



AGENDA

Ordinary Meeting of Council

**Wednesday, 18 April 2012
Commencing at 3pm**

**Council Chambers
28 Yougenup Road
GNOWANGERUP WA 6335**

COUNCIL'S VISION

Community and Council working together to improve the quality of life for all our people.

Shire of Gnowangerup

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Gnowangerup will be held on Wednesday 22 February 2012, in the Council Chambers, 28 Yougenup Road, Gnowangerup, commencing at 3.00pm.

.....
Lauder COOMBER
A/CHIEF EXECUTIVE OFFICER

14 February 2012

Meaning of and CAUTION concerning Council's "In Principle" support:

When Council uses this expression it means that:

(a) Council is generally in favour of the proposal BUT is not yet willing to give its consent; and

(b) Importantly, Council reserves the right to (and may well) either decide against the proposal or to formally support it but with restrictive conditions or modifications.

Therefore, whilst you can take some comfort from Council's "support" you are clearly at risk if you act upon it before Council makes its actual (and binding) decision and communicates that to you in writing.

Disclaimer:

"Warning - Verbal Information & Advice:

Given the inherent unreliability and uncertainty that surrounds verbal communication, the Shire strongly recommends that, if a matter is of importance to you, then you should NOT act upon or otherwise rely upon any VERBAL information or advice you receive from the Shire unless it is first confirmed in writing."

AGENDA

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ORDINARY COUNCIL MEETING AGENDA

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS
2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
4. PUBLIC QUESTION TIME
5. APPLICATIONS FOR LEAVE OF ABSENCE
6. PETITIONS/DEPUTATIONS/PRESENTATIONS
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING
 - 7.1 ORDINARY MEETING OF COUNCIL HELD WEDNESDAY 28 MARCH 2012

OFFICER RECOMMENDATION
That Council confirms the Minutes of an Ordinary Meeting of Council held 28 MARCH 2012
 - 7.2 SPECIAL MEETING OF COUNCIL HELD WEDNESDAY 4 APRIL 2012

OFFICER RECOMMENDATION
That Council confirms the Minutes of a Special Meeting of Council held 4 April 2012
8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9. MATTERS FOR INFORMATION

9.1 PLANT REPORTS

9.1.1 PLANT MAINTENANCE REPORT – APRIL 2012

Date of Report:

Officer: K Tomlinson - Plant Mechanic

Attachment

- AMPRO Reports

9.2 WORKS AND MAINTENANCE REPORT

9.2.1 WORKS DEPARTMENT REPORT – MARCH/APRIL 2012

Date of Report:

Officer: R Minitier – Works Supervisor

Attachment:

2011/2012 Road Construction Program Spreadsheet

ONGOING WORKS

Construction Grader GDR8 GN0015

| | |
|--|--|
| <ul style="list-style-type: none"> ➤ Toompup Rd ➤ Magitup Rd ➤ Water Corp/Borden ➤ Holden Rd | <p>Action</p> <ul style="list-style-type: none"> Gravel sheeting – RC49 Flood crossing entrances seal Clearing water catchment /Private works Gravel sheeting –RC57 |
|--|--|

Borden Grader GDR7 GN005

| | |
|---|---|
| <ul style="list-style-type: none"> ➤ Hydenup Rd ➤ Kybellup Rd ➤ Dawson Rd ➤ Salt River Rd ➤ Kelly Rd | <p>Action</p> <ul style="list-style-type: none"> Maintenance graded Maintenance graded Maintenance graded Maintenance graded Maintenance graded |
|---|---|

Borden Grader will be helping out with Magitup sheeting of clay patches.RC58.
Blowout fixing/gravel patching as damage occurs

Ongerup Grader GRD9 GN0021

| | |
|---|---|
| <ul style="list-style-type: none"> ➤ Tieline Rd ➤ O’Neill Rd ➤ Toompup Rd ➤ Oakdale Rd ➤ Cowalellup Rd | <p>Action</p> <ul style="list-style-type: none"> Maintenance graded Maintenance graded Maintenance graded Maintenance graded Maintenance graded |
|---|---|

Ongerup maintenance grader will take advantage of gravel carting while construction works are being carried out in the Ongerup area. With gravel truck when they are available.
Blowout fixing/gravel patching as damage occurs.

