table of Town Planning Scheme No2.

The applicant is applying for a Category 4 pet herpetofauna license that allows the keeping of fauna that the Minister considers is not dangerous and:

- is not commonly kept as a pet;
- is rare but not threatened or endangered in the wild;
- has specialised feeding or housing requirements;
- is not resilient to handling; or
- is otherwise suitable to be kept only by a person over 18 years of age with prior experience in keeping pet herpetofauna.

The proposed use is regulated and licensed by CALM and the applicant is subject to an interview and verbal exam to determine the applicant's knowledge of reptile husbandry. The applicant is required to demonstrate an ability to identify and handle all reptiles subject to the license. In addition, the facilities proposed for the housing and breeding of fauna are inspected to ensure they are both appropriate and secure.

Should the applicant be successful in obtaining appropriate licensing from CALM, a Regional Wildlife Officer will conduct ongoing inspections as required. The license holder is also required to submit quarterly information to CALM providing sales and shipping information.

Shire President

Date

The Shire of Cuballing Town Planning Scheme No2 Home Business zoning means a business, service of profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- does not employ more than 2 people not members of the occupier's household;
- will not cause injury to or adversely affect the amenity of the neighbourhood;
- does not occupy an area greater than 50 square metres;
- does not involve the retail sale, display or hire of goods of any nature;
- in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- does not involve the use of an essential service of greater capacity than normally required in the zone.

A letter of approval has been provided by the property owner, Hillcroft Farms?

The Chief Executive Officer informed Council that the additional information requested from Mr Budda-Deen has not been forthcoming and telephone advise has been received that they may be relocating to another property and request to have the application transferred.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Planning Consent be granted to Mr R M Budda-Deen to conduct a Home Business (Licensed Pet Herpetofauna) at location 9631 Lot 2 Yornaning West Road, subject to the following conditions:

- The home business is applicable to the applicant only and is not transferable to any other party;
- Zoning conditions for Home Business in accordance with the Shire of Cuballing Town Planning Scheme No2 to be complied with;
- All appropriate approvals and/or licenses for the conduct and location of the Home Business are to be sought from and issued by the Department of Conservation and Land Management; and
- No retail sales are permitted on the property at any time.

COUNCIL ACTION

Council resolved that the matter be deferred until full information pertaining to the application has been received.

Shire President

Date

9 OTHER URGENT BUSINESS

9.1 TOWN OF NARROGIN

Council enquired as to whether any feedback has been received in relation to the Local Government Advisory Boards recent investigation in to Structural and Electoral Reform in Local Government and their subsequent report handed down to the Minister for Local Government and Regional Development.

Council expressed concern at recent rumours and innuendo surrounding submission presented to the Local Government Advisory Board by the Town and Narrogin and proposal for Cuballing to be amalgamated with that local government and the Shire of Narrogin

Council also expressed disappointment at a recent article presented to the Town of Narrogin Corporate & Community Services Committee meeting on 22 March 2006 as part of their budget review. The item indicated that the Town of Narrogin has forwarded letters to surrounding Councils requesting that the CEO and Mayor be given an opportunity to address elected members in regard to contributions to the operating costs of Narrogin Leisure and further that no replies have been received from the surrounding Councils. The Shire of Cuballing has never received a letter from the Town of Narrogin on this matter. Council is concerned that this type of information may have a negative impact on the Shire of Cuballing and other Councils when the Minister makes his final recommendation on structural reform.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Bradford that Council write a letter to the Town of Narrogin requesting a copy of the letter as indicated in the Town of Narrogin Corporation and Community Services Committee Meeting Agenda of 22 March 2006.

CARRIED 6/0

10 MEETING CLOSURE

There being no further business the Shire President declared the meeting closed at 5:25pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT

Shire President

Date