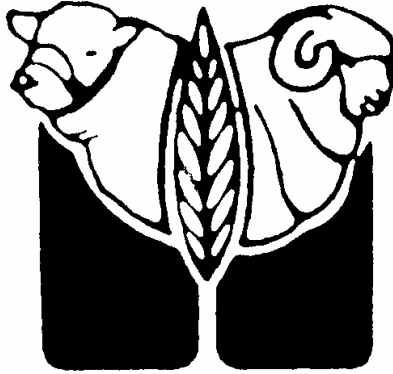


MINUTES



ORDINARY MEETING

HELD ON

THURSDAY, 19 July 2007

AT

SHIRE OF BOYUP BROOK
ABEL STREET – BOYUP BROOK

COMMENCEMENT AT 3.30PM

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

1.1 Attendance

Cr T Ginnane – Shire President
Cr S Broadhurst
Cr R Downing
Cr P Marshall
Cr K Moir
Cr T Oversby

Mr T Doust – Chief Executive Officer
Mr K Jones – Manager of Finance and Administration
Mr J Eddy – Manager of Works and Services

Mrs D Chambers - Departed at 3.48pm
Mrs M Loder - Departed at 3.48pm Returned at 3.50pm

1.2 Apologies

1.3 Leave of Absence

Cr A Piper and J Florey were granted leave of absence for the July 2007 ordinary Council Meeting in June 2007.

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

MOVED: Cr Oversby

SECONDED:

Cr Moir

1. That Cr Downing be granted leave of absence for the Council meeting to be held on the 16th August 2007 as he will be attending the Sandakan Memorial Day Service in Sandakan, Sabah, Malaysia.
2. That Cr Marshall be granted a leave of absence for the August 2007 meeting of Council.

CARRIED 6/0

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Mrs M Loder addressed the Council regarding the Country Music Club's proposed feature wall.

Cr Broadhurst invited Councillors to attend the BRVMA cheque presentation on the 24th July 2007.

MOVED: Cr Oversby

SECONDED: Cr Moir

That item 7.2.7 "Country Music Club Boyup Brook" – feature wall be bought forward

CARRIED 6/0

7.2.7 Country Music Club Boyup Brook WA Inc – Feature Wall

<i>Location:</i>	<i>Reserve 29911 Cnr Abel Street & Jayes Road Boyup Brook</i>
<i>Applicant:</i>	<i>Country Music Club Boyup Brook WA Inc</i>
<i>File:</i>	
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>6th July 2007</i>
<i>Author:</i>	<i>Tony Doust</i>

SUMMARY

The report presents to Council a proposal to construct a feature wall at the junction of Abel Street and Jayes Road Boyup Brook on Reserve 29911, including the wording "Country Music Capital of WA", for consideration and approval. The report recommends the proposal be advertised inviting public comments.

BACKGROUND

The Country Music Club of Boyup Brook WA Inc provided the following information in support of their proposal:-

"The Boyup Brook Country Music Club is working on a community arts project to promote and foster youth and community collaboration. This project will offer opportunities for creative expression, skills development and broad community participation.

The early draft designs for the feature wall were presented to Townscape in October 2006 for consideration.

The Boyup Brook Country Music Club are now asking for Council to approve the attached proposal for a feature wall to be located on the south west corner of Abel Street and Jayes Road intersection. A Hessian model has been erected at the site to indicate size and location of the feature wall. Currently located at this site is a simple concrete guitar leant against a white gum tree. Close by is a small sign erected by the Shire with the words "Country Music Capital of WA", this has been selected as the theme to identify the town of Boyup Brook and its association with the annual WA Country Music Awards.

With the increasing numbers of people visiting our town and those who attend the Boyup Brook Country Music Festival which is the host of the West Australian Country Music Awards; the Boyup Brook Country Music Club would like to see a more distinctive statement erected at this position. Hence the attached proposal. In the last 5 years questionnaires have been distributed at the Country Music Festival to visitors and locals who have indicated a desire to see a prominent statement depicting the "Country Music Capital of WA".

The proposal is for a rendered concrete wall to be built; with mosaic panels mounted depicting a kangaroo paw, the guitar and cowboy hat and wording. The placement of grass trees to be sides, with landscaping and companion native plants, finishing with a raked gravel forecourt to complete the overall effect that will blend in well with the gum trees and natural background. Low voltage lighting will be installed to highlight the community mosaics. By incorporating emblems representing our town and out state into the design it is envisaged that this wall would be a distinct and apt statement to passing visitors and locals.

As you can see, this proposal will be complementary to the site and will beautify and improve an unsightly area of public space. It will promote not only country music but also the town of Boyup Brook to the tourist visitor.

The construction of the wall in rendered concrete will be done by a local business. Making of mosaic panels would be done as a community project, involving the youth and community members of the district making the mosaic panels under the supervision of a professional artist who has previous experience working with community projects. The local Garden Club are interested in helping design and plant the garden and the BBCM Club members will be involved at each stage of planning, construction and planting.

Overall cost of the project is \$31,983 and we are seeking funding from outside sources.

We are seeking from Council:

1. Overall approval for the feature wall being erected at the corner of Abel Street and Jayes Road
2. Waiving of building application fees.
3. Free use of the Flaxmill hall/shed with sufficient floor space to place the mosaic panels and for the provision of the mosaic workshops.
4. In-kind support and assistance using shire machinery to relocate the blackboy and rocks.
5. Direction and advice with the project from the Shire gardener and Manager of Works.

COMMENT

With regard to the proposal it is suggested that the design and position be advertised inviting public comment for a period of 42 days and the matter be again considered by Council at its meeting on 20th September 2007. The Country Music Club Boyup Brook WA Inc (CMCBB) be requested to provide coloured drawings of the proposal for placement on the Shire notice board and CMCBB office windows.

The club also be advised that it is not Council practice to provide "in kind" assistance and that a value for the work required be provided for consideration, as well as the floor area required and time the Flaxmill Sheds will be utilized for this project.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Not assessed as the extent value of the work requested is to be determined on receipt of other information.

STRATEGIC IMPLICATIONS

Outlined in the background information provided by the Club

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Marshall

SECONDED: Cr Downing

That the Country Music Club of Boyup Brook Inc be advised:-

- 1. That the proposal be advertised inviting public comments for a period of (35) days prior to reconsideration by Council at its ordinary meeting on 20th September 2007. (Note: this time frame is subject to receipt of colour drawings as per Item (2) below)**

- 2. The Club be requested to provide :-**
 - **Coloured drawings of the proposed wall and location, for placement on the Shire notice board and Country Music Club Boyup Brook WA Inc Office window, by the 1st August 2007.**
 - **The estimated cost/value for the proposed work to be undertaken by the Shire staff and equipment.**
 - **The total floor area of a building at the Flaxmill and the period it will be required.**

CARRIED 5/1

5 CONFIRMATION OF PREVIOUS MINUTES

5.1 Minutes of the Ordinary Meeting of the Council held on 21 June 2007.

MOVED: Cr Downing

SECONDED: Cr Broadhurst

That the minutes of the previous Ordinary Meeting of the Council held on Thursday 21 June 2007, be confirmed as an accurate record.

CARRIED 6/0

5.2 Minutes of the Special Meeting of the Council held on 28 June 2007.

MOVED: Cr Oversby

SECONDED: Cr Marshall

That the minutes of the previous Special Meeting of the Council held on Thursday 28 June 2007, be confirmed as an accurate record.

CARRIED 6/0

6 PRESIDENTIAL COMMUNICATIONS

The Shire President advised that he and the Chief Executive Officer had attended a meeting at the City of Bunbury with the Minister for Local Government L Ravelich. He also advised that he and the Chief Executive Officer attended the farewell of Mr Kevin Strapp, ex Councillor of the Shire and Investment Coordinator with the Department of Premier and Cabinet.

7 REPORTS OF OFFICERS AND COMMITTEES

7.1 WORKS AND SERVICES

7.1.1 Restricted Parking Bays Jayes Road

<i>Location:</i>	<i>North Side of Jayes Road adjacent to BP Service Station</i>
<i>Applicant:</i>	<i>G Diggins</i>
<i>File:</i>	<i>RD/35/005</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th July 2007</i>
<i>Author:</i>	<i>John Eddy – Manager of Works & Services</i>

SUMMARY

The applicant has requested five minute parking restrictions for two parking bays on the north side of Jayes Road adjacent to the BP Service Station.

