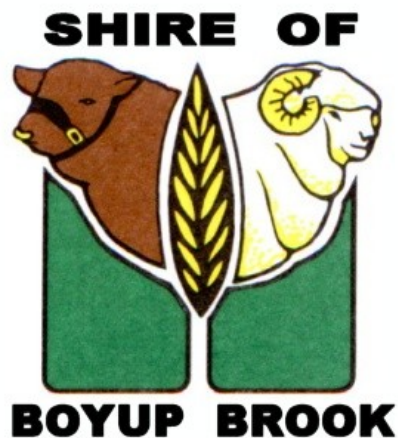


MINUTES



ORDINARY MEETING

HELD

THURSDAY 20 OCTOBER 2011

COMMENCED AT 3.30PM

AT

SHIRE OF BOYUP BROOK CHAMBERS
ABEL STREET – BOYUP BROOK

TABLE OF CONTENTS

1	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	3
1.1	Attendance.....	3
1.2	Apologies.....	3
1.3	Election of Shire President and Deputy Shire President	3
1.4	Appointment of Committees and Delegates.....	5
1.5	Leave of Absence.....	14
2	PUBLIC QUESTION TIME	14
2.1	Response to Previous Public Questions Taken on Notice	14
2.2	Public Question Time	14
3	APPLICATIONS FOR LEAVE OF ABSENCE.....	14
4	PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS.....	14
5	CONFIRMATION OF MINUTES.....	14
6	PRESIDENTIAL COMMUNICATIONS.....	15
7	REPORTS OF OFFICERS	15
7.1	MANAGER WORKS & SERVICES.....	15
7.1.1	Tender 011/001 – Supply and Delivery of Stormwater Drainage Materials.....	15
7.1.2	Five Year Routine Bridge Maintenance Program	19
7.2	MANAGER – FINANCE.....	22
7.2.1	Accounts for Payment.....	22
7.2.2	August 2011 Monthly Statements of Financial Activity.....	24
7.3	CHIEF EXECUTIVE OFFICER	26
7.3.1	Planning Application – Sign at the Dinninup Showgrounds.....	26
7.3.2	Approval to Build Workers Accommodation	28
7.3.3	Approval to extend footpath trading area – Bluestone Cafe.....	30
7.3.4	Approval for signage – Treehouse Coffee Lounge.....	34
7.3.5	Town Planning Scheme Review.....	37
7.3.6	Development Application Community Resource Centre	40
7.3.7	Subdivision Application (WAPC Ref 144992) Craigie Road Kulikup	44
7.3.8	Donation request – Boyup Brook Country Music Club	49
7.3.9	Donation Request - Heated Multipurpose Therapeutic Pool Committee	55
7.3.10	14 Proctor Street – Premises a nuisance	61
7.3.11	IT Upgrade	64
7.3.12	Naming of a Road Policy Amendment (P08).....	66
7.3.13	Renaming of Road Reserve – "Condinup Road".....	71
8.1	COMMITTEE REPORTS	75
8.1.1	Minutes of the WALGA South West Zone	75
8.1.2	Minutes of the Blackwood River Valley Marketing Association	76
9.1	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	76
9.1.1	Website	76
10.1	URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT.....	76
10.1.1	Councillors questions	77
10.1.2	Recognition of past Shire President & Councillors.....	77
11	CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS.....	77
12	CLOSURE OF MEETING	77

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

1.1 Attendance

Cr M Giles – Shire President
Cr K Moir - Deputy Shire President
Cr G Aird
Cr E Biddle
Cr T Doust
Cr P Kaltenrieder
Cr B O'Hare
Cr T Oversby
Cr R Walker

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mrs Maria Lane (Executive Assistant)
Mr Bret Howson (Acting Manager of Works & Services)

PUBLIC: Mrs Sue White
Mrs Elly Moir
Mrs Shirley Downing
Mrs Claire Kaltenrieder

GUESTS: Mr Terry Ginnane JP

NOTE

Newly elected Councillors (K. Moir, G Aird, B O'Hare and R Walker) made their declarations of office before Mr Terry Ginnane JP, prior to the commencement of the Council meeting.

1.2 Apologies

Nil

1.3 Election of Shire President and Deputy Shire President

Election of President

The Local Government Act provides that the Chief Executive Officer take the position of Presiding Person for the purposes of electing a Shire President.

Council is required by the Local Government Act 1995 to elect a Councillor as President at the first meeting after the Bi Annual Elections. The President's term of office begins after this election and continues until the next Ordinary Councillor Elections – usually (2) years.

Nominations for the position of President must be in writing and given to the Chief Executive Officer before the meeting or at the meeting itself after the Chief Executive Officer calls for nominations. Councillors may nominate themselves or be nominated by another Councillor, however when being nominated by someone else the Councillor nominated must accept the nomination either in writing or orally at the meeting.

At the time the agenda was prepared no nominations had been received.

If more than one nomination is received, ballot papers will be prepared and Councillors are to vote by secret ballot. The votes will be counted and the outcome will be decided on a first past the post system, in accordance with the Act. The Chief Executive Officer will advise those present of the result of the election and declare the successful Councillor elected.

The person elected will be required to make a declaration of office as President.

The newly elected Shire President, once the declaration is made, will then take the chair for the next part of the proceedings and the remainder of the meeting.

The CEO called for nominations for the position of Shire President, Cr Giles was nominated by Cr Moir, Cr Giles accepted the nominations. There being no further nominations Cr Giles was declared elected as Shire President.

Cr Giles made a declaration of office as Shire President, before Mr Terry Ginnane JP.

The Shire President, Cr Giles took the chair.

Election of Deputy President

Council is required by the Local Government Act 1995 to elect a Councillor as Deputy President at the first meeting after the Bi Annual Elections. The term of office for the Deputy President begins after this election and continues until the next Ordinary Councillor Elections – usually (2) years.

Nominations for the position of Deputy President must be in writing and given to the Chief Executive Officer before the meeting or at the meeting itself after the Shire President calls for nominations. Councillors may nominate themselves or be nominated by another Councillor, however when being nominated by someone else the Councillor nominated must accept the nomination either in writing or orally at the meeting.

At the time the agenda was prepared no nominations had been received for the position of Deputy President.

If more than one nomination is received, ballot papers will be prepared and Councillors are to vote by secret ballot. The votes will be counted and the outcome will be decided on a first past the post system, in accordance with the Act. The Shire President will advise those present of the result of the election and declare the successful Councillor elected.

The person elected will be required to make a declaration of office as Deputy President.

The President called for nominations for the position of Deputy Shire President, Cr O'Hare nominated Cr Oversby, Cr Oversby accepted the nomination. Cr Giles nominated Cr Biddle, Cr Biddle declined. Cr Kaltenrieder nominated Cr Moir, Cr Moir accepted the nomination. An election was conducted in accordance with provisions of the Local Government Act with Crs Oversby and Moir being the candidates. Following a secret ballot, and based on the results of this, the President declared Cr Moir elected as Deputy Shire President.

Cr Kevin Moir made a declaration of office as Deputy President, before Mr Terry Ginnane JP.

1.4 Appointment of Committees and Delegates

Committees and Representatives

The local Government Act provides as follows:

5.11. Tenure of committee membership

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,

whichever happens first.

In accordance with Section 5.11 all Committee memberships ceased 15 October 2011 and so Council is now prompted to appoint Committees for the next two years. Council has also made a practice of dealing with delegates to other bodies at the same time and in a similar fashion to how it deals with committee membership.

There is no requirement for these matters to be dealt with at this time and Council may wish to either deal with all or some at this meeting or defer all or some till a future meeting of Council.

In dealing with the matter of committees, Council will need to determine if it requires committees, their role, responsibilities and delegation if any. Similarly, Council needs to consider what representatives are required for community organizations for the next two years. It is important that there is a clear understanding of the purpose and role of either committees or representatives.

There are several committees that Council is required by legislation to appoint or may appoint, these include:-

- * Audit Committee (Local Government Act)
- * LEMC Committee (Emergency Management Act)
- * Bush Fire Advisory Committee (Bush Fires Act)

The following sections of the Local Government Act has relevance

Division 1A — Audit committee

[Heading inserted by No. 49 of 2004 s. 5.]

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.
** Absolute majority required.*
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

3.52pm - Mrs Elly Moir, Mrs Claire Kaltenrieder and Mrs Downing left the Chambers.

[Section 7.1A inserted by No. 49 of 2004 s. 5.]

7.1B. Delegation of some powers and duties to audit committees

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.
** Absolute majority required.*
- (2) A delegation to an audit committee is not subject to section 5.17.

[Section 7.1B inserted by No. 49 of 2004 s. 5.]

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

The following section of the Emergency Management Act 2005 has relevance

38. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- (b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and
- (c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

13. State Emergency Management Committee

- (1) The State Emergency Management Committee is established.
- (2) The SEMC is to consist of —
 - (a) a chairman appointed by the Minister;
 - (b) a deputy chairman appointed by the Minister;
 - (c) an executive officer of the SEMC appointed by the Minister;
 - (d) a person who is representative of local government, appointed by the Minister; and
 - (e) such other members as are provided for, and appointed in accordance with, the regulations.
- (3) The Minister is to ensure that —
 - (a) the chairman has expertise or experience that, in the Minister's opinion, is relevant to the functions of the SEMC and the State Emergency Coordination Group; and
 - (b) each other member has expertise or experience that, in the Minister's opinion, is relevant to the functions of the SEMC.
- (4) The regulations may make provision as to the constitution and procedures of the SEMC.
- (5) Subject to the regulations the SEMC may determine its own procedures.

14. Functions of the SEMC

The SEMC has the following functions —

- (a) to advise the Minister on emergency management and the preparedness of the State to combat emergencies;
- (b) to provide direction, advice and support to public authorities, industry, commerce and the community in order to plan and prepare for an efficient emergency management capability for the State;
- (c) to provide a forum for whole of community coordination to ensure the minimisation of the effects of emergencies;
- (d) to provide a forum for the development of community wide information systems to improve communications during emergencies;
- (e) to develop and coordinate risk management strategies to assess community vulnerability to emergencies;
- (f) to perform other functions given to the SEMC under this Act;

- (g) to perform any other function prescribed by the regulations for the purposes of this section.

15. Powers of the SEMC

- (1) The SEMC may do all things necessary or convenient to be done for or in connection with the performance of its functions.
- (2) Without limiting subsection (1) and any other powers conferred on the SEMC by this Act, the SEMC may —
 - (a) produce and publish information on matters related to its functions; and
 - (b) act in conjunction with another public authority or any other person.

The following sections of the Bush Fires Act 1954 have relevance.

67. Advisory committees

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee;
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Council will also need to appoint (4) Councillors and the Chief Executive Officer in accordance with the Annual Awards process policy, to consider nominations for Citizen of the Year, Young Achiever of the Year and Sports Person of the Year. The policy provides the panel with the authority to make the selection without any further reference to Council. Council did not include the CEO in its appointments last time and may wish to do so again

It will be noted that the officer recommendation includes the name and functions of each committee. Council should consider the need, if any, for committees, what it wants them to do and what, if any, powers it wants to give them. The following recommendation is based on the current position and it is important to note that this is a suggestion only for Council's consideration. There is no restriction on the timing of the appointment of committees or on the winding up of committees other than what Council sets (except that appointments to committee expire every two years unless Council sets an early expiry date). The following recommendation includes a similar provision.

It should be noted that Council may set the quorum for committee meetings as provided for in the local Government Act as follows;

5.15. Reduction of quorum for committees

The local government may reduce the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.*

However this option has been lost by the following clause in Council's Standing Orders Local Law;

3.1 Quorum at Meetings

In accordance with the Act, the quorum at all meetings of Council and its committees shall be a minimum of 50% of the total number of places whether vacant or not.

