



Shire of Victoria Plains

Minutes

FOR AN ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 16th MARCH 2004
AT COUNCIL CHAMBERS CALINGIRI COMMENCING AT 12.46PM.

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

Mr R King entered the meeting at 12.46pm.

Mr Paul Bashall from Planwest addressed Council and discussed the formulation of a Local Planning Strategy and Scheme Review to District Town Planning Scheme No. 4 and went through a power point presentation.

Mr Bashall answered questions from Councillors on Planning Scheme issues.

Mr Bashall left the meeting at 1.30pm.

Mr Grant Adams – Architect – Saleeba Adams and Mrs S Woods entered the meeting at 1.31pm.

Mr Adams addressed Council and made a presentation to Council on the two options for locating the Resource Centre.

- 1 - Adjacent to the hall; and
- 2 – Adjacent to the office

Mr Adams and Mrs S Woods left the meeting at 2.38pm.

The meeting adjourned at 2.38pm.

The meeting resumed at 2.45pm.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE GRANTED

President:	Cr M Anspach	West Ward
Councillors:	Cr J Kelly	West Ward
	Cr S Kelly	West Ward
	Cr J Young	East Ward
	Cr N Smith	East Ward

Cr D Holmes	South Ward
Cr G Erickson	South Ward
Cr S Woods	Central Ward (12.46pm-5.10pm)(5.12pm-6.15pm)
Cr R Thorpe	Central Ward

Chief Executive Officer:
Finance and Administration Manager:
Works Manager:
Community Services Manager:
Landcare Officer:

Mr P Anning
Mr H Hawkins
Mr A Kent (5.18pm to 6.15pm)
Mr T Walker (12.46pm-1.30pm)(1.32pm-1.45pm)(1.57pm-2.38pm)3.54pm-4.26pm)(5.16pm-6.15pm)
Ms Elizabeth Tierney (5.44pm-5.53pm)

Apologies:

Nil

Visitors:

Mr R King (12.46pm-12.59pm)
Mrs S Woods (1.30pm-2.38pm)(5.16pm-6.15pm)
Mrs G Thorpe (5.16pm-6.15pm)

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Mr R King asked about the delay in the sealing programme on the Calingiri-Goomalling road.

Chief Executive Officer responded saying that the works have not been cancelled but were ongoing as per the attached report.

Mr King also asked about the gravel from his pit which was for the project and has been taken for other uses.

Chief Executive Officer responded saying that 6 loads went to the Railway works.

Mr King asked for a Caution-School Bus sign to be placed on the Big Springs road.

Chief Executive Officer responded saying this would be looked into.

Mr King asked when a grader driver goes on leave – Does that grader stand idle?

Chief Executive Officer responded saying that 90% of the time the grader does stand idle.

Mr King left the meeting at 12.59pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE AND DECLARATIONS OF INTEREST

Nil

6 PETITIONS/DEPUTATION'S/PRESENTATIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 Confirmation

Resolution 86/04

Moved Cr S Kelly seconded Cr Smith that the minutes of the Ordinary Meeting held 17th February be confirmed.

MOTION PUT & CARRIED 9/0

7.2 Business Arising

Nil

8 ANNOUNCEMENT BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Cr D Holmes was accused of leaking confidential information from the Council meeting to members of the public. This was denied by Cr Holmes.

Discussion ensued on the leaking of the auditor's management letter prior to the electors meeting.

9 PRESIDENT AND COUNCILLORS REPORTS

Cr Erickson

Attended a NACC Meeting in Three Springs and EPBC Meeting at Jurien Bay.

Cr Smith

Attended Moora Sub Regional Road Group Meeting in Moora

Cr Anspach

Attended Bushfire Advisory Committee Meeting in Calingiri and DOAC meeting in Carnamah.

Cr Thorpe

Reported on Bowls day at Bindoon.

10 BUSINESS PAPER

- 10.1 Finance
- 10.2 Community Services
- 10.3 Town Planning
- 10.4 Administration
- 10.5 Works
- 10.6 Landcare

10.1 FINANCE

F260 Accounts for Payment

Resolution 87/04

Moved Cr Thorpe seconded Cr Woods that Municipal and Trust cheques numbered 1526 to 1530, 1532 to 1601, and 1603 to 1664 and direct payments totalling \$480,548.08 be passed for payment.

MOTION PUT & CARRIED 9/0

F261 Sundry Debtors

Resolution 88/04

Moved Cr Woods seconded Cr Thorpe that the sundry debtors report be received.

MOTION PUT & CARRIED 9/0

F262 Monthly Financial Statement

Resolution 89/04

Moved Cr Holmes seconded Cr Smith that the Monthly Financial Report for the period ending 29th February 2004 be received.

MOTION PUT & CARRIED 9/0

F263 Municipal and Trust Fund

Resolution 90/04

Moved Cr Smith seconded Cr Thorpe that the Municipal and Trust Fund as tabled be received.

MOTION PUT & CARRIED 9/0

F264 Outstanding Rates

Resolution 91/04

Moved Cr Smith seconded Cr Erickson that the Outstanding Rates Report as at 8th March 2004 be received.

