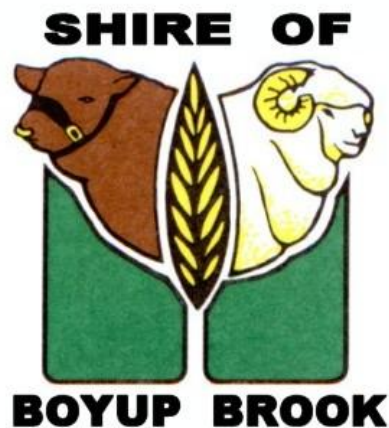


Minutes



ORDINARY MEETING

held

THURSDAY 17 April 2014
Commenced AT 5.00PM

AT

SHIRE OF BOYUP BROOK
CHAMBERS
ABEL STREET - BOYUP BROOK

TABLE OF CONTENTS

1 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	3
1.1 Attendance.....	3
1.2 Apologies.....	3
1.3 Leave of Absence.....	3
2 PUBLIC QUESTION TIME.....	3
2.1 Response to Previous Public Questions Taken on Notice	3
2.2 Public Question Time.....	3
3 APPLICATIONS FOR LEAVE OF ABSENCE	3
4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS	3
5 PRESIDENTIAL COMMUNICATIONS	4
6 COUNCILLORS QUESTIONS ON NOTICE.....	4
8.1 MANAGER WORKS & SERVICES.....	5
8.1.1 Purchase of Non-Budgeted Piece of Plant – 25 tonne Excavator for the North Boyup Brook Tip Site	5
8.1.2 10 Year Works Programs	7
8.1.3 Transfer of Funds from W Tree Gully Road and Walshaws Road to Jayes Bridgetown Road	9
8.1.4 Waverley Road – Proposed Re-alignment /Resumption	11
8.1.5 Renaming of Mayanup-Tonebridge Road to Boyup Brook – Cranbrook Road	13
8.2 FINANCE	15
8.2.1 List of Accounts Paid	15
8.2.2 Monthly Statements of Financial Activity	18
8.2.3 Budget and Reserve transfer amendment.....	20
8.3 CHIEF EXECUTIVE OFFICER.....	24
8.3.1 Annual Compliance Audit Return 2013.....	24
8.3.2 Industrial development – proposed lease of a Flax Mill/Caravan Park shed	26
8.3.3 Boyup Brook Airfield – lease of a portion of the land.....	31
9 COMMITTEE REPORTS.....	41
9.1.1 Minutes of the Bunbury Wellington Group	41
10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	41
11 URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT.....	42
11.1.1 Paving of Footpath in Front of Railway Barracks.....	42
12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS.....	43
13 CLOSURE OF MEETING.....	43

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

1.1 Attendance

Cr G Aird – Deputy Shire President
Cr J Imrie
Cr P Kaltenrieder
Cr K Moir
Cr B O’Hare
Cr T Oversby
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 Norman Blackburn

1.2 Apologies

Cr Giles

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr O’Hare attended the Boyup Brook District High School meeting held on 8th April 2014. The Board spoke about the parking issues. Cr O’Hare informed Council that the School will present a submission to the next Council meeting.

Cr Oversby attended the Blackwood River Valley Marketing Association held on 7th April 2014 and informed Council about the new Web Site which has been put in place, also they have applied for a grant.

CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 20 March 2014

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Walker

SECONDED: Cr Imrie

That the minutes of the Ordinary Meeting of Council held on Thursday 20 March, 2014 be confirmed as an accurate record.

Carried 7/0

Res 37/14

5 PRESIDENTIAL COMMUNICATIONS

Nil

6 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

8.1.1 Purchase of Non-Budgeted Piece of Plant – 25 tonne Excavator for the North Boyup Brook Tip Site
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Location: N/A
Applicant: N/A
File:
Disclosure of Officer Interest: Nil
Date: 8 April 2014
Author: Rob Staniforth-Smith - MWKS
Authorizing Officer: N/A
Attachments: Nil

SUMMARY

This item recommends that Council approve the purchase of a non-budgeted item of plant, a 25 tonne excavator, for the North Boyup Brook Tip Site.

BACKGROUND

The traxcavator used to push up the North Boyup Tip Site rubbish and to cover the rubbish on disposal had a major engine failure and was subsequently sold for \$11,000. The traxcavator was considered not worth fixing as a new engine was priced and was going to cost between \$16,000 and \$20,000 plus the traxcavator was not suitable to push up asbestos and rubbish as it did not have a pressurized air conditioned cabin.

A 25 tonne excavator in reasonable condition has been sourced for \$26,000 and along with the trade in of \$11,000 from the traxcavator would cost \$15,000 changeover. Steel shutters would need fabricating for the windows, fuel compartment and engine bay for a further \$2,000 as the intention is that the excavator would be left at the tip site, saving transport (currently we float the traxcavator out each week) and approximate 3 hours of the mechanics time per week.

COMMENT

The rubbish disposal site needs pushing up and covering after each drop off from the transfer station and the town rubbish disposal truck, as a condition of licence. We have been using an open cab traxcavator which has been sold and we are currently using one of our rubber wheeled loaders which needs transporting from the job it is currently on, often

delaying works, and often incurring punctures from sharp objects. The rubber tyred loaders also become bogged when it rains as the tip is dug out of clay soil.