The report recommends that the request be addressed when a parking study of the Boyup Brook townsite is presented to the Council later this financial year.

BACKGROUND

Mr G Diggins of the BP Service Station Boyup Brook has written to the Shire requesting:-

“Could we have the first two parking bays on the Dinninup Road side of BP made into 5 minutes parking please. There are times that people as they go out of town, often use this area to park all day and then the older people who wish to shop at our Service Station have to park further down the street.”

COMMENT

Under the Shire of Boyup Brook Parking and Parking Facilities Local Law any restrictions on parking of vehicles in a parking region requires a Council resolution.

The Manager of Works and Services is currently working on a rationalization of the Boyup Brook townsite parking layout as there is no documentation of the existing parking stations and restricted areas.

Councillors should be mindful that any restrictions applied to a parking within a region will require a funding in future budgets for both the signage and enforcement of such restrictions.

It is therefore recommended that the parking restrictions requested by Mr G Diggins be addressed when the parking study of the Boyup Brook Townsite is presented to the Council later this financial year.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995
Shire of Boyup Brook Parking and Parking Facilities Local Law

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funding will be required in future Budgets for the establishment of the parking regions and enforcement, if Council decides to provide parking restrictions. This requirement will be considered when the parking study is presented to Council later this financial year.

STRATEGIC IMPLICATIONS

Compliance with the Shire of Boyup Brook Parking and Parking Facilities Local Law will ensure the Council's objectives for townsite parking and restrictions are maintained.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Downing

That the parking restrictions requested by Mr G Diggins on Jayes Road adjacent to the BP Service Station be addressed when the parking study of the Boyup Brook Townsite is presented to the Council later this financial year.

CARRIED 6/0

7.1.2 **Bridge 3314 – Jackson Street – Boyup Brook**

<i>Location:</i>	<i>Jackson Street Boyup Brook</i>
<i>Applicant:</i>	<i>Main Roads WA</i>
<i>File:</i>	<i>BD 3314</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>5th July 2007</i>
<i>Author:</i>	<i>John Eddy – Manager of Works & Services</i>

SUMMARY

Main Roads WA is seeking Council position on the level of serviceability required for access to the properties (Flaxmill complex) on the eastern side of the "Boyup Brook". The report recommends that the existing bridge be retained and a new culvert be installed.

BACKGROUND

Bridge 3314 is an existing timber bridge over the "Boyup Brook" on Jackson Street Boyup Brook.

The existing bridge is over sixty years old with structural components deteriorating and has a current load limit of ten tons.

A lower level road crossing downstream of Bridge 3314 allows for heavy vehicles and wide agricultural vehicles to access storage facilities at the "Flaxmill" on the eastern side of the "Boyup Brook".

Main Roads WA have engaged Maunsell / Aecom to prepare a preliminary waterways report (Appendices 1.1) to determine options for the replacement, upgrading or demolition of Bridge 3314 and upgrading of the culvert road crossing on Jackson Street.

COMMENT

The existing Bridge currently ensures a fifty year level of service. That is, one year in a fifty year period it is estimated that the "Boyup Brook" will flow over the deck of the Bridge.

The waterways report provides several examples and options of the requirements for levels of serviceability up to a ten year level of service, for a culvert structure. It must be noted that the current ten tons load limit on this Bridge restricts access to heavy vehicles and wide agricultural vehicles if the road crossing is flooded.

Bridge inspections are completed by Main Roads WA every five years with the next inspection of this Bridge due in 2011 and possible review of the existing load limit.

The Council must determine the level of service required for access to the eastern side of the "Boyup Brook" from the following options:-

- Construct new bridge to existing standard – cost prohibitive, funding unlikely
- Upgrading structural capacity of existing bridge
- Retain existing bridge and construct new culvert on Jackson Street to a ten year (plus) service level.
- Demolish existing bridge and construct a new culvert/floodway structure on Jackson Street with a ten year plus service level.

CONSULTATION

Main Roads WA

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funding for bridgeworks is normally provided from special Federal Assistance Grants Scheme or Roads to Recovery programmes and does not impact on the existing grants or Shire's own funding for roads

STRATEGIC IMPLICATIONS

The maintenance/upgrading of this facility will provide access to Recreation and Tourist Facilities within the Shire.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That the Council determines that the future level of service required for access to the eastern side of the "Boyup Brook", to the Flaxmill complex, via Jackson street Boyup Brook, is to retain the existing Bridge 3314 with load limit and construct new culvert on Jackson Street to a ten year (plus) service level, as this level will continue to provide access to the area by both light and heavy /wide agricultural vehicles, except during exceptional circumstances.

CARRIED 6/0

Cr Moir declared a financial interest due to him being the contract surveyor and departed the meeting at 4.04pm

7.2 DEVELOPMENT AND COMMUNITY SERVICES

7.2.1 Subdivision Application – Lot 2998 - Kulikup

<i>Location:</i>	<i>Lot 2998 East of Kulikup South Road Kulikup</i>
<i>Applicant:</i>	<i>RJ & CM Beatty (Owner)</i>
<i>File:</i>	<i>Ass 6060</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th July 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission to subdivide Lot 2998 (Kulikup area) into two lots of 89.0084 ha and 95.9329 ha. The report recommends that the application be approved subject to conditions.

BACKGROUND

Lot 2998 has an area of 185.11ha. The property is in the Kulikup area of the Shire and is situated east of the Kulikup South Road and north of the Lower Blackwood River. The lot has road survey's on the eastern and northern boundaries, although these have not been constructed to

allow access to the new lots. The land is presently farmed in conjunction with adjoining/surrounding lots 2982, 2983, 3887, 3000, 11986 etc.

The applicant has not provided any information in support of the proposal, other than a copy of the formal application to the Western Australian Planning Commission. The application advises that the proposed use of the land is "Agricultural".

The subdivision is not in conflict with the Western Australian Planning Commissions Policy No DC3.4 or the Warren Blackwood Rural Strategy. The intended subdivision is of an area greater than 80 hectares and the land is to be used to maintain viability in the agricultural industry.

COMMENT

The subject land is zoned Rural and the purpose of the subdivision as stated in the application is agriculture.

The proposed lots are both in excess of 80 hectares and the proposal is not in conflict with the WAPC Policy No DC3.4, Warren Blackwood Rural Strategy or Shire of Boyup Brook Town Planning Scheme objectives.

Both lots will have access to existing road reserves although the access to the Lots being created will require upgrading/construction. As both new lots will be capable of being sold and can be used independently of other land, it is recommended that the subdivider make a contribution in accordance with Council's policy "Road Contribution" section Unconstructed and Substandard Roads.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The subject land is "Rural" in the Shire of Boyup Brook Town Planning Scheme No 2. The purpose of the "Rural" zone is:

The Rural Zone is intended primarily for the preservation of agriculturally significant land. Land within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. Council shall therefore seek to ensure that no action is taken to jeopardize that potential.

In considering any applications for subdivision, rezoning and planning consent in the Rural zone, Council is required to regard to the matters contained in Clause 5.2.1 of the Scheme as follows:

- 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.*

POLICY IMPLICATIONS

The proposal appears to be in accordance with the Council's existing policy on subdivision and amalgamations.

Objective

The following provisions should form the basis of comments and recommendations to the Western Australian Planning Commission prior to the determination of the subdivision of rural land.

Statement

1 In order to achieve the objectives contained in Clause 5.2 of the Scheme, the Council will not generally support the subdivision of land within the Rural Zone into lots having a minimum size of less than 40 hectares except for:-

- a) Amalgamation;
- b) Boundary realignments provided no additional lots are created;
- c) Any subdivision required for public works;
- d) Where the proposal is accompanied with supporting evidence outlining a land suitability and capability study for further development.

2. 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:-

Note: 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 utilizing an alternative subdivision design or battleaxe access legs which shall be constructed and designed to the satisfaction of the Manger of Works and Services;
 - iv) sight distances;
 - v) provision of school bus pick up and let down points.

