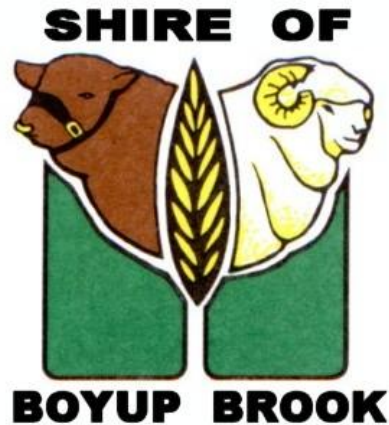


# Minutes



**ORDINARY MEETING**

held

**THURSDAY 16 May 2019**  
**Commenced AT 5.00PM**

**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 G Aird – Shire President  
Cr R Walker - Deputy Shire President  
Cr S Alexander  
Cr P Kaltenrieder  
Cr K Moir  
Cr T Oversby  
Cr H O'Connell  
Cr E Rear

STAFF: Mr Stephen Carstairs (Acting/CEO)  
Mrs Maria Lane (Executive Assistant)

Tom Rouse (Bunbury Fibre Exports Pty Ltd)  
Darren Sanders (Bunbury Fibre Exports Pty Ltd)

**1.2 Apologies**

**1.3 Leave of Absence**

Cr E Muncey

**2 PUBLIC QUESTION TIME**

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

**3 APPLICATIONS FOR LEAVE OF ABSENCE**

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

**4.1 Presentation**

**4.1.1 Bunbury Fibre - Using road-trains on Walker Road**

Tom Rouse (Harvest Manager) & Darren Sanders (Safety & Compliance Advisor)  
from the Bunbury Fibre Exports Pty Ltd provided a presentation to Council.

**4.1.2 Councillor Communications**

- Cr O'Connell, Cr Alexander, Cr Walker and Cr Moir attended a WALGA webinar on 9 May 2019 in relation to "Facilitating Council Business.
- Cr O'Connell, Cr Alexander, Cr Oversby and Cr Walker attended a Councillor Road Trip on 14th May 2019.

- Cr O'Connell attended the Anzac Dawn Service on 25th April 2019.
- Cr O'Connell attended the Boyup Brook Tourism Association Committee meeting on 29th April 2019.
- Cr O'Connell attended a CRC Committee meeting on 15th May 2019.
- Cr Oversby went over to North Borneo on a 2 week tour for the Anzac Service.
- Cr Alexander attended a Special Council meeting on 8th May 2019.
- Cr Kaltenrieder attended a WACH consumer cafe workshop in Bridgetown on 9th May 2019
- Cr Rear attended Marie Sambell's funeral held on 30 April 2019.
- Cr Rear attended Museum AGM and Committee meeting on 8 May 2019.
- Cr Rear attended Museum AGM and ratified new Constitution via Special Meeting.

## **5 DISCLOSURE OF INTEREST**

Cr Moir declared a proximity interest in item 9.1.1.

**COUNCIL DECISION**

**MOVED: Cr Rear**

**SECONDED: Cr Alexander**

**That the Council adopts enbloc 6.1.1 and 6.1.2.**

**CARRIED 8/0**

**Res 108/19**

**6 CONFIRMATION OF MINUTES**

**6.1.1 Ordinary Council Meeting - 18 April 2019**

**COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1.1**

That the minutes of the Ordinary Council Meeting held on Thursday 18 April 2019 be confirmed as an accurate record.

**CARRIED BY ENBLOC 8/0**

**Res 109/19**

**6.1.2 Special Council Meeting - 18 April 2019**

**COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1.2**

That the minutes of the Special Council Meeting held on Thursday 18 April 2019 be confirmed as an accurate record.

**CARRIED BY ENBLOC 8/0**

**Res 110/19**

**7 PRESIDENTIAL COMMUNICATIONS**

Attended the Dawn service and Anzac service on 25th April 2019.

Attended a South West Zone meeting held on 3rd May 2019 at the Shire of Dardanup.

Attended a Special Council meeting on 8th May 2019.

Attended a road trip with the MWS, A/CEO, Works Supervisor & Councillors on 14th May

Interviewed by the ABC.

Met with Jeff Henderson from WALGA who is setting up a video to promote Boyup Brook.

A video will be provided to the Shire at a later stage.

**8 COUNCILLORS QUESTIONS ON NOTICE**

**9 REPORTS OF OFFICERS**

**Proximity Interest**

Cr Moir declared a proximity interest in the item and departed the Chambers the time being 5.48pm.

**9.1 MANAGER WORKS & SERVICES**

**9.1.1 Temporary Forestry Access Permit – Bunbury Fibre Exports**

<b>Location:</b>	<i>Wilga</i>
<b>Applicant:</b>	<i>Bunbury Fibre Exports</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>9<sup>th</sup> April 2019</i>
<b>Author:</b>	<i>Steele Alexander</i>
<b>Authorizing Officer:</b>	<i>Stephen Carstairs</i>
<b>Attachments:</b>	<i>none</i>

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**SUMMARY**

Bunbury Fibre Exports have requested a temporary Forestry Access Permit from Main Roads WA for Camelup and Walker Roads, to facilitate harvest of the Karringal Plantation located within the Shire of Donnybrook-Balingup. The permit application requires endorsement from the Shire of Boyup Brook before approval can be granted from Main Roads WA.

