



Shire of Victoria Plains

Minutes

FOR AN ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 20th JANUARY 2004
AT COUNCIL CHAMBERS CALINGIRI COMMENCING AT 1.00PM.

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 1.02pm.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE GRANTED

President:	Cr M Anspach	West Ward
Councillors:	Cr J Kelly	West Ward (1.02pm-3.36pm)(3.47pm to 5.34pm)
	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
	Cr R Thorpe	Central Ward
Chief Executive Officer:	Mr P Anning	
Finance and Administration Manager:	Mr H Hawkins	
Works Manager:	Mr A Kent (4.43pm to 5.25pm)	
Community Services Manager:	Mr T Walker (2.13pm to 2.30pm)	
Apologies:	Cr S Kelly	West Ward

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

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 6/04

Moved Cr Thorpe seconded Cr Woods that the Minutes of the Ordinary Meeting of Council held 16th December 2003 be confirmed.

MOTION PUT & CARRIED 8/0

7.2 Business Arising

Nil

8 ANNOUNCEMENT BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 PRESIDENT AND COUNCILLORS REPORTS

Cr Anspach

Reported on telephone discussions with the President of the Shire of Chittering, relating to Boundary Changes in Mogumber.

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

F241 Accounts for Payment

A list of accounts for payment is attached to the Minutes. Outstanding creditors at the date of this report were \$5420.00

Resolution 7/04

Moved Cr Woods seconded Cr J Kelly that Municipal and Trust cheques numbered 1305-1306, 1310-1312, 1314-1459 and direct payments totalling \$555,021.68 be passed for payment.

MOTION PUT & CARRIED 8/0

F242 Sundry Debtors

A list of sundry debtors is attached to the Minutes.

Resolution 8/04

Moved Cr Holmes seconded Cr Erickson that the sundry debtors report be received.

MOTION PUT & CARRIED 8/0

F243 Monthly Financial Statement

The Monthly Financial Report for the period ending 31st December 2003 is attached to the Minutes.

Resolution 9/04

Moved Cr Smith seconded Cr Woods that the Monthly Financial Report for the period ending 31st December 2003 be received.

MOTION PUT & CARRIED 8/0

F244 Municipal and Trust Fund

The Municipal and Trust Fund on hand as at the 19th January 2004 is attached to the Minutes.

Resolution 10/04

Moved Cr Smith seconded Cr J Kelly that the Municipal and Trust Fund on hand as at 19th January 2004 be received.

MOTION PUT & CARRIED 8/0

F245 Outstanding Rates Report

The Outstanding Rates Report is attached to the Minutes.

Resolution 11/04

Moved Cr J Kelly seconded Cr Erickson that the Outstanding Rates Report as attached be received.

MOTION PUT & CARRIED 8/0

F246 Small Debts - Rates – Write Off

Location	Shire of Victoria Plains
Name of Applicant	n/a
File Reference	R3.9
Attachment/s	List of small debts recommended for writing off.
Date	07 January 2004
Author	Harry Hawkins – Manager Finance and Administration

Background

There are ten small rates debts totalling \$49.12 outstanding that are uneconomical to pursue. The largest debt of \$9.47 has arisen due to a property being sold and the rates due were advised to settlement date, when the cheque from the settlement agent arrived at the office a few days after settlement the system had added a few days extra interest. Other debts have arisen for a variety of reasons and are all penalty interest related.

Comment

The ten small rates debts outstanding and deemed uneconomical to collect arise from a variety of rates system created entries involving penalty interest added when rates were receipted a few days after the due date. Some accounts are correct and others are created by receipting or system errors.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Rates debts of \$49.12 will be written off.
Strategic Implications	Nil

Resolution 12/04

Moved Cr Smith seconded Cr Erickson that council agree to write off the ten small debts totalling \$49.12 as per the list attached to this report.

MOTION PUT & CARRIED 8/0

F247 Small Debts – Write Off

Location Shire of Victoria Plains
Name of Applicant n/a
File Reference R3.9
Attachment/s None
Date 07 January 2004
Author Harry Hawkins – Manager Finance and Administration

Background

Council has no policy nor is there a delegated authority on the write off of small debts and rates balances. It is time consuming and costly to report to Council each month on small debts under \$10, and then to write off these debts a separate report to Council is currently required.