(Note: the Council will not automatically support the subdivision of land which requires the use of unconstructed 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 to land has been declared unfit for building under the provisions of the Health Act 1911.
- f) The provisions of any operative or proposed town planning scheme, or any regulations under the Act made by the Minister, and / or any town planning by-laws by the local government wherein the land to be subdivided or amalgamated is situated.
- g) 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.

Council's Road Contribution Policy includes the following provisions:-

Unconstructed and Substandard Roads

Where the use of a lot is subject to a Shire planning approval and is modified or intensified such as to require the unconstructed or substandard road access to the lot to be constructed or improved:-

- 1 The minimum standard of road construction in a rural area is a six (6) metre formed gravel surface with roadside drains and may be reduced at the discretion of the Council in consultation with the Manager of Works and Services.
- 2 The Council may contribute up to a maximum of 50% towards the cost of upgrading an existing constructed road; where such upgrading is considered by the Council to be in the interests of the community and its road construction programme.
- 3 Any contribution will have regard to the existing and other potential users of the road and will be based upon the following:-
 - DETERMINE THE STANDARD TO WHICH THE ROAD IS TO BE CONSTRUCTED
 - DETERMINE THE TOTAL COST OF THE UPGRADING
 - Calculate the total number and length of total road frontage of properties that will benefit from the upgrading. This can include both existing and potential properties.
 - Divide the total cost by the number of lots and length of total road frontage.
 - The proponent's relative proportion shall be the greater of the two calculations.
- 4 Where the construction of a vacant road reserve is required the proponent shall pay the total cost.
- 5 All contributions payable under this policy shall be placed in a Trust Fund prior to expenditure.
- 6 That in determining development applications, the Council will have regard to the access to the site; it's current and required standard. Where it is considered that the road requires to be upgraded as a direct result of the development, the Council will consider refusing the proposal on the grounds that the development has inadequate access (unless the proponent agrees to pay the total cost of this upgrading).

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The proposal is situated with precinct BBR 3 in the Shire of Boyup Brook Draft Rural Strategy and complies with the objectives and sub divisional / development guidelines.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Marshall

1. That the Western Australian Planning Commission be advised that Council supports the proposed subdivision of Lot 2998 (Kulikup area) on the basis that the application is considered consistent with:
 - a) The provisions of the Warren Blackwood Rural Strategy
 - b) The Shire of Boyup Brook Town Planning Scheme No 2
 - c) The Shire of Boyup Brook Draft Rural Strategy

2. **The Commission be requested to include a condition on the approval that the subdivider make satisfactory arrangements with the Shire for the upgrading of the Road Reserve from the junction with the Kulikup South Road eastwards to a point 20 metres past the western boundary of the new lot 89.0084ha in area, in accordance with the Shire of Boyup Brook "Road Contribution" policy subsection "Unconstructed and Substandard Roads".**
3. **That the Commission be requested to include a condition on the approval to require a Section 70A Notification to be placed on the Certificate of Title of the proposed new lots as follows;**

The property is located in an area where traditional farming practices are occurring which may at times affect the amenity of the subject land.

CARRIED 5/0

Cr Oversby declared a financial interest due to him being the owner of the property and left at 4.08pm

Cr Moir returned to the meeting at 4.08pm

7.2.2 Application for Planning Approval – Plantation – Lots 2967 & 2970 Kulikup North, Walshaws & Red Hill Roads, Kulikup

<i>Location:</i>	<i>Lot 2967 & 2970 - Kulikup</i>
<i>Applicant:</i>	<i>T & J Oversby</i>
<i>File:</i>	<i>Ass 5740</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th July 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

To consider an application to establish a plantation on Lots 2967 & 2970 Kulikup. The report recommends approval.

BACKGROUND

The property is located in the Kulikup area and is bordered by the Kulikup North (west) Red Hill (north) and Walshaws (south) Roads. The area of the property is 165.86 ha. The existing natural vegetation occupies approximately 20% of the property. The area to be planted is 91.44 ha. The planting is under a share farming arrangement with the Forrest Products Commission.

The applicant has provided a detailed proposal including the following:-

1. Land Information
2. Plantation Establishment Plan
3. Plantation Tending Plan
4. Fire Management Plan
5. Timber Harvesting Plan

COMMENT

As required by the Shire of Boyup Brook Town Planning Scheme No 2 (TPS) the applicant has provided the information necessary to evaluate the proposed development.

The Fire Management required for compliance under the TPS refers to the Fire Management "Guidelines for Plantation Protection" which states:-

“Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards or by contributing to community-based equipment through an agreement with the Local Government.”

The minimum equipment standards for plantations less than 100ha requires one fast attack unit.

It is recommended that the application be approved as it meets the requirements of the Shire of Boyup Brook Town Planning Scheme No 2 and Council Policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The property is zoned Rural under the Shire of Boyup Brook TPS No 2 and the use “Plantation” is only permitted with Councils approval. Section 5.18 requires the following:-

“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 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.

POLICY IMPLICATIONS

The Councils policy on “Road Contribution” subsection “Harvesting of Plantations” as follows:

“Harvesting of Plantations -

The following statement shall be a development condition of approval:-

‘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’

Background

In recent years, rural areas have been dominated by the rapid expansion of plantation farming, which is having and will have a major long term impact on traditional patterns of rural land use, local roads and traffic and land management within the Shire.

The general yield from blue gum plantations is ten times more than the equivalent cereal crop over a ten year period. Harvesting of plantations, approximately once every ten years, also results in a very intense period of activity on the site and local road use. Therefore, a higher standard of road is required for the removal of the product to its preferred market. This will require a large portion of the road network to be upgraded. Scattered locations of plantations throughout the Shire also adds to this problem.

As the Shire cannot afford to construct and maintain these special purpose roads, it will be necessary for the plantation companies to contribute to the road upgrading.

A combination of heavy haulage vehicles for plantation harvesting along with school bus and general vehicles on the Shire’s road network has raised an increased concern over motorist’s

safety. Generally the Council will not support plantations where it considers public safety is or will be at risk due to heavy vehicles entering Shire roads creating potential serious conflict with local and visitor traffic. In determining the suitability of roads for plantation traffic Council will have regard to the current standard of the roads affected. Planning applications for plantations will also be referred to Main Roads Western Australia if considered necessary. The Council will resolve specific road traffic and safety issues relating to individual plantations following the submission of harvesting plans.”

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Downing

SECONDED:

Cr Broadhurst

That the Planning Application to develop a plantation on Lots 1967 and 2970 Kulikup North Road, Kulikup, be approved subject to the following conditions:-

- 1. Compliance with the requirements of the Shire of Boyup Brook Town Planning Scheme No 2.**
- 2. Compliance with the terms and conditions of the 2006 FIFWA Code of Practice for Timber plantations, as amended from time to time, includes providing the Shire with a Harvesting Management Plan, two years prior to harvesting commencing, for Shire consideration and approval.**
- 3. Provision of a minimum manned fast attack fire fighting unit of a standard that complies with the guidelines for plantation fires that is available within (20) minutes response time of this plantation, prior to the commencement of the 2007/08 fire season. Notification of this to be provided by the applicant in writing to the Shire by 1/10/2008.**
- 4. Annual compliance with the Shire of Boyup Brook Firebreak Order as it relates to plantations.**
- 5. 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. The use of any roads for harvesting proposes to be determined prior to harvesting commencing and approval by the Shire of Boyup Brook.**

CARRIED 5/0

Cr Oversby returned to the meeting at 4.10pm

7.2.3 **Application for Planning Approval – Plantation – Lots 2990, 3001 & 6068 Walshaws & Lower Blackwood Roads, Kulikup**

Location: Lot 2990, 3001, 2997 & 6068 - Kulikup
Applicant: B & D Twigg and DG & EE Twigg
File: Ass 6400/892/6410
Disclosure of Interest: Nil
Date: 4th July 2007
Author: Tony Doust, Chief Executive Officer

SUMMARY

To consider an application to establish a plantation on Lots 2990, 3001 & 6068 Kulikup. The report recommends approval.

BACKGROUND

The properties are located in the Kulikup area in Walshaws (south) Road and Lower Blackwood Road (north). The total area of the properties is 379.16 ha. The area to be planted is 43.045 ha. The planting is under a share farming arrangement with the Forrest Products Commission.