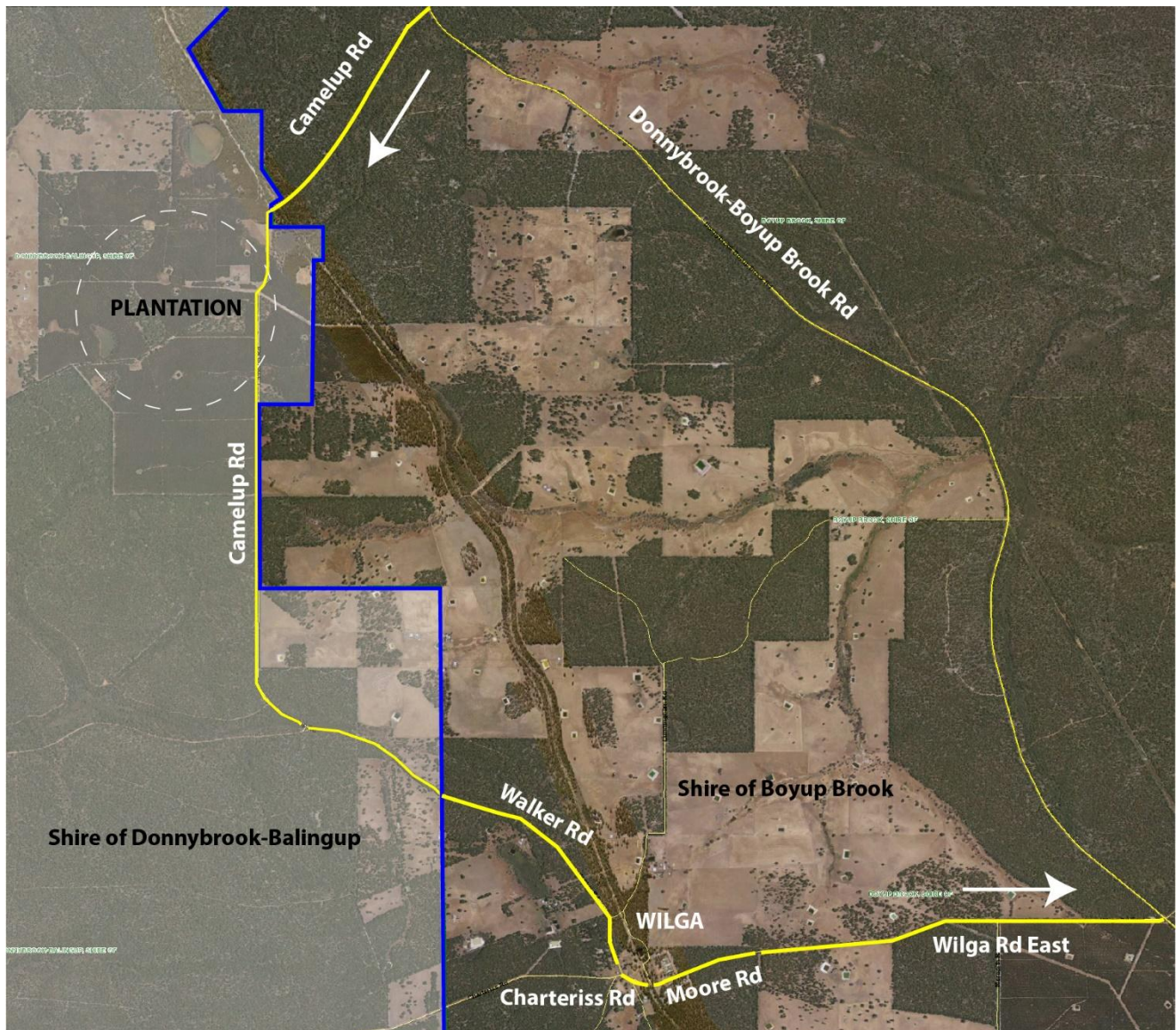
**BACKGROUND**

The Karringal plantation is located in the Shire of Donnybrook-Balingup, however the only access to the Bunbury port includes Shire of Boyup Brook controlled roads. Camelup Road and Walker Road are not currently on Main Roads heavy vehicle network and the temporary Forestry Access Permit would allow network 3 Restricted Access Vehicle (RAV) road trains to operate on those roads for the duration of the permit only. These roads have been assessed by the Manager of Works & Services and Works Supervisor as suitable for RAV Network 3.

A previous application for Camelup Road was rejected by Main Roads due to insufficient line-of-sight distance for trucks entering the Donnybrook-Boyup Brook Road. The new application eliminates this hazard by creating a one-way route (see figure 1) whereby trucks can enter (but not exit) Camelup road from the

Donnybrook - Boyup Brook Road, then use Walker Road, Charteriss Road, Moore Road, and Wilga Road East to return to the Donnybrook - Boyup Brook Road. Charteriss Road, Moore Road, and Wilga Road East are already RAV network 3 roads on Main Roads heavy vehicle network and therefore not subject to the requested permit. The proposed one-way route will result in loaded road trains travelling through the Wilga town-site.