Gnowangerup Grader GRD8 GN0015

| | |
|--|---|
| <ul style="list-style-type: none"> ➤ Araluen Rd ➤ Willamenup Rd ➤ Glengarry Rd ➤ Soldiers Rd | <p>Action</p> <ul style="list-style-type: none"> Maintenance graded Maintenance graded Maintenance graded Maintenance graded |
|--|---|

All roads in the Tieline area was graded while construction works were in process once again taking full advantage of machines and man power to Carry out valuable works.

Maintenance – Drainage Crew

- Rubbish Tip Maintenance
- Road verge spraying various roads
- Culvert cleaning various roads
- Other Various jobs as well as Bitumen Patching all roads as problems occur.

Drainage will also be helping out with construction works and will be installing and cleaning culverts.

Roads that are already sprayed

| | |
|--------------------|--------------------|
| Strathaven Rd | Sandalwood Rd |
| Hinkley Rd | Tieline Rd |
| Black Rd | Nightwell Rd |
| Old Ongerup Rd | Kwobrup Nth Rd |
| Tambellup Rd | Airport Rd |
| Kwobrup Rd | Borden-Bremer Rd |
| Gleeson Rd | Ongerup-Pingrup Rd |
| Boxwood-Ongerup Rd | New country Rd |

Slashed Roads

Highdenup Rd
Salt River Rd
Black Rd
Old Ongerup Rd
Borden Bremer Rd
Various other jobs as they occur

Spraying maintenance and slashing, of all roads will be recorded as works have been carried out as we know we have a lot of maintenance to be done in this area of works due to lack of maintenance these types of works become harder and costs become higher.

9.3 BUILDING SURVEYORS REPORT

9.3.1 BUILDING SURVEYOR SERVICE REPORT – MARCH 2012

Date of Report: 05 MARCH 2012
Officer: D Baxter – Building Surveyor

Attachments

Yearly Return of Building Permits

| Date | Duties Carried Out | From | To | HRs | KMs |
|---------|--|-------|-------|--------------|-------------|
| 8-3-12 | Attend a Seminar at the Technology Centre in Bentley dealing with the ramifications of the new Building Act as presented by Anne Wood of Kott Gunning Lawyers and the AIBS of Western Australia | | | 1.5 | 60 |
| 9-3-12 | Shire Visit. Check on projects in the Shire and work on the paper work for the New Building Act that effects the Shire’s operations | 7.00 | 17.00 | 10.00 | 367 |
| 13-3-12 | Attend Seminar at the Travel Lodge in Perth dealing with Building Matters-contract Management and its effects on the Built Environment. | | | 1.5 | 60 |
| 18-3-12 | Prepare new receipt, fee’s form and down load new BL forms for Shire | 10.00 | 11.00 | 1.00 | |
| 19-3-12 | Attend a full day seminar at the Shire of Merredin concerning the Changes to the Nation Construction Code of Australian and the Local Government implications regarding the Building Bill | | | 1.5 | 75 |
| 21-3-12 | Deal with an inquiry concerning the house projects for Shire | 10.00 | 10.15 | 0.25 | |
| 29-3-12 | Shire Visit. Give information and instruction to Staff on New Building Act. Advise Builders of the Same information. Give out advice to prospective builder of a Patio in Town. Check on Projects around the Shire as to compliance with approved plans. | 7.00 | 17.00 | 10.00 | 466 |
| 30-3-12 | BSR and Reports for Shire | 10.00 | 11.00 | 1 | |
| | Totals for March 2012 | | | 26.75 | 1028 |

TOTALS

Hours 26.75 @ \$87.00 = \$2,327.25
 Kilometres 1028 @ \$0.93 = \$956.04
 GST \$328.33
TOTAL \$3,611.62

