

SHIRE OF KOJONUP



Council Minutes

20th March 2007

SHIRE OF KOJONUP**MINUTES FOR THE COUNCIL MEETING HELD ON 20TH MARCH 2007****TABLE OF CONTENTS**

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COUNCIL DECISION

19/07 **MOVED Cr Pritchard seconded Cr Hewson that the Minutes of the Ordinary Meeting of Council held on 20th February 2007 be confirmed as a true record.**

CARRIED**10/0**SPECIAL COUNCIL MEETING 2nd March 2007

Corrections: Nil

COUNCIL DECISION

20/07 **MOVED Cr Benn seconded Cr Bunny that the Minutes of the Special Meeting of Council held on 2nd March 2007 be confirmed as a true record.**

CARRIED**10/0**

7 **ANNOUNCEMENTS** by the Presiding Member without discussion
The Shire President announced that an Australian Citizenship Ceremony was held for Mrs Wendy Brown on Thursday 15th March 2007.

8 **PETITIONS, DEPUTATIONS & PRESENTATIONS**
Nil

9 **DECLARATIONS OF INTEREST**
Nil

10 **FINANCE REPORTS**

10.1 FINANCIAL MANAGEMENT – MONTHLY STATEMENT OF FINANCIAL ACTIVITY

AUTHOR: Kim Dolzadelli – Manager Corporate Services
DATE: Monday, 12 March 2007
FILE NO 06.15.01:
ATTACHMENT: Monthly Statement of Financial Activity ending 28th February 2007

DECLARATION OF INTEREST
Nil

SUMMARY

Preparation and presentation to Council of Monthly reports are a statutory requirement, with these to be presented to the next ordinary meeting following the close of a month, or it may be presented to the ordinary meeting in the following month after that.

There are a number of separate attachments to this report, which also give 'overview' information as to the position of various items of Council's finances.

BACKGROUND

The new reporting requirements came into force from 1st July 2005.

COMMENTS

I have reviewed individual Operating and Capital accounts and am happy to report that Council's Budget continues to be tracking well.

There are a number of attachments to this report, and they are as follows:

1. Bank Reconciliations
2. Rates Report
5. Statement of Financial Activity – Summary
6. Plant Purchases and Disposals, and other Asset disposals
7. Restricted Monies – Unexpended Grants Paid in Advance.
8. Reserves Cash Backed
9. Status Report – Finance and Accounting Work
10. Net Current Assets

Attachment 1 - Contains details of Council's Bank Reconciliations, and Investments. The report shows total funds of \$2,277,824.45.

Attachment 2 - Contains details of Council's Rates details. Collection is now up to 93.41%.

Attachment 5 - The Statement of Financial Activities for the year. This is basically a "Sources and Applications of Funds" Statement, and is a summary of figures of the original budget, any amendments adopted to date, actual figures transacted to date, as well as our projections, in dollar terms, of the likely/expected outcomes for the year

Attachment 6.1 – Contains the Plant Purchases and Disposals as amended.

Attachment 7 - Contains details of "Restricted Monies", which involves funds received in advance in prior years, which should be treated as "Restricted" until the expenditures associated with such purposes have been incurred.

Attachment 8 - Contains details of Council's Reserves Accounts, including movements to and from such accounts for the year.

Attachment 9 - The Monthly Status Report with regard to significant Finance and accounting work, so that the Council is kept informed as to the position of various items in this area.

Attachment 10 - Relates to Net Current Assets. The "Opening Balance" for the 2006/07 year will be virtually as projected. The month to month figure for the current year can be misleading, but the reality will become effective in the later part of the financial year.

CONSULTATION

None necessary.

STATUTORY ENVIRONMENT

Financial Management Regulation 34 sets out the basic information which must now be included in the monthly reports to Council.

POLICY IMPLICATIONS

None applicable.

FINANCIAL IMPLICATIONS

Occasionally Council may be asked to authorise certain budget amendments/variations by way of separate Senior Officer Reports, but those proposed variations will be taken into account in the monthly Financial Activities report.