MOTION PUT & CARRIED 6/0

F265 Investments

Location	Shire of Victoria Plains
Name of Applicant	n/a
File Reference	F1.1.2
Attachment/s	Nil
Date	8 th March 2004
Author	Harry Hawkins – Finance and Administration Manager

Background

Council has invested surplus funds to the value of \$306,518.73 in a term deposit with the Bendigo Bank for 30 days at 5.20% with approximate yield of \$1,306.47 maturing on the 14th April 2004.

Comment

The investments with Bendigo Bank are within policy guidelines and although slightly higher rates may be obtained elsewhere the additional commission earned at Bendigo Bank negates any lost interest revenue.

Interest income has increased over the last two months and is expected to come up to budget figures.

	Budget Interest	Budget YTD Interest	Actual YTD Interest
Municipal A/C	25,000	16,667	17,107
Reserve A/C	6,000	4,000	4,872
Totals	31,000	20,667	21,979

Statutory Environment	Local Government Act Sections 6.15
Policy Implications	Nil
Financial Implications	Maximum interest earned.
Strategic Implications	Nil

Resolution 92/04

Moved Cr J Kelly seconded Cr S Kelly that Council endorse the investment with Bendigo Bank.

MOTION PUT & CARRIED 9/0

F266 Unpaid Rates – Beech & Gibson – Assessment No. 20449

Location 11 McPherson Street, Bolgart
Name of Applicant Darren BEECH & Shona GIBSON
File Reference R3.4
Attachment/s Nil
Date 26th February 2004
Author Karen Oborn – Finance Officer

Background

This rates account has been arrears since September 2000. The last payment was made on this account on the 30th October 2002, but was only for \$200.00 and did not cover the balance, or the rate arrears. The total amount owing to Council is currently \$1071.00 plus penalty interest of \$42.98. Further we have incurred legal and agency costs in trying to issue a summons for payment. We have a non-service report from the Bailiff.

Comment

Numerous attempts have been made to locate the owners at Council's expense and time. These people do not seem interested in the property. They are not in Bolgart, and they are not at the last know address in Ballajura, and neighbours advised they may have moved to Tasmania, but a search on their names in Tasmania has failed to locate them or any living relatives.

Statutory Environment Local Government Act 1995
6.68 Exercise of power to sell land
Financial Implications Council will recoup outstanding rates, penalty interest and legal costs

Recommendation

That Council exercise its powers under the act, and after advertising its intention on our public notice board for 30 days, and by public notice located at the property, sell this property to recover all outstanding rates, and costs incurred to date in attempting to recover rates arrears.

F267 Lot 6 and 20 - Landon Street – Wyening

Location Wyening
Name of Applicant Monique Mc Nutt
File Reference R3.4
Date 3rd March 2004
Author Karen Oborn – Finance Officer

Background

On the 18th March 2001, Monique BIRKUS - now MC NUTT made an offer to purchase Lots 5, 6, & 20 from Sandra BURTON, which was accepted on the 19th March 2001. However the purchasers could only buy one Lot using 'Key Start' finance, hence alterations were made to the original contract of sale. Page two of the contract of sale was not altered and states, "All as seen on the 18th March 2001". According to Ms McNutt, a verbal agreement had been made between Mrs Burton and Ms McNutt (Birkus) to acquire the other lots 6 & 20 separately at a latter date. WA Stamp duty has been paid and the sale proceeded. It then took some time for Ms McNutt, to contact Mrs Burton regarding Lots 6 & 20. A rather unfriendly letter dated 31st

January 2004, does indicate that the land should be given to Ms McNutt (Birkus) as per the verbal agreement. **Hence a signed, witnessed, and receipted, transfer of land for Lots 6 & 20 Landon Street Wyening transferring from Burton to Birkus (McNutt), on the 24th June 2003.**

In keeping with this transfer Mrs Burton has not paid the rates on these blocks, as they are not hers, and Ms McNutt can not be billed until they are in her name. I now no longer have any contact details for Sandra Burton and mail is RTS. I sent the account to receivables management to see if they could locate Ms Burton, they could not. The DLI/ DOLA/ VGO will not finalise the transfer of ownership as the witnesses to Sandra Burton & Shane Thomas signatures did not record their address, and the consideration says nil, when it needs to say gift.

Comment

I cannot locate Mrs Burton or her partner at this time. It is not possible at present to have the rates transferred legally to Ms McNutt. This matter is causing Ms McNutt a great deal of distress.

Statutory Environment	Local Government Act 1995 6.68 Exercise of power to sell land
Financial Implications	The Council will recover outstanding rates

Recommendation

That Council places a caveat on the titles, and flag the assessments with a warning. Council then gets Ms McNutt to pay the rates into Council's trust account and after three years of Mrs Burton not paying rates, we transfer the land by private treaty to Ms McNutt, for the sum of the outstanding rates which we will already have in trust from her.

F268 Unpaid Rates – Biggers – Assessment No. 20423 – Deceased Estate

Location	Lot 32 Riley Street, Piawaning
Name of Applicant	Stanley Wayne Biggers
File Reference	R3.4
Attachment/s	Nil
Date	26 th February 2004
Author	Karen Oborn – Finance Officer

Background

This rates account has been arrears since 1993. It has been advertised on Council's noticeboard for nearly three years that council intends to sell the property. The total amount owing to Council is currently \$2557.64 plus penalty interest of \$151.42. Further we have incurred legal and agency costs in trying to issue a summons for payment.

