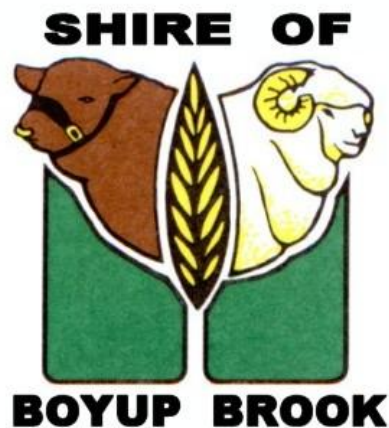


# MINUTES



ORDINARY MEETING

held

THURSDAY 20 MARCH 2014  
Commenced AT 5.03PM

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 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 Rob Staniforth-Smith (Manager of Works & Services)  
Mrs Maria Lane (Executive Assistant)

PUBLIC: Nil

**1.2 Apologies**

Nil

**1.3 Leave of Absence**

Nil

**2 PUBLIC QUESTION TIME**

**2.1 Response to Previous Public Questions Taken on Notice**

Nil

**2.2 Public Question Time**

Nil

**3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS**

Cr Oversby informed Council the Upper Blackwood Agricultural Society will be holding a sundowner on 29<sup>th</sup> April 2014 at 5.00pm being held at the Dinninup Show Grounds and Councillors are welcome to attend and he encouraged them to do so.

Cr Imrie informed Council that Wilga had a successful endurance ride horse event again this year.

Cr Aird attended the South West Zone meeting held on 21 February 2014 and informed Council about the discussions held at the meeting which included the Busselton Regional Airport “5 year plan”.

Cr Aird attended the Regional Road Group meeting held on 10<sup>th</sup> March 2014 at the Dardanup Shire, noting that Regional Road Group funding was set to drop by \$70M over the next few years, as part of the State Government belt tightening, and that Black Spot funding was to be dropped. Also that the spotlight was now on railway crossings over roads, and that it looks like road management authorities (Main Roads, Local Government etc.) will need to enter into an intersection agreement, for each crossing, with the relevant railway management authority.

Cr Aird attended the Bunbury Wellington Group meeting held on 10<sup>th</sup> March 2014 at the Shire of Capel where the planned joint waste disposal site was the main topic for discussion. The consultants, assisting the group to evaluate the site, gave a presentation on its latest report and the subject of the value of the site, the Shire of Dardanup's asking price and what the next offer should be was discussed at length.

Cr Kaltenrieder and the CEO met with Russ Ewin ex POW Sandakan & Kuching, Richard Braithwaite, Bernie Dorizzi and Gwenda Zappala (all with significant ties to Sandakan), and Bill Gordon (who was assisting the visitors), in the Council chambers on 27<sup>th</sup> February 2014. Following a small reception, Cr Kaltenrieder took the party out to the Shire's Sandakan Park and memorial, he reported they were very impressed.

The visitors also met at the Boyup Brook District High School and St Mary's Primary School on 28<sup>th</sup> February 2014 and spoke to the students about the Sandakan tragedy.

## **CONFIRMATION OF MINUTES**

### **5.1 Ordinary Meeting of Council - Thursday 20 February 2014**

#### **OFFICER RECOMMENDATION**

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

#### **COUNCIL DECISION**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Oversby**

**That the minutes of the Ordinary Meeting of Council held on Thursday 20 February, 2014 be confirmed as an accurate record to include the following under section 4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS:**

**"Cr Imrie informed Council that the Boyup Brook Museum will approach the Shire to put a sign up for the Muster area."**

**CARRIED 8/0**

**Res 23/14**

## **5 PRESIDENTIAL COMMUNICATIONS**

The Shire President thanked Cr Aird for attending the various meetings in his absence.

## 6 COUNCILLORS QUESTIONS ON NOTICE

Standing Orders provide as follows:

### 8. **QUESTIONS**

#### 8.1 **Questions of Which Due Notice Has to be Given**

8.1.1 *Any Councillor seeking to ask a question at any meeting of the Council shall give written notice of the specific question to the Chief Executive Officer at least 24 hours before publication of the business paper.*

8.1.2 *All questions and answers shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.*

#### 8.2 **Questions Not to Involve Argument or Opinion**

*In putting any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except those necessary to explain the question.*

<b>7.1 Councillor Walker</b>
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#### **Question:**

**Could the CEO please give a brief summary (and include a sample demonstration) of the processes required to integrate our long term plans from the 2014/15 budget to CBP to 10yr LTFP?"**

#### **Comment:**

I would like to have some understanding of the process and how these plans actually work and I think this would also benefit the whole of Council.

#### **CEO Answer:**

While the integrated planning process for one local government might not be the same as the next, for all local governments it will deliver:

- a Strategic Community Plan (SCP) that clearly links the community aspirations with the Councils vision and long term strategy;
- a Corporate Business Plan (CBP) that integrates resourcing plans, like the Long Term Financial Plan (LTFP), with the SCP; and
- a clearly stated vision of the viability of the local government.

The Regional Road Group funded Boyup Brook – Arthur River project (\$240k in the 2013-14 Annual Budget), is a good example of when the CBP seamlessly integrates Council's Built Environment goal to improve road infrastructure (see page 6 of the SCP) with the LTFP (page 91 shows the project at \$240k in 2013-14), and the Budget (see page 36). By way of contrast Footpath Construction (\$28K in the Budget) does not integrate as well, as page 94 of the LTFP shows expenditure on Footpath Construction at \$50k.

Going forward it is for all the inconsistencies between Council's CBP and LTFF to be identified, and for these to be aligned for when a Draft 2014-15 Annual Budget is made available for Council's consideration.

## 8 REPORTS OF OFFICERS

### 8.1 MANAGER WORKS & SERVICES

<b>8.1.1 Renaming of Foley Rd, Woodenbillup Rd and Minninup Roads in the Shire of Boyup Brooks Road inventory</b>
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<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Interest:</b>	Nil
<b>Date:</b>	10 <sup>th</sup> of March, 2014
<b>Author:</b>	R Staniforth-Smith, Manager of Works and Services
<b>Authorizing Officer:</b>	Alan Lamb – Chief Executive Officer
<b>Attachments:</b>	maps

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### SUMMARY

The purpose of this report is to seek to clarify three road names in the Chowerup/Scotts Brook region of Boyup Brook so that Councils road name register matches that of Landgate and that of the neighbouring Shire of Kojonup.

### BACKGROUND

Historically:

1.
  - Foley Road came off the Boyup-Kojonup Road, headed south until the Woodenbillup intersection and then headed in a westerly direction on the alignment of the Shire of Boyup Brooks Foley Road (Landgate name: Landing Road)
  - Woodenbillup Road headed south from the intersection of Foley Road to the intersection of Minninup Road
  - Minninup Road headed south from the intersection of Woodenbillup Road south to Scotts Brook Road.
2. The Kojonup Shire altered their road names to match Landgates names such that:
  - Foley Road now runs from the Boyup-Kojonup Road south to the Kojonup Shire Boundary on this alignment where the road name changes to Woodenbillup (Boyup Brook Shire).
  - The portion of Foley Road from the original Woodenbillup Road intersection west has been changed to Woodenbillup Road

Currently

1. The Road reserve from the BB-Kojonup Road south to Scotts Brook Rd changes name 3 times (Foley/Woodenbillup/Minninup)
2. There are now 2 Foley Roads in the area (1 in Kojonup Shire and a different one in the Shire of Boyup Brook)
3. There are now 2 Woodenbillup Roads (1 in Kojonup Shire and a different one in the Shire of Boyup Brook)
4. Minninup Road exists on two road reserves
5. The Shire of Boyup Brooks road names do not match Landgates version

Proposal

1. The Shire of Boyup Brook's Woodenbillup Road get changed to Foley Road (Woodenbillup Road still exists in the Shire of Kojonup)
2. The Shire of Boyup Brooks Minninup Road on Landgates Foley Road reserve gets changed to Foley Road (Minninup Road will still exist on the same alignment as Landgates Minninup Road)
3. That the Shire of Boyup Brooks Foley Road is changed to Landing Road to match Landgates name.

These revisions will change the roads names so that they match Landgates road names and minimise the confusion caused by multiple use of the same road name in the same area.

**COMMENT**

The change will not affect Landgate or property addresses fronting these roads as the property addresses, if they exist, are taken from Landgates road names not the Shires.