STRATEGIC IMPLICATIONS

This will only occur where it involves variations to the multiple year proposals previously put forward. Impacts to the "Closing Balance" position will also occur or where a Budget review highlights the requirement for amendments to occur.

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

That the Monthly Financial reports, as attached, be accepted.

COUNCIL DECISION

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21/07 **MOVED Cr Marsh seconded Cr Thorn that the Monthly Financial reports, as attached, be accepted.**

CARRIED

10/0

10.2 MONTHLY PAYMENTS LISTING

AUTHOR: Senior Finance Officer – Heather Marland
 DATE: 13th March 2007
 FILE NO: 06.15.01
 ATTACHMENT:

DECLARATION OF INTEREST

Nil

SUMMARY

To receive a list of payments made since the last similar list was received.

BACKGROUND

Not applicable.

COMMENT

The attached list of payments is submitted for receipt by the Council.

CONSULTATION

No consultation was required.

STATUTORY ENVIRONMENT

Regulations 13 (2) of the Local Government (Financial Management Regulations) 1996 requires such a list to be “presented” whenever payments have been made under a delegated authority. (Reference Delegation #18).

POLICY IMPLICATIONS

Council’s Policy F3 provides authorities and restrictions relative to purchasing commitments.

FINANCIAL IMPLICATIONS

All payments made are for items where Council has provided a budget authority.

STRATEGIC IMPLICATIONS

There are no strategic implications involved with presentation of the list of payments.

VOTING REQUIREMENTS – Simple Majority

OFFICER RECOMMENDATION

That the Payment Listing from 13/02/2007 to 13/03/2007 comprising of Municipal Cheques 8844 to 8859, EFTs 2180 to 2193 and Internal Payment Vouchers 890 to 924 totalling \$293,951.43 and as attached to this agenda, be received.

COUNCIL DECISION

22/07 **MOVED Cr Carrington-Jones seconded Cr Hewson that the Payment Listing from 13/02/2007 to 13/03/2007 comprising of Municipal Cheques 8844 to 8859, EFTs 2180 to 2193 and Internal Payment Vouchers 890 to 924 totalling \$293,951.43 and as attached to this agenda, be received.**

CARRIED

10/0

3.20pm Mrs Heather Marland left the Chamber

10.3 NEW PURCHASING POLICY F17

DATE: 13th March 2007
AUTHOR: Kim Dolzadelli – Acting Chief Executive Officer
FILE NO: 01.09.14
ATTACHMENT: Purchasing Policy F 17

DECLARATION OF INTEREST

Nil

SUMMARY

A new Purchasing Policy (F17) is being presented to Council for consideration and adoption.

BACKGROUND

Pending changes to the Local Government (Functions and General) Regulations 1996 (WA) which will lift the Tender Threshold from \$50,000 to \$100,000, will require Local Governments to prepare and adopt a Purchasing Policy. To be compliant with these changes a Purchasing Policy should be in place at the time the regulations (still in draft) are envisaged to take effect on 30th March 2007.

COMMENT

The Western Australian Local Government Association provided Councils with a Model Purchasing Policy which has been reviewed by the Department of Local Government and Regional Development and found to be fully compliant with statutory requirements.

I have reviewed the Model Policy and have made minor modifications which include reference to current Council Policy F9 "Regional Price Preference". The Policy being put before Council will ensure statutory compliance and provide a solid framework for good practice.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 2.7(2) (a) and (b) and Section 6.5(a). Local Government (Financial Management) Regulations 11(1) (a) Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

POLICY IMPLICATIONS

Adoption of a new Purchasing Policy ensuring Statutory compliance.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

VOTING REQUIREMENT – SIMPLE MAJORITY

OFFICER RECOMMENDATION

That Council adopted the new "Purchasing Policy" F17 as attached.

