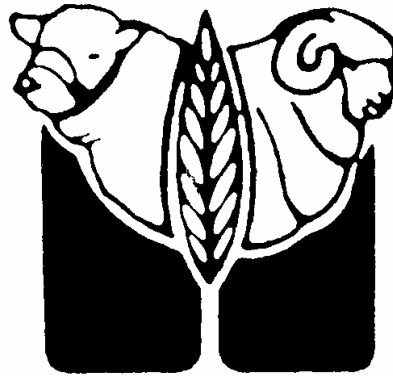


MINUTES



ORDINARY MEETING

HELD ON

THURSDAY, 20 SEPTEMBER 2007

COMMENCED AT 3.30PM

AT

SHIRE OF BOYUP BROOK CHAMBERS
ABEL STREET – BOYUP BROOK

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

1.1 Attendance

Cr T Ginnane – Shire President – (Withdrew at 4.27pm and returned at 4.32pm)

Cr S Broadhurst

Cr R Downing

Cr P Marshall

Cr K Moir

Cr T Oversby

Cr A Piper

Mr T Doust – Chief Executive Officer

Mr K Jones – Manager of Finance

Mr J Eddy – Manager of Works and Services

Mrs M Loder – (Withdrew at 4.06pm)

1.2 Apologies

1.3 Leave of Absence

Cr J Florey was granted leave of absence at the previous meeting of Council for the 20th September 2007 Ordinary Meeting.

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

Cr Broadhurst will be on leave from the 22 September to the 13 November 2007 and consequently will be absent for the October ordinary meeting of Council.

MOVED: Cr Oversby

SECONDED: Cr Downing

That leave of absence be granted to Cr Broadhurst for the October 2007 Ordinary Council Meeting.

CARRIED 7/0

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr Downing – Sandakan Trip representing Shire, tabled photo book on ceremony and gave review of his trip highlighting the wonderful hospitality and efficiency. Identified the facilities and attractions he was shown via the High Commissioner's vehicle.

They have a strong regard for people from Boyup Brook.

A copy of the Memorial Service Program was also tabled.

5 CONFIRMATION OF MINUTES

5.1 Minutes of the Ordinary Meeting of the Council held on 16 August 2007.

MOVED: Cr Broadhurst

SECONDED: Cr Oversby

That the minutes of the previous Ordinary Meeting of the Council held on Thursday 16 August 2007, be confirmed as an accurate record.

CARRIED 7/0

6 PRESIDENTIAL COMMUNICATIONS

7 REPORTS OF OFFICERS AND COMMITTEES

7.2 DEVELOPMENT AND COMMUNITY SERVICES

7.2.1 Subdivision Application – LOT 2 & PT 3 Craigie Road Kulikup

<i>Location:</i>	<i>Lot 2 Craigie Road Kulikup</i>
<i>Applicant:</i>	<i>Thompson McRobert Edgeloe (Owner PS & SV Torrisi)</i>
<i>File:</i>	<i>Ass 6220 (19259)</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th September 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 2 and PT 3 on two lots of 105.7597ha and 136.9559ha. The report recommends the application be approved.

BACKGROUND

Lot 2 and PT 3 have a total area of 242.7156ha. The property adjoins Craigie Road on the West and a road reserve on the North. Access to the property is currently from Craigie Road. The proposed subdivision will create two lots and both will have frontage to Craigie Road. The applicant has not provided any information to support the proposal.

COMMENT

The subject land is zone rural and the future purpose states in the application it is rural. The proposed lots are both in excess of 80ha and the proposal is not in conflict with the Western Australian Planning Commission policy No. DC.3-4, Warren Blackwood Rural Strategy or Shire of Boyup Brook Town Planning Scheme Objects.

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 Manager 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 the 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 BBR 3 in the Shire of Boyup Brook Draft Local Rural Strategy and complies with the objectives and subdivisional / development guidelines.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATIONS

MOVED: Cr Piper

SECONDED: Cr Oversby

That the Western Australian Planning Commission be advised that Council supports the proposed subdivision of Lot 2 and PT 3 Craigie Road Kulikup 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**

CARRIED 7/0

7.2.2 Local Rural Strategy

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>Shire of Boyup Brook</i>
<i>File:</i>	<i>LN/42/004</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>4th September 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

The purpose of the report is to obtain Councils approval to proceed with the modifications required to progress the Local Rural Strategy with the Western Australian Planning Commission.