Comment

Numerous attempts have been made to locate the legal owners at Council's expense and time. As the last recorded owner is deceased, attempts where again made to locate an executor of the estate but has failed to locate them or any living relatives. Council staff has been searching on this property for three years.

Statutory Environment	Local Government Act 1995
	6.68 Exercise of power to sell land
Financial Implications	Council will recoup rates, penalty interest and legal costs

Recommendation

That Council exercise its powers under the act, and advertises this property for sale by tender and sells this property to recover all outstanding rates, and costs incurred to date in attempting to recover rates arrears.

F269 Unpaid Rates – Dhue – Assessment No. 20395 – Deceased Estate

Location	Lot 14 Miling Road Yerecoin WA
Name of Applicant	Ernest James Dhue
File Reference	R3.4
Attachment/s	Nil
Date	26 th February 2004
Author	Karen Oborn – Finance Officer

Background

This rates account has been in arrears since 1993. It has been advertised on Council's noticeboard for nearly three years that council intends to sell it. The total amount owing to Council is currently \$2263.31 plus penalty interest of \$131.13. Further we have incurred legal and agency costs in trying to issue a summons for payment.

Comment

Numerous attempts have been made to locate the legal owners at Council's expense and time. As the last recorded owner is deceased, attempts were again made to locate an executor of the estate but has failed to locate them or any living relatives. Council staff has been searching on this property for three years.

Statutory Environment	Local Government Act 1995
	6.68 Exercise of power to sell land
Financial Implications	Council will recoup rates, penalty interest, and legal costs

Recommendation

That Council exercise its powers under the act, and advertise this property for sale by tender, and the sells this property to recover all outstanding rates, and costs incurred to date in attempting to recover rates arrears.

F270 Unpaid Rates – Machin – Assessment No. 20493

Location	Lot 41 Lanigan Street Mogumber
Name of Applicant	Barbara Machin
File Reference	R3.4
Attachment/s	Nil
Date	26 th February 2004
Author	Karen Oborn – Finance Officer

Background

This rates account has been in arrears since being last paid in January 1997. The total amount owing to Council is currently \$2197.93 plus penalty interest of \$199.06. Further we have incurred legal and agency costs in trying to issue a summons for payment. We are currently awaiting the outcome of a summons served by security post.

Comment

Numerous attempts have been made to locate the owners at Council's expense and time. Their mail was RTS, even though they were there. This would indicate they are aware of their debt, but do not wish to pay it.

Statutory Environment

Local Government Act 1995

Financial Implications

6.68 Exercise of power to sell land

Council will recoup outstanding rates, penalty interest, and legal costs

Recommendation

That Council exercise its powers under the act, and if payment is not received after the courts ruling pending the serving of a summons/or if the summons can not be served, after advertising its intention on our public notice board for 30 days, and by public notice located at the property, sell this property to recover all outstanding rates, and costs incurred to date in attempting to recover rates arrears.

Resolution 93/04

Moved Cr J Kelly seconded Cr Woods that Council adopts en bloc the recommendations from Items F266 Unpaid Rates to F270 Unpaid Rates inclusive.

MOTION PUT & CARRIED 9/0

F271 Compliance Audit Return

Location	Shire of Victoria Plains
Name of Applicant	n/a
File Reference	F1.4.5
Attachment/s	Compliance Audit Return
Date	10 March 2004
Author	Harry Hawkins – Manager Finance and Administration

Background

Each year Council is required to complete a compliance audit return to ensure that the operations of the organisation are complying with the Local Government Act 1995 and associated regulations.

Comment

This report aims to highlight the areas of non-compliance, and detail remedial action proposed to be taken in regard to instances of non-compliance.

The two items of non-compliance were relating to policies;

1. The code of conduct is to be updated immediately following each ordinary Election Day, and this has not been done as the code was updated as part of the policy review in April just before the election.
2. Council does not have a policy relating to employees who, when terminating receive a payment in addition to their entitlements under the award or contract.

The remedial action proposed in relation to these items of non-compliance are;

1. The annual policy review is to be conducted again in April and the code of conduct will be reviewed as a part of this process. The requirement to review the code immediately after an ordinary election day will be noted in the policy manual to ensure future compliance.
2. A policy relating to payments in excess of entitlements under an award or contract for terminating employees will be drafted and included in the policy review being conducted in April.

Council is required to adopt the return and endorse remedial actions before the return is submitted to the Department of Local Government and regional Development.

All items of non-compliance listed on the 2002 return were met in the 2003 year.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 94/04

Moved Cr Thorpe seconded Cr S Kelly that Council adopt the compliance audit return for the year 1st January 2003 to the 31st December 2003 and endorse the remedial actions to be taken on items of non-compliance.

MOTION PUT & CARRIED 9/0

Resolution 95/04

Moved Cr Thorpe seconded Cr Erickson that Council break for afternoon tea.

MOTION PUT & CARRIED 9/0

The meeting adjourned at 3.35pm

The meeting resumed at 3.54pm. All those present at adjournment were present at resumption with the inclusion of Community Services Manager Trevor Walker.