Comment

There are many reasons why small account balances less than \$10 arise however the most common is with rates where penalties are not updated when accounts are paid, this happens when payments are made by phone or a cheque arrives a few days after the due date. Small balances also occur when a ratepayer pays an instalment early and the system has created a debt to a future date.

It is anticipated that a maximum of \$200 per annum would be written off under this proposed delegation.

Statutory Environment Nil
Policy Implications Nil
Financial Implications Small amounts of interest revenue may be lost.
Strategic Implications Nil

Resolution 13/04

Moved Cr Smith seconded Cr Erickson that council delegate to the Chief Executive Officer the authority to write off small debts up to \$10 where this debt is deemed not economical to pursue or unlikely to be collected.

MOTION PUT & CARRIED 8/0

F248 Investments

Location Shire of Victoria Plains
Name of Applicant n/a
File Reference F1.1.2
Attachment/s None
Date 7 January 2004
Author Harry Hawkins – Finance and Administration Manager

Background

Council has invested surplus funds to the value of \$504,646.42 in two term deposits after the collection of rates money. The funds in one \$202,153.32 and one \$302,493.10 account including accrued interest, have been invested with the Bendigo Bank for 30 days at and 5.40% and 5.35% with approximate yields of \$897.23 maturing on the 7th February 2004 and \$1,330.14 maturing on the 14th January 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 with the term deposits and is expected to come up to budget figures within the next three months.

	Budget Interest	Budget YTD Interest	Actual YTD Interest
Municipal A/C	25,000	12,500	9,645
Reserve A/C	6,000	3,000	3,408
Totals	31,000	15,500	13,053

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

Resolution 14/04

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

MOTION PUT & CARRIED 8/0

F249 Fire Brigades Draft Budget – Emergency Services Levy

Location	Shire of Victoria Plains
Name of Applicant	n/a
File Reference	F1.2.1
Attachment/s	Fire Brigades Draft Budget 2005
Date	10 January 2004
Author	Harry Hawkins – Finance & Administration Manager

Background

Under the ESL arrangements local governments were asked to have their applications for FESA capital and operating funding of their bushfire brigades lodged by the 31 January to enable them to be processed, and Councils advised by May 2004 of the funding they were to receive for the 2004/2005 year. The draft budget for this purpose is attached and Council is asked to approve the amounts budgeted.

Comment

The budgets submitted take the form of a grant application and will not necessarily be accepted by FESA for funding in their entirety. The operating grant received for the 2004 year was \$20,000 against a budget of \$24,320 and this years draft operating budget is asking for \$27,881.

The Process also includes acquittal of grants which provides a means to monitor grant funds not spent or over spent and the balance may form the starting point for the next years grant.

That is acceptable overspending may be added to the next years grant and underspending may be deducted.

Statutory Environment	Local Government Act 1995, Bushfires act 1954 and the ESL act.
Policy Implications	Nil
Financial Implications	Council funding of Brigades will reduce.
Strategic Implications	Nil

Resolution 15/04

Moved Cr Woods seconded Cr Holmes that the draft operating and capital budgets be approved by Council and staff be authorised to lodge the FESA ESL grants applications based on these budget figures.

MOTION PUT & CARRIED 8/0

Community Services Manager - Trevor Walker entered the meeting at 2.13pm.

10.2 COMMUNITY SERVICES

(Incorporating Health, Building and Community Services)

CS217 Community Services Manager's Report

The following matters were discussed by Council.

- Unauthorised House Relocation
- Removal of Unauthorised Games room
- House clean up – Railway St Calingiri
- Ms A Fraser's block – Yerecoin – Shire has title

10.3 TOWN PLANNING

There are no items for discussion under the Town Planning section for this meeting.

Community Services Manager - Trevor Walker left the meeting at 2.30pm.

10.4 ADMINISTRATION

A596 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	CEO Report
Date	13 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

See attached report

Comment

See attached report

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

Resolution 16/04

Moved Cr J Kelly seconded Cr Holmes that the Chief Executive Officer's report be received.

