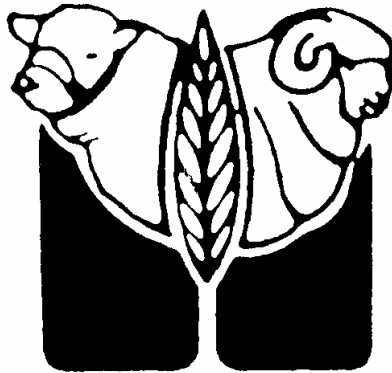


MINUTES



ORDINARY MEETING

HELD ON

THURSDAY, 16 DECEMBER 2004

AT

SHIRE OF BOYUP BROOK
ABEL STREET – BOYUP BROOK
COMMENCEMENT AT 3.30PM

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Suspension of Standing Orders

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the Order of Business for the Council Meeting, being Clause 5 of Standing Orders, Local Law No 1 be suspended.

CARRIED: 8/0

1 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED
--

1.1 Attendance

Cr Terry Ginnane – Shire President

Cr J Mondy (Departed 5.09pm)

Cr N Blackburn

Cr S Broadhurst

Cr R Downing

Cr P Marshall

Cr K Moir (Arrived 3.55pm)

Cr T Oversby

Cr S Purse

Mr W Pearce – Chief Executive Officer

Mr K Jones – Manager of Finance and Administration

Mr J Eddy – Manager of Works and Services

Mrs G Wallace – Secretary

Mrs T Reid – Finance Officer (Departed 4.00pm)

Mr B O'Hare

1.2 Apologies

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

4.1 Cr Broadhurst – Blackwood River Valley Marketing Association

Signage – The Shire of West Arthur has erected their sign and the Shire of Donnybrook-Balingup is waiting on new frangible poles and clarification from Brand WA.

Brochure – major work has been done and will be ready by March 2005.

Website – is being worked through by Tourism WA.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Minutes of the Ordinary Meeting of the Council held on 18 December 2004.

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the minutes of the previous Ordinary Meeting of the Council held on 18 December 2004 be confirmed as an accurate record.

CARRIED 8/0

6 PRESIDENTIAL COMMUNICATIONS

6.1 Primary & Secondary School Graduations

Cr Ginnane attended the Primary Graduation this morning and will be attending the Secondary Graduation this evening.

6.2 Letter of Appreciation – Tuckett Family

Cr Ginnane attended the funeral of Laurie Tuckett.

A letter of appreciation has been received from Laurie's wife, Noreen, and family thanking the Shire for flowers and support on the passing of Laurie.

6.3 Funeral

Cr Ginnane attended the funeral of Cr K Moir's mother last week.

7 REPORTS OF OFFICERS AND COMMITTEES

7.1 WORKS AND SERVICES

7.2 DEVELOPMENT AND COMMUNITY SERVICES

MOVED: Cr Purse

SECONDED: Cr Oversby

That the Council go into a committee to allow members free discussion on the matter.

CARRIED 8/0

Cr Moir entered the Chambers, the time being 3.55pm.

MOVED: Cr Oversby

SECONDED: Cr Broadhurst

That the Council close committee.

CARRIED 9/0

7.2.1 Accountancy Software Replacement

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>-</i>
<i>Reporting Officer:</i>	<i>Keith Jones</i>
<i>Date Report Written:</i>	<i>8 December 2004</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>IT/2/001</i>
<i>Appendices:</i>	<i>-</i>

BACKGROUND:

LOGIS Software currently being provided by PSU (previously Collier Knyn Pty Ltd) has been used by the Shire since 1995 for financial support.

During this time the software has performed satisfactorily until the current financial year when legislation required considerable additions due to the Emergency Services Levy being introduced.

It is requested that the Council consider a new system to commence 1 July 2005.

DETAIL:

Collier Knyn created a program in 2004 called PROSPECT to handle the rates services for many local governments.

There were constant problems experienced by all Councils using PROSPECT software.

Administration continue to experience many problems in the areas of support service, having no working instruction manuals and several office computers cannot run certain parts of the PROSPECT program.

The modules currently used consist of Payroll, Debtors, Creditors, General Ledger, Asset Management, Loan Indebtedness, Job Costing Ledger and Rating.

The Collier Kynyn organisation indicated that they intended to upgrade all accounting modules in LOGIS and PROSPECT to a NAVISION system. A total cost of \$8,000 was verbally indicated.

Based on this premise the Council has 8 modules and would be looking at an investment of \$20,000(minimum) to continue with the new PROSPECT system which includes \$12,000 in training.

