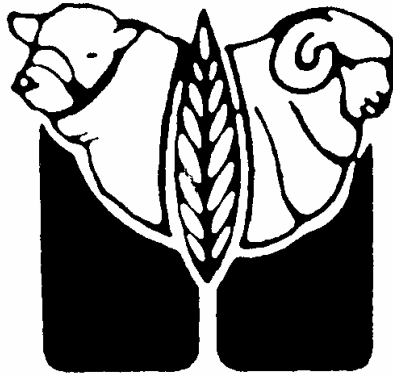


# MINUTES



## ORDINARY MEETING

HELD ON

THURSDAY, 20 JULY 2006

AT

SHIRE OF BOYUP BROOK

ABEL STREET – BOYUP BROOK

COMMENCEMENT AT 3.30PM

*These unconfirmed council minutes are a typewritten transcription of hand written minutes of the Council meeting as taken by the Chief Executive Officer and Manager of Finance and Administration during that meeting. Whilst every attempt has been made to ensure that the unconfirmed minutes accurately reflect the content of the discussing of the Council meeting, the minutes HAVE NOT YET BEEN CONFIRMED and accordingly the Shire is not liable for and accepts no responsibility for any loss (including purely economic loss) or damage caused directly or indirectly to any person who relies upon the content of the unconfirmed minutes as being true and correct and acts or refrains from acting on reliance upon them.*

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

1.1 Attendance

Cr T Ginnane – Shire President  
Cr S Broadhurst  
Cr R Downing  
Cr J Florey  
Cr P Marshall  
Cr M Martin  
Cr K Moir  
Cr T Oversby  
Cr A Piper

Mr W Pearce – Chief Executive Officer  
Mr K Jones – Manager of Finance and Administration

1.2 Apologies

Mr J Eddy – Manager of Works and Services

**2 PUBLIC QUESTION TIME**

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

**3 APPLICATIONS FOR LEAVE OF ABSENCE**

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

Cr S Broadhurst – BRVMA

Spoke to a mockup brochure promoting towns in the Blackwood River Valley Marketing Association district.

Cr R Downing – South West Community Foundation

- SWCF are close to finalising the Terms of Reference.

- The SWCF has created a brochure designed to solicit funds and is presented for information.
- Cr Downing feels it is still worthwhile having Boyup Brook representation on the Committee.

Cr M Martin – Container Deposit Legislation

- Anticipated that the legislation will be introduced by the end of 2007.
- Comments from Council and interested parties need to be submitted by February 2007.
- Position paper currently being drafted.

**5 CONFIRMATION OF PREVIOUS MINUTES**

5.1 Minutes of the Ordinary Meeting of the Council held on 15 June 2006.

**MOVED: Cr Downing**

**SECONDED: Cr Martin**

**That the minutes of the previous Ordinary Meeting of the Council held on 15 June 2006, be confirmed as an accurate record subject to the following amendment on page 27 Item 7.3.10:**

*“K Jones and J Eddy returned to chambers the time being 5.54pm.*

*Moved: Cr Martin*

*SECONDED: Cr Downing*

*That the Council:-*

- 1. delegates authority to the Chief Executive Officer to negotiate a three (3) year employment contract commencing 1 July 2006 under section 5.39 of the Local Government Act 1995 with Mr Keith Jones under the following terms and conditions:-*
  - *Mr Jones’ 2003 – 2006 “Contract of Employment” underpinning the minimum terms and conditions;*
  - *Salary of \$60,000*
- 2. approves a contract of employment subject to acceptance by Mr Keith Jones, being executed by the Shire President and Chief Executive Officer;*
- 3. approves the seal of the Shire of Boyup Brook being placed on the “contract of employment” subject to clause 2 above.*

**CARRIED 9/0”**

**CARRIED 9/0**

5.2 Minutes of the Special Meeting of the Council held on 20 June 2006.

**MOVED: Cr Oversby**

**SECONDED: Cr Martin**

**That the minutes of the Special Meeting of the Council held on 20 June 2006, be confirmed as an accurate record.**

**CARRIED 9/0**

**6 PRESIDENTIAL COMMUNICATIONS**

The Shire President informed the meeting that Cr Downing and himself would be visiting Sandakan from 14 - 20 August 2006 representing Council.