**Figure 1: One-way haulage route**



The purpose of the temporary Forestry Access Permit is to allow Bunbury Fibre Exports the use of category 3 RAV's on the roads. No permit is required for semi-trailer trucks since they are not classified as RAV's. If the permit is not endorsed by the Shire of Boyup Brook then Bunbury Fibre Exports will still be able to use the route for semi-trailer configuration trucks without requiring approval from Main roads or the Shire of Boyup Brook. This would result in a significant increase in truck movements through the Wilga town site. Figures provided by Bunbury



Fibre Exports indicate using semi-trailers would approximate 15-20 truck movements through the town over the harvest duration whereas network 3 road-trains would approximate 6-8.

If the temporary Forestry Access Permit were to be granted from Main Roads, a condition of the permit (as with all RAV network use) would be for Bunbury Fibre Exports to seek additional approval known as CA07, from the road owner (the Shire). The Shire has the authority to revoke any CA07 it has previously granted and would do so if roads were being damaged by operators. It is therefore an effective means to ensure haulage companies maintain Shire roads in good condition. CA07 is not required for semi-trailers so the Shire would have limit means to enforce maintenance of the roads in this scenario.

An option to minimize use of Shire roads and divert trucks from Wilga, would be to have Bunbury Fibre Exports only use Camelup Road for entry and exit from the plantation and have them implement traffic control to eliminate the line-of-sight hazard for entry onto the Donnybrook - Boyup Brook Road. While this could be achieved as a condition of a temporary Forestry Access Permit, semi-trailers would not be subject to this permit. Advice from Main Roads WA indicates that there are no means to enforce this option when semi-trailers are used. Bunbury Fibre Exports have indicated that they would not be willing to implement this solution for RAV's or semi-trailers due to the significant additional cost.

#### **COMMENT**

The preferred option would be to have Bunbury Fibre Exports only use Camelup Road for haulage and implement traffic control to eliminate the line-of-sight hazard for entry onto the Donnybrook - Boyup Brook Road. Since this option is not enforceable by the Shire of Boyup Brook, it is recommended that the temporary Forestry Access Permit for Camelup and Walker Roads for the purpose of a one-way RAV network 3 route through Wilga should be supported for the following reasons:

- Reduction in the number of truck movements through the Wilga town site.
- Maintenance of the roads by Bunbury Fibre Exports will be enforceable by the Shire through condition CA07.

#### **CONSULTATION**

Stephen Carstairs, A/CEO  
Tony Bogar, Works Supervisor  
Main Roads WA – Heavy Vehicle Services

#### **STATUTORY OBLIGATIONS**

*Nil*



**POLICY IMPLICATIONS**

*Nil*

**BUDGET/FINANCIAL IMPLICATIONS**

Additional road maintenance costs could be incurred if RAV permit condition CA07 is not in place.

**STRATEGIC IMPLICATIONS**

*Nil*

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple majority

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

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

**That Council endorses Bunbury Fibre Exports application to Main Roads WA for a temporary Forestry Access Permit for Camelup and Walker Roads.**

**CARRIED 7/0**

**Res 111/19**

**Cr Moir returned to the Chambers at 5.50pm**

**Steele Alexander, Tom Rouse and Darren Sanders left the Chambers at 5.50pm.**

**9.1.2 Revision to Policy P08 – “Naming New Roads” – addition of “Broadhurst”**

<b>Location:</b>	<i>Boyup Brook Shire</i>
<b>Applicant:</b>	<i>Shirley R. Broadhurst</i>
<b>File:</b>	<i>Policy</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>6<sup>th</sup> April 2019</i>
<b>Author:</b>	<i>Steele Alexander - Manager Works &amp; Services</i>
<b>Authorizing Officer:</b>	<i>Stephen Carstairs- Acting CEO</i>
<b>Attachments:</b>	<i>Policy P.08</i>

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**SUMMARY**

The applicant, Shirley Broadhurst, has requested that the surname ‘Broadhurst’ be considered by the Council as a future road/street name within the Shire of Boyup Brook by the addition of John Heslop Broadhurst to the schedule of suggested names in policy P08.

**BACKGROUND**

The applicant forwarded the following summary for consideration:

**John Heslop Broadhurst** (1904 – 1984)

- **1929** - In partnership with Mr. Tom Brockman, began farming *Bushley Park*. The farm gate was situated on Parson’s Swamp Road (RMB 141) and then consisted of locations 1831 (homestead block), 1832, 1833, 1864, 2132, 2251 and 2291.
- **1934** – Married Bessie (known as Betty) Earnestine Randall, bought Tom Brockman out by **1936** and continued to farm the property till **1976**.
- **1939** – **Manpowered during the war and seconded to manage the property know as Roxburgh** owned by Bill Inglis who was called up and reinstated as an officer in the army for the duration of the war.
- **1946** – Foundation member and Vice President of the **Mayanup Progress Association**.
- **1950** – Foundation member and President of the combined Mayanup Progress Association and **Farmers Union**
- **Foundation** Member of the **Mayanup Race Club**
  - Chief Judge and Secretary for many years
  - Judged horse racing at Kulikup
- Long standing member of the **School Bus Committee**
- Played **tennis** both at Mayanup and Boyup Brook.
- Played **golf** at *Brancaster* (the Whistler farm, Whistler Road

Mayanup).

