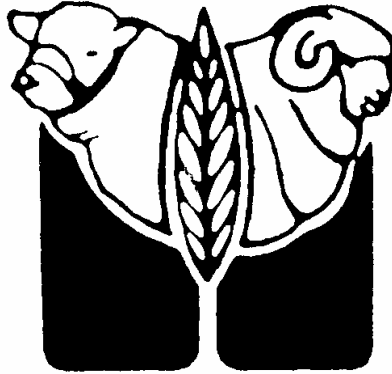


# MINUTES



ORDINARY MEETING

HELD

THURSDAY, 16 OCTOBER 2008

COMMENCED AT 4.05PM

AT

SHIRE OF BOYUP BROOK CHAMBERS

ABEL STREET – BOYUP BROOK

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**1. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**

4.05pm – The Shire President, Cr Roger Downing, opened the meeting.

1.1 **Attendance**

1.2

Cr R Downing – Shire President  
Cr P Marshall – Deputy Shire President  
Cr S Broadhurst  
Cr E Muncey  
Cr M Giles  
Cr B O'Hare  
Cr K Lamshed  
Cr T Ginnane

STAFF:                    Mr Alan Lamb (Chief Executive Officer)  
                              Mr Keith Jones (Manager of Finance)  
                              Mr John Eddy (Manager of Works and Services)  
                              Mrs Maria Lane (Executive Assistant)

Mrs Noreen Tuckett – Boyup Brook Tourism Association

1.3 **Apologies**

1.4 **Leave of Absence**

Cr A Piper

**2. PUBLIC QUESTION TIME**

2.1 **Response to Previous Public Questions Taken on Notice**

Nil

2.2 **Public Question Time**

Nil

**3. APPLICATIONS FOR LEAVE OF ABSENCE**

**4. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS**

4.1 Mrs Noreen Tuckett from the Boyup Brook Tourism Association gave Councillors an overview on what their association does for the community and thanked Councillors for their support.

4.2 Cr O'Hare attended the Wilga Centenary Celebrations.

**5. CONFIRMATION OF MINUTES**

5.1 **Ordinary Council Meeting 18 September 2008.**

**OFFICER RECOMMENDATION**

MOVED: Cr Muncey

SECONDED: Cr O'Hare

That the minutes of the Ordinary Meeting of Council held on Thursday 18 September 2008, be confirmed as an accurate record.

CARRIED 8/0

Res 175/08

**6 PRESIDENTIAL COMMUNICATIONS**

4<sup>th</sup> October 2008 – Attended Funeral Service for Mrs Valmai Baldwin.

Opened Centenary Celebrations of the Town of Wilga.

Australian Council of Local Government

The formation of this Council was announced by The Prime Minister and The Minister for Local Government on 18 September 2008, to fulfil a promise given before the last election.

The Minister has invited the Mayor or President of all Local Governments in Australia to attend the inaugural meeting of this Council at Parliament House, Canberra on 18 November 2008.

This new initiative of the Commonwealth is indicative of a new attitude in their dealing direct with Local Government, and I feel that a high proportion of Local Governments attending will indicate that we are interested in their input into matters of local infrastructure and importance, particularly with the Rudd Government beginning to show some awareness of different needs in rural and regional areas. Because of the potential importance of this meeting, and because acceptances of the invitation needed to be returned by 8 October 2008, I have accepted the invitation and made arrangements to be in Canberra for the meeting. I do not anticipate that our council will need to be directly represented on a continuing annual basis.

ALGA National General Assembly

Each year the Australian Local Government Association holds a General Assembly of representatives of Local Government from throughout Australia, to discuss matters of common interest. Boyup Brook Shire Council has been directly represented at this Assembly in previous years, however more commonly the State Council of WALGA represents us.

This year the Assembly will be held in Melbourne from 8 to 11 December, and the only topic for discussions will be Constitutional recognition for Local Government.

You will recall that earlier this year WALGA sent a survey to all WA Local Government Councils, requesting opinion on the perceived effectiveness of various types of Constitutional Recognition. This will possibly be the last opportunity that Australian Local Government will have to get some recognition in the Constitution, and will need the full support of all political parties for it to have a chance of success. This is also a meeting, decisions from which could have far-reaching and historic effects on Local Government in Australia as we know it.

It is unfortunate that these two very important, and potentially history changing, meetings have been arranged so relatively close together and such a distance from us. However I feel that each Local Government Council has a responsibility to attend both these meetings, as a show of strength and solidarity, and to obtain the best possible deal for their electors.

Once again I do not foresee attendance at the Assembly being an ongoing annual requirement. Council has been adequately represented by WALGA in previous years, and direct representation should only be needed for matters of specific interest to Boyup Brook.

I would like to see a representative from the Boyup Brook Shire Council attend the Local Government Constitutional Summit organized by ALGA being held in December 2008.

**OFFICER RECOMMENDATION**

MOVED: Cr Ginnane

SECONDED: Cr O'Hare

That the Shire President be delegated to attend the Australian Councillor Local Government inaugural meeting in Canberra in November 2008 and the Australian Local Government Association National Assembly on Constitutional Recognition in Melbourne in December 2008 with relevant costs being met by Council.

CARRIED 8/0

Res 176/08

## 7 REPORTS OF OFFICERS

### 7.1 MANAGER WORKS & SERVICES

#### 7.1.1 Proposed New Road Name

<b>Location:</b>	<i>Boyup Brook Shire</i>
<b>Applicant:</b>	<i>Mrs Fiona Cailes</i>
<b>File:</b>	<i>RD/35/006</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>7 October 2008</i>
<b>Author:</b>	<i>John Eddy – Manager of Works &amp; Services</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – Policy P.08 – Naming New Roads</i>

#### **SUMMARY**

The applicant Mrs Fiona Cailes has requested that the surname of 'Cailes' be considered by the Council as a future road / street name within the Shire of Boyup Brook and added to the schedule of suggested names.