BACKGROUND

Council at its meeting on the 15th February 2007 considered the position with regard to the Shire of Boyup Brook Local Rural Strategy which was prepared in October 2002. The Western Australian Planning Commission (WAPC) advised Council on 10th September 2003 of a number of modifications that were required prior to approval to advertise being granted. During the period up to February 2007 Council has considered the modifications and has discussions with the Western Australian Planning Commission without reaching any satisfactory conclusion.

As a result of the report submitted to Council on 15th February 2007, Council resolved accordingly:-

- “1. That the CEO be authorized to make arrangements with Thompson McRobert Edgeloe to progress with the “Recommended Course of Action” outlined in the comment section of this report.
2. The Council delegate’s authority to the Development Services Committee to make any decisions required to achieve the “Recommended Course of Action” outlined by Thompson McRobert Edgeloe in their letter detailed in the comment section of this report.”

To date the Development Services Committee has held several workshops with Mr Geoffrey Lush, Thompson McRobert Edgeloe, to review the position and work through some of the changes that need to be made to address the concerns of the Western Australian Planning Commission.

Mr Lush prepared a document outlining the matters covered by the Development Services Committee at workshops held on 24th April and 28th May 2007. A copy was circulated to all Councillors on 1st August 2007.

Whilst the committee has not formerly resolved that the modifications to the strategy be the Council’s position, the document has been submitted to the Western Australian Planning Commission for their consideration. Mr Lush has also met with officers of the Western Australian Planning Commission to discuss the issues with the view to reporting back to the Shire on the agreed outcomes with the Western Australian Planning Commission Officers.

Mr Lush has now advised of the outcome of his discussion with the Western Australian Planning Commission Officer’s and provides the following report:-

“I believe that this has been a positive outcome and that it is possible to move forward with the strategy with a view to it being advertised for public comment. I have outlined a summary the responses from DPI to the major issues discussed by Council.”

If the Council does not agree with any of these outcomes then it needs to either:

1. Lodge a formal submission with the Commission regarding the matter in dispute; or
2. Proceeds with advertising the Strategy and for Council to lodge its own public submission regarding the issue in dispute. Hopefully in this situation there would also be other public submissions supporting Council’s concern.

Given the progress which has been made, then if there are any areas still in dispute by the Council I would strongly recommend proceeding with Option 2 above. Option 1 would simply create further delays.

I have documented the detailed changes in the attached Modification Schedule which references the Commission's letter dated the 6th August 2006. This will be submitted to the Department for examination. Following this the revised documents can be presented to Council for adoption and forwarding to the Commission for checking prior to being advertised.

The Department has also advised that the Planning Commission is reviewing Policy No DC 3.4 relating Rural Subdivision and Land Use. A revised policy will be released shortly for public comment. This has an impact on several of the issues within the rural strategy and in summary the main changes to the Policy are understood to be:

Homestead Lots

Still only applies in Shires with a declining, or static population. Minimum lot size will be reduced even further to possibly 1ha to 4ha. The major change is that there must be an existing dwelling "homestead" on the subdivided lot rather than a vacant lot.

Conservation Lots

More flexibility will be introduced in relation to the minimum lot size and the existing 40 hectare minimum lot size will not be rigidly applied. The "test" for smaller lots is ensuring that the agency with the conservation covenant is satisfied that smaller lots can adequately protect vegetation. Multiple lots are more likely to need a rezoning and DPI will encourage Council's to have an appropriate conservation zone in local schemes.

Reticulated Water – rural residential lots

An alternative provision to reticulated water supplies for rural residential lots less than 4ha will be introduced. This will simply refer to the Commission being prepared to consider alternative water supply arrangements in consultation with the relevant agencies where the proposed supply is sustainable for the intended use.

The suggestion is that water requirements should not be the sole determining factor of lot sizes, particularly on the edges of townsites. Clearly it will be some time before precedents are set regarding what will be accepted.