The current accounting system which incorporates LOGIS and PROSPECT GOLD is not performing as detailed in the following points:

- Excel Spreadsheets are required to produce reports from the General Ledger. These are produced in Job Ledger Format to identify costs by area and function; General Ledger Format to identify costs by nature and type; Statutory Compliance Format to ensure audit and Local Government Act requirements. The process requires many extra hours to provide what one accounting package should do.
- Excel Spreadsheets are required to ensure that the GST reports are reconciled. The software package should be able to do this automatically but doesn't.
- Excel Spreadsheets are required to do Bank Reconciliations.
- The payroll process is cumbersome and a separate double entry is required to input the figures in the QuickLine software program. This program interfaces through the internet and allows direct banking to the employee's bank account.
- Debtors' invoices are being produced in Excel spreadsheets because the LOGIS system is not user friendly and the layout of the LOGIS invoice is unattractive.
- The cheque run process is cumbersome and if any mistake is made there is no known option to cancel the run easily thus wasting time and in some cases having to handwrite many cheques.
- Prospect Gold conflicts with some other programs that we run on our server.
- The Finance Office is unable to logon and access Prospect Gold, she must do so using the Administrator password.
- Prospect Gold is still requiring patches (fixes to the software) after 18 months of use.
- Recently it took PSU 4 weeks to correct an error with the Rates Final Notice template.
- When a power failure occurs or the front counter receipting is disabled for some reason then it requires PSU to access our system via the internet and go in the "back door" to release the deposit batch so we can continue the processing or finalise our end of day banking. This process has been necessary 3 times in a 2 week period. Coupled with this delay we are also required to run a procedure called "VME restore". This procedure takes at least a half hour to do and disrupts the entire office because all users must logout of the Server.
- A particular situation like the previous point occurred on 7 December 2004 and the accounting package was unavailable for most of the entire working day.
- Since the initial discussions with Mr Greg Hunt in February this year no communication has been forthcoming from PSU indicating what was going on with the NAVISION and when we could expect it to be running live on our system.
- Two meeting dates that PSU set to come and meet with us to show a demo version of their system were cancelled both for the same reason (Mr Russell Campion was very ill on both occasions).

The fact that there is an impending cost for software upgrades with the current system, investigations have been carried out to identify what the market is providing in the area of accounting software for Local Government bodies.

Other software packages available and in use by other councils have been researched. IT Vision by Synergysoft and Haines Norton Accounting and Rating Solution are two packages that have been compared to the current software in use by this Council.

	PSU	IT Vision	Haines Norton
Cost of package and training	\$12,000	\$60,000-\$80,000	\$12,995
Initial installation assistance	\$8,000	unknown	\$14,000
Cost of ongoing support	\$ 8,000	\$ 8,000	\$ 6,600

Apart from just the financial consideration there are considerable advantages for this shire to opt for the Haines Norton package.

- No additional hardware is required.
- Future upgrades to hardware can be purchased through any supplier.
- You are not tied to anyone in particular.
- Rather than just providing the software required, Haines Norton also assist with the complete implementation and training phase of the new solution. Haines Norton does not sell you a system, load software and leave you to fend for yourself.
- Haines Norton ensure your general ledger is correctly set up and you are provided with the standard reports necessary to assist you in meeting your daily reporting obligations and any other accounting procedures specific to your Council. This assists you in providing a timely management reporting function to assist Council make informed decisions on the allocation of scarce resources.
- When seeking support, you do not deal with a software programmer who does not understand what it is you are trying to achieve. Accountants who use the solution on a daily basis for other local government clients and understand your problems will provide the support.
- There is also no need to have a dial-in facility. Data files are easily emailed over the Internet so the accountant providing the support can see the problem in the same context as you. This provides a much faster response and problem resolution time.

This also helps enhance system security as only authorised Council staff are accessing live accounting data and are always aware of what your support facility is doing to your data. It also provides a cost saving, as dial up maintenance facilities can sometimes be a hidden communications cost.

Specific Strengths of Quickbooks

- Very intuitive and user friendly.
- Cost effective and very affordable.
- No roll over requirements – the software is date driven and no batching is necessary.
- Exceptional reporting capabilities. Able to report on anything at any point in time including details of sub ledger balances. Other systems cannot always do this.
- No special hardware and operating system requirements – runs effectively on most existing office networks.
- No forced upgrades – from experience, procedures work across versions.
- It is the most widely used accounting software in the world with over 470,000 registered users in Australia alone.
- US\$200 million is spent annually on enhancement and development.

Specific Strengths of Rate Book Online

- User friendly.
- Cost effective and affordable.
- Designed by people who have worked in the local government industry and who continue to support it.

- Has a support network of people who are technically proficient, know local government, know rates and are available when required.
- Fully compliant with all necessary legislation.

Rate Book Online has been designed to be Internet based and is housed on a secure ASP server from which each client is able to access their own data with a web browser from anywhere.

This means:

- Data is secure and back ups are managed centrally to ensure data is not compromised.
- Expensive new hardware and operating systems are not required to suit the solution.
- Support can access your data easily for you when dealing with queries.
- Our own staff are able to access remotely (provided they have an internet connection) and this may allow 'non-traditional' work practices.
- Program updates are rolled out to all users simultaneously.

If this software is used, Haines Norton is able to provide remote accounting services if we have any staffing issues in the future. The Exmouth Shire Council has been provided with remote services for the last 6 years.

COMMENT:

The current system involves three sets of accounts being prepared –

- one set to account for Job Ledger format
- one for General Ledger Format
- one that handles the Statutory compliance requirements.

This takes extra time and human error creeps in much more than necessary. As the Council has needed more and more information due to legislative requirements the current system has evolved in an effort to provide the information without incurring major costs. This system is not the best solution and it is timely that a review takes place.