With respect to the Local Emergency Management Committee recommended membership that includes Council staff, it is noted that the Local Government Act (5.10) provides as follows;

- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

It should be noted that a similar provision exists for the President as is as follows (5.10);

- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

There are several industry organisations that Council will need to appoint delegates for. These include:-

- * South West Zone W A Local Government Association
- * Main Roads Regional Road Group

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Biddle

SECONDED: Cr Oversby

That the following Committee/Representatives be appointed:-

1. **Audit and Finance Committee – (3) Councillors.**
The function/role of the Audit and Finance Committee be as follows:-
 - a) **to provide guidance and assistance to the Council-**
 - i. **as to the carrying out of its functions in relation to audits;**
 - ii. **as to the development of a process to be used to select and appoint a person to be the auditor; and**
 - b) **may provide guidance and assistance to the Council as to-**
 - i. **matters to be audited;**
 - ii. **the scope of the audit;**
 - iii. **its functions under Part 6 of the Local Government Act 1995 that relate to financial management; and**
 - iv. **the carrying out of its functions relating to other audits and other matters related to financial management.**
 - c) **is to conduct budget reviews and report to Council.**

That Cr Doust

That Cr Aird

That Cr Giles – Shire President

be appointed to Council's Audit and Finance Committee.

CARRIED 9/0

Res 189/11

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Walker

2. **Citizen of the Year, Young Achiever of the Year and Sports Person of the Year Committee – 4 Councillors and the CEO, the function of the committee to be as set out in Council's Annual Awards process policy.**

That Cr, Biddle, Kaltenrieder, O'Hare and Oversby be appointed to Council's Citizen of the Year, Young Achiever of the Year and Sports Person of the Year Committee

CARRIED 9/0

Res 190/11

3. **Local Emergency Management Committee-**

Comment

It should be noted that Council endorsed the current Emergency Management Plan in February 2010 as follows:

That Council endorse the amended Shire of Boyup Brook Recovery Plan 2008 as provided and that plan now be known as the Shire of Boyup Brook Recovery Plan 2010.

The Plan provides that “the Chairman appointed by the Shire Council is Shire President”. Also at the membership of the committee is as set out in the Plan (factors such as individual’s names and contact details change with staff changes but the agency representation remains static). As this committee is set up under legislation other than the Local Government Act, and so not bound by its provisions. The Emergency Management Act provides that the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

It is also recommended that, unless the Shire President does not want to be the Council representative and committee chairman, in which case we should amend the Plan, Council nominate the Shire President as its representative.

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Oversby

The roles and reasonability’s of this committee are to be as set out in the Emergency Management Act 2005

That Cr Giles be appointed as the Council Representative on the LEMC Committee. That the Chief Executive Officer, Manager of Works and Senior Administration Officer be appointed as Council staff representatives.

CARRIED 9/0

Res 191/11

4. Townsite Strategy Steering Committee-

Comment

This committee was originally set up to oversee the preparation of the Townsite Strategy however its purpose could be extended to look at the Town Planning Scheme review as well as both activates are aligned. If so perhaps the name of the committee should be amended to include the added function and so the new name might be Town Planning Scheme Review and Townsite Strategy Steering Committee. The committee membership was 4 Councillors.

COUNCIL DECISION

MOVED: Cr Kaltenrieder

SECONDED: Cr Aird

Town Planning Scheme Review and Townsite Strategy Steering Committee.

The purpose of this committee be to oversee the review of Town Planning Scheme and preparation of the Townsite Strategy and report back to Council. The membership of this committee shall be four Council members.

That Crs Giles, Biddle, Moir and Walker be appointed to the Town Planning Scheme Review and Townsite Strategy Steering Committee.

CARRIED 9/0

Res 192/11

5. Bush Fire Advisory Committee-

Comment

It is noted that the Bush Fires Act provides that the Local Government shall set a quorum and so it is recommended that this be 50% of the committee membership. The Act also does not appear to preclude the use of positions for appointment of committee membership (i.e. in the way the Local Government Act does) and the following recommendation is drafted accordingly.

COUNCIL DECISION

MOVED: Cr Biddle

SECONDED: Cr O'Hare

That Cr Giles – Shire President be appointed as the Council Representative on the Bush Fire Advisory Committee.

That the Bush Fire Advisory Committee consist of:

- The Council representative
- Chief Bush Fire Control Officer
- Deputy Chief Bush Fire Control Officer
- Communications Officer
- Fire Weather Officer
- Deputy Fire Weather Officer
- Training Officer
- Two delegates from each Brigade
-

CARRIED 9/0

Res 193/11

6. Forward Planning Committee-

The purpose of this committee is to review forward planning (including asset management, financial and strategic plans, and options for working with other Local Governments through Regional Organizations of Councils, or the like, to achieve greater efficiencies in operation and greater benefits for the community) and report back to Council. The Committee membership will be all Councillors and the Chief Executive Officer and the Committee will meet once per quarter. The quorum for this committee will be five members.

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That all members of Council be appointed to Council's Forward Planning Committee.

CARRIED 9/0

Res 194/11

COUNCIL DECISION

MOVED: Cr Biddle

SECONDED: Cr Aird

7. That Cr Giles be appointed as the Council Representative on the Main Road Regional Road Group.

CARRIED 9/0

Res 195/11

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Kaltenrieder

8. That Cr Giles be appointed as the Council Delegate and That Cr Moir be appointed as the Deputy Delegate for the South West Zone Western Australian Local Government Association.

CARRIED 9/0

Res 196/11

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Walker

9. That Cr Aird be appointed as the Council Delegate/Representatives on the Rylington Park Management Committee (inc).

CARRIED 9/0

Res 197/11

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Aird

10. That Cr Oversby be appointed as the Council Delegate/Representative on the Blackwood River Valley Marketing Association.

CARRIED 9/0

Res 198/11

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Oversby

11. That Cr Biddle be appointed as the Council Delegate/Representative on the Boyup Brook Tourism Association

CARRIED 9/0

Res 199/11

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Doust

12. That Cr O'Hare be appointed as the Council Delegate/Representative on the Boyup Brook Community Resource Centre Management Committee.

CARRIED 9/0

Res 200/11

MOVED: Cr Doust

SECONDED: Cr O'Hare

13. That Cr Doust and Cr O'Hare be appointed as the Council Delegates/Representatives on the Planning Appeals Panel and that Cr Moir and Cr Kaltenrieder be appointed Deputy Delegates/Representatives.

CARRIED 9/0

Res 201/11

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Walker

14. That all appointments expire on the date of the next ordinary election of Councillors.

CARRIED 9/0

Res 202/11

1.5 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

MOVED: Cr Oversby

SECONDED: Cr O'Hare

That Cr Doust be granted leave of absence for the December 2011 ordinary meeting of Council.

CARRIED 9/0

Res 203/11

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

4.1 Cr Biddle

Cr Biddle reported on a recruitment and retention of volunteers seminar he had attended.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 15 September 2011

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 5.1

MOVED: Cr O'Hare

SECONDED: Cr Doust

That the minutes of the Ordinary Meeting of Council held on Thursday 15 September 2011 be confirmed as an accurate record.

CARRIED 9/0

Res 204/11

6 PRESIDENTIAL COMMUNICATIONS

Nil

7 REPORTS OF OFFICERS

4.05pm – Mrs Sue White left the Chambers.

7.1 MANAGER WORKS & SERVICES

7.1.1 Tender 011/001 – Supply and Delivery of Stormwater Drainage Materials
--

Location:	<i>Railway Parade, Boyup Brook Townsite</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>EQ/57/001</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>10th October 2011</i>
Author:	<i>Bret Howson (Acting Manager of Works))</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>No</i>

SUMMARY

This item is seeking the Council's endorsement to award the supply and delivery of stormwater drainage materials for Railway Parade project.

BACKGROUND

The Railway Parade drainage project is a crucial upgrade to a section of townsite drainage that will have a two fold benefit to the Council.

Firstly, the design proposes to collect a number of street drainage outlets which are currently flowing directly into railway owned land, and then formally outlet the water into the town dam behind the Shire depot, and secondly harvest a large amount of water for capture in the same dam for reticulation purposes during summer.

A Town drainage study is currently being completed by TME Consultants which will look at the existing system through the whole town and present a program for scheduled upgrade and maintenance of the town system for the Council to consider. The study isolated the Railway Parade catchment area for design purposed so it could be constructed during summer 2011/2012 and take into account any proposed changes to upstream catchment proposals.

A tender was advertised in the Western Australian Newspaper on 13th August 2011 and the Shire received 4 conforming tenders and 1 non-conforming tender. However, during the tendering process negotiations with Westnet Rail (now contracted Brookfield Railway) meant that a slight design change was required at a crossing point of the old rail formation, and subsequently the list of materials had to change.

The 1 non-conforming tender that was received was for plastic pipes instead of concrete pipes. These pipes are very similar in price to concrete pipes (\$140/m for plastic 750dia compared to \$150/m concrete 750dia); however provide greater advantage for installation due to the weight of the plastic (750dia plastic approximately 80kg for 4metres, 750dia concrete approximately 1200kg for 2metres.) However the cost of carting the pipe to site was almost double the price of concrete which eliminated any benefit in cost of installation.

An amended schedule of materials was supplied to all tenderers (including the 1 non-conforming tenderer) on 28th September 2011 and amended prices were received accordingly.

COMMENT

The list of materials tendered for were made of concrete pipes and drainage pits, and all materials associated with the supply of the pipe network.

Item No:	Description	Qty
1.	450dia RCP (Class 2)	5m
2.	750dia RCP (Class 2)	570m
3.	1092dia x 1200deep Liner	2
4.	Grated lid to suit 1092dia liner	2
5.	Base to suit 1092dia liner	2
6.	1500dia x 1500deep Liner	6
7.	Grated lid to suit 1500dia liner	9
8.	Base to suit 1500dia liner	9
9.	1500dia x 1800deep Liner	3
10.	Deliver and unload	

All concrete pipes to be bell end, including rubber ring joints.

Any submission for plastic piping must include all materials listed above. It is proposed that the Shire will purchase all material from one supplier.

All liners to include step irons.

All lids to include standard grates

Tendered prices received were:

Tenderer	Price (ex-GST)
Holcim (Australia)	\$113,099.80
Rocla	\$138,190.23

Cubic Solutions	\$112,465.00***
MJB	\$116,782.89
Icon-Septic	\$168,686.00

*** Plastic pipes and delivery only

It is the officer's recommendation to award the supply of the stormwater material for the Railway Parade project Holcim (Australia) Pty Ltd.

CONSULTATION

Consultation was conducted with Main Roads WA, Westnet Rail, Brookfield Rail and all service utility providers.

STATUTORY OBLIGATIONS

The preparation, assessment and recommendation for award of this tender complies with Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996 Division 2 – Tendering for providing goods or services.

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Total budget for this project is \$248,000 (E173600). Council Officers have also requested quotations for the contract installation of the drainage system; it will be proposed that a contractor will be awarded this work at \$98,600. Therefore total estimated contract cost of this project is \$211,609. However, the Shire will need to assist with traffic management, fill material and disposal of excess material and it is expected that the entire budget allowance will be required.

STRATEGIC IMPLICATIONS

2008-2013 Strategic Plan – Planning for the Future

Critical Success Factor:

Establishment of sound management practices and a structure which will enable the delivery of the Strategic Plan

Action:

Review required Council services and service delivery (managerial priorities) of current and future strategic major works.

Action 102: Maintain and enhance rural roads through the Shire.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
This project will reduce the amount of water pumped from the Boyup Brook during dry seasons therefore having sustainability benefits to the brook.
- **Economic**
This project will provide the benefits of stormwater harvesting and reducing the cost of scheme water for reticulation of parks and gardens.

- **Social**
There are no known social issues for this item.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Biddle

That the Council endorses the award of Tender 011/001 Supply and Delivery of Stormwater Materials to Holcim (Australia) PTY LTD for \$113,009.80 (ex GST).

CARRIED 9/0

Res 205/11

7.1.2 Five Year Routine Bridge Maintenance Program

Location:	<i>Shire -wide</i>
Applicant:	<i>Main Roads Western Australia</i>
File:	
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>10th October 2011</i>
Author:	<i>Bret Howson (Acting Manager of Works))</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – will be provided on 20/10/11</i>

SUMMARY

Local Governments have recently received correspondence from Main Roads WA drawing attention the Bridge Committee, from the Grant Commission has a policy that states it will not support grants for repairs or replacement of a bridge if a bridge has not been given the degree of routine and preventative necessary to prevent undue deterioration.