#### **BACKGROUND**

The applicant has forwarded a brief summary of the Cailes family history in the Boyup Brook community:-

*“Clifford Cailles, born 1923, has spent his entire life in Boyup Brook. As a young adult he was heavily involved in the local cricket club, he went on to take over the family’s exporting orchard and later completed many a bulldozing job for local farmers.*

*Clifford’s late wife Gwen, (1931-1998) a nurse, was an active member of the local CWA, Girl Guides Association, the Anglican Church and the Boyup brook Soldiers Memorial Hospital.*

*Cliff’s Father, Mr Gavin Leland Cailles born 1896, was the son of Albert Simon Cailles, a painter by trade, who established a successful orchard in Boyup and who was the Secretary of the Fruit Growers Association.*

*Gavin, a builder, completed numerous building jobs in Boyup Brook, including the local Police Station and houses for members of the community. Gavin was married in Jayes Hall to Eva Fuller, a sister of Miss Alice Fuller.*

*Gavin’s sister Madge, was one of the first pupils of the Boyup Brook School, founded in April 1900, as reflected by the plaque at the local primary school today.*

*Like the Abel/Asplin/Barron/Beatty/Cowley/Blechynden/Forrest/Gibbs/Inglis/Lee-Steere/Nix/Proctor/Trigwell/Treoloar families, the Cailles generation has been a historical part of the Upper Blackwood since the late 18<sup>th</sup> Century.*

*I am proposing that the family name of ‘Cailles’ be considered for a street sign in the locality of Boyup Brook. I understand that there is an existing list of proposed names, however given the age of Mr Cailles, I do ask that my request be considered in the near future.”*

### **COMMENT**

The ‘Cailles’ family name satisfies all the criteria in the Shire of Boyup Brook Naming New Roads Policy and is considered suitable to be added to the schedule of suggested road names included in the policy.

*(See appendix 7.1.1 – Policy P.08 Naming New Roads)*

### **CONSULTATION**

Chief Executive Officer

### **STATUTORY ENVIRONMENT**

The Geographic Names Committee gives final approval of Street and Road names submitted by Local Authorities.

### **POLICY IMPLICATIONS**

Compliance with Shire of Boyup Brook Policy No P.08.

### **BUDGET/FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no significant economic issues.

- **Social**  
The process of maintaining a register of names for selection of new road names is recognizing the local identities and history of Boyup Brook.

### **Impartiality Interest**

Cr Giles declared an impartiality interest in the following item due to his employee being married to Mrs Fiona Cailles.

### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

MOVED: Cr Broadhurst

SECONDED: Cr Muncey

That the Council approve the inclusion of the surname 'Cailles' to the schedule of suggested names in the Shire of Boyup Brook Naming New Roads Policy – P.08.

CARRIED 8/0

Res 177/08

## 7.2 **MANAGER – FINANCE**

### 7.2.1 **Accounts for Payment**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>9 October 2008</i>
<b>Author:</b>	<i>Keith Jones – Manager of Finance</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid</i>

### **SUMMARY**

Report recommends the acceptance and approval of the Schedule of Accounts for Payment.

### **BACKGROUND**

Invoices have been received during the month of September 2008.

### **COMMENT**

Accounts are presented for consideration (see appendix 7.2.1) or where paid by direct debit pursuant to the Council's "Authorisation to Make Payments" policy.

### **CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations Act 1009, Regulation 12; and Regulations 13(3) (a) (b); 13(1); and 13(4).

**POLICY IMPLICATIONS**

Accounts are presented for consideration or where paid by direct debit pursuant to the Council's "Authorization to Make Payments" policy.

**FINANCIAL IMPLICATIONS**

Account payments are in accordance with the adopted budget for 2008/09 or authorized by separate resolution.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That the accounts for September 2008 as presented totaling \$357,581.45 as-

1. Cheque voucher numbers 17075 - 17128 totaling \$93,937.99 and
2. Accounts paid by direct electronic payments through the Municipal Account totaling \$105,488.26 be endorsed.

**COUNCIL DECISION**

MOVED: Cr Giles

SECONDED: Cr Ginnane

That the accounts for payment for September 2008 as presented totaling \$357,581.45 and as represented by cheque voucher numbers 17075 – 17128 totaling \$93,937.99, and accounts paid by direct electronic payments through the Municipal Account totaling \$105,488.26 be endorsed.

CARRIED 8/0

Res 178/08

**7.2.2 August and September 2008 Monthly Statements of Financial Activity**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/10/003</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>8 October 2008</i>
<b>Author:</b>	<i>Keith Jones – Manager of Finance</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Yes – Financial Reports</i>



## **SUMMARY**

Report recommends Council receive the Balance Sheet and Operating Statement for the months ended 31 August 2008 and 30th September 2008, and Investment Schedule for the month ended 30 September 2008.

## **BACKGROUND**

Section 6.4 of the Local Government Act 1995 places financial reporting obligations on local government operations.

Regulation 34 (1)–(4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a 'Monthly Statement of Financial Activity'.

The regulations also prescribe the content of the report.

The reports are attached – see appendix 7.2.2

## **COMMENT**

Nil

## **CONSULTATION**

Nil

## **STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996, s34 (1) (a)

Local Government (Financial Management) Regulations 1996, s19 (1) (2) (a) (b)

Local Government (Financial Management) Regulations 1996, s34 (2) (a) (b)

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr Giles

SECONDED: Cr Broadhurst

That the August 2008 and September 2008 Monthly Statements of Financial Activity as presented, be received.