MOTION PUT & CARRIED 8/0

A597 Deferred Items from the December 2003 Meeting

Location	Shire of Victoria Plains
Name of Applicant	Geographic Names Committee and Mogumber/Gillingarra Bushfire Brigade
File Reference	Nil
Attachment/s	Nil
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

The following items reprinted below were deferred to this meeting.

Comment

Since original discussions regarding the location of the Fire Truck shelter at Mogumber a petition to include all the area south of the Mogumber-Yarrawindah Road from the Great Northern Highway to the Bindoon Moora Road has been received by the WA Local Government Boundaries Commission. This includes part of the Mogumber townsite.

Statutory Environment	Nil
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Better Placement of Fire Resources

Background

At the November meeting it was moved that the access ways to the rear of the Industrial Subdivision be names as O’Dea Street and Opie Lane.

It has since been brought to my notice that we have an O’Dea Place which is a small road which comes off Calcarra West Road.

Comment

Does Council wish to reconsider the decision?

Statutory Environment	Geographic Names Committee
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 17/04

Moved Cr Young seconded Cr Woods that Council proceed with the proposal to name the streets in the Calingiri Industrial Subdivision O’Dea Street and Opie Lane.
MOTION PUT & CARRIED 8/0

A598 Boundary Change Proposed

Location	Mogumber Area
Name of Applicant	Electors of that area
File Reference	A1.22.1
Attachment/s	Copy of map showing area attached
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

We were advised that a group of electors had petitioned the Local Government Advisory Board for annexation of that portion of the Shire south of the Mogumber-Yarrowindah Road and bordered on the east by the Great Northern Highway and the west by the Bindoon-Moora Road.

The process is that the Advisory Board will consider the claim and if it fits guidelines seek submissions from the Local Government involved.

Comment

We need to resolve whether or not to oppose the proposal. It has obviously been conceived by those persons who accused us of lack of support at the Mogumber Fires and the boundaries have been established with little thought as it would mean the Mogumber Post Office, Recreation Ground, Hall and Wheat Bin would be in the Shire of Victoria Plains whereas the rest of the town would be in the Shire of Chittering. Though rates may decrease slightly for rural holdings those in Mogumber Townsite would increase by approximately 20%. We would lose Burnett Road and share the Mogumber-Yarrowindah Road.

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	Estimated Rate loss \$83,451
Strategic Implications	Nil

Resolution 18/04

Moved Cr J Kelly seconded Cr Young that Council resolve to oppose the proposal in its current form as being unworkable due to townsites of Mogumber issues and having no merit for electors involved.

MOTION PUT & CARRIED 6/2

A599 2004 Clair Forum

Location	Hyatt Regency Perth
Name of Applicant	W A L G A
File Reference	ST1.5
Attachment/s	Nil
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

I have received an invitation to register for a complimentary position at this Forum which is being supported by WALGA, LGMA and the Department of Local Government and Regional Development.

It will be held at the Hyatt Regency on Friday 20th February 2004.

Comment

I would appreciate Council approval for me to attend as the program has some interesting speakers and topics in respect to sustainability.

Statutory Environment	Nil
Policy Implications	Policy 8.1.20
Financial Implications	Nil
Strategic Implications	Nil

Resolution 19/04

Moved Cr J Kelly seconded Cr Woods that approval be granted for the Chief Executive Officer to register for the 2004 Clair Forum at the Hyatt Regency on Friday 20th February 2004.

MOTION PUT & CARRIED 8/0

Resolution 20/04

Moved Cr Thorpe seconded Cr Woods that the meeting adjourn for afternoon tea.

The meeting adjourned at 3.06pm.

The meeting resumed at 3.33pm.

A600 Changes to Office of Water Regulation

Location Western Australia
Name of Applicant Office of Water Regulation
File Reference CA5.3.1
Attachment/s Nil
Date 12th January 2004
Author Phil Anning - Chief Executive Officer

Background

On the 27th November 2003 the Government passed legislation to allow the establishment of a new regulator to oversee the electricity, gas, water and rail industries. The Economic Regulation Authority (ERA) will have the job of balancing consumer interests with the need for a regulatory regime that encourages private sector investment.

Comment

The new ETA commences operations on the 1st January 2004. From this date the Office of the Water Regulation will no longer exist. Its regulatory functions will continue with the licensing activities to be performed by the ERA. Customer service functions will be transferred to the new Office of Water Policy.