COUNCIL DECISION

23/07 **MOVED** Cr Marsh seconded Cr Bunny that Council adopt the new “Purchasing Policy” F17 as attached with the word “two” added to change the sentence on the top of page 2 to now read: *“Direct purchase from suppliers requiring only TWO verbal quotations”*.

CARRIED 10/0

REASON FOR CHANGE: The conditions for the amount of purchase policy for up to \$5,000 on Page 2 would be brought into line with the information in the policy on Page 3 under the heading “Procurement of goods or services up to \$5,000”.

11 ENGINEERING & WORKS REPORTS

12 ECONOMIC & ENVIRONMENTAL DEVELOPMENT REPORTS

12.1 SUBSEQUENT EXPRESSION OF INTEREST EOI 02/06 – DISPLAY OF AIRPORT BILLBOARD SIGNAGE

DATE: 7th March 2006
AUTHOR: Personal Assistant to Manager of Health and Building
FILE NO: 05.02.01
ATTACHMENT: Spreadsheet of Submissions Received

DECLARATION OF INTEREST

Nil

SUMMARY

To consider further submissions for the Expression of Interest (EOI 02/06) relating to advertising devices at the Shire of Kojonup Airstrip.

BACKGROUND

At the Ordinary Council Meeting of 20th February 2007 a Council Decision was made to accept the six (6) Expressions of Interest for the display of airport billboard signage that had been received. They were from:

- WA Billboards
- Ferngrove Vineyard
- Metro Inn Albany
- Albany Holiday Park
- Denmark Farmhouse Cheese
- Watercraft Marine

On the 22nd February 2007 the Shire of Kojonup contacted a further two interested parties and offered them the opportunity to submit an Expression of Interest in displaying advertising billboards at the Shire of Kojonup Airstrip.

Since that date, two extra parties sought the opportunity to submit their interest and their submissions have been subsequently received.

These two submissions were from:

- Whale World in Albany
- Great Southern Distillery Co Pty Ltd

COMMENT

The two subsequent submissions were received by the closing date indicated in the expression of interest.

The following information summarises the submissions received.

Whale World

Whale World intend to erect 24 sheet billboard, 6metres wide by 3metres high, overall height of the structure is 7 metres or less. The Jaycees Community Foundation, operators of Whale World, and the management team of Whale World are currently developing plans for the Albany Biodiversity Park, adjacent to Whale World. When fully developed, the Albany Biodiversity Park will offer the region an international standard, multi-faceted, tourism precinct presenting Australian native fauna (under sub-brand name: Faunatopia) and regional native flora (under sub-brand name: Floracopia) inn unique exhibitions sought out by international, interstate and intrastate tourists.

The intention is to keep the wording as simple as possible and highlighting the new branding Discovery Bay.

Whaleworld has indicated that they have \$20,000,000.00 in insurance.

Great Southern Distillery

Great Southern Distillery intend to erect a sign to advertise the presence of their soon to be open café, cellar door and operating distillery on Frenchman Bay Road, Albany.

The sign would measure 3 metres by 1.5 metres with the appropriate framework and supporting structure as recommended by the engineers and or Main Roads. The sign would display the Name of the Company and location and other product information the design of which is yet to be finalised but will be along the lines of the sample attached.

Great Southern Distillery has indicated that they have \$5,000,000.00 in insurance.

CONSULTATION

No consultation is required at this stage.

STATUTORY REQUIREMENTS

There are no known statutory requirements.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are no known financial implications at this stage.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

That the Council accept the two subsequent expressions of interest for the display of airport billboard signage and request that planning applications are submitted to the Shire of Kojonup for assessment.

COUNCIL DECISION

24/07

MOVED Cr Thorn seconded Cr Carrington-Jones that the Council accept the two subsequent expressions of interest for the display of airport billboard signage and request that planning applications are submitted to the Shire of Kojonup for assessment.

