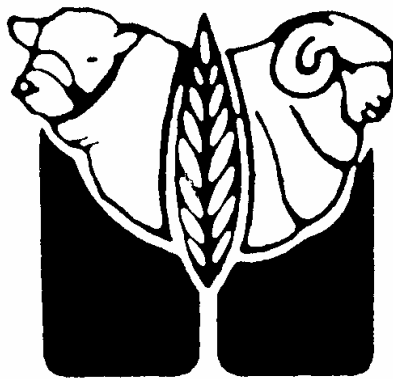


MINUTES



ORDINARY MEETING

HELD

THURSDAY 20 MAY 2010

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
Cr E Biddle
Cr R Downing
Cr Giles
Cr P Marshall
Cr E Muncey
Cr B O’Hare
Cr T Oversby

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr Keith Jones (Manager of Finance)
Mrs Maria Lane (Executive Assistant)

PUBLIC: Mr Geoffrey Lush arrived at 3pm (Council’s Planning Consultant)
Mr Mark Bombara arrived at 3pm

3.35pm – Cr Biddle arrived.
3.35pm – Cr Marshall arrived.
3.36pm – Cr Oversby arrived.

Apologies

Cr T Doust – Deputy Shire President

1.2 Leave of Absence

Nil

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

4.10pm – Maria Lane left the Chambers.
4.11pm – Maria Lane returned to the Chambers.
4.11pm – Keith Jones left the Chambers.
4.13pm – Keith Jones returned to the Chambers.
4.13 – Cr Giles left the Chambers.
4.14pm – Cr Downing left the Chambers

3 APPLICATIONS FOR LEAVE OF ABSENCE

MOVED: Cr O'Hare

SECONDED: Cr Muncey

That Cr Oversby be granted leave of absence for the June 2010 ordinary meeting of Council.

CARRIED 6/0

Res 075/10

4.15pm – Cr Downing returned to the Chambers.

4.16pm – Cr Giles returned to the Chambers.

4.17pm – Cr Giles left the Chambers.

4.20pm – Cr Giles returned to the Chambers.

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Mark Bombara gave a presentation on his proposed development and options on Part Lot Nelson Location 441. (south side of Boyup Brook-Arthur Road)

Cr Biddle attended the Boyup Brook Tourism Association meeting which was held on 11th May 2010.

Roger Downing -Anzac 2010 Report

Thank you Councillors for allowing me to represent the Boyup Brook Shire at the recent Anzac Day Dawn Service in Sandakan.

This is an important event at which Boyup Brook should be represented, not the least to maintain our relationship with the Sandakan Municipal Council in accordance with the Friendship agreement we have with them.

The event is also important from an Australian point of view. The Australian Government are directly involved in only three Anzac Day services outside of Australia. They are Gallipoli (of course), Villers-Bretonneux in France and at Sandakan. When I contacted the Deputy Director of the Office of Australian War Graves in Canberra to see if it was possible for the Boyup Brook Shire Council representative to lay a wreath at the Anzac Service, the reply was along the lines of 'Yes, because of your long and special relationship with Sandakan your name is already on the list, we're only waiting to find out who the person is this year'. It is worth noting that only four wreaths are laid during the Service, by Malaysian and Australian Government representatives, and by Sandakan Municipal Council and Boyup Brook. As in previous years, after the Service a number of Australians approached me to find out about Boyup Brook and how it is involved with Sandakan. What a wonderful opportunity to tell more people about our district and how special the community is. We can never predict when a development opportunity might crop up, but if people don't know about us then certainly nothing will happen.

Perhaps of even more importance than a Councillor being at the Service is the fact that this is the Service, which is attended by the Lions sponsored Sandakan Memorial Scholarship winner. As was the case last year, the organizers from Canberra asked the Boyup Brook winner to take part in the Memorial Service by doing one of the readings. I feel that this is quite a compliment to the Boyup Brook School and the Lions Club, that the student was selected with no enquiries needed other than that they have been awarded the Scholarship and have attended Boyup Brook High School. Of course it almost goes without saying that Arabella carried out the task with dignity and composure to match any of the others, in front of about 350 people attending.

There were I think eight other students from Australia, all winners of scholarships modeled along the lines developed by the Boyup Brook Lions Club. Just another fine example of the abilities of people from Boyup Brook, doing their share for others.

I managed to spend some time in conversation with the Sandakan Council President, Mr. James Wong, who seems quite keen to visit Boyup Brook in September for the Memorial Service. Since returning I have been informed that the Sultan of Brunei is planning a visit to Sandakan in September, so we might have to wait and see who gets the President's company – the Sultan or us.

I also spoke briefly to Hon. Mr. Peter Pang, who I'm sure is also known to our President. Mr. Pang is a member of the Sabah Parliament, is the Deputy Chief Minister (Deputy Premier to us) and is also Minister for Youth. I would suggest that if Council wishes to progress our Friendship Agreement with Sandakan by assisting the arrangements for Sandakan students to visit Boyup Brook, Mr. Pang is the man to help. He was raised in Sandakan, has family connections there and knows its history and has met people from Boyup Brook and heard their story before.

It is my opinion that attendance of a Shire representative at the Sandakan Anzac Service is at least as important as at Sandakan Memorial Day (15 August) because of the Australian content of the service and the attendees.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council Thursday 15 April 2010.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 5.1

MOVED: Cr Biddle

SECONDED: Cr O'Hare

That the minutes of the Ordinary Meeting of Council held on Thursday 15 April 2010, be confirmed as an accurate record.

CARRIED 8/0

Res 076/10

6 PRESIDENTIAL COMMUNICATIONS

President's Report from Cr Doust, Deputy Shire President, whilst acting as Shire President

Anzac Day Ceremonies

I attended the Boyup Brook District High School's ceremony held at the Primary School campus Friday 23 April. Another first class presentation by our community's children.

I attended the Anzac Day Ceremony Saturday 26 April. It was well attended and a credit to Fred Doust and his helpers. Mr Fred Doust thanked Council for its support of this annual ceremony.

Agricultural Hall 100 Years Celebration

I attended the evening function and gave a speech. This was another well run community event and Sue White and her organising committee are to be congratulated. Council was thanked for its support.

South West Development Commission Country Local Government Fund Workshop

I attended the workshop held in the Bunbury Chamber of Commerce and Industry building, Friday 7 May. Steve Harrison, Chairman of the SWDC, officiated and put to the gathering of Presidents, the Mayor and CEOs, the new direction and arrangements regarding the regional portion of the CLGF.

Cr Ginnane – Shire President

I attended a meeting called by Sandy Lewis Saturday 15 May 2010. The meeting was also attended by Parliamentarians, ex public service officers and representatives of other Shires and the agenda was “the need to set up a community based organisation to bring to notice of all members of the public the political danger to rural and outer metropolitan areas of WA of wild fires” and “the election of 4 persons to deal with the mechanics of the organisation”.

7 REPORTS OF OFFICERS

7.1 MANAGER WORKS & SERVICES

Nil

7.2 MANAGER – FINANCE

7.2.1 Accounts for Payment

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>13 May 2010</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – List of Accounts Paid</i>

SUMMARY

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

BACKGROUND

Invoices have been received during the month of April 2010.

COMMENT

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

CONSULTATION

Nil

STATUTORY OBLIGATIONS

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

POLICY IMPLICATIONS

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

BUDGET/FINANCIAL IMPLICATIONS

Account payments are in accordance with the adopted budget for 2009/10 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2.1

MOVED: Cr Oversby

SECONDED: Cr Biddle

That the payment of accounts for April 2010 as presented totalling \$539,354.86 and as represented by cheque voucher numbers 18016 – 18066 totalling \$115,571.54, and accounts paid by direct electronic payments through the Municipal Account totalling \$423,783.32 be endorsed.

