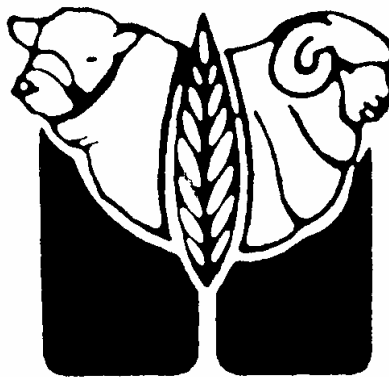


AGENDA



ORDINARY MEETING

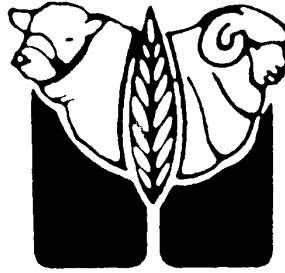
TO BE HELD

THURSDAY, 19 MARCH 2009

COMMENCING AT 3.30PM

AT

SHIRE OF BOYUP BROOK CHAMBERS
ABEL STREET – BOYUP BROOK



SHIRE OF BOYUP BROOK

NOTICE OF ORDINARY COUNCIL MEETING

To:-

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

The next Ordinary Council Meeting of the Shire of Boyup Brook will be held on Thursday 19 March 2009 in the Council Chambers, Shire of Boyup Brook, Abel Street, Boyup Brook – commencing at 3.30pm.

Mr Alan Lamb
Chief Executive Officer

Date: 13 March 2009

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

1.1 Attendance

Cr R Downing – Shire President
Cr P Marshall – Deputy Shire President
Cr S Broadhurst
Cr M Giles
Cr T Ginnane
Cr E Muncey
Cr B O’Hare
Cr A Piper

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

1.2 Apologies

Nil

1.3 Leave of Absence

Nil

2 PUBLIC QUESTION TIME

Nil

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

3.30pm - Ms Cheryl Hamence will be giving a short presentation regarding the work she does at the Blackwood Valley Landcare in the Boyup Brook Shire.

3.45pm - Mr Ian Puse from the Boyup Brook Tennis Club would like to provide information about their circumstances as background for future lease discussions, and any of their requests for assistance.

5 CONFIRMATION OF MINUTES

5.1 Ordinary meeting of Council 19 February 2009.

OFFICER RECOMMENDATION

That the minutes of the Ordinary Meeting of Council held on Thursday 19 February 2009, be confirmed as an accurate record.

6 PRESIDENTIAL COMMUNICATIONS

7 REPORTS OF OFFICERS

7.1 MANAGER WORKS & SERVICES

7.1.1 Request for Access to Nelson Location 2408 be placed on the Shire of Boyup Brook Road Inventory
--

Location:	<i>Road Reserve No 17389 Boyup Brook</i>
Applicant:	<i>Mr T Mondy</i>
File:	<i>AS7960</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10th March 2009</i>
Author:	<i>John Eddy – MWKS</i>
Authorising Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Letter from Mr Mondy & plan of Road Reserve No 17389</i>

SUMMARY

The proponent has requested that the Council approve the existing access track to Nelson location 2408 be placed on the Shire of Boyup Brook road inventory and therefore maintained by the Shire.

This report strongly recommends that the existing access track to Nelson location 2408 not be included on the Shire of Boyup Brook road inventory until the access is constructed to the standard required by the Councils Policy No W.07 and located within the existing road reserve.

BACKGROUND

The access track to Nelson Loc 2408 runs in a North/South direction from Harrison Road to Loc 2408 and is approximately 2200m in length.

The origins of the track are unknown, it is historically recognised as the access to Loc. 2408 owned by the proponent. The access track has been graded by the Shire of Boyup Brook on occasions but has never been part of the regular road maintenance program as the un-named access is not included on the Shires road inventory.

COMMENT

The Shire of Boyup Brook minimum standard for a constructed road in a rural area is a six (6.0) metre formed gravel surface with roadside drains to be constructed within a gazetted road reserve.

The existing access to Loc 2408 is an unformed track varying in width from 3.6m to 5.0m with no roadside drainage and is not fully contained within the road reserve. Approximately two thirds of the existing access track is contained within road reserve No 17389 which has been created on the western side of Reserve 18255 and gazetted as a road reserve in October 1985.

As per section 3.53 of the Local Government Act 1995 the Council is responsible for the care and control of the road reserve.

Should the Council agree to place the existing access track to Loc 2408 on the Shire of Boyup Brook road inventory it will be placing itself in a position where it could well be held partially liable for any injury that might occur to a member of the public making use of that track.

It is therefore strongly recommended that the request to include the existing access track to Loc 2408 on the Shire of Boyup Brook road inventory be refused.

CONSULTATION

Chief Executive Officer
Shire Outside Staff
Austroads 1989 – Geometric Design

STATUTORY OBLIGATIONS

Local Government Act 1995 Section 3.53

POLICY IMPLICATIONS

Nil

BUDGET / FINANCIAL IMPLICATIONS

There will be an ongoing financial cost for the care and maintenance of the existing access track to Loc 2408 should the Council approve the placing of the access track on the Shire's road inventory.

STRATEGIC IMPLICATIONS

Should the existing access track to Loc 2408 become the access to any proposed subdivision or amalgamation of lots the Councils "Road Contribution Policy (W.07) would apply.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Council refuse the request to have the existing access to Nelson location 2408 placed on the Shire of Boyup Brook road inventory until:-

1. The access to Location 2408 is constructed to a six (6.0) metre wide formed gravel surface with roadside drains to Council specifications.
2. The constructed road access is located within road reserve No 17389.

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>12 March 2009</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 February 2009.

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 2008/09 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.2.1

That the payment of accounts for February 2009 as presented totalling \$414,470.52 and as represented by cheque voucher numbers 17342 – 17388 totalling \$81,536.45, and accounts paid by direct electronic payments through the Municipal Account totalling \$332,935.07 be endorsed.

7.2.2 February 2009 Monthly Statements of Financial Activity

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/10/003</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>12 March 2009</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 28 February 2009, and Investment Schedule for the month ended 28 February 2009.

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

Cheque 17333 – SW Solutions cancelled – incorrect payee. See Cheque 17350.
Cheque 17335 – Synergy cancelled – invoice processed twice. See Cheque 17345.

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

OFFICER RECOMMENDATION – ITEM 7.2.2

That the February 2009 Monthly Statements of Financial Activity as presented, be received.

7.2.3 Financial Review for Period Ending 31st December 2008

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>Shire of Boyup Brook</i>
<i>File:</i>	<i>FM/10/003</i>
<i>Disclosure of Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>12 March 2009</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>Alan Lamb – Chief Executive Officer</i>
<i>Appendices:</i>	<i>Yes - Review Financial Statements</i>

SUMMARY

The purpose of this report is to advise Council of the outcome of a comprehensive financial review in relation to budget estimates for the first six months of the financial year and recommend action to ensure the financial position at the end of the year is satisfactory.