CARRIED 8/0

Res 179/08

**7.3 CHIEF EXECUTIVE OFFICER**

**7.3.1 Subdivision Application (WAPC Ref 138454) Six Mile Road**

<b>Location:</b>	<i>Lot 6437 Six Mile Road</i>
<b>Applicant:</b>	<i>RAS Machin</i>
<b>File:</b>	<i>AS6090</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>9 October 2008</i>
<b>Author:</b>	<i>Geoffrey Lush (Council Consultant)</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – 1. Location 2. Proposed Lots</i>

**SUMMARY**

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission. The subject land comprises of Lot 6437 Six Mile Road (*as shown in Attachment 1*).

It is proposed to create two allotments having areas of 85 and 239 hectares. The subdivision concept is shown in Attachment 2. For clarity this is a prepared diagram and not the actual plan included with the application.

The subject land is owned by D Ritson.

**BACKGROUND**

The subject land is located approximately 11kms east of Boyup Brook on the corner of Six Mile Road and Reservoir Road. It has an area of 239.57 hectares and is used for general farming. It has been substantially cleared of vegetation and there is a minor drainage line with the property. There is an existing residence and other improvements on the property.

An un-constructed road reserve bisects the property. Both Six Mile Road and Reservoir Road are rural roads with a formed gravel surface.

The land is elevated in the north along Reservoir Road and slopes towards the south western corner.

The lot sizes in the vicinity of the subject land vary between 40ha and 300ha, with the majority appearing to be approximately 60ha in size.

## **COMMENT**

While the subdivision meets the 80 hectare minimum lot size requirement, no additional information has been provided to justify the application or the position of the boundary.

The application refers to the boundary reflecting existing fences and from the aerial photograph this would appear to be generally consistent with the areas being cropped.

As the draft Strategy has not been advertised, it is difficult to expect applicants to be aware of or to address the above matters. No information is available to assess the potential of lots for farming.

Lot A (154ha) would be expected to be able to be used for general farming due its size and evidence that most of it is presently being cropped. Lot B (85ha) is smaller and contains the existing dwelling and drainage lines. Not all of this lot is presently being cropped.

As only one additional lot is being created it is not considered necessary to require any upgrading of the existing roads. Nor is it necessary to close the existing un-constructed road reserve within the property.

## **CONSULTATION**

None

## **STATUTORY OBLIGATIONS**

### Western Australian Planning Commission

There are several WAPC Policies affecting the general subdivision of rural land including:-

- State Planning Policy 2.5 - Agriculture and Rural Land Use.
- DC 3.4 – Subdivision of Rural Land.

Policy DC 3.4 contains a presumption against rural subdivision as follows.

It is WAPC policy that, in the **absence** of the planned provision for closer settlement and more intensive agricultural uses, existing large rural lots be retained for broad acre and traditional forms of farming and that the fragmentation of rural land and loss of rural character through piecemeal, unplanned subdivision not be permitted.

The Warren Blackwood Regional Rural Strategy also applies to the proposal and with regard to rural subdivision it states that:

In order to protect the productive capacity of agricultural land and the basis of State, regional and local economies, there is a general presumption against the further subdivision of land in the Agriculture and Priority Agriculture zones, except where it can be clearly demonstrated that the subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjoining lands. Subdivision approved under this criteria shall have a minimum lot size of 80ha.

The Commission has also been adopting a more stringent approach to rural subdivisions, requiring the applicant to demonstrate that the proposed lots contain a significant portion of Class 1 or 2 agricultural land.

Town Planning Scheme

The subject land is zoned 'Rural' in Town Planning Scheme No 2.

Clause 5.1 of the Scheme states that in considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:

- i) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;
- ii) the need to protect the area from uses which will reduce the amount of land available for agriculture;
- iii) the need to preserve the rural character and rural appearance of the area; and
- iv) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.

Draft Local Planning Strategy

Within the draft Local Planning Strategy the subject land is situated in the BBR2 Western Policy Area. The revised objectives for this precinct include:-

- Provide for the sustainable use of land within the Rural zone for a range of rural pursuits.
- Support continuation of traditional broad acre farming while encouraging agricultural diversification and appropriately located and well managed rural settlement opportunities to stimulate/support the future growth of Boyup Brook.
- Facilitate co-existence of traditional farming, tree plantations and intensive agriculture, while providing for tourism and associated value adding opportunities.
- To provide a greater range of rural settlement opportunities close to Boyup Brook which capitalise on the attraction of the Blackwood River but also provide opportunities for enhanced protection of the watercourse and associated landscape values.

The Strategy general recommendations for rural subdivision reflect the above recommendation from the Warren Blackwood Regional Rural Strategy i.e. a minimum lot size of 80 hectares.

The Strategy recommendations for the "Protections of Agricultural Land" also stipulate that in considering a plan of subdivision (submitted to it for support) the Council shall have regard to the following matters:

- a) The size, dimensions and shape of each lot;
- b) The situation and planning of each lot in relation to services, both present and prospective. A statement of undertaking may be required in the sale of any new lots with regard to provision of existing Council services.
- c) The existing and proposed access to the subject land and to each lot. The Council will have regard to:-
  - i) the provisions of the "Road Contribution" Policy;
  - ii) the likely impact of the proposal on the Council road construction program;
  - iii) the ability to reduce the potential upgrading of existing roads by utilising an alternative subdivision design or battleaxe access legs which shall be constructed and designed to the satisfaction of the Manager of Works and Services;

- iv) sight distances;
- v) provision of school bus pick –up and let-down points.