To satisfy this policy Local Governments are now required to prepare and maintenance a programme for routine and preventative maintenance

This item is seeking the Council's endorsement to the 5 year routine bridge maintenance program for the Shire of Boyup Brook as attached.

BACKGROUND

The WA Local Government Grants Commission provides grants each year for preservation of local government bridges through the Special Grant Program, derived from the Commonwealth Financial Assistance Grants. Main Road WA regularly assesses the preservation needs of bridge on local government roads and has developed a 10 year strategy.

This strategy is for strategic maintenance and preservation type tasks, which are those which are directly related to the statutory requirement of the bridge such as load limits. Local Government is responsible for the routine type task of bridges as per the Bridge Committee policy statement.

A routine maintenance program should be at least for a period of 5 years, as timber bridges need to be scheduled for full preventative maintenance once every 5 years. This preventative maintenance is to be carried out by local governments in accordance with Main Roads standards and specifications.

Local Governments are now required to meet these requirements to qualify for the Special Project grants.

COMMENT

The Shire of Boyup Brook has 19 bridges, all bridges are timber and therefore require a fair amount of annual preventative work and an annual visual inspection. The annual inspection will determine further works to be entered into the routine maintenance program.

This program will need to be sent to Main Roads WA each year, with records that the works has been complete as indicated in the program.

The program has been developed with a routine maintenance allocation of approximately \$66,000. This figure has been determined by the priorities set on task due each year by Main Roads WA at their last detailed inspection of the bridge.

CONSULTATION

Consultation was conducted with Main Roads WA.

STATUTORY OBLIGATIONS

There are no known statutory issues at the time of this report.

POLICY IMPLICATIONS

Council does not have a policy on this matter.

BUDGET/FINANCIAL IMPLICATIONS

Coincidentally, the Shire has \$66,000 budgeted for bridge works this year (E122022), \$36,000 of this is funded by the Grants Commission grant and is for specific works, \$14,179 is the preventative maintenance allowance paid by the grant commission, and the balance of \$15,821 is funded from shire revenue.

STRATEGIC IMPLICATIONS

2008-2013 Strategic Plan – Planning for the Future

Critical Success Factor:

Establishment of sound management practices and a structure which will enable the delivery of the Strategic Plan

Action:

Review required Council services and service delivery (managerial priorities) of current and future strategic major works.

Action 102: Maintain and enhance rural roads through the Shire.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issue for this item.
- **Economic**
There are no known economic issues for this item.
- **Social**
There are no known social issues for this item.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Doust

SECONDED: Cr Biddle

- **That the Council endorses Five Year Routine Bridge Maintenance Program.**
- **That the Council consider budget allowance of \$66,000 each financial year for routine bridge maintenance.**
- **That the Council set up a reserve account for routine bridge maintenance for allocation of un-spent annual funds to be returned and utilised for routine bridge maintenance in subsequent financial years.**

CARRIED 9/0

Res 206/11

4.28pm – Bret Howson left the Chambers.

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>8 September 2011</i>
Author:	<i>Kay Raisin – Finance Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</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 September 2011.

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 2011/12 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2.1

MOVED: Cr Moir

SECONDED: Cr Oversby

That the payment of accounts for September 2011 as presented totalling \$746,939.91 and as represented by cheque voucher numbers 18681 – 18748 totalling \$184,055.70 and accounts paid by direct electronic payments through the Municipal Account totalling \$562,884.21 be endorsed.

CARRIED 9/0

Res 207/11

7.2.2 August 2011 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>8 September 2011</i>
Author:	<i>Kay Raisin – Finance Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 30 September 2011 and Investment Schedule for the month ended 31 October 2011.

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 Oversby

SECONDED: Cr Doust

That the September 2011 Monthly Statements of Financial Activity as presented, be received.

CARRIED 9/0

Res 208/11

7.3 CHIEF EXECUTIVE OFFICER

Impartiality Interest

Cr Oversby made a declaration of impartiality regarding the following item due to him being a member and Vice President of the Upper Blackwood Agricultural Society.

7.3.1 Planning Application – Sign at the Dinninup Showgrounds
--

Location:	<i>Dinninup Showground (Reserve 23243</i>
Applicant:	<i>Upper Blackwood Agricultural Society (Inc)</i>
File:	<i>LS/62/021</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>6th October 2011</i>
Author:	<i>Wayne Jolley –Building Surveyor</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Indicative site plan</i>

SUMMARY

The Upper Blackwood Agricultural Society has requested permission to construct a promotional sign, on the Dinninup Showground reserve at the junction of Dinninup and Arthur River Roads.

BACKGROUND

The Upper Blackwood Agricultural Society has submitted application with plans to construct a sign, 1.8m wide x 1.2m high (structure will be 2.4m high), within the showgrounds boundary as indicated on attached plan. The intent and text of the sign is to advertise the annual show – *“Upper Blackwood Agricultural Society
Annual Show*

Always on Melbourne Cup Day’

In addition, a clear space will be provided below the text, whereby coming events can be advertised from time to time.

President, Mrs Anne Ritson has also indicated that the Society would also appreciate if Council would waive the associated planning application fee (\$135.00).

COMMENT

Section 8.1 of the Town Planning Scheme No 2 requires that planning approval be obtained prior to erection of any advertising sign. The Society has duly submitted an application for planning approval and additional information sheet for advertisement approval (Schedule 8).

Under Section 8.4, certain exemptions are stipulated in Schedule 9 however, this sign is not one that can be exempted. Section 8.3 states that in considering an application, Council should consider:

- o Objectives of the Scheme;
- o Character and amenity of the locality;
- o Historic or landscape significance; and
- o Traffic safety.

Although the Dinninup Showground comes under the control of Council, the Upper Blackwood Agricultural Society generally maintains, repairs and manages the facility. The erection of a sign to promote the Society's events is in keeping with this arrangement and should in no way either diminish visual amenity or impair vision in terms of traffic. Moreover, it fits within the objectives of the Scheme and with the general amenity of the locality.

Insofar as the Association will bear all costs of construction, it is not unreasonable that it should request that the Shire waive the planning application fee of \$135.00.

This is a minor structure and while the Society did provide a plan such that it could be determined that the structure will be safe, the Building Officer has never intended that a building license be issued or a fee charged in this respect.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

N/A

BUDGET/FINANCIAL IMPLICATIONS

If Council waives its building fee as requested, it will forgo \$135.00 in revenue.

STRATEGIC IMPLICATIONS

N/A

SUSTAINABILITY IMPLICATIONS

- **Environmental:**
There are no known significant environmental considerations
- **Economic:**
There are no known significant economic considerations
- **Social:**
The sign will help to promote the annual Dinninup Show and other events at the showground.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Biddle

SECONDED: Cr Doust

- 1. That Council permits the Upper Blackwood Agricultural Society to construct the proposed sign at the Dinninup Showgrounds.**
- 2. That Council waive the planning fee (\$135.00) in relation to this project.**

CARRIED 9/0

Res 209/11

7.3.2 Approval to Build Workers Accommodation

Location:	<i>Loc 8467 Terry Road, Benjinup</i>
Applicant:	<i>Murray William Treloar</i>
File:	<i>AS10180</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>6th October 2011</i>
Author:	<i>Wayne Jolley (EHO/Building Officer)</i>
Authorizing Officer:	<i>Alan Lamb (CEO)</i>
Attachments:	<i>- Letter of request - Site plan - Plans of proposed residence</i>

SUMMARY

An application has been received to build a workers cottage on Loc 8467, Terry Road, and Benjinup.

This report recommends that approval be granted.

BACKGROUND

Loc 8467 Terry Road is a rural zoned property of 283 hectares, owned and occupied by Mr. & Mrs. Murray Treloar in an existing residence. The owners have made a planning application to build workers accommodation on the property, to house their son, Damon Treloar, who is returning to manage and work on the 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 in keeping with the purpose they describe (i.e. workers accommodation). 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 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

MOVED: Cr O'Hare

SECONDED: Cr Doust

That approval be granted for Mr. Treloar to construct a dwelling on Loc 8467 Terry Road, Boyup Brook, for the purpose of workers accommodation and in accordance with the application submitted.

CARRIED 9/0

Res 210/11

7.3.3 Approval to extend footpath trading area – Bluestone Cafe

Location:	<i>Lot 70 Abel Street, Boyup Brook</i>
Applicant:	<i>Michelle Shaw</i>
File:	<i>AS1770</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>11th October 2011</i>
Author:	<i>Wayne Jolley (EHO/Building Officer)</i>
Authorizing Officer:	<i>Alan Lamb (CEO)</i>
Attachments:	<i>- Site plan</i>

SUMMARY

An application has been received from Mrs Michelle Shaw, proprietor of the Bluestone Café to extend the area outside the Café that accommodates small tables and chairs for use by patrons. Additionally, Mrs Shaw wishes to use café barriers at the perimeter of the areas.

This report recommends that approval be granted.

BACKGROUND

This site is a commercial zoned property which has housed the Bluestone Café for many years. In 1996, Council approved that a portion of the thoroughfare in front of the Café could house tables and chairs for use by patrons. A condition of approval was that the proprietors indemnified Council against public liability in respect to the thoroughfare so used.

The thoroughfare is approximately 3.7m wide from wall to roadway and is divided into three (3) portions from the wall; i.e. concrete aprons (1.2m), brick paving (1.3m+) and concrete path (1.1m+). There are currently three (3) tables, each with two (2) chairs (i.e. 3 tables + 6 chairs) occupying the 1.2m concrete apron strips adjacent to the Café wall from the extremities of each window on either side of the entrance door, a total of approximately 5½m.

Mrs. Shaw proposes to extend the area by the same width (i.e. 1.2m) westward to the boundary of the property, to accommodate an additional table and two (2) chairs (see attached plan). She also proposes to partly define the area (as per attached plan), using black tubular steel framed café barriers (1m high x 2m long), with yellow plastic/fabric in-fills advertising Amanti Coffee in black text and graphics, on one side. These barriers are portable and would be placed each morning and removed each evening. Mrs Shaw has indicated that if Council is opposed to the Amanti signage, she will reverse the barriers so that it is not visible from the street.

COMMENT

This is essentially a request to extend the use of Shire property. The existing placement of tables and chairs in the 1.2m strip of paving from the wall of the café seems to have been managed quite well, apparently without causing obstruction or incident. Café barriers are common in other places and the addition of barriers in this instance should define the area

more clearly. However, like the tables and chairs the proprietors will need to be diligent to ensure that they are not pushed into the thoroughfare (i.e. beyond the 1.2m line from the building).

The practice of enjoying coffee or lunching at the tables appears to be popular and well accepted in the community. The same condition relative to indemnifying Council against public liability should apply to the whole area used.

It should be noted, that the adjacent premises at Lot 72 Abel Street, is being developed as a Coffee Lounge and the proprietors have also submitted a request to use the thoroughfare in a similar fashion.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Not applicable

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 significant environmental issues.
- **Economic**
Any economic effect would be limited to the Bluestone Café.
- **Social**
The use of tables and chairs in this fashion appears popular and well accepted by the community.

VOTING REQUIREMENTS

Simple Majority

4.37pm – Maria Lane left the Chambers

4.39pm – Maria Lane returned to the Chambers

OFFICER RECOMMENDATION

That approval is granted for the Bluestone Café to extend the strip of thoroughfare at the front of the premises to accommodate a further table and two chairs, according to the submitted plan and the following conditions:

- That the area used, including barriers must not exceed 1.2m from the wall;
- That a clear thoroughfare for pedestrians must be maintained at all times; and
- That in its public liability Insurance Policy, the Bluestone Café must indemnify Council against public liability and a current copy of that Policy must be provided to Council.