BACKGROUND

The Local Government Act 1995 Section 6.2 (5) provides for regulations in respect to the Annual Budget. The Local Government (Financial Management) Regulations 1996 Section 33A require a Local Government to carry out a review of its Annual Budget during the period 1st January to 31st March. The Council is to consider the review and determine by Absolute Majority whether or not to adopt the review, any parts of the review or any recommendations made in the review. Within 30 days after Council has made a determination, a copy of the review and determinations is to be provided to the Department of Local Government and Regional Development.

Council adopted the 2008/09 Budget at the Ordinary Meeting held on the 17th July 2008. The adopted Budget included an estimated nil balance at the 30th June 2009.

Since that date the Council has made no adjustments:-

COMMENT

The review now presented anticipates that all the Works and Services included in the budget will be provided and or undertaken unless otherwise shown.

Where "Depreciation" has been varied (either increased or decreased) it will not impact on the financial position at 30th June 2009 as the amount of depreciation included in the operating expenditure is deducted in the Rate Setting Statement, along with any other non cash income/expenditure.

Whilst detail statements are provided as supporting information the focus of the review will be based on the Rate Setting Statement at programme level, Capital Expenditure/Income, Reserve Fund Movement and the estimated surplus Brought Forward and Carried Forward.

GENERAL PURPOSE FUNDING

Income	Rates - UV	increase to reflect actual	248
	Rates - UV minimum	increase to reflect actual	1,680
	Rates - Instalment Interest	increase projected	5,400
	Rates - Admin Fee	increase to reflect actual	1,182
	Grants Commission	increase to reflect actual	2,180
	Local Roads	increase to reflect actual	4,659
	Interest on Investments	increase projected	5,000
	Interest on Reserves	increase projected	18,714
			39,063

GOVERNANCE

Income	Other Minor Income	increase to reflect actual	1,550
Expenses	Training	decrease - expense not expected	2,500
	Council Chamber Expenses	increase projected	(700)
	Insurance Members	decrease to reflect actual	6,094
	Election Expenses	decrease - expense not expected	1,000
	Depreciation Members	increase projected	(1,000)
			9,444

LAW ORDER & PUBLIC SAFETY

Income	Fire Prevention - infringements	increase projected	500
Expenses	Depreciation - Fire Control	increase projected	(1,000)
			(500)

HEALTH

Income	Surgery Turnover	increase projected	37,721
	Rental - Contract Doctor	unbudgeted - projected income	20,000
Expenses	Family Stop Ground Mtce	decrease projected	2,445
	Medical Insurance	decreased to reflect actual	504
	Salaries & Wages	increased to reflect bonus to Dr.	(28,000)
	Superannuation	increase projected	(840)
	Contract Doctor	unbudgeted - projected expense	(25,000)
			6,830

EDUCATION & WELFARE

Income	Youth Council	unbudgeted - projected income	1,000
Expenses	Telecentre Bldg maintenance	decrease projected	631
	Telecentre Grounds Mtce	decrease projected	230
	Rylington Park depreciation	increase projected	(19,100)
			(17,239)

HOUSING

Income	Staff Housing rental	increase to reflect actual	100
		decrease to reflect projected	(760)
	Rent 24a Proctor St	income	
		decrease to reflect projected	(400)
	Rent 24b Proctor St	income	
		decrease to reflect projected	(460)
	Rent 16a Forrest St	income	
	Rent 1 Rogers Ave	unbudgeted - projected income	10,000
Expenses	Staff Housing 6 Nix St	decrease to reflect actual	7,965
	Staff Housing Depreciation	increase projected	(4,500)
	less amount allocated to		(8,904)
	admin	decrease projected	
	Other Housing - Lions Aged		61,721
	Units	decrease - project cancelled	
	Other Housing Depreciation	decrease projected	4,000
			68,762

COMMUNITY AMENITIES

Income	Refuse removal rates	increase projected	2,716
	Income from scrap metal	decrease projected	(2,000)
	Septic Pumping fees	decrease projected	(9,750)
	Burial fees	increase projected	2,000
	Cemetery license fees	increase projected	600
Expenses	Townsite street bins	decrease projected	1,000
	Satellite Town waste	decrease projected	985
	Waste Mgt Depreciation	increase projected	(2,300)
	Septic Removal costs	decrease projected	9,715
	Grave Digging	increase projected	(2,230)
	Cemetery Maintenance	decrease projected	2,407
	Toilets - Tourist Centre	decrease projected	854
		unbudgeted - increase	(437)
	Saleyards	projected	3,560

RECREATION & CULTURE

Income	Public Hall Hire fees	decrease projected	(400)
Expenses	Public Halls depreciation	decrease projected	4,500
	Swimming Pool		8,000
	depreciation	decrease projected	
	Netball/Basketball Courts	decrease projected	642
	Other Reserves	increase projected	(3,306)
			9,436

TRANSPORT

Income	Direct Grants - MRD	increase to reflect actual	7,273
	T.I.R.E.S. MRD	decrease to reflect actual	(90,000)
	Applic. For Temp Heavy	unbudgeted - increase	250
	Haulage	projected	

AGENDA OF THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 19 MARCH 2009

	Gain on Disposal of Assets	increase to reflect actual	10,908
		unbudgeted - increase	59,396
	Sale of Plant & Equipment	projected	
	less Sale of Plant & Equipment	unbudgeted - increase	(59,396)
		projected	
Expenses	Transport depreciation	increase projected	(6,200)
	Infrastructure depreciation	increase projected	(184,000)
	Sundry Plant	decrease to reflect actual	1,512
	Air Strip	decrease projected	684
			(259,573)

ECONOMIC SERVICES

Income	Boyup Brook Tourist Centre	no income expected	(2,500)
	Standpipe Water	decrease projected	(1,000)
Expenses	Tourist Bay	decrease projected	1,424
	Support for UBAS	decrease to reflect actual	421
	Tourist Centre	decrease projected	6,541
	Promotion Activities	decrease projected	1,500
	Depreciation	decrease projected	700
	Caravan Park Depreciation	increase projected	(2,200)
	Standpipes	increase projected	(1,600)
			3,286

OTHER PROPERTY & SERVICES

Income	Deisel Fuel Rebate	unbudgeted - projected income	3,500
	workers compensation		4,500
	reimburse	unbudgeted - projected income	
	Reimbursement - Admin	increase to reflect actual	148
Expenses	Works - FBT	increase projected	(4,500)
	Works - Insurance	decrease to reflect actual	2,589
	Works - Occ Health & Safety	unbudgeted - projected expense	(245)
		increase due to payout of mobiles	(2,500)
	Works - Other		
	LESS PWOH	increase projected	4,656
	Plant - fuel and oil	decrease projected	50,000
	LESS PCO	decrease projected	(27,593)
	Plant - depreciation	increase projected	(22,407)
	Advertising	decrease projected	2,000
	Admin Building Costs	decrease projected	18,000
	Consultants	increase projected	(8,700)
	Insurance	increase projected	(5,746)
	Legal Expenses	decrease projected	1,000
	Office Equipment Mtce	decrease projected	700
	Employers Indemnity		(1,665)
	Insurance	increase to reflect actual	
	Conference, Training	decrease projected	4,000
			17,737