The applicant has provided a detailed proposal including the following:-

1. Land Information
2. Plantation Establishment Plan
3. Plantation Tending Plan
4. Fire Management Plan
5. Timber Harvesting Plan

COMMENT

As required by the Shire of Boyup Brook Town Planning Scheme No 2 (TPS) the applicant has provided the information necessary to evaluate the proposed development.

The Fire Management required for compliance under the TPS refers to the Fire Management "Guidelines for Plantation Protection" which states:-

"Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards or by contributing to community-based equipment through an agreement with the Local Government."

The minimum equipment standards for plantations less than 100ha require one fast attack unit.

It is recommended that the application be approved as it meets the requirements of the Shire of Boyup Brook Town Planning Scheme No 2 and Council Policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The property is zoned Rural under the Shire of Boyup Brook TPS No 2 and the use "Plantation" is only permitted with Councils approval. Section 5.18 requires the following:-

"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 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.

POLICY IMPLICATIONS

The Council's policy on "Road Contribution" subsection "Harvesting of Plantations" as follows:

"Harvesting of Plantations -

The following statement shall be a development condition of approval:-

'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'

Background

In recent years, rural areas have been dominated by the rapid expansion of plantation farming, which is having and will have a major long term impact on traditional patterns of rural land use, local roads and traffic and land management within the Shire.

The general yield from blue gum plantations is ten times more than the equivalent cereal crop over a ten year period. Harvesting of plantations, approximately once every ten years, also results in a very intense period of activity on the site and local road use. Therefore, a higher standard of road is required for the removal of the product to its preferred market. This will require a large portion of the road network to be upgraded. Scattered locations of plantations throughout the Shire also adds to this problem.

As the Shire cannot afford to construct and maintain these special purpose roads, it will be necessary for the plantation companies to contribute to the road upgrading.

A combination of heavy haulage vehicles for plantation harvesting along with school bus and general vehicles on the Shire's road network has raised an increased concern over motorist's safety. Generally the Council will not support plantations where it considers public safety is or will be at risk due to heavy vehicles entering Shire roads creating potential serious conflict with local and visitor traffic. In determining the suitability of roads for plantation traffic Council will have regard to the current standard of the roads affected. Planning applications for plantations will also be referred to Main Roads Western Australia if considered necessary.

The Council will resolve specific road traffic and safety issues relating to individual plantations following the submission of harvesting plans."

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Moir

SECONDED:

Cr Oversby

That the Planning Application to develop a plantation on Lots 2990, 3001, 6068 & 2997 Walshaws & Lower Blackwood Roads, Kulikup, be approved subject to the following conditions:-

1. Compliance with the requirements of the Shire of Boyup Brook Town Planning Scheme No 2.
2. Compliance with the terms and conditions of the 2006 FIFWA Code of Practice for Timber plantations, as amended from time to time, including providing the Shire with a Harvesting Management Plan, two years prior to harvesting commencing, for Shire consideration and approval.
3. Provision of a minimum manned fast attack fire fighting unit of a standard that complies with the guidelines for plantation fires that is available within (20) minutes response time of this plantation, prior to the commencement of the 2007/08 fire season. Notification of this to be provided by the applicant in writing to the Shire by 1/10/2008.
4. Annual compliance with the Shire of Boyup Brook Firebreak Order as it relates to plantations.
5. 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. The use of any roads for harvesting proposes to be determined prior to harvesting commencing and approval by the Shire of Boyup Brook.

CARRIED 6/0

7.2.4 **Application for Planning Approval – Plantation – Lots 2993 & 2994 Euling Crossing Road - Kulikup**

<i>Location:</i>	<i>Lot 2993 & 2994 - Kulikup</i>
<i>Applicant:</i>	<i>Lakemont Holdings Pty Ltd</i>
<i>File:</i>	<i>Ass 6430</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th July 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

To consider an application to establish a plantation on Lots 2993 & 2994 Kulikup. The report recommends approval.

BACKGROUND

The property is located in the Kulikup area and adjoins the Euling Siding Road. The area of the property is 396ha. The area to be planted is 59.5 ha. The planting is under a share farming arrangement with the Forrest Products Commission.

The applicant has provided a detailed proposal including the following:-

1. Land Information
2. Plantation Establishment Plan
3. Plantation Tending Plan
4. Fire Management Plan
5. Timber Harvesting Plan

COMMENT

As required by the Shire of Boyup Brook Town Planning Scheme No 2 (TPS) the applicant has provided the information necessary to evaluate the proposed development.

The Fire Management required for compliance under the TPS refers to the Fire Management "Guidelines for Plantation Protection" which states:-

"Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards or by contributing to community-based equipment through an agreement with the Local Government."

The minimum equipment standards for plantations less than 100ha requires one fast attack unit.

It is recommended that the application be approved as it meets the requirements of the Shire of Boyup Brook Town Planning Scheme No 2 and Council Policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The property is zoned Rural under the Shire of Boyup Brook TPS No 2 and the use "Plantation" is only permitted with Councils approval. Section 5.18 requires the following:-

"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 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.

POLICY IMPLICATIONS

The Councils policy on "Road Contribution" subsection "Harvesting of Plantations" as follows:

"Harvesting of Plantations -

The following statement shall be a development condition of approval:-

'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'

Background

In recent years, rural areas have been dominated by the rapid expansion of plantation farming, which is having and will have a major long term impact on traditional patterns of rural land use, local roads and traffic and land management within the Shire.

The general yield from blue gum plantations is ten times more than the equivalent cereal crop over a ten year period. Harvesting of plantations, approximately once every ten years, also results in a very intense period of activity on the site and local road use. Therefore, a higher standard of road is required for the removal of the product to its preferred market. This will require a large portion of the road network to be upgraded. Scattered locations of plantations throughout the Shire also adds to this problem.

As the Shire cannot afford to construct and maintain these special purpose roads, it will be necessary for the plantation companies to contribute to the road upgrading.

A combination of heavy haulage vehicles for plantation harvesting along with school bus and general vehicles on the Shire's road network has raised an increased concern over motorist's safety. Generally the Council will not support plantations where it considers public safety is or will be at risk due to heavy vehicles entering Shire roads creating potential serious conflict with local and visitor traffic. In determining the suitability of roads for plantation traffic Council will have regard to the current standard of the roads affected. Planning applications for plantations will also be referred to Main Roads Western Australia if considered necessary.

The Council will resolve specific road traffic and safety issues relating to individual plantations following the submission of harvesting plans."

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Moir

SECONDED:

Cr Broadhurst

That the Planning Application to develop a plantation on Lots 2993 & 2994 Eulin Crossing Road, Kulikup, be approved subject to the following conditions:-

- 1. Compliance with the requirements of the Shire of Boyup Brook Town Planning Scheme No 2.**
- 2. Compliance with the terms and conditions of the 2006 FIFWA Code of Practice for Timber plantations, as amended from time to time, including providing the Shire with a Harvesting Management Plan, two years prior to harvesting commencing, for Shire consideration and approval.**
- 3. Provision of a minimum manned fast attack fire fighting unit of a standard that complies with the guidelines for plantation fires that is available within (20) minutes response time of this plantation, prior to the commencement of the 2007/08 fire season. Notification of this to be provided by the applicant in writing to the Shire by 1/10/2008.**

4. Annual compliance with the Shire of Boyup Brook Firebreak Order as it relates to plantations.
5. 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. The use of any roads for harvesting proposes to be determined prior to harvesting commencing and approval by the Shire of Boyup Brook.

CARRIED 6/0

7.2.5 Subdivision Application – Lot 12422 Tonebridge

<i>Location:</i>	<i>Lot 12422 – Boyup Brook – Cranbrook Road – Tonebridge</i>
<i>Applicant:</i>	<i>RAS Machin (Richard & Helen May Turner – Owner)</i>
<i>File:</i>	<i>Ass 7380</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>5th July 2007</i>
<i>Author:</i>	<i>Tony Doust – Chief Executive Officer</i>

SUMMARY

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission to subdivide Lot 12422 (Tonebridge area) into two lots of 40ha and 280ha. The report recommends that the application be approved subject to conditions.

BACKGROUND

Lot 12422 has a total area of 320.3821ha. The southern portion of the lot is within the Shire of Cranbrook. The area to be subdivided is entirely located in the Shire of Boyup Brook and both lots will adjoin the Boyup Brook Cranbrook Road. The applicant advises that the purpose of the subdivision is to create a conservation lot (40ha) and the balance to be retained for agriculture.