10.2 COMMUNITY SERVICES

(Incorporating Health, Building and Community Services)

CS221

Community Services Manager's Report

Location

Shire of Victoria Plains

Name of Applicant	Trevor Walker - Community Services Manager
File Reference	A1.2.1
Attachment/s	Community Services Manager's Report
Date	8 th March 2004
Author	Trevor Walker - Community Services Manager

Background

See report.

Comment

See report.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 96/04

Moved Cr J Kelly seconded Cr Woods that the Community Services Manager's Report be received.

MOTION PUT & CARRIED 9/0

10.3 TOWN PLANNING

TP21 Planning Consent – Relocated Dwelling

Location	Location 8261 – Toodyay Bindi Bindi Road
Name of Applicant	MR and LM Edmonds
File Reference	D5.1
Attachment/s	See Community Services Manager's report
Date	8 th March 2004
Author	Trevor Walker - Community Services Manager

Background

MR and LM Edmonds seek approval to relocate a second-hand transportable dwelling to their rural lot 8261 of 40.46ha in accordance with Council's Relocated Housing Policy No. 1.

Comment

The building has been inspected as required by Council's Relocated Housing Policy No 1. The inspection report appears in my report included with this agenda.

The building comprises two bedrooms, kitchen/dining/lounge, bathroom, laundry and toilet (68m²). Originally constructed as a one piece transportable home the condition of the building is satisfactory for the purpose to which it is being put. No upgrading work is required to be carried out; there is therefore no requirement for a performance bond.

Statutory Environment	District Town Planning Scheme No. 4
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Policy Implications	Complies with TPS Policy No. 1
Financial Implications	Nil
Strategic Implications	Nil

Resolution 97/04

Moved Cr Smith seconded Cr Woods that Council grants planning consent to MR and LM Edmonds to relocate a one piece two bedroom transportable dwelling to Lot 8261 – Bolgart.

MOTION PUT & CARRIED 9/0

TP22 Planning Approval – R Galbraith

Location	Lot 183 George Street Bolgart
Name of Applicant	Mr R Galbraith
File Reference	D5.1
Attachment/s	Nil
Date	8 th March 2004
Author	Trevor Walker - Community Services Manager

Background

Councillors will recall planning approval with conditions being granted to Mr R Galbraith in December 2003 in respect to the relocation of a timber framed bungalow to Lot 183 George Street Bolgart.

Over the Christmas break a section of the dwelling was relocated to the site contrary to the planning consent conditions and the Local Government (Miscellaneous Provisions) Act 1960.

A stop work notice was served on Mr Galbraith under the provisions of Section 401 (5) on the 20th January 2004.

The notice required Mr Galbraith to submit plans, obtain a building licence and lodge the appropriate bank guarantee or bond by 21st January 2004.

Mr Galbraith advised this office on the 21st January that there had been a delay in the service of the stop work notice and requested an extension of one week to comply with the directions in the notice. Mr Galbraith was advised by email that the time for compliance was extended to 27th January as requested.

To date neither plans of the structure, a bank guarantee or bond have been received at this office. A fresh application for planning approval form was received at this office on or about the 24th February 2004. The form was not accompanied to enable the application to be considered by Council so it was returned to Mr Galbraith with a request for the necessary documentation.

Comment

At 9.45am on the 8th March 2004 I spoke with Mr Galbraith to enquire as to the status of the relocation project. Mr Galbraith advised that it was his intention to withdraw his application to relocate a timber framed structure to Lot 183 George Street Bolgart. It was pointed out that it would be necessary for him to remove the section of the dwelling which has been unlawfully relocated to Lot 183 George Street Bolgart to avoid prosecution. Mr Galbraith has agreed to

make arrangements to have the offending structure removed from Lot 183 George Street Bolgart.

In view of that undertaking it is felt that Council should delay prosecution.

Statutory Environment	Local Government (Miscellaneous Provisions) Act 1960.
Policy Implications	Section 401 (5)
Financial Implications	Nil
Strategic Implications	Nil

Resolution 98/04

Moved Cr Young seconded Cr Woods that Council writes to Mr Galbraith of 64 Gradient Way Beldon and request that the timber framed portion of a dwelling which has been illegally relocated to Lot 183 George St Bolgart be removed within fourteen (14) days from the date of notification.

MOTION PUT & CARRIED 8/1

TP23 Gilmac Pty Ltd – Planning Approval

Location	Cnr Great Northern Highway and Glentromie-Yerecoin Road
Name of Applicant	Munro Patchett
File Reference	D5.1
Attachment/s	Nil
Date	8 th March 2004
Author	Trevor Walker - Community Services Manager

Background

An application for planning approval has been received from Gilmac Pty Ltd to construct a \$3M hay processing plant on the site where the existing hay processing plant is sited. The exact location of the proposed plans is yet to be decided. There are two sites under consideration. The final selection of the site will depend on power availability and will be decided in April 2004. Both sites comply with the set back requirements of the Town Planning Scheme.

Comment

Lot 3735 is zoned rural under District Town Planning Scheme No. 4. The proposed hay processing plant is classified as a rural industry under the scheme. A rural industry is an "AA" use and a rural zoning an "AA" use and is one which the council may issue planning approval for. Option 1 shows a new entry off Glentromie-Yerecoin Road, should option 1 be selected as the site for the proposed hay processing plant council will require a contribution from Gilmac Pty Ltd to construct a bitumen crossover.