A meeting on 5 February 2004 with Mr Greg Hunt from PSU finished with an understanding that major changes for the better were to take place in the immediate future. No changes have been forthcoming and the Manager of Finance and Administration is not confident that they will happen any time soon.

It is suggested that Haines Norton be engaged to implement the Quickbooks Software and Rate Book Online at a cost of \$26,995 as of 1 July 2005.

MOVED: Cr Mondy

SECONDED: Cr Oversby

That:-

- 1. Haines Norton be engaged to implement the Quickbooks Software and Rate Book Online at a cost of \$26,995 as of 1 July 2005;**
- 2. the allocated 'front door upgrade' funds – Schedule 4 of \$5,000 be reduced by \$3,000 and the 'computer maintenance' funds – Schedule 4 of \$29,850 be increased by \$3,000 as a deposit to commence installation on the required software this financial year and the balance identified in the 2005/06 budget.**

CARRIED 9/0

T Reid departed the Chambers, the time being 4.00pm.

7.2.2 Youth Advisory Committee Minutes

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Keith Jones
Date Report Written: 08 December 2004
Enabling Legislation: Local Government Act 1995
File: IM/37/004
Appendices: 1.1 - Minutes

BACKGROUND:

A Meeting of the Youth Advisory Committee was held on the 16, 23 and 30 November and 07 December 2004.

Minutes of the meetings are laid on the table and circulated (refer to appendix 1.1).

MOVED: Cr Blackburn

SECONDED: Cr Broadhurst

That the minutes of the Youth Advisory Committee on 16, 23 and 30 November and 07 December 2004 be received.

CARRIED 9/0

7.2.3 Economic Development Committee Minutes

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Keith Jones
Date Report Written: 09 December 2004
Enabling Legislation: Local Government Act 1995
File: GO/37/005
Appendices: 1.2 Minutes

BACKGROUND:

A meeting of the Economic Development Committee was held on the 01 December 2004.

Minutes of the meeting is laid on the table and circulated (refer to appendix 1.2).

MOVED: Cr Downing

SECONDED: Cr Blackburn

That the minutes of the Economic Development Committee Meeting held on 01 December 2004, be received.

CARRIED 9/0

7.2.4 Planning Application for a Service Industry and an Oversized Shed – Lot 42 Richardson Street, Wilga

Proponent: B & B O'Hare
Location: Lot 42 Richardson Street, Wilga

Reporting Officer: Will Pearce
 Date Report Written: 09 December 2004
 Enabling Legislation: Town Planning Scheme No 2
 File: AS932
 Appendices: 1.3 Plan, Elevation Drawings, correspondence

BACKGROUND:

The proponent is seeking approval for a service industry and an oversized shed to be located at Lot 42 Richardson Street, Wilga.

The proponent has forwarded all the relevant details to support the application as required by the Shire's Town Planning Scheme No 2 (the 'Scheme').

A plan, elevation drawings and correspondence are provided (refer to appendices 1.3).

DETAIL:

Lot 42 is a vacant lot with a gross area of 1012m², currently zoned "Urban" and owned by the crown.

The proposal involves the construction of a new 73m² steel framed shed with a maximum height of 3.5m and 32m² lean-to located 0m from the front boundary and encroaching over the side boundary.

The proponent advises that the purpose of the shed is for storage, a garage and workshop for sewing machine repairs and woodwork purposes.

The proponent lives adjacent to lot 41 in lot 42 Moore Street, Wilga. The Department of Planning and Infrastructure, who is responsible for the land, has agreed to sell the property to the proponent but must lease the lot in the interim whilst native title issues are pursued.

The department requires the 2 lots to be amalgamated when the sale goes through.

The Council's "Outbuilding" policy states:-

"MAXIMUM DIMENSIONS

Maximum permissible outbuilding area dimensions will be as follows: -

<i>Zone</i>	<i>Maximum individual outbuilding area (m²)</i>	<i>Maximum total outbuilding area (m²)</i>	<i>Maximum height (m)</i>
<i>Residential Blocks 1012m² or less</i>	<i>56.4</i>	<i>75</i>	<i>3.0</i>
<i>Residential blocks greater than 1012m²</i>	<i>56.4</i>	<i>90</i>	<i>4.5</i>
<i>Urban</i>	<i>56.4</i>	<i>75</i>	<i>4.5</i>
<i>Special Rural</i>	<i>No maximum area</i>	<i>108</i>	<i>4.5</i>
<i>Rural</i>	<i>No maximum area</i>	<i>No maximum area</i>	<i>No maximum height</i>

Structures outside the domain of the standard set above shall be subject to a planning application for the Council to consider on its merits.

OVERSIZED OUTBUILDINGS

For the purpose of calculating total outbuilding floor space, the Council only takes freestanding structures such as garages or sheds into consideration; any structure attached to the main building such as a verandah or carport would be excluded.

In assessing your request, Council will require that:

- The proposed outbuilding(s) are of masonry construction or clad in factory applied colour finished sheet metal;
- The height or any opening to the outbuilding(s) is less than 3.0 metres;
- The ridge/gable height is less than 4.0 metres;
- The outbuilding(s) must be totally or partially screened from the street by a dwelling and/or landscaping capable of reaching a height equivalent to the eave height of the outbuilding(s) upon maturity;
- Your proposal will not have a detrimental effect on your neighbours or on the street in general.