The Council's draft Boyup Brook Rural Strategy supports the creation of lots (minimum lot size of 40ha) in accordance with the Western Australian Planning Commission Policy DC3.4.

The 40ha lot is well covered by natural vegetated for about 95% of the area.

COMMENT

The WAPC requirements for the creation of conservation lots include the following:-

- (a) the land is located in the Wheatbelt Agricultural Policy Area (Boyup Brook is included);
- (b) the vegetation has been identified in an approved strategy, catchment plan, or a specific assessment of that land.
- (c) The Commissioner for Soil and Land Conservation provides advice supporting the subdivision;
- (d) The conservation lot is at least 40ha in area;
- (e) At least 85% of the conservation lot is covered by native or regenerated vegetation;
- (f) The proposed conservation lot has an appropriate shape having regard for the native vegetation, natural features and farm management;
- (g) A conservation covenant in perpetuity is registered on the Certificate of Title.

The proposal complies with all of the above requirements subject to (c) and (g) being implemented as a condition of subdivision approval.

The new lots are presently serviced by a constructed road.

The objectives of the Shire of Boyup Brook Town Planning Scheme No 2 "Rural Zoning" and Council Policy "Subdivision and Amalgamations" are being met. It is recommended the application be supported.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The subject land is "Rural" in the Shire of Boyup Brook Town Planning Scheme No 2. The purpose of the "Rural" zone is:

The Rural Zone is intended primarily for the preservation of agriculturally significant land. Land within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. Council shall therefore seek to ensure that no action is taken to jeopardize that potential.

In considering any applications for subdivision, rezoning and planning consent in the Rural zone, Council is required to regard to the matters contained in Clause 5.2.1 of the Scheme as follows:

- 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.*

POLICY IMPLICATIONS

The proposal appears to be in accordance with the Council's existing policy on subdivision and amalgamations.

Objective

The following provisions should form the basis of comments and recommendations to the Western Australian Planning Commission prior to the determination of the subdivision of rural land.

Statement

1. In order to achieve the objectives contained in Clause 5.2 of the Scheme, the Council will not generally support the subdivision of land within the Rural Zone into lots having a minimum size of less than 40 hectares except for:-
 - a) Amalgamation;
 - b) Boundary realignments provided no additional lots are created;
 - c) Any subdivision required for public works;
 - d) Where the proposal is accompanied with supporting evidence outlining a land suitability and capability study for further development.
2. 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:-

Note: 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 utilizing an alternative subdivision design or battleaxe access legs which shall be constructed and designed to the satisfaction of the Manger of Works and Services;
 - iv) sight distances;
 - v) provision of school bus pick up and let down points.

(Note: the Council will not automatically support the subdivision of land which requires the use of unconstructed 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 to land has been declared unfit for building under the provisions of the Health Act 1911.
- f) The provisions of any operative or proposed town planning scheme, or any regulations under the Act made by the Minister, and / or any town planning by-laws by the local government wherein the land to be subdivided or amalgamated is situated.
- g) 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.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The proposal is situated with Precinct BBR5 in the Shire of Boyup Brook Draft Rural Strategy and complies with the Objectives and Subdivisional / Development guidelines.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Downing

1. **That the Western Australian Planning Commission be advised that Council supports the proposed subdivision of Lot 12422 (Tonebridge area) on the basis that the application is considered consistent with:**

- a) **The provisions of the Warren Blackwood Rural Strategy**
- b) **The Shire of Boyup Brook Town Planning Scheme No 2**
- c) **The Shire of Boyup Brook Draft Rural Strategy (conservation lots)**

2. **The Commission be requested to include a condition on approval to require a conservation covenant in perpetuity to be registered on the Certificate of Title for the conservation lot being created.**
3. **That the Commissioner for Soil and Land Conservation provides advice supporting the subdivision.**

CARRIED 6/0

7.2.6 **Application for Planning Approval – Plantation – Lots 7 Reservoir Road – Boyup Brook**

<i>Location:</i>	<i>Lot 7 – Reservoir Road Boyup Brook</i>
<i>Applicant:</i>	<i>G Pascoe & B Prideaux</i>
<i>File:</i>	<i>Ass 9295</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>5th July 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

To consider an application to establish a plantation on Lot 7 Reservoir Road Boyup Brook. The report recommends approval.

BACKGROUND

The property is located in the Boyup Brook area and adjoins Reservoir Road. The total area of the property is 64.0426ha. The area to be planted is 5.5 ha. The planting is under a share farming arrangement with the Forrest Products Commission.

The applicant has provided a detailed proposal including the following:-

1. Land Information
2. Plantation Establishment Plan
3. Plantation Tending Plan
4. Fire Management Plan
5. Timber Harvesting Plan

COMMENT

As required by the Shire of Boyup Brook Town Planning Scheme No 2 (TPS) the applicant has provided the information necessary to evaluate the proposed development.

The Fire Management required for compliance under the TPS refers to the Fire Management "Guidelines for Plantation Protection" which states:-

"Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards or by contributing to community-based equipment through an agreement with the Local Government."

The minimum equipment standards for plantations less than 100ha requires one fast attack unit.

It is recommended that the application be approved as it meets the requirements of the Shire of Boyup Brook Town Planning Scheme No 2 and Council Policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The property is zoned Rural under the Shire of Boyup Brook TPS No 2 and the use "Plantation" is only permitted with Councils approval. Section 5.18 requires the following:-

"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 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.

POLICY IMPLICATIONS

The Councils policy on "Road Contribution" subsection "Harvesting of Plantations" as follows:

"Harvesting of Plantations -

The following statement shall be a development condition of approval:-

'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'

Background

In recent years, rural areas have been dominated by the rapid expansion of plantation farming, which is having and will have a major long term impact on traditional patterns of rural land use, local roads and traffic and land management within the Shire.

The general yield from blue gum plantations is ten times more than the equivalent cereal crop over a ten year period. Harvesting of plantations, approximately once every ten years, also results in a very intense period of activity on the site and local road use. Therefore, a higher standard of road is required for the removal of the product to its preferred market. This will require a large portion of the road network to be upgraded. Scattered locations of plantations throughout the Shire also adds to this problem.

As the Shire cannot afford to construct and maintain these special purpose roads, it will be necessary for the plantation companies to contribute to the road upgrading.

A combination of heavy haulage vehicles for plantation harvesting along with school bus and general vehicles on the Shire's road network has raised an increased concern over motorist's safety. Generally the Council will not support plantations where it considers public safety is or will be at risk due to heavy vehicles entering Shire roads creating potential serious conflict with local and visitor traffic. In determining the suitability of roads for plantation traffic Council will have regard to the current standard of the roads affected. Planning applications for plantations will also be referred to Main Roads Western Australia if considered necessary.

The Council will resolve specific road traffic and safety issues relating to individual plantations following the submission of harvesting plans."

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Broadhurst

That the Planning Application to develop a plantation on Lot 7 Reservoir Road, Boyup Brook, be approved subject to the following conditions:-

- 1. Compliance with the requirements of the Shire of Boyup Brook Town Planning Scheme No 2.**
- 2. Compliance with the terms and conditions of the 2006 FIFWA Code of Practice for Timber plantations, as amended from time to time, including providing the Shire with a Harvesting Management Plan, two years prior to harvesting commencing, for Shire consideration and approval.**
- 3. Provision of a minimum manned fast attack fire fighting unit of a standard that complies with the guidelines for plantation fires that is available within (20) minutes response time of this plantation, prior to the commencement of the 2007/08 fire season. Notification of this to be provided by the applicant in writing to the Shire by 1/10/2008.**
- 4. Annual compliance with the Shire of Boyup Brook Firebreak Order as it relates to plantations.**
- 5. 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. The use of any roads for harvesting proposes to be determined prior to harvesting commencing and approval by the Shire of Boyup Brook.**

CARRIED 6/0

Item 7.2.7 was considered first thing in the meeting. See page 4.