Statutory Environment State Government
Policy Implications Nil
Financial Implications Unknown
Strategic Implications Nil

Resolution 21/04

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

MOTION PUT & CARRIED 8/0

A601 Wheatbelt Regional Priority Plan

Location Wheatbelt
Name of Applicant Wheatbelt Development Commission
File Reference A1.18.1
Attachment/s Copy of Plan under separate cover
Date 12th January 2004
Author Phil Anning - Chief Executive Officer

Background

The Wheatbelt Development Commission endorsed the plan on November 28th 2003.

Comment

Nil

Statutory Environment Wheatbelt Development Commission
Policy Implications Nil
Financial Implications Nil
Strategic Implications Nil

Resolution 22/04

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

MOTION PUT & CARRIED 8/0

A602 Be Active Program

Location Shires of Victoria Plains, Chittering, Moora, Dandaragan
Name of Applicant n/a
File Reference RC1.5
Attachment/s nil
Date 12th January 2004
Author Phil Anning - Chief Executive Officer

Background

As Council is aware Cameron Agnew resigned from this role some time ago. A replacement has now been appointed. She is Andrea Maree Clark who commenced on the 5th January 2004. Arrangements are underway for Andrea to attend a Council meeting and meet the Council and staff as soon as possible.

We have also under this Program been successful in obtaining a grant under the Premiers Physical Activity Program for a "Walk the Wheatbelt" Project of \$10,000.

Comment

I was included in the selection of Andrea and I believe she will be an asset.

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

Resolution 23/04

Moved Cr J Kelly seconded Cr Holmes that the information be received.

MOTION PUT & CARRIED 8/0

A603 2004/2005 Build Program

Location Victoria Plains
Name of Applicant FESA
File Reference L1.1
Attachment/s Copy of letter attached
Date 12th January 2004
Author Phil Anning - Chief Executive Officer

Background

Following the December meeting I wrote to FESA outlining our suggestions for the Capital Replacement Program. A copy of that letter is attached.

Also attached is their response received on the 5th January 2004 to my letter of 27th November 2003 which is also attached.

Comment

It appears that no program will be finalised until the Risk to Resource Model is completed.

Statutory Environment	FESA
Policy Implications	Nil
Financial Implications	Unknown
Strategic Implications	Better equipment provision

Resolution 24/04

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

MOTION PUT & CARRIED 8/0

Cr J Kelly declared an interest in the following item and left the meeting at 3.36pm.

A604 West Koojan-Gillingarra Catchment Demonstration Initiative (CDI)

Location	West Koojan-Gillingarra LCD
Name of Applicant	John Longman
File Reference	CA3.4.5
Attachment/s	Nil
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

Council is aware of the above project and have appointed Cr Jim Kelly to represent this Shire on the Management Committee for the implementation plan. Elizabeth Tierney is also on this committee and is listed as the Moore Catchment Council (MCC) delegate. We have been asked as the workload on the committee will be considerable to meet non agency member sitting fees of \$200 per meeting to cover expenses, travel, phone etc. The Committee consider that the two Shires, Northern Ag Catchments Council (NACC), MCC and Mogumber Mission Farm (WAC) should cover this payment for their representatives.

Comment

I would have doubted that MCC would agree to cover the fees for Elizabeth Tierney or that NACC will agree to the proposal. I believe that if the fee is to meet all expenses it could be considered reasonable however some representatives are paid employees of groups and would be attending meetings in their employer's time. I presume that the LCDC representatives are to be paid from project funds, even though they are part of the project outcomes.

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	Unbudgeted costs of applicable fees
Strategic Implications	Nil

Resolution 25/04

Moved Cr Anspach seconded Cr Woods that Council do not agree to provide a sitting fee of \$200 for Cr Jim Kelly for attendance at Management Committee Meetings of

the West Koojan-Gillingarra CDI Project, as Council believes that the payment of sitting fees should be the responsibility of the Project.

MOTION PUT & CARRIED 6/1

Cr J Kelly entered the meeting at 3.47pm.