CONSULTATION

Chief Executive Officer

Work Supervisor

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Will increase budgeted expenditure in the 2013/2014 budget by \$17,000; however the expenditure still fits into the 10 year strategic plant replacement plans budget as some items are not going to be purchased in 2013/2014 financial year.

Will enable the rubbish to be pushed up in a manner that conforms to current Occupational and Health Standards.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.1.1

MOVED: Cr Moir

SECONDED: Cr Oversby

That the Council approve the purchase of a 25 tonne excavator for \$28,000 including steel protective guards to the windows and that it approves the use of the \$11,000 trade in value to part fund the purchase, with the remainder coming from the Plant Reserve.

Carried by Absolute Majority 7/0

Res 38/14

8.1.2 10 Year Works Programs

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>8 April 2014</i>
Author:	<i>Rob Staniforth-Smith - MWKS</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>10 year resheeting program, 10 year reseal program, 10 year maintenance program, 10 year footpath program, 10 year widening program, 10 year plant replacement program</i>

SUMMARY

The purpose of this report is to put the 10 year Works Programs to Council for adoption as a basis for budget development and inclusion in the Integrated Planning Project.

BACKGROUND

As a requirement of the Integrated Planning program the 10 year Works Programs form an integral part of the budget preparation process.

The 10 year Works Programs are revised annually to accommodate changes to proposed works projects and budget considerations.

COMMENT

The 10 year Works Programs have been prepared for the 2012/2013 budget considerations and future years costing have been calculated in terms of current dollar values.

As previously noted the Works Programs will be revised annually so that budget estimates can be adjusted to current dollar values.

CONSULTATION

Chief Executive Officer

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

2008 – 2013 Strategic Plan

Action Plan No 1.2 – B

Develop a five Year Works Plan

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues
- **Economic**
There are no known significant economic issues
- **Social**
There are no known significant social issues

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – Item 8.1.2

That the Council adopt the 2014/2015 to 2023/2024 Ten Year Works Programs as presented for budget development and inclusion in the Strategic Plan.

COUNCIL DECISION

MOVED: Cr Walker

SECONDED: Cr Imrie

That the Council adopt the 2014/2015 to 2023/2024 Ten Year Works Programs as presented for budget development and inclusion in the Strategic Plan which includes the 10 year resheeting program, 10 year reseat program, 10 year maintenance program, 10 year footpath program, 10 year widening program and 10 year plant replacement program.

Carried 7/0

Res 39/14

8.1.3 Transfer of Funds from W Tree Gully Road and Walshaws Road to Jayes Bridgetown Road

Location:	<i>N/A</i>
Applicant:	<i>N/A</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>8 April 2014</i>
Author:	<i>Rob Staniforth-Smith - MWKS</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Nil</i>

SUMMARY

This item recommends that Council approve the transfer of \$33,520 allocated to the re-sheeting of W Tree Gully Road and \$51,403 allocated to the re-sheeting of Walshaws Road, in the 2013/2014 budget, to re-sheet 2.5 kilometres of Jayes Bridgetown Road.

BACKGROUND

The 2013/2014 budget allowed \$33,520 for re-sheeting works to W Tree Gully Road and \$51,403 to the re-sheeting of Walshaws Road. During the 2014 winter, parts of the Jayes Bridgetown Road deteriorated to a point where the road became hazardous to road users and the road required significantly more grading to maintain it in a useable state.

COMMENT

Further to several complaints a road inspection of the Jayes Bridgetown Road has identified sections of pavement failure and large “clay” patches creating slippery and dangerous surface conditions when wet.

It is recommended that the \$84,923 budget allocation to re-sheeting Walshaws and W Tree Gully Road be spent on the Jayes Bridgetown Road.

CONSULTATION

Chief Executive Officer

Work Supervisor

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

2008 – 2013 Strategic Plan

Action Plan 6.5 – 102

Maintain and enhance rural roads throughout the Shire of Boyup Brook

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.1.3

MOVED: Cr Oversby

SECONDED: Cr O’Hare

That the Council approve the transfer of \$33,520 from the 2013-2014 budget for the re-sheeting of W Tree Gully Road and \$51,403 from the 2013-2014 budget for the re-sheeting of Walshaws Road to the re-sheeting of the Jayes Bridgetown Road.

Carried 7/0

Res 40/14

8.1.4 Waverley Road – Proposed Re-alignment /Resumption

Location:	<i>Waverley Road, Dinninup</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>RD 0195</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 April 2014</i>
Author:	<i>R Staniforth-Smith/T McCaughan</i>
Authorizing Officer:	<i>Alan Lamb</i>
Attachments:	<i>Waverley Road Plan</i>

SUMMARY

The purpose of this report is to formalise the re-alignment of Waverley Road, Dinninup, from the gazetted road reserve to its current alignment.

BACKGROUND

A recent survey of Gibbs Road for rural road numbering and a bus stop location highlighted and a check of Landgate mapping found that the eastern portion of Waverley Road has been constructed out of the gazetted road reserve and on private property. It was found that the resumption of land for a road reserve had not been formally created. (See attachment 8.1.4i) (Landgate Aerial plan).

The re-location of the road is understood to have come about to create a safer intersection to facilitate vehicle movements from the vehicles using Waverley Road into Gibbs Road.