<u>PROFIT/LOSS ON ASSET DISPOSAL</u>		
	increase profit on disposal to reflect actual	(28,030)
<u>CAPITAL EXPENDITURE</u>		
Land & Buildings		
Admin Office additions to Library		250,000
Transfer Station Infrastructure	decrease projected	20,000
Infrastructure Road & Footpaths		
Roads	increase projected	(293,673)
Footpaths	increase projected	(11,592)
Plant & Equipment		
Dual Cab Truck		(48,213)
Septic Truck		20,000
Ford Courier - Dual Cab		6,136
Two turn Mower		3,005
Vibromax Roller		5,000
Sea Container		(400)
		(49,737)
<u>PROCEEDS FROM DISPOSAL OF ASSETS</u>		
Land Jayes Road		(10,000)
Ford Courier Dual Cab		455
Two turn Mower		(909)
Vibromax Roller		(5,000)
Isuzu Dual Cab Truck		29,850
		14,396
		224,007
<u>DEPRECIATION</u>		
<u>PROCEEDS FROM NEW DEBENTURES</u>		(200,000)
<u>TRANSFERS TO RESERVES</u>		
increase in Interest on Reserve funds		(18,714)
Road Contribution Reserve		(31,701)
		(50,415)
<u>TRANSFERS FROM RESERVES</u>		
	decrease due to Admin Building not drawn and slight interest variances	(57,177)
<u>Unspent Restricted Grant and Loan Funds</u>		
	correction to Rate Setting Statement (included in Restricted Funds)	(572,392)
<u>ESTIMATED BALANCE BOUGHT FORWARD FROM 2007/08</u>		
	Adjustment to reflect Actual position as per Auditors direction	904,768

ESTIMATED BALANCE CARRIED FORWARD TO 2009/10

Surplus Result of the variations
outlined in the report

66,224

CONSULTATION

Chief Executive Officer
Manager of Works and Services
Senior Administration Officer
Finance Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.21
Local Government (Financial Management) Regulations 1996 – Section 33A

POLICY IMPLICATIONS

No Specific Policy in relation to the review

FINANCIAL IMPLICATIONS

As addressed in the comment section of the report

STRATEGIC IMPLICATIONS

Sound Financial Management and Planning is essential to allow the objectives of the Shire to be met.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATIONS – ITEM 7.2.3

That Council adopts the financial review to 31 December 2008 as presented.

7.2.4 Warren Blackwood Regional Strategic Waste Management Plan

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>WM/31/001</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>12 March 2009</i>
Author:	<i>Klaus Mueller Contracted Waste Management Consultant (Shire of Manjimup).</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Yes – Boyup Brook and Warren Blackwood Strategic Waste Management Plans.</i>

SUMMARY

A request for Council's endorsement of the Boyup Brook and the Warren Blackwood Regional Strategic Waste Management Plans (SWMP).

BACKGROUND

As a requirement of the new Waste Avoidance Resource Recovery Bill, which came into operation on the 1st July 2008, Councils are required to have a Waste Plan. Under section 40 (30) (i) the following are to be included in the plan.

- (a) Population and development profiles for the district;
- (b) an assessment of significant sources and generators of waste received by the local government;
- (c) an assessment of the quantities and classes of waste received by the local government;
- (d) an assessment of the services, markets and facilities for waste received by the local government;
- (e) an assessment of the options for reduction , management and disposal of waste received by the local government;
- (f) proposed strategies and targets for managing and reducing waste received by the local government;
- (g) proposed strategies and targets for the efficient disposal of waste that cannot be recovered, reused or recycled;
- (h) an implementation program that identifies the required action, timeframes resources and responsibilities for achieving these strategies and targets;
- (i) such other matters as may be prescribed by the regulations.

When the Act was being drafted the Department of Environment and Conservation decided to develop a “Zero Waste Plan Management Plan” that was intended to assist local governments in aligning their activities with the State’s vision of “Towards Zero Waste by 2020” and to assist Councils to meet their requirements under the new Act.

Councils had to complete an application online survey for Phase 1 of the Zero Waste Plan. Progression to the final Phase 2 could not be made unless the applicant (Council) had completed the online survey for phase 1.

In December 2005 the Waste Management Board proposed that organisations accessing funding from the Waste Management Recycling Fund (WMRA) should develop, maintain and implement an approved Zero Waste Plan (now called the Strategic Waste Management Plan - SWMP).

In May 2006 the Board endorsed a zero waste plan funding scheme, and on 16 May 2007 the Zero Waste Plan Development Scheme (the ZWPDS) officially commenced with the gazettal of Phase 1 Ministerial Conditions. This initial phase provided funding to assist local government authorities complete an on-line survey to establish baseline waste and recycling data across the State and to assist local governments identify where current data gaps exist. Ninety One percent (91%) of the State’s local governments participated in Phase 1, the results from which were published in the ‘Zero Waste Plan Development Scheme (Phase 1) 2006/07 Final Report’ in March 2008. All four Councils in this region participated in the on-line survey.

On 12 September 2007 Phase 2 of the ZWPDS was announced by the Minister at the 2007 Waste and Recycle Conference in Fremantle. Ministerial Conditions for Phase 2 were gazetted on 28 September 2007. Phase 2 provided funding to assist local governments with the preparation of Strategic Waste Management Plans.

The Shires of Manjimup, Bridgetown-Greenbushes, Nannup and Boyup Brook have agreed to collaborate and engage in the formulation of individual local and the Regional Plan. A Memorandum of Understanding has been signed by the participating Councils to formalise and define the parameters and the participation of individual Councils in the regional plan.

There is no inference or intent that any Council participating in the Memorandum of Understanding is committed to a long term partnership association with fellow signatories in relation to waste management.

Strategic Waste Management Plans were due to be submitted by 30 September 2008. This due date was extended to 31 March 2009. Draft Boyup Brook and Warren Blackwood Regional Strategic Waste Plans were submitted prior to the original date for DEC comments.

The revised plans need to be now endorsed by Council prior to the 20th March for Council to be able to access payments for participating in Phase 2.

COMMENT

The plans are basically addressing and responding to issues that have been identified by Council officers over the years and have been highlighted by the recent landfill Report by SKM.

It is recommended that public comment on the Strategic Waste Management Plans – (SWMP) be invited during 2009 and that the plans are reviewed in December and then on an ongoing annual basis.

