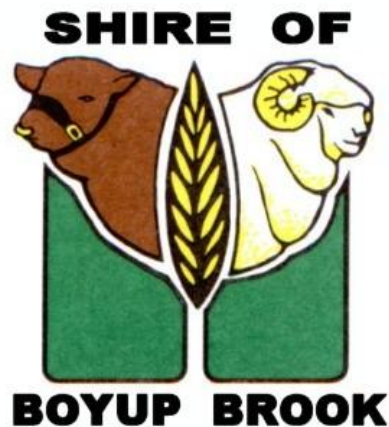


Minutes



ORDINARY MEETING

held

THURSDAY 16 October 2014
Commenced AT 5.15PM

AT

SHIRE OF BOYUP BROOK
CHAMBERS
ABEL STREET - BOYUP BROOK

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

1.1 Attendance

Cr M Giles – Shire President
Cr G Aird – Deputy Shire President
Cr N Blackburn
Cr J Imrie
Cr P Kaltenrieder
Cr K Moir
Cr B O’Hare
Cr R Walker

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr Stephen Carstairs (Manager Corporate Services)
Mr Rob Staniforth-Smith (Manager of Works & Services)
Mrs Maria Lane (Executive Assistant)

PUBLIC: Mr Tony Doust arrived at 5.00pm

1.2 Apologies

Cr T Oversby

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Questions posed by Mr Tony Doust at the September 2014 Council meeting and taken on notice.

2.1.1 Rates – Budget 2014/15 QUESTION

- a) Will the President please explain why the total rates to be raised have increased by \$162,004 above the amount in the 2013/14 adopted budget, which is 7.6% and not 5.765% as published in the Presidents message circulated with the rates notices?
- b) Contrary to the Presidents statement the total rates to be raised in 2014/15 are \$117,206 (5.6%) above the projections in the 2012/13 to 2022/23 ten year Long Term Financial Plan published on the Shire Web Site. Is there an updated plan and if so when will it be available to the public.

- c) Given the above will the President publish a statement in the Boyup Brook Gazette advising the public of the correct increase and level of rates to be raised is not in accordance with the Long Term Plan.

RESPONSE BY CHIEF EXECUTIVE OFFICER

It should be noted that Administration provides detail for the President's Budget message and that the CEO is responsible for the accuracy or otherwise of this. Also that the President's message is an over view to introduce the Budget not a commentary of it.

The 2014/15 budget featured a differential rate for mining properties. Here the proposal to charge a differential rate for mining properties was advertised, to provide general advice, and letters were sent to mining lease holders. The process included seeking approval from the Minister for Local Government. The differential rate for mining properties was employed to better match the WA Grants Commissions assessment of rate income potential (briefly, rural and urban actual income matched reasonably well with the Commissions model but actual income from mining rates was substantially lower indicating a need to for a higher rate in the dollar for mining properties than was charged for other UV valued properties). The rate increase noted in the President's report was net of the abnormal item (the additional income from mining rates).

2.1.2 Loan – Budget 2014/15

QUESTION

The 2014/15 adopted budget included a Loan of \$1,600,000 for Aged Accommodation and no details of the project have been included. Will the Council give an undertaking to do the following prior to proceeding with the raising of the loan?

- a) Advise the public how the annual debt service of the total principal and interest (\$2,535,000), which equates to an annual amount of \$126,750, is to be repaid over the next twenty years, and is to be funded. The annual debt service cost equates to 5.527% of the total rates to be raised in the year 2014.15.
- b) Give an opportunity to the electors to determine if the project is to proceed if a request is made by over 50 electors for a referendum.
- c) Advise why the loan for this purpose has not been included in the 2014/15 year of the Long term financial plan.