For the Council to consider your application you must provide a written statement detailing why the additional outbuilding floor space is required and its intended use.”

SETBACKS

Setbacks for outbuildings will be as follows:-

Residential & Urban Zone	Front (m)	Side (m)	Rear (m)
Free standing Carport,Patio,Pergola	6.0	1.0	1.0*
Verandah or attached Patio,Pergola,Carport	6.0	1.0	6.0
Shed	6.0	1.0**	1.0*
Free Standing Garage	6.0	1.0**	1.0
Attached Garage	6.0	1.0	6.0

The proponent may apply for a setback reduction by forwarding the following to the Council for consideration:-

- Planning application form, plans and details as required by the Scheme;
- Written confirmation by the adjoining landowner/s that they have no objection to the proposal (not required for reduction of the front setback).

* Nil setback is allowed where structure is made of steel and the rear boundary is adjacent to a road or right-of-way or reserve.

Note - ** in the case of a corner block to be located no less than 6 metres from the secondary street.”

The size of the shed therefore does not comply with the Council’s policy.

The Lot is zoned ‘Urban’ and is defined under the Scheme as the following land use:-

“It is to provide for, and encourage, urban development within each of the satellite towns distributed throughout the Shire so zoned. Council’s primary objective for the zone is to encourage and foster

development while protecting the residential environment for conflicting uses. In considering applications for the development of land within this zone the Council, in exercising its discretion, shall:-

- Seek to ensure the separation of incompatible land uses,
- ensure the capacity of existing services, facilities and infrastructure to accommodate such development,
- determine within which land use class the proposed form of development shall be classified and the private development standards applicable to that use or any other development standard Council may consider it appropriate.”

A ‘workshop’ has not been specifically defined in the Scheme as a land use.

However, the definition of a ‘Service Industry’ is similar to a workshop and is an “AA’ use under the Scheme which the Council, in exercising the discretionary powers available to it, may be approved.

A ‘Service Industry’ means “a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having retail shop front and used as a department for receiving goods to be serviced.”

COMMENT:

Another issue for the Council to consider is in regards to the ‘Outbuildings’ policy not allowing a shed to be constructed on a ‘residential’ zoned lot in the Boyup Brook townsite unless a dwelling exists, or approval has been given for the construction of a new dwelling, on the lot.

Approval of this application will allow a single shed being located on a lot in a satellite townsite, seemingly created for the purposes of residential development, without a dwelling. The Council may or may not have a position on whether development in the satellite towns should be considered using standards determined for Boyup Brook however it is raised as a point of interest.

The question is whether the shed as a stand-alone structure on the lot will have any detrimental effect on the surrounds.

However, the Scheme does allow the Council some discretion to relax its standards eg. as prescribed in its policy, under clause 3.6 of the Scheme should it be satisfied that:-

- “(i) approval of the proposed development would be consistent with the orderly and proper planning of the district and the preservation of the amenity of the district;
- (ii) the non-compliance will not have any adverse effect upon the occupiers or users of the development of the general population of the district, and;
- (iii) the spirit and purpose of the standard or requirement will not be unreasonably departed from.”

The Council needs to agree, if it wishes to approve the application, to the shed being treated as a rear shed on the proviso that the two lots will be amalgamated sometime in the future.

This will then mean that the front setback can be treated as a 1.0m ‘side’ setback.

The shed can be built over the boundary as requested in the application subject to the amalgamation taking place.

The size of the shed, except for the height, is over and above the policy guidelines. A shed of this size when erected will eventually be located on a lot with an area of 2,000m² or 5% of the land area following lot amalgamation. It could be argued to be of a reasonable size considering the shed will have a standard roof height of 3.5m.

The business activity is deemed to create very little impact on the surrounding neighbours subject to compliance with noise legislation.

It is suggested that the Council approves the planning application for a service industry and an oversized shed 105m² in area proposed for Lot 42 Richardson Street, Wilga subject to the conditions reflected in the 'Recommendation' above.

MOVED: Cr Downing

SECONDED: Cr Oversby

That the Council go into a committee to allow members free discussion on the matter.

CARRIED 9/0

MOVED: Cr Purse

SECONDED: Cr Oversby

That the Council close committee.

CARRIED 9/0

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the Council approves the planning application as presented for a service industry and an oversized shed 105m² in area proposed for Lot 42 Richardson Street, Wilga subject to:-

- 1 the proposal complies with the Town Planning Scheme No.2;**
- 2 compliance with the Department of Planning and Infrastructure's conditions of lease;**
- 3 the shed having a 1.0m setback from Richardson Street;**
- 4 compliance with Environmental Protection (Noise) Regulations;**
- 5 the commercial activity does not entail the employment of any person not a member of the occupier's family**
- 6 access being approved by the Manager of Works and Services;**
- 7 all stormwater run off from impervious surfaces being disposed of to the satisfaction of the Manager of Works and Services;**
- 8 the building complies with the Building Code of Australia.**

Amendment

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That clause 3 be changed from a 1.0m setback to a 3.0m.