The revisions to the rural strategy will in any event have to have regard to the above changes and it has been suggested that some flexible wording could be used to accommodate the finalization of the policies without having to further change the Strategy Report.

In relation to the issues raised in the Council Workshops, the only changes from our recommendations that DPI are considering are as follows:-

No 3 – Farm Restructure

DPI is comfortable with reference to 20 hectares minimum lot size within 10kms of the townsite.

The issue of contention was for the land outside of this as the Warren Blackwood Rural Strategy makes an inference that the minimum lot size should be 80 hectares. DPI indicated that it would accept 40 ha as a minimum lot size for the area more than 10kms from the townsite.

This is considered reasonable and the inclusion of this in the rural strategy is still more advanced than many other strategies.

Recommendation

1. That the rural strategy reflects the provisions of the Warren Blackwood Rural Strategy relating to farm restructuring / boundary adjustments.
2. That for the purpose of the above provisions, a "lifestyle" lot is defined as having a minimum area of 20 hectares (being within 10kms of the townsite).
3. That areas more than 10kms distance from the townsite the smaller lot shall have a minimum size of 40 hectares.

No 5 – Homestead Lots

It is agreed that these can apply anywhere and not just in association with plantations. The Committee recommendation was to remove the reference to there having to be an “existing habitable dwelling”.

The revised WAPC Policy will require the homestead lot to include an existing dwelling. This is considered reasonable given that

- the minimum lot size will be further reduced; and
- without a requirement for an existing dwelling the provision would just allow a defacto rural subdivision.

Recommendation

That the rural strategy acknowledge the proposed revision to WAPC Policy DC 3.4 and recommend that the development of Homestead Lots shall comply with the final version of this policy.

Conservation Lots

Council has stipulated a minimum lots size of 20 hectares and in view of the revised WAPC Policy there was major objection raised. It is unclear at this time what the revised WAPC Policy will permit but it could be less than 20ha subject agreement by the conservation agency. However it is assumed that in this situation that a rezoning would be required.

Recommendation

That the rural strategy provide for a:-

1. Where a lot is 40ha in area or larger, any proposal will need to ensure that there are adequate management measures.
2. Lots less than 40ha should only be permitted in exceptional circumstances having regard to natural features, roads, boundaries etc. They should not in any case be smaller than 20ha with a ‘Rural’ zoning; and
3. Where the lots are less than 20ha a rezoning will be required;
4. Multiple conservation lots in one location may depending upon the circumstances require a rezoning to address other land use issues.

Townsite Strategy

The need for a townsite strategy is still necessary at some point in the future so as to convert the rural strategy to a complete Local Planning Strategy covering the whole of the Shire.

The work required to complete a Townsite Strategy is not huge and would include an assessment of:

- Existing supply of residential lots (zoned and undeveloped);
- Documenting servicing issues;
- Documenting community infrastructure;
- Recognising the strengths and weakness of the community “sense of identity”
- Identifying opportunities and constraints to development with associated recommendations.

There is no objection to creating a Townsite precinct incorporating the land within the 5km radius. It was suggested that the two areas that might be considered for potential urban expansion, to the north and south of the town centre, should be shown on the “Opportunity Plan” as development investigation areas. Any proposals to rezone and develop these sites will need to address townsite strategy issues.

This provides the means of progressing the rural strategy and accommodating possible longer term town growth while incorporating the Riverside Development Protection Investigation Area (RDPIA) as an overlay control with rural small holding lots located on the eastern side of the river corridor.

Recommendation

That the rural strategy provide for a:-

1. A townsite precinct / policy area reflecting the 5km radius;
2. Within this precinct provide for rural residential and rural small holding areas as previously agreed by the Committee;
3. That the northern 'corridor' from town between the river and the Arthur River Road be shown as a Development Investigation area.
4. That the southern 'corridor' along Terry Road also be shown as a Development Investigation area.
5. The Strategy acknowledges the need for a Townsite Strategy to be prepared.
6. That the Strategy include a statement that the proposed Development Investigation areas have been identified as being potentially developed in conjunction with the urban structure of the townsite. Before any rezoning or subdivision occurs in these areas a Townsite Strategy or a detailed structure plan addressing townsite issues must be prepared.