MOVED INTO COMMITTEE

MOVED: Cr Moir

SECONDED: Cr Biddle

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 9/0

Res 211/11

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

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

CARRIED 9/0

Res 212/11

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That approval is granted for the Bluestone Café to extend the strip of thoroughfare at the front of the premises to accommodate a further table and two chairs, according to the submitted plan and the following conditions:

- That the area used, including barriers must not exceed 1.2m from the wall;
- That a clear thoroughfare for pedestrians must be maintained at all times; and
- The applicant providing public liability cover of a minimum of \$10,000,000 with the policy being in the joint names of the applicant and the Boyup Brook Shire Council. The applicant providing annually, and at other times as requested, a certificate of currency.

Amendment

MOVED: Cr Biddle

SECONDED: Cr Doust

The words “including barriers” to be deleted from the previous recommendation.

LOST 4/5

Res 213/11

Substantive motion

That approval is granted for the Bluestone Café to extend the strip of thoroughfare at the front of the premises to accommodate a further table and two chairs, according to the submitted plan and the following conditions:

- That the area used, including barriers must not exceed 1.2m from the wall;
- That a clear thoroughfare for pedestrians must be maintained at all times; and
- The applicant providing public liability cover of a minimum of \$10,000,000 with the policy being in the joint names of the applicant and the Boyup Brook Shire Council. The applicant providing annually, and at other times as requested, a certificate of currency.

Carried 5/4

Cr Doust asked for the votes to be recorded

For	Against
Cr Aird	Cr Moir
Cr Kaltenrieder	Cr Biddle
Cr O'Hare	Cr Doust
Cr Oversby	Cr Giles
Cr Walker	

Second Motion

MOVED: Cr Oversby

SECONDED: Cr O'Hare

That the barriers, tables and chairs must be removed at the close of trading each day.

CARRIED 8/1

Res 214/11

7.3.4 Approval for signage – Treehouse Coffee Lounge

Location:	<i>Lot 72 Abel Street, Boyup Brook</i>
Applicant:	<i>Keaton Smith</i>
File:	<i>AS220</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>11th October 2011</i>
Author:	<i>Wayne Jolley (EHO/Building Officer)</i>
Authorizing Officer:	<i>Alan Lamb (CEO)</i>
Attachments:	<i>- Plan showing position of signs - Illustration of signs</i>

SUMMARY

An application has been received from Messrs Keaton Smith & Paul Duggan, owners of the Lot 72 Abel Street for signage attached to the building, relative to the new Treehouse Coffee Lounge.

This report recommends that approval be granted.

BACKGROUND

This site is a commercial zoned property that was recently purchased by Messrs Keaton Smith and Paul Duggan, who are developing it as the Treehouse Coffee Lounge.

The owners seek approval to mount 3 signs on the building, which will simply state "Treehouse Coffee Lounge" in the colours grey & green with black text. They have duly completed the forms required by the Town Planning Scheme (TPS) and provided plan and details (see attached plan and illustration of signs).

COMMENT

Using part of the thoroughfare it is essentially a request to use Shire property. The neighbouring Bluestone Café has the approval of the Shire to utilize the footpath in this way and is currently seeking to extend the area it uses.

The existing placement of tables and chairs in the 1.2m strip of paving from the wall of the Bluestone Café seems to have been managed quite well, apparently without causing obstruction or incident. The practice of enjoying coffee or lunching at the tables appears to be popular and well accepted in the community. The extension of the strip of tables and chairs along the same width from the continuous building line of the two properties should not adversely impact the thoroughfare of pedestrians. It is reasonable therefore that the same approval should be afforded to the new Coffee House, with the same conditions.

Placement of signs is controlled under Part VIII of the Town Planning Scheme (TPS) and the Shire of Boyup Brook Activities in Thoroughfares and Public Places and Trading Local Law. The TPS states that considerations should include:

- Objectives of the TPS;

- Character and amenity of the locality;
- Historic landscape;
- Traffic safety; and Amenity of adjacent areas.

This is a commercial area; the proposed signs will comply with the above criteria and will not create a traffic issue because they are well outside the line of vision at the roadway. Furthermore, the signs will meet the requirements of the Shire Local Law in that there will be a minimum vertical clearance of 2.5m to the footpath and 3.0m to the roadway. It is therefore recommended that the application is approved.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Not applicable

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 significant environmental issues.
- **Economic**
Any economic effect would be limited to the Treehouse Coffee Lounge.
- **Social**
The use of tables and chairs in this fashion appears popular and well accepted by the community.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

1. That approval is granted for the Treehouse Coffee Lounge to use a 1.2m x 4.5m strip of thoroughfare at the front of the premises, for two tables and four chairs according to the submitted plan and the following conditions:
 - The area used must not exceed 1.2m from the wall;
 - Clear thoroughfare for pedestrians must be maintained at all times;
 - Tables and chairs must be removed at the close of trade; and

- In its public liability Insurance Policy, the Bluestone Cafe must indemnify Council against public liability, and a current copy of that Policy must be provided to Council;
2. That approval is granted to mount signs for the Treehouse Coffee Lounge, on the building at Lot 72 Abel Street, in accordance with the submitted application and plan.

COUNCIL DECISION

MOVED: Cr Biddle

SECONDED: Cr Overby

1. That approval is granted for the Treehouse Coffee Lounge to use a 1.2m x 4.5m strip of thoroughfare at the front of the premises, for two tables and four chairs according to the submitted plan and the following conditions:
- The area used must not exceed 1.2m from the wall;
 - Clear thoroughfare for pedestrians must be maintained at all times;
 - Tables and chairs must be removed at the close of trade; and
 - The applicant providing public liability cover of a minimum of \$10,000,000 with the policy being in the joint names of the applicant and the Boyup Brook Shire Council. The applicant providing annually, and at other times as requested, a certificate of currency.
2. That approval is granted to mount signs for the Treehouse Coffee Lounge, on the building at Lot 72 Abel Street, in accordance with the submitted application and plan.

CARRIED 9/0

Res 215/11

7.3.5 Town Planning Scheme Review

Location:	N/A
Applicant:	
File:	
Disclosure of Officer Interest:	None
Date:	11 th October 2011
Author:	Geoffrey Lush (Council Consultant)
Authorizing Officer:	A Lamb
Attachments:	Yes

SUMMARY

Consideration of Amendment No 14 to the Scheme which proposes to update the Scheme Text in accordance with the recommendation of the Rural Strategy and current Planning Commission policies.

BACKGROUND

Councillors have been provided with a copy of the Explanatory Report for Amendment No 14. This proposes to:

- a) Implement the recommendations of Council's approved Rural Strategy;
- b) Review the Land Use / Zoning Table and associated definitions in Schedule 1;
- c) Review provisions within the Scheme Text to bring it closer in alignment with the Model Scheme Text;
- d) Update references and terminology;
- e) Introduce provisions for the preparation, adoption and approval of structure plan; and
- f) Designate structure plan areas on the Scheme Map.

At its Meeting of the 21st October 2010 Council considered the review of the Town Planning Scheme and resolved that:

- 1 That the priority for reviewing Town Planning Scheme No 2 be as follows:-
 - (a) Review of the Land Use / Zoning Table definitions and updates as recommended in the Rural Strategy.
 - (b) Review of other provisions within the Scheme Text to bring it closer in alignment with the Model Scheme Text, including the introduction of standard provisions for structure plans.
 - (c) Review of Council's Road Contribution policy including determining what road standard is required for 4 hectare Rural Small Holding lots.
 - (d) Review of other associated policies.
- 2 The proposed review shall be by a separate Agenda Report for each item.

At its Meeting of the 19th May 2011 Council adopted the revised Subdivisions and Road Contributions Policies. It also considered a report on the major issues identified in updating the Scheme and resolved that a formal Scheme Amendment be prepared in accordance with this report and submitted to Council for further consideration and adoption.

CONSULTATION

None

STATUTORY OBLIGATIONS

The Planning and Development Act 2005 and associated regulations.

COMMENT

Councillors will need to be familiar with the Explanatory Report as all of the recommendations will need to be formally adopted by Council when it considers the Amendment. The report includes an extract of each clause from the Scheme and marked the additions in bold type and deletions as crossed out text.

The legal text for the Amendment will have to be more prescriptive in documenting the changes in each clause.

There has been a significant amount of work done to complete this, which will give Council a better framework for dealing with new developments.

Consideration of the proposed amendments to the Scheme are best done in a Committee situation such as for the Townsite Strategy.

POLICY IMPLICATIONS

The review of the Scheme will have significant policy implications and require the revision and introduction of new policies.

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

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

MOVED: Cr Doust

SECONDED: Cr Moir

That consideration of Amendment 14 be referred to the December Townsite Strategy Steering Committee Meeting.

CARRIED 9/0

Res 216/11

Impartiality Interest

Cr O'Hare declared an impartiality interest in the following item due to being a member of the Community Resource Centre Management Committee.

7.3.6 Development Application Community Resource Centre

Location:	<i>Lot 63 Abel Street</i>
Applicant:	<i>Boyup Brook Community Resource Centre</i>
File:	<i>AS2018</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10th October</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>A Lamb</i>
Attachments:	<i>1 Site Plan</i>

SUMMARY

This report is to consider a development application from the Boyup Brook Community Resource Centre for extensions of the existing building in Abel Street.

As the subject land is a Crown Reserve for "municipal purposes" no planning approval is required under the Scheme. The purpose of this report is to assess the application as if an application was required.

There is no objection to the application.

BACKGROUND

The subject land is Lot 63 DP30069 Abel Street Boyup Brook. The site has an area of 1,012 sqm and has been developed as a Community Resource Centre.

The subject land is Reserve R44608 with a management order to Council. The current purpose is listed as "municipal purposes."

The Boyup Brook Community Resource Centre is one of 107 Community Resource Centres located in small rural communities across Western Australia and supported through the Department of Regional Development and Lands and the Royalties for Regions program. The Boyup Brook Community Resource Centre is a not-for-profit, community owned and managed organisation.

The proposed additions to the building are:-

- A 25.87 sqm office and kitchen;
- A 23.45 sqm deck;
- Replacing part of the existing roof; and
- Removal of two sheds at the rear of the building.

A site plan showing the proposed works is contained as Attachment 1.

CONSULTATION

Council's Building Surveyor

STATUTORY OBLIGATIONS

The subject land is reserved as Public Purposes in Town Planning Scheme No.2.

Clause 3.3.2 of the Scheme states that planning approval is not required for the development of reserved land, where this is in accordance the purpose for which the land is reserved under the Scheme.

The zoning map does not designate any specific public purpose for this site.

There is some speculation that the site is included in Council's Municipal Inventory. If this is correct then Council would have to consider any heritage issues associated with the development but this would not preclude it from being approved.

An examination of the Municipal Inventory indicates that the Police Station is a listed site but as there are no property details it is unclear as to which land this applies too.

COMMENT

As the managing authority, Council's consent as the "landowner" is required for any development and this may be provided for in the lease agreement. It is understood that there is no lease for the site even though the Management order for the Reserve provides for this.

Any new lease for the site could potentially include development type conditions in it.

Examining the application as if the land were included in the Commercial zone ensures that Council owned development meets the same standards as would be applied to any other developer.

Table 2 sets out the minimum development standards for various zones and the provisions in the Commercial zone are

- Minimum lot size – no requirement;
- Minimum frontage – 5m; and
- Minimum setbacks –as per the Building Code of Australia.

Clause 5.6 of the Scheme sets out the requirements for car parking. In relation to an office it stipulates that one parking space is required per 30sqm gross floor area. There is existing car parking provided on the site which appears to exceed the requirements of the Scheme for the whole building. Consequently no additional parking would be required.

Clause 5.13 requires that landscaping shall be undertaken and maintained to Council's satisfaction for all development unless, in the opinion of the Council, such landscaping is considered unnecessary.

Council Policy P.01 relates to landscaping for commercial and industrial buildings. It states that:

That planning applications for development of commercial or industrial sites, landscaping 5% of the lot in keeping with surrounding adjacent areas, to the satisfaction of the Shire within one year of completion of the building, be included as a condition of approval of the application.