Statutory Environment	District Town Planning Scheme No. 4
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Recommendation

That Council grant planning approval to Gilmac Pty Ltd to construct a Hay Processing Plant on Lot 3735 Glentromie-Yerecoin Road in accordance with plans

accompanying the application for planning approval, subject to the following conditions:-

1. contribution to the construction of an additional bitumen crossover will be required from Gilmac Pty Ltd should siting option 1 be ultimately selected;
2. the submission of detailed plans and specifications of the proposed Hay Processing Plant and Buildings, the issue of a building licence and payment of appropriate building licence fees.

Amendment to Recommendation

Moved Cr J Kelly seconded Cr S Kelly that Condition 1 read that the cost of additional roadworks will be required from Gilmac Pty Ltd should siting option number 1 be ultimately selected.

MOTION PUT & LOST 3/6

Resolution 99/04

Moved Cr Young seconded Cr Woods that Council grant planning approval to Gilmac Pty Ltd to construct a Hay Processing Plant on Lot 3735 Glentromie-Yerecoin Road in accordance with plans accompanying the application for planning approval, subject to the following conditions:-

1. contribution to the construction of any additional roadworks will be required from Gilmac Pty Ltd should siting option 1 be ultimately selected;
2. the submission of detailed plans and specifications of the proposed Hay Processing Plant and Buildings, the issue of a building licence and payment of appropriate building licence fees.

MOTION PUT & CARRIED 9/0

Trevor Walker Community Services Manager left the meeting at 4.26pm

10.4 ADMINISTRATION

A620 Chief Executive Officer's Report

Location	Shire of Victoria Plains
Name of Applicant	Phil Anning - Chief Executive Officer
File Reference	A1.2.1
Attachment/s	Chief Executive Officer's Report
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

See report

Comment

See report

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 100/04

Moved Cr Thorpe seconded Cr Woods that the Chief Executive Officer's report be received.

MOTION PUT & CARRIED 9/0

A621 Regional Sport and Recreation Plan

Location	Central Midlands Region
Name of Applicant	Consultants
File Reference	RC5.1
Attachment/s	Copy of Regional Plan provided under separate cover
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

This matter is included in the Chief Executive Officer's report.

Comment

See Chief Executive Officer's report.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Better Sport and Recreation Planning

Resolution 101/04

Moved Cr Smith seconded Cr S Kelly that Council endorse the Shire of Victoria Plains District Sport and Recreation Plan and the Regional Plan for the Central Midlands and support implementation.

MOTION PUT & CARRIED 9/0

A622 Rural Water Council of WA Inc. - Meeting

Location	Calingiri
Name of Applicant	Rural Water Council
File Reference	CA.3.2
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

The next meeting of the Rural Water Council of WA Inc. is scheduled to be held in Calingiri on Monday 22nd March 2004. Cr Neil Smith and Cr Thorpe are our representatives on that Council.

Comment

Arrangements have been made for the meeting and a tour of the townsite and issues relating to water which will take in the Drought Proofing Calingiri project. Myself and Allen Kent will accompany the delegates of the bus tour to provide details of the scheme.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Costs of hosting the meeting
Strategic Implications	Nil

Resolution 102/04

Moved Cr Woods seconded Cr S Kelly that the information be received.

MOTION PUT & CARRIED 9/0

A623 Naming Roads in the Industrial Area – Calingiri

Location	Shire of Victoria Plains
Name of Applicant	Geographic Names Committee
File Reference	D9.1
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

The names O'Dea Street and Opie Lane were submitted for the new roads in the Industrial Area. Advice has been received from the Geographic Names Committee that due to already having an O'Dea Place in the shire that name is not acceptable and they also require further information on the history of Opie as the name for Opie Lane.

Comment

For Council consideration.

Statutory Environment	DOLA
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 103/04

Moved Cr Woods seconded Cr Smith that the name for the Street in the Industrial Area be Haynes or Campbell Street and these be submitted for confirmation.

MOTION PUT & CARRIED 9/0

A624 Youth Care Wongan Hills

Location	Wongan Hills District High School
Name of Applicant	Youth Care Wongan Hills
File Reference	ED1.4
Attachment/s	Copy of information attached
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

The organisation is a group of volunteers who support Doug McGhee in the position of Chaplain based at Wongan Hills District High School. The group is responsible for Doug's salary and the

costs involved in his program throughout the year. They do not receive any grants from Government and seek Council support to continue the program this year. They recognise that the Shire of Victoria Plains has a small but significant percentage of students at the school and request consideration of a \$1,000 donation. Costs for the program are \$17,500.

Comment

I have spoken to a representative of this group and it is hoped that they May have a representative present to speak to Council. If we are to contribute it would be a budget item for the 2004/2005 budget. They only problem I see is that it would be ongoing every year unless they devised other funding sources and would obviously increase. I have no direct knowledge of the benefits of this program.

Statutory Environment	Local Government Act
Policy Implications	Policy 6.5.4
Financial Implications	To be budgeted expenditure
Strategic Implications	Unknown

Recommendation

1. That Council agree/do not agree to supporting the Chaplaincy Program at the Wongan Hills District High School;
2. That the amount be budgeted for in the 2004/2005 budget.