CARRIED 6/3

The above motion was then put and carried.

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the Council approves the planning application as presented for a service industry and an oversized shed 105m² in area proposed for Lot 42 Richardson Street, Wilga subject to:-

- 1 the proposal complies with the Town Planning Scheme No.2;
- 2 compliance with the Department of Planning and Infrastructure's conditions of lease;
- 3 the shed having a 3.0m setback from Richardson Street;
- 4 compliance with Environmental Protection (Noise) Regulations;
- 5 the commercial activity does not entail the employment of any person not a member of the occupier's family
- 6 access being approved by the Manager of Works and Services;
- 7 all stormwater run off from impervious surfaces being disposed of to the satisfaction of the Manager of Works and Services;
- 8 the building complies with the Building Code of Australia.

CARRIED 8/1

7.2.5 Lots 2419, 2433, 2905, 2797, 2518, 2710, 3737, 3738, 2626, 1996 and 2711
McAlinden Road, McAlinden – Planning Application for a Plantation

<i>Proponent:</i>	<i>Timbercorp Forestry Pty Ltd (Wooding Property)</i>
<i>Location:</i>	<i>Lots 2419, 2433, 2905, 2797, 2518, 2710, 3737, 3738, 2626, 1996 and 2711 McAlinden Road, McAlinden</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>09 December 2004</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>AS 4550</i>
<i>Appendices:</i>	<i>-</i>

BACKGROUND:

The proponent is seeking approval to establish a plantation on Lot 2419, 2433, 2905, 2797, 2518, 2710, 3737, 3738, 2626, 1996, 2711 McAlinden Road, McAlinden, located approximately 20km north of Boyup Brook.

The proponent has forwarded relevant details to support the application as required by the Shire's Town Planning Scheme No. 2 (the 'Scheme'). A detailed plan is laid on the table.

DETAIL:

The property has a gross land area is 1,530ha and is zoned 'Rural' and as such the Scheme allows 'plantations' at the discretion of the Council ('AA' use).

As required under the Scheme, the proponent has submitted a fire management plan and plantation management plan. The proponent is required to comply with the following (as per the Scheme): -

- 1 Code of Practice for Timber Plantations in WA;
- 2 Shire of Boyup Brook Firebreak Order;
- 3 Guidelines for Plantation Fire Protection.

The proponent has submitted supporting information that is summarised as follows: -

- 1 establishment of 547ha of plantations will occur in the year 2005;
- 2 planting density will be 800 stems per hectare;
- 3 the Guidelines for Plantation Fire Protection states:-

“Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards (for this size plantation a 2.4 medium Attack unit is require) or by contributing to community-based equipment through an agreement with the Local Government.”

The proponent’s fire management plan indicates that the company has 1 heavy duty unit at Moore’s property and a fast attack unit is located on the property.

- 4 all remnant vegetation will be left in accordance with Agriculture Western Australia guidelines;
- 5 it is planned to harvest the plantation in the year 2014;
- 6 the proponent will wish to haul the timber from this property to Bunbury by road.

COMMENT:

It is suggested that the Council approve the proposal as reflected in the recommendation.

MOVED: Cr Mondy

SECONDED: Cr Blackburn

That the:-

- 1 **Council approves the planning application for a plantation to be located at Lot 2419, 2433, 2905, 2797, 2518, 2710, 3737, 3738, 2626, 1996, 2711 McAlinden Road, McAlinden subject to the following conditions: -**
 - (a) **compliance with the Shire of Boyup Brook Town Planning Scheme No 2;**
 - (b) **compliance with the terms and conditions of the Code of Practice for Timber Plantations in Western Australia as amended from time to time with a harvesting management plan provided to the Shire, to the satisfaction of the Shire, two years prior to the harvesting event;**
 - (c) **provision of a minimum of a manned medium attack Firefighting Unit of a standard complying with the Guidelines for Plantation Fire on a strategically located plantation property within twenty (20) minutes response time of this plantation;**
 - (d) **installation of a 15 metre boundary firebreak is required to comply with the firebreak order;**
 - (e) **entering into an agreement with the Shire providing for the reimbursement of costs from the repair of damage of roads under the Shire’s control, where such damage arises from the use of such roads by heavy vehicles used in conjunction with the plantation;**
- 2 **Manager of Works and Services undertakes an assessment at the time of harvesting of the condition of the anticipated proposed local road haulage route.**

7.2.6 Lot 260 Abel Street, Boyup Brook – Planning Application for a Grouped Dwelling (Aged Persons)

<i>Proponent:</i>	<i>Department of Housing and Works</i>
<i>Location:</i>	<i>Lot 260 Abel Street, Boyup Brook</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>09 December 2004</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>AS1863</i>
<i>Appendices:</i>	<i>1.4 Plans</i>

BACKGROUND:

A planning application has been received by Michael Greenhalph Architect on behalf of the owner, Homeswest, of lot 260 (#36) Abel Street, Boyup Brook, seeking approval for the development of two (2) aged persons dwellings.

A grouped dwelling is an 'AA' use under the Town Planning Scheme No. 2 and is a land use which the Council, in exercising its discretionary powers available to it, may approve under the Scheme.

Site and floor plans of the proposal are attached (see appendix 1.4).