9.4 OCCUPATIONAL HEALTH AND SAFETY REPORT

Nil

9.5 CLUB DEVELOPMENT OFFICER REPORT

9.5.1 CLUB DEVELOPMENT REPORT – MARCH 2012

Date of Report: 11 April 2012
Officer: N Browning – Club Development Officer

Attachment

- Club Development Report March 2012

- 10 PLANT AND WORKS**
Nil

11 HEALTH AND DEVELOPMENT

11.1 REPORTS

Nil

11.2 RECEIVAL OF MINUTES

Nil

11.3 FUNDING REQUEST FROM THE GNOWANGERUP HOMES FOR THE AGED INC.

Location: Denny Street Gnowangerup
Proponent: Gnowangerup Homes for the Aged Inc.
File Ref:
Date of Report: 11 April 2012
Officer: SE Davis – Executive Manager of Community Development
Disclosure of Interest:

Attachments

Letter of Request from the Gnowangerup Homes for the Aged Inc.
 Estimation by M&MP Builders

Background

The Gnowangerup Homes for the Aged was successfully granted funds through the Great Southern Development Commission and Royalties for Regions to construct two new “Homes for the Aged Units” in Gnowangerup. Council also committed \$10,000 cash and \$15,000 in-kind to the project, as well as providing the committee with access to a self supporting loan through WA Treasury Corp.

Summary

The Gnowangerup Homes for the Aged inc. has written to Council to request that Council fund up to \$3,000 cash to pay for the erection of a fence at the new “Homes for the Aged Units”.

Comments

The Gnowangerup Homes for the Aged inc. committee has written to Council to request that Council considers providing up to \$3000 in cash to pay a contractor to erect fencing for its “New Homes for the Aged Units”.

When the project was originally programmed, the erection of the fence was an in-kind commitment from Council, with the intention that Council Staff would be able to carry out the works to assemble the fence; however, it has now been determined by the Manager of Works, that this work is outside of the works crews capability.

Financial Implications

If Council chooses to contribute up to \$3,000 in additional cash to the project, this will be an out of budget expense.

Statutory Environment

Nil

Strategic Implications

Shire of Gnowangerup Plan for the Future, functional area 2.4

Consultation

Gnowangerup Homes for the Aged Inc.
 M&MP Builders
 Manager of Works

Policy Implications

Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION

That Council contributes up to \$3,000 in cash to fund the construction of a fence at the new Gnowangerup Homes for the Aged Units.

12 FINANCE

12.1 REPORTS

12.1.1 MARCH 2012 MONTHLY FINANCIAL REPORT

Location:

Proponent:

File Ref:

Date of Report: 10 April 2012

Officer: AA Nuttall - Acting Executive Manager Finance

Disclosure of Interest: Nil

Attachments:

- Statement of Financial Activity to 31 March 2012.
- Report on Material Differences
- Capital Budget Report
- Building Maintenance financial and progress report
- Bank Reconciliation Report
- Reserves Cash Balances
- Investment Register

Summary

Adoption of the March 2012 monthly financial report.

Comments

Presented to Council is the financial statement to 31 March 2012. The following amendments have been made to the 2011/2012 budget:

| <i>Date</i> | <i>CM Ref</i> | <i>Account No</i> | <i>Description</i> | <i>Amount</i> | <i>Running Balance</i> |
|----------------|---------------|-------------------|---|---------------|------------------------|
| 24 August 2011 | 0811.176 | 05014 | Purchase and installation of fire siren in Gnowangerup town site. | \$5000 | -\$5000 |
| 24 August 2011 | 0811.188 | 32092 | Testing of spring water at Aylmore Park Swimming Pool to confirm suitability for reuse/filtering. | \$3000 | -\$8000 |

Council have received approximately \$2,841,599 in rates payments to 12 April 2012. This represents 93.6% of rates paid.

Consultation

Nil

Statutory Environment

Local Government Financial Regulations (1996) (as amended) 22, 32 and 34 apply.

Policy Implications

Nil

Financial Implications

All expenditure has been approved via adoption of the 2011/2012 Annual Budget, or resulting from a Council motion for a budget amendment.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That the March 2012 Monthly Financial Report be received.