1. Properties fronting the portion of Minninup Road that will be changed to Foley Road:
  - (i) Lot 6141 – P81645 – No address available
  - (ii) Lot 7476 – P82410 – No address available
  - (iii) Lot 1938 – P123657 – No address available
  - (iv) Lot 321 – P75075 – No address available
2. Properties Fronting the Shire of Boyup Brooks Woodenbillup Road that will be changed to Foley Road:
  - (i) Lot 320 – P75075 – no address available
  - (ii) Lot 13135 – P75075 – No address available
  - (iii) Lot 322 – P75075 – no address available
  - (iv) Lot 8252 – P210113 – Lot 8252 Foley Road
  - (v) Lot 7805 – P82240 – no address available
  - (vi) Lot 2 – D44998 – Lot 2 Foley Road
  - (vii)
3. Properties fronting the portion of the Shire of Boyup Brooks Foley Road that will be changed to Landing Road:
  - (i) Lot 2653 – P127130 – no address available
  - (ii) Lot 2122 – P127127 –no address available
  - (iii) Lot 2311 – P125058 – Lot 2311 Boyup Kojonup Road
  - (iv) Lot 2655 – P127131 – Lot 2655 Kulikup South Road
  - (v) Lot 12552 –P166915 – no address available
  - (vi) Lot 12209 – P163757 – no address available

The changes will simplify road use by road users by making the one road reserve (Foley Rd) have the same name along its length and will remove the ambiguity created by having the same road name used for 2 different roads.

**CONSULTATION**

Alan Lamb, CEO

**STATUTORY ENVIRONMENT**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil, Budget Planning – outcome may affect 2014-2015 budget

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.1**

**MOVED: Cr Moir**

**SECONDED: Cr Imrie**

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

- 1. Foley Road in the Shire of Boyup Brook to be changed to Landing Road to match Landgate.**
- 2. Woodenbillup Road in the Shire of Boyup Brook to be changed to Foley Road.**
- 3. The North/South portion of Minnip Road be changed to Foley Road.**

**Carried 8/0**

**Res 24/14**



## 8.2 FINANCE

### 8.2.1 List of Accounts Paid

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>14 February 2014</i>
<b>Author:</b>	<i>Carolyn Mallett – Finance Officer</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<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 11 February 2014 to 28 February 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**

**MOVED: Cr O'Hare**

**SECONDED: Cr Oversby**

**That the list of accounts paid in February 2014 as presented totalling \$344,655.27 and as represented by cheque voucher numbers 19487-19505 totalling \$91,004.89 and accounts paid by direct electronic payments through the Municipal Account totalling \$253,650.38 be received.**

**Carried 8/0**

**Res 25/14**

**WITHDRAWN**

Item 8.2.2 was withdrawn by the CEO. A number of queries in relation to the statements were raised at the meeting and could not be answered at that time. The CEO will provide the responses the next working day. The report and statements will be brought back to the April meeting.

**8.2.2 Monthly Statements of Financial Activity**

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>File:</b>	FM/10/003
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	14 February 2014
<b>Author:</b>	Consultant–Darren Long
<b>Authorizing Officer:</b>	Alan Lamb – Chief Executive Officer
<b>Attachments:</b>	Yes – Financial Reports

**8.3 CHIEF EXECUTIVE OFFICER**

**8.3.1 Subdivision Application (WAPC Ref 149506) Lot 1284 Banks Road, Boyup Brook**

<b>Location:</b>	<i>Lot 1284 Banks Road</i>
<b>Applicant:</b>	<i>Civiltech Pty Ltd</i>
<b>File:</b>	<i>AS21666</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>12<sup>th</sup> March 2014</i>
<b>Author:</b>	<i>Geoffrey Lush (Council Consultant)</i>
<b>Authorizing Officer:</b>	<i>A Lamb</i>
<b>Attachments:</b>	<i>1 Subdivision Plan</i>

**SUMMARY**

This report is to consider a referral of a subdivision application from the Western Australian Planning Commission.

The subject land is Lot 1284 Banks Road which is zoned as Special Rural. Subdivision of the land is to be in accordance with the adopted subdivision guide plan.

The subject land has a previous subdivision approval which is subject to an Appeal Determination and Consent order. The application is supported as it complies with the Scheme requirements and any new approval should be consistent with the previous Appeal Determination.

### **BACKGROUND**

The application is to subdivide the land into 19 lots with a minimum lot size of 2 hectares. The subdivision plan is contained as Attachment 1 and provides for the extension of Kaufmann Close.

The proposed subdivision has been previously approved by the West Australian Planning Commission (Ref 137819) in March 2009. Construction of the subdivision has commenced and the current application is to extend this approval.

The previous approval was subject to an Appeal which primarily related to the extension of Kaufmann Close and the creation of a fire access way connection to Banks Road. The Appeal determination specifically required:

- i. A detailed engineering plan being prepared for the future intersection of Banks Road and Kaufman Close.
- ii. A fire management plan being approved by the Local Government.
- iii. The existing access easement in the adjoining Lot 735 being constructed as an emergency access way.
- iv. The connection between Kaufmann Close and Banks Road to be shown as reserve for "fire and emergency access".
- v. The fire and emergency access being constructed to Councils satisfaction.
- vi. A building exclusion plan (building envelope) being submitted and approved by Council.

### **CONSULTATION**

Works Supervisor

### **STATUTORY OBLIGATIONS**

Lots 1284 is included in Special Rural zone No 6, which also includes the Ridge View Estate.

Special Rural zone No 6 is subject to the special conditions contained in Schedule 3 of the Scheme.

**COMMENT**

Given the history of the subject land any new subdivision approval should reflect the conditions agreed at the SAT Hearing and contained in the subsequent Consent Orders.

A fire management plan has been submitted and approved by DFES and Council. However this is not outdated and does not correctly reflect the provisions of the 2010 Planning for Bush Fire Protection Guidelines and the 2009 version of AS3959 Construction of Buildings in Bush Fire Prone Areas.

A building envelop plan was submitted in conjunction with the fire management plan. This may also require updating depending of the revisions to the fire management plan.

Construction plans have been approved for Kaufmann Close and the emergency access way. However no design plans for the future intersection with Banks Road have been received.

**POLICY IMPLICATIONS**

None

**BUDGET/FINANCIAL IMPLICATIONS**

None

**STRATEGIC IMPLICATIONS**

None

**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 8.3.1**

- 1 **That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 1284 Banks Road and that:**
  - **Any conditions of approval should be consistent with the Consent Orders dated October 2009 in relation to Appeal No 147 of 2009.**

- **That the approved fire management plan needs to be revised to reflect the provisions of the 2010 Planning for Bush Fire Protection Guidelines and the 2009 edition of AS3959 Construction of Buildings in Bush Fire Prone Areas.**
- 2 That the applicant be advised of the above and that Council has not received the previously stipulated:**
- **Council has not received the detailed engineering design plan for the road junction formed through the future extension of Kaufmann Close and Banks Road (Condition 4);**
  - **That the building exclusion area plan may need to be amended to reflect any changes in the fire management plan (Condition 12); and**
  - **Council has not received the revegetation plan required by Condition 13 and this plan shall take into account the requirements and provisions of the fire management plan.**

**COUNCIL DECISION**

**MOVED: Cr Oversby**

**SECONDED: Cr Walker**

- 1 That Council advise the Western Australian Planning Commission that it supports the proposed subdivision of Lot 1284 Banks Road and that:**
  - **Any conditions of approval should be consistent with the Consent Orders dated October 2009 in relation to Appeal No 147 of 2009.**
  - **That the approved fire management plan needs to be revised to reflect the provisions of the 2010 Planning for Bush Fire Protection Guidelines and the 2009 edition of AS3959 Construction of Buildings in Bush Fire Prone Areas.**
  
- 2 That the applicant be advised of the above and that:**
  - **Council has not received the detailed engineering design plan for the road junction formed through the future extension of Kaufmann Close and Banks Road (Condition 4);**
  - **The building exclusion area plan may need to be amended to reflect any changes in the fire management plan (Condition 12); and**
  - **Council has not received the revegetation plan required by Condition 13 and this plan shall take into account the requirements and provisions of the fire management plan.**

**Carried 8/0**

**Res 26/14**

**8.3.2 Restrictive Covenant Reid Place Boyup Brook**

<b>Location:</b>	<i>DP13493</i>
<b>Applicant:</b>	<i>Shire of Boyup Brook</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>12<sup>th</sup> March 2014</i>
<b>Author:</b>	<i>Geoffrey Lush (Council Consultant)</i>
<b>Authorizing Officer:</b>	<i>A Lamb</i>
<b>Attachments:</b>	<i>1 Survey Plan</i>

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**SUMMARY**

This report is to consider the preparation of an amendment to the Planning Scheme to revoke an existing covenant on a residential subdivision.

**BACKGROUND**

In the early 1980s Council subdivided land in Reid Place; Rogers Avenue and Knapp Street. As part of the sale of the land it imposed a restrictive covenant on the lots relating to:

- Dwellings are to be of brick construction;
- Dwellings are to have roofs with tiles; and
- The minimum size of any dwelling is 112sqm.