CARRIED

10/0

DATE: 7th March 2007
 AUTHOR: Allan Mortimer – Environmental Health/Planning Consultant
 FILE NO: 14.04.04
 ATTACHMENT: Dykstra Guided Development Plan – Lot 101 Soldier Road Kojonup

DECLARATION OF INTEREST

Nil

SUMMARY

A proposed Guided Development Plan has been submitted to Council by Dykstra Planning on behalf of Nick Pagano P/L. The plan relates to Lot 101 Soldier Road, Kojonup.

BACKGROUND.

The subject land is currently zoned for Residential Development under Council's Town Planning Scheme No 3. The use of land in the Residential Development Zone shall be consistent with the following objectives:

- a) The Council will not allow any development or support subdivision in a Residential Development Zone without the preparation of and its approval of a Guided Development Plan for the area.
- b) To allow a variety of uses in the zone without the need to rezone the area where minor modifications are required to the Guided Development Plan prior to the final sub-division.

Lot 101 Soldier Road is some 19.416 hectares in area with a 420 metre frontage to Soldier Road.

COMMENT

The Guided Development Plan proposes a sub-division of 100 lots ranging in size from R5 (minimum of 2000 square metres per lot), R10 (minimum of 1000 square metres per lot) up to R20 – Grouped Housing site. A copy of the plan is attached.

On the larger lots in the northern and western boundaries of Lot 101 and allow for a transition from the land zoned Special Rural on the western side and the Cemetery Reserve in the north. In addition, there is a proposed 20 metre rear set back on these lots allowing for a further buffer from adjacent land-uses.

All proposed lots can be connected to existing infrastructure, including underground power.

All internal sub-division roads will be sealed, kerbed and drained to Council specifications.

Public open space is shown, incorporating landscaped drainage swales. Whilst the Planning Commission is not prepared to accept as open space, land which is occupied by public utility uses such as drainage sumps, it may agree to such features as landscaped compensating basins being included and being credited either in whole or in part as a portion of public open space contribution. The Guided Development Plan indicates that the swales will provide 50% credit to public open space contributors.

Generally, the proposed Guided Development conforms with the Council's Town Planning Scheme No 3.

Upon receiving a proposed Guided Development Plan, Council is to either:

- a) Determine that the Proposed Guided Development Plan is satisfactory for advertising
- b) Determine that the Proposed Guided Development Plan is not to be advertised until further details have been provided or modifications undertaken; or
- c) Determine that the Proposed Guided Development Plan is not satisfactory for advertising and give reasons for this to the proponent.

Staff are of the opinion that the Proposed Guided Development Plan is satisfactory for advertising.

CONSULTATION

There has been no consultation on this matter.

STATUTORY REQUIREMENTS

Compliance with Council's Town Planning Scheme No 3 and with the requirements of the Western Australian Planning Commission.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

All costs associated with advertising etc can be recouped from the applicant

STRATEGIC IMPLICATIONS

The Proposed Guided Development Plan is the first step towards a possible sub-division. This will have long term benefits to the Council.

VOTING REQUIREMENTS – SIMPLE MAJORITY**OFFICER RECOMMENDATION**

1. That Council advertise the Proposed Guided Development Plan for the Public comment in a newspaper circulating in the Kojonup area, for a period of twenty eight (28) days
2. That notice be given to all adjacent land owners and occupiers advising them of the proposal stating that submissions may be made to the Shire of Kojonup within twenty eight (28) days of the service of such notice.
3. That the following State Government Departments also be advised of the proposal and stating that subdivisions may be made to the Shire of Kojonup within twenty eight (28) days of the service of such notice:
 - Department of Environment and Conservation
 - Department of Health
 - Fire and Emergency Services Authority
 - Main Roads WA
 - Telstra
 - Water Corporation
 - Western Power