12.1.2 ACCOUNTS FOR PAYMENT AND AUTHORISATION – MARCH 2012

Location: Finance
Proponent: Shire of Gnowangerup
File Ref:
Date of Report: 11 April 2012
Officer: CA Shaddick - Senior Finance Officer
Disclosure of Interest: Nil

Attachment:

- March 2012 Cheque Listing

Comments

The March 2012 cheque list is attached as follows

| FUND | AMOUNT |
|----------------|---------------------|
| Municipal Fund | \$423,739.24 |
| Trust Fund | \$ 41.50 |
| Credit Card | \$ 2,235.17 |
| TOTAL | \$426,015.91 |

OFFICER RECOMMENDATION

That the Schedule of Accounts: Municipal Fund Cheques 25052–25096, EFT 6007 – EFT 6120 totalling \$423,739.40; Trust Fund cheques 510 – 511 totalling \$41.50 and credit card totalling \$2,235.17 be approved.

11.2 RECEIVAL OF MINUTES

13 ADMINISTRATION

13.1 REPORTS

Nil

13.2 RECEIVAL OF MINUTES

Nil

13.3 ROADSIDE CONSERVATION – FLORA ROAD RECOMMENDATION – GNOWELLEN ROAD – SHIRE OF GNOWANGERUP

Location: Gnowellen Road, Shire of Gnowangerup
Proponent: Roadside Conservation Committee
File Ref:
Date of Report: 3 April 2012
Officer: Lauder Coomber Acting Chief Executive Officer
Disclosure of Interest:

Attachments

30 March 2012 letter from Roadside Conservation Committee (RCC) 21 February 2012 Roadside Conservation Committee Flora Road Assessment Form

Background

On 16 November 2011 the RCC undertook a site inspection of Gnowellen Road which included surveying the conservation values of the roadside vegetation.

Summary

That Council supports the recommendation of the Roadside Conservation Committee that the section of Gnowellen Road within the Shire of Gnowangerup be declared a Flora Road.

Comments

The inspection undertaken on 16 November 2011 revealed that Gnowellen Road has a high Roadside Conservation Value (RCV) of 11.1 with the maximum RCV being 12. As a result of this assessment the RCC has recommended that Gnowellen Road be declared a Flora Road. RCC has approached the Shire as only the managing authority of a road can formally declare Flora Roads.

Declaration as a Flora Road has no legal implications for road construction and maintenance activities within the road reserve and it does not give the vegetation in the reserve any further legislative protection than what currently exists. Nevertheless, the RCC encourages and promotes pest practice management when working within a Road Flora reserve and surrounding areas. Management goals within Flora Roads should be to minimise disturbance to the roadside vegetation while providing a safe and efficient roadway. Other threats such as fire wood collection, gravel extraction and weed invasion should also be managed carefully so as not to impact negatively upon the roadside vegetation.

Flora Road status raises the profile of the roadside vegetation and elevates the awareness of those travelling through, or working within, a road reserve where high conservation values are present. Flora Roads may also form part of a tourist drive or scenic wildflower route. Gnowellen Road runs alongside Stirling Range National Park and has great views of the Park.

Gnowellen Road extends into the City of Albany and staff will liaise with City staff to determine their position in regard to this matter.

The attached correspondence from RCC refers to a Road Flora Management Plan. Staff has ascertained that it is not compulsory to have such a plan in place. In any event, Council has adopted a policy (page 58 of current Policy Manual) on roadside clearing which states:

Roadside Clearing

- a) *Where road- widening works or new road works are proposed, consideration should be given to conservation of flora by careful planning of reconstruction and/or realignment.*
- b) *In order to preserve maximum vegetation, it may be appropriate to:*
 - *Site construction to one side of a road reserve*
 - *Negotiate a land swap with adjoining landowner.*
- c) *It is noted that in relation to road clearing widths, there is little opportunity to conserve flora on 20m reserves, whereas a minimum width of 20m for a vegetated strip is recommended for wider road reserves.*
- d) *To protect existing roadside vegetation, landowners are encouraged to erect new fences inside boundary survey.*

Financial Implications

Nominal – RCC will provide the Flora Road sign and the Shire is asked to supply the sign post (assuming City of Albany also supports the declaration of Gnowellen Road as a Flora Road otherwise two posts will be required) and arrange for its erection – this can be done when our outside crew is in the area.