STATUTORY OBLIGATIONS

Waste Avoidance Resource Recovery Bill 2007

Local Government Act 1995

POLICY IMPLICATIONS

There are no specific policies or strategies related to this issue.

BUDGET IMPLICATIONS

Council has received \$1,000 for completing stage one and would have only been eligible to receive \$8,000 if they had only participated in the formation of a local Strategic Waste Management Plan (SWMP), but because of its participation in a Regional SWMP is now eligible to receive \$15,000 on Council's endorsement of the plans (endorsement must be before 31st March 2009).

Funds not spent on formulating the plan can be used in waste management issues identified in the SWMP.

By the formation of a regional group participating Councils in this region are now eligible for another \$59,450 additional funding (Pilot Regional Funding Program), as of November 2008: to be used for issues identified in the Regional Plan. A Regional Investment Plan is required in response to this offer and the funds have to be expended by December 31st 2009.

The Shire of Manjimup is receiving from Council \$65 per hour, plus 61c/ km for the contracted Waste Management Officer to author and complete the process for the Strategic Waste Management Plans.

Councils will not be able to apply for future Government funding grants unless they have a SWMP.

SUSTAINABILITY IMPLICATIONS

➤ Environmental:

The SWMP's will promote environmental responsibility by promoting waste avoidance, recycling and waste minimisation, which will lead to the eventual reduction of greenhouse gas and reduce the need for resources currently required with the present system of waste management.

➤ Economic:

No social group within the community is fiscally equitably disadvantaged in the contents of both plans.

➤ **Social:**

The Zero Waste Plans are applicable to all residents in Boyup Brook and the region. The plans are designed to improve the future environmental and financial efficiency and viability of current waste management to the advantage of all residents in the Shire of Boyup Brook and in the region.

RISK MANAGEMENT

Suggestions and recommendations in both plans would have an eventual effect of reducing risk management by increasing compliance to statutory requirements and the reduction of adverse environmental impacts.

CONTINUOUS IMPROVEMENT

The recommendations in both plans are for the continuous improvement of environmental and sustainable waste management practises and services.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 7.2.4

That Council endorse the Boyup Brook and Regional Strategic Waste Management Plans, and that the plans are advertised for community comment until September 2009 for the purpose of any changes or review.

7.3 CHIEF EXECUTIVE OFFICER

7.3.1 Boyup Brook Lot 42 – Development Application

Location: Lot 42 Forrest Street Boyup Brook
Applicant: E & DJ Fletcher
File: AS560
Disclosure of Officer Interest: Nil
Date: 10 March 2009
Author: Alan Lamb – Chief Executive Officer
Authorizing Officer: N/A
Attachments: Yes – copy of application

SUMMARY

A development application has been received to build a warehouse and the recommendation is that the application be approved.

BACKGROUND

The owner/applicant seeks approval to build a 10m X 17.5m (includes a 3.5m wide verandah on the northern side) warehouse adjacent to an existing structure.

The existing structure is the old CWA Hall that now houses the business called Buttons & Bows of Boyup Brook. The applicant seeks approval to build a 10m by 17.5m colourbond clad structure for use as a warehouse.

The development site is Boyup Brook Town Lot 42 which is located in Forrest Street and the zoning is Commercial. Council's Town Planning Scheme Zoning Table provides that a warehouse is a permitted use in the Commercial Zone.

The scheme provides restrictions and these are shown below along with an assessment of compliance.

Development Requirements	Application detail	Assessment
Commercial Zone – warehouse is a permitted use	Warehouse proposed	Complies
Minimum frontage 5m	25.5 m	Complies
Front setback – Nil	3.4m	Complies
Side setback - Nil	West 3.7m, east 11.8m	Complies
Rear setback - Nil	30.6m	Complies
Traffic entrances – as Council requires	Nil proposed to front, access from rear lane via a gate in the fence proposed	Complies – see comment
Fencing – where common boundary with POS or other public spaces Council will	Property does not adjoin POS or any public space	Not applicable

require uniform fencing.		
Car parking – 1 space per 100m ² of gross floor space	Not shown	Condition - two car parking spaces required (175m ² gross floor space) – see Comment
Protection of amenity – external appearance not to detract from visual amenity	Colourbond cladding – smooth cream Zincalume roof Gutters and down pipes – heritage red. Verandah to street frontage	Assessed as complying – see notes under Comment
Nuisance – dust, smoke, fumes, odour, noise, vibration or waste products to the extent as to cause a nuisance.	Warehouse operations	Assessed as complying – see notes under Comment
Landscaping – as Council considers necessary	None shown on plans	Assessed as complying – see notes under Comment
Maximum building height – 10 metres	Height 4.482m	Complies

COMMENT

Town Planning Scheme 2 (TPS2) provides that a warehouse is a permitted use in the Commercial Zone. The proposed structure also meets setback and height restrictions.

There is no traffic entrance to the front of the site now and none is proposed. The front verge is higher than the road level, is relatively narrow and contains a footpath. These factors combine to make the construction of a useable crossover very difficult and potentially expensive. There is however to be a gate way in the rear fence and so the property can be accessed from the rear lane. The application does not show any car parking spaces however there is ample area for far more than the two spaces required. Council could require that a carpark be constructed for the two required bays but this is not recommended. It is recommended that it be a condition of approval that a sign be erected at the front of the property advising patrons that there is parking at the rear. The applicant is happy to do this.

With regard to protection of amenity, the proposed building will have a verandah to the street frontage. Its walls will be a relatively neutral colour and so the building should present well to the street.

The warehouse operation should have little impact on neighbours and that fact that it is a permitted use in the Commercial Zone indicates it has been assessed was low impact when the scheme was produced.

Whilst the applicant shows no landscaping on plans provided it is noted that the new building will be relatively close to the boundary (3.4m from it) and so will leave little space for landscaping. The rear of the lot will be fairly well hidden by the new building.

CONSULTATION

The author has consulted with the applicant.

STATUTORY OBLIGATIONS

Council's Town Planning Scheme 2 applies.

POLICY IMPLICATIONS

There are no policy implications.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications.

STRATEGIC IMPLICATIONS

There are no strategic implications.

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

OFFICER RECOMMENDATION – ITEM 7.3.1

That Council approves E and DJ Fletcher's development application for a warehouse to be erected at Boyup Brook Town Lot 42 in accordance with plans provided and subject to the following conditions:

1. Provision being made on site for two car parking spaces.
2. A sign being erected at the front of the property to indicate customer parking at the rear.