The Department is also supporting the 'splitting' of the Report into two volumes with the Strategy predominantly containing the policies and recommendations.

COMMENT

Whilst it was intended that the report be referred to the development service committee the need to progress this matter as soon as possible required that the same be presented to Council. The information provided by Mr Rush clearly identifies the issues requiring consideration and the options available.

It is recommended that Council approve the changes recommended by Mr Lush and the same be submitted to the WAPC, for consideration and approval to amend the strategy for advertising.

CONSULTATION

Geoffrey Lush Thompson McRobert Edgeloe

STATUTORY ENVIRONMENT

Planning Development Act 2005
Town Planning Regulations 1967
Shire of Boyup Brook Town Planning Scheme No 2
Local Government Act 1995

POLICY IMPLICATIONS

No Specific adopted policy that applies to this matter.

FINANCIAL IMPLICATIONS

Funding has been provided in the 2007/08 budget to progress planning requirements including the Local Rural Strategy.

STRATEGIC IMPLICATIONS

Finalisation of the Shire of Boyup Brook Local Rural Strategy will be a significant planning achievement for the Council and will provide a foundation on which future planning and land use decisions can be correctly made.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATIONS

MOVED: Cr Downing

SECONDED: Cr Piper

1. That Council approves the schedule of modifications to the Draft Shire of Boyup Brook Local Rural Strategy and the same be submitted to the Western Planning Commission for their approval.
2. On receipt of the approval from the Western Australian Planning Commission the Shire of Boyup Brook Draft Local Rural Strategy be amended and updated to reflect the changes outlined in the modification schedule and the revised document be submitted to Council for approval.

CARRIED 7/0

7.2.3 Reserve 29911 – Country Music Club Feature Wall

Location: Reserve 29911 Cnr Abel Street and Jayes Road Boyup Brook
Applicant: Country Music Club Boyup Brook WA Inc
File: Reserve 29911
Disclosure of Interest: Nil
Date: 6th July 2007
Author: Tony Doust, Chief Executive Officer

SUMMARY

To consider the response received to the advertising of the proposal by the Country Music Club Boyup Brook to construct a "Feature Wall" on Reserve 29911, cnr Jayes Road and Abel Streets Boyup Brook, and decide on whether to allow the proposal to proceed.

BACKGROUND

Council at its meeting on 19th July 2007, consider an application from the Country Music Club of Boyup Brook, to construct Feature Wall on the South West Corner of Reserve 29911 (cnr Jayes Road and Abel Streets) incorporating the words "Country Capital of WA" and several of the features. Council Resolved:-

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 Flax Mill and the period it will be required."*

The proposal was advertised in the August publication of the "Boyup Brook Gazette" and notices placed on the Shire Office notice board and Country Music Club office window. At the closure of the advertising two submissions were received and provided the following comments:

“* I just saw the proposed picture of the feature wall – I really don't like it. I'm not sure if I'm too late to write in or not but I feel we need to get a theme going in the town and stick with it. It seems that we have many people wanting to do a lot for the town but not working together. The sculpture of the man, dog and sheep is great but its needs to be in a spot where it can be seen properly – why not use the islands in the middle of town?

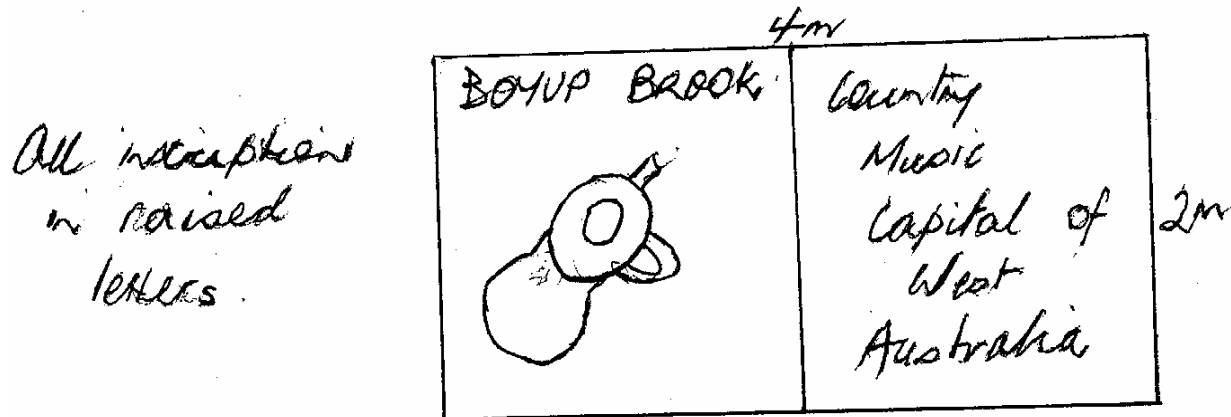
Anyway if there is still time could you please register my vote as no to the Country Music Feature Wall.