A605 White Paper – Local Government Official Conduct Bill

Location	Western Australia
Name of Applicant	Department of Local Government and Regional Development
File Reference	A1.1.6
Attachment/s	Copy of White Paper provided under separate cover
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

The proposal for changes to the L G A to provide for Local Government Standards panels and a tribunal to review the behaviour of Council members has been circulating for some time. Cr Anspach and myself attended the briefing at Moora. The White Paper is now out for comment until the 20th February 2004.

Comment

Councillor comments would be appreciated.

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	Nil
Strategic Implications	Nil

Resolution 26/04

Moved Cr Thorpe seconded Cr Young that the information be received and any comments be passed to the Chief Executive Officer for forwarding.

MOTION PUT & CARRIED 8/0

A606 Native Title Claim WAG 6192 of 1998

Location	Western Australia
Name of Applicant	Several
File Reference	A1.19.3
Attachment/s	Nil
Date	12 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

This claim has now been incorporated into a single claim which encompasses a huge part of the South West Land Division. (See map attached).

At this time funding has been received for McLeod's Solicitors to represent the interested parties including us.

Comment

At this time I see no need to be formally involved as we have legal representation and it is unlikely that the legal issues will be resolved in the short term.

Statutory Environment	Native Title
Policy Implications	Nil
Financial Implications	Unknown
Strategic Implications	Nil

Resolution 27/04

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

MOTION PUT & CARRIED 8/0

A607 Resource Centre Project

Location	Calingiri
Name of Applicant	n/a
File Reference	CA5.7
Attachment/s	Report provided under separate cover
Date	13 th January 2004
Author	Phil Anning - Chief Executive Officer

Background

Council is aware of the background of this project. Funding has now been approved by Lotteries to bring total external funding to \$518,407 excluding GST with \$22,907 towards furnishings and \$495,000 towards construction costs.

Comment

See report

Statutory Environment	Local Government Act
Policy Implications	Nil
Financial Implications	Budgeted expenditure
Strategic Implications	Sustainable future

Resolution 28/04

Moved Cr Woods seconded Cr Young that Council appoint a Committee in accordance with the Local Government Act Subdivision 2 Section 5.8 to be known as the Resource Centre Advisory Committee.

That the Committee be chaired by Cr John Young and comprise 3 senior staff members, 2 other Councillors and 3 community members appointed by Council with Council Executive Assistant Fiona Watson as Minute Secretary/Recorder.

That this Committee meet with full Council as soon as possible to finalise the project location and any other details required.

That the Committee be authorised to administer the project in accordance with the requirements of Council, the funding bodies and maintain financial contracts within

the allocated budget. Committee to report to Council regularly and endorse payments required in accordance with the relevant contracts.

That applications be called for the services of an architectural firm to be appointed to prepare relevant drawings and supervision of builder's construction to meet budget requirements and subject to approval by Council.

MOTION PUT & CARRIED 6/2

Resolution 29/04

Moved Cr J Kelly seconded Cr Erickson that Cr M Anspach be appointed Chairman of the Proposed Resource Centre Advisory Committee with Cr J Young as Deputy Chairman.

MOTION PUT & CARRIED 5/3

10.5 WORKS

All Plant and Works Items have been placed on the Plant and Works Committee agenda.

Works Manager - Allen Kent entered the meeting at 4.43pm

Resolution 30/04

Moved Cr Smith seconded Cr Woods that Resolutions 1/04 to 5/04 be accepted by Council.

MOTION PUT & CARRIED 8/0

Resolution 31/04

Moved Cr J Kelly seconded Cr Young that a letter of appreciation be sent to ladies for the gardening carried out in Calingiri.

MOTION PUT & CARRIED 8/0

Works Manager - Allen Kent left the meeting at 5.25pm.

10.6 LANDCARE

L9 – Landcare Officer's Report

At the time of Agenda preparation Elizabeth Tierney was attending a conference. A verbal report will be presented to Council if required.

Landcare Officer - Elizabeth Tierney was not required to present an item to Council.

11 NOTICE OF MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 CONFIDENTIAL ITEMS

Nil

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY COUNCIL RESOLUTION

Resolution 32/04

Moved Cr J Kelly seconded Cr Woods that late items of business be introduced to Council.

MOTION PUT & CARRIED 8/0

13.1 Resource Centre Advisory Committee

Resolution 33/04

Moved Cr Woods seconded Cr Smith that the Committee have the power to co-opt members to the Committee in replacement of any member who leaves.