DETAIL:

The dwellings are self contained two (2) bedroom units containing standard amenities and facilities including appropriate storage area, carports and visitor car parking bays. The development will retain existing fencing along the rear and side boundaries.

The floor area for each unit is approximately 100m².

The property, 931m² in area, is currently zoned 'Residential' with a density code of 'R15' which, under the Residential Planning Codes ('R' Codes), requires a minimum area of 550m² per dwelling at an average of not less than 666.7m² per dwelling. In other words a total lot size of 1333m² is required.

The 'R' Codes do, however, allow the Council the discretion to approve a 50% increase in density above that provided for by the code in the event that the dwellings are designed for aged or dependent persons.

A 50% increase in density will increase the density from 'R15' to 'R22.5' (the 'R' Codes do not stipulate an 'R22.5' density code and therefore has to be mathematically calculated for the purpose of this report), which requires an average area per dwelling of 444m² or a total of 888m² per lot.

Therefore the 'R22.5' density code will allow the establishment of two (2) separate dwellings for aged persons for this 931m² lot.

COMMENT:

The proponent indicates a front setback of 6.0 metres, rear setback of 3.4 metres and side setback of 1.5 metres.

The 'R' Codes do not nominate minimum building setbacks for an 'R22.5' density code. It is therefore necessary for the Council to approve the setbacks. As a guide, an 'R25' density code requires a minimum front setback of 6.0 metres, side setback of 1.5 metres and rear setback of 1.5 metres.

It is considered that 'R25' setbacks are appropriate as the Council approved a similar setback for an aged persons' development by Homeswest on the adjoining lot (34 Abel Street) in November 1998. The setbacks have had no impact on surrounding properties.

This development would seem to have little to no impact on surrounding properties.

It is suggested that the development as presented be approved on condition that:-

1. all setback and car parking requirements comply with the grouped dwelling requirements of the 'R' Codes and the Shire of Boyup Brook Town Planning Scheme No. 2;
2. the development complies with all relevant statutes, local laws and the Council's policies';
3. the proposed dwellings incorporate appropriate provisions for the special needs of aged persons;
4. a legal agreement is entered into prior to the issue of a building license to ensure use of the dwelling is by aged persons and that the agreement has a minimum age requirement being fifty five (55) years noted on it. The legal agreement shall be prepared by the Council's solicitors at the proponent's costs and;
5. application will not be made for the issue of strata titles or subdivision of the property which shall be confirmed by the proponent in the form of a statutory declaration supplied to the Council prior to the issue of a building licence;
6. in the event of the property being sold the proponent will ensure that the prospective owner supplies the Council with a similar declaration as per condition five (5) above;
7. court yards of a minimum of twenty four (24) square metres in area are provided for each individual dwelling;
8. all parking facilities comply with the requirements of AS2890.1-1993 and parking shall be constructed, properly drained and sealed to the satisfaction of the Council;
9. crossovers are constructed to the Council's design specifications and levels;
10. all stormwater run off from impervious surfaces being contained within the property and disposed of to the Council's satisfaction;
11. the provision of wastewater and effluent disposals systems is in compliance with the Heath Department of WA regulations and policies;
12. each dwelling is supplied with separate clothes lines containing at least twenty (20) metres of useable line fully screened from the street;
13. all existing trees on the property to be preserved unless the removal is necessary due to building requirements;
14. a minimum of 10% of the lot area being landscaped.

MOVED: Cr Downing

SECONDED: Cr Oversby

That the Council go into a committee to allow members free discussion on the matter.

CARRIED 8/1

MOVED: Cr Purse

SECONDED: Cr Oversby

That the Council close committee.

CARRIED 9/0

Cr Purse departed the Chambers, the time being 4.22pm.

MOVED: Cr Oversby

SECONDED: Cr Downing

That the Council approve the planning application for a 2 x 2 bedroom Aged Persons' Grouped Dwelling development as presented to be located at Lot 260 Abel Street, Boyup Brook subject to:-

- 1. all setback and carparking requirements comply with the 'Grouped Dwelling' requirements of the 'R' Codes and the Shire of Boyup Brook Town Planning Scheme No. 2;**
- 2. the development complies with all relevant statutes, local laws and the Council's policies;**
- 3. the proposed dwellings incorporate appropriate provisions for the special needs of aged persons;**
- 4. a legal agreement is entered into prior to the issue of a building license to ensure use of the dwelling is by aged persons and that the agreement has a minimum age requirement being fifty five (55) years noted on it. The legal agreement shall be prepared by the Council's solicitors at the proponent's costs;**
- 5. application will not be made for the issue of strata titles or subdivision of the property which shall be confirmed by the proponent in the form of a statutory declaration supplied to the Council prior to the issue of a building licence;**
- 6. in the event of the property being sold, the proponent will ensure that the prospective owner supplies the Council with a similar declaration as per condition five (5) above;**
- 7. court yards of a minimum of twenty four (24) square metres in area are provided for each individual dwelling;**
- 8. all parking facilities comply with the requirements of AS2890.1-1993 and parking shall be constructed, properly drained and sealed to the satisfaction of the Council;**
- 9. crossovers are constructed to the Council's design specifications and levels;**
- 10. all stormwater run off from impervious surfaces being contained within the property and disposed of to the Council's satisfaction;**
- 11. the provision of wastewater and effluent disposal systems is in compliance with the Heath Department of WA regulations and policies;**
- 12. each dwelling is supplied with separate clothes lines containing at least twenty (20) metres of useable line fully screened from the street;**
- 13. all existing trees on the property are preserved unless the removal is necessary due to building requirements;**
- 14. a minimum of 10% of the lot area being landscaped.**

CARRIED 8/0

Cr Purse returned to the Chambers, the time being 4.25pm.