7.3.2 Regional Grouping of Councils – Country Local Government Fund

Location:	<i>Boyup Brook district</i>
Applicant:	<i>N/A</i>
File:	<i>GR/31/001</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th March 2009</i>
Author:	<i>Alan Lamb, Chief Executive Officer</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>Yes – Copy of DLGRD website information on CLGF and a copy of WBSA’s constitution</i>

SUMMARY

The matter before Council is the regional grouping of Local Governments that Council wishes to direct a portion of the Country Local Government Fund (CLGF) with the recommendation that the Warren Blackwood Strategic Alliance (WBSA) be nominated.

BACKGROUND

Department of Local Government and Regional Development (DLGRD) advised that the Royalties for Regions (R4R) funds being distributed to Local Governments under the CLGF scheme was to be distributed to each country Local Government based on a formula. Also that in the first year (2008/9) each Council would receive 100% of its allocation and in subsequent years (2009/10 to 2001/12) up to 50% of the grant would be allocated through “existing and emerging regional governance groups of local governments”.

DLGRD notes that “where a Council does not participate in a regional group then, subject to special circumstances, that share of the regional allocation will be held over and may be used to augment local capacity building”.

Information supplied by the Department indicates that most country Local Governments have already formed groups or are in the process of doing so.

WBSA has been selected by the shires of Bridgetown Greenbushes, Nannup and Manjimup as the regional grouping and they have conveyed this to the Minister for Local Government.

WBSA was not set up as a regional organisation of Councils, and its objectives, according to its constitution, are:

The objectives of the Alliance on behalf of the communities of the Warren Blackwood region, shall be:

- (a) *To effectively represent the businesses and community of the Warren Blackwood Region in its broadest sense and to promote the economic, tourist, retail, cultural and environmental development of the region;*

- (b) *To take an active interest in all matters of the moment affecting the Warren Blackwood Region and State of Western Australia with the view to improving, promoting and protecting the interests of Members and the Community;*
- (c) *To aid the Community in the development of a commercial environment in which entrepreneurship can flourish;*
- (d) *To establish a rapport with civic, business, ethnic and other sectors of the Community and be recognised as representing and presenting the view of community to the relevant agencies;*
- (e) *To keep Members informed on important matters affecting the economic development of the region and to render a varied and comprehensive service to its Members according to their requirements from time to time;*
- (f) *To consider and respond to and advocate the amendment of Commonwealth or State legislation, regulations and policies and the local laws, regulations and policies of local government bodies and other corporations directly or indirectly affecting commercial interest and for such purposes to take all such steps or proceedings as may be expedient;*
- (g) *To promote investment within the Warren Blackwood Region*
- (h) *To create quality jobs for present and future generations by attracting and fostering sustainable industries that are acceptable in our rural environment.*
- (i) *To foster educational and training facilities that will enhance the quality of life.*
- (j) *To actively encourage the provision of quality health care services.*
- (k) *To encourage Government and private enterprise to support the Warren Blackwood Region.*

COMMENT

It is suggested that WBSA is the only logical choice for Council. This organisation has been in operation for some years and has been well supported by its constituent Councils.

It should be noted however that the WBSA's constitution does not appear to align with the proposed new purpose (ie as a receiver and distributor of funding for Local Governments).

It should also be noted that the constitution provides for a board of management of 10 persons and only 4 of these are Local Government representatives (ie one from each of the constituent Local Governments). The potential problem here is that people who have not been elected to office, and so are accountable to the electors, will be making decisions on how Local Government funding will be spent. The ability of WBSA to receive CLGF grants has been questioned.

These matters have been discussed by the WBSA Board and it is noted that there is a proposal to review the constitution. One of the changes mooted is to reduce the board size to 9 with one representative from each Council and one community representative from each Local Government area. The WBSA's Executive Officer has spoken with

DLGRD officers and has established that WBSA would be deemed a suitable body to receive CLGF grants funding on behalf of Councils.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues at this stage.
- **Economic:**
There are no known economic issues at this stage.
- **Social:**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.3.2

That Council Nominate the Warren Blackwood Strategic Alliance as the regional grouping of Council's for the purposes of dealing with Country Local Government Fund grant funding being directed to regional groupings of Local Governments, and that the Chief Executive Officer write to the Minister for Local Government to advise him of this.

7.3.3 Structural Reform

Location:	<i>Boyup Brook district</i>
Applicant:	<i>N/A</i>
File:	<i>GR/31/002</i>
Disclosure of Officer Interest:	<i>the author declares an interest to the extent that the structural reform process may have an impact on his employment.</i>
Date:	<i>12 March 2009</i>
Author:	<i>Alan Lamb, Chief Executive Officer</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>Yes – Walga Media Release</i>

SUMMARY

This report is intended to bring Council up to date with the matter and establish Council's position in relation to amalgamation.

BACKGROUND

It has been reported that the Minister for Local Government made an announcement at Local Government meeting in Exmouth 5/2/2009 that if Councils failed to voluntarily put forward plans to merge in six months the government would force amalgamations. The attachments contain information relating to the announcement and what has happened since.

Late on Friday 27/2/2009, emails were sent to Local Governments setting out guidelines for what the Minister seeks.

COMMENT

A number of relevant papers have been attached to this report to provide Council with background. Comment will be limited to enable Councillors to make their decision without staff influence.

Council's attention is drawn to Structural Reform Guidelines (Bulletin No 2-2009). It will be noted that the Minister request that each Local Government completes and returns the checklist (see attachment) to the Local Government Reform Steering Committee (LGRSC) by 30/4/2009. Also that Councils work through the decision making process set out in the Guidelines (attached) to develop a reform submission that is to be forwarded to the Minister by 31/8/2009.

With regard to the checklist, it is apparent that Council could not produce some of the long term planning documents and so a process has been put in place to develop these with the hope that some of these will be available for Council to view and adopt at its April meeting.

Council may wish to state its position in relation to amalgamations. However even if it is opposed to this it would appear to be unwise to dismiss the Minister's requests and so it is

suggested that Council work through the process. The intention is to complete the check list late in April and forward it by the due date. It is recommended that Council determine potentially suitable partners for amalgamation and select its project team.

It is noted that the suggested team size is 2 to 3 and the suggested make up is the President and CEO. It may well be deemed that, at this stage, just two team members will be sufficient however the recommendation makes provision for Council to include another Councillor if this is desired. This Council shares boundaries with a number of Shires and it is suggested that exploratory meetings be held with each of them.

It is important that the community is kept informed on the matter at what Council is doing as it is suggested that the regular notes in the Gazette from Council meetings may be sufficient at this stage and that once the exploratory meetings have been held and Council has more firmly set a potential course community meetings perhaps a survey and the like should be considered.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The process as set out by the Minister will have cost implications however it has not been possible to quantify these at this time. The costs will be mainly staff time and so the impact will be primarily changing priorities rather than additional dollar costs.

STRATEGIC IMPLICATIONS

Nil, the process has no impact on the strategic plan however amalgamation will no doubt result in different priorities.