The covenant applies to Plan 13493 (see *Attachment 1*) and is worded as follows:

The Transferee for himself his executors administrators successors and assigns and registered proprietor for the time being of the land above described covenants with the Transferor (as the proprietor and for the benefit of each and every Lot on Plan 13493 save and except this within the transferred Lot) and its successors and assigns that the exterior walls of any dwelling house erected on the land above described shall not be constructed of any other material than brick or brick veneer and that the roof of any dwelling house erected on the said land shall not be constructed of any other material than tiles and that the ground floor size of any dwelling house erected on the said land shall not be less than 112 square metres.



While the majority of lots have been built upon, Council has received inquiries from purchasers seeking to construct dwellings which do not comply with the covenant and they have asked if this can be removed.

As shown in *Attachment 1*, several of the lots have been amalgamated and it is not clear of the covenant was carried forward on to these lots.

### **CONSULTATION**

- Relative landowners;
- State Lands; and
- Department of Planning.

### **STATUTORY OBLIGATIONS**

- Land Administration Act 1997;
- Transfer of Land Act 1983;
- Planning and Development Act;
- Town Planning Regulations; and
- Planning Bulletin 91.

Section 7(1) of Schedule 7 of the Planning and Development Act stipulates that a Planning Scheme may contain a provision relating the extinguishment or variation of any restrictive covenant, easement or right of way.

The Town Planning Regulations (Model Scheme Text) provide the following standard clause relating to the restrictive covenants which only relates to restrictions on the number of dwellings.

A restrictive covenant affecting any land in the local planning scheme area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the local planning scheme (including any covenant purporting to:

- (i) limit or restrict subdivision or
- (ii) limit or restrict the maximum area occupied by a dwelling), is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Planning Design Codes which apply under the local planning scheme.

### **COMMENT**

Council has two areas of responsibility in relation to this issue:

- As a statutory authority; and
- As the original land developer.

As a statutory authority, Council cannot refuse any Building Licence or planning permit on the basis of covenant.

As the original land developer it is a civil matter between the current owner, Council and the owners of the other lots within the subdivision. They could potentially take action against any landowner who does not comply with the covenant.

There are a number of ways which a covenant can be varied or extinguished including:

- By agreement between the parties having an interest in the covenant;
- By an order of the Court; or
- By the implementation of a Town Planning Scheme.

Inclusion of a provision in the Planning Scheme does not automatically remove the covenant. The registered proprietor of the land must then apply (on a Form A5) for the removal of the covenant as an encumbrance on the title, quoting the notice in the Government Gazette and producing a letter or other evidence from the Local Government certifying that the land the subject of the application, was released from all or a defined part of the covenant by resolution of the Council. The duplicate certificate of title (if any) for the land burdened by the covenant must be produced.

Not all land owners may agree to have the covenant removed as restrictive covenants are appropriate means to maintain amenity, streetscape and the character of an estate consistent with the intentions of the developer and the expectations of the homeowner. There may be objections if it is perceived that removal of the covenant would allow the development of non compliant dwellings which may affect the existing property values.

The general issue of covenants could be addressed in the Townsite Strategy. However this is understood to be the only existing area within the Townsite which is burdened in this manner. Proceeding with a single amendment will be a much faster process than awaiting the finalisation of the Townsite Strategy.

#### **POLICY IMPLICATIONS**

None

#### **BUDGET/FINANCIAL IMPLICATIONS**

None

#### **STRATEGIC IMPLICATIONS**

None

**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 8.3.2**

**MOVED: Cr Oversby**

**SECONDED: Cr Kaltenrieder**

**That prior to considering an amendment to the Planning Scheme, Council write to the affected landowners seeking their views on the possibility of removing the covenant on Deposited Plan 13493.**

**Carried 8/0**

**Res 27/14**

<b>8.3.3 Townsite Strategy</b>
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<b><i>Location:</i></b>	<i>Townsite</i>
<b><i>Applicant:</i></b>	<i>Council</i>
<b><i>File:</i></b>	
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>12 March 2014</i>
<b><i>Author:</i></b>	<i>Geoffrey Lush (Council Consultant)</i>
<b><i>Authorizing Officer:</i></b>	<i>A Lamb</i>
<b><i>Attachments:</i></b>	<i>1 December Committee Meeting</i> <i>2 Strategy Vision &amp; Recommendations</i> <i>3 Draft Strategy Plan</i> <i>4 Potential Rezoning</i>

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**SUMMARY**

This report is to consider the preparation of the Boyup Brook Townsite Strategy.

A summary of the draft Strategy was distributed at the December Council Meeting but was deferred pending Council's consideration of the Corporate Business Plan.

It is recommended that Council adopt the Townsite Strategy with modifications and that it be submitted to the WAPC for consent to be advertised.

### **BACKGROUND**

The draft Townsite Strategy was considered at the Townsite Committee Meeting 12th December 2013. The outcomes of that meeting are summarized in Attachment 1. In addition to this Councilors' indicated that the goals and objectives from the Corporate Business Plan should be included in the Strategy.

The draft Corporate Business Plan is intended to be adopted at this Meeting.

Contained in Attachment 2 are the revised vision and objectives for the Strategy, land uses and recommendations.

Contained in Attachment 3 is the revised Strategy Plan.

Contained in Attachment 4 is a plan showing of the likely rezoning which may occur once the Strategy is approved and endorsed by the West Australian Planning Commission.

### **CONSULTATION**

- Department of Planning;
- Landowners;
- Council officers and other consultants; and
- Various government departments

### **STATUTORY OBLIGATIONS**

- Planning and Development Act 2005 and associated regulations.

The Town Planning Regulations require that Council shall prepare a Scheme Report in the form of a Local Planning Strategy. A Local Planning Strategy shall:

- (a) set out the long-term planning directions for the local government;
- (b) apply State and regional planning policies; and
- (c) provide the rationale for the zones and other provisions of the Scheme.

The draft Strategy is to be forwarded to the Planning Commission which will examine in terms of the above and shall grant consent for it to be advertised for public comment. It can be expected that:

- The Planning Commission may take between 6 and 12 months to examine the draft Strategy; and
- There will be a range of issues and potential modifications which will need to be further considered by Council.

The advertising process is the same as for an amendment, but generally for a longer period.

### **COMMENT**

As previously discussed the focus of the Strategy will be the Strategy Plan contained in Attachment 3. The Strategy Plan illustrates the primary land uses which are intended for different areas of the townsite. The Plan is intended to be an indicative representation of the issues and policies that are described within the report and to provide an overview of land uses.

The Strategy Plan is not a “zoning” plan but it is expected that individual components provide some justification to rezoning that land under the Scheme.

The Strategy Plan has thirteen site recommendations which are to be read in conjunction with the general Strategy Recommendations shown in Attachment 2.

The previously identified strategic sites have been reviewed and where appropriate the recommendations have been included in the general provisions. The number of sites has been reduced as follows:

#### **A Lot 35 Banks Road**

This land was identified in the Industrial Sites Study as a potential location for a small light/service industrial estate. However given the site’s location on the entrance to the town it may also be suitable for other development and in particular tourist accommodation facilities.

#### **B Lot 1 Forest Street**

This land is owned by Council as a freehold lot with an area of 0.3785ha. It has been identified as a potential site for aged accommodation units. It is also the largest vacant lot within the main town centre and is also flat. As such it has potential for other commercial and town centre uses and should be zoned as a special use site.

#### **C Lot 336 Jackson St**

This land is owned by Council and contains the Flax Mill and caravan park. The majority of land is within the flood plain. The Special Use zoning could be expanded to provide more flexibility.

#### **D Lot 186 Gibbs Street**

This land is part of the Guided development Area and is predominantly cleared. The current Guide Plan shows access to Bridge Street but this does not extend to the south or connects with Lot 710. The location of the site opposite the nursing home may create opportunities for mixed housing densities subject to suitable effluent disposal. It may also be suitable for tourist facilities.

The Strategy identifies two Townsite Expansion Areas and the specific type of development in each expansion area is to be expected to be as follows:

- TEA (1) is identified for long term residential growth which would be connected to reticulated sewerage;
- TEA (2) is identified for rural residential development. The gross density for TEA (2) should reflect the capability of the site to accommodate on site effluent while smaller lots may be acceptable where the average density is maintained.

### **POLICY IMPLICATIONS**

The Townsite Strategy will provide the guiding framework for the review of the Scheme and Council's development policies. It will also provide the framework for the consideration of strategic development over the next 5 to ten years.

### **BUDGET/FINANCIAL IMPLICATIONS**

None

### **STRATEGIC IMPLICATIONS**

The preparation of the Townsite Strategy is an important review of Council's policies and development issues within the townsite. It will provide the strategic framework and justification for further amendments to the Scheme and proposed developments.

### **SUSTAINABILITY IMPLICATIONS**

The Townsite Strategy must address sustainability issues.

Various State Planning Policies contain the sustainability principles and considerations which apply to planning for urban growth and settlement in Western Australia. The overall aim of the policy is to facilitate sustainable patterns of urban growth and settlement by setting out the requirements of sustainable settlements and communities and the broad policy in accommodating growth and change.