## 7 REPORTS OF OFFICERS AND COMMITTEES

### 7.1 WORKS AND SERVICES

### 7.2 DEVELOPMENT AND COMMUNITY SERVICES

#### 7.2.1 38 Barron Street, Boyup Brook – Home Occupation (Computer Maintenance)

<i>Proponent:</i>	<i>E &amp; T Watts</i>
<i>Location:</i>	<i>38 Barron Street, Boyup Brook</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>11 July 2006</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>AS 1802</i>
<i>Appendices:</i>	<i>1.1 - Plan</i>

#### **BACKGROUND:**

The proponent wishes to commence a computer maintenance business from 38 Barron Street.

A plan of the proposal is attached.

#### **DETAIL:**

The lot is zoned 'residential' and as such a home occupation is an 'AA' use under the Town Planning Scheme No. 2 which the Council, in exercising the discretionary powers available to it, may approve.

The proponent advises that the garage of 15m<sup>2</sup> will be used for computer repairs, maintenance and (one-on-one) training purposes with a small number of vehicles needing to visit the property.

A 'home occupation' is defined in the Scheme... *'as a business or activity carried on, with the permission of the Council, within a dwelling house by a resident in the dwelling to which it is appurtenant on condition that:-*

- a) It does not cause injury to or affect the amenity of the neighbourhood;*
- b) Does not entail the employment of any person not a member of the occupiers family;*
- c) Does not occupy an area of greater than twenty (20) square metres;*
- d) Does not require the provision of any essential services of a greater capacity than normal;*
- e) Does not display a sign exceeding 0.2 square metres;*
- f) In the opinion of the Council is compatible with the principle uses in the area and does not generate a volume of traffic that would prejudice the amenity of the area;*

*g) Does not entail the presence of more than one (1) commercial vehicle and does not include provision for fuelling or repairing of motor vehicles within the property.'*

**COMMENT:**

The Council approved a similar application for a Forrest Street home owner in 1998.

This proposal would seem to have a negligible impact on the property from a planning perspective.

It is suggested that the Council approves the planning application as recommended above.

The Development Services Committee considered this issue at its meeting held on 10 July 2006 and concurred with the Chief Executive Officer's recommendation.

**MOVED: Cr Oversby**

**SECONDED: Cr Florey**

**That the Council approves the application for a Home Occupation (computer maintenance) to operate from the residential dwelling located at 38 Barron Street, Boyup Brook, subject to compliance with the Shire of Boyup Brook Town Planning Scheme No 2.**

**CARRIED 9/0**

**7.2.2      Draft Local Rural Strategy - Update**

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>11 July 2006</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>LN/55/001</i>
<i>Appendices:</i>	<i>-</i>

**BACKGROUND:**

The draft Local Rural Strategy (LRS) has been in dispute for two years between the Council and the Minister for Planning and Infrastructure over rural subdivision criteria.

In summary, the Council supports 40ha rural subdivisions as-of-right while the Western Australian Planning Commission (WAPC) supports a minimum of 80ha.

The Council at its April 2006 meeting resolved that the:-

1. response dated 11 December 2005 from the Western Australian Planning Commission in relation to the draft Local Rural Strategy be received;
2. Western Australian Local Government Association be requested to call the meeting as offered by the WAPC as soon as possible and to invite representatives from the Shires of Boyup Brook, Manjimup and Nannup when confirmed.

This report is to provide a précis of the meeting indicated in clause 2 above.

**DETAIL:**

The Shire President, Cr Moir and the CEO met with J Dawkins - WAPC Chairman, R Stokes - Department of Planning and Infrastructure Director, B Mitchell – WALGA President and A Hailes – WALGA Director on 14 June 2006.