RESPONSE BY CHIEF EXECUTIVE OFFICER

The Local Government Act requires that a business plan be produced and put out for public comment for major land transactions. The proposed Aged Accommodation initiative is, due to its estimated cost, classified as a major land transaction and so a business plan will be prepared and the community will have the opportunity to comment. The plan will deal with a concept of what is proposed, preliminary cost estimates, how the project might be funded up front and how the project will be funded going forward i.e. whole of life costs).

Council made a determination, leading up to the budget, to make a significant move on an aged accommodation project. At that time Council had a number of options that it was evaluating. At the time the budget was adopted Council needed to show the planned project and its funding source. Subsequent to the budget being adopted Council completed its evaluation of options and selected one to progress. The business plan, to be put out for comment, will include some detail of the other options and greater detail of the option selected for pursuing further.

Council has also looked at a number of business models for aged accommodation and all address the recouping of capital costs and are self funding going forward. Council has not yet set on a business model to pursue but the Geegeelup Village, Bridgetown, represents a good benchmark for evaluating the Boyup Brook initiative. With its management's permission, some details of its operation will be included in the business plan.

2.1.3 Boyup Brook Medical Centre Operation

QUESTION

- a) Has the Council informed the public that the medical centre is now operating at a loss? The 2014/15 Budget projects a loss of \$98,955 and the actual loss in 2013/14 was \$87,327.
- b) If the Council has not advised the public will they agree to publish an article in the next issue of the Boyup Brook Gazette to ensure the public are aware of this?

RESPONSE BY CHIEF EXECUTIVE OFFICER

Council has been monitoring all of its areas of operation, including the Medical Centre, and in August 2014 Council resolved as follows:

That the CEO report on the 4 yearly review of the financial management systems and procedures (FM Reg 5(2)(c), being conducted this calendar year by consultants DCA, together with a confidential operational report and recommendations to the November council meeting.

Council's direction is to use the opportunity of the statutorily required review of financial management systems and procedures, that the CEO is required to do every 4 years (but can do internally and is not required to engage external entities), to conduct an external review that goes past the statutory requirements and looks at business models etc. The CEO and Administration are fully supportive of this Council directive, and had been working with Council on it leading up to the Council decision.

It also should be noted that, with respect to the Medical Centre, the two years looked at were impacted by staff taking extended leave, in both years, requiring relief staff. Effectively then each of the two years in question, had the cost of two staff members on leave plus two staff members replacing them. These were then abnormal years and not necessarily a trend.

2.1.4 Planning Services QUESTION

On what financial basis does the Council utilize the services of Geoffrey Lush, TME and how does the arrangement comply with the requirement for services under the Local Government Act 1995 and regulations, as well as Council purchasing policy?

RESPONSE BY CHIEF EXECUTIVE OFFICER

Council has used the Town Planning services of TME on an as needs basis for a number of years (at least 10). Council has no agreement (contract or other) with TME for services. Other firms have been used on occasions, but infrequently.

Council, as part of its continual review of costs and operations, has looked at other service provider opportunities and will be moving to an agreement in the coming months.

2.1.5 Swimming Pool QUESTION

A capital expenditure, \$300,000 is proposed on the Boyup Brook Swimming Pool for heating. Have details of what work is proposed with this funding, including the impact on future annual operation costs and hours, been outlined in either a newsletter to the public and or Boyup Brook Gazette. If not will the Council agree to do this prior to proceeding with the project.

RESPONSE BY CHIEF EXECUTIVE OFFICER

The capital expenditure item, referred to, is supported by a community contribution of \$100,000 and a Department of Sport and Recreation Grant of \$100,000, a transfer from reserves of \$35,930 and \$60,070 from ordinary revenue (as set out in the Infrastructure – Other section of the 2014/15 Budget, on the Shire website).