CARRIED 8/0

Res 077/10

7.2.2 April 2010 Monthly Statements of Financial Activity

<i>Location:</i>	<i>Not applicable</i>
<i>Applicant:</i>	<i>Not applicable</i>
<i>File:</i>	<i>FM/10/003</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>13 May 2010</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>Not applicable</i>
<i>Attachments:</i>	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended April 2010 and Investment Schedule for the month ended 31 May 2010.

BACKGROUND

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

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

The regulations also prescribe the content of the report.

The reports are attached – see appendix 7.2.2

COMMENT

Nil

CONSULTATION

Nil

STATUTORY OBLIGATIONS

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

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2.2

MOVED: Cr Muncey

SECONDED: Cr Giles

That the April 2010 Monthly Statements of Financial Activity as presented, be received.

CARRIED 8/0

Res 078/10

7.3 **CHIEF EXECUTIVE OFFICER**

7.3.1 **House Extension – Lot 1889 Williams Street**

Location:	<i>Lot 1889 Williams Street</i>
Applicant:	<i>J Zanders</i>
File:	<i>AS3940</i>
Disclosure of Interest:	<i>None</i>
Date:	<i>11th May 2010</i>
Author:	<i>Geoffrey Lush (Council's Consultant Planner)</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>1- Application Letter</i> <i>2- Site Plan</i> <i>3- Building Layout Plan</i> <i>4- Building Elevations</i>

SUMMARY

An application has been received to extend an existing dwelling for the purpose of providing ancillary accommodation to the applicant's mother and future mother in law. The applicants letter is contained as Attachment 1 with the site and building plans contained as Attachment 2, 3 and 4.

A similar matter was considered by Council at its Meeting of the 19th November but proposed to develop a separate building.

The Building Surveyor has confirmed that the proposed extensions are consistent with the overall structure still being defined as a single dwelling under the BCA. Consequently no approval is required under Town Planning Scheme No 2.

The intended occupants of the dwelling are considered to be a single family.

BACKGROUND

The subject land is Lot 1889 P127993 Williams Street Boyup Brook. The site has an area of 5.7238 hectares and has an existing residence.

The existing residence is setback:

- 20m from the northern (side) boundary;
- More than 70m from the southern (side) boundary; and
- More than 100m from the William Street (front) boundary.

The dwelling has a floor area of 406 sqm which comprises of an internal floor area of 237 sqm and a verandah of 169 sqm.

The subject land is zoned 'Rural' zone in Town Planning Scheme No 2. It is also included within the Special Rural policy area.

A similar matter was considered by Council at its Meeting of the 19th November at which time it resolved:

That the applicant be advised that the proposal does not meet the Shire's Town Planning Scheme requirements and that Council will not deal with the matter until a rezoning planning application is lodged.

However this application differs from the previous proposal in that it:-

- Relates to the existing dwelling on the site rather than a free standing building; and
- Only relates to relatives of the owner, rather than to third parties.

The proposal is to extend the dwelling at each end and provide a connecting roof line. The extensions (as shown in Attachments 3 and 4) will consist of:-

- Living rooms, bedrooms and bathrooms;
- Extension 1 will have a floor area of 125 sqm which comprises of an internal floor area of 77 sqm and a carport and verandah of 169 sqm.
- Extension 2 will have a floor area of 124 sqm which comprises of an internal floor area of 83 sqm and a verandah of 44 sqm.

One extension is for the applicant's mother who presently resides with her on the property. The other extension will be for her future mother in law who will be locating to the site with her fiancé once they are married.

In addition to the dwelling extensions it is also proposed to develop a "zincalume" machinery shed with an area of 108 sqm.

COMMENT

The zoning of the subject land as Rural is an anomaly as the site is also included in the Special Rural Policy Area. It would be expected that this site would be zoned Special Rural consistent with the surrounding properties.

It is considered that the development should be residential in character, size and design. This will then ensure that it does not detract from the character of the area or the intended planning objectives for this location.

Council's Building Surveyor has confirmed that the design, size and configuration of the extensions, with the absence of any kitchen facilities, means that the total structure is still defined as a single house (dwelling).

In accordance with Clause 3.3.2(iv) of the Scheme no planning approval is required for a single dwelling.

The existing and proposed buildings also comply with the minimum boundary setback prescribed in Clause 5.2.5 of the Scheme of 10 metres. The existing dwelling is located 20m from one boundary and significantly further than this from other boundaries.

The proposed outbuilding will be setback 20m from the side boundary.

In this situation the occupants of the dwelling can be considered as a single family.

CONSULTATION

- Applicant
- Mr W Jolley (Council Building Surveyor)

STATUTORY ENVIRONMENT

The subject land is zoned "Rural" under Town Planning Scheme No 2. Within the Rural zone a single house is a permitted (P) use.

Clause 3.3.2(iv) of the Scheme states that the Planning approval of the Council is **not required** for the erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol "P" in the cross reference to that zone in the Zoning Table.

Clause 5.2.5 of the Scheme states that no building development shall be located within 10 metres of any boundary of a lot in the Rural Zone.

Clause 1.7 of the Scheme states that the terms used in the Scheme have the respective interpretations set out in Schedule 1 unless the context requires otherwise. Where a term is used in respect of residential development that term shall have the meaning given to it in the Residential Planning Codes.

The Residential Design Codes defines a 'dwelling' as:

A building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

POLICY IMPLICATIONS

Council Policy P04 Outbuildings is applicable to the proposed machinery shed. The Policy states that:-

- In the "Rural" zone there is no maximum floor area for an outbuilding; and
- In the "Special Rural" zone the maximum floor of an individual outbuilding is 150 sqm and the total outbuildings is 200 sqm.

The proposal complies with both of these requirements.

Council Policy P09 Aged Accommodation (Granny Flats) Special Rural zone does not apply to the proposal as the land is not included in the Special Rural zone. Despite this it is noted that the Policy allows the construction of a second residence on 'Special Rural' properties for aged accommodation.

FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.1

MOVED: Cr O’Hare

SECONDED: Cr Oversby

That the applicants be advised that:

- a) Pursuant to Clause 3.3.2(iv) of Town Planning Scheme No 2 that no planning approval is required for the proposed extensions to the existing dwelling or proposed machinery shed; and
- b) A building licence is still required for the proposed development.

CARRIED 7/1

Res 079/10

7.3.2 Firearms Dealers Licence – Lot 3531 Winnejup Road

Location: Lot 3531 Winnejup Road
Applicant: B Slater
File: AS9130
Disclosure of Interest: None
Date: 12th May2010
Author: Geoffrey Lush (Council’s Consultant Planner)
Authorizing Officer: Alan Lamb – Chief Executive Officer
Attachments: 1 – Location Plan

SUMMARY

An application has been lodged with Council to obtain a firearms dealer’s licence and it is intended to operate from a rural property at Mayanup.

BACKGROUND

The subject land is Lot 3531 P131970 Winnejup Road. It has an area of 81.7 hectares and is located on the north eastern corner of Winnejup and Muir Roads Mayanup.

The applicants have stated that they will be dealing in centrefire and rimfire rifles, shotguns and ammunition. They will not be dealing with pistols.

It is proposed to operate the business from a 20ft sea container (shipping container) as a secure facility is needed for the Police Department’s approval.

It is primarily intended as a phone order service but may expand onto mail order. The business will operate with people either coming to the property to collect goods or they will be delivered.

COMMENT

It is not clear as how the proposal would be classified and the most suitable definition would appear to be as a Home Occupation.

The proposal should be relatively low key in nature and is suited to a rural location, especially as farmers are likely to be the main customer group.

Council does not have any policies relating to the use of containers and often this is not encouraged as an alternative to a normal outbuilding. This issue has been discussed with the applicant who has advised that it is only because of the requirement of the Police Department to have a secure area. Otherwise multiple gun cabinets would have to be provided inside the dwelling.

The applicant has also indicated that the container may be placed inside an existing outbuilding anyway and this would also ensure that it is not visible.

The application has not been advertised.