The imposition of development conditions can only relate to the proposed extensions and cannot be applied retrospectively to the existing development. For example any condition for car parking can only apply to the extension i.e. 26sqm floor area = 1 car parking space.

It is also noted that the existing building encroaches onto the adjoining property. This is Lot 62 which is also Crown Land and is Reserve 13512 (Police Station). This anomaly needs to be corrected and the simplest way of doing this is by making an application to State Lands.

If the land was included in the Commercial zone and was private land then the following conditions would be recommended:

1. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
2. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
3. No polluted drainage shall be discharged beyond the boundaries of the land from which it emanates or into watercourse or easement drain, but shall be so treated and/or absorbed on that lot to the satisfaction of the Environmental Health Officer.
4. Effluent disposal system(s) being sensitive to the current environmental concerns associated with nutrient leaching and runoff and being to the satisfaction of the Environmental Health Officer.
5. Prior to the commencement of the use hereby permitted landscaping plans shall be submitted to, and approved by, the Council. Such plans shall show 5% of the site being landscaped to the requirements and satisfaction of Council.

POLICY IMPLICATIONS

Council Policy P.01 - Landscaping for commercial and industrial buildings.

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

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

- A. That Council as the managing authority consent to the proposed extensions of the Boyup Brook Community Resource Centre at Lot 63 DP30069 Abel Street in accordance with the plans submitted with the application.
- B. That an application be made to the Department of Regional Development and Lands to alter the boundary between Lot 63 (R44608) and Lot 62(R13512) to accord with the existing fence line.
- C. That any lease for the Community Resource Centre contain a condition requiring that a development plan for the whole of the site is to be submitted and approved by Council. This plan shall show all existing buildings, car parking, access, site drainage, landscaping etc to Council's satisfaction.

CHIEF EXECUTIVE OFFICER'S NOTE

With regard to B above, the encroachment into Reserve 13512 was reported to Council in April 2011 and Council resolved as follows:

That Council

- 1. Accept a portion of Reserve 13512 being included into Reserve 44608 to resolve an encroachment issue and Administration advise State Land Services accordingly.**
- 2. Require Administration to review the current lease over Reserve 44608 with the Community Resources Centre, and come back to it with a draft lease for consideration.**
- 3. Meet the cost of preparing a lease**

This resolution has been actioned, application was made to State Land Services and the process to amend the Reserve boundaries was commenced. The process takes around twelve months provide there are no objections from the managers of Reserve 13512 and there are none that we have been made aware of. So it could be expected that the process would be completed by the end of the currant Financial Year. For completeness, a new lease has been developed and should be before Council in the near future. If passed by Council, the recommendation regarding the lease will be incorporated into the draft before it is presented to Council.

REVISED OFFICER RECOMMNDATION

- A. That Council as the managing authority consent to the proposed extensions of the Boyup Brook Community Resource Centre at Lot 63 DP30069 Abel Street in accordance with the plans submitted with the application.**
- B. That any lease for the Community Resource Centre contain a condition requiring that a development plan for the whole of the site is to be submitted and approved by Council. This plan shall show all existing buildings, car parking, access, site drainage, landscaping etc to Council's satisfaction.**

Cr Oversby left the meeting at 5.12pm and returned at 5.14pm

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Biddle

- A. That Council as the managing authority consent to the proposed extensions of the Boyup Brook Community Resource Centre at Lot 63 DP30069 Abel Street in accordance with the plans submitted with the application.**
- B. That the lease for the Community Resource Centre contain a condition requiring that a development plan for the whole of the site is to be submitted and approved by Council. This plan shall show all existing buildings, car parking, access, site drainage, landscaping etc to Council's satisfaction.**
- C. That Council as the owner approve the demolition of the outbuilding.**

CARRIED 9/0

Res 217/11

7.3.7 Subdivision Application (WAPC Ref 144992) Craigie Road Kulikup

Location:	<i>Lot 73 Craigie Road</i>
Applicant:	<i>Harley Global</i>
File:	<i>AS6200</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>12th October 2011</i>
Author:	<i>Geoffrey Lush (Council Consultant)</i>
Authorizing Officer:	<i>A Lamb</i>
Attachments:	<i>1 Location Plan 2 Subdivision Plan</i>

SUMMARY

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

The subject land comprises of Lot 73 Craigie Road which is owned by PS & SV Torrisi. It is proposed to subdivide the land into two lots each having an area of 81 hectares.

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

The application is supported subject to conditions as it is considered to comply with the Scheme requirements in Clause 5.1 for subdivision within the Rural zone and with the Rural Strategy.

BACKGROUND

The subject land is located approximately 29 kms north east of Boyup Brook on Craigie Road as shown in Attachment 1. The property also has frontage to an unconstructed road along its northern boundary.

The subject land is Lot 73 DP70383 Craigie Road as contained on Certificate of Title Vo1.2774 Fol.96. It has an area of 162.7 hectares and is owned by Paul Salvatore Torrisi and Simon Victor Torrisi.

The proposed subdivision is shown in Attachment 2 and both lots will have an area of 81.35 hectares.

The property is used for broad acre agricultural area. The land is vacant apart from an existing shed, water tanks and dams and will continue to be used for agricultural purposes as a result of the proposed subdivision.

The property is predominantly cleared for agricultural purposes and contains remnant vegetation in the north-western and north-eastern corners. There is also some riparian vegetation around the creek line towards the south of the property.

Existing access to the property is from Craigie Road which is a constructed gravel road.

The land has been the subject of previous subdivision approvals. In November 2010 Council considered WAPC subdivision application (Ref 143001) which proposed to realign the boundaries of Lots 2 and 3. This was subsequently approved by the Planning Commission and created Lots 73 and 74.

CONSULTATION

Manager of Works and the applicant.

STATUTORY OBLIGATIONS

Town Planning Scheme

The subject land is zoned 'Rural' in Town Planning Scheme No.2. The surrounding area is also generally zoned 'Rural'.

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.

Rural Strategy

Within the Local Rural Strategy the subject land is situated in the BBR3 Eastern Policy Area.

Recommendation 1 requires that lots in the rural zone shall have a minimum area of 80 hectares.

Recommendation 4 requires 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; and
 - 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:-
 - i) Bush Fire Protection measures;
 - ii) Battleaxe blocks; or
 - iii) Subdivision boundary to suit topography.

COMMENT

The primary issue with the application relates to the access to Lot B, which is via a 1.7kn battleaxe leg. This is being done to avoid the need to constructing the adjoining road reserve.

This road reserve is shown on the Landgate plans as Eulin Siding Road but this does not accord with named Eulin Siding Road which is located some distance east of the site between Walshaws and Balgarup Roads.

The position of the battleaxe leg will require some clearing of remnant vegetation and the application acknowledges that this may need separate approval under the Environmental Protection Act.

The second issue is that the battleaxe entrance will be immediately adjacent to the Craigie / Eulin Siding Road intersection. Normally a driveway would need to setback 20m from the intersection.

While Eulin Siding Road is not constructed it maybe in the future and there may be other issues associated with the location of the proposed entrance including sight distances or other obstructions such as power poles.

Due to the proposed battleaxe leg some vegetation clearing will be required in the north western corner of the property. For the remainder of the property, the level of remnant vegetation will not be impacted on by the proposed subdivision. Any clearing of vegetation will require the approval of the relevant authority.

Relocating the battleaxe leg to the southern side of Lot A is not practical because there is an existing shed. While this is setback more than 10m from the current boundary, the setback would not comply from the new boundary of the battleaxe leg.

These above issues can be resolved by a site inspection and meeting which has not been able to be arranged within the statutory time period. It is also likely that the use of a carriageway easement rather than a battleaxe leg would provide more flexibility and would not affect ether the proposed lot areas or boundary setbacks.

POLICY IMPLICATIONS

Council's Policy W.07 – Road Contribution potentially applies to the development as one additional lot is being created. However the policy and contribution specifically relates to where a road is required to be upgraded rather than to general maintenance.

As there is no proposed upgrading planned for Craigie Road no contribution is required.

BUDGET/FINANCIAL IMPLICATIONS

None

STRATEGIC IMPLICATIONS

None

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

MOVED INTO COMMITTEE

MOVED: Cr Moir

SECONDED: Cr Walker

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 9/0

Res 218/11

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby

SECONDED: Cr Doust

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

CARRIED 9/0

Res 219/11

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Doust

SECONDED" Cr O'Hare

That Council advises the Western Australian Planning Commission that:

- 1 It supports the subdivision of Lot 73 DP70383 Craigie Road subject to the following conditions:**
 - (a) That the proposed battleaxe leg be designed or relocated to ensure that there is a sufficient setback from the intersection of Craigie and Eulin Siding Road, even though Eulin Siding Road is not presently constructed. Alternatively the battleaxe leg could be created as a right of carriageway.**
 - (b) The proposed battleaxe leg / access to Lot B shall be constructed to Council's specifications.**
 - (c) Each lot shall be provided with a crossover onto Craigie Road located, designed and constructed to Council's satisfaction.**
- 2 It is preferable for the battleaxe leg to be created as a right of carriageway as this provides more flexibility in its location which will avoid the need for any vegetation clearing and will not affect boundary setbacks or proposed lot sizes.**

CARRIED 5/4

Res 220/11

Impartiality Interest

Cr Biddle, Cr Oversby and the CEO declared an impartiality interest in the following item due to being members of the Country Music Club

Cr Giles declared an impartiality interest in the following item due to his partner being a member of the Country Music Club.

7.3.8 Donation request – Boyup Brook Country Music Club

Location:	<i>N/A</i>
Applicant:	<i>Boyup Brook Country Music Club</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>12 October 2011</i>
Author:	<i>Alan lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council the Boyup Brook Country Music Club's (BBCMC) request for the donation of Town Hall hire fees for its music festival in 2012 with the recommendation that the hire fees be charged and that Council make a cash donation equivalent to the hire fees.

BACKGROUND

The BBCMC has used the Town Hall for its Boyup Brook Art Award, held as part of the annual music festival, for some years. Council has in the past either waived the hire fee or charged it and made a donation of an amount equal to the fee charged.

The hire period is from 16 February to 19 February 2012 inclusive. The current list of fees and charges provides for a daily hire fee of \$242.00, a bond of \$220.00 and a deposit of \$110.00.

COMMENT

This function is held as part of the annual music festival and whilst there is a fee to enter the hall to view exhibitions during the festival the fee is nominal (last year it was a gold coin from memory). The festival is run by BBCMC volunteers and the Club is a not for profit organisation. It is expected that if the Club had to cover hire fees it would have to increase the entry fee which may impact on patronage etc. It is recommended that Council assist the Club with this aspect of its annual festival as it has done in past years.

In recent times Council has opted to require fee payments and then making a cash donation to community groups that seek free use of Council facilities. This better shows the level of facility usage and donations made and so it is recommended that Council employ this option as a matter of course.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's Donations Policy applies. Administration is working on a draft amendment to this policy to, among other things, better address this sort of request and it is hoped that the draft will be before Council this calendar year.

Council's Donations Policy is as follows:

<i>POLICY NO.</i>	<i>F.02</i>
<i>POLICY SUBJECT</i>	Donations
<i>ADOPTION DATE</i>	<i>17 June 2004</i>
<i>VARIATION DATE</i>	<i>21 December 2007</i>

Objective

To promote and support community-based initiatives, which meet Shire's strategic direction.

Statement

Definitions

The following definitions apply to this policy:

- *Organisation is an incorporated body under the Associations Incorporation's Act 1987 or a recognised corporate body created by government with an Australian Companies Number (ACN).*
- *Individual is a resident of the Shire.*
- *Grant – is the provision of a set amount of funds for a single year in order to achieve a specific identified purpose.*
- *Sponsorship- is the provision of cash, in-kind support or subsidy to organisations or individuals in return for specifically identified promotional opportunities for the Shire.*
- *Subsidy is the provision of in-kind in the form of a cash book entry which enables the Shire to determine the real cost of support provisions and donations to community groups.*

Eligibility

Only organisations are eligible for funding support. In some instances, organisations may apply for funding on behalf of individuals who must be residents of the shire. Only one application per year may be funded for any one organisation.