COUNCIL DECISION**25/07****MOVED Cr Bunny seconded Cr Hewson**

1. That Council advertise the Proposed Guided Development Plan for the Public comment in a newspaper circulating in the Kojonup area, for a period of twenty eight (28) days
2. That notice be given to all adjacent land owners and occupiers advising them of the proposal stating that submissions may be made to the Shire of Kojonup within twenty eight (28) days of the service of such notice.
3. That the following State Government Departments also be advised of the proposal and stating that submissions may be made to the Shire of Kojonup within twenty eight (28) days of the service of such notice:
 - Department of Environment and Conservation
 - Department of Health
 - Fire and Emergency Services Authority
 - Main Roads WA
 - Telstra
 - Water Corporation
 - Western Power

CARRIED**10/0**

LOT 386 CORNER ALBANY HIGHWAY AND BELL ROAD KOJONUP

DATE: 7th March 2007
 AUTHOR: Allan Mortimer – Environmental Health/Planning Consultant
 FILE NO: 14.
 ATTACHMENT: Plan of Lot 386

DECLARATION OF INTEREST

Nil

SUMMARY

To consider a reduction in the Applicable Standards under Council's Town Planning Scheme No 3 to allow the development of a single residential dwelling for Mr Ronald Walter Kibblewhite on Lot 386 corner of Albany Highway and Bell Road Kojonup.

BACKGROUND.

Mr Kibblewhite has submitted a site plan for his proposed single residential development on Lot 386 Albany Highway. A copy of the plan is attached.

Lot 386 is 3000 square metres in area and the proposal is for a front set back to Albany Highway of approximately 30 metres with side set backs from the adjoining lot and Bell Road, ranging from 6 metres to 10 metres on the northern side and 6 metres to 15 metres on the southern side. (Bell Road). The lot is triangular in shape.

Council's Town Planning Scheme No 3 (Clause 5.7.3(d)) states:

"Notwithstanding the right to develop a single house on an existing lot, residential development in the 'Rural' Zone shall comply with the specific requirements of the Council, however these shall not be lesser than those specified for the Residential Planning Code 'R2'.

The requirements for 'R2' Codes are:

- Minimum Site area – 5,000 square metres
- Minimum frontage – 50 square metres
- Minimum total open space – 80% of site
- Minimum setback from primary street (Albany Highway) – 20 metres
- Minimum setback from secondary street – 10 metres
- Minimum setback from other and rear boundaries – 10 metres

COMMENT

From the foregoing, the block in question and the proposed residence do not meet the specific requirements of the R2 Code under the Residential Design Codes of WA and, therefore, also fail to meet the requirements of Council's Town Planning Scheme.

The two main areas where the proposed use of the lot fail are:

- a) The size of the lot – 3000 square metres rather than 5000 square metres and the inability to comply with the secondary street setback and side set back for the entire length of the proposed residence.

However, the codes themselves allow for a variation of their specified requirements under certain conditions. The variation of requirements apply to lot size and a reduction in the setback distances. Council's Town Planning Scheme is not clear as to whether or not the requirements of Clause 5.7.3 are prescriptive and cannot be varied or, in making reference to the Residential Design Codes, the variations allowed by the Codes can be considered. In preparing this report, the author has chosen the latter scenario.

The variation allowable under the Residential Design Codes for the minimum site area apply in the case of any existing lot with direct access to a public road notwithstanding that it is less than that required in Table 1 (5000 square metres).

- b) With respect to setbacks, one of the main exceptions to the basic setback provisions is; "where significant relaxation of setbacks, including allowance for boundary walls, are desirable for practical or aesthetic reasons, and are achievable without detriment to the amenity of others".

In this particular instance the relaxation of the setbacks is not considered significant as many of the walls do in fact meet the setback requirements but that for practical reasons sine cannot achieve this requirement.

There are no adjacent premises and therefore no detriment will be caused to others by a relaxation of the setback requirements.

By allowing a variation to the provisions of the Residential Design Codes, Council may require the proponent to acknowledge that the reduced site area and setbacks may give rise to problems with noise and dust from vehicles using Bell Road and that if this does occur, it will be the proponent's responsibility to mitigate the affects of such problems.

CONSULTATION

There has been no consultation on this matter.