7.2.8 Rezoning - Lots 720 and 721 DP 100786, Boyup Brook – Bridgetown Road, Boyup Brook – from 'Rural' zone to 'Special Rural'

<i>Location:</i>	<i>Lots 720 and 721 DP 100786, Boyup Brook – Bridgetown Road, Boyup Brook</i>
<i>Applicant:</i>	<i>TME Planning Consultants (Owner C. Barron)</i>
<i>File:</i>	<i>Ass 3100</i>
<i>Disclosure of Interest:</i>	<i>CEO - as an adjoining land owner</i>
<i>Date:</i>	<i>9TH July 2007</i>
<i>Author:</i>	<i>Tony Doust Chief Executive Officer</i>

SUMMARY

This report provides Council with the details of the response received from the advertising of the proposal to amend the Shire of Boyup Brook Town Planning Scheme No 2 to rezone Lots 720 and 721 from rural to special rural and recommends approval for new amendment to proceed.

BACKGROUND

The proposal to rezone the lots was presented to Council on 19 April 2007. Council resolved accordingly:-

1. That Council, in pursuance of Part V of the *Planning and Development Act 2005* ("Act"), adopt draft Amendment No. 12 ("Amendment") to Shire of Boyup Brook Town Planning Scheme No. 2 ("Scheme") for community consultation which proposes to rezone Lots 720 and 721 DP 100786, Boyup Brook – Bridgetown Road, Boyup Brook from 'Rural' to 'Special Rural' and to include specific provisions in Schedule 3 – 'Special Rural' zones.
2. That as the draft Amendment is in the opinion of Council consistent with Part V of the Act and regulations made pursuant to the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the *Town Planning Regulations 1967*. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.
3. That, at the close of advertising, the Amendment be referred back to Council for further consideration.
4. That the Chief Executive Officer be requested to advise the Proponent that the following modifications to the draft Subdivision Plan will need to be considered prior to the Amendment being referred back to Council:
 - Proposed Lot 7244 being modified to locate the 'drainage line' in a position that is less central to the lot;
 - Inclusion of a Policy Statement that provides for the notification of the operation of the existing vineyard should subdivision take place while the vineyard is still operating;
 - An additional Policy Statement be included that states that the design and construction of all battle-axe access shall be to the satisfaction of the Shire; and
 - The 'Fire Fighting' Policy Statement be modified to refer to access to the strategic water supply at the time of subdivision to the satisfaction of the Shire."

COMMENT

The proposed amendment was advertised in the 'West Australian' on 23rd May 2007 and 'Manjimup Bridgetown Times' on 30th May 2007. Notices were sent to adjoining owners, Department of Water, Water Corporation, Main Roads, Environmental Protection Authority, FESA, Health Department, Department of Agriculture and Food. Notices were also placed at the 'Shire Office Notice Board' and the land being rezoned. The notice included the invitation to inspect the amending documents and make a submission by 4.00pm on 6th July 2006.

The following submissions have been received:-

WATER CORPORATION

I refer to your letter of 25 May 2007 and advise that the Water Corporation has no objection or comment on the amendment.

ENVIRONMENTAL PROTECTION AUTHORITY

Thank you for your letter of 25 May referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986 (EP Act) and that it is not necessary to provide any advice or recommendations.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision on the level of assessment of the scheme amendment.
- A copy of the letter will be sent to the relevant authorities and will be available to the public on request.

MAIN ROADS WA

Whilst Main Roads has no objection to the proposal in principle, the following conditions are requested.

1. The Development Plan should be amended to show road reserves north and east to create future links to other land developments. This will allow a more permeable local road network reducing the dependence on Boyup Brook – Bridgetown Road for short trips.
2. The accesses on Boyup Brook – Bridgetown Road to be located, designed and constructed to Main Roads requirements at subdivision stage.
3. A nominal 10 meter road widening along the Boyup Brook Bridgetown Road to be set aside for future acquisition at subdivision stage. Any fencing to be amended as part of the road widening will also need to be implemented at subdivision stage.
4. Some tree pruning is required as part of the access works to facilitate improved visibility.
5. Existing crossovers along Boyup Brook – Bridgetown Road to be closed.
6. Lots near Boyup Brook – Bridgetown may be subject to future traffic noise. The developer will be required to mitigate noise in accordance with Main Roads Noise Level Objectives at subdivision stage.

THOMPSON McROBERT EDGELOE

Council's Resolution at its Meeting of the 19th April 2007 resolved in part that the Chief Executive Officer be requested to advise the Proponent that the following modifications to the draft Subdivision Plan will need to be considered prior to the Amendment being referred back to Council.

The specific points raised by Council are listed below with our responses to each of these.

- Proposed Lot 7244 being modified to locate the 'drainage line' in a position that is less central to the lot;

Please refer to the attached plan. The boundaries of Lot 7244 have been amendment to provide for a larger building envelope extending further away from the drainage line. The western boundary has been moved closer to the drainage line so as to have the effect of making the 'drainage line' in a position that is less central to the lot. However in relation to the western boundary we do not consider this to be an issue as the boundary line should in any event coincide with tree line. The final position of the western boundary would be "fined tuned" when the initial site survey is done.

To further assist tin the detailed design of these lots is also requested that Condition 3 be modified to refer to the 'average minimum lot size' being 4 hectares. The purpose of this is that is to allow

for one of the lots adjoining Lot 7244 to be slightly less than 4ha if shown after the detail site survey is completed. The intention is purely to provide some flexibility having regard to the above issue and it is noted that the subdivision design must still be generally in accordance with Subdivision Guide Plan (Condition 2).

- Inclusion of a Policy Statement that provides for the notification of the operation of the existing vineyard should take place while the vineyard is still operating;

There is no objection to this and it is suggested that suitable wording for this could be as follows – Council may request to the Western Australian Planning Commission that any subdivision approval include a requirement for a notification to be placed on the Certificate of Title pursuant to Section 70A of the Transfer of Lands Act 1893 (as amended) of the proposed lot(s) advising of the operation of the existing vineyard.

- An additional Policy Statement be included that states that the design and construction of all battle-axe access shall be to the satisfaction of the Shire; and

There is no objection to this and it is suggested that suitable wording for this could be as follows: The design and construction for all battle axe access ways shall be to the requirements and satisfaction of the Council.

- The 'Fire Fighting' Policy Statement be modified to refer to access to the strategic water supply to be clarified at the time of subdivision to the satisfaction of the Shire.

There is no objection to this and it is suggested that Condition 16 be amended as follows: A strategic water supply for fire fighting shall be provided to the satisfaction of Council. This shall comprise of either a 50,000L water tank: or dam having a capacity of 200m³ with an appropriate means of access.

The submission received from Main Roads WA raises a number of issues that need to be considered and it is recommended that the action outlined be implemented in regard to these:-

1. **The Development Plan should be amended to show road reserves north and east to create future links to other land developments. This will allow a more permeable local road network reducing the dependence on Boyup Brook-Bridgetown Road for short trips.**

Comment

The proposed connection to Banks Road (to the north) is not necessary as it will not reduce dependence on the use of the Bridgetown Road. Banks Road does not provide a direct connection to the townsite as it connects to the Donnybrook Road, which is also a Main Road.

There is already a proposed road connection through the land to the north (Lots 735 & 1284) connecting into the 'Ridge View Estate' as part of the existing Special Rural zoning.

Any suggestion of a connection to the east, through to Lee Steere Crt is impractical as the adjoining land has already been subdivided and developed.

2. **The accesses on Boyup Brook—Bridgetown Road to be located, designed and constructed to Main Roads requirements at subdivision stage.**

Comment

There is no objection and it is expected that this will be included as a condition of subdivision.

- 3. A nominal 10 metre road widening along the Boyup Brook Bridgetown Road to be set aside for future acquisition at subdivision stage. Any fencing to be amended as part of the road widening will also need to be implemented at subdivision stage.**

Comment

Strongly object to this requirement.

There is no strategy, plan or report which has justified the need for future upgrading of the Boyup Brook – Bridgetown Road to this magnitude.

Main Roads previously acquired a portion of the subject land to accommodate a widening of the Boyup Brook – Bridgetown Road in 1991. A further “nominal” road widening is simply a land grab not based upon any future road upgrading or any design issues.

The land to the east and west of the site of has already been subdivided and developed making the implementation of a 10m widening extremely difficult. Further there is major infrastructure located on the northern side of the road reserve adjacent and within the subject land including the Water Corporation’s Bridgetown – Boyup Brook water pipeline and also an optic fibre cable.