- **Foundation** Member of the present **Boyup Brook Golf Club Inc.**
  - President for a number of years
  - Executive member in various other roles
- **Foundation** Member of the **Boyup Brook Bowling Club**
  - Served as an executive member in various roles over a number of years and Captain
  - Remained a playing member to his death
- **Foundation and Life member** of the **Boyup Brook Club Inc.**
  - Served on Committee for many years.
  - Remained a member to his death
- Member of the **CO-OP Board** for several years.
- Ran a **Corriedale stud** for 10 years.
- **1984-11-11** - Died in the Boyup Brook Soldiers Memorial Hospital from chronic bronchitis

All of the aforementioned bodies involved many **busy bees** and much **commitment** to bring about their development.

#### COMMENT

By way of commemorating John Heslop Broadhurst, the 'Broadhurst' name satisfies all of the criteria in the Shire of Boyup Brook's Naming New Roads Policy and is considered suitable to be added to the schedule of suggested road names included in the policy.

#### CONSULTATION

Stephen Carstairs A/CEO

**STATUTORY OBLIGATIONS** - Nil

#### POLICY IMPLICATIONS

*Compliance with Shire of Boyup Brook Policy P.08*

**BUDGET/FINANCIAL IMPLICATIONS** - Nil

**STRATEGIC IMPLICATIONS** -Nil

#### SUSTAINABILITY IMPLICATIONS

- **Environmental**  
There are no known significant social 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 9.1.2**

**MOVED: Cr Oversby**

**SECONDED: Cr O'Connell**

In recognition of his contribution to the Shire of Boyup Brook as follows:

### **John Heslop Broadhurst** (1904 – 1984)

- **1929** - In partnership with Mr. Tom Brockman, began farming *Bushley Park*. The farm gate was situated on Parson's Swamp Road (RMB 141) and then consisted of locations 1831 (homestead block), 1832, 1833, 1864, 2132, 2251 and 2291.
- **1934** – Married Bessie (known as Betty) Earnestine Randall, bought Tom Brockman out by **1936** and continued to farm the property till **1976**.
- **1939** – **Manpowered during the war and seconded to manage the property know as Roxburgh** owned by Bill Inglis who was called up and reinstated as an officer in the army for the duration of the war.
- **1946** – Foundation member and Vice President of the **Mayanup Progress Association**.
- **1950** – Foundation member and President of the combined Mayanup Progress Association and **Farmers Union**
- **Foundation Member of the Mayanup Race Club**
  - Chief Judge and Secretary for many years
  - Judged horse racing at Kulikup
- Long standing member of the **School Bus Committee**
- Played **tennis** both at Mayanup and Boyup Brook.
- Played **golf** at *Brancaster* (the Whistler farm, Whistler Road Mayanup).
- **Foundation Member of the present Boyup Brook Golf Club Inc.**
  - President for a number of years
  - Executive member in various other roles

- **Foundation Member of the Boyup Brook Bowling Club**
  - Served as an executive member in various roles over a number of years and Captain
  - Remained a playing member to his death
- **Foundation and Life member of the Boyup Brook Club Inc.**
  - Served on Committee for many years.
  - Remained a member to his death
- Member of the **CO-OP Board** for several years.
- Ran a **Corriedale stud** for 10 years.
- **1984-11-11** - Died in the Boyup Brook Soldiers Memorial Hospital from chronic bronchitis,

that Council authorises the inclusion of 'John Heslop Broadhurst', and thereby the name 'Broadhurst' be added to the schedule of suggested names in the Shire of Boyup Brook's Naming New Roads Policy – P08.

**CARRIED 8/0**

**Res 112/19**

**COUNCIL DECISION**

**MOVED:** Cr Walker

**SECONDED:** Cr Alexander

**That the Council adopts enbloc 9.2.1 and 9.2.2.**

**CARRIED 8/0**

**Res 113/19**

**9.2 FINANCE**

**9.2.1 List of Accounts Paid in April 2019**

<b><i>Location:</i></b>	<i>Not applicable</i>
<b><i>Applicant:</i></b>	<i>Not applicable</i>
<b><i>File:</i></b>	<i>FM/1/002</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>10/05/19</i>
<b><i>Author:</i></b>	<i>Carolyn Mallett - Acting Accountant</i>
<b><i>Authorising Officer:</i></b>	<i>Stephen Carstairs – Acting Chief Executive Officer</i>
<b><i>Attachments:</i></b>	<i>Yes – List of Accounts Paid in April</i>

**SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in April 2019 are presented to Council.

**BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 April 2019.

**COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 April 2019.

**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 accorded with a detailed 2018-19 Annual Budget

**STRATEGIC IMPLICATIONS**

Nil



**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.1**

That at its May 2019 ordinary meeting Council receive as presented the list of accounts paid in April 2019, totalling \$756,034.13 from Municipal account, \$1,141.63 from Trust account and \$6.64 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20274 - 20283	\$ 38,460.87
Municipal Electronic Payments	EFT7726 – EFT7857	\$ 524,868.00
Municipal Direct Payments		\$ 192,705.26
Trust Cheques	2173 - 2177	\$ 1,141.63
Boyup Brook Early Learning Centre		\$ 6.64