COMMENT

A site investigation by Staff was conducted and a plan has been prepared indicating the proposal to formalise a new road reserve and resume portion of land. See attachment 8.1.4ii) (Shire Plan)

Correspondence has been sent to both parties concerned for comment.

The road is currently constructed with a gravel surface within the proposed resumption.

CONSULTATION

Correspondence to both parties concerned.

STATUTORY OBLIGATIONS

Compliance with the Land Administration Act 1997, Sec 56. – “Dedication of land as road” and procedures.

POLICY IMPLICATIONS

“W.02 Preservation of Gazetted Roads” – the intent of this proposal complies with the policy.

BUDGET/FINANCIAL IMPLICATIONS

Costs to be provided in the 2014/15 Budget.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority or Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.1.4

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council agree to proceed with the resumption of portions of Lot 12235 Waverley Road and Lot 8253 Gibbs Road for the purpose of formalising the re-alignment of Waverley Road, Dinninup, from the gazetted road reserve to its current location.

Carried 7/0

Res 41/14

8.1.5 Renaming of Mayanup-Tonebridge Road to Boyup Brook – Cranbrook Road

Location: N/A
Applicant: N/A
File:
Disclosure of Interest: Nil
Date: 10th of April, 2014
Author: R Staniforth-Smith, Manager of Works and Services
Authorizing Officer: Alan Lamb – Chief Executive Officer
Attachments: maps

SUMMARY

The purpose of this report is to seek to change the Shires road name for the road that leads from Mayanup to Tonebridge which the Shire Hierarchy calls “Mayanup – Tonebridge Road” to match Landgate and Main Roads name “Boyup Brook – Cranbrook Road”.

BACKGROUND

The Shire of Boyup Brook road Hierarchy lists the road from Mayanup to Tonebridge as the “Mayanup – Tonebridge Road”, where as Landgate and Main Roads list the road from Mayanup to Tonebridge as the “Boyup Brook-Cranbrook Road”. All rural addresses that Landgate have applied to the properties on the Shire of Boyup Brooks “Mayanup – Tonebridge Road” have “Boyup Brook – Cranbrook Road” addresses, which when the rural numbering goes live will have the farcical outcome of people having an address on a road that the Shire does not recognise and is not signed to match their addresses.

COMMENT

Roads were historically often given “local” names by the Shires as to their destination within the Shire and often these names did not match Landgates (or its predecessor’s name). This historically has not caused any issue as rural addresses were “Road Side Mail boxes”. With the advent of the “Rural Numbering” scheme rural properties will now be addressed by their distance from a particular intersection on a particular road meaning that emergency services and road users will now have a logical sequential way of determining properties locations. For this to work either the Shires road names for a particular road name need to be changed to match Landgate or Landgates changed to match the Shires, in the instance the former is being applied.

CONSULTATION

Alan Lamb, CEO

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.1.5

MOVED:Cr Moir

SECONDED: Cr Kaltenrieder

That Council change the Shire of Boyup Brooks road names as follows:

Road 211 – Mayanup-Tonebridge road is merged with road 148 – Boyup Brook – Cranbrook Road and the combined road name in the Shire of Boyup Brook’s hierarchy is changed to the Boyup Brook – Cranbrook Road, to match Landgate and Main Roads names.

Carried 7/0

Res 42/14

MOVED: Cr Walker

SECONDED: Cr Oversby

That the Council adopts enbloc items 8.2.1 and 8.2.2.

Carried 7/0

Res 43/14

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>9 April 2014</i>
Author:	<i>Carolyn Mallett – Finance Officer</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 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 March 2014 to 7 April 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 2013/14 or authorised by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

That the list of accounts paid in March and April 2014 as presented totalling \$1,080,589.40 and as represented by cheque voucher numbers 19506 - 19537 totalling \$104,507.38 and accounts paid by direct electronic payments through the Municipal Account totalling \$976,082.02 be received.

8.2.2 Monthly Statements of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	10 April 2014
Author:	Consultant–Darren Long
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Financial Reports

SUMMARY

Report recommends Council receive the Statement of Financial Activities and the Net Current Assets for the month ended 31 March 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 'Monthly Statement of Financial Activity'.

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

The various data are included as separate attachments.

COMMENT

It is a statutory requirement that the Financial Activities Report be presented for every month.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, s34 (1) (a)

Local Government (Financial Management) Regulations 1996, s34 (2) (a)
(b)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

As listed on the attached reports

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2

- (a) That the March 2014 Monthly Statements of Financial Activity and Statement of Net Current Assets as presented, be received.**
- (b) That the amounts listed as material variances be authorised.**

8.2.3 Budget and Reserve transfer amendment

Location:	Not Applicable
Applicant:	Not Applicable
File:	
Disclosure of Interest:	None
Date:	9 April 2014
Author:	Stephen Carstairs – Manager Corporate Services
Authorising Officer:	Alan Lamb – Chief Executive Officer
Attachments:	None

SUMMARY

In the course of a financial year circumstances occur which impact on an annual budget. The purpose of this report is for Council to consider and authorise:

- budget amendments as they relate to three (3) capital asset acquisition deferrals to 2014-15 and a budget saving that was identified; and
- a revised increased transfer of funds to Council's *Plant & Vehicles Reserve*.