Further a widening of this size would require the removal of existing vines and irrigation infrastructure as it would be necessary to still accommodate boundary firebreaks and internal accessways etc.

If any further widening is required then it would be expected to be sited on the southern side of the road reserve where the above issues do not affect it.

- 4. Some tree pruning is required as part of the access works to facilitate improved visibility.**

Comment

This would be addressed as part of the detailed design of the road access and intersections.

- 5. Existing crossovers along Boyup Brook — Bridgetown Road to be closed.**

Comment

The existing crossovers are used in for :

- (a) access to the house; and
- (b) access to the dam and vineyard.

Access to the dam is required for fire fighting purposes and securing this was a specific resolution of Council in adopting the Amendment.

Access to the existing house would be closed once the final subdivision is completed.

6. Lots near Boyup Brook — Bridgetown may be subject to future traffic noise. The developer will be required to mitigate noise in accordance with Main Roads Noise Level Objectives at subdivision stage.

Comment

This relates to a possible condition of subdivision and is not relevant to the amendment.

Main Roads is implementing a draft policy in relation to road and highway noise, which it is understood is primarily applicable in more developed areas. The subject land is in a semi rural location with the lots being proposed being larger than the existing adjoining lots along the Boyup Brook – Bridgetown Road. Any houses will be situated more than 100m from the road and this separation distance should provide adequate protection from any occasional traffic noise.

The submission from Thompson McRobert Edgeloe is confirmation of the requirements of Council's decision on the 19th April 2007.

It is recommended that the amendment be adopted with the changes required by Council on the 19th April 2007 and that the matters raised by Main Roads WA not be accepted.

CONSULTATION

Public Advertising, adjoining Landowners, Organizations as listed in the report, Thompson McRobert Edgeloe.

STATUTORY ENVIRONMENT

Shire of Boyup Brook Town Planning Scheme No. 2 ('Scheme')

Clause 1.5 of the Scheme contains its objectives and intentions. The following objective is relevant to the proposal:

- e) To zone suitable land for Special Rural development and establish the conditions under which such land may be developed and maintained.*

The Scheme defines a 'Special Rural Policy Area' with the purpose of identifying the intended future development of land within the Area. The provisions of the 'Special Rural Policy Area' are included in Clause 3.2.2 of the Scheme as follows:

"Whereas this area has been partly developed as a 'Special Rural' area and whereas a plantation has been established on Nelson Location 734 Banks Road and whereas further 'Special Rural' development could take place within this area, the following planning policy shall apply:

- (i) Special Rural development shall be the predominate use in the area and shall be in accordance with those provisions laid down in Clause 5.3.*
- (ii) Council shall not generally support proposals for the rezoning of land outside the policy area to the 'Special Rural' zone."*

The land to the west and north-west of the site has already been included in Special Rural zone No. 6. The land to the east has been included in Special Rural zone No. 2.

Clause 5.3 of the Scheme contains the provisions for the Special Rural zone with the following objective:

"The Special Rural zone is intended primarily to accommodate rural residential retreats and hobby farms. Council's objective within the Special rural zone shall be to permit the progressive rezoning

and subdivision of land included in the Special Rural Policy Area (as defined on the Scheme Maps) subject to such proposal being consistent with Council's overall planning requirements and planning objectives. All development in the Special Rural zone shall be conducted in a manner that preserves local amenity and the natural landscape or rural character of the zone".

Clause 5.3.1 of the Scheme requires the preparation of a submission that addresses the following:

- structure Plan that demonstrates how land is to be developed;
- reasons for selecting the particular area;
- land capability analysis of the site;
- contour plan that also describes the various physical features;
- method of potable water supply;
- staging of subdivision; and
- Any other relevant matters.

As noted, the documentation accompanying the Amendment addresses these matters and the rezoning proposal is considered to be consistent with the provisions of the Scheme.

POLICY IMPLICATIONS

Draft Shire of Boyup Brook Rural Strategy (2002)

The draft Shire of Boyup Brook Rural Strategy states (page 63):

Council has conducted an analysis of landform and topography, land capability, access opportunities and landowner intentions to identify a Special Rural Policy Area within close proximity to the Boyup Brook townsite. This shows the general area within which Council will consider applications for 'Special Rural' rezoning and subdivision. Existing Special Rural zones are predominantly located within this policy area. There is no evidence to suggest that total demand, in terms of numbers of lots, could not be met by the extent of existing zoned land".

The site is included in the area identified by the draft Rural Strategy. Accordingly, the proposal is considered to be consistent with the policies and desirable uses set out for the Area.

WAPC - Statement of Planning Policy No. 2.5 – Agriculture and Land Use Planning

"Statement of Planning Policy No. 2.5 – Agriculture and Land Use Planning" (SPP No. 2.5) outlines the objectives and requirements for local strategic and statutory measures that should apply to the planning and development of rural and agricultural land in Western Australia. SPP No. 2.5 accepts that development is going to occur in rural areas, and states:

"Rural settlement opportunities should be provided if sustainable and have benefit to the community".

SPP No. 2.5 seeks to:

".....foster economic well-being of rural communities particularly through economic diversification and value adding, specialized agricultural activities and tourist opportunities".

This is the essence of the Amendment as it seeks to provide the opportunity for the subject land to develop for rural residential purposes reflecting the economic opportunities associated with such development.

"...discouraging development and/or subdivision that may result in land or environmental degradation..."

From the information provided in the Amendment documents, no land or environmental degradation is likely to occur as a result of the Scheme Amendment, subsequent development or subdivision. Development will be limited to a single dwelling per site, with effluent disposal to be to the requirements of the Shire.

“...Proposals to rezone, subdivide or develop land within rural areas must have regard to both on-site and off-site impacts...”

No predicted on or off-site impacts will occur as a result of the proposed Scheme Amendment or subdivision.

WAPC - Development Control Policy No. 3.4 – Subdivision of Rural Land

The subdivision of rural land must comply with the measures set out in *Development Control Policy 3.4 (DC 3.4)*. DC 3.4 provides the framework for the achievement of the objectives of SPP No. 2.5 in relation to rural land subdivision.

There is a general presumption against the subdivision of rural land unless it is specifically provided for within a local town planning scheme or strategic document. However, notwithstanding the above, the WAPC may approve subdivision of land for the following specific reasons:

“The Commission shall only approve subdivision of rural land for rural residential and rural smallholdings where it is identified in an endorsed local planning strategy or local rural strategy or zoned in a town planning scheme;”

It is clear from the evidence provided with this Scheme Amendment that the land reflects DC 3.4.

WAPC- Warren-Blackwood Regional Planning Strategy (1997)

The Warren-Blackwood Regional Planning Strategy (WBRPS) was adopted by the WAPC in 1997 and is one of the first regional planning documents to embrace the principles of sustainability at its foundation. It aims to provide the best balance between social, environmental and economic factors.

In particular, it has brought together the natural resources themes of land, water and biodiversity, emphasizing their interdependence and the need to consider each in relation to development and land use outcomes. The WBRPS notes:

“A prerequisite to the endorsement of any local government strategy or policy that identifies Rural-Residential zones or policy areas will be an assessment of all rural land to identify the agricultural areas of State, regional and local significance. No Rural-Residential zones or policy areas will be supported within or adjoining those areas.

In addition, it will be necessary for the local government to demonstrate a demand for the scale and type of rural-residential development proposed. Generally, all rural-residential development should be located within 5km of a significant urban area”. (Page 53)

Importantly, the site is not included in the WBRPS ‘Conceptual Rural Zoning’ Map but is reflected in the Shire’s draft Rural Strategy as ‘Special Rural’.

State Water Strategy

The *Draft State Water Plan (SWP)* provides an overview of climate, water resources, availability and use and proposes frameworks to guide Government and the community’s response to current and future pressures. In relation to the proposed rezoning, the draft SWP notes that the State’s land use planning system is hierarchical.

“The planning process commences at the state level with the State Planning Strategy and becomes more detailed and prescriptive as it progresses through regional, district and local planning to subdivision, proposed development and construction planning. The integration of land use planning with the State Water Plan is primarily at a strategic level and supported by State

Planning Policies released by the Western Australian Planning Commission.