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues at this stage
- Economic:**
There are no known economic issues at this stage.
- **Social:**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.3.3

That Council delegate the Shire President, Councillor.....and the Chief Executive Officer to be its Local Government Reform team and that this team meet with their counterparts at the Shires of Cranbrook, Kojonup, West Arthur, Collie, Donnybrook Balingup, Bridgetown Greenbushes, and Manjimup to conduct exploratory meetings on the matter of reform.

7.3.4 Boyup Brook Telecentre – Application South West Development Commission for Grant Funding

Location:	<i>N/A</i>
Applicant:	<i>Boyup Brook Telecentre</i>
File:	<i>CR/31/013</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>11 March 2009</i>
Author:	<i>Alan Lamb, Chief Executive Officer</i>
Authorizing Officer:	<i>Not Applicable</i>
Attachments:	<i>Yes – Copy of Telecentre’s grant application</i>

SUMMARY

The Telecentre seeks Council’s support for a grant application and the recommendation is that support be given.

BACKGROUND

The South West Development Commission (SWDC) has called for funding applications as part of its Royalties for Regions (R4R) funding program for the current financial year. Applicants should have support from their Local Government and so the Telecentre seeks a letter of support from Council.

The Telecentre’s project is detailed in the attachment. It will be noted that the project is to deliver accredited training through the Telecentre.

COMMENT

It is recommended that Council support the Telecentre’s application for R4R grants funding and authorise the Chief Executive Officer to write a letter confirming this.

CONSULTATION

The author has spoken with the Telecentre Manager.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues at this stage.

- **Economic:**
There are no known economic issues at this stage.

- **Social:**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 7.3.4

That Council support the Boyup Brook Telecentre’s application for Royalties for Regions grants funding and authorise the Chief Executive Officer to write a letter confirming this.

7.3.5 South West Local Government Emergency Management Alliance

Location:	<i>4 Stephen St, Bunbury WA</i>
Applicant:	<i>South West Local Government Emergency Management Alliance (SWLGEMA)</i>
File:	<i>EM/37/001</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>3rd March 2009</i>
Author:	<i>Jim Ferguson – Senior Administration Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Minutes of the last SWLGEMA Meeting</i>

SUMMARY

To consider a request from the South West Local Government Emergency Management Alliance to financially contribute to the operating cost of its official website.

BACKGROUND

The South West Local Government Emergency Management Alliance was formed just over twelve months ago, incorporating the City of Bunbury, Shires of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Nannup and Manjimup.

The purpose of this alliance is to consider, as a team, the best ways to approach emergency management planning, response and recovery within a local government environment and as a group response.

This group does not assume the role of the District Emergency Management Committee (DEMC) but performs rather as an “in-house” arrangement created for the purpose of idea sharing and comparing amongst the represented Local Governments.

The Alliance has created an Internet Website in support of its operations and has allocated each Local Government an area within this frame for making individual entries into the site i.e. Emergency Management Arrangements, Emergency Recovery Plans and any other material deemed relevant.

This website was created by the same people who created the Alliance, the City of Bunbury. The website is managed and operated from this location and requires ongoing financial support for maintenance and operational needs.

COMMENT

The Council needs to consider this request, which has been made to all member Local Governments, for a contribution of Three Hundred Dollars (\$300.00) each.

CONSULTATION

Mr. Lewis Winter – Chairman of the SWLGEMA – City of Bunbury

STATUTORY OBLIGATIONS

There is a duty of care in providing an element of safety within the community. Our LEMC serves this purpose well. However, all Local Governments are bound by law to perform under the provisions of the Emergency Management Act 2005 and, being part of this Alliance demonstrates this Local Governments willingness to be part of a team, sharing ideas and working towards effective and efficient emergency management planning.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

This item has not been included in the current budget. However, consideration should be made to include provisions for this request in the Law Order and Public Safety – Local Emergency Management component of the upcoming 2009- 2010 budget.

STRATEGIC IMPLICATIONS

The Shire can not only enter matter into our web location but also browse material provided by other Local Governments. The Alliance as a committee has agreed that each and every member council should and can have access to each others folders within the site and at liberty to adopt others ideas for personal plan updates.

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues at this stage.
- **Economic:**
There are no known economic issues at this stage.
- **Social:**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION – ITEM 7.3.5

That Council agrees to the request made by the South West Local Government Emergency Management Alliance and contributes the amount of Three Hundred Dollars towards the ongoing costs of the Alliance Website.

7.3.6 Subdivision Application (WAPC Ref 13915) Horley, Boyup Brook North Roads

Location:	<i>Lot 1 Horley Road Lot 11 Boyup Brook North Road Lot 17 Donnybrook Road</i>
Applicant:	<i>Harley Survey Group</i>
File:	<i>AS12223</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>11 March 2009</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – 1. Location 2. Existing Lots 3. Proposed Subdivision</i>

SUMMARY

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission.

The location of the subject land is shown in Attachment 1 and the configuration of the existing lots is shown in Attachment 2. The subject land comprises of:-

- Lot 1 Horley Road;
- Lot 11 Boyup Brook North Road; and
- Lot 17 Donnybrook Road

It is proposed to subdivide the subject land into 8 lots, all in excess of 80ha.

The subdivision concept plan is shown in Attachment 3. For clarity this is a prepared diagram and not the actual plan included with the application.

The subject land is owned by MJ and CH Bleechmore.

The subject land has not been inspected in the preparation of this report.

BACKGROUND

The subject land is located north west of Boyup Brook townsite and extends from the Boyup Brook – Donnybrook Road to the Boyup Brook North Road (see Attachments 1 & 2).

The subject land has a total area of 750 hectares comprising of:-

- Lot 1 DP 76202 having an area of 202 ha;
- Lot 11 DP 79352 having an area of 372 ha; and
- Lot 17 DP 20144 having an area of 176 ha.

Lot 1 fronts Horley Road on its western and northern boundaries. It is bounded by the former Donnybrook-Boyup Brook Railway reserve and Reserve 18922 (Location 9658) to the southwest. The lot contains sheds, and several dams.

Lot 11 fronts Boyup Brook Road North on its eastern boundary. This lot contains the homestead, a number of sheds, several dams and associated farm infrastructure.

Lot 17 is located on Donnybrook-Boyup Brook Road. The former railway passes through the lot, severing a portion of vegetated land from the remainder of the farm. This rail reserve is not currently in use and the railway infrastructure has been removed. The former railway does not produce a significant severance as the land on the south western side of the reserve is predominantly vegetated and not used for farming purposes.

The subject land slopes from southwest to northeast from approximately 200m ADH adjacent to the former railway reserve to approximately 260m AHD at the north western corner of Lot 11. A ridgeline runs approximately north-south through the middle of Lot 11.