Statutory Environment

Nil

Strategic Implications

Nil

Consultation

Nil

Policy Implications

Nil

Voting Requirements

Simple Majority Required.

OFFICER RECOMMENDATION

That Council supports the recommendation of the Roadside Conservation Committee that the section of Gnowellen Road within the Shire of Gnowangerup be declared a Flora Road.

13.4 COMMUNITY PROJECT – MOSAIC ART ON PUBLIC TOILETS AT CNR YOUGENUP ROAD AND ALLERDYCE STREET GNOWANGERUP

Location: Gnowangerup
Proponent: Gnowangerup CRC
File Ref: 26.8.3
Date of Report: 10 April 2012
Officer: Lauder Coomber – Acting Chief Executive Officer
Disclosure of Interest:

Attachments

Examples of mosaics will be available at the meeting.

Background

Gnowangerup C.R.C. has been discussing this project for some time and is keen to progress it.

Summary

That Council gives support to the Gnowangerup C.R.C. for its community project to have part of the western wall of the public toilet block at the corner of Yougenup Road and Allerdycce Street Gnowangerup mosaiced and agrees to the project proceeding once funding is in place.

Comments

Gnowangerup C.R.C. has asked local resident and artist Carmen Sharman to act as “artist in residence” for this project. The C.R.C. is seeking grant funding to cover the cost of the project and Council is not required to make any financial commitment. Ms Sharman will invite interested locals to become involved in the building of the mosaic and is particularly keen to have children involved. It is proposed that the western wall of the toilet block will be covered in mosaic to a depth of 1.5m to commence just under the window. This colourful work will greatly enhance the otherwise drab appearance of the toilet block. The CRC’s preferred option for the mosaic is a bright orange sunflower type design, which along with other designs, will be available for perusal by Councillors at the meeting. Staff did express concern that the work may attract graffiti but have been assured that the mosaic can be easily cleaned. Thankfully, graffiti is not seen as a major issue in Gnowangerup. A spin off of the project may be the creation of interest in a new craft in many community members and other projects may follow.

Financial Implications

There is no cost to Council in this project.

Statutory Environment

Nil

Strategic Implications

Plan for the Future/Strategic Plan 2011-2016 item 2.6 applies.

Consultation

Nil

Policy Implications

Nil

Voting Requirements

Simple Majority Required.

OFFICER RECOMMENDATION

That Council gives support to the Gnowangerup C.R.C. for its community project to have part of the western wall of the public toilet block at the corner of Yougenup Road and Allerdyce Street Gnowangerup mosaiced and agrees to the project proceeding once funding is in place.

The preferred design is.....

13.5 PROPOSED BOUNDARY RELOCATION

| | |
|--------------------------------|--|
| Location: | Lots 5600 and 7206 Jackitup Road West, Pallinup |
| Proponent: | John Kinnear and Associated on behalf of T & C Beeck and A Watterson |
| File Ref: | |
| Date of Report: | 11 April 2012 |
| Officer: | C Pursey - Planning Officer |
| Disclosure of Interest: | |

Attachments

Subdivision application & supporting information – WAPC #145699

Summary

- Council is to consider a subdivision application to adjust boundaries between two existing lots.
- It is recommended that the application be unconditionally supported.
- Council is to provide a recommendation on the application to the Western Australian Planning Commission (WAPC).

Background**Zoning**

The subject sites are zoned 'General Agriculture' under the Shire of Gnowangerup Local Planning Scheme No.2 (the Scheme).

Subject Site

Both Lots 5600 and 7206 Jackitup Road West, Pallinup appear to be used for broad-hectare farming.