The Department of Sport and Recreation Grant process requires that quotations be provided to support the cost estimates as shown in the application. At the same time Council is required to call tenders where the cost is expected to exceed \$100,000. The required tender process can be preceded by a call for expressions of interest (this process is employed where the Council wants to see what is available, in the market place, to achieve a required result. Where there is no specific product or specifications etc). The intention is to call for expressions of interest and then call for tenders. This process will provide Council with accurate upfront, and ongoing, costs of a range of options to liaise with the community group, which is part funding the project, and make a business decision on. It would have been possible to gain this information via a study but this would have been an additional cost and Council will have still had to call for tenders. It was not practical to call for expressions of interest or tenders prior to lodging the grant application because the grant funding would not be available until 2015/16. Grant results are announced in February/March 2014 and Council could start the project once the agreement is signed. So the broad plan is to call for expressions of interest in 2014, noting that the project is subject to grant funding and other considerations then to call for tenders in 2015, with a similar qualification, with the aim of being in a position to accept a tender and complete works before the end of 2014/15.

The intention is to provide detailed information when it becomes available.

2.1.6 Subdivision of Lot 734 Banks Road

QUESTION

I would like the Council to outline the reasons why each of the following subdivisions undertaken in the special rural zone strategy area No 1, were not required to contribute to the upgrading of existing roads adjoining the properties developed:-

- a) Lot 1302 (at the time owned by CP & J Barron). New lots created adjoining Abel Road. Only a very small portion of Abel Road sealed. The portion of gravel road in question has recently been upgraded by the Shire at the ratepayers cost without any contribution from the landowners and is still not a bitumen surface road.
- b) Lot 1044 (at the time owned by P Reid). New lots created adjoining Banks Road. A portion of gravel road in question has been upgraded to a bitumen standard by the Shire at the ratepayers cost without any contribution from the landowner. The remaining portion (270 metres) is gravel and will require substantial work at the ratepayer cost.
- c) Part lots 1302 & 1073 (at the time owned by Bombara Family) New lots created adjoining Zig Zag and Abel Road. The portion of Abel Road in question has recently been upgraded by the Shire at the ratepayers cost without any contribution from the landowners and is still not a bitumen surface road. The Zig Zag Road is used as an access for over seven properties and the standard both alignment and gravel/natural surface is very poor.

d) Part lot 1957 (at the time owned by Blackburn). The western section of this property in the Special Rural Strategy Area No 1 was subdivided without rezoning and no contribution to the upgrading of the adjoining Banks Road. Again this cost will have to be met by the Ratepayers.

1. Given the substantial concessions afforded to the owners of properties outlined above in regard to the upgrading of Roads adjoining subdivisions in the special rural strategy area No 1, does the Council believe that I am being treated fairly with the cost I am required to make to upgrading the section of Banks Road adjoining my property Lot 734 which has recently received conditional approval to create five additional lots. The traffic generated subdivision is not greater than the subdivisions outlined in question one above.
2. If the answer to question (1) is yes, I believe I am entitled to the reasons for this position to be recorded in the minutes of this meeting or as required by the Local Government Act 1995 when responding to questions raised by the public.

As a general comment I am quite prepared to make a contribution to the upgrading of Banks Road that adjoins my property however I would like to be treated with fairness and equality that has been afforded to others in the past. I guess the easy answer to this by the present day Council is to say the past Councils made the decisions in relation to the issues raised in item 1 above, however there are many issues that Council looks at from time to time that relate to the past and often have a bearing on the outcome/decision.

RESPONSE BY CHIEF EXECUTIVE OFFICER

In relation to the subdivisions, it should be first noted that the Shire Council is not the approving body, the WA Planning Commission is. WAPC sets conditions or not based on submissions from authorities such as the Council. WAPC is not bound by any requested conditions, and makes its own determination based on the submissions, the applicant's application and submissions, planning law and policies, and the like. Council deals with rezoning applications but they have to be approved by WAPC. Applicants for rezoning and subdivision approvals lodge applications put forward arguments for their applications and against any conditions they see as being too onerous or unfair. In the end the WAPC guides (in the case of rezonings) or approves with conditions and the applicant either accepts the conditions, and progresses the planning for development, or rejects them by appealing the decision or not progressing the development.