BACKGROUND

The Local Government Act 1995 (the Act) provides for local governments to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

**Absolute majority required.*

Further, the Act allows local governments to establish and maintain reserve accounts to set aside money to be used in future financial years.

6.11. Reserve accounts

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*

- (5) *Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.*

The *Local Government (Financial Management) Regulations 1996* require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*

At its March 2014 ordinary meeting, Council resolved to adopt a reviewed 2013-14 budget which derived a favourable outcome and some \$21,203 of surplus funds (Resolution 36/14). Subsequent to this review Council officers have identified further savings and additionally, are proposing that three (3) budgeted capital acquisitions be deferred to 2014-15 as follows:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
	As per the adopted budget review - discretionary funds carried forward to 2014-15	3,434	21,203		
122901	New Radio System	\$7,000	\$5,640	\$1,360	
123608	Mechanics Ute - BU	\$14,700	\$0	\$14,700	
New	Aggregate Spreader	\$10,500	\$0	\$10,500	
New	Portable Traffic Lights	\$30,000	\$0	\$30,000	
	Landfill Traxcavator - Disposal	\$0	\$11,000	\$11,000	
New	Landfill Excavator - Acquisition	\$0	\$28,000		(\$28,000)
	Transfer to the Plant & Vehicles Reserve	\$181,247	\$237,807		(\$56,560)
	Transfer from the Plant & Vehicles Reserve to fund Excavator acquisition	\$0	\$17,000	\$17,000	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
	TOTAL			\$84,560	(\$84,560)
	Net Adjustments to 2013/14 Budget				\$21,203

The details of the Landfill Traxcavator disposal and Excavator acquisition are the subject of separate item to Council in this agenda, and were included in the above table for clarity.

Based on current revenue and expenditure trends, and projections to 30 June 2014, it is forecast that closing funds as at 30 June 2014 would remain unchanged at \$21,203.

Subject to the deduction of restricted funds from the Estimated Closing Funds, the estimated net projected discretionary funds available would be:

Estimated (discretionary) Closing Funds as per 2013-14 Reviewed Budget	\$21,203
Projected change as detailed in the above table	\$0
Net Estimated Closing Funds	<u>\$21,203</u>

POLICY IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed increased funds transfer to Council's *Plant and Vehicles Reserve* would have the effect of providing sufficient funds in the 2014-15 budget to cover the purchase of the plant and fleet utility that are to be deferred from this year into the next.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.3

MOVED: Cr Walker

SECONDED: Cr O’Hare

That Council note that the estimated Closing Funds are based on current revenue and expenditure trends, and authorise the following budget amendments:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
	As per the adopted budget review - discretionary funds carried forward to 2014-15	3,434	21,203		
123608	Mechanics Ute - BU	\$14,700	\$0	\$14,700	
122901	New Radio System	\$7,000	\$5,640	\$1,360	
New	Aggregate Spreader	\$10,500	\$0	\$10,500	
New	Portable Traffic Lights	\$30,000	\$0	\$30,000	
	Transfer to the Plant & Vehicles Reserve	\$181,247	\$237,807		(\$56,560)
	TOTAL			\$56,560	(\$56,560)
	Net Adjustments to 2013/14 Budget				\$21,203

Carried 7/0

Res 44/14

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Annual Compliance Audit Return 2013
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Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>FM/9/004</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>10 April 2014</i>
Author:	<i>Alan Lamb - CEO</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Yes – Boyup Brook Compliance Audit Return 2013</i>

SUMMARY

The purpose of this report is to present to Council the Annual Compliance Return for Council adoption.

BACKGROUND

The Local Government (Audit) Regulations 1996, Section (14) requires Local Governments to carry out a Compliance Audit for the period 1st January to 31st December in each year. Section (13) of the regulations outlines the sections of the Act & Regulations that are subject to audit.

The Department of Local Government and Regional Development has provided the compliance form approved by the Minister for completion and presentation to Council for adoption.

Section (15) of the Regulations require that a certified copy of the return presented and adopted by Council be sent to the Director General of Department of Local Government each year, together with a copy of the minutes referring to this matter. The report is to be certified by the Shire President and Chief Executive Officer.

COMMENT

A draft Compliance Return has been compiled and a copy is attached.

CONSULTATION

Administration Staff

STATUTORY OBLIGATIONS

Local Government Act 1995 Section 7.13(1)(i)

Local Government (Audit) Regulations 1996 Sections (13) (14) & (15)

POLICY IMPLICATIONS

No specific policy in relation to compliance as it is covered by legislation

BUDGET/FINANCIAL IMPLICATIONS

There were no separate costs incurred for completing the Compliance Return.

STRATEGIC IMPLICATIONS

There are no Strategic implications relating to the Compliance Return.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.1

MOVED: Cr O’Hare

SECONDED: Cr Imrie

That the Council adopts the Annual Compliance Report for 2013, and the Shire President and Chief Executive Officer certify the return for submission to the Department of Local Government.