(Note: the Council will not necessarily support the subdivision of land which requires the use of un-constructed road reserves as the potential impact of this upon the Council budget and road construction program may be detrimental to the community).

- d) The drainage of land and whether the land for drainage is to be vested in the local government or some public body or a government department.
- e) Whether the land has been declared unfit for building under the provisions of the Health Act 1911.
- f) Any other matter relating to the proposed subdivision or amalgamation which the Council in its opinion considers necessary or desirable in relation thereto including:-
  - Bush Fire Protection measures;
  - Battleaxe blocks;
  - Subdivision boundary to suit topography.

### **POLICY IMPLICATIONS**

None

### **BUDGET/FINANCIAL IMPLICATIONS**

None

### **STRATEGIC IMPLICATIONS**

None

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
There are no known significant social issues.

### **VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr Giles

SECONDED: Cr Muncey

That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 6437 Six Mile Road (as shown on plan ref 3045 dated July 2008) on the basis that the application is considered to be consistent the provisions for rural subdivision outlined in

- the Shire of Boyup Brook Town Planning Scheme No.2
- WAPC DC 3.4 Subdivision of Rural Land; and
- The Warren Blackwood Rural Strategy.

Note :- No conditions of approval are required

CARRIED 8/0

Res 180/08

**7.3.2 Plantation Application Newgalup Road**

<b>Location:</b>	<i>Lots 2687, 3494 and 3495 Newgalup Road.</i>
<b>Applicant:</b>	<i>Forest Products Commission</i>
<b>File:</b>	<i>AS3560</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>9 October 2008</i>
<b>Author:</b>	<i>Geoffrey Lush (Council Consultant)</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – 1. Location Plan 2. Development Plan</i>

**COUNCIL DECISION – MOVE INTO COMMITTEE**

MOVED: Cr Giles

SECONDED: Cr Ginnane

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.to allow members free discussion on the matter.

CARRIED 8/0

Res 181/08

**COUNCIL DECISION – MOVE OUT OF COMMITTEE**

MOVED: Cr Giles

SECONDED: Cr Broadhurst

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 8/0

Res 182/08

## **SUMMARY**

This report is to consider an application from the Forest Products Commission to develop a plantation on Lots 2687, 3494 and 3495 Newgalup Road.

The plantation will have an area of 65.4 hectares and will be developed with Eucalyptus saligna (Sydney Bluegum). This will be for a 25 year period.

The subject land is owned by M.Halden

## **BACKGROUND**

The subject land is located approximately 20km km north east of Boyup Brook as shown in Attachment 1.

The proposed Development Plan is contained as Attachment 2. The plantation will have two separate areas, which are then divided into further cells with areas ranging between 3.9ha and 18.9ha. The tree crop will be planted at 1000 trees per hectare and culled down to 300 trees at age 4. At age 6, another culling from 300 trees to 150 will

occur. The area will be open parkland with branches being pruned from ages 4 - 7 and up to a height of 6 meters.

There are a number of waterways throughout the property some of which have vegetation buffers. A 20 meter buffer is provided from these as shown in the Development Plan. These areas are excluded from the planting area and will be left undisturbed.

A draft fire management plan has been submitted with the application.

The subject land has been previously developed as a plantation which was approved by Council in 2000. The proposed area was planted to Western blue gums which were harvested in March 2008.

## **COMMENT**

The area has been developed with plantations and the continued development of the subject land is supported.

The original plantation was developed with Western Blue gum (Eucalyptus globules) while the new plantation will comprise predominantly of Sydney Blue gum (Eucalyptus Saligna).

The draft fire management plan makes the following comment regarding equipment:-

All fire units that may be available are privately owned or Fire Brigade units derived from various locations in the area. The Shire houses 3 graders, 2 x 10,000 litre water tankers, 2 front-end loaders and 1 D4 traxcavator, all available for use in a fire emergency. The owner has a 600 litre fire unit. The Gibbs Rd Bush Fire Brigade is the nearest brigade.

As the plantation is less than 100ha only a single slip on fire unit is required. However this must be considered in relation with any remaining portions of the previous plantation. The previous Council approval required the provision of a fast attach unit and a permanent on site person to man the unit.

## **CONSULTATION**

None

## **STATUTORY OBLIGATIONS**

### Town Planning Scheme

The subject land is zoned 'Rural' in Town Planning Scheme No 2. A 'plantation' is an AA use in the Rural zone.

Clause 5.1 of the Scheme states that in considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:

- i) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;
- ii) the need to protect the area from uses which will reduce the amount of land available for agriculture;
- iii) the need to preserve the rural character and rural appearance of the area; and
- iv) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.

Clause 5.8 of the Scheme specifically relates to Plantations and states that:-

In addition to those requirements detailed in Clause 3.4 of the Scheme, Council shall, when considering Plantations in the 'Rural' zone, require the submission of a fire management plan and a plantation management plan prior to determining the application. In addition to those other matters contained in Clause 5.2, Council shall, in considering applications for 'Plantations' have regard to, the requirements established in Council's Tree Plantations Policy and generally require compliance with the following:

- i) The Code of Practice for Timber Plantations in Western Australia;
- ii) Firebreak Order 1997/1998 (or subsequent variations thereof); and
- iii) the Lower Great Southern Plantation Fire Advisory Committees Guidelines for Plantation Fire Protection (Draft May 1997) or subsequent versions thereof.

### Draft Local Planning Strategy

Within the draft Local Planning Strategy the subject land is situated in the BBR2 Western Policy Area. The revised objectives for this precinct include:-

- Provide for the sustainable use of land within the Rural zone for a range of rural pursuits.
- Support continuation of traditional broad acre farming while encouraging agricultural diversification and appropriately located and well managed rural settlement opportunities to stimulate/support the future growth of Boyup Brook.
- Facilitate co-existence of traditional farming, tree plantations and intensive agriculture, while providing for tourism and associated value adding opportunities.