* The Country Music Club undoubtedly continues to make a very significant contribution to the social and economic life of Boyup Brook, and it's fitting that this should be advertised and acknowledged.

Boyup Brook is more than country music; however my concerns with the proposed site, structure and design are as follows:

- The entrance to the townsite is already cluttered with other signage, etc
- The proposed site could well pose a distraction for motorists and therefore prove to be a traffic hazard (is this corner the one where most accidents already occur?)
- There is no really suitable place where people might stop to take photographs
- I believe the proposed structure is a little too large; and incorporating the kangaroo paw is not really relevant.

If the proposed design were to be improved, perhaps a more modest and still eye-catching structure might be:



It's my belief that the interests of all would be better served by a simple metal sculpture (e.g. a vertical post with a stetson, guitar and whip as on the logo) located in the end of the median strip (current site of the planting of irises). This location would not solve the problem for photographers but signage would be unnecessary; there would be some consistency, should plans to erect other sculptures at town entrances eventuate; and the sculpture could be replicated at the Bridge Street end of town.

I offer these comments in full support of Country Music's efforts to advertise and celebrate its contribution to our Community.”

COMMENT

Whilst there has only been two submissions, a number of people have made verbal comments about two issues:

- The location of the “Tall Man Dog and Sheep structure”.
- The number of different entry statements i.e. “Tall Man Dog and Sheep”, “Country choice Signs” and suggested “Country Music Feature Wall”.

It is important that the positioning of the “Statements” “Structures” be such to provide a consistent message/theme for the Shire and the Boyup Brook Town.

The club has advised that the estimated cost for the work required by the Shire is \$620. The total floor area required at the Flax Mill is 50 square metres and this will be required for (12) weeks.

CONSULTATION

Public Advertising

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Works required by the club. \$620.00 and use of Flax Mill shed for (12) weeks. Funding has not been provided in the 2007/08 Budget for this expenditure.

STRATEGIC IMPLICATIONS

The need to focus on a major theme for Boyup Brook is important for the overall promotion of the Shire and Boyup Brook Townsite.

VOTING REQUIREMENTS

Simple Majority for any decision to approve the structure and location.
Absolute Majority for unbudgeted expenditure.

OFFICER RECOMMENDATION

(Note: No Officer Recommendation provided)

Cr Oversby and Cr Downing declared an impartiality interest in item 7.2.3 in view of their membership of the Country Music Club of Boyup Brook.

MOVED: Cr Oversby

SECONDED: Cr Broadhurst

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

CARRIED 7/0

MOVED: Cr Broadhurst

SECONDED: Cr Downing

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

CARRIED 7/0

MOVED: Cr Oversby

That approval be granted to the Country Music Club to construct the proposed Feature Wall.

MOTION LAPSED FOR THE WANT OF SECONDER

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Broadhurst

That the matter of the entry statements/theme and their location for the Shire, be considered during the forthcoming strategic planning programme, and the proposal by the Country Music Club to construct the Feature Wall be included in this process.

CARRIED 6/1

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>
<i>Date:</i>	<i>13th September 2007</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>

SUMMARY

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

BACKGROUND

Invoices have been received during the month of August 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.

Cheques cancelled during the month were-

- Chq 16291 A & L Printers \$849.00 cancelled due to printer error. Chq 16368 reissued.
- Chq 16312 Bunbury Mitsubishi \$326.50 cancelled due to printer error. Chq 16369 reissued.
- Chq 16313 Burgess Rawson \$187.94 cancelled due to printer error. Chq 16370 reissued.