STATUTORY REQUIREMENTS

Should Council refuse to vary the requirements of the Residential Design Codes, the proponent would have the right to ask the State administrative Tribunal to review Council's Decision.

POLICY IMPLICATIONS

As Council's Town Planning Scheme is unclear on how issues like this are to be treated, Council may wish to adopt a Local Planning Policy clarifying the situation.

FINANCIAL IMPLICATIONS

There are no Financial Implications

STRATEGIC IMPLICATIONS

Please refer to Policy Implications above. There may be many titles in existence for lots under 5000 square metres with access to public roads. There would be an expectation on the part of the title holder that he or she could develop the lot.

VOTING REQUIREMENTS – SIMPLE MAJORITY

OFFICER RECOMMENDATION

1. That Council allow the development of a single residential dwelling on Lot 386 corner of Albany Highway and Bell Road and that the normal required setbacks of 10 metres from the side boundary and secondary road be varied where this is not achievable, but to no lesser setback than 6 metres.
2. As a condition of this approval, Council place a caveat on the title of the property, at the proponent's expense, to the effect that should any problems arise in the future due to dust or noise from vehicles using Bell Road, it will be the proponent's responsibility, or his successors-in-title, to mitigate the affects of such problems.

COUNCIL DECISION

26/07 MOVED Cr Graham seconded Cr Pritchard

That subject to clarification that all road resumptions have been finalised

- 1. Council allow the development of a single residential dwelling on Lot 386 corner of Albany Highway and Bell Road and that the normal required setbacks of 10 metres from the side boundary and secondary road be varied where this is not achievable, but to no lesser setback than 6 metres.**
- 2. As a condition of this approval, Council place a caveat on the title of the property, at the proponent's expense, to the effect that should any problems arise in the future due to dust or noise from vehicles using Bell Road, it will be the proponent's responsibility, or his successors-in-title, to mitigate the affects of such problems.**

CARRIED

10/0

REASON FOR CHANGE: Council requested that the Shire check all clarifications of ownership so as to be sure that the development is on correctly titled land and that the road resumptions are accurate.

12.4 SUBDIVISION APPLICATION – Lot 1 and Lots 2407 and 2728 Kojonup – Broomehill Road.
R & M Bilney and Balwyn Nominees Pty Ltd

AUTHOR: Allan Mortimer – Environmental Health/Planning Consultant
DATE: 13th March 2007
FILE NO: 14.06.01
ATTACHMENT: Plan of sub division

DECLARATION OF INTEREST

Nil

SUMMARY

To consider a proposal for sub-division (amalgamation) at Lot 1 and Lots 2407 and 2728 Kojonup – Broomehill Road.

BACKGROUND

All applications for subdivisions are submitted to and determined by the Western Australian Planning Commission (WAPC) in consultation with relevant stakeholders and government bodies, including local authorities. The WAPC provides 42 days for comments to be received by the Commission. In commenting on the application stakeholders, including local authorities, can recommend conditions for the approval however it is the WAPC's choice to include them or not.

A request for comment has been received from the WAPC regarding Lot 1 and Lots 2407 and 2728 Kojonup-Broomehill Road. The proposal, submitted by RAS Machin on behalf of R & M Bilney and Balwyn Nominees Pty Ltd, is to amalgamate part of Lot 2728 with Lot 2407 with the residual parcel of Lot 278 amalgamating with Lot 1 to form two (2) new lots.

Under Council's Town Planning Scheme No 3, Town Planning Policy No 11, the requirements for the sub-division for rural areas includes:

- That the proposed block sizes be no smaller than prevailing lot sizes in the vicinity (and no smaller than 2 hectares) and
- That each block has a well made developed road access to it.

COMMENT

The submitted plan for subdivision indicates that the three (3) existing lots have the following areas:

- Lot 1 536.90 hectares
 - Lot 2407 64.79 hectares
 - Lot 2728 64.75 hectares
- Giving a total area of 666.44 hectares.