In general, applications for funding shall fulfil the following criteria:-

- *Not for direct profit or financial gain to the organisation or an individual;*
- *The proposal supports the mission statement, values and strategic direction of the Shire;*
- *The applicant organisation can demonstrate the capacity to manage and be accountable for the funds and the project.*

The Council will: -

- *only allocate funds for identified purposes and with specific expenditure estimates provided and will not provide block grants under any circumstances;*
- *require each applicant organisation to submit a new funding application on each occasion before Council will commit any funds;*
- *require each successful applicant to agree that they do not represent the Shire in any capacity.*

Program Promotion

All funding programs will be advertised annually in March with all applicants advised of the outcome of their application within one month of the adoption of the annual Budget. These requests will be presented to the Council with a brief precise.

Lodging of Applications

Applications for assistance should be made on the application form available from the Shire Office.

The information required for applications of less than \$500 shall include:-

- *The name of the organisation and applicant, accompanied by contact details;*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*
- *Such other details as required from time to time.*

The information required for applications of more than \$500 shall include: -

- *The name of the organisation and applicant, accompanied by contact details*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*

- *confirmation by the President or Secretary that the application has been supported by resolution of the Organisation;*
- *the names of current Office Bearers and Committee members and a copy of the Certificate of Incorporation;*
- *A copy of the most recent audited financial statements;*
- *Such other details as required from time to time.*

Accountability

Organisations successful in their application are generally required to:-

- *Acquit the funds by 30 June in the year following their successful grant application. The acquittal is to include the appropriate financial statements as determined by the Shire, and to demonstrate that the funds have been spent on the purpose for which they were allocated;*
- *Provide a written report to the Shire on the outcome of their project including relevant statistics and whether objectives of the project have been met. The contents of the report requirements will be determined by the Shire;*

Where an organisation has applied for funds, an individual on behalf of the group may be required to make a presentation to the Council, participate in an interview or address a group of people regarding the activity.

It is expected that all projects, events and activities will:-

- *acknowledge Shire's support in its advertising, promotion and any media publicity to the satisfaction of the Shire;*
- *utilise Shire's logo where appropriate;*
- *provide a detailed report at the conclusion of the project, which outlines the project's achievements measured against the objectives.*

Availability of Information

A central register of grants will be maintained and will be submitted to Council for noting annually. The register will contain the following information: -

- *Name of recipient organisation and individual concerned (where applicable);*
- *Amount of funds provided;*
- *Purpose of funds provision;*
- *Date project/activity is expected to be complete;*
- *Date funds were approved;*
- *Date/notification of satisfactory acquittal of funds has been received by the Shire;*

- *Any other information considered by the Chief Executive Officer to be of value to the Council in its decision-making and funds management.*

Decision Final

Decisions regarding funding applications are final and will not be reconsidered during the financial year in which the application was made.

Procedures for grants or contributions of \$10,000 or more:

On receipt of approval of a grant application the recipient agrees:-

- *that the funds be applied only for the purpose approved;*
- *to supply an audited statement of income and expenditure supported by copies of invoices on the completion of the project;*
- *that 50% of the grant will be provided at the commencement of project (and following receipt of the duly signed approval terms).*
- *Progressive claims (to a maximum of 50%) will be payable upon production of an income and expenditure statement accompanied by relevant invoices, or as otherwise agreed to in writing by the Shire.*

General

The Chief Executive Officer may in consultation with the Shire President approve extraordinary donation requests up to \$100.00 in cash, or \$500.00 in-kind (excluding administrative support eg. photocopying), to local community groups throughout the year when requested.

The Annual Budget to include \$500.00 per year in cash for this purpose.

Extraordinary in-kind support may be carried out during normal working hours where there is no impact on work programs.

The CEO shall reject all other requests throughout the year outside the donation funding program.

BUDGET/FINANCIAL IMPLICATIONS

No provision was made in the budget for this recommended donation and so an absolute majority is required. The hall hire fee would be \$968 and so the recommendation is for this amount to be donated. Hall hire income estimates used in the current, and past, budget are very conservative. The 2011/12 budget provides for income of \$1,500 and the previous year's actuals were over \$3,000. It is suggested that the budgeted income shows the net of anticipated charges and anticipated donations to community groups to pay for hall hire.

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

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council donate \$968 to the Boyup Brook Country Music Club as a contribution toward hall hire costs.

CARRIED 7/2

Res 221/11

7.3.9 Donation Request - Heated Multipurpose Therapeutic Pool Committee

Location:	N/A
Applicant:	Heated Multipurpose Therapeutic Pool Committee
File:	
Disclosure of Officer Interest:	None
Date:	12 October 2011
Author:	Alan lamb
Authorizing Officer:	Not applicable
Attachments:	Letter of request

SUMMARY

The purpose of this report is to put before Council the Heated Multipurpose Therapeutic Pool Committee's (HMPTPC) request for a free use of the town hall with the recommendation that Council charge the hire fee and make a cash donation of an amount equal to the hire fee.

BACKGROUND

The HMPTPC is not an incorporated body but operates as a subcommittee of the Swimming Club which is incorporated.

The HMPTPC, in concert with the Playgroup and Football Club, has hired the Town Hall to put on the inaugural Big Splash Bash dinner and dance function. It is understood that the event is a fundraiser for the three organizations.

Council has supported the HMPTPC in the past by donating the cost of hall hire fees.

The hire is for 19 November 2011 and includes the kitchen. The current list of fees and charges provides for a daily hire fee for the Hall of \$242.00, a bond of \$220.00 and a deposit of \$110.00. The kitchen is a separate fee and this is \$30 per day with a bond of \$70.

COMMENT

The HMPTPC is putting on another community event that, based on the success of their Collectors and Hobbies Day, should prove popular with the community. The Group is also putting on a quiz night in the Hall (October 22) and Council has supported the group with both functions by donating the cost of hall hire.

It is recommended that Council charge the normal hire fee and make a donation equal to it.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's Donations Policy applies. Administration is working on a draft amendment to this policy to, among other things, better address this sort of request and it is hoped that the draft will be before Council this calendar year.

Council's Donations Policy is as follows:

<i>POLICY NO.</i>	<i>F.02</i>
<i>POLICY SUBJECT</i>	<i>Donations</i>
<i>ADOPTION DATE</i>	<i>17 June 2004</i>
<i>VARIATION DATE</i>	<i>21 December 2007</i>

Objective

*To promote and support community-based initiatives, which meet **Shire's** strategic direction.*

Statement

Definitions

The following definitions apply to this policy:

- *Organisation is an incorporated body under the Associations Incorporation's Act 1987 or a recognised corporate body created by government with an Australian Companies Number (ACN).*
- *Individual is a resident of the Shire.*
- *Grant – is the provision of a set amount of funds for a single year in order to achieve a specific identified purpose.*
- *Sponsorship- is the provision of cash, in-kind support or subsidy to organisations or individuals in return for specifically identified promotional opportunities for the Shire.*
- *Subsidy is the provision of in-kind in the form of a cash book entry which enables the Shire to determine the real cost of support provisions and donations to community groups.*

Eligibility

Only organisations are eligible for funding support. In some instances, organisations may apply for funding on behalf of individuals who must be residents of the shire. Only one application per year may be funded for any one organisation.

In general, applications for funding shall fulfil the following criteria:-

- *Not for direct profit or financial gain to the organisation or an individual;*

- *The proposal supports the mission statement, values and strategic direction of the Shire;*
- *The applicant organisation can demonstrate the capacity to manage and be accountable for the funds and the project.*

The Council will: -

- *only allocate funds for identified purposes and with specific expenditure estimates provided and will not provide block grants under any circumstances;*
- *require each applicant organisation to submit a new funding application on each occasion before Council will commit any funds;*
- *require each successful applicant to agree that they do not represent the Shire in any capacity.*

Program Promotion

All funding programs will be advertised annually in March with all applicants advised of the outcome of their application within one month of the adoption of the annual Budget. These requests will be presented to the Council with a brief precise.

Lodging of Applications

Applications for assistance should be made on the application form available from the Shire Office.

The information required for applications of less than \$500 shall include:-

- *The name of the organisation and applicant, accompanied by contact details;*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*
- *Such other details as required from time to time.*

The information required for applications of more than \$500 shall include: -

- *The name of the organisation and applicant, accompanied by contact details*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*
- *confirmation by the President or Secretary that the application has been supported by resolution of the Organisation;*
- *the names of current Office Bearers and Committee members and a copy of the Certificate of Incorporation;*
- *A copy of the most recent audited financial statements;*
- *Such other details as required from time to time.*

Accountability

Organisations successful in their application are generally required to:-

- *Acquit the funds by 30 June in the year following their successful grant application. The acquittal is to include the appropriate financial statements as determined by the Shire, and to demonstrate that the funds have been spent on the purpose for which they were allocated;*
- *Provide a written report to the Shire on the outcome of their project including relevant statistics and whether objectives of the project have been met. The contents of the report requirements will be determined by the Shire;*

Where an organisation has applied for funds, an individual on behalf of the group may be required to make a presentation to the Council, participate in an interview or address a group of people regarding the activity.

It is expected that all projects, events and activities will:-

- *acknowledge Shire's support in its advertising, promotion and any media publicity to the satisfaction of the Shire;*
- *utilise Shire's logo where appropriate;*
- *provide a detailed report at the conclusion of the project, which outlines the project's achievements measured against the objectives.*

Availability of Information

A central register of grants will be maintained and will be submitted to Council for noting annually. The register will contain the following information: -

- *Name of recipient organisation and individual concerned (where applicable);*
- *Amount of funds provided;*
- *Purpose of funds provision;*
- *Date project/activity is expected to be complete;*
- *Date funds were approved;*
- *Date/notification of satisfactory acquittal of funds has been received by the Shire;*
- *Any other information considered by the Chief Executive Officer to be of value to the Council in its decision-making and funds management.*

Decision Final

Decisions regarding funding applications are final and will not be reconsidered during the financial year in which the application was made.

Procedures for grants or contributions of \$10,000 or more:

On receipt of approval of a grant application the recipient agrees:-

- that the funds be applied only for the purpose approved;*
- to supply an audited statement of income and expenditure supported by copies of invoices on the completion of the project;*
- that 50% of the grant will be provided at the commencement of project (and following receipt of the duly signed approval terms).*
- Progressive claims (to a maximum of 50%) will be payable upon production of an income and expenditure statement accompanied by relevant invoices, or as otherwise agreed to in writing by the Shire.*

General

The Chief Executive Officer may in consultation with the Shire President approve extraordinary donation requests up to \$100.00 in cash, or \$500.00 in-kind (excluding administrative support eg. photocopying), to local community groups throughout the year when requested.

The Annual Budget to include \$500.00 per year in cash for this purpose.

Extraordinary in-kind support may be carried out during normal working hours where there is no impact on work programs.

The CEO shall reject all other requests throughout the year outside the donation funding program.

BUDGET/FINANCIAL IMPLICATIONS

No provision was made in the budget for this recommended donation and so an absolute majority is required. The hall hire fee would be \$272 and so the recommendation is for this amount to be donated. Hall hire income estimates used in the current, and past, budget are very conservative. The 2011/12 budget provides for income of \$1,500 and the previous year's actuals were over \$3,000. It is suggested that the budgeted income shows the net of anticipated charges and anticipated donations to community groups to pay for hall hire.

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

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Oversby

SECONDED: Cr Moir

That Council donate \$272.00 to the Heated Multipurpose Therapeutic Pool Committee to assist with Town Hall hire fees.

CARRIED BY ABSOLUTE MAJORITY 7/2

Res 222/11

Request for Vote to be recorded

Cr Doust requested that the vote of all Councillors be recorded.