CONSULTATION

- Applicants

STATUTORY OBLIGATIONS

The subject land is zoned Rural under Town Planning Scheme No 2. A "Home Occupation" is an AA use meaning that it is a use which Council, in exercising the discretionary powers available to it, may approve under this Scheme.

POLICY IMPLICATIONS

None

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.2

MOVED: Cr Muncey

SECONDED: Cr Biddle

That Council approve the use and development of Lot 3531 P131970 Winnejup Road, Mayanup for the purpose of a firearm dealer (home occupation) subject to the following conditions:

- 1. The development hereby approved shall occur in accordance with the application submitted to Council and this shall not be altered or modified without the prior written approval of the Council.**

2. Any shipping container used on site shall be located and screened to the requirements and satisfaction of Council.
3. The use shall comply with the definition of Home Occupation in the Town Planning Scheme.
4. The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
5. An on-site sign having a maximum area of 0.2 square metres may be erected in accordance with the requirements of Council
6. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Council, is granted by it in writing.
7. The structure must comply with the Firearms Licence conditions.

CARRIED 8/0

Res 080/10

7.3.3 Delegation of Subdivision referrals

Location:	<i>General</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>12th May 2010</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

To consider the arrangements for the processing of subdivision applications referred by the Western Australian Planning Commission.

Potentially delegating some or all the responsibility to provide responses to the Planning Commission in relation to subdivision applications will:

- Save Council costs which are presently incurred in the preparation of Agenda Reports;
- Allow Council to focus on policy and strategic issues such as the Townsite Strategy; and
- Will ensure the provisions of responses within the statutory 42 day period.

BACKGROUND

With the approval of the Local Rural Strategy it is an opportune time to review how Council considers, process and responds to subdivision applications referred by the Western Australian Planning Commission. The Local Rural Strategy in conjunction with the Commission's policies now provide a clear framework for the consideration of applications.

The processing and submittal of subdivision applications to Council is the most significant, and expensive, component of the town planning matters included on the Council Agenda. These predominantly relate to rural subdivisions.

Subdivision applications are determined by the Planning Commission and not the Council. The Commission is have regard to the provisions of Council's Town Planning Scheme and Local Rural Strategy.

COMMENT

The basic reason for Council delegating certain matters is to improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented. As far as is possible and reasonable, Council should be predominantly concerned with dealing with higher level policy matters for their local governments. The implementation of these policies is carried out by the administration under clear delegation guide lines.

As such it would be a more efficient use of resources if the Chief Executive Officer was delegated the authority to respond to the Commission.

There are potentially several different classes of subdivision to consider:

Applications which don't comply with the Scheme, Rural Strategy or Commission Policy

It has become apparent that in many cases the applications do not comply with either the Policies of the Planning Commission, Warren Blackwood Regional Rural Strategy or Councils Local Rural Strategy.

Applications which comply with the Scheme and Rural Strategy

In most cases the conditions which are recommended are usually straight forward and reflect any Council policies or Scheme provisions i.e. boundary setbacks.

Applications with a specific issue

The most contentious condition is normally a contribution to road upgrading. Where this has been an issue the applicant has sought reconsideration from the Commission which has in turn sought clarification from Council.

Inherent in any delegation is that the CEO may elect to refer a matter to Council for consideration. This would occur where there is known concern or the CEO wishes for Council to confirm its position.

There are also options for the actual process. For example:

1. No prior consultation with Councilors with a summary of responses can be included in the agenda each month;
2. Referral of applications to Councilors to allow them to request that it be included on the monthly agenda; or
3. Referral of the draft reply to the applicant for him to elect to have submitted to Council for consideration.

The issue with option 2 is that it is dependent upon the time given for Councilors to respond and the closing dates for the preparation of the Agenda. It is possible that the total time involved might be longer than occurs now.

In relation to Option 3, the applicant can seek an extension of the statutory time periods from the Planning Commission.

It is noted that delegation powers can be granted under either the Planning Scheme or the Local Government Act 1995. Subdivision applications are determined under the Planning and Development Act 2005.

However as Clause 5.2.1 of the Scheme states that in considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to specified matters, then it is appropriate to also exercise delegation under the Scheme.

CONSULTATION

None

STATUTORY OBLIGATIONS

Section 135 of the Planning and Development Act 2005 requires the Planning Commission to determine subdivision applications.

Section 142 of the Planning and Development Act 2005 requires the Planning Commission to refer subdivisions applications to Council and utility service providers. A local government, is to, within 42 days of receipt of the plan forward it to the Commission any objections or recommendations in respect of, the whole or part of the plan.

Clause 9.7 of the Planning Scheme allows the Council to, either generally or in a particular case or cases, by resolution passed by an absolute majority of the Council, delegate the authority to deal with an application for Planning Approval made under this Scheme.

Section 5.42(1), of the Local Government Act 1995 provides for delegation by Council and states that "A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43."

POLICY IMPLICATIONS

None

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION – MOVE INTO COMMITTEE

MOVED: Cr Giles

MOTION LAPSED FOR WANT OF A SECONDER

OFFICER RECOMMENDATION – ITEM 7.3.3

That Council pursuant to Section 5.42(1), of the Local Government Act 1995 and Clause 9.7 of Town Planning Scheme No 2 delegate to the Chief Executive Officer the authority to provide responses to the Western Australian Planning Commission on subdivision applications subject to:

1. Providing a monthly summary of the responses in tabular form in the Council Agenda;
2. Referring the application to Council where the application is contrary to a Council policy but it is being recommended for approval;
3. Referring the application to Council where it is believed that there is a specific issue which needs to be considered Council; and
4. Referring the application to Council where the applicant has specifically requested this.

COUNCIL DECISION – ITEM 7.3.3

MOVED: Cr Downing

That Council pursuant to Section 5.42(1), of the Local Government Act 1995 and Clause 9.7 of Town Planning Scheme No 2 delegate to the Chief Executive Officer the authority to provide responses to the Western Australian Planning Commission on subdivision applications subject to:

1. Providing a monthly summary of the responses in tabular form in the Council Agenda;
2. Referring the application to Council where the application is contrary to a Council policy but it is being recommended for approval;
3. Referring the application to Council where it is believed that there is a specific issue which needs to be considered Council; and
4. Referring the application to Council where the applicant has specifically requested this.

MOTION LAPSED FOR WANT OF A SECONDER.

NOTE

Officers advised Council that there was no urgency to deal with this matter and it was noted that it may come back to Council at a later date.

7.3.4 Town Planning Scheme Review – Townsite Strategy
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Location:	<i>General</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>11 May 2010</i>
Author:	<i>Geoffrey Lush (Council's Consultant Planner)</i>

Authorizing Officer: Alan Lamb – Chief Executive Officer
Attachments: Nil

SUMMARY

With the endorsement of the Rural Strategy, Council can now focus on the statutory review of the Town Planning Scheme. The potential preparation of a new Planning Scheme is required to be supported by a Local Planning Strategy which covers the entire municipality.

To achieve this, the Local Planning Strategy can be an amalgamation of the Rural Strategy and the proposed Townsite Strategy.

BACKGROUND

Town Planning Scheme No 2 was gazetted on the 7th November 1997. Council is required to review the Scheme every five years in accordance with the provisions of the Planning and Development Act 2005.

Specifically the Act provides:

- For the preparation of a consolidated version of the scheme incorporating all the amendments that have been made to the scheme;
- That a local government is not required to prepare a consolidation of the scheme if the local government resolves instead to prepare a new scheme;
- For the consolidated Scheme to be approved by the Commission and advertised for public comment;
- That within six months of the advertising the Council shall report and make recommendations as to whether or not the scheme —
 - is satisfactory in its existing form;
 - should be amended;
 - should be repealed and a new scheme prepared in its place; or
 - should be repealed.
- For the Minister to determine that the consolidated Scheme remains unchanged, or that the Council should undertake various amendments to it; or that a new Scheme be prepared.

Often, Councils will elect to short cut the above process by preparing a new Scheme. However this process in itself can often take more than five years and can be very costly.