The subject land has been predominantly cleared of native vegetation and is used for farming purposes, including cropping and grazing. Stands of remnant vegetation are located along the ridgeline on Lot 11 and on the south western side of the former railway reserve on Lot 17. Smaller stands and paddock trees are scattered throughout the property.

It is proposed to amalgamate and re-subdivide the existing three titles into eight freehold lots with minimum lot areas of 80 hectares. The purpose of this subdivision is to maximise the efficiency and flexibility of the broad acre farming operation.

COMMENT

The subdivision meets the 80 hectare minimum lot size requirement, and additional information has been provided to justify the application and the position of the boundaries.

There is an issue with the creation of Lot G as it only has the one access point onto the Donnybrook Road.

The applicant submits that:-

1. The proposed lots exceed the 80ha minimum lot area required by the Warren-Blackwood Rural Strategy, as well as meet the Planning Unit objectives and provisions for BR3;
2. The proposed subdivision can be determined to meet the requirements for subdivision contained in section 5.7 of the Warren-Blackwood Rural Strategy;
3. The resultant lot sizes exceed the prevailing lot size in the locality, as well as provide sufficient area for continued broad acre farming, whilst allowing for diversified agriculture to be considered;
4. The proposed subdivision complies with the provisions for rural subdivision outlined in the Shire of Boyup Brook Town Planning Scheme No.2 and WAPC DC 3.4 Subdivision of Rural Land;
5. All of the proposed lots have access to a water supply, be it groundwater or through the use of soaks and dams; and
6. The lots are connected to the minimum services required for this form of rural subdivision.

In relation to the possible location of the industrial estate the investigation of this has not proceeded to a stage where it would affect this application. Nor would the proposed lot size of 80 hectares necessarily prejudice the development of a small local industrial subdivision.

CONSULTATION

None

STATUTORY OBLIGATIONS

Western Australian Planning Commission

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

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

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

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

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

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

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

Town Planning Scheme

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

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

- i) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;**
 - ii) the need to protect the area from uses which will reduce the amount of land available for agriculture;**
 - iii) the need to preserve the rural character and rural appearance of the area;**
- and**

- iv) **where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.**

Draft Local Planning Strategy

Within the draft Local Planning Strategy the subject land is predominantly located within the BBR5 Townsite Surrounds Policy area and the northern portion is also within the BBR2 Western Policy Area.

The revised Policy Statement for the BBR5 Precinct was considered by Council at its last meeting. The subject land is within the 'Balance Rural' portion of this Policy Area. The recommendations for this area are to:-

- Development and subdivision in accordance with general recommendations.
- Potential industrial estate in accordance with Section 5.12.

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

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

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

(Note: the Council will not necessarily support the subdivision of land which requires the use of 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) Any other matter relating to the proposed subdivision or amalgamation which the Council in its opinion considers necessary or desirable in relation thereto including:-
- Bush Fire Protection measures;
 - Battleaxe blocks;
 - Subdivision boundary to suit topography.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known environmental issues at this stage.
- **Economic:**
There are no known economic issues at this stage.
- **Social:**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.3.6

- A. That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lots 1, 11 and 17 Horley and Boyup Brook North Roads on the basis that the application is considered to be consistent with the provisions for rural subdivision outlined in
- the Shire of Boyup Brook Town Planning Scheme No.2
 - WAPC DC 3.4 Subdivision of Rural Land; and
 - The Warren Blackwood Rural Strategy.
- B. That the Western Australian Planning Commission be requested to include the following conditions on any approval:-
1. Arrangements being made with the local government for the upgrading of Horley Road.
 2. Arrangements being made for the construction of the access to Lot G including the intersection to the Boyup Brook – Donnybrook Road to the satisfaction of Main Roads WA and Council.

3. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

7.3.7 Approval to Build a Caretakers Cottage

Location:	Lot 21 McAlinden Road, McAlinden
Applicant:	Ronald C Wood & Suzanne E Begbie
File:	AS15000
Disclosure of Officer Interest:	Nil
Date:	28 th February 2009
Author:	Wayne Jolley (EHO/Building Officer)
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Letter of request - Site plan - Plan view proposed residence

SUMMARY

An application has been received to build a caretakers cottage on Lot 21 McAlinden Road, McAlinden.

BACKGROUND

Lot 21 McAlinden Road is a rural zoned property of 58 hectares, owned and occupied by Ronald Wood and Suzanne Begbie. There is an existing residence on the property. The owners have made a planning application to build a Caretakers Cottage on the property.

The owners currently live on this property and graze beef cattle; they intend to establish a marron farming venture in the near future. Mr Wood works for a mining company on a fly-in fly-out basis. Ms Begbie is contemplating employment with the same company on the same basis. They propose to build a second house to accommodate a caretaker on the property to look after existing stock and in the future, a marron farm.

COMMENT

The Shire's Town Planning Scheme No 2 (Part 5.2.6) limits a rural zoned property to one residence, with the proviso that Council may approve a second residence where it supports a *bona fide* agricultural activity.

The reasons stated by the applicants in their letter indicate a *bona fide* agricultural purpose. Plans of the proposed residence are modest and in keeping with the purpose they describe (i.e. caretaker residence). There are no negative impacts envisaged in relation to this proposal.

CONSULTATION

Not applicable

STATUTORY OBLIGATIONS

Town Planning Scheme No 2.

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – Item 7.3.7

That approval be granted for Mr Wood and Ms Begbie to construct a caretakers cottage on Lot 21 McAlinden Road, in accordance with their submission.

8 COMMITTEE REPORTS

8.1.1 Youth Advisory Committee Minutes

Location:	N/A
Applicant:	N/A
File:	IM/37/004
Disclosure of Officer Interest:	Nil
Date:	11 February 2009
Author:	Annie Jones
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes - Minutes

BACKGROUND:

A Meeting of the Youth Advisory Committee was held on 3 March and 10 March 2009. (refer to appendix 8.1.1).

Minutes of the meetings are laid on the table and circulated (refer to appendix 8.1.1).

OFFICER RECOMMENDATION – ITEM 8.1.1

That the minutes of the Youth Advisory Committee held on 3 March and 10 March 2009 be received.

8.1.2 Annual General Meeting of the Boyup Brook Youth Advisory Council

Location:	N/A
Applicant:	N/A
File:	IM/37/004
Disclosure of Officer Interest:	Nil
Date:	11 February 2009
Author:	Annie Jones
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes - Minutes

BACKGROUND:

An Annual General Meeting of the Youth Advisory Council was held on 10 February 2009.

Minutes of the meetings are laid on the table and circulated (refer to appendix 8.1.2).

OFFICER RECOMMENDATION – ITEM 8.1.2

That the minutes of the Boyup Brook Youth Advisory Council Annual General Meeting held on 10 February 2009 be received.