This matter is to be deferred to the April 2004 Ordinary Meeting of Council.

A625 Small Business Answers Program in the Wheatbelt

Location	Wheatbelt Region
Name of Applicant	Wheatbelt ACC
File Reference	A1.18.2
Attachment/s	Copy of information attached
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

Attached is a letter from the Wheatbelt ACC which seeks feedback from Council on the initiative.

Comment

Nil

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Assistance to Business Development

Resolution 104/04

Moved Cr Thorpe seconded Cr S Kelly that Councillors provide comments to the Chief Executive Officer for submission to the Wheatbelt ACC.

MOTION PUT & CARRIED 8/1

A626 Avon Midland Zone Conference

Location	Gingin
Name of Applicant	Robert Dew - Secretary
File Reference	A1.8.2
Attachment/s	Nil
Date	26 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

The next Conference of the Zone will be held at the Gingin Bowling Club on Friday 26th March 2004.

Agenda items and nominations are sought by the 19th March. It is also noted that nominations in writing are invited for the position of Zone Deputy Delegate to the State Council previously held by Michael Bates.

Comment

Councillor nominations and agenda items are required.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 105/04

Moved Cr Thorpe seconded Cr S Kelly that Councillors M Anspach and J Kelly attend the Conference on behalf of Council.

MOTION PUT & CARRIED 9/0

A627 2004 Association Honours

Location	Western Australia
Name of Applicant	WALGA
File Reference	A1.9.3
Attachment/s	Copy of Guidelines attached
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

We are up to date with Meritorious Service Awards which recognise 12 years service of elected members. The forms of awards are show in the attachments.

Comment

Nil

Statutory Environment	WALGA
Policy Implications	Nil
Financial Implications	Nil

Strategic Implications Nil

Resolution 106/04

Moved Cr J Kelly seconded Cr Erickson that no action be taken in respect to the 2004 Association Honours.

MOTION PUT & CARRIED 9/0

A628 Banners in the Terrace

Location Local Government Week – August 7th to 10th 2004
Name of Applicant WALGA
File Reference A1.9.6
Attachment/s Nil
Date 8th March 2004
Author Phil Anning - Chief Executive Officer

Background

Council is aware of the Banners in the Terrace project and our previous involvement.

Comment

I suggest we focus on the primary school section and approach all schools in the Shire with a view to creating a Shire banner.

Statutory Environment Nil
Policy Implications Nil
Financial Implications Costs of equipment to purchase banners
Strategic Implications Nil

Resolution 107/04

Moved Cr J Kelly seconded Cr Woods that Council approach the primary schools in the Shire of Victoria Plains with a view to competing in the primary schools section of the Banners in the Terrace Program.

MOTION PUT & CARRIED 9/0

A629 Transfer of area of Shire to Chittering

Location Mogumber
Name of Applicant Mogumber electors
File Reference A1.22.1
Attachment/s Nil
Date 8th March 2003
Author Phil Anning - Chief Executive Officer

Background

We have received an email from Duncan Watson of the Local Government Department re the fact that the Local Government Advisory Board proposes to enquire into a proposal received from Mogumber electors to transfer a part of the Shire bounded by the Great Northern Highway, Mogumber-Yarrowindah Road, the Bindoon-Moora Road and Burnett Road in Mogumber to the Shire of Chittering. Formal notice of the inquiry will be received shortly. The Board plans to meet with the effected Councils and to hold public hearings in the area. They

seek to hold these hearings in the Mogumber Hall on Tuesday 6th April and our Council is invited to present its views on the proposal at 2pm.

Comment

We have not received any information on the submission and its contents. Council has agreed to oppose the application and I suggest that I prepare a submission for the Board and present it to the members on that date together with Councillors.

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	Loss of rating income and area
Strategic Implications	Nil

Resolution 108/04

**Moved Cr S Kelly seconded Cr Woods that the Chief Executive Officer prepares a submission opposing the proposal for submission to the Board on the 6th April 2004.
MOTION PUT & CARRIED 7/2**

A630 Central Midlands Sub Regional Strategy

Location	Central Midlands
Name of Applicant	Councils in Central Midlands
File Reference	A1.12
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

The Shire of Chittering has advised that funding of \$30,000 has been received from the Wheatbelt Development Commission for the strategy development. We were a party to that application which included funding from Councils both in kind and cash.

Our contribution will be \$5,000 in cash which will be in the 2004/2005 budget. Further funding is being sought through the WA Planning Commission and the Regional Partnerships Program.

Comment

The project will be of major benefit from a strategic and land use planning perspective and will compliment other studies and strategies e.g. Coastal, Avon, North East corridor.

This strategy would be considered relative to our proposed Land Use Strategy which Paul Bashall will be speaking to Council about at this meeting.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Budgeted Costs in 2004/2005 budget
Strategic Implications	Better planning

Resolution 109/04

**Moved Cr Woods seconded Cr S Kelly that the information be received.
MOTION PUT & CARRIED 9/0**

A631 Deferred Item from February 2004 Ordinary Meeting

Location	Shire of Victoria Plains
Name of Applicant	Mogumber/Gillingarra Bushfire Brigade
File Reference	L1.7
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

See reprinted item following.