COMMENT

Scheme Review

Discussions have occurred with the Department of Planning regarding the Scheme review and the officer's opinion is that it is likely that a new Scheme would be required to be prepared. The argument against preparing a new Scheme would be strengthened by updating the provisions of the current Scheme and completion of the Townsite Strategy.

It has also been that there is a review of the Planning Regulations being undertaken at the present time and the Department has informally suggested that any preparation of a new Scheme should await the completion of this review. There is of course no reason which prevents a Council, as the responsible planning authority, from undertaking amendments to the Scheme to update it so that it is consistent with current policies and practices.

Examples of updates which are needed to bring the Scheme more closely into compliance with the Model Scheme Text (Appendix B of the Town Planning Regulations 1967) are:

1. Revision of the land use definitions within Schedule 1 as many of these have now been superseded and there are other new definitions to be inserted;
2. Revision of the Zoning (Land Use) Table to update use classes and to ensure consistency with Schedule 1;
3. Inclusion of standard provisions for the preparation and approval of structure plans;
4. Updating general terminology and references; and
5. Reviewing the Guided Development Area provisions as identified in the Townsite Residential Discussion Paper.

Townsite Strategy

In accordance with Regulation 12 the preparation of a new Scheme, shall also be accompanied by a Local Planning Strategy. This Strategy must address the whole of the Shire.

In order to do this there must be a Townsite Strategy to complement the existing Rural Strategy. It would be expected to address a similar range of issues as the Rural Strategy but with these being focused on the townsite and the Strategy could have the following contents:

- 1.0 Introduction
- 1.1 Historical Background
- 1.2 Community Objectives (as documented in Council's strategic plan)

- 2.0 Existing Conditions
- 2.1 Regional Setting
- 2.2 Natural Features
 - 2.2.1 *Climate*
 - 2.2.2 *Topography*
 - 2.2.3 *Water and Hydrology*
 - 2.2.4 *Vegetation*
- 2.3 Existing Development
- 2.4 Infrastructure
 - 2.4.1 *Roads*
 - 2.4.2 *Power*
 - 2.4.3 *Water and Sewerage*
 - 2.4.4 *Telecommunications*
 - 2.4.5 *Solid Waste*
- 2.5 Population and Housing
- 2.7 Commerce and Industry
- 2.8 Community Infrastructure

- 3.0 Policy Framework
 - 3.1 Planning Framework
 - 3.2 Environmental Policies

- 4.0 Issues and Community Consultation

- 5.0 The Strategy
 - 5.1 Objectives

- 5.2 Land Requirements
 - 5.2.1 Residential
 - 5.2.2 Commercial
 - 5.2.3 Industrial
 - 5.2.4 Rural Residential
- 5.3 Implementation
 - 5.3.1 General Recommendations
 - 5.3.2 Policy Areas
 - 5.3.3 Structure Plans
 - 5.3.4 Scheme Modifications and Amendments.

An important component of the Townsite Strategy is undertaking appropriate community consultation in the preparation of the draft Strategy to identify the relevant issues and community aspirations.

The preparation of the Townsite Strategy must be done in consultation with the Planning Commission and the Commission's approval is required before a draft Strategy can be advertised. The Department's view is that the Townsite Strategy should be kept relatively simple while noting that:-

- 1) Council has already undertaken a review of residential zoned land;
- 2) There should be a detailed consideration of population and housing trends both locally and within the region;
- 3) There needs to be community discussion over what size the town should be and what are the inherent characteristics that residents identify with and those they object too; and
- 4) Council has already undertaken an industrial sites study.

The Townsite Strategy in itself will not provide the justification for future developments. Rather it is more likely to establish the framework by which those developments can be assessed. It will always be necessary for a proponent to prepare a detailed concept and proposal for examination.

CONSULTATION

Department of Planning

STATUTORY OBLIGATIONS

- Planning and Development Act 2005
- Town Planning Regulations 1967

POLICY IMPLICATIONS

None

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

The proposed Townsite Strategy will provide the basic strategic framework for the development of the town and will complement the completed Rural Strategy.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.4

MOVED: Cr Giles

SECONDED: Cr Muncey

- 1 That a further report be submitted to Council prioritizing what possible amendments to the Planning Scheme Text should be made to improve its operation.
- 2 That Council establishes a Steering Committee to oversee the preparation of the Townsite Strategy.
- 3 That Council consider including an appropriate number of community representatives on the Steering Committee.
- 4 That the Western Australian Planning Commission be advised of the above and requested to provide comment and suggestions on the issues which should be addressed in the preparation of the Townsite Strategy.

CARRIED 8/0

Res 081/10

COUNCIL DECISION – ITEM 7.3.4

MOVED: Cr Marshall

SECONDED: Cr Oversby

Council form a Steering Committee Townsite Strategy which will consist of Cr Muncey, Cr Giles, Cr O’Hare and Cr Biddle.

CARRIED 8/0

Res 082/10

7.3.5 Boyup Brook Cemetery – Memorial Seat

Location:	<i>Boyup Brook Cemetery</i>
Applicant:	<i>C. Osborne</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14 May 2010</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Applicants letter, Cemetery plan and photos</i>

SUMMARY

This matter is brought to Council with the recommendation that the applicant be permitted to fund a memorial seat to be located at the cemetery.

BACKGROUND

The applicant (Colleen Osborne on behalf of her brothers and sister) seeks approval to locate a memorial seat near their parent's grave at the Boyup Brook Cemetery. The proposal is to fund the cost of a seat, of Council's choosing, and for it to be located on the ground above their parent's grave under trees.

COMMENT

It is recommended that the offer to fund a seat be accepted on the condition that Council (through the CEO) can determine the style, material etc of the seat and its location.

It is possible that the site sought may not be the most appropriate and so it is suggested that the Chief Executive Officer (CEO) review location options with the applicant. Similarly that the CEO work with the applicant regarding the type of seating.

There is no seating in the relevant part of the cemetery and the addition of this facility may be of value to visitors.

CONSULTATION

The author has spoken to some staff.

STATUTORY OBLIGATIONS

Council controls the Cemetery via its Cemetery Local Laws and the Cemeteries Act.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

If the cost of the seat is funded by the applicant there will be no impact on the budget. There will however be an impact on the asset management plan and the amount of funds that need to be set aside each year as part of this plan. It is unlikely that the seat would cost more than \$500 and its useful life should be at least 10 years so its addition should not have a great impact on the plan.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.5

MOVED: Cr Oversby

SECONDED: Cr Muncey

That Council approve C Osborne’s application fund the cost of a memorial seat at the Boyup Brook Cemetery with the seat and its location to be determined by the Chief Executive Officer.

CARRIED 8/0

Res 083/10

7.3.6 Warren Blackwood Strategic Alliance - Membership

Location:	<i>Not applicable</i>
Applicant:	<i>Warren Blackwood Strategic Alliance</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14 May 2010</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Letter from Warren Blackwood Strategic Alliance, Resignation letter.</i>

SUMMARY

The purpose of this report is to put before Council the Warren Blackwood Strategic Alliance’s (WBSA) request that Council give further consideration to its decision to resign its membership and the recommendation is that Council not rejoin.

BACKGROUND

At its February 2010 meeting Council passed the following resolution:

That notice be given to the Warren Blackwood Strategic Alliance that the Boyup Brook Shire Council resigns its membership forthwith.

A letter of resignation was sent to WBSA dated 22 February 2010 advising of this.

The Chairman of WBSA wrote to Council in April requesting that Council reconsider its decision.

COMMENT

Whilst the minutes do not give an indication as to why Council resigned its membership it is understood that the decision was based on performance over a number of years and the cost.

The Shire President, and the Deputy Shire President in his absence, has taken the stance of not debating Council's decision through the local press and so comments here will be brief.