CARRIED BY ENBLOC 8/0

Res 114/19

**9.2.2 30 April 2019 Statement of Financial Activity**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	Not applicable
<b>File:</b>	FM/10/003
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 May 2019
<b>Authors:</b>	Kay Raisin - A/Finance and HR Manager and Darren Long - Consultant
<b>Authorizing Officer:</b>	Stephen Carstairs - Acting CEO
<b>Attachments:</b>	Yes – 30 April 2019 Financial Reports

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**SUMMARY**

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 30 April 2019.

**BACKGROUND**

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

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

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

**COMMENT**

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

**CONSULTATION**

Stephen Carstairs - Acting CEO

**STATUTORY OBLIGATIONS**

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

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

**POLICY IMPLICATIONS** - Nil

**BUDGET/FINANCIAL IMPLICATIONS**

As presented in the attached reports.

**STRATEGIC IMPLICATIONS** - Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.2**

That having had regard for any material variances, Council receive the 30 April 2019 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC 8/0

Res 115/19

### **9.3 ACTING CHIEF EXECUTIVE OFFICER**

#### **9.3.1 Local Government Convention and Exhibition**

<b>Location:</b>	<i>Perth Convention Exhibition Centre</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>GR/31/002</i>
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>10 May 2019</i>
<b>Author:</b>	<i>Maria Lane – Executive Assistant</i>
<b>Authorizing Officer:</b>	<i>Stephen Carstair - A/CEO</i>
<b>Attachment:</b>	<i>Information and Registration.</i>

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#### **SUMMARY**

The 2019 Local Government Convention and Exhibition will be held Wednesday 7th August to 9th August 2019 inclusive . This report recommends that Council be represented at the convention and nominate delegates accordingly.

#### **BACKGROUND**

The Local Government Convention is the premier event for Elected Members and Officers within Local Government.

The Association's Annual General Meeting is part of the convention program.

In accordance with Western Australian Local Government's constitution, member Councils are entitled to have two voting delegates. Registration of the voting delegates is generally required by early July.

#### **COMMENT**

Convention Registration generally closes early in July each year.

In previous years Boyup Brook has been well represented with at least three Councillors and the Chief Executive Officer attending.

The estimated cost per attendee could be up to \$3,500, depending on accommodation requirements and involvement with member development programs.

Whilst it is often hard to quantify the benefit of attending conferences, this annual association get together does provide the opportunity to view a range of vendors wares (ranging from equipment such as graders, backhoes and the like to computer programs, lighting, park and street furniture) and to speak at length with representatives. It also provides the opportunity to speak with other like minded people who give of their own time to serve the community. This interaction is important in so many ways as it provides a forum for sharing ideas and experiences and as such is more akin to training. The conference is generally attended by influential people in the state such as the Premier and the leader of the opposition. The President also has the opportunity to meet and greet other community, state and national leaders at a function hosted by the state Governor of Lord Mayor (these alternate each year).

Added to this is the teambuilding opportunity offered by the practice of all staying in the same hotel, incidentally where many other Council delegates also stay and so adding to the out of conference opportunity for interaction with other delegates.

#### **CONSULTATION**

Not applicable

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Council's policy on conferences – attendances and expenses by Councillors is as follows:-

Objective

To determine the procedures for attendance at conferences and seminars by Councillors.

Statement

It is Council's policy to have the Shire of Boyup Brook represented at any conference or seminar where it is evident that some benefit will accrue to the Council and/or the district. Attendance at conferences and seminar, etc is to be determined by the Shire President in consultation with the A/Chief Executive Officer. All Councillors are to be given the opportunity to attend conferences and seminars etc when they are available.

It is Council policy that all reasonable and direct expenses incurred by delegates and partners attending conferences, seminars, etc are to be met by the Shire.

Funds are to be listed annually for Budget consideration to enable the Shire President together with up to 50% of Councillors to attend Local Government Week.

Where possible, attendance at Conferences is to be on a rotation basis.

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

Expenditure will be incurred in 2019/20 and would be budgeted accordingly.

#### **STRATEGIC IMPLICATIONS**

The Convention program will enable delegates to gain information that will benefit local government in Boyup Brook, as will interaction with elected members from throughout Western Australia.

#### **SUSTAINABILITY ISSUES**

- **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 9.3.1**

**MOVED: Cr Rear**

**SECONDED: Cr Walker**

**That:-**

1. The Shire President and Cr/s \_\_\_\_\_ and the A/CEO attend the 2019 Local Government convention and exhibition and expenses incurred be paid by the Shire, as per Council Policy M.01.
2. Councillor \_\_\_\_\_ and Cr \_\_\_\_\_ be authorised voting delegates and that Councillor \_\_\_\_\_ and A/CEO be authorised deputy voting delegates.