7.3 CORPORATE SERVICES

7.3.1 Local Purchases – Proposed Policy Amendment

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Will Pearce
Date Report Written: 09 December 2004
Enabling Legislation: Local Government Act 1995
File: CM/43/001
Appendices: -

BACKGROUND:

The Shire of Donnybrook – Balingup is considering the introduction of a Local/Regional Price Preference Policy.

It wishes to offer a preference bonus to businesses in Boyup Brook via a reciprocal arrangement.

If agreed to by the Council, a policy amendment is required.

DETAIL:

Correspondence was received from the Shire of Donnybrook – Balingup as follows:

'TENDERS, QUOTATIONS AND REGIONAL PRICE PREFERENCE POLICY

My Council is considering the introduction of a Local/Regional Price Preference Policy, and is seeking comment from adjoining Local Governments with the view to having reciprocal arrangements with those Councils who have, or will develop, this concept.

In the event that this proposal is accepted by your Council, it would be prudent to develop a policy on a joint basis.

As a guide, Council's draft policy offers a 2.5% concession for tenderers from adjoining Local Governments.

Council looks forward to your advice in due course.'

The Shire's 'Local Purchases and Sales of Goods and Services' policy states:-

“Objective

To promote sub-regional development by supporting local and sub-regional goods and service providers.

Statement

- 1 Price preference will be applied to all suppliers for the supply of goods and services (including construction (building) services) to the Shire of Boyup Brook.

2 The following price preference will be given to suppliers submitting quotations assessed in relation to this policy;

2.1 Goods and Services – up to a maximum price reduction of \$10,000.

Stipulated Area

10% to all suppliers located within the Shire of Boyup-Brook.

5% to all suppliers located within the Shire of Manjimup, Shire of Nannup and Shire of Bridgetown – Greenbushes.

2.2 Construction (building) Services – up to a maximum price reduction of \$10,000.

Stipulated Area

10% to all suppliers located within the Shire of Boyup-Brook.

5% to all suppliers located within the Shire of Manjimup, Shire of Nannup and Shire of Bridgetown – Greenbushes.

3 Only those goods and services identified as being from a source located within the stipulated areas will have the price preference applied when assessing the quotation.

4 A local or sub-regional supplier of goods and services is considered to be one residing in and actively carrying on business within the Shire districts nominated.

5 Price is only one factor that Council considers when evaluating a quotation. There is nothing contained within this policy that compels the Council to accept the lowest quotation or any quotation based on the price offered.

6 This policy is adopted as a guideline to Council and staff. It is acknowledged that Council has the right to accept a tender or contract for any goods or services that it deems fit and which it considers to be in the best interests of Council and the ratepayers.”

COMMENT:

The proposal has some merit in relation to supporting both local and regional businesses complementing the Council’s existing economic development objectives.

Should the Council agree to the above, the following statement would need to be included under ‘Stipulated Area’ in clauses 2.1 and 2.2 of the policy –

“2.5% to all suppliers located within the Shire of Donnybrook-Balingup”

MOVED: Cr Oversby

SECONDED: Cr Purse

That the statement -

“2.5% to all suppliers located within the Shire of Donnybrook-Balingup”,

be included in ‘Stipulated Area’ of clauses 2.1 and 2.2 of the ‘Local Purchases and Sales of Goods and Services’ policy.

CARRIED 9/0

7.3.2 Annual Electors Meeting – 07 December 2004

Proponent: Shire of Boyup Brook
Location: Shire of Boyup Brook
Reporting Officer: Will Pearce
Date Report Written: 09 December 2004
Enabling Legislation: Local Government Act 1995
File: GO/37/001
Appendices: 1.5 Minutes

BACKGROUND:

The Annual Electors meeting was held on the 07 December 2004.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.5).

MOVED: Cr Purse

SECONDED: Cr Oversby

That the minutes of the Annual Electors Meeting on 07 December 2004, be received.

CARRIED 9/0

7.3.3 Accounts for Payment and Financial Status

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Keith Jones
Date Report Written: 09 December 2004
Enabling Legislation: Local Government Act 1995
File: FM/10/003
Appendices: 1.6 - Payments

BACKGROUND:

A monthly report is presented for consideration.

DETAIL:

The accounts for payment up to 30 November 2004 are attached (see appendix 1.6).