Carried 7/0

Res 45/14

8.3.2 Industrial development – proposed lease of a Flax Mill/Caravan Park shed

Location:	<i>Jackson Street Boyup Brook</i>
Applicant:	<i>Middle East Engineering</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>11 April 2014</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Industrial sites study 2009, copy of AVP report on sheds 1 and 2 at the Flax Mill, copy of financial report from the recent budget review. Confidential report from Planning Consultant.</i>

SUMMARY

The purpose of this report is to put before Council a request to lease a shed for the purpose of commencing a manufacturing business and a plan to move forward on an industrial park development. The recommendation, in relation to the shed is that Council moves forward with required preliminary evaluations now, with a view to doing required improvements and entering into a lease in 2014/15 for the shed. In relation to the industrial park, the recommendation is that Council considers providing funds in the 2014/15 budget to further evaluate two sites with a view to developing an industrial park within the next 5 years.

BACKGROUND

The applicant for the shed lease approached the Shire Council about options for leasing a shed at the Flax Mill/Caravan Park, for the purpose of conducting a metal fabrication business. The applicant has a similar business operating in Kondinin. He originally manufactured three agricultural used products but, due to demand, has since wound this back to one product. His Kondinin business mainly concentrates on manufacturing but it occasionally does other fabrication/repair business.

The intention is to set up a manufacturing business in Boyup Brook to make all or some of the products he manufactures.

Council has looked at the need for industrial sites a number of times. In 2003 Council looked at the vacant land adjacent to the Boyup Brook Donnybrook road (behind Greenline). In 2009 a study was conducted to evaluate various opportunities and make recommendations as to which site(s) to move forward with. About the same time Council made an offer to purchase a piece of land, highlighted in the report, but this offer was not accepted.

The Chief Executive Officer, Manager of Works and Services, and Council's Planning Consultant met with the applicant to look at various potential industrial park sites and at the Flax Mill sheds.

The result of this was that two sites were identified as worth putting forward to Council as a longer term solution. One being the vacant land looked at in 2003 and again in 2009, and the other was a portion of the Saleyards Reserve. The area behind Greenline has the best exposure to a main road and the saleyards looks to require minimal earth works, so both are, it is suggested, worth looking at further.

The applicant noted that he would like to move forward more quickly than could be accommodated with the development of an industrial park (could be a 5 year project). The Flax Mill sheds were looked at in detail and offered the potential to get the business up and running within 12 months.

COMMENT

It is apparent that Council has given a great deal of consideration to developing an industrial park and did get to the point of making an offer on land highlighted in a report. This however is the first firm application, in at least the past 6 years, and it appears it could not wait until a park could be developed. Council officers, Council's consultant and the applicant saw great potential for the two sites mentioned and it is recommended that Council, in its 2014/15 budget considerations, consider providing funds to further evaluate both sites with a view to developing one within the next 5 years and then looking to develop the other, if need be, within a longer timeframe.

Both Sheds 1 and 2 (see AVP report attached) were looked at. Shed 1 is currently used by a number of entitles, including the Shire Council, as a secure storage facility. Shed number 2 is used during the Country Music Festival to park caravans.

Following assessment it was thought, by Council staff, the consultant and the applicant that shed number 2 offered the greatest opportunity with the least adverse impact. The caravans that generally park there during the festival could be accommodated in the overflow area; there are no other current users.

The applicant is seeking to have the shed enclosed and then to lease it for in the order of 5 years. The matter of a lease and making the required improvements cannot be progressed until a proper assessment is made of the existing structure, leasing opportunities and the like.

It was noted that the shed appeared to be sound but that some bracings had been removed. The shed would open in the direction of the caravan park but it was thought that the type of operation, attention to sound proofing measures and the like would minimise potential land use conflicts.

To move forward, the exiting structure will need to be assessed by a structural engineer, the enclosing structures will need to be designed by a structural engineer and cost estimates will need to be made. We will also have to look at land tenure (Council holds the land under a Crown Grant that sets conditions. It is not clear if this means that the land is freehold or a reserve, if it's the latter then the Minister for lands approval to a lease is required). We will also have to look at planning matters and the like. It is expected that costs to evaluate the opportunity to develop and lease this building would be in the order of \$7,000 to \$10,000, depending on how much can be done in-house.

CONSULTATION

The author has spoken with Council, the applicant, Council staff and its consultant.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

There is no provision in the budget for the proposed expenditure however the budget review forecast an end of year surplus of \$21,203.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
The applicant will be looking to employ 2 to 3 persons at the start with the potential to increase this number. Some purchases of consumables will be made locally.
- **Social**
The planned business will provide employment which may increase the number of children at the schools, members to clubs and the like.

VOTING REQUIREMENTS

Absolute majority

MOVED INTO COMMITTEE

MOVED: Cr Walker

SECONDED: Cr Kaltenrieder

That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1 to allow members free discussion on the matter.

Carried 7/0

Res 46/14

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby

SECONDED: Cr Imrie

That the Council moves out of committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1.

Carried 7/0

Res 47/14

OFFICER RECOMMENDATION – Item 8.3.2

MOVED: Cr Oversby

SECONDED:

1. That Council approve an amount of \$10,000 being applied to evaluating a shed at the Flax Mill/Caravan Park for improving and leasing for the purposes of a manufacturing business.
2. That subject to the evaluation showing an opportunity Council consider, as part of its 2014/15 budget deliberations, making improvements to the shed and leasing it out.
3. That Council include in its 2014/15 budget considerations the investigation of two potential industrial park sites for future development.