It is suggested that nothing has changed between Council taking the decision to resign and now that should compel Council to reconsider its decision at this time. There have been some reports in the media that indicate that the regional portion of the Country Local Government Fund (CLGF) that was attributable to Boyup Brook may be in jeopardy now that Council was no longer a member of WBSA and this is simply not true. There is no tie between membership of this body and the CLGF funding arrangements unless this Council wanted this to be the case. There is a requirement that Local Governments join together for projects for the regional portion of the CLGF but there is no restriction on the partnerships and a Council can be in more than one grouping.

The WBSA letter focuses on the value of the Alliance to Boyup Brook and I will leave that aspect to Councillors to determine. There were however concerns over the WBSA's financial position, the accuracy of financial reports and adherence to its constitution and it is strongly recommended that if Council is going to consider rejoining that it first seek to be provided with an audited set of accounts, a copy of the latest financial report and some evidence of movements toward addressing the constitution matters.

Based on community sentiment expressed at the public meeting held last year as part of the local government reform process, Council has set a path to work more closely with the Shires of Bridgetown/Greenbushes and Donnybrook/Balingup. Council has already partnered with Bridgetown/Greenbushes for Ranger Services and Environmental Officer Services. Other areas such as planning services and libraries are being looked at for further expansion of this. Similarly, we are working with Donnybrook/Balingup on an IT service that may include Councils from the Bunbury Wellington area. With the regional portion of the CLGF now being project based this Council may well be partnering with a number of Councils in the South West and there appears to be nothing to prevent it from similarly parenting with Councils in other Regional Development areas on projects. Whilst none of this would prevent Council from also being a member of the WBSA it does demonstrate that there is no compelling reason to rejoin so Council can, if it chooses to do so, review its membership in the absence of pressure to do so.

It is recommended that Council not rejoin the WBSA.

CONSULTATION

The Author has spoken with Councillors, representatives of the South West Development Commission and members of staff.

STATUTORY OBLIGATIONS

If Council wished to resolve to rejoin WBSA this decision would constitute a change to the decision made at its February 2010 meeting and so Regulation 10 of the Local Government (Administration) Regulations would apply. Additionally, Clause 16.20 would have application (basically a repeat of Regulation 10 but included for completeness).

Administration Regulations

10. *Revoking or changing decisions made at council or committee meetings — s. 5.25(1)(e)*

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
 - (b) in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee,

inclusive of the mover.

- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (b) in any other case, by an absolute majority.
- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Standing Orders

16.20 Revoking Decisions - When This Can Occur

16.20.1 A substantive motion may be revoked at any time provided that no action in relation to the resolution being rescinded has already occurred;

16.20.2 If a decision has been made at a Council or a committee meeting then any motion to revoke or change the decision must be supported-

- (a) in the case where an attempt to revoke or change the decision has been made within the previous three months but had failed, by an absolute majority; or
- (b) in any other case, by at least one third of the number of offices (whether vacant or not) of members of the Council or committee,

inclusive of the mover.

16.20.3 If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made

- (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
- (b) in any other case, by an absolute majority.

16.20.4 This clause does not apply to the change to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil at this time however if Council was to rejoin WBSA provision would have to be made in the 2010/11 budget for its membership fee (\$7,500). Council may however see the opportunity that freeing these funds up may provide for local community groups and other regional initiatives which it may see as providing more value for money. Examples include the local Tourism Association and the regional Blackwood Valley Marketing Association which may be able to achieve more with additional support, and there will be many others. Council has also recently supported the Small Business Centre Warren Blackwood and may see continued support of this body as another alternative.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority for the recommendation and if Council only seeks more information before deciding whether or not to rejoin WBSA and Absolute Majority if the motion is to rejoin. Additionally, if the motion is to rejoin then the motion is to be supported by a third of the number of offices of Councillor (that is with a 9 member Council, 3 Councillors including the mover so there is a need for a mover, a seconder and a third Councillor)

OFFICER RECOMMENDATION - ITEM 7.3.6

That the Chairman of the Warren Blackwood Strategic Alliance be advised that Council will not reconsider its decision to resign its membership of that body at this time.

MOVED: Cr Marshall

SECONDED: Cr Giles

That the Chairman of the Warren Blackwood Strategic Alliance be advised that Council does not wish to reconsider its decision to resign its membership of that body.

Motion withdrawn by mover with consent of seconder

MOVED: Cr Marshall

SECONDED: Cr Giles

That the Chairman of the Warren Blackwood Strategic Alliance be advised that Council reaffirms its decision to resign its membership of that body.

COUNCIL DECISION – MOVE INTO COMMITTEE

MOVED: Cr Giles

SECONDED: Cr Oversby

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 5/3

Res 084/10

COUNCIL DECISION – MOVE OUT OF COMMITTEE

MOVED: Cr Muncey

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 8/0

Res 085/10

5.19pm – Cr Muncey left the Chambers.

5.21pm – Cr Muncey returned to the Chambers.

5.22pm – Cr Muncey left the Chambers.

5.23pm – Cr Muncey returned to the Chambers.

5.34pm – Keith Jones left the Chambers.

5.36pm – Keith Jones returned to the Chambers.

MOTION RESTATED

MOVED: Cr Marshall

SECONDED: Cr Giles

That the Chairman of the Warren Blackwood Strategic Alliance be advised that Council reaffirms its decision to resign its membership of that body.

CARRIED 5/4, carried on Presiding Officers casting vote

Res 086/10

Cr Downing ask for votes to be recorded

FOR:

Cr Marshall

Cr Biddle

Cr Giles

Cr Ginnane

AGAINST:

Cr Downing

Cr O'Hare

Cr Muncey

Cr Oversby

7.3.7 Industrial sites study

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>13 May 2010</i>
Author:	<i>Alan lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to report back to Council on the results of its offer to purchase a lot and recommend that further work on a suitable site be incorporated with the townsite strategy.

BACKGROUND

The matter of the offer to purchase a lot had been confidential and so will not be repeated here as, it is suggested, this item may not need to be confidential.

The offer to purchase the lot was made in accordance with Council's resolution and was not accepted.

COMMENT

It appears that the preferred lot is not now available and so rather than abandon the quest, or take any other action at this time, it is recommended that Council now incorporate the matter of industrial sites in the town site strategy that will be commencing in the new financial year (see separate report to this meeting on this).

The Industrial Sites Study (a copy had been circulated to Councillors previously) identifies 9 potential sites, favours 1 and discounts 2. The remaining 6 were deemed worthy of consideration. Some were some distance from town but the one off Forbes Street is in the townsite and so further investigation of it would fit well with the proposed townsite strategy study. It offers limited opportunity in terms of the number lots that could be made and has some access issues but it does adjoin exiting industrial developments and may not need to be rezoned.

Other potential sites are outside the town boundary and so would not be part of the townsite strategy. Assessment the Forbes street site as part of the strategy would result in it either being accepted or discounted and if the latter occurs other sites could be looked at in more detail at a later date.

CONSULTATION

The author has spoken with the Deputy Shire President, the land owner and the Planning Consultant.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

	:	Details of action required	Time required	Target date	Estimated Cost	Responsible person
104	<p><i>Action:</i></p> <p><i>Reason:</i></p> <p><i>Expected Outcome:</i></p>	<p>Facilitate the development of additional land for industrial and commercial purposes</p> <p>Provide for the establishment of new industry within the townships to assist in achieving the Council's broader objective of broadening the economic base of the Shire</p> <p>The creation of additional industrial and commercial allotments will encourage new growth in the Shire</p>	Ongoing	30 June 2010	Officer Time	Council

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues at this time.
- **Economic**
There are no known significant economic issues at this time however the availability of industrial sites could attract new businesses to town.
- **Social**
There are no known significant social issues at this time.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.7

MOVED: Cr Giles

SECONDED: Cr Biddle

That Council incorporate the further investigation of industrial site opportunities in the townsite strategy study to be undertaken in 2010/11.