It is not possible or practical to compare conditions set say 10 years or more ago, with conditions that may be set today. Relevant authorities, such as DFES, are continually looking to improve and now seek to obtain much more detailed fire management plans now than they did years ago. Similarly, Local Governments are reviewing policies, plans and the like, regularly and so could not be bound by conditions that may have been sought, or not, as the case may be, years ago. It is also not possible to tell from Council minutes, and other records, why the Council in the 1990s did not seek to have a road contribution included as a condition for rezoning and then for the subsequent subdivision.

Taking each subdivision in turn,

- a) Council dealt with the rezoning in 2007 and 2008 and WAPC approval for the rezoning was given in March 2009. WAPC approved the subdivision in June 2011, and set no conditions regarding a road contribution.
- b) Council dealt with the rezoning in 1994 and WAPC approval for the rezoning was given in 1995. WAPC approved the subdivision in September 1996, and set no conditions regarding a road contribution.
- c) Council dealt with the rezoning in 1998 and WAPC approval for the rezoning was given in 2000. WAPC approved the subdivision in July 1997, and set no conditions regarding a road contribution.
- d) Council dealt with WAPC's referral of the subdivision application in August 2011. Council sought to have the application withdrawn pending a rezoning from "Rural" to "Special Rural". WAPC approved the subdivision without requiring a rezoning and without requiring any road contribution.

Responding to the two numbered points,

- 1 Council does not set conditions for subdivisions, the WAPC does. In the case of the subdivision of lot 734, WAPC, this was preceded by a rezoning which was finally approved by the WAPC 26 October 2012 with the following relevant condition:

14. Banks Road Upgrade

(a) Council may request the Western Australian Planning Commission that any subdivision approval include a requirement that the applicant is to contribute to the upgrading of Banks Road to a sealed standard to access the subdivision, consistent with the Council W.07 Road Contribution policy.

WAPC approved the subdivision with the following relevant clause:

6. Satisfactory arrangements being made with the Local Government for the partial cost of upgrading and/or construction of Banks Road fronting the subject land on the plan dated 7 May 2014.

It is not possible to comment on whether the decisions of Council or the WAPC are fair or not because this is a subjective assessment. Council sought the condition regarding the road after dealing with the up date of its Road Contribution Policy (last updated in May 2011). The road contribution is understood to be consistent with other Local Government's policies and was supported by the WAPC at the rezoning and then again at the subdivision approval. It therefore could be said to be reasonable condition to seek in current times. However, and naturally, the developer will see new impositions that may not have been applied in the past as being unfair.

- 2 As stated, fairness is a subjective assessment and so no attempt was made to make an assessment in these terms.

2.2 Questions from Mr Tony Doust

2.2.1 Rates – Budget 2014/15

QUESTION

Mr Doust put that the response, included in this meetings agenda, did not address all aspects of the question. He asked if the President would publish, in the Boyup Brook Gazette, a statement of explanation.

RESPONSE BY SHIRE PRESIDENT

The President advised that he would, seek detail from the CEO, and do so.

2.2.2 Boyup Brook Medical Centre Operation

QUESTION

Mr Doust noted the response in the agenda, and put that the Medical Centre operation had been charged with leave accruals each year and that the cost of any leave taken should have come from the Leave Reserve Fund.

RESPONSE BY CHIEF EXECUTIVE OFFICER

The CEO responded that the leave liability was not 100% cash backed, that some of the cost of leave taken was supported by a transfer from the Leave Reserve Fund, and that this was not reflected in the operating section of the accounts.

2.2.3 Subdivision of Lot 734 Banks Road

QUESTION

Mr Doust noted the response in the agenda and, in relation to the subdivisions of lots 1302, 1044 and part lots 1073 and 1302, asked if Council had sought conditions to be applied in relation to road upgrades and if not why not.