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

- 1. That Council include in its 2014/15 budget consideration, the investigation of two potential industrial park sites for future development.**
- 2. That Council seek the assistance of the Boyup Brook Co-Operative to locate a suitable premises for the applicant for the medium term.**

Note: Council had concern over the level of expenditure at the Flax Mill for the short term lease and the impact on existing uses.

Carried by Absolute Majority 7/0

Res 48/14

8.3.3 Boyup Brook Airfield – lease of a portion of the land

Location:	<i>Lot 2 Boyup Brook Kojonup Road</i>
Applicant:	<i>Paul Drayton</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10 April 2014</i>
Author:	<i>Alan Lamb - CEO</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Confidential attachment - copy of email from Mr Drayton and valuation report.</i>

SUMMARY

The purpose of this report is to bring back before Council the matter of a lease over a portion of the airfield site with the recommendation that Council delegate to the Chief Executive Officer, in accordance with section 5.43 of the Local Government Act, the power to lease a portion of the Boyup Brook Airfield to Mr Drayton.

BACKGROUND

The matter of Mr Drayton's interest in starting up a business in Boyup Brook at the Shire airfield has been before Council a number of times.

In June 2013 Council passed the following resolution:

That Council:

- 1. Allow Mr. Drayton immediate access to the airfield, and to occupy and improve, as agreed by the Chief Executive Officer, the existing hangar facility.***
- 2. Allow Mr. Drayton to site his 40 foot x40 foot hangar at the airfield in a location as agreed by the Chief Executive Officer.***
- 3. Advise Mr. Drayton that Council intends to work toward a suitable lease where the first few years will be at minimal rental to allow the business to establish.***
- 4. Advise Mr. Drayton that Council intends to look at what improvements it may be able to make to the airfield, and how it might fund these, as part of the 2013/14 budget development.***
- 5. Approve of up to \$5,000 to employ an entity to develop and cost the project, establish funding opportunities and the like for the purposes of having the relevant information to put before Council as part of the budget process.***

In November 2013 Council resolved as follows:

That Council:

- 1. Advertise, in accordance with section 3.58 of the Local Government Act, its intention to lease a portion of the Boyup Brook Airfield to Mr Drayton.***

2. Approve the provision for the airstrip re-sheeting work to be applied to airfield improvements.

The matter went before Council again in December 2013 and Council resolved as follows

That Council delegate to the Chief Executive Officer the authority to lease 3 portions of the Boyup Brook airfield being 30m x 30m plots, with one containing the old hangar, to a value of no more than \$5,000 per annum each for a three year lease, to Mr Drayton subject to the process set out in section 3.58(3) of the Local Government Act being followed.

The commercial value of the proposed lease was determined by a suitably qualified valuer and the required advertising was done. Mr Drayton subsequently advised that, due to personal circumstances, he would not now be pursuing the business enterprise, at this time, but still wanted to lease parts of the airfield. The original request was to lease the hangar on a 30m by 30m portion of the land and another two 30m by 30m sections of land alongside this. Advertising was done with these details, the assessed value and the agreed rental.

Mr Drayton now wishes to lease two 30m by 30m sites, one with the hangar on it and another alongside this. He would like to pay a lower rental amount.

He also requested that he be given approval to install gates across the hangar to secure the place. Mr Drayton sited fuel being taken from his aircraft, that it had been tampered with etc. The CEO gave approval for this in accordance with part 1 of the June 2013 resolution on this matter.

Mr Drayton further requested that Council consider sealing the hangar floor of assisting with the cost of doing so. Also that Council consider installing gates across the entrance track and security cameras.

COMMENT

Please note that all dollar amounts in this report are exclusive of GST.

Whilst the original agreement regarding a lease was advertised, in accordance with legislation, the proposed new agreement has not and the "deal" would need to be advertised for 14 days and any submissions assessed before a lease could be entered into. The valuations obtained were on the basis of an annual rental for the 30m by 30m site with the hangar and a valuation for a 30m by 30m site with no improvements. The second valuation applied to any of the vacant sites. Therefore the current valuation could be used for the advertising.

The valuation of the hangar site was \$2,475 per annum and \$900 for vacant sites. The original proposal for three sites was therefore valued at \$4,275 per annum and the negotiated rental was - \$100 per month for the first year \$150 per month for the second and \$200 per month for the third (i.e. \$1,200, \$1,800 and \$2,400 per annum).

The rental discussed with Mr Drayton was based on assisting a new business to commence operation and so was not at a commercial level (it is

not uncommon for Council's to assist new businesses in this way). Whilst Mr Drayton's immediate plans have changed Council may wish to still view this as an opportunity to assist a new business that may start to operate sometime in the future. If so and using the assessed valuations as a guide but rounding 10 dollars, the monthly rental for two sites, including the one with the hangar, would be \$80 for the first year (\$960 per annum), \$120 for the second year (\$1,440 per annum) and \$160 for the third year (\$1,920 per annum).

With regard to the sealing of the hangar floor, this is needed for, among other things, to enable one person to physically move planes around in the hangar (the small wheels tend to bog when turning aircraft around). The floor area under the hangar roof is approximately 151.3 m². Based on a rate of \$80 per m², a concrete floor would cost in the order of \$12,104. Asphalt would be an option, the preparation rate is \$25 m² and the asphalt rate is the same. Therefore the preparation cost would be in the order of \$3,783, and the asphalt would cost in the order of \$3,783 (note the rate for asphalt could be affected by oil prices and a small job premium), a total of \$7,566. Another option could be a stone seal (such as is used for roads). Here the preparation rate would be the same as for asphalt but the material and laying costs would be in the order of \$10 per M², the total cost would then be in the order of \$5,296.