### **VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.3**

**MOVED: Cr Aird**

**SECONDED: Cr Walker**

- 1 That subject to the adoption of the Corporate Business Plan, Council adopt the Townsite Strategy with the modifications contained in Attachments 1 to 3.**
- 2 That the Townsite Strategy be referred to the West Australian Planning Commission for consent to be advertised.**

**Carried 8/0**

**Res 28/14**

### 8.3.4 Integrated Planning – Corporate Business Plan

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	13 March 2014
<b>Author:</b>	Alan Lamb - CEO
<b>Authorizing Officer:</b>	Not applicable
<b>Attachments:</b>	Copy of final draft Corporate Business Plan.

#### **SUMMARY**

The purpose of this report is to put the draft Corporate Business Plan before Council for adoption.

#### **BACKGROUND**

In summary, Council commenced asset management planning some years ago and then the Minister for Local Government brought amendments to the Local Government Act and regulations requiring Councils to adopt a Strategic Community Plan and a Corporate Business Plan. The Department for Local Government provided funding for the Strategic Community Plan and for long term plans for asset management, finance and workforce that were used to compile a Corporate Business Plan, which was not funded.

Council engaged a consultant to assist with its planning processes and has worked with the consultant for more than twelve months.

The final draft of the Strategic Community Plan was put to the March 2013 meeting of Council where the following resolution was passed:

***Council receive the draft Strategic Community Plan and put it out for public comment before adopting it at the May Council meeting.***

The item was not put to the May meeting of Council because it was thought that it would be better to provide Council with copies of other relevant plans at the same time and these were not completed at that time. Council received a number of integrated plans at its June 2013 meeting and resolved as follows:

***That Council adopt the Strategic Community Plan as presented, and receive the Long Term Financial and Asset Management Plans as presented.***

This item was on the December 2013 Council meeting agenda, but was withdrawn by the CEO, and the following note is included in the minutes of that meeting:



***Item 8.3.9 was withdrawn by the CEO as amendments need to be made and brought back to the next Council meeting in February.***

Whilst the intention was to present the amended draft to the February 2014 meeting, time constraints did not permit this being done. The revised draft, as attached and as distributed previously (via email dated 24 February 2014).

### **COMMENT**

Legislation also requires that the Corporate Business Plan be in place for the 13/14 year. This plan links to all other plans and sets how the strategic plan will be implemented over the next 4 years. Whilst we are required to have a 4 year plan we have, as previously reported, opted for a 5 year plan.

The attached plan should be achievable and should address community needs/aspirations as expressed in the strategic plan but within the constraints of finance and maintaining viability.

The current draft contains the same detail as the draft presented to the December Council meeting but has been corrected for referencing errors and typos.

### **CONSULTATION**

The Corporate Business Plan has been developed as the result of the strategic plan and budget adopted by Council and links to the underlying long-term plans that Council has previously received.

### **STATUTORY OBLIGATIONS**

The following Part of the Local Government (Administration) Regulations applies;  
*Part 5 — Annual reports and planning*

*[Heading inserted in Gazette 26 Aug 2011 p. 3482.]*

<b><i>Division 1 — Preliminary</i></b>
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*[Heading inserted in Gazette 26 Aug 2011 p. 3482.]*

## **19BA. Terms used**

*In this Part —*

***corporate business plan*** means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

***strategic community plan*** means a plan made under regulation 19C that, together with a corporate business plan, forms a plan for the future of a district made in accordance with section 5.56.

*[Regulation 19BA inserted in Gazette 26 Aug 2011 p. 3482-3.]*

**Division 2 — Annual reports**

*[Heading inserted in Gazette 26 Aug 2011 p. 3483.]*

**19B. Information about numbers of certain employees to be included (Act s. 5.53(2)(g))**

*For the purposes of section 5.53(2)(g) the annual report of a local government for a financial year is to contain the following information —*

- (a) the number of employees of the local government entitled to an annual salary of \$100 000 or more;*
- (b) the number of those employees with an annual salary entitlement that falls within each band of \$10 000 over \$100 000.*

*[Regulation 19B inserted in Gazette 31 Mar 2005 p. 1032.]*

**19CA. Information about modifications to certain plans to be included (Act s. 5.53(2)(i))**

- (1) This regulation has effect for the purposes of section 5.53(2)(i).*
- (2) If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.*
- (3) If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

*[Regulation 19CA inserted in Gazette 26 Aug 2011 p. 3483.]*

**Division 3 — Planning for the future**

*[Heading inserted in Gazette 26 Aug 2011 p. 3483.]*

**19C. Strategic community plans, requirements for (Act s. 5.56)**

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —*

- (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
  - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
  - (c) *demographic trends.*
- (6) *Subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*

- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

*[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]*

**19DA. Corporate business plans, requirements for (Act s. 5.56)**

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*

- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*  
*\*Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

*[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]*

### **19DB. Transitional provisions for plans for the future until 30 June 2013**

- (1) *In this regulation —*  
*former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under sub regulation (2);*  
*former regulation 19D means regulation 19D as in force immediately before 26 August 2011;*  
*plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.*
- (2) *Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under sub regulation (7).*
- (3) *A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.*
- (4) *A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.*
- (5) *If, for the purposes of complying with sub regulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.*
- (6) *If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with sub regulation (3) or otherwise —*
  - (a) *the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and*
  - (b) *local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.*
- (7) *This regulation expires at the end of 30 June 2013.*

*[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]*

### **19D. Adoption of plan, public notice of to be given**

- (1) *After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with sub regulation (2).*
- (2) *The local public notice is to contain —*
  - (a) *notification that —*
    - (i) *a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and*
    - (ii) *details of where and when the plan may be inspected;*
  - or*
  - (b) *where a strategic community plan for the district has been modified —*
    - (i) *notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and*
    - (ii) *details of where and when the modified plan may be inspected.*

*[Regulation 19D inserted in Gazette 31 Mar 2005 p. 1033-4; amended in Gazette 26 Aug 2011 p. 3486.]*

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET/FINANCIAL IMPLICATIONS**

Nil in the current year.

#### **STRATEGIC IMPLICATIONS**

The draft plan implements the Strategic Community 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**

Absolute majority

#### **COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.4**

**MOVED: Cr Walker**

**SECONDED: Cr Kaltenrieder**

**That Council adopt the Corporate Business Plan 2014-2017 as presented on the basis that it will be reviewed within the 2014/15 budget.**

**Carried by Absolute Majority 8/0**

**Res 29/14**

### 8.3.5 Townsite Committee - membership

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	13 March 2014
<b>Author:</b>	Alan Lamb
<b>Authorizing Officer:</b>	Not applicable
<b>Attachments:</b>	Nil

#### **SUMMARY**

The purpose of this report is to bring the matter of this new committee back before Council to deal with its membership.

#### **BACKGROUND**

Council, resolved to form this committee in October 2013 as follows:

##### ***Town Site Committee.***

***The purpose of this committee is to:***

- ***serve as a “ ..... community engagement strategy and provide opportunities for community participation” [Boyup Brook Strategic Community Plan, May (?), 2013, p15]***
- ***Improve resident enjoyment, convenience and comfort***
- ***Stimulate civic pride and involvement***
- ***Encourage and facilitate a “Buy Local” campaign***
- ***Impress and engage visitors, encouraging them to stay longer, and spend more***

***Its responsibilities would include recommendations and advice on:***

- ***Median strips***
- ***Footpaths and undeveloped road reserves***
- ***Reserves, parks, gardens, cemeteries***
- ***Entrance statements***
- ***Signage***
- ***Parking***
- ***River banks***
- ***Streetscape***

***That Cr Kaltenrieder***

***That Cr Biddle***

***Be appointed to the Town Site Committee.***

*Note: Cr Biddle will come back to Council with names of people who would be interested in being on the Town Site Committee.*

The matter was brought before Council in February with the following recommendation:

***That Council appoints the following four community members to the Townsite Committee:***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***That the Townsite Committee meets and deals only with matters as they are referred to by Council.***

Council resolved as follows:

***The matter be referred to the March meeting of Council for determination.***

### **COMMENT**

The following is taken verbatim from the February report on this item:

*The two Councillors appointed to this committee met recently and provided a list of names of community members that Council might consider for the 4 community member positions on this committee. The intention is that this list remains confidential and it was provided to Members, marked confidential and packaged separately but, at the same time as the agenda papers.*

*The role of CEO carries the requirement to bring matters to Councils notice so the following is not aimed at creating a debate but it is aimed at clarifying the situation. Council is a decision making body and it employs the CEO, and funds the operation, to carry out tasks. Any committee that Council forms is therefore a decision making body that Council appoints to help it make decisions. There was comment at the time this committee was mooted that it would assist the CEO in his function and it is important that Council understands that if this is the intended purpose of the committee then adding another layer to the decision making process, and another committee to service, will not achieve this aim. If however Council believes it needs more select community input before making certain decisions then this committee should provide this assistance to it. Council needs to decide however if it will refer matters to the committee, as is the case with all other committees, or whether the committee will meet and deal with matters as it deems necessary.*

*If Council opts for the former then there may be projects that the long term planning work, planned for April, will bring forward for a decision and Council may wish to refer some matters to this committee before it makes a decision. However it should note that this will slow down the process leading to the budget being adopted and consume resources.*

*If it's the latter then who is to decide when meetings will be and what will be on the agenda? Noting that administration prepares the agenda reports on matters to be decided and so it would be advantageous if the process was regulated in some*

*manner, but that is entirely Council's decision. Standing Committees and Councils meet on a set basis, occasional committees meet on an as needs basis.*

*The recommendation is that Council appoints 4 community members that the committee meets and deals with matters as they are referred to it by Council.*

The previous recommendation remains because this is in line with Council decisions on the matter, however Council may wish to review the need for this committee at this time. If Council has no matters in hand that it needs to refer to the committee, it may choose to defer the matter until there is a need.