A creek runs roughly east-west through Lot 7026, the remainder of the subject land is used for broad-hectare farming and a number of dams.

Comments**The Proposal**

Council has received an application to relocate the boundary between Lots 5600 and 7206 Jackitup Road West, Pallinup.

The new boundary is proposed to follow Kwoberup Road. The result of the boundary realignment would be:

- Lot 7206 effectively reduced to 454.54ha in area;
- Lot 5600 increased to 117.02ha in area; and
- No additional lots would be created.

The applicant has stated that the boundary realignment is proposed to allow the new boundary to coincide with Kwoberup Road

A full copy of the proposal is at Attachment A of this report.

Assessment

Boundary realignments are treated as a subdivision proposal by the planning system. The Shire's Scheme does not have any specific provisions relating to subdivision of 'General Agriculture' zoned land. However, part 10.2 of the Scheme, "Matters to be considered by the local government", requires the Council to have due regard for the following relevant matters in any planning decision making:

a) the aims and provisions of this Scheme;

...

b) any approved statement of planning policy of the Commission;

...

c) any relevant policy or strategy of the Commission and any relevant planning policy adopted by the Government of the State;...:

The objective of the "General Agriculture" zone is:

"General Agriculture zone

To provide for a range of rural uses which are compatible with the capability of the land and retain the rural character and amenity of the locality"

The proposed boundary realignment is not contrary to this objective as it allows both landowners to keep farming in the locality.

The relevant policies of the state government in this instance include:

- State Planning Policy 2.5 Agriculture and Rural Land Use Planning (SPP2.5); and
- Development Control Policy 3.4 Subdivision of Rural Land (DC3.4).

The Western Australian Planning Commission (WAPC) is the determining authority for subdivision applications and assesses applications in accordance with DC3.4.

Development Control Policy 3.4 (DC3.4)

It is generally WAPC Policy that existing large rural lots are retained for broad-hectare and traditional forms of farming and that fragmentation of rural land and loss of rural character through piecemeal, unplanned subdivision not be permitted.

The WAPC has discretion to consider applications which do not conflict with the policy and sets out specific circumstances where subdivision can be considered including boundary realignments and farm rationalisation. The relevant provisions of DC3.4 are explored below.

| Policy Criteria | Comment | Compliance |
|--|--|------------|
| 4.6 Farm rationalisation Multiple lots in one ownership may be rationalised through boundary realignments to improve farm management and/or to provide access to landlocked lots provided that: | Although the lots are not in one ownership the proposal allows one farm to grow whilst retaining the second farm to the satisfaction of both farmers. | Noted. |
| (a) the new lot pattern is consistent with the objectives of the policy; | Both lots appear to remain viable farming enterprises. There are a number of lots in the immediate locality around the same size as proposed Lot B. | Complies |
| (b) no additional lots are created; | There are no additional lots created | Complies |
| (c) the new boundaries reflect good environmental and land management practice and are appropriate for the intended land uses; | The proposed boundary follows an existing road. | Complies |
| (d) former road reserves and small remnant portions of lots are not lots for the purpose of boundary rationalisation. | N/A | N/A |

The new boundaries are proposed to allow two neighbouring farmers to adjust the land area they wish to farm. No additional lots are created, there is no loss of population as a result of the proposal. Therefore the proposal does not appear to conflict with the policy provisions of DC3.4 or with the Council's objectives for the 'General Agriculture' zone.

Support is recommended.

Financial Implications

None for the Shire

Statutory Environment

The decision making body for subdivision is the WAPC. Council is a referral agency only and has been requested by the WAPC to provide its advice.

The applicant has a right of review to the State Administrative Tribunal if aggrieved by any decision made by the WAPC.

Strategic Implications

Nil

Consultation

None required.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION

That Council;

1. Recommend that the Western Australian Planning Commission approve the boundary relocation at Lots 5600 and 7206 Jackitup Road West, Pallinup (WAPC Ref #145699).
2. Provide a copy of the Council report to WAPC as record of the application assessment.

- 14 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING OR PRESIDING OFFICER**
- 16 CLOSURE**