With regard to security, gates and cameras, Council has a number of security cameras that are put up at various locations from time to time and, as part of general operation, cameras will be located at the airfield. It would be advantageous to also put up signs advising of the use of cameras.

With respect to financial capacity and the budget. An amount of \$20,000 was set aside in the budget for planning for the airstrip. At the half year budget review this amount was reduced to \$5,000 because much of the planning work was done in house. The required valuation (for leasing purposes) cost \$1,364 and it is expected that employee costs will be allocated to consume the balance of this adjusted provision.

The original budget contained a \$60,160 provision for re-sheeting the airstrip. As previously discussed, the strip is adequate at this time and so some of these funds would be available for other capital works at the strip. All but \$35,000 of the provision relates to employee and plant costs. When all added together these costs equal the cost of employees and plant operation, so whilst the remaining \$25,160 may be available for other projects, it would only be so where this involved the relevant amounts for employee and plant costs. When looking at what Council might be able to do with regard to electrical power supply, ablutions, water supply and phone connection, that Mr Drayton needed for his planned business, it was noted that \$35,000 of the \$60,160 provision was available for external expenditure. In essence then, if Council wanted to do something at the airfield that involved the works crew and plant, then the \$25,160 could be applied to this. If Council wished to purchase materials, or the like, then the \$35,000 could be applied to this.

So, on the face of things, Council has the capacity to look at doing some works at the airfield. If Council were to agree to seal the area inside the hangar then consideration should also be given to sealing an area for aeroplanes to warm up and test their engines before going to the runway.

In terms of making decisions and progressing the matters. If Council wished to lease the hangar site plus one 30m by 30m vacant site to Mr Drayton, then it would have to come to an agreed rental, and other terms, with Mr Drayton. The next step would be to advertise the proposal for 14 days and the move to having an agreement drawn up and executed. Council could set parameters and then authorise the CEO to deal with these matters.

With regard to sealing the hangar floor, it has to be noted that the structure is old. In 2012, AVP Valuers assessed the building to be in fair condition, that it's estimated economic working life was 40 years and that the estimated remaining life was 18 years. It estimated that the gross current replacement cost would be \$28,000 and that the current (2/12) fair value (all buildings) was \$22,000. Unfortunately other than the estimated gross current replacement cost (GCRC), all of AVP's estimates were based on the hangar, wind sock and water storage tank. The GCRC for the hangar is \$28,000 and \$20,000 for the wind sock and water tank combined. It may be deduced that the current value of ten hangar is then in the order of \$10,000. Further, it can be taken from this that the hangar should be serviceable for in the order of 16 years (i.e. 18 years in 2012).

With regard to the security gate at the entrance and the cameras. Closing the airfield to the public at this stage, and without a plan for who can have access, on what basis, fee level for landing and other airfield uses, is not recommended. The other and significant consideration that needs to be tackled is use by fire brigades in emergencies (i.e. fire bombers). It is therefore recommended that no action be taken in regard to a gate at this time. The security cameras and an appropriate sign will be done as part of the normal operation.

It is recommended that Council deliberate this matter in sequence, with the first decision being to lease or not based on the current request. The recommendation here is that Council does seek to lease the two bays as requested.

The next is to determine the rental, who pays legal costs for the lease (generally this is the lessee but Council's often meet this cost for community groups and fledgling businesses). It is recommended that Council determine who pays the lease drafting costs and what the rental will be at the meeting.

The third is in relation to sealing the hangar floor. If the building is going to be serviceable for 16 more years then spending some funds on making it more fit for use is warranted. If Council is going to do seal work then it should also include a sealed pad for all aircraft to use (as there will be cost savings in doing two small jobs as one). Asphalt lasts longer than a stone seal and does not require the same level of preparatory work. It is thicker and so when laid can be laid level despite small irregularities in the ground surface). It is therefore recommended that Council opt for asphalt, that it require Mr Drayton to do all of the relevant preparatory work inside the hangar, to the Shire's required standard, and that it allow a sum of up to \$15,000, from the current capital provision of \$60,160, to pay for this work.

CONSULTATION

The matter has been before Council a number of times and the author has spoken with Mr Drayton.

STATUTORY OBLIGATIONS

Council may wish to deal with some aspects of this matter behind closed doors, if so the following section of the Local Government Act has relevance:

5.23. Meetings generally open to public

- (1) *Subject to subsection (2), the following are to be open to members of the public —*
- (a) *all council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (a) *a matter affecting an employee or employees; and*
 - (b) *the personal affairs of any person; and*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government; and
 - (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
and
 - (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*

- (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

The following section of the Local Government Act has relevance

3.58. *Disposing of property*

- (1) *In this section —*
dispose *includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
property *includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

The following section applies to delegations:

5.43. *Limits on delegations to CEO*

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

[Section 5.43 amended by No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23.]