Shire representatives put the case that the WAPC support for 80ha rural subdivisions, as determined in the Warren Blackwood Rural Strategy (WBRS), is in contradiction to State Planning Policy 2.5.

The policy only nominates 80ha minimum where the local government does not have a Local Planning Strategy to determine such criteria.

The policy states that local governments should 'develop subdivision ... criteria...' in their strategies.

The chairman acknowledged that the subsequent transference into the WBRS has been an unfortunate misreading of the policy.

Mr Dawkins advised that he will request the DPI to place this matter on the agenda of the next SW Planning Commission meeting, of which he is also chairman, for consideration.

Other matters discussed in detail that the chairman would take on included-

- Request for support from the WAPC to allow the DPI to release crown lots in satellite townsites without requiring water and sewerage (this has been DPI practice for many years up until approximately 2002).
- Request for WAPC to encourage Landcorp to develop residential and industrial land in rural communities instead of just focusing on coastal areas.
- Removing infrastructure impediments to developing large residential lots for example the Water Corporation require reticulated water for lots up to 4ha and Western Power require underground power for lots up to 10ha.

**COMMENT:**

It is suggested that this report be received.

The Development Services Committee considered this issue at its meeting held on 10 July 2006 and concurred with the Chief Executive Officer's recommendation.

Cr K Moir departed the Chambers the time being 3.42pm.

**MOVED: Cr Downing**

**SECONDED: Cr Broadhurst**

**That this report be received.**

**CARRIED 8/0**

7.2.3 Locations 2043, 441 and 1007 – Special Residential Development

<i>Proponent:</i>	<i>M Bombara</i>
<i>Location:</i>	<i>Locations 2043, 441 and 1007</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>11 July 2006</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>AS3490/AS10050</i>
<i>Appendices:</i>	<i>1.2 - WAPC Policy 2.5</i>

**BACKGROUND:**

Mr M Bombara and his planning consultant Mr R Paull made a presentation to the Council's June 2006 Briefing meeting on future land development within the shire.

Mr Paull has followed up in writing of a suggested 'first step' of the proposal for Council consideration.

**DETAIL:**

Mr Paull writes-

"Thank you for arranging the meeting with Shire Councillors last Thursday. Both Mark Bombara and I very much appreciated the positive reception from Councillors to the concept of 'special residential' style development within the Locations 2043, 441 and 1007.

I note from information provided by you that the Shire's draft 'Local Rural Strategy' specifically includes the above land within the 'Riverside Development/Protection Investigation Area' (RDPIA). A statement of intent for the RDPIA supports development as follows:

*"...proposals for high quality rural-residential development or rural small holdings which offer net environmental benefits in relation to protection of the Blackwood River, and which satisfactorily address issues including:*

- *lot sizes sufficient for vegetation protection and flood avoidance*
- *and capability*
- *road access and servicing*
- *fire management*
- *protection or improvement of visual amenity*
- *land management controls"*

On the face of it, the above statement is a practical and reasonable position for the Shire to aspire. However, it is respectfully suggested that an even more appropriate direction would be to encourage land owners within the RDPIA to pursue a more efficient use of land through 'special residential' development.

As suggested in our presentation to the Shire, 'special residential' style development could be very beneficial to the Shire by ensuring a supply of lower cost residential land for industrial development with the area defined as "Industrial Development Investigation Area".

By way of information, 'special residential' development is as defined by *WAPC Planning Policy No. DC 2.5 'Special Residential Zones* (copy attached) whereby the purpose of 'Special Residential zones' is to allow for lots of a size that offer a style of spacious living at densities lower than those characteristic of traditional single residential developments but higher than those found in Special Rural zones.