RESPONSE BY CHIEF EXECUTIVE OFFICER

The CEO responded that it may not be possible to establish “why” but would do the relevant research and respond to the balance of the question.

2.2.4 Boyup Brook / Arthur River Road - new crossover

QUESTION

Mr Doust noted that a new entrance way had been established off the Boyup Brook Arthur River Road and just north of Ritson, and asked if it met sight distance requirements.

RESPONSE BY DIRECTOR ENGINEERING SERVICES

The Director of Engineering Services advised that the line of sight had been checked, before the crossover was approved, and that relevant standards had been met.

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr Aird attended the Local Government Grain Freight Group meeting held on 6 October 2014 at West Leederville.

Cr Kaltenrieder will be attending a Civic Service at St George's Cathedral on 23rd November 2014.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 18 September 2014

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Kaltenrieder

SECONDED: Cr O'Hare

That the minutes of the Ordinary Meeting of Council held on Thursday 18 September 2014 be confirmed as an accurate record.

Carried 8/0

Res 123/14

6 PRESIDENTIAL COMMUNICATIONS

Cr Giles, together with three other Shire representatives, attended the funeral service for the Late Lynda Coote on 16th October 2014.

Cr Giles attended the Regional Road Group meeting held on 22nd September 2014.

Cr Giles attended the Bunbury Wellington Group of Councils meeting held on 23rd September 2014.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

Nil

MOVED: Cr Walker

SECONDED: Cr Moir

That the Council adopts enbloc items 8.2.1, 8.2.2, and 8.2.3.

CARRIED 8/0

Res 124/14

8.2 FINANCE

8.2.1 List of Accounts Paid

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>09 October 2014</i>
Author:	<i>Stephen Carstairs – Manager Corporate Services</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – List of Accounts Paid</i>

SUMMARY

In accordance with the Local Government (Financial Management) Regulations the list of accounts paid in September 2014 is presented to Council.

BACKGROUND

Invoices received for the supply of goods and services, salaries and wages and the like have been paid during the period.

COMMENT

The attached listing represents accounts paid by cheque and by electronic means during the period 1 September to 30 September 2014.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

12. Payments from municipal fund or trust fund

(1) A payment may only be made from the municipal fund or the trust fund —

- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- (b) otherwise, if the payment is authorised in advance by a resolution of the council.*

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

13. Lists of accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name;*
- (b) the amount of the payment;*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

(2) A list of accounts for approval to be paid is to be prepared each month showing —

(a) for each account which requires council authorisation in that month —

- (i) the payee's name;*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction;*
- and*

(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under sub regulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
- (b) recorded in the minutes of that meeting.*

POLICY IMPLICATIONS

Council's *Authority to Make Payments Policy* has application.

BUDGET/FINANCIAL IMPLICATIONS

Account payments are in accordance with the adopted budget for 2014-15 or authorised by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

That Council receive as presented the list of accounts paid in September 2014, and totalling \$463,380.77 and as represented by: cheque voucher numbers 19636-19656 totalling \$192,112.64; and accounts paid by direct electronic payments through the Municipal Account totalling \$211,135.53.

8.2.2	31 August 2014 Statement of Financial Activity
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Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	09 October 2014
Author:	Stephen Carstairs – Manager Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Financial Reports

SUMMARY

This report recommends that Council receive Statement of Financial Activities and Net Current Assets for the month ended 31 August 2014.

BACKGROUND

Section 6.4 of the Local Government Act 1995 places financial reporting obligations on local government operations.

Regulation 34.(1)–(4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a *Statement of Financial Activity*.

The regulations also prescribe the content of the reports, and that details of items of Material Variances shall also listed.

COMMENT

It is a statutory requirement that the statement of financial activity be prepared each month (Regulation 34.(1A)), and that it be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates (Regulation 34.(4)(a)).

Due to time constraints, presentation of the shire's 31 August 2014 statement of financial activity was deferred to the October 2014 ordinary meeting of Council.