#### **AMENDMENT**

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

**That the Shire President and the A/CEO attend the 2019 Local Government convention and exhibition and expenses incurred be paid by the \_\_\_\_\_ Shire, as per Council Policy M.01.**

**CARRIED 7/1**

**Res 116/19**

**MOTION**

**That the Shire President and the A/CEO attend the 2019 Local Government convention and exhibition and expenses incurred be paid by the Shire, as per Council Policy M.01.**

**CARRIED 7/1**

**Res 117/19**



**9.3.2 Mayanup Reserve - Lots 36,37,38, and 39 on Plan 4056 12 in the Shire of Boyup Brook**

<b><i>Applicants:</i></b>	<i>Blackwood Basin Group</i>
<b><i>File:</i></b>	<i>Mayanup Reserve</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>10 May 2019</i>
<b><i>Author:</i></b>	<i>Stephen Carstairs – Acting CEO</i>
<b><i>Authorizing Officer:</i></b>	<i>Stephen Carstairs – Acting CEO</i>
<b><i>Attachments:</i></b>	<i>Yes: 30 April 2019 Correspondence from The Blackwood Basin</i>

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**SUMMARY**

This report is for Council to consider a request from the Blackwood Basin Group (BBG) to, in effect, partner with them in a three (3) year rehabilitation (Watsonia weed control) and asset management program for Mayanup Reserve as follows: provide BBG with a letter supporting their Government of Western Australia Natural Resource Management (NRM) grant application; and provide: (a) access to equipment (where possible); and (b) advice on signage specifications.

**BACKGROUND**

At its 18 April 2019 meeting Ms K Hill (Program Manager BBG) gave a presentation to the Biosecurity Committee and spoke about a number of partnering opportunities between the Shire of Boyup Brook and BBG, and this included the BBG's proposed 2019 Mayanup Reserve NRM grant application.

In their email (dated 30 April 2019), BBG propose to put some 2018-19 Shire of Boyup Brook Community Grant funds towards Watsonia weed control in year 1 of the program.

**COMMENT**

Ordinarily this matter would be brought before the Biosecurity Committee, but due to time constraints it has been referred directly to Council.

Further, while Policy W.14 enables the Acting CEO to approve weed control on shire reserves by non-shire personnel, the matter is brought to Council as the BBG's Mayanup Reserve asset management program goes beyond this.

**CONSULTATION**

Ms K Hill - Program Manager Blackwood Basin Group

### **STATUTORY OBLIGATIONS**

Department of Biodiversity, Conservation and Attractions legislation will have affect.

### **POLICY IMPLICATIONS**

Policy W.14 *Weed Control in and on Shire Controlled reserved by organisations other than the Shire of Boyup Brook* has application as follows:

#### **Statement**

The Shire of Boyup Brook fully supports individuals, groups and organisations who wish to undertake weed control in and on Shire controlled reserves within the Shire of Boyup Brook as it recognises that it has insufficient resources to perform this weed eradication itself.

The Shire of Boyup Brook has a 'Roadside Conservation Value' report compiled in May 2013 by the DEC, which gives a summary of roadside weeds at the date of capture.

Any persons undertaking or considering to undertake weed control in or on Shire controlled reserves within the Shire of Boyup Brook must first obtain permission in writing from the Chief Executive Officer. The letter of permission must include:

1. Name of individual/group or organization undertaking work
2. Location of works including reserve number or road name
3. Date of works (if over several years state expected duration)
4. Species to be controlled
5. Method of Control. Include physical and chemical measures as well as details of any safety requirements that will be utilized during eradication.

### **BUDGET/FINANCIAL IMPLICATIONS**

The BBG's NRM grant proposal may have financial (in kind i.e. access to equipment and personnel) implications for the 2019-20 and subsequent financial years.

### **STRATEGIC IMPLICATIONS**

On the Natural Environment, the Shire of Boyup Brook's Strategic Community Plan sets objectives and priorities as follows:

OUTCOMES	OBJECTIVES	PRIORITIES
Preserved and enhanced natural environment	Maintain the natural environment.	<ul style="list-style-type: none"><li>✦ Beautification of parklands and gardens, utilising native species.</li><li>✦ Showcase the Blackwood River foreshore as a natural asset.</li></ul>

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
Refer to the *Strategic Implications* section in this report.
- **Economic**  
N/A
- **Social**  
As the BBG's program includes volunteers, social benefits accrue from this initiative.

**VOTING REQUIREMENTS**

Simple majority.

**COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.3.2**

**MOVED:** Cr Kaltenrieder

**SECONDED:** Cr O'Connell

That Council direct the Acting CEO to provide the Blackwood Basin Group with a letter of support for their 2019 Government of Western Australia Natural Resource Management Mayanup Reserve (Lots 36,37,38, and 39 on Plan 4056 12 in the Shire of Boyup Brook) grant application to carry out a three (3) year rehabilitation (Watsonia weed control) and asset management program.