- To provide a greater range of rural settlement opportunities close to Boyup Brook which capitalize on the attraction of the Blackwood River but also provide opportunities for enhanced protection of the watercourse and associated landscape values.

The Strategy general recommendations for rural subdivision reflect the above recommendation from the Warren Blackwood Regional Rural Strategy i.e. a minimum lot size of 80 hectares.

The Strategy recommendations for Plantations are now as follows:-

- 31 That Council approval for plantations in all areas will be required as a “discretionary” use in the General Agricultural zone.
- 32 That the draft Scheme contain provisions detailing requirements for; compliance with Code of Practice for Timber Plantations, a silviculture plan, a timber harvesting plan a local road transport strategy and compliance with the Guidelines for Plantation Fire Protection.
- 33 Allow ‘agro-forestry’ as a permitted use in recognition of environmental and social benefits to the community if forestry is integrated with, rather than replacement of, existing farming systems.
- 34 Continue to work with the South West TIRES Committee and lobby State and Federal Government to secure an adequate response to predicted impacts of log haul traffic from tree plantations on local roads.

In relation to fire management the Strategy also recognizes the 2001 FESA Guidelines for Plantation Fire Protection recommends the following minimum equipment standards:

1. For plantations less than 100 ha – one fast attack unit;
2. For plantations between 100 and 1000 ha – one 2.4 medium duty appliance; and
3. For plantations greater than 1000 ha – on 3.4 heavy duty appliance

### **POLICY IMPLICATIONS**

None

### **BUDGET/FINANCIAL IMPLICATIONS**

None

### **STRATEGIC IMPLICATIONS**

None

### **SUSTAINABILITY ISSUES**

- **Environmental**  
There are no known economic issues
- **Economic**  
There are no known significant economic issues.
- **Social**  
There are no known significant social issues.

### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

- A) That Council approve the development of Lots 2687, 3494 and 3495 Newgalup Road for the purpose of a 'plantation' subject to compliance with the following conditions:-
1. The development hereby approved shall occur generally in accordance with the 'development plan' and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
  2. A Fire Management Plan shall be submitted and approved by the Council. This plan shall be prepared to the requirements and satisfaction of Council and shall address the matters contained in Guidelines for Plantation Fire Protection, FESA (2001). The specified fire management measures shall be implemented prior to the fire season (as defined in Council's firebreak notice) and maintained throughout the fire season.
  3. The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
  4. A 'Harvesting Plan' is to be submitted to and approved by Council. This shall be submitted to Council a minimum 18 months prior to the anticipated commencement of the harvesting of the plantation. This plan is to document the proposed access and haulage routes including within the property and any proposed creek crossings. The 'Harvesting Plan' is to be prepared in accordance with the latest "Code of Practice for Timber Plantations" (or equivalent) that is applicable at that time and shall be to the satisfaction of the Council.
  5. Not less than 12 months prior to commencement of harvesting operations formal notification of the intention to harvest shall be given to Council.
  6. This approval shall expire if the development hereby permitted is not substantially commenced within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Council, is granted by it in writing.
  7. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
- B) That the applicant be advised that:-
- i. In connection with the requirement of the attached planning approval to notify Council of the intention to harvest 12 months prior to the event, Council will, when so notified, assess the suitability of the proposed access/haulage routes and approve, if appropriate, and inspect the routes in company with the proponents to determine their condition.
  - ii. That all firebreaks and low fuel zones are to be installed and maintained to the satisfaction of the Council around all boundaries and buildings on the subject property, in accordance with the requirements of the Annual Shire Firebreak Notice endorsed by Council.
  - iii. It is a requirement of the Planning and Development Act 2005 that you comply with the terms and conditions both of this approval and the provisions and requirements of the Shire of Boyup Brook Town Planning Scheme No. 2 as amended or replaced from time to time. Failure to do so constitutes an offence under that Act; rendering the person responsible liable to prosecution and the penalties prescribed under that Act.
  - iv. Part 14 of the Planning & Development Act 2005 provides the right to apply to the State Administrative Tribunal for review of some planning decisions and you may wish to take professional advice to determine whether or not such a right exists in the present instance. The State Administrative Tribunal Rules 2004 require that any such applications for review be lodged with the Tribunal within 28 days of the date on which notice of the decision is given.

**COUNCIL DECISION**

MOVED: Cr Ginnane

SECONDED: Cr Ginnane

Item 7.3.2 lay on the table by Council's Officers pending a review of the recommendation.

Councillors expresses some concern over the recommended conditions of approval as these were different to previous recommendations and the Chief Executive Officer suggested the item be tabled pending a review.

CARRIED 8/0

RES 183/08

**Bulk Impartiality Interest**

Council and staff declared an impartiality interest in item 7.3.3 due to being a member of the Boyup Brook Club except Cr Ginnane, Cr Muncey and Cr O'Hare.

**7.3.3 Boyup Brook Club Inc – CSRFF Application**

<b>Location:</b>	<i>Boyup Brook Railway Pde</i>
<b>Applicant:</b>	<i>Boyup Brook Club</i>
<b>File:</b>	<i>FM/25/034</i>
<b>Disclosure of Officer Interest:</b>	<i>The author is an ordinary member of the Boyup Brook Club and so makes a declaration of impartiality under Council's Code of Conduct</i>
<b>Date:</b>	<i>9 October 2009</i>
<b>Author:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Yes – Copy of club's application</i>

**SUMMARY**

The attached application to the Department of Sport and Recreation (DSR) for financial support under its CSRFF scheme is put forward to Council for support and ranking with the recommendation that it be supported and ranked number one.