8.1.3 Blackwood River Valley Marketing Association Minutes

Location:	N/A
Applicant:	N/A
File:	IM/37/008
Disclosure of Officer Interest:	Nil
Date:	9 th December 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

Meetings of the Blackwood River Valley Marketing Association were held on 10th June 2008, 8th July 2008, 12th August 2008, 9th September 2008, 14th October 2008, 11th November 2008 and 9th December 2009

Minutes of the meetings are laid on the table and circulated (*refer to appendix 8.1.3*)

OFFICER RECOMMENDATION – ITEM 8.1.3

That the minutes of the Blackwood River Valley Marketing Association held on 10th June 2008, 8th July 2008, 12th August 2008, 9th September 2008, 14th October 2008, 11th November 2008 and 9th December 2009 be received.

8.1.4 The Warren Blackwood Strategic Alliance Minutes

Location:	N/A
Applicant:	N/A
File:	GR/31/006
Disclosure of Officer Interest:	Nil
Date:	12 th March 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

Meetings of the Warren Blackwood Strategic Alliance were held on 3rd February 2009 and 3rd March 2009.

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

OFFICER RECOMMENDATION – ITEM 8.1.4

That the minutes of the Warren Blackwood Strategic Alliance held on 3rd February 2009 and 3rd March 2009 be received.

8.1.5 Minutes of the WA Local Government Association South West Zone

Location:	Boyup Brook Chambers
Applicant:	N/A
File:	IM/37/003
Disclosure of Officer Interest:	Nil
Date:	12 th March 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

Meeting of the WA Local Government Association South West Zone was held on 23rd January 2009

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

OFFICER RECOMMENDATION – ITEM 8.1.5

That the minutes of the WA Local Government Association South West Zone held on 23rd January 2009 be received.

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

9.1.1 Boyup Brook Cemetery – Matters for consideration in 2009/10 Budget Deliberations.

Cr Broadhurst lodged the following notice of motion:

Notice of motion 3/2009

That the following be executed by staff for consideration during budgetary deliberations

1. Assess the safety of the entry road into the cemetery and investigate alternatives and provide indicative costs.
2.
 - a Write to the Tourism Association expressing interest in the composting toilet, currently in position at the Asplin Siding Reserve.
 - b Develop a plan, with indicative costs, for resiting the composting toilet to the Cemetery.
3. Assess the feasibility and cost of installing a rain water tank in the vicinity of the Gazebo and/or the proposed composting toilet to utilise catchment from the aforementioned.
4. Assess the costs and actions required for the development of a formed parking area at the lower level to the right of Orchid Way where a cleared area now stands.
5. Assess the cost of placing the wording
‘Boyup Brook Cemetery since 19 - -’
on the approach side of the original Niche Wall which forms (on entering) the LH side entrance wall to the Cemetery Grounds.
6. Revisit the Cemeteries Policy and :-
 - ◆ Create a document for distribution to persons reserving a burial site or advising need of immediate need, informing families of Cemetery Policy Rules and Requirements **before** they lovingly but inappropriately enhance a site.
 - ◆ Write an empathetic letter to a family member of the deceased where non-compliance has occurred, requesting rectification of same, within a set time frame.

Administration Comment

The notice of motion deals with matters to be included in the draft budget for 2009/10 that require some actions leading up to this. Taking each item in turn,

1. Assess the safety of the entry road into the cemetery and investigate alternatives and provide indicative costs.

Comment – the suggested process is for Council staff to do preliminary investigations and arrive at budget estimates. The latter will include design and construction costs.

2. a Write to the Tourism Association expressing interest in the composting toilet, currently in position at the Asplin Siding Reserve.

Comment – this would not be part of the budget process and could be done now so the recommendation is that Council authorise this as a separate matter to budget considerations.

- b Develop a plan, with indicative costs, for resiting the composting toilet to the Cemetery.

Comment – this is a budget item

3. Assess the feasibility and cost of installing a rain water tank in the vicinity of the Gazebo and/or the proposed composting toilet to utilise catchment from the aforementioned.

Comment – the assessment work would be done in the current year to arrive at indicative costs for 2009/10.

4. Assess the costs and actions required for the development of a formed parking area at the lower level to the right of Orchid Way where a cleared area now stands.

Comment – the assessment work would be done in the current year to arrive at indicative costs for 2009/10.

5. Assess the cost of placing the wording
‘Boyup Brook Cemetery since 19 - -’
on the approach side of the original Niche Wall which forms (on entering) the LH side entrance wall to the Cemetery Grounds.

Comment – the assessment work would be done in the current year to arrive at indicative costs for 2009/10.

6. Revisit the Cemeteries Policy and :-
 - a. Create a document for distribution to persons reserving a burial site or advising need of immediate need, informing families of Cemetery Policy Rules and Requirements **before** they lovingly but inappropriately enhance a site.
 - b. Write an empathetic letter to a family member of the deceased where non-compliance has occurred, requesting rectification of same, within a set time frame.

Comment – this would not be part of the budget process and could be done now so the recommendation is that Council authorise this as a separate matter to budget considerations.

9.1.2 Robert Jameisons Memoirs

Cr Broadhurst lodged the following notice of motion:

Notice of motion 4/2009

That Investigation be instigated to identify

- ◆ the process involved
- ◆ available funding
- ◆ provision of a project manager
- ◆ the probable total cost
- ◆ budgetary commitment necessary by the Council

to publish the document named ‘*The Life and Times of a Dunnyman’s Son*’ to book form.

And the findings brought to the April Council Meeting for Budgetary Consideration

Administration Comment

Local Governments have become involved in helping to get histories from their Council area published and the level of involvement often depends on the perceived importance of the “bit of local history” and the financial impact to Council. It is suggested that the Motion put forward would identify potential costs and opportunities to enable Council to make a decision on whether or not it would support further involvement with the proposed project.

9.1.3 Tourist Information Centre Building – 100 Year Anniversary Commemoration

Cr Broadhurst lodged the following notice of motion:

Notice of motion 5/2009

1. a **That a celebration on (or as near as possible to) the 27th April in 2010 be instigated to commemorate the 100 year anniversary of the first Agricultural Hall constructed in the Shire of Boyup Brook in 1910.**
b **That the Events and Tourism Officer be directed to**
 - ◆ Plan an event to commemorate the date.
 - ◆ Identify such grant funding as may be available
 - ◆ Present the findings to the April Council Meeting and submit a recommendation for budgetary consideration
2. **That indicative costs and sources of funding be provided for the following works to the Tourist Information Centre building.**
 - ◆ Instigation of an assessment and remedial programme to rectify to the water and mould damage of the walls in the Beetle and Butterfly Room.
 - ◆ Instigation of an assessment of and remedial programme for the ground drainage on the side of the building that faces the junction of Bridge and Forrest Streets.

- ◆ General maintenance and repairs

Administration Comment

It is recommended that the motion be supported.

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

10 CONFIDENTIAL MATTERS

Nil

11 CLOSURE OF MEETING

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