CONSULTATION

Alan Lamb – Chief Executive Officer

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 34.(1A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(4)(a)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2

1. That the 31 August 2014 Statement of Financial Activity and Statement of Net Current Assets as presented , be received.
2. That amounts listed as material variances be authorized.

8.2.3 30 September 2014 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	09 October 2014
Author:	Stephen Carstairs – Manager Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	No

SUMMARY

This report recommends that Council defer to the November 2014 ordinary meeting of Council the receiving of the Statement of Financial Activities and the Net Current Assets for the month ended 30 September 2014.

BACKGROUND

Section 6.4 of the Local Government Act 1995 places financial reporting obligations on local government operations.

Regulation 34.(1)–(4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a *Statement of Financial Activity*.

The regulations also prescribe the content of the reports. Details of items of Material Variances are also listed.

COMMENT

It is a statutory requirement that the statement of financial activity be prepared each month (Regulation 34.(1A)), and that it be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates (Regulation 34.(4)(a)).

At the time of writing Corporate Services officer time was fully committed to compiling, among other things, the 2014-15 Annual Budget report to the Department, the fair valuing in 2013-14 of the shire's bridges assets, and the various notes to the 2013-14 Annual Financial Statements. Due to time constraints and human resource shortfalls during the latter part of August 2014 and in early September, presentation of the shire's 30 September 2014 Statement of Financial Activity has been deferred to the October 2014 ordinary meeting.

CONSULTATION

Alan Lamb – Chief Executive Officer

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 34.(1A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(4)(a)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.3

That receipt by Council of the shire's 30 September 2014 Statement of Financial Activity and Statement of Net Current Assets be deferred to Council's November ordinary meeting.

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Council Meeting Dates for 2015

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Not Applicable</i>
File:	<i>N/A</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	
Author:	<i>Alan Lamb – Chief Executive Officer</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council proposed meeting times and dates for the Ordinary Council meetings for the 2015 year.

BACKGROUND

At the Chief Executive Officer's review last year it was recommended that regular Council briefing sessions be conducted before Ordinary Council Meetings.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY OBLIGATIONS

The following sections of the Local Government Act have relevance:

5.3. Ordinary and Special Council Meetings

- 1) A council is to hold ordinary meetings and may hold special meetings.
- 2) Ordinary meetings are to be held not more than 3 months apart.
- 3) If a council fails to meet as required by subsection (2) the Chief Executive Officer is to notify the Minister of that failure.

5.4. Calling Council Meetings

An ordinary or a special meeting of a council is to be held –

- (a) if called for by either-
 - (i) the mayor or president; or
 - (ii) at least 1/3 of the councillors;
in a notice to the Chief Executive Officer setting out the date and purpose of the proposed meeting; or
- (b) if so decided by the council

5.5. Convening Council Meetings

- (1) The Chief Executive Officer is to convene an ordinary meeting by giving each Council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.
- (2) The Chief Executive Officer is to convene a special meeting by giving each Council member notice, before the meeting, of the date, time, place and purpose of the meeting.

The Local Government (Administration) Regulations provide:

Public notice of Council or Committee Meetings – s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to sub regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the Chief Executive Officer's opinion, it is not practicable to give local public notice of the matters referred to in sub regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the Chief Executive Officer's opinion, is practicable.

The Local Government Act provides that local public notice is as follows;

1.7. Local Public Notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be –

- (a) published in a newspaper circulating generally throughout the district;
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
- (2) Unless expressly stated otherwise it is sufficient if the notice is –
- (a) published under subsection (1) (a) on at least once occasion; and
 - (b) exhibited under subsection (1) (b) and (c) for a reasonable time, being not less than –
 - (i) the time prescribed for the purpose of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

POLICY IMPLICATIONS

Council Policy

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues at this stage.
- **Social**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – 8.3.1

That the following meeting dates and times apply for the 2015 year:

Council Meeting Dates 2015

Held at 5.00pm in the Boyup Brook Chambers

19 February 2015	20 August 2015
19 March 2015	24 September 2015
23 April 2015	22 October 2015
21 May 2015	19 November 2015
25 June 2015	17 December 2015
23 July 2015	

COUNCIL DECISION – 8.3.1

MOVED: Cr O’Hare

SECONDED: Cr Moir

That the following meeting dates and times apply for the 2015 year:

Council Meeting Dates 2015

Held at 5.00pm in the Boyup Brook Chambers

19 February 2015

20 August 2015

19 March 2015

17 September 2015

16 April 2015

15 October 2015

21 May 2015

19 November 2015

18 June 2015

17 December 2015

16 July 2015

Carried 8/0

Res 125/14

8.3.2 Boyup Brook Arts and Craft Building – new garage

Location:	<i>Reserve 7065, Corner Barren and Jayes, Boyup Brook</i>
Applicant:	<i>Boyup Brook Arts and Craft Club</i>
File:	<i>A1994</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 October 2014</i>
Author:	<i>Alan lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Copy of letter</i>

SUMMARY

The Boyup Brook Arts and Craft Club (BBACC) seek Council's approval, as the manager of the Reserve, to erect a double garage, or other similar structure, on the Reserve. The recommendation is to approve subject to normal planning and building applications with Council meeting the cost of fees it charges.

BACKGROUND

The BBACC has operated out of the building on Reserve 7065, for some ` years. In recent times Council and the Club have formalised arrangements with a lease.

The Club's membership is increasing and it seeks an additional building to "messy" crafts in.

COMMENT

The Club needs Council's approval as the manager of the land, to the idea of a new building to be placed on the land. Once the Club has this it intends to further pursue options and then fund raise to meet the cost. The Club is aware of the need for submitting plans and the like for planning and building approval, and Administration normally provides assistance for clubs in these processes, but there will be costs in moving forward and so the first step is to gain Council approval at the manager of the land.

The Club will have to provide detailed plans of where the structure is to be located, what it will look like etc, in order to gain planning approval (if it is required). And it will have to provide detailed structural drawings and the like for a building licence. It is recommended that Council either waive its charges for planning and building applications, or meet these costs, as it had made the practice of doing for other community groups occupying Council managed land.

CONSULTATION

Nil at this time.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Budget predictions for planning and building fee income was based on previous years actual and so not receiving fees for this project should have no impact. The advantage of Council charging and then paying the fees, as journal entries, better shows the level of income from fees and the level of donations made.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
The Club is doing well with increased members. It has always been a fairly independent group and has been well supported by the community. The new building will allow it to expand its operations and keep the more messy crafts in a more appropriate/easier to clean, building.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.2

MOVED: Cr Kaltenrieder

SECONDED: Cr Blackburn

That Council agree to the idea of a double garage, or other similar structure being erected on Reserve 7065 subject to the Boyup Brook Arts and Craft Club obtaining relevant Town Planning and Building approvals. Council will meet the cost of Shire fees associated with Town Planning and Building approvals.

Carried 6/2

Res 126/14

9 COMMITTEE REPORTS

9.1.1 Minutes of the Blackwood River Valley Marketing
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Location:	N/A
Applicant:	N/A
File:	
Disclosure of Officer Interest:	Nil
Date:	9 October 2014
Author:	Alan Lamb - CEO
Attachments:	Yes – Minutes

BACKGROUND

The Blackwood River Valley Marketing Association meeting was held on 17th September 2014.

Minutes of the meeting are laid on the table and circulated.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.1

MOVED: Cr Moir

SECONDED: Cr Giles

That the minutes of the Blackwood River Valley Marketing Association be received.

Carried 8/0

Res 127/14

Mr Doust left the Chambers at 6.21pm

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

Nil

13 CLOSURE OF MEETING

There being no further business the Shire President, Cr Giles thanked all for attending and declared the meeting closed at 6.22pm.