**BACKGROUND**

DSR calls for applications for funding under its capital infrastructure funding program (CSRFF) each year. Application must be sent to the local Council in time for Council to deal with each application and forward them to DSR by the last working day in October. Council is to assess and rank applications in order of importance/significance to the community as a whole.

Two applications have been received this year, the attached and another from the Shire (the latter is the subject of another item before Council)

**COMMENT**

It is recommended that Council, support this application and rank it number one on the listing of two applications.

The club's proposal to install synthetic turf to replace the grass will reduce water usage and improve the viability of this important and well supported sport. The grass surface requires a great deal of maintenance from volunteer club members and this onerous commitment requirement must impact on club membership.

It is understood that the plan is to do away with the two bowling greens and to up grade the green adjacent to the Boyup Brook Club building. This green has lights and all of the facilities of the club. The sport caters for a wide age group and the planned rationalization and upgrade should result in increased membership and a higher level of usage.

### **CONSULTATION**

The author has spoken with representatives of the Boyup Brook Bowling Club.

### **STATUTORY OBLIGATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

The Current budget includes provision for a self supporting loan of \$80,000. The attached application provides for Council to take out a loan of this amount on behalf of the club and for the club to pay Council annually an amount equal to the annual interest and principal repayments on the loan.

### **STRATEGIC IMPLICATIONS**

The proposed project does not appear to align with the strategic plan however it should deliver improved usage of a sporting facility and free up a Shire managed Reserve for other uses and so be a benefit to the whole community.

### **SUSTAINABILITY ISSUES**

- **Environmental**  
The proposed project will reduce water usage.
- **Economic**  
The proposed project should make the Bowling Club more viable financially through increased membership.
- **Social**  
As above.

### **VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr Ginnane

SECONDED: Cr Broadhurst

That Council supports the Boyup Brook Club's application to the Department of Sport and Recreation for funding under its CSRFF program and rank this application number one.

CARRIED 8/0

Res 184/08

**7.3.4 Boyup Brook Town Hall**

<b>Location:</b>	<i>Boyup Brook Town Hall</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>CP/35/001</i>
<b>Disclosure of Officer Interest:</b>	<i>none</i>
<b>Date:</b>	<i>9 October 2008</i>
<b>Author:</b>	<i>Alan Lamb, Chief Executive Officer</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Yes – Two letters commenting on what should be done to the Hall to improve usage.</i>

**SUMMARY**

The recommendation is that the community suggestions be received pending completion of the conservation plan that is the subject of a consultancy, and that suggested works be included in budget considerations for 2009/10.

**BACKGROUND**

The Shire President made a call for suggestions of what the community thought needed to be done to the hall to encourage a higher level of use.

Two letters were received. One was from a group (more than 30 people) that uses the hall regularly and the other from a resident (who was a signatory to the previously mentioned letter).

The main thrust appears to be air-conditioning and for the kitchen to be refurbished.

**COMMENT**

Two responses may appear to be minimal however it should be noted that one is on behalf of more than 30 residents. It should also be noted that the responses were from regular users of the hall who have a first hand knowledge of the buildings facilities, good and bad points.

Council has commissioned a conservation plan for the hall and any proposed works should be in keeping with this plan. The consultant has been engaged and the project is underway. There is no provision in the current budget for any significant works to be carried out on the hall and so, it is suggested, the communities views, as expressed in the two letters, be looked at in conjunction with the conservation plan with a view to setting up a termed plan (say five years) to tackle required works.

Without preempting the conservation plan it is expected that some parts of the hall may require a reasonable amount of work to conserve them and the plan may recommend that some parts be removed (this is generally limited to later “improvements” that are not in keeping with the original building). These works may well be expensive and so require a financial and action plan to fit them into Council’s budgets.

It is expected that any improvements should be done in accordance with the conservation plan and be in keeping with the architecture and so the air-conditioning, if agreed to, may have to be “hidden”.

**CONSULTATION**

The author has communicated with the writers of both letters.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time however it is expected there may be some implications for the draft budget for 2009/10.

**STRATEGIC IMPLICATIONS**

A critical success factor of the plan is “Development of sustainable management of the Shire’s natural resources, heritage and culture.

**SUSTAINABILITY ISSUES**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
The hall may well be better used if it were well maintained and up graded (with air-conditioning and a refurbished kitchen).

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr Giles

SECONDED: Cr O’Hare

That the views expressed by the community in relation to improvements required at the Boyup Brook Town Hall be noted at this time and be revisited once the building’s conservation plan is completed, with a view to preparing a plan to conserve and upgrade the building.

CARRIED 8/0

RES 185/08

**7.3.5 Application for a Grant from CSRFF**

<b>Location:</b>	<i>Sports Complex, Cnr Jackson and Beatty Streets Boyup Brook</i>
<b>Applicant:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>File:</b>	<i>FM/25/034</i>
<b>Disclosure of Officer Interest:</b>	<i>none</i>
<b>Date:</b>	<i>8<sup>th</sup> October 2008</i>
<b>Author:</b>	<i>Jim Ferguson – Senior Administration Office</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – description and photos of building</i>

**COUNCIL DECISION – MOVE INTO COMMITTEE**

MOVED: Cr Giles

SECONDED: Cr Ginnane

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1. to allow members free discussion on the matter.

CARRIED 8/0

Res 186/08

**COUNCIL DECISION – MOVE OUT OF COMMITTEE**

MOVED: Cr Lamshed

SECONDED: Cr O'Hare

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

CARRIED 8/0

Res 187/08

**SUMMARY**

To consider applying for a grant from the Community Sporting and Recreation Facilities Fund (CSRFF) to part finance upgrade of the Ablution Facilities at the Boyup Brook Hockey Grounds.