**CARRIED 8/0**

**Res 118/19**

### 9.3.3 Mayanup Progress Association

<b>Applicants:</b>	Mayanup Progress Association Inc
<b>File:</b>	Mayanup Reserve
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 May 2019
<b>Author:</b>	Stephen Carstairs – Acting CEO
<b>Authorizing Officer:</b>	Stephen Carstairs – Acting CEO
<b>Attachments:</b>	Yes: 1. 10 April 2019 correspondence from the Mayanup Progress association Inc 2. Mr Alan Lamb's 01 May 2018 internal correspondence 3. Draft Lease Mayanup Hall & Mayanup Recreation Ground

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#### **SUMMARY**

This report is for Council to consider a request from the Mayanup Progress Association Inc (MPA, and refer 10 April 2019 correspondence attached) as follows: that the local government, in effect, relinquish its interests in Lot 385 on Deposited Plan 74331 (of which the shire is the management body) and Lots 15 and 16 on Plan 120096 (which the shire holds under a Crown Grant in Trust).

#### **BACKGROUND**

Seems that the shire (proposed Lessee) and MPA (proposed Lessor) have been in the process of entering into a lease agreement for Lots 385 and Lots 15 and 16 for some time. An officer's report from Council's 17 October 2013 meeting reads as follows:

#### **SUMMARY**

The purpose of this report is to put before Council the Mayanup Progress Association's (MPA) request for Reserve 16012 to be included in its lease with Council, with the recommendation that Council seek management of this Reserve in order to meet the request.

and note the resolution (Res 139/13) from that meeting as follows:

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.5**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Biddle**

**That Council apply to State Land Services to have management of Reserve 16012 with power to lease with the intention that the land be leased to the Mayanup Progress Association.**

**Carried by Absolute Majority 9/0**

**Res 139/13**

Mr Lamb's 01 May 2018 correspondence (refer attachment) provides a precise of the history towards a lease arrangement between the shire and the MPA, and refer also attached to a draft lease for the property about which consensus has yet to be reached.

**COMMENT**

In the time since receiving the MPA's request and the time of writing this report, the administration has not had an opportunity to establish whether or not that which the association is requesting can be achieved. Liaison with the appropriate Government Departments will have to take place so that the administration might bring an informed recommendation back to Council.

**CONSULTATION**

Joanna Kay - Research and (Community) Development Co-ordinator

**STATUTORY OBLIGATIONS** - Nil

**POLICY IMPLICATIONS** - Nil

**BUDGET/FINANCIAL IMPLICATIONS** - Nil

### **STRATEGIC IMPLICATIONS**

On *Sense of Community*, the Shire of Boyup Brook's Strategic Community Plan sets objectives and priorities as follows:

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none"> <li>✦ Continue to work on retaining a Police Station in Boyup Brook.</li> <li>✦ Continue to encourage initiatives that provide employment opportunities.</li> <li>✦ Continue to provide and advocate for quality medical and ancillary services in Boyup Brook</li> <li>✦ Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.</li> <li>✦ Continue to support development which provides diversity and opportunity for accommodation.</li> </ul>
	Promote community participation, interactions and connections	<ul style="list-style-type: none"> <li>✦ Continue to support Community groups and clubs</li> <li>✦ Partner with key stakeholders on community needs driven projects.</li> </ul>

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
N/A
- **Economic**  
N/A
- **Social**

The reader is referred to the *Strategic Implications* section in this report.

### **VOTING REQUIREMENTS**

Simple majority.

**COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.3.3**

**MOVED: Cr Oversby**

**SECONDED: Cr Alexander**

**That Council receive the Mayanup Progress Association Inc's request as follows:**

***"That the Mayanup Progress Association Inc. take over the Management Order held by the Shire of Boyup Brook for land described as Lot 385 on Deposited Plan 74331 (being the Mayanup Recreation Ground) and Lots 15 and 16 on Plan 120096 (being the Mayanup Hall) which is held in Trust by the Shire of Boyup Brook."***

**and directs the Acting CEO to liaise with relevant Government Departments to establish if this might be achieved, and then bring a report about this matter back to Council's September 2019 meeting.**

**CARRIED 8/0**

**Res 119/19**



**9.3.4 Policy Review - P.07 Feedlots ( Extensive Stock Farming)**

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/9/005</i>
<b>Disclosure of Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>10 May 2019</i>
<b>Author:</b>	<i>Stephen Carstairs - Acting CEO</i>
<b>Authorizing Officer:</b>	<i>Stephen Carstairs – Acting CEO</i>
<b>Attachments:</b>	<i>Yes: 1. Reviewed Policy – P.07 Feedlots (Intensive Stock Farming)</i>

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**PURPOSE**

Council is requested to consider adopting revised Planning policy *P.07 Feedlots (Intensive Stock Farming)*, as attached.

**BACKGROUND**

At its 18 April 2019 ordinary meeting of Council,

Cr Walker put a question on notice to the administration as follows:

Does the Shire of Boyup Brook have a record of any livestock feedlots within the Shire and are these feedlots operating in accordance with local laws?

**Comment:**

Local Laws are there to protect community interests and manage development within our Shire and a proactive approach is beneficial to the community.

Subsequently, Council request that the administration engage (Gazette, shire website, Face Book (FB), notice boards etc) with the community and urge operators of unapproved feedlots to contact the shire (by 4:30pm on Friday 31 May 2019) to commence the development approval process for their feedlots. At the time of writing this report the administration had received a number of queries from interested parties about the notice, but no development applications had been received.