- *State Planning Strategy*
- *State Planning Policy 1 (State Planning Framework)*
- *State Planning Policy 2.5 (Agricultural and Rural Land Use Planning)*
- *Draft State Planning Policy 2.9 (Water Resources)*
- *Regional Strategies and Structure Plans (non statutory policies).*

Water planning should inform and integrate with land use planning. Increasingly, it is intended that water planning should precede land use planning. This will not only provide an important natural resource management context for land planning, but will identify resource opportunities, constraints and incompatible land use activities.” (Page 72)

The proposed Amendment seeks to lots sizes of 4ha. Without reticulated water and reflects WAPC Policy.

FINANCIAL IMPLICATIONS

The requisite assessment and advertising fee of \$2500.00 has been paid. There will be no other financial implications resulting from this rezoning unless the landowner decides to subdivide the subject site (after rezoning), in which case standard road upgrade and other contributions will apply.

STRATEGIC IMPLICATIONS

The Shire's Strategic Plan covers such areas as education and youth, health, aged accommodation, recreation and leisure, community groups, heritage and the environment, the plan and recognizes five principle economic development objectives:

- *industrial development*
- *agricultural resource development*
- *tourism*
- *residential land development*
- *aged accommodation*

In achieving the ultimate purpose of the Strategic Plan Council must follow its strategic objectives and implement its strategic initiatives. The proposal is considered to be consistent with this objective of the Strategic Plan as it seeks to reclassify the land for Special Rural in accordance with the Shire's Scheme.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Downing

SECONDED: Cr Broadhurst

1. That Council does not support the requirements of items 1, 3 and 6 of the submission received from Main Roads WA, for the reasons outlined in the “comment” section of this report.
2. That Council adopts the amendment No 12, to rezone lots 720 & 721 Boyup Brook Bridgetown Road from Rural to Special Rural, as agreed to by the at the Council meeting on the 19th April 2007, including the changes also agreed to by Council on 19th April 2007 and now confirmed by the applicant .

CARRIED 6/0

7.2.9 Planning Application – Oversize Shed Lot 249 Railway Parade, Boyup Brook

Location: Lot 249 Railway Parade, Boyup Brook
Applicant: John Walsh
File: AS 1911
Disclosure of Interest: Nil
Date: 10th July 2007
Author: Tony Doust, Chief Executive Officer

SUMMARY

The owner of the above lot proposes to build a free standing garage/carport on Lot 249 Railway Parade that is in excess of the size permitted by Council’s “Outbuildings” Policy. This report recommends the application be approved subject to conditions.

BACKGROUND

The land is situated within the Residential Zone within Boyup Brook townsite. The total area of the lot is 991m². The owner wishes to construct a free standing colourbond garage/carport with a total floor area of 56.7m². A house and another shed of area 37.7m², exist on the block as indicated on the attached plan. The ridge height of the proposed shed is 3.226m. The proposed setbacks are 1m from both side and rear boundaries.

COMMENT

Council’s policy stipulates the maximum dimension for an outbuilding is as follows unless Council approves otherwise:

Zone	Maximum individual outbuilding area (m ²)	Maximum total outbuilding area (m ²)	Maximum height (m)
Residential / Urban Blocks 1012 m² or less	56.4	75	3.0
Residential / Urban blocks greater than 1012 m²	56.4	90	4.5
Special Rural	108	108	4.5
Rural	No maximum area	No maximum area	No maximum height

The proposed area (additional 19.4m²) variation to the adopted policy “Outbuildings” is considered reasonable within the Residential Zone. The overall height (3.226m) complies with the maximum detailed in the Councils Policy (i.e maximum ridge/gable height of 4m).

The setbacks from the rear and side boundaries are in accordance with the requirements of the Shire of Boyup Brook Town Planning Scheme (Residential Zone) and the Policy.

The building will be clad in colourbond and will be screened from Railway Parade by the existing house, as required by the Policy.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Shire of Boyup Brook Town Planning Scheme No 2

POLICY IMPLICATIONS

“Outbuildings” Policy (Requirements shown in report)

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Compliance with adopted policies and Shire Boyup Brook Town Planning Scheme No 2 will ensure Council’s objectives for the Residential Zone are maintained.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Downing

SECONDED: Cr Oversby

That planning approval be granted to Mr John Walsh to erect an outbuilding (Garage/Carport) on Lot 249 Railway Parade, subject to the following conditions:-

- 1. The maximum floor area of the Garage/Carport being not greater than 60m²**
- 2. The height of the shed not to exceed 4.00m**
- 3. The building must not be built within 1.2m of any septic tank or within 1.8m of any leach drain.**

CARRIED 6/0

7.3 CORPORATE SERVICES

7.3.1 Accounts for Payment

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>Shire of Boyup Brook</i>
<i>File:</i>	<i>EM/51/003</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>

Date: 12th June 2007
Author: Keith Jones – Manager of Finance and Administration

SUMMARY

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

BACKGROUND

Invoices have been received during the month of June 2007.

COMMENT

Accounts are presented for consideration (see appendix 1.4) or where paid by direct debit pursuant to the Council's "Authorisation to Incur Debts and 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 "Authorisation to Incur Debts and Make Payments" policy.

FINANCIAL IMPLICATIONS

Account payments are in accordance with the adopted budget for 2006/07 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby **SECONDED:** Cr Ginnane

1. That the accounts for June 2007 as presented totaling \$655,550.99 as-
 - a. cheque voucher numbers 16131 - 16221 be approved for payment;
 - b. paid by-
 - i. direct electronic payments through the Municipal Account;
 - ii. cheque voucher numbers 2113 - 2115 paid through the Chief Executive Officer's Advance Account;
- be endorsed.

CARRIED 6/0

7.3.2 **May 2007 Monthly Statement of Financial Activity**

Location: NA
Applicant: NA
File: EM/51/003
Disclosure of Interest: Nil
Date: 12 June 2007
Author: Keith Jones – Manager of Finance & Administration

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 31 May 2007, and Investment Schedule for the month end 30 June 2007.

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 report is attached – see appendix 1.5

COMMENT

It is suggested that the recommendation be considered.

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 Moir

SECONDED: Cr Oversby

That the May 2007 Monthly Statement of Financial Activity as presented, be received.

CARRIED 6/0

7.3.3 **Western Australian Local Government Association – Agenda Annual Meeting**

Location: WALGA AGM Perth – 5 August 2007
Applicant: WALGA
File: GR/31/002
Disclosure of Interest: Nil
Date: 4th July 2007
Author: Tony Doust, Chief Executive Officer

SUMMARY

To consider the items on the agenda for the Annual Meeting of the Western Australian Local Government Association and authorize the Shire delegates to vote in accordance with Council direction.

BACKGROUND

The AGM Agenda includes a number of items for discussion and consideration by the delegates. These include:

- Industry Benchmarking – City of Gosnells
- Frequency of Land Valuations by the Valuer Generals Officer – Shire of Dardanup
- Pre Selling developed land in advance of subdivisions conditions being cleared – Shire of GinGin
- Funding of St John’s Ambulances Services from ESL – Shire of Perenjori
- State Water Reform Agenda – Concern for Local Government – South West Zone
- State Government Pensioner/Senior Concessions – Inclusion of Domestic Refuse Collection Charges – City of Wanneroo
- WALGA Zone Office Bearers Term – Shire of Bridgetown/Greenbushes
- Associate Members of WALGA – WALGA Executive

COMMENT

A copy of the agenda is attached for Councillors consideration.

It is recommended that the Council delegates, Cr Ginnane and Downing be given direction to vote accordingly to what they consider is in the best interest of the Shire of Boyup Brook on the items included in the agenda.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Western Australian Local Government Association Inc Constitution and Standing Orders

POLICY IMPLICATIONS

Not Applicable

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Broadhurst

That Crs Ginnane and Downing be authorized to vote at their discretion on the matters included on the WALGA AGM agenda, 5 August 2007, in the best interests of the Shire of Boyup Brook.

CARRIED 6/0

8. PETITIONS AND MEMORIALS

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

11. CONFIDENTIAL MATTERS

12.. CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 4.31pm

These Minutes and Schedule of Accounts were confirmed by the Council at the Council Meeting held on the 2007.

Cr Terry Ginnane, Shire President