The payments made directly through the Municipal Account are as follows:-

• Salaries for the month of Nov 2004	\$	60807.80
• Lease of Photocopier	\$	415.06
• Lease of Roller	\$	1,197.61
• Internet Access Fee	\$	40.00
• FlexiRent Computer	\$	2088.00
• Rent MFA	\$	160.00
• A Hales –Contractor	\$	924.00
• Digital Camera	\$	647.00
• Fesa Levy	\$	5651.38

The Account Balances for the various accounts as at 30 November 2004 are as follows:-

• Municipal Account	\$	45307.99
• Shire Clerk Advance	\$	9834.54
• Shire Medical Account	\$	34101.21
• Trust Account	\$	37,977.59

Investments secured 28 November 2004 with the Commonwealth Bank maturing 28 December 2004 are as follows:-

• Reserves Account Term Deposit	\$	690,605.16	@5.12%
• Investment	\$	600,000.00	@5.12%

As at 10 December 2004 the following amount of rates were outstanding:-

Boyup Brook Ward	\$	110641.94
Benjinup Ward	\$	76313.56
Dinninup Ward	\$	57158.79
Scotts Brook Ward	\$	40833.71
<u>TOTAL</u>	\$	284948.00

Sundry Debtors at 10 December 2004 \$ 93754.25

Sundry Creditors at 10 December 2004 \$ NIL

MOVED: Cr Purse

SECONDED: Cr Downing

That the accounts as:-

- 1 presented totalling \$155979.76 voucher numbers for payment; 12548,12744-12752, 12755-12846, 1872-1873, 1876
- 2 paid by direct payments through the Municipal Account, the Chief Executive Officer's Advance Account and Trust,

be endorsed for payment.

CARRIED 9/0

8 PETITIONS AND MEMORIALS

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

9.1 Cr Marshall – Safe Keys for Doctors Surgery

MOVED: Cr Marshall

SECONDED: Cr Downing

That Council purchase the keys to the safe in the Medical Centre from Dr Lee for the sum of \$250, subject to the said keys actually opening and locking the safe.

CARRIED 9/0

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

10.1 Cr Downing - Annual Awards Policy Amendment

MOVED: Cr Downing

SECONDED: Cr Mondy

That the last sentence of the last paragraph be deleted from the Annual Awards Policy.

CARRIED 9/0

10.2 Cr Purse – Council Cocktail Party

MOVED: Cr Purse

SECONDED:

That the Annual Council Cocktail Party be a casual event as per this year's Christmas Party.

LAPSED FOR WANT OF A SECONDER

10.3 Cr Broadhurst – Annual Awards

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the Council go into a committee to allow members free discussion on the matter.

CARRIED 9/0

MOVED: Cr Oversby

SECONDED: Cr Purse

That the Council close committee.

CARRIED 9/0

MOVED: Cr Broadhurst

SECONDED: Cr Blackburn

That the nominees for each category of the Annual Awards be acknowledged at the time of announcing the winner.

LOST 2/7

10.4 Cr Broadhurst – Representation at Sandakan

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That up to \$1500 be available for accommodation and travel expenses for Cr Ginnane and Mrs Ginnane to represent the Shire at 2005 Anzac Day Sandakan Service in Malaysia.

Amendment

MOVED: Cr Oversby

SECONDED:

That '\$1500' be replaced with '\$2000'.

LAPSED FOR WANT OF A SECONDER

Cr Ginnane departed the Chambers, the time being 4.45pm and Cr Mondy took the Chair.

The original motion was then put and carried.

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That up to \$1500 be available for accommodation and travel expenses for Cr Ginnane and Mrs Ginnane to represent the Shire at the 2005 Anzac Day Sandakan Service in Malaysia.

CARRIED 7/1

10.5 Cr Marshall – Strategic Plan and Principal Activities Plan

MOVED: Cr Broadhurst

SECONDED: Cr Blackburn

That the Council go into a committee to allow members free discussion on the matter.

CARRIED 8/0

Cr Blackburn departed Chambers, the time being 4.51pm.

Cr Ginnane returned to the Chamber, the time being 4.52pm.

Cr Blackburn returned to the Chambers, the time being 4.53pm.

MOVED: Cr Oversby

SECONDED: Cr Purse

That the Council close committee.

CARRIED 9/0

MOVED: Cr Purse

SECONDED: Cr Oversby

That the Council develop its Strategic Plan using the material at hand in conjunction with a Principal Activities Plan and not employ the services of an independent facilitator.

CARRIED 6/3

10.6 Cr Downing – Fireman Sculpture

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That Council allocates an amount of \$1,000 towards the construction of a fireman sculpture commissioned by the Boyup Brook Volunteer Bushfire Brigade.

Cr Mondy departed the Chambers, the time being 5.09pm.

Amendment

MOVED: Cr Blackburn

SECONDED: Cr Purse

That the Boyup Brook Bushfire Brigade be encouraged to submit an application for a donation for the fireman sculpture at the appropriate time.

LOST 4/4

The original motion was then put and carried.

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That Council allocates an amount of \$1,000 towards the construction of a fireman sculpture commissioned by the Boyup Brook Volunteer Bushfire Brigade.

CARRIED 8/0

Cr Moir thanked the Council and staff for their support and flowers due to the recent passing of his mother, Cath.

11 CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 5.15pm.

These Minutes and Schedule of Accounts were confirmed by the Council at the Council Meeting held on the 16 December 2004.

Cr Terry Ginnane, Shire President