**BACKGROUND**

This facility is in a dilapidated condition and needs to be upgraded/renovated so as to convert a centre store room in the brick block to a disabled toilet and include facilities to meet the needs of mothers handling babies.

**COMMENT**

Council needs to determine whether or not to approve the application for this grant. It is suggested that this Council project is well worth of Department of Sport and Recreation grant funding but should be ranked second to the Bowling Club's application. The Bowling Club's plans to install synthetic turf on the green adjacent to the club building is a major project that will reduce the drawn on water supplies and better ensure the viability of the club.

**CONSULTATION**

Mrs. Deb Chambers – Secretary for the Boyup Brook Hockey Club.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

The total amount of the grant will be one third of the total amount of the worked required to complete the project. This will be a considerable saving to the community.

**STRATEGIC IMPLICATIONS**

The Shire will reap the monetary benefit from the grant and be in a position to redirect this finance back into community projects

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
This project should make the sports facilities more usable and so enhance their important in the social fabric of the community.
- **Social**  
There are no known significant social issues

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Council supports the application for a Community Sporting and Recreation Facilities Fund grant to part fund an upgrade of the ablution facilities at the Boyup Brook Hockey Grounds and that this project be ranked number two.

The CEO reported that the proposed works had been budgeted for and Council considers that this relatively minor Council project should not compete with the more important Boyup Brook Club's Bowling Green grant application.

**LAPSED FOR WANT OF A MOVER**



7.3.6 **Financial Policies – proposed review of “Authority to Make Payments Policy” and recommended new policy “Use of Credit Cards”**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>CM/43/001</i>
<b>Disclosure of Officer Interest:</b>	<i>none</i>
<b>Date:</b>	<i>9<sup>th</sup> October 2008</i>
<b>Author:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Yes – Current Authority to Make Payments Policy, Draft Use of Credit Cards Policy and draft revised Authority to Make Payments Policy</i>

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**SUMMARY**

Recommendation that Council adopts a Use of Credit Cards Policy and amends the existing Authority to Make Payments Policy to provide for this new payment mode.

**BACKGROUND**

Many Local Governments now make use of credit cards for a range of purchases where a purchase order is not acceptable to the supplier.

The Western Australian Local Government Association (WALGA) has secured an agreement with a travel agent that should ensure lower travel and accommodation costs for the industry. This service entails on line booking and requires that a credit card be nominated at set up stage for all future bookings. Similarly, a number of suppliers operate via web site ordering and require payment by credit card to place the order.

**COMMENT**

Purchases using credit cards for some purchases has been a part of the operation for some time and the practice has been for staff and others to use their personal credit cards and then be reimbursed. Whilst this is ok for occasional use it is apparent that this mode of payment is on the increase warranting the introduction of a corporate credit card.

**CONSULTATION**

The author has spoken with Council staff, representatives of other Councils and representatives of Council's banker (the Commonwealth Bank)

**STATUTORY OBLIGATIONS**

The Local Government Act 1995, Section 2.7(2) (a) & (b) and Section 6.5(a). Local Government (Financial Management) Regulations 11(1) (a) have relevance (the detail of these is included in the draft policy attached).

### **POLICY IMPLICATIONS**

This item proposes the amendment of an existing policy and the introduction of a new policy. It should be noted that a new format for policies is being suggested for use in both. If the new format is acceptable it is proposed that all new amended policies be in this format and that existing policies be changed as they come up for review.

### **BUDGET/FINANCIAL IMPLICATIONS**

The cost of a credit card would be met within existing budget provisions (less than \$50 per annum). Advantage will be taken of the Bank's automatic payment service and so there will be no interest charges associated with the use of the card. The current system involves a degree of double handling with payments being made via private credit cards and then these being reimbursed and so the use of a corporate card should reduce the cost of affecting some purchases.

### **STRATEGIC IMPLICATIONS**

The Strategic Plan has as a Critical Success Factor "Development of a Sound Financial Management Plant and Record System" and whilst the use of a credit card is not part of an action plan under this it is suggested that the judicious use of this mode of payment will improve efficiencies and reduce costs.

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
There are no known significant social issues

### **VOTING REQUIREMENTS**

Simple Majority

#### **COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr Broadhurst

SECONDED: Cr Giles

That Council:

1. Amend the Authority to Make Payments Policy as set out in the attached draft.
2. Adopt the Use of Credit Cards Policy as set out in the attached draft.

CARRIED 8/0

Res 188/08

## **8 COMMITTEE REPORTS**

8.1 **Local Emergency Management Committee – 17<sup>th</sup> September 2008**

Copy of Minutes Attached.

**COUNCIL DECISION AND OFFICER RECOMMENDATION**

MOVED: Cr O'Hare

SECONDED: Cr Downing

That the Minutes of the Local Emergency Management Committee Meeting held on the 17<sup>th</sup> September 2008 be received and the recommendations therein be adopted.

CARRIED 8/0

Res 189/09

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

6.05pm – Cr Giles left the Chambers.

6.06pm – Cr Giles returned to the Chambers.

**MOTION – Item 9.1**

MOVED: Cr Ginnane

SECONDED: Cr Lamshed

That the trees planted in the roadway of Abel Street, between Bridge Street and Cowley Street be removed and consideration be given to re-siting them on the footpaths of Abel Street.

**COUNCIL DECISION – MOVE INTO COMMITTEE**

MOVED: Cr Marshall

SECONDED: Cr Muncey

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.to allow members free discussion on the matter.