FOR	AGAINST
Cr Giles	Cr Doust
Cr Biddle	Cr Aird
Cr Oversby	
Cr Moir	
Cr Walker	
Cr O'Hare	
Cr Moir	

7.3.10	14 Proctor Street – Premises a nuisance
---------------	--

Location:	<i>No 14 (Lot 310) Proctor Street, Boyup Brook</i>
Owner:	<i>Corrina Holmes</i>
File:	<i>AS1904</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>12th October 2011</i>
Author:	<i>Wayne Jolley – Environmental Health Officer</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Yes – Photographs of premises</i>

SUMMARY

Complaints have been received and confirmed in terms of the poor condition of the house and yards at 14 Proctor Street. Conditions are such that Council could declare the premises a nuisance under the *Health Act 1911* and order that they are to be cleaned up. In the event that the owner does not comply with the order, the Health Act requires Council to do the works and charge the owner.

The Environmental Health Officer recommends the above course of action.

BACKGROUND

Two neighbours of 14 Proctor Street have recently complained in writing about the poor condition of the house and that the yards are overgrown with weeds. A third neighbour has complained by telephone. They have experienced both snakes and rats in their own yards, which they believe come from 14 Proctor Street and that the property is a fire hazard.

The property is owned by Corrina Holmes, who does not live in Boyup Brook. The house is timber frame, clad with asbestos cement sheeting and roofed with corrugated iron.

COMMENT

The Environmental Health Officer in company with the Chief Executive Officer visited the property on 28th September and spoke to both complainants.

The house has been vacant for a number of years and according to neighbours has been neglected. It has consequently become dilapidated and the front and rear yards overgrown with long, thick grass and weeds. The interior of the house could not be examined. However, various general rubbish was noted on the front verandah and some derelict fridges and other items under the house (see attached photographs). Conditions observed certainly supported neighbour's concerns and can be best summarized as follows:

- The house is vacant, dilapidated and surrounded by high, thick grass and various rubbish. It provides ample harborage for rats and mice, also ideal conditions to attract and harbour snakes.

- If water seals of toilets and waste fixtures have dried out (as they surely would) access to septic tank and leach drains will be afforded for rodents and cockroaches.
- The high and thick grass will certainly create a severe fire hazard as it dries out with the onset to summer.

Under S182 of the *Health Act 1911*:

Sub-section (4) – “Where any house or premises are in such a state as to be a nuisance or injurious or dangerous to health; or”

Sub-section (8) – “Where any house or premises are in such a state as to harbour rats”;
A nuisance is deemed to have been created.

Under S184:

- (1) On the report of an EHO, Council may require the owner to abate the nuisance;
- (2) The owner is required to comply with the requisition;
- (4) On default, Council **shall** cause the work to be done at the expense of the owner;
- (5) All such expenses are recoverable by Council and until paid, shall be a charge on the property.

On this basis, an Order under the *Health Act* should address:

- Removal of long grass from the whole property;
- Removal of all rubbish; and
- Baiting of the house for rats and mice.

Moreover, the Shire of Boyup Brook Firebreak Notice under S33 of the *Bushfires Act 1954* requires the grass to be removed and in default the Shire is empowered to cause the work to be done and charge the owner. It is understood that this has previously been done in respect to this property. The Senior Administration Officer, Mr Geoffery Carberry is delegated by Council to perform this function.

When investigating contact details in respect to the owner, it was learnt that the Shire Finance Officer has also had difficulties. An address was obtained but it seems that contact through that address is unreliable.

It is clear that this property needs to be cleaned up for several reasons and that it is unreasonably impacting on neighbours. Action under the *Health Act* is likely to address most issues. Action under the *Bushfires Act* will address issues related to the over-grown grass. It is suggested that both courses of action should proceed.

CONSULTATION

Discussions with the neighbours of 14 Proctor Street.

STATUTORY OBLIGATIONS

Health Act 1911
Bushfires Act 1954

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The Shire is likely to have to absorb the costs of clean-up works at 14 Proctor Street initially. However, power is accorded by the *Health Act* to recover costs.

STRATEGIC IMPLICATIONS

There are no known strategic issues

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues.
- **Social**
Approval of the recommended course of action will ease the legitimate concerns of neighbours of 14 Proctor Street.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Doust

SECONDED: Cr Biddle

1. That Council approve that conditions at 14 Proctor Street are declared a “nuisance” under the *Health Act 1911*.
2. That Council approve that a requisition be directed to the owner of 14 Proctor Street, requiring that:
 - All long grass on the property be removed;
 - All refuse on the property be removed;
 - The house is baited for rats and mice; and
 - Above works are completed within 14 days.
3. That Council confirms, that if the owner defaults on the above requisition, the Shire should proceed immediately to ensure the above works are completed and that appropriate action is taken to recover the costs of the work from the owner, or secure a charge against the property.

CARRIED 9/0

Res 223/11

Adjournment

That the meeting be adjourned for a 5 minute break, the time being 5.50pm

Resumption

That the meeting resume, the time being 5.55pm.

WITHDRAWN - ITEM 7.3.11

Reason:

The CEO noted that the WALGA preferred supplier process is nearing completion and so it would be prudent to wait for this as the alternative is to call for tenders (note, the total cost of the supply exceeds \$100,000).

7.3.11 IT Upgrade

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Interest:	Nil
Date:	12 September 2011
Author:	Geoff Carberry Senior Admin Officer
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Appendices:	IT Upgrade spread sheet

SUMMARY

The operating software currently being used by the Shire requires to be updated to keep this Shire in line with current industry standards. This presents an opportunity to totally revamp the Shires IT system.

BACKGROUND

The current system has evolved from a number of system and partial upgrades over a long period of time. Whilst it served the purpose at the time the system has fallen behind the times in comparison to other local governments, as is evident that neighbouring Shires have all updated to alternate systems, with Synergy Soft being the system of choice.

The server is now 5 years old and is struggling to maintain reliability especially on its back up systems.

An audit of all computers has revealed that there is a wide and varied range of equipment and software being used in line with the previous adhoc response to needs with no real consideration to maintaining a Standard Operating System across the business. Consequently incorrect licenses are being used which subjects the Shire to possible prosecution.

COMMENT

Available systems have been reviewed and a quote obtained for the provision of IT Vision Synergy Soft. This system consists of a basic package with additional modules being available to suit business needs.

Attachment one indicates the costs involved for the purchase of the basic package along with the required modules some being spread over the next three years.

By moving to this system it will allow staff from all surrounding Councils to be able to readily assist each other and even be bought in as relief should it be required. This would be most relevant in a major emergency relief event.

It will allow possible off site hosting in the event of losing the Shire offices with temporary links being set up to an alternate centre giving improved Business Continuity.

In addition an allocation of up to \$14000 is required to upgrade the onsite server so as to host the new package. This upgrade will also improve system response times and reliability.

As previously mentioned the provision of computers and software has been on a "as needs basis" with no attention being made to develop and maintain a standard operating environment, resulting in a great variance of equipment and software versions across the organisation. Currently there are six different operating systems being used across the business, almost all do not meet current industry standards.

A cost to bring the entire network up to a common standard has been included, of most concern is the use of non business licenses being used on business equipment creating operating difficulties and leaving the Shire open to prosecution.

CONSULTATION

Staff Shire of Bridgetown
Staff Shire of Donnybrook
IT Vision
Alphawest

STATUTORY ENVIRONMENT

Local Government Act 2005
Local Government (Financial Management) Regulations 1996 - As at 16 July 2009.

FINANCIAL IMPLICATIONS

Nil funds have been allocated in the 2011/2012 budget for the majority of these works, hence funding would need to come from reserves or from the unallocated surplus from the 2010/2011 financial year.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

1. That Council authorise the Chief Executive Officer to commence the IT upgrade with the purchase and provision of IT Vision Synergy Soft and to carry out such upgrades of software and hardware to meet legal obligations.
2. Funds to the value of \$76,000 be allocated from the IT Reserve L01935 with an additional amount of \$111,639 being allocated from the 2010/2011 financial year surplus to carry out the IT upgrade works.
3. That the amount of \$16,000 previously allocated to "equipment lease costs" E147025 also be reallocated to the IT upgrade.

7.3.12 Naming of a Road Policy Amendment (P08)

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Interest:	Nil
Date:	12 September 2011
Author:	Geoff Carberry Senior Admin Officer
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Appendices:	No

SUMMARY

As all names mentioned in the current policy except for Sinnott have been deemed invalid the policy needs to be amended to provide further options

BACKGROUND

The current policy states

Objective

To determine the process for naming new roads.

Statement

- Name duplication with local governments or adjoining local governments shall be avoided. If possible, it should also be avoided within the State.
- Names of living individuals shall not be used.
- Names characterised as follows are to be avoided:-
Incongruous; given/first names*; given/first and surname combinations; double names; qualified names; corrupted, unduly cumbersome or difficult to pronounce names; obscene, derogatory, racist or discriminating names; company names; or, commercialised names.
- Preferred sources of names include:
Aboriginal names; pioneers of the State or area; war casualty list; thematic names e.g. fauna, ships etc.
- Road names shall not be approved unless the origin of the name is clearly stated.

**Use of given/first names may be acceptable in special circumstances, e.g. when to people with the same name are valid sources for a road name, or a surname is not appropriate for some reason.*

But: Use of the surname will normally have priority.

Particular attention will be paid to explanation of origins.

Honouring the same person more than once will be avoided.

Further research into local history and identities has resulted in the following suggestions as an initial schedule of suggestions:-

Hales - The 'Hales' name has been synonymous with the district for 100 years. Mr Wally Hales was a major contributor to promoting Boyup Brook as a tourist destination for many decades. (Name added in November 2005)

Fuller - Harry Fuller took up 700 acres in the district in 1902. He was an excellent teamster and carted regularly by contract. His team of horses was commented on favourably for many years. He and his wife raised ten children.

Gregory - After AC Gregory – first white man to the District and Famous Explorer.

Lloyd - After JR Lloyd – Councillor 1961-67, 68-89, 91-93,
Shire President 1976-1982

Moore - After CL Moore – Councillor 1974 – 1988
Shire President 1982-1987

Moulton - Matt Moulton took a position of Land Guide in the Scott's Brook area of the Upper Blackwood District in 1892. He took up land there and developed it. He was an excellent horseman and expert bushman and is credited with providing sound advice to new settlers.

Smith - Harry Smith and his family arrived in the district in 1909 and took up land at Scotts Brook. Before the land became productive he earned a living carting and dam sinking with a bullock team. His daughter Amy married Charles Jennings and the family remain in the district today.

Sinnott - William Sinnott came to the Upper Blackwood district in 1896 and settled near Mayanup. He was a public minded person, involved in sport, business associations and a member of the Roads Board from 1918-1934.

Wauchope - Mr Wauchope was one of the best known teachers at the Boyup Brook School in the early days. He taught there from 1903-1912 and again 1917-1925. He assisted Mr Proctor put down the first tennis courts in town in 1904. Mrs Wauchope ran the first unofficial post office in Boyup Brook from the school house.

During past attempts to name roads the following responses have been received from the Geographical Locations committee

"I have checked through all of the names you forwarded and unfortunately, except for one, all are duplicated or have a similar sounding name within 50km.

HALES – Hale Road, Orchid Valley 42km SE

FULLER – Fullerton Road, Catterick 28km SW

GREGORY – Gregory Street, Dinninup (also 8 in adjoining shires)

LLOYD – Lloyd Road, Darkan & Duranillin 44km NE

MOULTON – Moulton Street, Bridgetown 32km SW

SMITH – 12 in adjoining shires

MOORE – Moore Road, Wilga, Moore Road, Benjinup and Moore Rogers Road (as you mentioned) in the localities of Dinninup, McAlinden and Trigwell.

WAUCHOPE – Wauchope Road, Southampton 40km W

Suitable:

SINNOTT – nothing similar sounding

Thank you for sending through the name "GLEN VIEW" as a replacement name.

My apologies for the delay in getting back to you but unfortunately, this name is unsuitable as it is derived from "Glenview", a company/business name at an adjoining property as well as there being a similar sounding name of Glynn Street in Boyup Brook about 8km away.