The Local Government Act provides for Council to make the requested delegation as follows:

5.43. *Limits on delegations to CEO*

A local government cannot delegate to a CEO any of the following powers or duties —

(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

No provision was made in the current budget for lease income. A provision of \$60,160 was made for re-sheeting the runway. As noted elsewhere in this report, some of these funds would be available for the requested works.

STRATEGIC IMPLICATIONS

OUTCOMES	OBJECTIVES	PRIORITIES
Economic Growth	Build and support new businesses.	<ul style="list-style-type: none"> ✦ Encourage new businesses through information, incentives and land-use provision. ✦ Advocate for new business start-up support. ✦ Encourage business diversity through promotion of local comparative advantages. ✦ Examine potential for buy local campaign supported by local price preference policy.
	Promote commercial centre	<ul style="list-style-type: none"> ✦ Investigate development of the music park. ✦ Develop and implement streetscaping/landscaping plan. ✦ Investigate options to encourage owners of business houses to renovate shop frontages.
Increased Visitors and Residents	Develop tourism industry	<ul style="list-style-type: none"> ✦ Investigate development of cultural register. ✦ Support tourism capability through events, fairs, arts, produce, history and cultural experiences.
	Attract permanent residents	<ul style="list-style-type: none"> ✦ Promote the family friendly lifestyle of Boyup Brook.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
The new business that may eventually be created by the proposed lease of land has the potential to bring more customers to food, retail and accommodation business in town.
- **Social**
The new business, if it commences, may foster off shoots and the like that may increase the town's population, resulting in more members for clubs and community organisations.

VOTING REQUIREMENTS

Absolute majority

Cr Oversby left the Chambers at 7.00pm
Cr Oversby returned to the Chambers at 7.02pm

COUNCIL DECISION

MOVED: Cr Walker

SECONDED: Cr Oversby

That Council:

- 1) delegate to the Chief Executive Officer the authority to lease two 30m by 30m portions of the Boyup Brook Airfield (Part of Lot 2 on Diagram 43995), one of which contains the existing hangar building, to Mr Drayton provided that:
 - a) the term of the lease does not exceed three years
 - b) the Chief Executive Officer follows the process set out in section 3.58(3) of the Local Government Act, and no compelling objections are received.
 - c) Mr Drayton agrees to an annual rental, for the two lots,
 - i) of \$1000.00 for the first year, \$1500.00 for the second year and \$2000.00 for the third year.
- 2) Approve of up to \$15,000 being spent on sealing the hangar floor and a pad, for the purpose of testing aircraft engines for all airstrip users, on the condition that Mr Drayton does, to the satisfaction of Council, or pays the cost of, all of the preparatory work for the hangar floor area. With the funds coming from the current provision for capital works at the airfield

Carried by Absolute Majority 7/0

Res 49/14

9 COMMITTEE REPORTS

9.1.1 Minutes of the Bunbury Wellington Group
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Location: *Shire of Boyup Brook*
Applicant: *N/A*
File:
Disclosure of Officer Interest: *Nil*
Date: *9 April 2014*
Author: *Alan Lamb - CEO*
Attachments: *Yes – Minutes*

BACKGROUND

The Bunbury Wellington Group of Councils meeting was held on 10th March 2014.

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

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.1.1

MOVED: Cr O’Hare

SECONDED: Cr Imrie

That the minutes of the Bunbury Wellington Group of Councils meeting held on 10th March 2014 be received.

Carried 7/0

Res 50/14

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

The Deputy President approved late item 11.1.1.

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

11.1.1 Paving of Footpath in Front of Railway Barracks

<i>Location:</i>	<i>N/A</i>
<i>Applicant:</i>	<i>N/A</i>
<i>File:</i>	
<i>Disclosure of Officer Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>16 April 2014</i>
<i>Author:</i>	<i>Rob Staniforth-Smith - MWKS</i>
<i>Authorizing Officer:</i>	<i>N/A</i>
<i>Attachments:</i>	<i>Nil</i>

SUMMARY

This item recommends that Council approve the construction of a 1.2 metre brick paved pedestrian path on Railway parade in front of the Railway Barracks.

BACKGROUND

The Railway Barracks is used as a short term accommodation building. With the completion of the reconstruction of this portion of Railway Parade and the creation of 12 angle parking bays in front of the Barracks, the lessee, Mr Aaron Piper, has requested permission, at his cost, to brick pave the footpath immediately in front of the parking bays, to give his tenants a sound footing when walking from their vehicles to the entrance of the Barracks. He has proposed a 1200 wide pedestrian path laid at a 2% cross fall to the kerb with wider sections to accommodate park bench seating.

COMMENT

This area of verge in front of the Barracks has never been paved and the addition of this section of footpath in front of the Barracks will enhance public access to the building from the car park. If in the future Council decides it needs to construct a footpath for the entire length of the northern side of Railway Parade, it can pull up and relay this section of footpath to match the new footpath.

CONSULTATION

Chief Executive Officer

Work Supervisor

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Kaltenrieder

SECONDED: Cr Imrie

That the Council give permission for Mr Aaron Piper, the lessee of the Railway Barracks, to lay a 1200mm wide footpath on Railway Parade in front of the Railway Barracks, to Council specifications.

CARRIED 7/0

Res 51/14

12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

Nil

13 CLOSURE OF MEETING

There being no further business the Deputy Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.24pm