CARRIED 8/0

Res 087/10

7.3.8 Councillors - Telecommunications and Information Technology allowance
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Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>13 May 2010</i>
Author:	<i>Alan lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Draft Councillors Telecommunications and Technology Policy, Councillors – Expenses Reimbursement and Loss of Earnings Policy, Town of Cottesloe Policy</i>

SUMMARY

The purpose of this report is to recommend the adoption of a Telecommunications and Information Technology policy, and the amendment of an existing policy.

BACKGROUND

Council's Councillors – Expenses Reimbursement and Loss of Earnings Policy provides for Councillors to, among other things, claim reimbursement for rental charges for two telephone connections at their residences.

Council provided for the supply of portable computers to all Councillors in the current budget.

COMMENT

Councillors will appreciate that the opportunities that electronic communication provides is valuable, it reduces the use of paper, is relatively fast and provides a record for later reference. Computers also enable data such as Council minutes and agendas, policies, local laws, town planning scheme, studies and the like to be stored and quickly retrieved and offer a far better alternative to hard copy. The internet also offers the opportunity to access up to date state legislation, departmental documents and the like.

In order to ensure that Councillors had an appropriate computer and the same version of software etc, provision was made in the current budget for the supply of a portable computer to all Members and the plan was that a policy be developed to deal with what happens with this equipment should a Councillor leave etc. In looking at the policy it was noted that the other aspects of electronic communication should also be covered. That is the telephone connection and internet connection. Additionally, there may be the need for Councillors to print some items and so a small printer and its running costs should be addressed in the policy.

It is noted that the Local Government Act and Regulations provide for Councillors to gain reimbursement for the costs associated with their office. The Act also provides for allowances to save the administration cost of dealing with claims.

The attached draft Telecommunications and Information Technology Policy provides for arrangements regarding the provision of a computer and printer and an allowance for telephone and internet connection, and consumables.

Regulations provide that the maximum allowance for Telecommunications is \$2,400 per annum and the maximum allowance for Information Technology is \$1,000 per annum.

It is recommended that the attached policy be adopted and that the existing Councillors – Expenses Reimbursement and Loss of Earnings Policy be amended by deleting point 4 and renumbering. Point 4 deals with the reimbursement of one telephone and facsimile machine at a member's place of residence.

CONSULTATION

The author has spoken with some Councillors and staff.

STATUTORY OBLIGATIONS

The Local Government Act provides as follows:

5.98. Fees etc. for council members

- (1) A council member who attends a council or committee meeting is entitled to be paid —
 - (a) the prescribed minimum fee for attending a council or committee meeting; or
 - (b) where the local government has set a fee within the prescribed range for council or committee meeting attendance fees, that fee.
- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
 - (a) the prescribed minimum fee for attending a meeting of that type; or

- (b) where the local government has set a fee within the prescribed range for meetings of that type, that fee.
- (2) A council member who incurs an expense of a kind prescribed as being an expense —
 - (a) to be reimbursed by all local governments; or
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —
 - (a) where the minimum extent of reimbursement for the expense has been prescribed, to that extent; or
 - (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the prescribed range (if any) of reimbursement, to that extent.
- (4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
 - (a) the prescribed minimum annual local government allowance for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the prescribed range for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot —
 - (a) make any payment to; or
 - (b) reimburse an expense of,

a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.
- (7) A reference in this section to a ***committee meeting*** is a reference to a meeting of a committee comprising —
 - (a) council members only; or
 - (b) council members and employees.

[Section 5.98 amended by No. 64 of 1998 s. 36; No. 17 of 2009 s. 33.]

5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

** Absolute majority required.*

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted by No. 64 of 1998 s. 37.]

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the prescribed minimum annual fee; or
- (b) where the local government has set a fee within the prescribed range for annual fees, that fee.

** Absolute majority required.*

5.99A. Allowances for council members in lieu of reimbursement of expenses

A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members —

- (a) the prescribed minimum annual allowance for that type of expense; or
- (b) where the local government has set an allowance within the prescribed range for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

** Absolute majority required.*

[Section 5.99A inserted by No. 64 of 1998 s. 38.]

5.100. Payments for certain committee members

- (1) A person who is a committee member but who is not a council member or an employee is not to be paid a fee for attending any committee meeting.
- (2) Where —
 - (a) a local government decides that any person who is a committee member but who is not a council member or an employee is to be reimbursed by the local government for an expense incurred by the person in relation to a matter affecting the local government; and
 - (b) a maximum amount for reimbursement of expenses has been prescribed for the purposes of section 5.98(3)(b),

the local government must ensure that the amount reimbursed to that person does not exceed that maximum.

5.101. Payments for employee committee members

- (1) A committee member who is an employee is not to be paid a fee for attending any committee meeting.
- (2) Nothing in this section prevents a local government from reimbursing an employee for an expense incurred by the employee in relation to a matter affecting the local government.

5.101A. Regulations about payment of expenses

Regulations may be made about the method of payment of an expense for which a person can be reimbursed.

[Section 5.101A inserted No. 17 of 2009 s. 35.]

5.102. Expense may be funded before actually incurred

Nothing in this Division prevents a local government from making a cash advance to a person in respect of an expense for which the person can be reimbursed.

The Local Government (Administration) Regulations provide as follows:

31. Expenses that are to be reimbursed — s. 5.98(2)(a) and (3)

- (1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —
 - (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
- (2) The extent to which an expense referred to in subregulation (1)(a) can be reimbursed is the actual amount.
- (3) The extent to which child care costs referred to in subregulation (1)(b) can be reimbursed is the actual cost per hour or \$20.00 per hour, whichever is the lesser amount.
- (4) The extent to which travel costs referred to in subregulation (1)(b) can be reimbursed —
 - (a) if the person lives or works in the local government district or an adjoining local government district, is the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
 - (b) if the person does not live or work in the local government district or an adjoining local government district, is the actual cost, in relation to a journey from the person's place of residence or work and back —
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
 - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 km, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (5) For the purposes of subregulations (2) to (4), actual amounts and actual costs are to be verified by sufficient information.

[Regulation 31 amended in Gazette 31 Mar 2005 p. 1034.]

32. Expenses that may be approved for reimbursement —s. 5.98(2)(b) and (3)

- (1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —

- (a) an expense incurred by a council member in performing a function under the express authority of the local government;
 - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
 - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.
- (2) The extent to which an expense referred to in subregulation (1) can be reimbursed is the actual amount, verified by sufficient information.

34A. Allowances in lieu of reimbursement of telecommunications expenses — s. 5.99A

For the purposes of section 5.99A(b), the maximum total annual allowance for telephone and facsimile machine rental charges referred to in regulation 31(1)(a) and any other telecommunications expenses that might otherwise have been approved for reimbursement under regulation 32 is \$2 400.

[Regulation 34A inserted in Gazette 23 Apr 1999 p. 1720; amended in Gazette 31 Mar 2005 p. 1035.]

34AA. Allowances in lieu of reimbursement of information technology expenses — s. 5.99A

For the purposes of section 5.99A(b), the maximum total annual allowance for information technology expenses that have been approved for reimbursement under regulation 32 is \$1 000.

[Regulation 34AA inserted in Gazette 31 Mar 2005 p. 1035.]

34AB. Allowances in lieu of reimbursement of travelling and accommodation expenses — s. 5.99A

- (1) For the purposes of section 5.99A(b), the maximum annual allowance for travelling and accommodation expenses —
- (a) prescribed as being a kind of expense to be reimbursed by all local governments under regulation 31; or
 - (b) that have been approved for reimbursement under regulation 32,
- is the same amount as the amount to which a person would be entitled for those expenses in the same circumstances under the Public Service Award.
- (2) In this regulation —
- Public Service Award** means the *Public Service Award 1992* issued by the Western Australian Industrial Relations Commission as amended from time to time.

POLICY IMPLICATIONS

The recommendation deals with the creation of a new policy and amendment of an existing policy

BUDGET/FINANCIAL IMPLICATIONS

In calculation the proposed allowance it was noted that telephone connection charges are generally in the order of \$35 per month, and that that internet connection charges are in the order of \$40 per month. The allowance also is set to cover telephone usage costs and printer consumables and an allowance of \$1800 (\$150 per month) has been recommended. The policy provides for the annual revision of the allowance as part of the budget process

If the policy is adopted there will be limited impact on the current financial year (\$1,350).