As all names mentioned in the current policy except for Sinnott have been deemed invalid the policy needs to be amended to provide further options

COMMENT

The Geographical Locations Committee policy states:

Selection of Names

Suitable Names - Preferred sources of names include names from Aboriginal languages currently or formerly identified with the general area, pioneers of the State or area, citizens who have made a significant community contribution, war casualty lists and thematic names (eg nautical, sporting etc). Ethnic and gender diversity is encouraged. Given/first and surname combinations are suitable only if the surname alone cannot be used because of duplication. All name proposals must clearly identify the origin of the name and provide relevant references to allow for the verification of the name.

Unsuitable Names - Names characterized as follows are to be avoided - given/first names, corrupted, unduly cumbersome or difficult to pronounce names, obscene, derogatory, racist or discriminating names, company or commercialized names (unless in a historical context).

Name Duplication - Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the

metropolitan region, must be at least 10 km from the existing duplication and must have a different road type. These exclusions apply to similar sounding or written names, and also apply to those within similar sounding suburbs even if more than 10 km away. In rural areas the distance should be at least 50 km away.

Names of Living Persons - The names of living persons are not normally suitable for road names, and if proposed will be subject to a more rigorous selection process. The proposal must be accompanied by comprehensive biographical details including details of community involvement, and also an indication of strong community support for the proposed name.

CONSULTATION

Shire Officers
Geographical Location Committee

STATUTORY ENVIRONMENT

Nil at this time

FINANCIAL IMPLICATIONS

.Nil at this time

STRATEGIC IMPLICATIONS

Nil at this time

VOTING REQUIREMENTS

Simple Majority

MOVED INTO COMMITTEE

MOVED: Cr Moir

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 8/1

Res 224/11

MOVED OUT OF COMMITTEE

MOVED: Cr Doust

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 9/0

Res 225/11

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr O'Hare

SECONDED: Cr Kaltenrieder

1. That Shire of Boyup Brook policy P08 "Naming New Roads" be amended by the addition of the following paragraph
"On the occasion of no suitable name being listed within this policy then the names of previous Roads Board members and then Councillors, in order of service, shall be submitted for approval until such time as a name is accepted."

LOST 2/7

Res 226/11

Note: Council felt that the Policy needs to be reviewed.

7.3.13 Renaming of Road Reserve – "Condinup Road"

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Interest:	Nil
Date:	12 September 2011
Author:	Geoff Carberry Senior Admin Officer
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Appendices:	Nil

SUMMARY

Staff seek further direction as to the naming of the former Condinup Road reserve following Landgates rejection of the recommended name of "Glen View"

BACKGROUND

At the 19 May 2011 council meeting the following was decided.

COUNCIL DECISION – ITEM 7.3.9

MOVED: Cr Doust

SECONDED: Cr Oversby

1. That the Chief Executive Officer writes to the Department for Regional Development and Lands to request:
 - 1.1 that the extent of Condinup Road be between Boyup Brook North Road and the end of the road reserve being 723.28m east of Gibbs Road.
 - 1.2 That the constructed section of the road west of Boyup Brook North Road to a point 230 metres east of the western boundary of lot 8542 on plan 140385 located within the road reserve be separately named.
2. That "Condinup West Road" be recommended to the geographical committee as the preferred name of this road.

This action was carried out but the name Condinup West was denied.

The original cause of this action is as follows.

The introduction of the rural numbering scheme has highlighted several discrepancies of the way roads have been formed within road reserves. The road reserve containing Condinup Road extends from the Donnybrook - Boyup Brook Road in an easterly direction to a point 713.28 east of Gibbs Road.

The section between Donnybrook - Boyup Brook Road and Boyup Brook North Road has never been officially constructed, although a section of this reserve has been used and improved by a property owner to the extent that it is now treated as a part of Condinup Road.

Between Boyup Brook North Road and Gibbs Road lies a constructed and maintained surface which is officially known as Condinup Road.

The section of the reserve east of Gibbs Road is also maintained by the Shire.

As the section between Donnybrook - Boyup Brook Road and Boyup Brook North Road is not likely to be fully completed it would be difficult to have the starting point for rural numbering beginning half way through a reserve.

Landgate has suggested the following

- Starting point of Condinup Road be North Boyup Brook Road travelling in an easterly direction until the end of the reserve.
- The section west of Boyup Brook North road be separately named, to reduce confusion it is suggested to use Condinup West as the road name.
- The start of the road for rural numbering be Boyup Brook North Road intersection.

An extract of the letter received from the Geographical Locations committee

Unfortunately, the road name of "Condinup West Road" is unsuitable due to there being a Condinup Road and Condinup Crossing Road nearby and that double names including those containing north, south etc are no longer suitable due to confusion that has arisen in emergencies in the past as well as for the public.

Duplicated or similar sounding names are to be at least 50km distant, and also in a different shire, to be considered for suitability.

Therefore, could Council please provide another name for this portion of road?

*To give a few ideas the name could:
have historical significance for the area
be that of an early pioneer
be a name of the type of crops that are grown in the area
be a breed of animal farmed there
or a name of a nearby feature.*

COMMENT

Names currently on the Shires register are Hales, Fuller, Gregory, Lloyd, Moulton, Smith, Sinnott, Wauchope.

These were submitted for an indication of acceptability, with the following reply

I have checked through all of the names you forwarded and unfortunately, except for one, all are duplicated or have a similar sounding name within 50km.

*HALES – Hale Road, Orchid Valley 42km SE
FULLER – Fullerton Road, Catterick 28km SW
GREGORY – Gregory Street, Dinninup (also 8 in adjoining shires)
LLOYD – Lloyd Road, Darkan & Duranillin 44km NE
MOULTON – Moulton Street, Bridgetown 32km SW
SMITH – 12 in adjoining shires
MOORE – Moore Road, Wilga, Moore Road, Benjinup and Moore Rogers Road (as you mentioned) in the localities of Dinninup, McAlinden and Trigwell.
WAUCHOPE – Wauchope Road, Southampton 40km W*

Suitable:

SINNOTT – nothing similar sounding

Whilst the name Sinnott is not directly linked to the area concerned it is the only available option.

At the Council meeting of 21 July 2011 council resolved

COUNCIL DECISION – ITEM 7.3.4

MOVED: Cr Doust

SECONDED: Cr Biddle

1. That “Glen View” be recommended to the geographical committee as the preferred name of the constructed section of the road west of Boyup Brook North Road to a point 230 metres east of the western boundary of lot 8542 on plan 140385 located within the road reserve.

CARRIED 6/0

Res 134/11

Note: Name changed because of local regional significance.

The Geographical Locations Committee has disapproved the name of "Glen view" for the name of the former Condinup Road road reserve. as repeated here.

Received 9 September 2011 4.45pm

'Thank you for sending through the name GLEN VIEW as a replacement name.

My apologies for the delay in getting back to you but unfortunately, this name is unsuitable as it is derived from “Glenview”, a company/business name at an adjoining property as well as there being a similar sounding name of Glynn Street in Boyup Brook about 8km away.'

COMMENT

Further verbal consultation to explain that the name reflected the historical name of the property and not that of the commercial enterprise also met with disapproval.

Currently the only approved name on the Shires road name list is Sinnott which has no relevance to this area.

The Geographical Locations Committee policy states:

Selection of Names

Suitable Names - Preferred sources of names include names from Aboriginal languages currently or formerly identified with the general area, pioneers of the State or area, citizens who have made a significant community contribution, war casualty lists and thematic names (eg nautical, sporting etc). Ethnic and gender diversity is encouraged. Given/first and surname combinations are suitable only if the surname alone cannot be used because of duplication. All name proposals must clearly identify the origin of the name and provide relevant references to allow for the verification of the name.

Unsuitable Names - Names characterised as follows are to be avoided - given/first names, corrupted, unduly cumbersome or difficult to pronounce names, obscene, derogatory, racist or discriminating names, company or commercialised names (unless in an historical context).

Name Duplication - Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the metropolitan region, must be at least 10 km from the existing duplication and must have a different road type. These exclusions apply to similar sounding or written names, and also apply to those within similar sounding suburbs even if more than 10 km away. In rural areas the distance should be at least 50 km away.

Names of Living Persons - The names of living persons are not normally suitable for road names, and if proposed will be subject to a more rigorous selection process. The proposal must be accompanied by comprehensive biographical details including details of community involvement, and also an indication of strong community support for the proposed name.

Should policy P08 Naming New Roads be amended the following names in order of service could be requested for approval Hawkins (1896/97), Treasure (1904/05), Moulton (1909/10, 11/12, 15/18), Bilston (1910/11, 15/18), Dent (1910/11), Methven (1911) & Chidgzy (1911/13).

CONSULTATION

June Gronow - Geospatial Information Officer
Geographic Names
Location Products and Services
Landgate

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Subject to the amendment of Shire of Boyup Brook Policy P08 refer to item 7.3.12

The following names in order of preference be submitted to the geographical locations committee for approval to be applied to the section of former Condinup road. Hawkins, Treasure, Moulton, Bilston, Dent, Methven, and Chidgzy.

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 9/0

Res 227/11

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby

SECONDED: Cr Walker

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

CARRIED 9/0

Res 228/11

ITEM 7.3.13 WITHDRAWN

Note:

Council indicated a preference to persist with its preferred name ("Glen View") and the CEO undertook to pursue this more strongly with the Geographical Locations Committee. This action did not need another Council resolution.

8.1 COMMITTEE REPORTS

MOVED: Cr Doust

SECONDED: Cr O'Hare

That Council deal with Items 8.1.1 and 8.1.2 en bloc and receive the minutes of the WALGA South West Zone held on 23rd September 2011, and Blackwood River Valley Marketing Association held on 9th August 2011 and 23rd August 2011.

CARRIED 9/0

229/11

8.1.1 Minutes of the WALGA South West Zone

Location:	<i>Shire of Capel</i>
Applicant:	<i>N/A</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>3 October 2011</i>
Author:	<i>N/A</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND:

A WALGA South West Zone meeting was held on 23rd September 2011.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.1*)

OFFICER RECOMMENDATION – ITEM 8.1.1

That the minutes of WALGA South West Zone meeting was held on 23rd September 2011 be received.

8.1.2 Minutes of the Blackwood River Valley Marketing Association

Location: *Bridgetown Shire*
Applicant: *N/A*
File:
Disclosure of Officer Interest: *Nil*
Date: *3 October 2011*
Author: *N/A*
Authorizing Officer: *Alan Lamb – Chief Executive Officer*
Attachments: *Yes – Minutes*

BACKGROUND:

A Blackwood River Valley Marketing Association meeting was held on 9th August 2011 and 23rd August 2011.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.1*)

OFFICER RECOMMENDATION – ITEM 8.1.1

That the minutes of the Blackwood River Valley Marketing Association meeting was held on 9th August 2011 and 23rd August 2011 be received.

9.1 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Notice of motion Cr Biddle – 07/11

9.1.1 Website

COUNCIL DECISION

MOVED: Cr Biddle

SECONDED: Cr Oversby

That the CEO be requested to obtain information on the costs of employing a professional website designer, with the aim of employing such a person to redesign and maintain the Shire website so that it is always appealing, accurate and comprehensive.

CARRIED 9/0

Res 230/11

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

MOVED: Cr Doust

SECONDED: Cr Oversby

That Council consider urgent business.

CARRIED 9/0

Res 231/11

10.1.1 Councillors questions

MOVED: Cr Doust

SECONDED: Cr Biddle

Provision be made in future Council agendas for Councillors questions on notices as per standing orders.

CARRIED 9/0

Res 232/11

10.1.2 Recognition of past Shire President & Councillors

MOVED: Cr Doust

SECONDED: Cr Oversby

That all retiring Councillors be recognized at the annual Council Christmas function and a special function be organised to recognize Terry Ginnane's contribution to be held in the new year.

CARRIED 9/0

Res 233/11

11 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

Nil

12 CLOSURE OF MEETING

There being no further business the Shire President, Cr Giles thanked all for attending and declared the meeting closed at 6.34pm.