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 2007/08 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATIONS

MOVED: Cr Moir **SECONDED:** Cr Downing

1. That the accounts for August 2007 as presented totaling \$465,797.41 as-
 - a) cheque voucher numbers 16289 – 16370 be approved for payment;
 - b) paid by-
 - i. direct electronic payments through the Municipal Account;
 - ii. cheque voucher numbers 2117- 2120 paid through the Chief Executive Officer's Advance Account;

be endorsed.

CARRIED 7/0

Mrs M Loder left the Chambers at 4.06pm

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

<i>Location:</i>	NA
<i>Applicant:</i>	NA
<i>File:</i>	EM/51/003
<i>Disclosure of Interest:</i>	Nil
<i>Date:</i>	12 September 2007
<i>Author:</i>	Keith Jones – Manager of Finance

SUMMARY

Report recommends Council receive the Monthly Statement of Financial Activity for the month ended 31 July 2007, and Investment Schedule for the month ended 30 September 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.

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 Downing

SECONDED: Cr Oversby

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

CARRIED 7/0

7.3.3 Request for Financial Assistance

<i>Location:</i>	<i>South West of Western Australia</i>
<i>Applicant:</i>	<i>Bicycle Victoria</i>
<i>File:</i>	<i>FM/25/008</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>10th September 2007</i>
<i>Author:</i>	<i>Tony Doust, Chief Executive Officer</i>

SUMMARY

To consider a request from Bicycle Victoria for financial assistance of \$6,000.00 towards the "Great Escapade 2009 Bike Ride". The tour travels through several towns within the South West Region of Western Australia promoting health and fitness. The report recommends providing assistance subject to conditions.

BACKGROUND

In 2006 Bicycle Victoria conducted the "Main Roads Lifecycle Great Western Australian Bike Ride", with assistance from Key Stakeholders and Local Governments along the 827 km Ride Route. 2638 bike riders and over 300 support staff participated.

The route in 2006 did not include Boyup Brook; however, it is an alternative being considered for the 2009 ride.

The direct economic benefit to Western Australia was estimated to be over \$3 million.

The request includes:-

- Access to, and exclusive use of, a suitable camping facility within the Shire for at least 3500. This would include the use of any on site buildings that are available to the group, however they are self contained with kitchen, toilets and showers etc.
- Provide on site access and use of electricity and waive associated costs.

COMMENT

Basically, an overnight stay and the benefits of a large crowd spending within the community during the stay are dependent on assistance to support the running costs of the event. A greater consideration of an overnight stay location is given to the Shire's assisting with financial support of the event.

The Council needs to determine the benefits to the community in contributing financially to this event and promotion of an overnight stay in Boyup Brook. The large number of people participating will be purchasing food and other consumables during the afternoon overnight stay.

Subject to the Council agreeing to contribute, the planning stages of this event will include a promotion video of the entire route of the event, including Boyup Brook and its environs.

Participation and inclusion will promote Boyup Brook as supportive of sport and community fitness and will have the benefit of further exposure statewide, nationally and internationally as a friendly and scenic tourist location.

CONSULTATION

The Ride Director, Sarah Greenwood-Smith of Bicycle Victoria.

STATUTORY ENVIRONMENT

No special requirements in relation to the decision to agree to a financial contribution.

POLICY IMPLICATIONS

There are no policy implications covering this particular situation.

FINANCIAL IMPLICATIONS

If Council agrees to contribute, the funding will not be required until late 2008 or early 2009. The amount of \$6,000.00 can be provided for in the 2008/2009 Shire Budget.

STRATEGIC IMPLICATIONS

The Shire relies on tourism as a financial resource and always strives to identify different avenues for promoting Boyup Brook to the greater external community.

This event will provide that promotion and a financial injection into the community, with the possibility of further, future events and overnight stays being held in Boyup Brook.

The Caravan Park and Flax Mill facilities will be utilized to accommodate the riders and support crews. These facilities are suitable for accommodation the expected number of people involved.