VOTE EQUAL 4/4

Casting Vote – In accordance with Section 5.21(3) of the Local Government Act, the President Cr Downing cast a second vote with the result the Motion was LOST.

**AMENDMENT – Item 9.1**

MOVED: Cr Marshall

SECONDED: Cr Broadhurst

That the trees planted outside the Hotel, Bank and the corner of Cowley Street be removed.

CARRIED 5/3

**COUNCIL DECISION – Item 9.1**

The Shire President put the amended motion:

That the trees planted outside the Hotel, Bank and the corner of Cowley Street be removed.

CARRIED 5/3

AGAINST: Cr Ginnane  
Cr Lamshed  
Cr Giles

Res 190/08

**Proximity Interest**

Cr Ginnane declared a proximity interest in item 9.2 and departed the Chambers the time being 6.21pm.

**COUNCIL DECISION – 9.2**

MOVED: Cr Marshall

SECONDED: Cr Muncey

That Council ask administration to review, in the light of the recent Horticulturalist's report, the garden in the traffic island in Bridge Street and Abel Street with a view to preparing a draft plan for the garden, that includes path ways and plantings, for presentation to Council

CARRIED 7/0

Res 191/08

6:26pm Cr Ginnane returned to the Chambers.

**10 URGENT BUSINESS – BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT**

**10.1 Appointment of Selection Panel – Annual Australia Day Awards**

Location -  
File: CR/26/001  
Disclosure of Interest: Nil  
Date: 14 October 2008  
Author: Keith Jones – Manager of Finance

**SUMMARY**

Council will need to appoint (4) Councillors and the Chief Executive Officer in accordance with the Annual Awards process policy, to consider nominations for Citizen of the Year, Young Achiever of the Year and Sports Person of the Year. The policy provides the panel with the authority to make the selection without any further reference to Council.

## **BACKGROUND**

As per Policy No. O.11 The shire invites nominations annually for Citizen of the Year, Young Achiever of the Year and Sports Person of the Year.

## **COMMENT**

The Annual Award Process Policy states:-

The Shire will invite nominations marked confidential for the following Awards annually:-

- Citizen of the Year
- Young Achiever of the Year
- Sports Person of the Year

The selection panel shall comprise of four (4) Councillors and Chief Executive Officer.

The following selection criteria shall be used by the selection panel to determine the most suitable nominee:-

### **Citizen of the Year**

- a resident who has achieved the most distinguished performance and/or made the most positive contribution to the community, during the preceding year
- a resident who has achieved and/or contributed to the community consistently over a period of years.

### **Young Achiever of the Year**

- a resident no older than 25 years of age on 26 January, who has achieved the most distinguished performance and/or made the most positive contribution to the community, during the preceding year
- a resident no older than 25 years of age on 26 January who has achieved and/or contributed to the community consistently over a period of years.

### **Sports Person of the Year**

- a resident which/who has achieved the most distinguished performance during the year. Performance may include active participation, coaching, promotion and/or leadership and sportsmanship
- a resident which/who has achieved the most distinguished performance during the year. Performance may include active participation, coaching, promotion and/or leadership and sportsmanship consistently over a period of years.

### **General**

The successful nominee(s), if any, shall be announced and presented with a certificate and appropriate gift with a value of no more than \$100, at the Australia Day Breakfast function hosted annually by the Shire.

Nominations must be made by 4.00pm on the last Friday of November of each year.

**CONSULTATION**

Chief Executive Officer  
Manager of Finance

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Annual Award Process – Policy No. O.11

**BUDGET/FINANCIAL IMPLICATIONS**

Costs for the production of plaques and gifts are in accordance with the adopted budget for 2008/09.

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Councillors..... and the Chief Executive Officer be appointed as the selection panel to consider and determine the most suitable nominee for the 2009 Citizen of the Year, Young Achiever of the Year and Sports Person of the Year.

**COUNCIL DECISION**

MOVED: Cr O'Hare

SECONDED: Cr Ginnane

That Councillors Muncy, Ginnane, Downing and Lamshed with the Chief Executive Officer be appointed as the selection panel to consider and determine the most suitable nominee for the 2009 Citizen of the Year, Young Achiever of the Year and Sports Person of the Year.

CARRIED 8/0

Res 192/08

**10.2 Consolidated Sporting Facilities – Boyup Brook**

Cr Marshall noted that the idea of a consolidated sports facility had been discussed in the past and that some work had been done on conceptual planning. He suggested that as existing facilities were old and in need of maintenance and regional funding looked to be increasing, it was time to revisit the notion of a consolidated sports facility.

**COUNCIL DECISION**

MOVED: Cr Giles

SECONDED: Cr Muncey

That Councillors Marshall, Ginnane, and Giles be appointed as a committee to consider the consolidation of sporting facilities in the Recreational Precinct.

CARRIED 8/0

Res 193/08

**10.3 Boyup Brook Tourism Association - Lease**

Cr Broadhurst noted that Tourism Association had received a hefty account from Council for water usage that did not appear to be in line with its usage. Administration reported that the lease agreement between Council and the Tourism Association made the association responsible for utility costs. Further, that public facilities had been established subsequently and that, un-intentionally, the association then became responsible for the additional usage charges from these facilities. It was noted that this situation was clearly not equitable. The Chief Executive Officer undertook to commence a review of charges raised against the association with respect to utility costs with a view to recommending that costs not attributable to the association's usage be written off. The Chief Executive Officer also undertook to commence the process on a review of the current lease with a view to a new agreement being drawn up as the current agreement had expired.

**11 CONFIDENTIAL MATTERS**

Nil

**12 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Roger Downing, thanked Councillors and Staff for their attendance and declared the meeting closed at 6.41pm