Comment

See reprinted item following.

Statutory Environment	Bush Fires Act
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Better placement of fire services

Recommendation

As per following deferred motion.

A591 Truck Shelter Mogumber/Gillingarra Bushfire Brigade

Location	<i>Mogumber</i>
Name of Applicant	<i>Mogumber/Gillingarra Bushfire Brigade</i>
File Reference	<i>L1.7</i>
Attachment/s	<i>Nil</i>
Date	<i>5th December 2003</i>
Author	<i>Phil Anning - Chief Executive Officer</i>

Background

The Brigade advised in September 2003 that the Shire be requested to locate the new shed for the fire truck near or adjacent to the library at Mogumber. This was voted on at the Mogumber/Gillingarra Bushfire Brigade meeting and is the preferred location.

Benefits are listed as security as it is away from the busy Bindoon Moora Road, is easily accessible in event of an emergency and has a sealed car park for convenience.

Comment

The area proposed is part of the Recreation Reserve at Mogumber and is vested in Council. We are anxious to complete the shed transaction after the Christmas break as it is a grant situation.

I am aware that some Councillors do not support the proposed location as it does not provide a central location. In addition the recent advice that a number of residents south of Mogumber are seeking to alter boundaries to be included in the Chittering Shire may make the location preferable elsewhere.

Statutory Environment	<i>Bush Fires Act</i>
Policy Implications	<i>Nil</i>
Financial Implications	<i>Nil</i>
Strategic Implications	<i>Nil</i>

Recommendation

That Council endorse/do not endorse the erection of the shed to house the Mogumber/Gillingarra Fire Truck at the recreation reserve in Mogumber.

Resolution 110/04

Moved Cr J Kelly seconded Cr Holmes that Council delay the decision until the April Meeting on the Location of the Mogumber/Gillingarra Fire Shed.

MOTION PUT & CARRIED 5/4

A632 Cat Bill 2003

Location	Western Australia
Name of Applicant	WALGA
File Reference	A1.8.1.2
Attachment/s	Copy of Bill provided under separate cover
Date	8 th March 2003
Author	Phil Anning - Chief Executive Officer

Background

A private members Bill has been introduced into the Legislative Council (Copy provided) which attempts to legislate in relation to Cats. WALGA and the Government have for some time supported the use of Council's local laws for cat control and seek comments on the proposed Bill.

Comment

The Bill attempts to treat cats the same as dogs and places the emphasis on control and administration on Local Government. The issue of dog control is a major problem for local authorities particularly small Councils in rural areas and control of cats would be even more difficult.

Statutory Environment	State Government
Policy Implications	Nil
Financial Implications	Unknown at this time
Strategic Implications	Nil

Resolution 111/04

Moved Cr Smith seconded Cr Thorpe that Council oppose legislation measures for cat control and support the retention of the use of Local Laws for Cat control.

MOTION PUT & CARRIED 9/0

A633 Emergency Management Training for Local Government

Location	University of WA
Name of Applicant	FESA
File Reference	L1.1
Attachment/s	Copy of course outline attached
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

FESA has committed to bringing to WA an Emergency Services Management Australia Course in Emergency Management specifically for the needs of West Australian Local Government.

It will be held at UWA from 25th to 28th May 2004. There are no registration fees and travel costs and accommodation May be covered by FESA AWARE Program.

FESA believe Chief Executive Officers, Elected Members and Senior Management should attend.

Comment

Trevor Walker is attending an abbreviated one day course at Jurien Bay which is supported by AWARE shortly.

I will be on Annual Leave at the time of this course.

Statutory Environment	FESA
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 112/04

Moved Cr J Kelly seconded Cr Erickson that no action be taken.

MOTION PUT & CARRIED 9/0

Cr Woods left the meeting at 5.10pm.

A634 Policy Section 5.50 Local Government Act

Location	Shire of Victoria Plains
Name of Applicant	Phil Anning - Chief Executive Officer
File Reference	A1.1.7
Attachment/s	Copy of report under separate cover
Date	10 th March 2004
Author	Phil Anning – Chief Executive Officer

Background

See attached report

Comment

See attached report

Statutory Environment	Local Government Act
Policy Implications	New Policy
Financial Implications	Dependant on Policy and Council decision
Strategic Implications	Nil

Resolution 113/04

Moved Cr Thorpe seconded Cr Smith that the Chief Executive Officer prepares a draft policy for consideration at the April Ordinary Meeting of Council.

MOTION PUT & CARRIED 8/0

Cr Woods entered the meeting at 5.12pm

Mrs S Woods, Mrs G Thorpe and Trevor Walker Community Services Manager entered the meeting at 5.16pm.

A635 Community Facilities Grant Program

Location	Shire of Victoria Plains
Name of Applicant	Shire of Victoria Plains
File Reference	F1.11.1
Attachment/s	See report under separate cover
Date	10 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

See report

Comment

See report

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	To be advised
Strategic Implications	Better facilities

Resolution 114/04

Moved Cr Thorpe seconded Cr Woods that Council discuss the report with a view to consideration of a grant application from the Community Facilities Grant Program.