VOTING REQUIREMENTS

Simple Majority

MOVED: Cr Oversby

SECONDED: Cr Moir

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

CARRIED 7/0

MOVED: Cr Broadhurst

SECONDED: Cr Oversby

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

CARRIED 7/0

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Broadhurst

SECONDED: Cr Oversby

- 1. That Council agrees to contribute \$6,000.00 towards the cost of conducting the "Great Escapade 2009 Bike Ride", subject to the route selected including an overnight stop in Boyup Brook, and provision be made in the 2008/2009 Tourist Promotion budget for this allocation.**
- 2. The Flax Mill and Caravan Complex and adjoining paddock be made available for an overnight stay at no cost to the participants in the "Great Escapade 2009 Bike Ride".**
- 3. The provision of facilities for rubbish and waste disposal at no cost to the participants in the "Great Escapade 2009 Bike Ride."**

CARRIED 7/0

7.3.4 Addition of Approved Auditor – Period 01/07/2007 to 30/06/2010

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>David Tomasi – UHY Haines Norton</i>
<i>File:</i>	<i>FM/9/001</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>12th September 2007</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>

SUMMARY

To consider the addition of an approved auditor the period 01/07/2007 to 30/06/2010 inclusive and make an appointment.

BACKGROUND

The present contract for external audit services is with UHY Haines Norton Chartered Accountants and the nominated Auditors are DJ Tomasi and RB Swarbreck. A letter has been received from UHY Haines Norton signed by David Tomasi requesting Greg Godwin be added as a nominated Auditor.

COMMENT

As Mr Greg Godwin has been admitted as a Partner of the firm from 1 July 2007, and is a registered company auditor (number 310219) there is no reason this request should not be accepted.

CONSULTATION

Audit Committee
Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 – Part (7) Division (2) Section 7.3 Appointment of Auditors

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

MOVED: Cr Downing

SECONDED: Cr Piper

That the Council appoint Mr G Godwin, UHY Haines Norton Osborne Park WA, as an approved auditor for the Shire of Boyup Brook, for the period 01/07/07 to 30/06/10.

CARRIED BY ABSOLUTE MAJORITY 7/0

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

Cr T J Ginnane had declared a financial interest and departed Chambers at 4.27pm.

Cr Downing took the Chair.

10.1 **Shire Presidents Visit to Sandakan – Signing of Memorandum of Understanding**

Cr R Downing has asked that Council consider the following motion at the Council meeting on 20th September 2007.

Council will need to resolve that the item be considered.

MOVED: Cr Broadhurst

SECONDED:

Cr Piper

That the item proposed by Cr Downing in relation to approving unbudgeted expenditure for the Shire President or their nominee to attend Sandakan during the next month to complete the Memorandum of Understanding between the Shire of Boyup Brook and Sandakan Municipal Council be accepted and considered.

CARRIED 6/0

Motion submitted by Cr R Downing:-

BACKGROUND

At the Civic Reception on 11 September 2007, a Memorandum of Understanding outlining exchanges of various matters was signed by Shire President Cr Ginnane and Shire Chief Executive Officer Mr Tony Doust. Due to legal constraints of Malaysian law, the Delegation from Sandakan was unable to sign the Memorandum at that time.

It is anticipated that the Sandakan Municipal Council President, Mr Yeo, will be in a position to attach his signature within the next month. It would seem appropriate for a representative of the Boyup Brook Shire Council to be present on this occasion, to reinforce the high regard which the Council should attach to this honour.

If this Memorandum is to be taken seriously by both parties, and progress made in friendship and co-operation between the two Authorities, Boyup Brook Shire Council should make every attempt possible to show an earnest intention to make this Understanding something which will be maintained over a long period of time.

MOVED: Cr Downing

SECONDED:

Cr Oversby

That in the event of the Sandakan Municipal Council issuing an invitation for a Boyup Brook Shire President to attend the formal signing of the Memorandum of Understanding between the two authorities in Sandakan, a sum not exceeding \$2,000 be expended from unbudgeted funds towards the expenses of the President or their nominee attending that signing in Sandakan.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Cr T J Ginnane returning to the meeting at 4.32pm. Cr Downing vacated the Chair.

11. CONFIDENTIAL MATTERS

12. CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 4.33PM