Council budgeted \$1,500 for Members Reimbursements and to date \$216.10 has been paid and so whilst no provision was made in the budget for the proposed allowance the provision for reimbursements should be sufficient to cover this new cost.

STRATEGIC IMPLICATIONS

The Plan does not specifically address this matter but it does talk about communication and Councillors need readily available information and records to be effective.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues other than the potential to reduce the amount of paper used in providing information to Councillors.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.8

MOVED: Cr Oversby

SECONDED: Cr Downing

That Council adopt the attached Councillors Telecommunications and Information Technology Policy and amend the existing Councillors – Expenses Reimbursement and Loss of Earnings Policy be amended by deleting point 4 and renumbering subject to annual budgetary consideration.

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 088/10

7.3.9 Flax Mill Concept

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>FM/25/039</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>13 May 2010</i>
Author:	<i>G Carberry</i>
Authorizing Officer:	<i>A Lamb</i>
Attachments:	<i>Concept Drawings 1 & 2</i> <i>Overview Plan</i> <i>Suggested Park Home plan</i>

SUMMARY

Budgetary consideration is sort for the proposed Flax Mill Caravan Park Redevelopment with consideration being made to the attached concept plans

BACKGROUND

Following the commissioning of a conservation plan for the Flax Mill area it was decided at the meeting held on 4th March 2010 by the Forward Planning committee to redevelop the area by removing some buildings and providing improved facilities

COMMENT

Two similar concept plans with a scaled overview plan are presented for budgetary consideration

Quotes to remove/dismantle the current buildings range between \$50510 and \$55200. These figures include the Shire holding the rights to all salvaged materials

Provision of the Park Home units including the reprovision of water, power and sewages services is estimated to be between \$65000 and \$68000 dependant on fit out and the number purchased.

Eight 2 bedroom units can be located at the site without the need to upgrade the current septic system. Should additional units be installed at a later date major improvements to the septic system would be required.

In addition to the redevelopment works the asbestos rooves on the ablution block and baling room (Building 7) required replacing. Quotes for this work are Ablution block \$9500 and Baling Room (Building 7) \$18500 being a total of \$28000. This work should be carried out as matter of urgency due to Occupational Safety and Health concerns relating to Asbestos in a public area.

With the abluion block it must be considered if the 2009/2010 planned abluion block, that was not followed through, was to replace the existing structure or was it to be an additional facility.

With the closure of the Barracks Accommodation causing a loss of available short term accommodation it would be hoped that improved facilities at the Flax Mill would be better utilised thus creating a greater tourism benefit to the Shire and to the local business operators.

A cost benefit analysis is hard to determine at this point in time without knowing the actual cost to the Council, other considerations to be made are the possible nightly tarrif for the units and occupancy rates.

CONSULTATION

Wayne Jolly, Shire of Boyup Brook Health Officer
J&P Deconstruction
Keybrook Holdings
Fleetwood Pty Ltd
G Bogar

STATUTORY OBLIGATIONS

Caravan Parks & Camping Grounds Act 1995
Environmental Protection Act 1986
Health Act 1911
Occupational Safety and Health Act 1984
Disability Services Act 1993
Australian Standard AS 1481

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Whilst this expenditure would normally be outside of the means of the Shire it would be proposed to use grant funding to carryout the works. Long term the proposed works would better make use of the facility and Improve its viability.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Removal of the asbestos will improve Environment and Health risks
- **Economic**
Improvement of and a greater utilisation of an asset will assist in economic considerations in the future
- **Social**
None

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.3.9

That the recommended works be considered for inclusion in the 2010/2011 budget with an appropriate level of funding being set aside to complete the works.

COUNCIL DECISION – ITEM 7.3.9

MOVED: Cr O’Hare

SECONDED: Cr Biddle

That the matter be referred to the Forward Planning Committee meeting.

CARRIED 8/0

Res 089/10

NOTE

Council considered that the matter required more detailed discussion and so may be more appropriately dealt with in the first instance by the Forward Planning Committee.

7.3.10 Bushfire Strategic Plan 2009 - 2014

<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 Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>12 May 2010</i>
<i>Author:</i>	<i>G.Carberry</i>
<i>Authorizing Officer:</i>	<i>A Lamb</i>
<i>Attachments:</i>	<i>Bushfire Strategic Plan 2009 - 2014</i>

SUMMARY

This plan was reviewed and updated during 2009 by the bushfire advisory committee. It was endorsed at the Bushfire Advisory Annual General Meeting 26 May 2009 but never presented to Council for formal adoption

BACKGROUND

The Bushfire Strategic Plan was first adopted in 1999 after being created in response to an Auditor General's Report where concerns were raised that Local Governments did not have written bushfire plans.

Reviews have taken place on a regular basis the last being in 2003

COMMENT

The plan is the latest in an ongoing review process and expresses the Shire's current situation.

CONSULTATION

Due consultation was carried out between all stakeholders and the Bushfire advisory committee in updating this plan

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

This plan is a continuance of current policies.

BUDGET/FINANCIAL IMPLICATIONS

The plan does call for allowances to be made in the annual budget which do not vary from current practice.

STRATEGIC IMPLICATIONS

This plan recognises the Shires on going commitment to appropriate strategic planning..

SUSTAINABILITY IMPLICATIONS

- Environmental
- Economic
- Social

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION - MOVED INTO COMMITTEE

MOVED: Cr Giles

SECONDED: Cr Oversby

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

CARRIED 8/0

Res 090/10

COUNCIL DECISION – MOVED OUT OF COMMITTEE

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

CARRIED 8/0

Res 091/10

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.10

MOVED: Cr Giles

SECONDED: Cr Ginnane

The matter be referred back to administration for further investigation.

CARRIED 8/0

Res 092/10

NOTE

Council noted that the plan did not clearly identify the Shire as being the Incident Controller and so referred the Plan back to Administration for relevant further investigation and an amendment.

7.3.11 Annual Compliance Audit Return 2009

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>FM/9/004</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>14 May 2010</i>
Author:	<i>Alan Lamb – Chief Executive Officer</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Yes – Boyup Brook Compliance Audit Return 2010</i>

SUMMARY

The purpose of this report is to present to Council the Annual Compliance Return for Council adoption.

BACKGROUND

The Local Government (Audit) Regulations 1996, Section (14) requires Local Governments to carry out a Compliance Audit for the period 1st January to 31st December in each year. Section (13) of the regulations outlines the sections of the Act & Regulations that are subject to audit.

The Department of Local Government and Regional Development has provided the compliance form approved by the Minister for completion and presentation to Council for adoption.

Section (15) of the Regulations require that a certified copy of the return presented and adopted by Council be sent to the Director General of Department of Local Government by 31st March each year, together with a copy of the minutes referring to this matter. The report is to be certified by the Shire President and Chief Executive Officer.

COMMENT

The completed Compliance Return is attached and the “comment” section of the compliance report provides some information in relation to the areas of non compliance.

CONSULTATION

Manager of Finance – Keith Jones
Manager of Works and Services – John Eddy

Environmental Health/Building Officer – Wayne Jolley
Finance Officer – Kay Raisin
Administration Staff

STATUTORY OBLIGATIONS

Local Government Act 1995 Section 7.13(1(i))
Local Government (Audit) Regulations 1996 Sections (13) (14) & (15)

POLICY IMPLICATIONS

No specific policy in relation to compliance as it is covered by legislation

BUDGET/FINANCIAL IMPLICATIONS

The cost of completing the Compliance Audit is within the existing budget; however a high level of non compliance can lead to unnecessary additional expenditure.

STRATEGIC IMPLICATIONS

A high level of compliance will allow staff to spend more time on matters relating to the delivery of services and future planning.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.11

MOVED: Cr O’Hare

SECONDED: Cr Biddle

That the Council adopts the Annual Compliance Report for 2009, and the Shire President and Chief Executive Officer certify the return for submission to the Department of Local Government and Regional Development.