Councillor Biddle's resignation results in a vacant Councillor position on this committee. This matter is included in another item before Council but Council may wish to deal with it now by appointing a Councillor, along with the selected community members, if that was seen to be appropriate.

### **CONSULTATION**

The author has spoken with some Councillors and staff.

### **STATUTORY OBLIGATIONS**

Committees operate under the Local Government Act and Regulations. Non-elected members of committees are subject to the similar constraints, responsibilities and penalties, as elected members.

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

Not known at this time. Committees do consume resources but these are normally what was budgeted for and so there is often no financial impact. There is however a workload and scheduling impact that can result in delays in other activities.

### **STRATEGIC IMPLICATIONS**

The plan does not specially include the establishment of committees but it does contain objective to "Foster community participation and collaboration" and a priority to "Develop a community engagement strategy and provide opportunities for community participation".



**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
Involving some selected members of the community in Council's decision making process will most likely make them more interested but it could put others offside because they were not chosen, some may see fault in the selection process. If Council does not take their recommendations, as made through the committee, the community members may become disenchanting.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER RECOMMENDATION – Item 8.3.5**

**MOVED: Cr Moir**

**SECONDED: Cr Walker**

**That Council appoint the following four community members to the Townsite Committee:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**That the Townsite Committee meet and deals only with matters as they are referred to by Council.**

**MOVED INTO COMMITTEE**

**MOVED: Cr Aird**

**SECONDED: Cr Oversby**

**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 7/1**

**Res 30/14**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr Moir**

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

**CARRIED 6/2**

**Res 31/14**

**COUNCIL DECISION**

**Withdrawal of Motion**

**With the agreement of the seconder, Cr Moir withdrew his motion, noting that the purpose of moving it was so that the matter could be discussed.**

**MOVED: Cr Giles**

**SECONDED: Cr Kaltenrieder**

**That Council appoint members to this committee when there is a need recognized by Council.**

**Carried by Absolute Majority 8/0**

**Res 32/14**

**8.3.6 Elected Members - Vacancy**

<b>Location:</b>	<i>N/a</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>13 March 2014</i>
<b>Author:</b>	<i>Alan lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Extraordinary election time table, copy of portion of Minutes of the Special Council meeting held in October 2013 for the purposes of making appointments.</i>

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**SUMMARY**

The purpose of this report is to bring before Council a number of vacancies arising from the recent resignation of a Councillor, in order that Council may consider appointing other Members as delegates of Committee Members, as appropriate.

**BACKGROUND**

The recent resignation resulted in the following vacancies:

- Annual Awards Committee – Councillor Committee member
- Town Planning Scheme Review and Town Site Strategy Steering Committee - Councillor Committee member
- Town Site Committee - Councillor Committee member
- Boyup Brook Tourism Association - Councillor Delegate
- Boyup Brook District High School Board - Councillor Delegate

**COMMENT**

The Extraordinary Election process is in place and Council could have a new Member at the close of nominations (17/4/2014), if there is only the one nomination, following the election (24/5/2014) if there are more than one nominee, or at a later date if there are no nominations and the process has to recommence.

Council may see some value in holding positions on committees, and as a delegate, until the new Councillor is elected. Or it could deal with all vacancies now, or at any other time it deems necessary. Alternatively Council could make interim appointments and then deal with the matter

again once the new Councillor is elected. It should be noted that all appointments are current until the next ordinary election in 2015. It should be also noted that the Local Government Act provides that every Member of Council is entitled to be a member of at least one committee of Council. Regardless of the decision made now Council may wish, or need, to revisit the matter again after the election.

When appointing committees and delegates Council also resolved to ask the Boyup Brook Country Music Club (BBCMC) if it wanted a Council delegate on its committee. The BBCMC is looking at the matter but, it is suggested, any action in this regard may be left until its AGM (it is understood that this will be within a few months or so). It is understood that all committee members have portfolios and share the, quite heavy, workload of the Club. If so Council may see that delegating a Member of Council to take on an involved and potentially heavy workload in another organization to be undesirable. There is also the matter of dealing with the Club at "arm's length". Whilst Members of Council, and staff, may join the Club and hold office they do so in their own right. If however a Council Member were to be delegated to be a member of the Club Committee then their role in the organisation could be seen to be an extension of Council's operation. It could be that Council might be seen to be, to some extent, bound by any decisions the Club makes and clearly this is not desirable (whilst Council has actively supported the Club, as it has other community organisations, the Club has operated as an independent body). It is expected that the Club's constitution would require that committee members be paid up members of the Club. If so then the Councillor delegated to be a member of the Club's committee should first become an ordinary member of the Club at Council's cost. It is suggested that whilst it appears to be a good idea for Council to have delegates on various committees and boards, it may not always be straightforward or desirable. In this case the BBCMC has operated very successfully as an independent organisation, albeit with Council and other assistance, and Councillors may see value in standing back and helping as asked rather than becoming a part of the operation of the Club.

Council may wish to review its request at this time or to wait until the BBCMC responds.

The recommendation is that Council makes the appointments it wishes to make and defers those it sees as not being urgent.

### **CONSULTATION**

Nil

### **STATUTORY OBLIGATIONS**

The following sections of the Local Government Act have application.

**Subdivision 2 — Committees and their meetings**

**5.8. Establishment of committees**

*A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\* Absolute majority required.*

**5.9. Committees, types of**

(1) *In this section —*

***other person** means a person who is not a council member or an employee.*

(2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

**5.10. Committee members, appointment of**

(1) *A committee is to have as its members —*

- (a) *persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

(3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*

(4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor*

*or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*

- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*

(a) *to be a member of the committee; or*

(b) *that a representative of the CEO be a member of the committee,*

*the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

#### **5.11A. Deputy committee members**

- (1) *The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.*

*\* Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be —*

(a) *if the member of the committee is a council member — a council member; or*

(b) *if the member of the committee is an employee — an employee; or*

(c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*

(d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.*

- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*

- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

*[Section 5.11A inserted by No. 17 of 2009 s. 20.]*

#### **5.11. Committee membership, tenure of**

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

(a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*

(b) *the person resigns from membership of the committee; or*

(c) *the committee is disbanded; or*

(d) *the next ordinary elections day,*

*whichever happens first.*

(2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*

(a) *the term of the person's appointment as a committee member expires; or*

(b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*

(c) *the committee is disbanded; or*

(d) *the next ordinary elections day,*

*whichever happens first.*

#### **5.12. *Presiding members and deputies, election of***

(1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*

(a) *to "office" were references to "office of presiding member"; and*

(b) *to "council" were references to "committee"; and*

(c) *to "councillors" were references to "committee members".*

(2) *The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —*

(a) *to "office" were references to "office of deputy presiding member"; and*

(b) *to "council" were references to "committee"; and*

(c) *to "councillors" were references to "committee members"; and*

(d) *to "mayor or president" were references to "presiding member".*

#### **5.13. *Deputy presiding members, functions of***

*If, in relation to the presiding member of a committee —*

(a) *the office of presiding member is vacant; or*

(b) *the presiding member is not available or is unable or unwilling to perform the functions of presiding member,*

*then the deputy presiding member, if any, may perform the functions of presiding member.*

**5.14. Who acts if no presiding member**

*If, in relation to the presiding member of a committee —*

- (a) the office of presiding member and the office of deputy presiding member are vacant; or*
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,*

*then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

**5.15. Reduction of quorum for committees**

*The local government may reduce\* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.*

*\* Absolute majority required.*

**5.16. Delegation of some powers and duties to certain committees**

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.*

*\* Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
  - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

**5.17. Limits on delegation of powers and duties to certain committees**

- (1) A local government can delegate —*

- (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —*
  - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*
  - (ii) any other power or duty that is prescribed;*



*and*

- (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*
    - (i) the local government's property; or*
    - (ii) an event in which the local government is involved.*
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**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**

Absolute majority

**OFFICER RECOMMENDATION – Item 8.3.6**

**That Council make the appointments it wishes to make, and defers those it sees as not being urgent, from the list of vacancies as follows:**

- **Annual Awards Committee – Councillor Committee member**
- **Town Planning Scheme Review and Town Site Strategy Steering Committee - Councillor Committee member**
- **Town Site Committee - Councillor Committee member**
- **Boyup Brook Tourism Association - Councillor Delegate**
- **Boyup Brook District High School Board - Councillor Delegate**

**NOTE**

The CEO noted to the meeting that the Chairman of the Boyup Brook District High School had advised that the Board would like a Councillor to be appointed and that the next meeting was 8<sup>th</sup> April at 3.30pm.