The proposed lots have the following areas:

- Lot A 570.30 hectares
 - Lot B 96.14 hectares
- Giving a total area of 666.44 hectares

The land usage for both lots remains agriculture. Both lots have road access.

CONSULTATION

There has been no consultation on this matter.

STATUTORY ENVIRONMENT

There are no known statutory requirements.

POLICY IMPLICATIONS

There are no Policy Implications. The proposed sub-division complies with Council Policy.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

VOTING REQUIREMENTS – Simple Majority**OFFICER RECOMMENDATION**

That Council advises the Western Australian Planning Commission that the proposed sub-division complies with Council requirements and therefore offers no comments with respect the proposal.

COUNCIL DECISION

27/07 **MOVED Cr Carrington-Jones seconded Cr Thorn that Council advises the Western Australian Planning Commission that the proposed sub-division complies with Council requirements and therefore has no objections.**

CARRIED

10/0

12.5 **SUBDIVISION APPLICATION – S & F Lindsell: Lot 6546 and Lot 3069 Eatt Road Kojonup**

AUTHOR: Allan Mortimer – Environmental Health/Planning Consultant
DATE: 13th March 2007
FILE NO: 14.06.01
ATTACHMENT: Plan of sub division

DECLARATION OF INTEREST

Nil

SUMMARY

To consider a proposal for sub-division (alteration to boundaries) at Lot 6546 and Lot 3069 Eatt Road Kojonup.

BACKGROUND

All applications for subdivisions are submitted to and determined by the Western Australian Planning Commission (WAPC) in consultation with relevant stakeholders and government bodies, including local authorities. The WAPC provides 42 days for comments to be received by the Commission. In commenting on the application stakeholders, including local authorities, can recommend conditions for the approval however it is the WAPC's choice to include them or not.

A request for comment has been received from the WAPC regarding Lot 6546 and Lot 3069 Eatt Road Kojonup. The proposal submitted by RAS Machin on behalf of S & F Lindsell is to sub-divide two existing lots into two lots having different boundaries.

Under Council's Town Planning Scheme No 3, Town Planning Policy No 11, the requirements for sub-division for rural areas includes:

- That the proposed block sizes be no smaller than prevailing lot sizes in the vicinity (and no smaller than 2 hectares) and
- That each block has a well made developed road access to it.

COMMENT

The submitted plan for subdivision indicates that the two (2) original lots are 121.5 hectares and 60 hectares giving a total area of 181.5 hectare.

The two new lots are proposed to have areas of Lot A 101.7 hectare and Lot B 79.8 hectare giving a total of 181.5 hectare.

The new proposed Lot B is within a designated Clearing Ban Area which cannot be cleared except for fencing.

The land usage for Lot A is agriculture and for Lot B, conservation.

The new proposed Lot A can still be accessed from Eatt Road as can Lot B.

CONSULTATION

There has been no consultation on this matter.

STATUTORY ENVIRONMENT

There are no known statutory requirements.

POLICY IMPLICATIONS

There are no Policy Implications. The proposed sub-division complies with Council Policy.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

VOTING REQUIREMENTS – Simple Majority**OFFICER RECOMMENDATION**

That Council advises the Western Australian Planning Commission that the proposed sub-division complies with Council requirements and therefore offers no comments with respect the proposal.

COUNCIL DECISION

28/07 **MOVED** Cr Graham seconded Cr Bunny that Council advises the Western Australian Planning Commission that the proposed sub-division complies with Council requirements and therefore has no objections.

CARRIED

10/0

4.20pm Mr Allan Mortimer left the Chambers

13 CORPORATE & COMMUNITY SERVICES REPORTS**13.1 ANNUAL ELECTOR'S MEETING – 26 February 2007**

DATE: 8th March 2006
 AUTHOR: Kim Dolzadelli – Acting Chief Executive Officer
 FILE NO: 04.05.01
 ATTACHMENT: Minutes of the Annual Elector's Meeting

DECLARATION OF INTEREST

Nil

SUMMARY

The minutes of the Annual Elector's meeting held on the 26th February 2007 are presented to the Council for consideration.