CARRIED 8/0

Res 093/10

7.3.12 Local Government Convention and Exhibition

Location:	<i>Perth Convention Exhibition Centre</i>
Applicant:	<i>Not applicable</i>
File:	<i>GR/31/002</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>2 May 2010</i>
Author:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Convention Program</i>

SUMMARY

The 2010 Local Government Convention and Exhibition will be held on the 5th August to 7th August 2010. This report recommends that Council be represented at the convention and nominate delegates accordingly.

BACKGROUND

The Local Government Convention is the premier event for Elected Members and Officers within Local Government.

The Association's Annual General Meeting is part of the convention program.

In accordance with Western Australian Local Government's constitution, member Councils are entitled to have two voting delegates. Registration of the voting delegates is required prior to the 12th July 2010.

Member Councils are invited to submit motions for the Annual General Meeting, the closing date is 14th June 2010.

Elected member development program training is being offered during the lead up to the convention and also immediately afterwards.

COMMENT

Convention Registration deadline is 12th July 2010.

In previous years Boyup Brook has been well represented with at least three Councillors and the Chief Executive Officer attending.

The estimated cost per attendee could be up to \$2,500, depending on accommodation requirements and involvement with member development programs.

CONSULTATION

Not applicable

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's policy on conferences – attendances and expenses by Councillors is as follows:-

Objective

To determine the procedures for attendance at conferences and seminars by Councillors.

Statement

It is Council's policy to have the Shire of Boyup Brook represented at any conference or seminar where it is evident that some benefit will accrue to the Council and/or the district. Attendance at conferences and seminar, etc is to be determined by the Shire President in consultation with the Chief Executive Officer. All Councillors are to be given the opportunity to attend conferences and seminars etc when they are available.

It is Council policy that all reasonable and direct expenses incurred by delegates and partners attending conferences, seminars, etc are to be met by the Shire.

Funds are to be listed annually for Budget consideration to enable the Shire President together with up to 50% of Councillors to attend Local Government Week.

Where possible, attendance at Conferences is to be on a rotation basis.

BUDGET/FINANCIAL IMPLICATIONS

Expenditure will be incurred in 2009/10 and would be budgeted accordingly.

STRATEGIC IMPLICATIONS

The Convention program will enable delegates to gain information that will benefit local government in Boyup Brook, as will interaction with elected members from throughout Western Australia.

SUSTAINABILITY ISSUES

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3.12

MOVED: Cr Giles

SECONDED: Cr Downing

That:-

- 1 The Shire President and Cr Muncey, Cr Biddle and Cr Oversby attend the 2010 Local Government convention and exhibition and expenses incurred be paid by the Shire, as per Council Policy M.01.
- 2 The Shire President and Cr Biddle be appointed as voting delegates for the Western Australian Local Government Association Annual General Meeting.

CARRIED 8/0

Res 094/10

8 COMMITTEE REPORTS

8.1.1 Minutes of the Forward Planning Committee

Location:	<i>Boyup Brook Shire Council Chambers</i>
Applicant:	<i>N/A</i>
File:	<i>IM/37/011</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>6 May 2010</i>
Author:	<i>Alan Lamb – Chief Executive Officer</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND:

A meeting of the Forward Planning Committee was held on 6 May 2010.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.4*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.1

MOVED: Cr Giles

SECONDED: Cr Biddle

That the minutes of Forward Planning Committee held on 6 May 2010 be received.

CARRIED 8/0

Res 095/10

COUNCIL DECISION & COMMITTEE RECOMMENDATION

MOVED: Cr Giles

SECONDED: Cr Biddle

1. **Asset Management Planning**

Recommendation

Recommended that the Furniture and Equipment, Buildings and Bridges asset management plans, as presented, be included in the draft Asset Management Plan.

Recommendation

2. Industrial Sites Study (Confidential Item)

Recommended that the report be noted.

CARRIED 8/0

Res 096/10

8.1.2 Youth Advisory Committee Minutes

Location: N/A
Applicant: N/A
File: IM/37/004
Disclosure of Officer Interest: Nil
Date: 11 May 2010
Author: Annie Jones – Youth Officer
Authorizing Officer: Alan Lamb – Chief Executive Officer
Attachments: Yes – Minutes

BACKGROUND:

A meeting of the Youth Advisory Committee was held on 20th, 27th April and 4th May 2010
Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.1*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.2

MOVED: Cr O’Hare

SECONDED: Cr Muncey

That the minutes of the Youth Advisory Committee Minutes held on 20th, 27th April and 4th May 2010 be received.

CARRIED 8/0

Res 097/10

8.1.3 Boyup Brook Tourism Association Minutes

Location: N/A
Applicant: N/A
File: IM/37/009
Disclosure of Officer Interest: Nil
Date: 4 May 2010
Author: Daly Winter – Community Development Officer
Authorizing Officer: Alan Lamb – Chief Executive Officer
Attachments: Yes - Minutes

BACKGROUND:

A meeting of the Boyup Brook Tourism Association was held on 13th April 2010.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.2*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.3

MOVED: Cr Biddle

SECONDED: Cr Marshall

That the minutes of the Boyup Brook Tourism Association held on 13th April 2010 be received.

CARRIED 8/0

Res 098/10

8.1.4 Minutes of the Blackwood River Valley Marketing Association
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<i>Location:</i>	<i>N/A</i>
<i>Applicant:</i>	<i>N/A</i>
<i>File:</i>	<i>IM/37/008</i>
<i>Disclosure of Officer Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>7th May 2010</i>
<i>Author:</i>	<i>Alan Lamb – Chief Executive Officer</i>
<i>Authorizing Officer:</i>	<i>Not Applicable</i>
<i>Attachments:</i>	<i>Yes - Minutes</i>

BACKGROUND:

A meeting of the Blackwood River Valley Marketing Association was held on 13th April 2010.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.5*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.4

MOVED: Cr GILES

SECONDED: Cr Oversby

That the minutes of the Blackwood River Valley Marketing Association held on 13th April 2010 be received.

CARRIED 8/0

Res 099/10

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10 URGENT MATTERS

10.1.1 Change of FESA regions for the Boyup Brook Bush Fire Brigades

Location:	Shire of Boyup Brook
Applicant:	Shire of Boyup Brook
File:	EM/51/003
Disclosure of Officer Interest:	None
Date:	17 May 2010
Author:	G Carberry
Authorizing Officer:	A Lamb
Attachments:	none

SUMMARY

A motion moved at the 2010 Bushfire Advisory AGM requested that Council facilitate a change of FESA regions for the Boyup Brook Bush fire brigades, that is transfer from South West to Great Southern.

BACKGROUND

FESA is currently carrying out a redistricting process where the South West region will be split into two regions, Southwest being the inner Bunbury and Peel areas and Lower South West being south of Bunbury and east taking in the remaining area of the existing region. This new region will have its office in Manjimup.

COMMENT

It was felt that this would be an appropriate time to request the Shire of Boyup Brook to be included in the Great Southern Region and not the Lower South West region. Reasons for the transfer included:

- Greater alignment with area demographic and land utilisation
- Greater similarity in population densities
- Better understanding of farming practices
- Greater affiliation with brigade practices

CONSULTATION

Brigade Members
Bush Fire Advisory Committee
FESA a/g Area Manager R Bradshaw

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

To be reviewed.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Nil
- **Economic**
Nil
- **Social**
Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.1.1

MOVED: Cr Giles

SECONDED: Cr Biddle

That Council accept the request from the Bush Fire Advisory Committee and commence negotiation with FESA to facilitate the change of the FESA region.

CARRIED 8/0

Res 100/10

11 CONFIDENTIAL MATTERS

12 CLOSURE OF MEETING

There being no further business the Shire President, Cr Terry Ginnane declared the meeting closed at 6.04pm.