**Council Decision**

Cr Oversby nominated Cr O'Hare to represent the Boyup Brook District High School Board.

Cr O'Hare informed Council that he attended Boyup Brook Tourism Association meetings now, as a member of that group, and so could represent Council.

**MOVED: Cr Oversby**

**SECONDED: Cr Kaltenrieder**

**That Councillor O'Hare be delegated as Council's representative for the Boyup Brook District High School Board and the Boyup Brook Tourism Association.**

**Carried 8/0**

**Res 33/14**

Cr Kaltenrieder left the Chambers at 6.32pm.

**NOTE**

Council left all other vacancies to be dealt with when the new Councilor was elected or as the need arose.

**MOVED: Cr Aird**

**SECONDED: Cr Imrie**

**That the Council adopts enbloc items. 9.1.1 and 9.1.2.**

**CARRIED 7/0**

**Res 34/14**

**9 COMMITTEE REPORTS**

<b>9.1.1 Minutes of the South West Zone Meeting</b>
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<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>13 March 2014</i>
<b>Author:</b>	<i>Alan Lamb - CEO</i>
<b>Attachments:</b>	<i>Yes – Minutes</i>

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**BACKGROUND**

The South West Zone meeting was held on 21 February 2014.

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

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.1.1**

That the minutes of the South West Zone meeting held on 21 February 2014 be received.

Cr Kaltenrieder returned at 6.33pm

**9.1.2 Minutes of the Bunbury Wellington Group**

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>13 March 2014</i>
<b>Author:</b>	<i>Alan Lamb - CEO</i>
<b>Attachments:</b>	<i>Yes – Minutes</i>

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**BACKGROUND**

The Bunbury Wellington Group of Councils meeting was held on 9<sup>th</sup> December 2013.

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

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.1.2**

That the minutes of the Bunbury Wellington Group of Councils meeting held on 9<sup>th</sup> December 2013 be received.

**9.1.3 Minutes of the Annual Electors Meeting 19<sup>TH</sup> December 2013**

<b>Location:</b>	Shire of Boyup Brook
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 March 2014
<b>Author:</b>	Alan Lamb - CEO
<b>Attachments:</b>	Yes – Minutes

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**BACKGROUND**

The Annual Electors Meeting was held in the Council Chambers 19<sup>th</sup> December 2013.

**OFFICER RECOMMENDATION**

That the minutes of the Annual Electors Meeting held on 19<sup>th</sup> December 2013 be received.

**Resolutions from the Annual Electors meeting**

That no ratepayer money should be given to the Country Music Centre that will disadvantage any of the other businesses in Boyup Brook.

**CEO Comment**

The Local Government Act provides as follows:

**5.33. *Decisions made at electors' meetings***

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*
- (a) *at the first ordinary council meeting after that meeting; or*
  - (b) *at a special meeting called for that purpose,*

*whichever happens first.*

- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

This item should have been included in the February 2014 Council meeting agenda but missed that agenda due to other pressures.

**COUNCIL DECISION & CEO RECOMMENDATION**

**MOVED: Cr Aird**

**SECONDED: Cr Walker**

**That Council receives the December 2013 Annual Electors Meeting motion as follows, with the intention of taking this request into account, along with other considerations, in Council planning:**

That no ratepayer money should be given to the Country Music Centre that will disadvantage any of the other businesses in Boyup Brook.

**Carried 8/0**

**Res 35/14**

**9.1.4 Minutes of the Audit and Finance Committee 20<sup>TH</sup> February 2014**

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>13 March 2014</i>
<b>Author:</b>	<i>Alan Lamb - CEO</i>
<b>Attachments:</b>	<i>Yes – Minutes</i>

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**BACKGROUND**

The Audit and Finance Committee meeting was held on 20<sup>th</sup> February 2014.

**OFFICER RECOMMENDATION**

That Audit and Finance Committee meeting was held on 20<sup>th</sup> February 2014 be received.

**COMMITTEE RECOMMENDATIONS FOR COUNCIL DECISION**

**9.1.4.1 Auditors Management Report**

**Recommended that the Committee recommends Council receives the 2012/13 Auditor's management Report.**

**9.1.4.2 Appointment of Auditor**

**Recommended that Tim Partridge and Maria Cavallo from AMD Chartered Accountants be appointed as Council's Auditors for 01/07/2013 to 30/06/2018 inclusive.**

**9.1.4.3 Budget Review - 2013/14 Budget**

**Recommended that Council:**

**MOVED: Cr Walker**

**SECONDED: Cr Aird**

- 1. Receives the 2012/13 Auditor's management Report.**
- 2. Appoint Tim Partridge and Maria Cavallo from AMD Chartered Accountants as Council's Auditors for 01/07/2013 to 30/06/2018 inclusive.**
- 3. Adopt the 2013/14 Annual Budget Review, as presented in Attachment 1, and notes that the estimated Closing Funds are based on current revenue and expenditure trends;**
- 4. Authorise the following budget amendments:**

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
031101	Rates Collection Costs – Anticipate less debt recovery expenses	5,400	4,000	1,400	
031005	Rates Installment Interest – Additional installment interest due to increased use of installment option payment method	5,000	14,000	9,000	
031006	Exgratia Rates – Increased contribution from CBH	857	902	45	
031011	ESL penalty Interest	0	273	273	
031012	Interim Rates – Anticipate less interim rates	2,500	580		(1,920)
032001	General Purpose Grant – Increase in grant allocation	204,253	210,122	5,869	
032002	Local Road Grant – Decrease in grant allocation	342,302	294,273		(48,029)
032005	Interest Earned – Interest earned on Police Licensing account	0	50	50	
032006	Interest Earned – Interest earned on Medical Fund Account	0	120	120	
041104	Members Other Expenses – Replacement phone handset required	2,700	3,311		(611)
041105	Members Conference Expenses – Additional conference costs	12,000	12,195		(195)
041108	Council Chambers Expenses – Cleaning expenses lower	8,020	4,020	4,000	
041109	Refreshments and Receptions – Increased one off meeting catering costs	23,000	23,614		(614)
041110	Bunbury Wellington Group Projects – Legal expenses relating to waste contracts.	500	2,442		(1,942)
041111	Members Insurance – Premiums lower	3,961	3,295	667	
041112	Subscriptions – Association subscriptions lower than budgeted	7,942	7,810	132	
041113	Election Expenses – Expenses less due to no contested election	7,000	3,100	3,900	
041300	Forward Plans – Reduction in cost of plans being prepared	105,000	65,000	40,000	
041002	Sundry Reimbursements – Anticipate no reimbursements being made	1,200	0		(1,200)
041003	Other Income – Anticipate other income being less	200	20		(180)
051112	Fire Prevention & Support – Anticipate electricity and phone costs being higher than budgeted	1,500	2,290		(790)
051101	Fire Break Inspection – aerial inspection costs less	3,000	2,259	741	
051109	Insurances – Higher premiums	14,366	14,378		(12)
051001	Fire Infringements – Less infringement notices issued	2,850	1,250		(1,600)
051003	Fire Insurance Rebate – No rebate this financial year	1,200	0		(1,200)
051002	Sale of Fire Maps –No maps sold	100	0		(100)



ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
052100	Ranger Services Operation Costs – Anticipate contract costs lower than budget	31,000	28,000	3,000	
052102	Dog Licence Discs – Additional discs purchased	275	447		(172)
052005	Trap Hire Refunds	100	300		(200)
052109	Cat Licence Tags – No provision made for cat tag requirement	0	492		(492)
052001	Animal Infringements – Trends indicate reduced infringements this year	800	0		(800)
052002	Impounding Fees – Trends indicate no impounding fees	100	0		(100)
052003	Dog Registration Fees – increase in dog registrations	2,500	4,629	2,129	
052105	Trap Hire Bond Income	100	300	200	
New	Ranger Vehicle Reimbursements – Vehicle costs to be reimbursed	0	6,000	6,000	
052008	Cat Sterilisation Program Grant – Grant income not anticipated	0	2,500	2,500	
053100	LEMC Expenses – Anticipate less Committee expenses	1,500	350	1,150	
071100	Family Stop Centre – Rubbish collection costs lower	6,434	6,118	316	
072100	Health Administration Expenses – increased contract repair costs and additional training expenses	20,656	22,188		(1,532)
072001	Food Stall Permits - less permits issued	300	264		(36)
072003	Food Business Registration Fee – Additional registration fees	200	222	22	
074100	General Practitioner Housing – increased contract repair costs	10,677	11,177		(500)
074101	Medical Services General Operations – Higher insurance costs, but no requirement for Locum doctor service	42,638	24,354	18,284	
074103	Medical Services Employee Costs – increased salary & superannuation costs	417,798	428,888		(11,090)
074105	Postage, Printing & Stationery – increased stationery and postage costs	2,450	5,592		(3,142)
074107	Medical Centre Subscriptions – additional subscriptions paid	800	3,026		(2,226)
074109	Medical Centre Bank Fees – Trends indicate lower bank fees	1,840	1,200	640	
074110	Medical Centre Computer Expenses – increased contract support costs and Internet connection charges	9,750	12,288		(2,538)
074114	Medical Centre training – additional training costs	4,500	6,000		(1,500)
074115	Medical Centre Sundry Expenses – Additional costs for spring water bottles	1,000	1,110		(110)
074001	Surgery Turnover – Trends indicate higher surgery income	650,000	661,000	11,000	
075100	Ambulance Centre – increased contributions made	19,410	19,520		(110)

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
081100	Community Resource Centre – No provision made in budget for water consumption charges	2,117	2,472		(355)
081101	Rylington Park Farm Complex – Fire extinguisher servicing costs lower	8,129	8,089	40	
New	Aged Accommodation Planning Expenses – Allocation not required as provided for under Forward Plans	15,000	0	15,000	
083103	Youth Railway Carriage – No provision made in budget for insurance premium	52	0	52	
083002	Youth Council Income – additional contributions received for youth activities	200	1,338	1,138	
091100	Staff Housing – Increased electricity costs and materials cost for maintenance on 7 Knapp St	13,385	14,695		(1,310)
092006	Rent 6 Nix St – No rental income envisaged	1,855	0		(1,855)
092100	Aged Needs Initiative – No provision in budget for legal advice on aged accommodation joint venture	0	3,926		(3,926)
092105	Housing 1 Rogers Avenue – Insurance premiums and gas higher	4,588	4,824		(236)
092003	Rent 16A Forrest St – No rent charged for November	5,325	4,916		(409)
092004	Rent 16B Forrest St – Trends indicate additional rent	7,540	8,768	1,228	
092005	Rent 1 Rogers Avenue – Trends indicate additional rent	16,465	19,460	2,995	
101106	Transfer Station Employee Costs – Increased superannuation costs	32,423	33,492		(1,069)
101102	Boyup Brook Transfer Station Costs – Increased electricity costs and additional contract transport of refuse trailer to tip.	24,567	29,667		(5,100)
101103	Landfill Disposal Site – Increased costs for excavation and additional contract weed spraying	30,135	31,495		(1,360)
101107	Drum Muster Expenses – No provision made in budget for contract expenses – these should be reimbursed under the drum muster program	0	2,776		(2,776)
101001	Refuse Rates – additional interim rates charged	86,546	87,068	522	
101003	Recycling Income – Anticipate less revenue from sale of recyclables	2,000	0		(2,000)
103101	Liquid Waste Disposal Site – Additional repairs required	1,425	1,965		(540)
103001	Septic Tank Inspection Fees – Trends indicate less fees	1,700	0		(1,700)
103002	Septic Tank Licence Fees – Additional application received	200	2,938	2,738	
105100	Town Planning & Control – Additional expenses for local planning strategy	55,000	56,665		(1,665)
105001	Planning Application Fees – Additional development applications received	1,000	1,828	828	
105002	Subdivision Clearance Charges –	600	0		(600)

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
	Trends indicate no subdivision clearance requests				
106101	Cemetery operation – Additional contract grave digging costs	9,518	10,868		(1,350)
106102	Public Toilets Operation – Additional septic pumps outs	25,989	26,548		(559)
106103	Street Furniture – Painting of furniture deferred	3,460	2,460	1,000	
106001	Cemetery Burial Fees – Trends indicate additional burial fees	3,500	4,845	1,345	
106003	Cemetery Reservation Fees – Trends indication addition reservation fees	200	477	277	
106004	Niche Wall Fees – Trends indicate additional niche wall fees	0	350	350	
107101	Fruit Fly Expenses – Program not run	660	0	660	
107001	Fruit Fly Income – Program not run	660	0		(660)
111100	Boyup Brook Hall Operation – Water consumption and cleaning costs lower	28,991	28,424	567	
111102	Other Public Halls – Insurance premiums lower	14,179	12,646	1,533	
111001	Hall Hire Fees – Trends indicate less income	3,500	3,200		(300)
111003	Contributions – Trends indicate less income	1,900	0		(1,900)
113100	Recreation Complex Operations – Contract cleaning costs lower	102,946	101,916	1,030	
113110	Townsite Gardens – No provision in budget for electricity charges and increased materials costs	94,904	102,610		(7,706)
113112	Reserves and Parks Operations – Landscaping costs for Sandakan Park less	28,767	23,142	5,625	
113119	Other Recreation Facilities – Higher insurance premiums	11,278	12,863		(1,585)
113120	War Memorial – additional wages and overheads costs	0	132		(132)
113003	Rec Ground Hire Fees – Trends indicate lower income	1,900	0		(1,900)
113001	Squash Courts Hire – Trends indicate lower income	300	129		(171)
113002	Reimbursements Other – Trends indicate lower income	100	0		(100)
113021	KidzSports Grant – Grant revenue not budgeted for	0	15,000	15,000	
112100	Swimming Pool General Operations – Insurance premiums lower and cash register cost less	28,362	22,412	5,950	
112101	Swimming Pool Building Costs – Safety matting cheaper, and lower electricity and insurance costs	33,668	29,751	3,917	
112102	Swimming Pool Employee Costs – Anticipate higher salary and superannuation payments	122,520	126,382		(3,862)