BACKGROUND

The Annual Elector's meeting for the 2005/06 financial year was held on the 26th February 2007 and a copy of the minutes is attached to the Agenda.

COMMENT

Resolutions passed at electors meetings are to be considered by the Council at its next meeting. No resolutions were made at the meeting.

CONSULTATION

The annual elector's meeting is a statutory requirement under the Local Government Act, 1995 and provides the community with an opportunity to question the Council on various matters under its jurisdiction.

STATUTORY ENVIRONMENT

Section 5.33 of the Local Government Act, 1995 requires the Council to consider any decisions made at the electors' meeting.

POLICY IMPLICATIONS

There are no known policy implications.

FINANCIAL IMPLICATIONS

There are no known financial implications.

STRATEGIC IMPLICATIONS

There are no known strategic implications.

VOTING REQUIREMENT - Simple Majority**OFFICER RECOMMENDATION**

That the minutes of the Annual Elector's Meeting held on the 26th February 2007 be noted and received.

COUNCIL DECISION

29/07 **MOVED Cr Pritchard seconded Cr Graham that the minutes of the Annual Elector's Meeting held on the 26th February 2007 be noted and received.**

CARRIED

10/0

14 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

4.40pm Cr Hewson left the Chamber

4.43pm Cr Hewson returned to the Chamber

15 **NEW BUSINESS** of an urgent nature, introduced by a decision of the meeting**COUNCIL DECISION**

30/07 **MOVED Cr Bunny seconded Cr Thorn that Council discuss the motion from the Safer Kojonup meeting held Tuesday 13th March 2007 which states:
"That the Shire Council be approached to consider the installation of surveillance cameras at strategic positions in the town."**

CARRIED

10/0

COUNCIL DECISION

31/07 **MOVED Cr Bunny seconded Cr Carrington-Jones that the Chief Executive Officer seek advice from the Western Australian Local Government Association and research neighbouring and surrounding Shires of similar size, to discover appropriate measures they use in dealing with vandalism and graffiti in order that the Shire is able to more prudently consider the installation and benefits of security measures in the township of Kojonup.**

CARRIED

10/0

COUNCIL DECISION

32/07 **MOVED** Cr Bunny seconded Cr Carrington-Jones that the Shire of Kojonup write a letter of support to the petition that is currently circulating the town regarding the number of working police in the Kojonup District asking for a greater number of police to be present in Kojonup. The letter to be sent to the Commissioner of Police and a copy to be sent to the Minister for Police and Emergency Services, Hon John Kobelke MLA. The letter is also to comment on the concerns that the Shire has with Local Government having to fill the gap resulting from inadequate police presence in the town.

CARRIED**10/0****16** **CONFIDENTIAL REPORTS****17** **NEXT MEETING**17th April 2007 commencing at 3:00pm.**18** **CLOSURE**

There being no further business to discuss, the President thanked Mr Dolzadelli in his capacity of Acting Chief Executive Officer and the Shire Staff for their dedicated and efficient work and thanked the members for their attendance declaring the meeting closed at 5.10 pm.

19 **APPENDICES AND TABLED DOCUMENTS****20** **ATTACHMENTS**

Item 10.1 Monthly Statement of Financial Activity ending 28th February 2007
 Item 10.2 Monthly Payment Listing
 Item 10.3 Purchasing Policy F 17
 Item 12.1 Subsequent EOI - Spreadsheet of Submissions Received
 Item 12.2 Dykstra Guided Development Plan – Lot 101 Soldier Road Kojonup
 Item 12.3 Plan of Lot 386 corner of Albany Highway and Bell Road Kojonup.
 Item 12.4 Plan of Lot 1 and Lots 2407 and 2728 Kojonup – Broomehill Road.
 Item 12.5 Plan of Lot 6546 and Lot 3069 Eatt Road
 Item 13.1 Minutes of the Annual Elector's Meeting

Presiding Member_____
Date