MOTION PUT & CARRIED 8/1

Allen Kent Works Manager entered the meeting at 5.18pm.

10.5 WORKS

Allen Kent - Works Manager presented a verbal report at the Ordinary Meeting for Council information.

W181 Asset Management Program

Location	Central Midlands
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Name of Applicant	Axim Consultants
File Reference	T1.3.2
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

On Friday 5th March, Cr Smith and myself attended a presentation by Axim Consultants of an Asset Management Program which could replace ROMANS in respect to Asset Management.

Comment

The system has a great deal of merit and further investigation into pricing etc will be undertaken on a Regional basis prior to any action.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Costs of new system
Strategic Implications	Better asset management

Resolution 115/04

Moved Cr Woods seconded Cr Erickson that the information be received.

MOTION PUT & CARRIED 9/0

W182 Fencing – Lot 4 Bolgart West Road

Location	Bolgart
Name of Applicant	P & S Wilson
File Reference	p-bolw
Attachment/s	Nil
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

An application has been received from P & S Wilson to clear scrub and overhanging branches along the fence line on Pither Road and Bolgart West Road to renew fences. The existing fence is an old 5 wire fence and is ineffective. All care will be taken to minimise damage to existing trees.

Comment

Council policy states:-

2.1.7 Clearance of Roadsides for fence lines and services

In respect to clearance of roadsides of vegetation for fence lines and services Council policy is:

- a) Clearance of native vegetation along roadsides for fence lines and services should be kept to a minimum,
- b) Proposals to clear roadside vegetation to install a new or replacement fence should be submitted to Council for consideration,

- c) Generally Council will not permit clearance for fence lines of greater than one (1) metre outside of the property boundary. Landholders are encouraged to set back fence lines inside their property boundary to avoid damage to roadside vegetation,
- d) No firebreaks will be permitted outside their property boundary,
- e) Council will encourage, where possible, new or replacement services being located on cleared land to avoid damage to native vegetation.

Statutory Environment	CALM & Local Government Act
Policy Implications	Policy 2.1.7
Financial Implications	Nil
Strategic Implications	Nil

Resolution 116/04

Moved Cr Erickson seconded Cr Holmes that approval be granted to P & S Wilson to clear natural vegetation subject to compliance with Council Policy and approvals from other authorities e.g. CALM being obtained if necessary.

MOTION PUT & CARRIED 9/0

W183 Regional Road Group Funding

Location	Shire of Victoria Plains
Name of Applicant	Regional Road Group
File Reference	T1.1
Attachment/s	See Chief Executive Officer's report
Date	8 th March 2004
Author	Phil Anning - Chief Executive Officer

Background

See Chief Executive Officer's report.

Comment

See Chief Executive Officer's report.

Statutory Environment	Main Roads
Policy Implications	Nil
Financial Implications	Additional funding and matching requirements
Strategic Implications	Nil

Resolution 117/04

Moved Cr Woods seconded Cr Smith that the allocation of funding of \$11,300 plus matching provisions of \$5,690 through Regional Road Group funding be utilised on the Toodyay Bindi Bindi Road as per the original program in 2003/2004 and 2004/2005.

MOTION PUT & CARRIED 9/0

Elizabeth Tierney Landcare Officer entered the meeting at 5.44pm.

10.6 LANDCARE

L11 Landcare Officer's Report

Location	Shire of Victoria Plains
Name of Applicant	Elizabeth Tierney - Landcare Officer
File Reference	A1.2.1
Attachment/s	Landcare Officer's Report
Date	8 th March 2004
Author	Elizabeth Tierney

Background

See report

Comment

See report

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 118/04

Moved Cr Smith seconded Cr J Kelly that the Landcare Officer's report be received.

MOTION PUT & CARRIED 9/0

Elizabeth Tierney Landcare Officer left the meeting at 5.53pm.

11 NOTICE OF MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 CONFIDENTIAL ITEMS

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY COUNCIL RESOLUTION

Resolution 119/04

Moved Cr Smith seconded Cr Thorpe that late items of business be introduced to Council.

MOTION PUT & CARRIED 9/0

13.1 Drainage and Tree Lopping

Resolution 120/04

Moved Cr S Kelly seconded Cr Young that drainage and tree lopping work be carried out on Cocking Road, Murphy Gully Road and Red Gully Road this financial year.

MOTION PUT & CARRIED 9/0

13.2 Landcare Officer's Contract

Resolution 121/04

Moved Cr Woods seconded Cr J Kelly that Elizabeth Tierney's contract be extended until 30th April 2005.

MOTION PUT & CARRIED 9/0

13.3 Common Seal

Resolution 122/04

Moved Cr S Kelly seconded Cr Holmes that authority be granted to use the Common Seal on the Purchase of Lot 20 Mofflin Street Calingiri and the Lease of Industrial Block to L McInnes.

MOTION PUT & CARRIED 9/0

13.4 Resource Centre

Resolution 123/04

Moved Cr Thorpe seconded Cr Woods that Council endorse the decision of the Resource Centre Advisory Committee meeting on 16th March 2004 that the Resource Centre be built on the east side of the Calingiri Recreation Hall.

MOTION PUT & CARRIED 5/4

14 DECLARATION OF CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.15pm.

Signed this day of 2004

Presiding Member