MOTION PUT & CARRIED 7/1

13.2 Gravel Pits – Rubbish Disposal Sites

Resolution 34/04

Moved Cr J Kelly seconded Cr Anspach that Council investigate the purchase of land in the shire for gravel pits and rubbish tip projects.

MOTION PUT & CARRIED 7/1

13.3 Mobile Telephone Tower

Resolution 35/04

Moved Cr J Kelly seconded Cr Thorpe that Council pursue the relocation of the mobile telephone tower at New Norcia with Telstra.

MOTION PUT & CARRIED 8/0

14 DECLARATION OF CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.34pm.

Signed this day of 2004.

Presiding Member

**Chief Executive Officer's Report to Ordinary Meeting of Council held
20th January 2004-01-13**

1. The report will be brief as I only returned from the Christmas New Year Break on Monday 12th January. Unfortunately I hit a kangaroo with the statesman during the break and it is currently being repaired at the Katanning Smash Repairs in Katanning. This vehicle is getting close to changeover and as yet I am unsure if the accident will have any effect on the nil changeover agreement.
2. **Queens Birthday Holiday**
This holiday has been set for Monday 4th October 2004. Under the relevant Act Local Governments may request that the public holiday be celebrated on an alternative day of significance within their district. I am not aware of any day that would be relevant however if required application must be made prior to 20th February 2004.
3. **Be Active Coordinator**
Ms Andrea Clark has been appointed to the position vacated by Cameron Agnew. Arrangements will be made for her to meet with Council as soon as convenient.
4. **2004 Kimberley Diamond WIN Television Variety Bike Run**
This tour will pass through Calingiri on Friday 27th February 2004 and will have a lunch break at the Sports Club and a social game of bowls is planned while they are here. The group will comprise about 60 – 70 persons. I am assisting them in their arrangements.

Phil Anning
Chief Executive Officer

**Community Services Manager's Report to Ordinary Meeting of Council held
20th January 2004**

The Community Services Manager will present his report as a late item to the meeting on Tuesday 20th January.

Trevor Walker
Community Services Manager

**Landcare Officer's Report to Ordinary Meeting of Council held
20th January 2004**

A verbal report will be presented to Council if required.

Elizabeth Tierney
Landcare Officer

LATE ITEM

INFORMATION REPORT

**By Community Services Manager for Ordinary Meeting held
20th January 2004**

Unauthorised House Relocation

It has been noted that a section of a timber framed dwelling has been relocated to Lot 183 George Street, Bolgart during the Christmas break.

Inspection of the section has confirmed that the section is part of the dwelling for which Mr R L Galbraith has been given Planning Consent (*with conditions*) to relocate to the Lot.

Councillors may recall a number of conditions attached to the Planning Consent. Two of the conditions were that a bond of \$8,000 be lodged and a Building Licence of limited duration be obtained.

A *copy* of a Stop Work Notice formulated under the provisions of the Local Government (Miscellaneous Provisions) Act 1960 has been served on Michael Stock who is a part owner of the project and steps have been taken to serve the *original* of the notice on T L Galbraith. The Stop Work Notice will remain in force until the conditions attached to the Planning Consent granted to Mr Galbraith are satisfied.

It has been pointed out to Mr Galbraith that by relocating part of the dwelling without satisfying the conditions of the Planning Consent he has committed an offence against the Town Planning and Development Act the maximum penalty for which is \$50,000 and a daily penalty of \$5,000. He has also committed an offence against Section 374(i) of the Local Government (Miscellaneous Provisions) Act 1960, the maximum penalty for which is \$5,000 and a daily penalty of \$100.

Removal of Unauthorised Games room

Councillors may recall that an order formulated under section 401 of the Local Government (Miscellaneous Provisions) Act 1960 has been served on Mr Michael Stock of Lot 182 Poincare Street, Bolgart to remove a second hand timber framed, skid mounted games room from his premises.

Mr Stock has appealed to the Hon. Minister for Local Government and Regional Development against the removal of the structure.

Information about the background and purpose of the notice together with a copy of the notice has been sent to the Minister at his request.

Trevor Walker
Community Services Manager