Seems the public have a good appreciation of what a feedlot physically is (Angela Hales *pers comms*), but expressed uncertainty about what " ... *for the purpose of production* ... " as cited in Policy P.07, means.

**COMMENT**

Policy P.07 was reviewed (refer attachment showing proposed changes highlighted in yellow) so as to make more clear the distinction between confining and feeding animals for production, i.e. finishing, and confining and feeding animals so as to comply with the *Animal Welfare Act 2002* (the Act) and its associated Regulations. Section 19(3)(d) of the Act puts onus on persons in charge of animals to provide proper and sufficient food and water as follows:

**19. Cruelty to animals**

- (3) Without limiting subsection (1) a person in charge of an animal is cruel to an animal if the animal —
- (d) is not provided with proper and sufficient food or water;

**CONSULTATION**

Cr Richard Walker and Angela Hales - Environmental Health Consultant

**STATUTORY ENVIRONMENT**

*Animal Welfare Act 2002* and associated Regulations.

**POLICY IMPLICATIONS** - Nil

**FINANCIAL IMPLICATIONS** - Nil

**STRATEGIC IMPLICATIONS** - Nil

**ENVIRONMENTAL AND ECONOMIC IMPLICATIONS**

The spread of diseases that would have an immediate and profoundly adverse affect on the farming sector, and would impact the districts good reputation long term.

**VOTING REQUIREMENT**

Simple Majority required.

**MOVED INTO COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

**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 120/19**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Overby**

**SECONDED: Cr O'Connell**

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

**CARRIED 8/0**

**Res 121/19**

**COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.3.4**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Walker**

**That Council:**

- 1. Resolves to adopt revised Policy *P.07 Feedlots (Intensive Stock Farming)*, as attached.**

**As amended by deleting paragraph 2 under the *Application* section.**

- 2. Directs the Acting CEO to advertise till 30 June 2019 revised Policy *P.07 Feedlots (Intensive Stock Farming)* for public comment, and report submissions to Council at its July 2019 ordinary meeting.**

**CARRIED 8/0**

**Res 122/19**

## 10 COMMITTEE MINUTES

### 10.1.1 Minutes of the Biosecurity Committee

<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>n/a</i>
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>6 May 2019</i>
<b>Author:</b>	<i>Stephen Carstairs-Acting CEO</i>
<b>Attachments:</b>	<i>Yes – Minutes</i>

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#### **BACKGROUND**

The Minutes of the Biosecurity Committee was held on 18 April 2019.

Minutes of the meeting are attached.

#### **COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.1.1**

**MOVED:** Cr Rear

**SECONDED:** Cr O'Connell

**That the minutes of the Biosecurity meeting held 18 April 2019 be received.**

**CARRIED 8/0**

**Res 123/19**

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11.1.1 Cr Walker**

**MOVED INTO COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

**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 8/0**

**Res 124/19**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Rear**

**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 8/0**

**Res 125/19**

**MOTION**

**MOVED: Cr Walker**

**SECONDED: Cr Kaltenrieder**

**That Council and the Acting CEO review the meeting calendar and decide on a structure that better reflects the needs of Administration and Council members.**

**CARRIED 8/0**

**Res 126/19**

**Comment**

**The recent WALGA webinar highlighted this as a significant issue and I think we can all benefit from a better structured meeting calendar.**

**11.1.2 Cr O'Connell**

**MOTION**

**MOVED:** Cr O'Connell

**SECONDED:** Cr Alexander

**For Council to direct the Acting CEO to undertake a review of Policy O.03 Tourism Policy, and bring a report back to Council's June 2019 meeting.**

**CARRIED 7/1**

**Res 127/19**

**Comment**

The policy states '*An annual review will be undertaken of Shire's financial and "in kind" contributions to tourism*'

The financial arrangement currently in place for the BBTA is a three year MOU – 2018 to 2021.

<b><i>POLICY NO.</i></b>	O.03
<b><i>POLICY SUBJECT</i></b>	Tourism Policy
<b><i>ADOPTION DATE</i></b>	17 June 2004
<b><i>VARIATION DATE</i></b>	21 December 2007

**Objective**

*To provide an indication of support for local tourism.*

**Statement**

*This Council recognises tourism as an industry in the Shire.*

*An annual review will be undertaken of Shire's financial and "in kind" contributions to tourism. This will ensure funds are allocated fairly and in the best interest of tourism and ratepayers.*

*All private tourist operators will be encouraged in their venture, providing they comply with local laws and policies.*

The Shire President noted the following late item to the meeting and, without dissent, agreed to deal with it.

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

**12.1.1 Blackwood Biosecurity Inc.**

**MOTION**

**MOVED: Cr Aird**

**SECONDED: Cr Kaltenrieder**

- 1. That Council not legitimise the activities of Blackwood Biosecurity Inc. within the Shire of Boyup Brook; nor forward the shire's rate record to the Office of State Revenue.**
- 2. The President and Acting CEO inform the Minister for the Department of Primary Industries and Regional Development of the Council's decision.**

**CARRIED 8/0**

**Res 128/19**

**13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS**

Nil

**14 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 8.02pm.