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
New	State Government Swimming Pool Subsidy – State government ceased pool subsidy program	3,000	0		(3,000)
112005	Pool Hire Fees – Trends indicate less income	800	0		(800)
112006	Gym Equipment Hire Fees – Trends indicate less income	100	0		(100)
112007	Pool Teaching Program Fees – Trends indicate less income	250	0		(250)
115100	Library operations – No provision made in budget for freight costs	380	1,110		(730)
116100	Museum – Anticipate increased electricity costs	3,801	3,871		(70)
116101	Craft Hut – Anticipate increased water consumption costs	6,997	7,123		(126)
116001	Reimbursements Other Culture – Trends indicate less income	100	0		(100)
121004	Road Contributions – Uncertain if road contribution will be made	24,000	0		(24,000)
122100	Depot Buildings Operation Costs – Additional materials and increased electricity charges	29,731	31,238		(1,507)
122101	Depot General Operations – Additional freight and telephone costs	13,905	21,518		(7,613)
122103	Road Maintenance and Repairs – Anticipate additional materials costs	121,128	131,628		(10,500)
122107	Maintenance Grading – Materials provision not required	482,666	475,361	7,035	
122105	Bridge Repairs and Maintenance – Insurance cover for bridges not taken up	185,233	135,233	50,000	
122106	Shire Radio Network – No provision in budget for radio repairs	0	2,000		(2,000)
122108	Drains and Culverts Maintenance – Funds transferred to Capital Expenditure to replace culverts.	50,845	47,345	3,500	
122111	Crossover maintenance – Additional materials costs	1,720	2,570		(850)
122113	Town Footpaths – additional materials for maintenance	3,403	6,213		(2,810)
122115	Town Tree Pruning – Anticipate contractor costs lower	19,844	16,844	3,000	
122120	RoMan Data Pickup – additional contractor costs	10,000	10,112		(112)
122124	Storm Damage September 2013 event – Additional contractor costs to repair road network and remove trees – will be offset by Storm Damage claim to MRWA	0	57,355		(57,355)
122116	Street Lighting – Trends indicate higher electricity costs	26,000	29,054		(3,054)
122117	Traffic Signs – Additional signs to be purchased	13,565	23,565		(10,000)
122130	Road and Path Study – consultancy costs lower	15,000	7,500	7,500	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
122119	Road Maintenance Stock – no provision in budget for materials purchases	0	6,541		(6,541)
122135	Boyup Brook-Arthur River Road Damage – additional costs to rectify road damage – offset by reimbursement for cost of damage	0	21,061		(21,061)
122003	Sale of old materials – minor revenue not anticipated	0	76	76	
122004	Reimbursement Storm Damage June 2013 – Reimbursement revenue for costs incurred in storm damage event	0	76,185	76,185	
122035	Boyup Brook Arthur River Road Damage Reimbursement – reimbursement for repair costs incurred see 122135	0	23,167	23,167	
New	Reimbursement Storm Damage September 2013 – reimbursement for storm damage repair costs see 122124	0	57,355	57,355	
126100	Airstrip – Reduced planning costs now to be done in-house	23,317	9,063	14,254	
125100	Police Licensing Bank Fees – no provision made in budget for bank fees	0	1,460		(1,460)
125001	Licensing Service Commission – trends indicate lower commission	30,900	29,918		(982)
New	Insurance – lower workers compensation insurance premium	2,074	0	2,074	
132114	Community Development Expenses – anticipate less expenditure	10,000	5,000	5,000	
132104	Tourist Centre – No provision in budget for contract cleaning and electricity costs, and no provision for upgrade to Pioneer man Garden (2012/13 project).	14,345	23,798		(9,453)
132102	Support for Country Music Festival – contribution not required – offset by loan funds to be sourced now no longer required	300,000	0	300,000	
132107	Flax Mill Complex – Anticipate contract cleaning costs will be less and also telephone costs	35,818	29,062	6,756	
132108	Caravan Park/Flax Mill Complex – Higher maintenance costs for plumbing, less reclassification of costs for bailing room rewiring now under capital	58,422	50,562	7,860	
132003	Flax Mill Storage Lease Fees – negotiations resulted in reduced lease fee	7,503	1,000		(6,503)
132004	SWDC Grant – Promotions – grant application not successful	4,000	0		(4,000)
132005	Country Music Club – CDO Share – contribution for CDO relating to 2012/13	0	5,000	5,000	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
132007	Other Income – trends indicate less income	1,000	0		(1,000)
133001	Building Licence Fees – Trends indicate higher fees	10,000	11,000	1,000	
134100	Saleyards – Trends indicate higher water consumption charges	4,160	8,706		(4,546)
135100	Standpipes – Trends indicate lower water consumption charges	12,836	5,366	7,470	
135001	Standpipe Water Charges – Trends indicate less income	2,900	1,650		(1,250)
141100	Private Works – additional materials costs	8,460	9,708		(1,248)
141001	Private Works Charges – Trends indicate higher income	10,000	12,360	2,360	
143104	Insurance on Works – higher workers compensation and public liability premiums	45,190	54,847		(9,657)
143108	Uniforms – additional uniform and protective clothing purchases	3,000	3,500		(500)
143109	Training and Meeting Expenses	14,570	15,070		(500)
143111	Other Expenses – Anticipate lower materials costs	4,750	1,250	3,500	
New	Superannuation – All super provided for under Account 143105	6,835	0	6,835	
144102	Tyres and Tubes – trends indicate lower costs	20,000	15,000	5,000	
144103	Parts and Repairs – Additional costs relating major repairs to several heavy plant items	46,500	80,000		(33,500)
144105	Insurances – Motor vehicle insurance premiums higher	33,277	38,230		(4,953)
144106	Blades and Points – Trends indicate lower costs	12,000	10,000	2,000	
144107	Expendable tools – additional tools required	3,200	3,263		(63)
145101	Workers Compensation Expenses – workers compensation claim costs – to be reimbursed by insurer	0	2,227		(2,227)
143001	Workers Compensation Reimbursements – reimbursement of workers compensation costs incurred	0	11,466	11,466	
146100	Advertising – anticipate less advertising costs	15,000	13,000	2,000	
146103	Administration Buildings – Insurance premiums and electricity costs higher	27,873	31,636		(3,763)
146104	Administration General – Equipment purchases less	5,100	3,100	2,000	
146106	Consultants – reduced consultancy costs	82,200	68,200	14,000	
146107	Asset Management – additional consultancy costs in finalizing project	0	840		(840)
146108	Insurance – Higher insurance premiums	22,233	22,649		(416)
146109	Legal Expenses – Anticipate less legal expenses	17,000	10,000	7,000	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
146111	Office Equipment Maintenance – Anticipate higher copier service costs relating to colour copies	14,090	21,830		(7,740)
146112	Postage and Freight – additional freight costs anticipated	800	7,344		(6,544)
146113	Printing and Stationery – Additional stationery costs	9,200	12,500		(3,300)
146124	Superannuation – Trends indicate lower superannuation costs	59,140	57,640	1,500	
146116	Workforce Planning project – Less consultancy costs	11,000	10,000	1,000	
146117	Employers Indemnity Insurance – lower insurance premium	17,739	16,469	1,270	
146120	Uniform Allowance – trends indicate less uniform costs	3,300	2,500	800	
146121	Telephones – Trends indicate higher telephone call costs	13,999	15,999		(2,000)
146122	Miscellaneous Furniture and Equipment – No provision in budget	0	362		(362)
146135	ATO Requested Review – Additional contractor costs to extract data for ATO review	0	2,610		(2,610)
146001	Reimbursements Administration – Additional reimbursements	3,000	9,886	6,886	
New	Transfer from Leave Reserve – to cover LSL taken by doctor relating to previous periods.	0	46,000	46,000	
New	Transfer from Commercial Reserve – to cover building improvements to doctors residence	0	90,000	90,000	
New	Transfer from IT Reserve – to cover additional IT capital equipment purchases	0	18,000	18,000	
	Surplus/Deficit Carried Forward – Reduction to Opening surplus due to change to accounting treatments	1,274,199	1,164,866		(109,333)
New	Country Music Club Advance – Advance no longer required	150,000	0	150,000	
New	New Loans raised – loans for Country Music Club project and loan advance not required so loans not being raised – see account 132102 and line above.	450,000	0		(450,000)
074603	Replacement Server at Medical Centre – no provision made in budget for purchase	0	11,866		(11,866)
112501	Swimming Pool Fridge – No provision made in budget for purchase	0	2,000		(2,000)
146603	SynergySoft Modules – No provision made in budget for purchase of additional modules	0	37,906		(37,906)
146600	Computer software – additional costs for dog and cats modules	7,451	8,746		(1,295)
041400	Council Chambers Carpet – carry over cost from last year – no provision made in budget	0	268		(268)
New	Council Chambers Upgrade – Project deferred	4,147	0	4,147	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
074401	5 Rogers Residence – Upgrades and improvements not in budget, transfer from commercial reserve to cover costs	12,100	102,100		(90,000)
091402	7 Knapp Street Residence – Additional materials cost for garden works	12,315	12,637		(322)
092401	6 Nix Street – Painting and window treatment projects deferred	7,000	0	7,000	
106400	Music Park Ablution Block – Additional materials and contractor costs to complete project	79,271	98,226		(18,955)
111400	Town Hall Capital – Wall restoration and underpinning put on hold as grant applications unsuccessful	48,000	0	48,000	
111401	Lesser Hall Ceiling Replacement – No provision made in budget for project costs	0	25,000		(25,000)
112502	Swimming Pool Waste Water Tank – Anticipate project will have lower costs	15,000	8,000	7,000	
132400	Tourist Centre Rising Damp – No provision made in budget for project costs	0	7,280		(7,280)
132404	Flax Mill Bailing Room Electrical Works – electrical rewiring to bailing room - provision transferred from operating costs to capital to cover expenses	0	10,150		(10,150)
123608	Mechanics Utility – Project deferred	14,700	0	14,700	
new	Aggregate Spreader – Project deferred	10,500	0	10,500	
122901	New Radio System – purchase under budget	7,000	5,640	1,360	
132501	CDO Vehicle – cost slightly higher than budgeted	38,000	38,560		(560)
146501	MFA Vehicle – purchase under budget	36,400	36,372	28	
R8003A	Scotts Brook Road – Additional materials costs	152,000	154,461		(2,461)
R7066	Stanton Road – no provision made in budget for costs to rehabilitate gravel pit	0	1,000		(1,000)
R7045	Reservoir Road - no provision made in budget for costs to rehabilitate gravel pit	0	1,000		(1,000)
R9134	Corbalup Road – no provision made in budget for costs to replace culvert pipes – funds transferred from drainage maintenance account to cover cost.	0	1,277		(1,277)
R7007	Kulikup South Road - no provision made in budget for costs to replace culvert pipes – funds transferred from drainage maintenance account to cover cost	0	706		(706)
R9071	Wagner Road - no provision made in budget for costs to replace culvert pipes – funds transferred from drainage maintenance account to cover cost	0	1,246		(1,246)



ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	FAVOURABLE OUTCOME	UNFAVOURABLE OUTCOME
108801	Drainage Construction 2011/12 CLGF – Additional costs to acquit grant value – amount understated in previous years	17,466	43,228		(25,762)
106900	War Memorial Garden Lighting - 2012/13 project, no provision made in budget for costs	0	1,048		(1,408)
132403	Caravan Park Lighting Upgrade - 2012/13 project, no provision made in budget for costs	0	1,715		(1,715)
TOTAL				\$1,214,873	(\$1,193,670)
<b>Net Adjustments to 2013/14 Budget</b>					<b>\$21,203</b>

**5. Submit a copy of the adopted 2013/14 Annual Budget Review Report to the Department of Local Government and Communities.**

**CARRIED 8/0**

**Res 36/14**

**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 6.47pm