The objectives of *WAPC Planning Policy No. DC 2.5 'Special Residential Zones* (see attached) are:

- *To provide for the creation of lots of between 2,000 square metres and one hectare in suitable locations.*
- *To ensure that the use and development of such lots are subject to appropriate standards and controls.*
- *To protect the character and amenity of adjacent rural areas.*

It is suggested that the above purpose and objectives are appropriate for land with the RDPIA. Accordingly, it is suggested the following amendments (in bold) to the second dot point of the RDPIA as defined on page 85 of the draft Local Rural Strategy (LRS):

- *Subsequently: support proposals for high quality **special-residential development or rural-residential development or rural small holdings** which offer net environmental benefits in relation to protection of the Blackwood River, and which satisfactorily address issues including:*



- lot sizes sufficient for vegetation protection and flood avoidance
- and capability
- road access and servicing
- fire management
- protection or improvement of visual amenity
- land management controls”

**Where special-residential development is sought, proposals will need to demonstrate compliance with WAPC Planning Policy No. DC 2.5 ‘Special Residential Zones’.**

I hope that the above is of assistance. If it is convenient, I would be happy to discuss this further with the Shire’s Planning Consultant if you deem this necessary.”

Mr Bombara developed a similar rural area called ‘Bridgetown Highlands’ in recent years.

**COMMENT:**

There is no doubt that should Mr Bombara be successful in developing and selling potentially hundreds of special residential lots within a 3-4km radius of Boyup Brook over the next two decades there will be a major impact on the district.

These could include population increases (infrastructure needs would rise accordingly), sale of some or all of the lots to ‘weekenders’, expectations on the shire to provide services (and therefore raising of more rates) that it may not already be providing and so forth.

These impacts may be seen as either positive or negative by the community.

Concern has also been raised in regards to ensuring that there is a legal mechanism to ensure that the lots sold off to private owners are developed (residential dwellings?) within a reasonable amount of time, for example two years.

The committee is requested to consider the consultant’s recommendation or consider other options, for example-

- The Council does not support the introduction of ‘special residential’ zones being introduced into the LRS;
- The Council directs the CEO to seek advice on the proposal from Thompson McRobert Edgeloe, planning consultants, before it considers amending the LRS to introduce ‘special residential’ zones;
- The Council will consider the proposal in conjunction with the implementation of a Local Planning Strategy that will identify, amongst other opportunities, developments within Boyup Brook town site. The Council’s 2006/07 budget has an allocation of \$20,000 for this purpose.

The Development Services Committee held its meeting held on 10 July 2006 recommended:-

That the:-

1. second dot point of the Riverside Development/Protection Area on page 85 of the draft Shire of Boyup Brook Local Rural Strategy be amended by adding-
  - the words ‘special –residential development or’ between the words ‘quality’ and ‘rural-residential’ in the first line;
  - a new paragraph – ‘Where special-residential development is sought, proposals will need to demonstrate compliance with Western Australian Planning Commission (WAPC) Planning Policy No. DC 2.5 Special Residential Zones.’

2. WAPC is requested to endorse the amendments.

**MOVED: Cr Martin**

**SECONDED: Cr Broadhurst**

**That the:-**

1. **second dot point of the Riverside Development/Protection Area on page 85 of the draft Shire of Boyup Brook Local Rural Strategy be amended by adding-**
  - **the words ‘special –residential development or’ between the words ‘quality’ and ‘rural-residential’ in the first line;**
  - **a new paragraph – ‘Where special-residential development is sought, proposals will need to demonstrate compliance with Western Australian Planning Commission (WAPC) Planning Policy No. DC 2.5 Special Residential Zones’.**
2. **WAPC is requested to endorse the amendments.**

**CARRIED 8/0**

7.2.4 Nelson Locations 1213 and 1265 Boyup Brook-Kojonup Road, Boyup Brook – Application for Rezoning from Rural to Special Rural

<i>Proponent:</i>	<i>Bindaree Corporation Pty Ltd (P Hilder)</i>
<i>Location:</i>	<i>Locs 1213 and 1265 Boyup Brook-Kojonup Road</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>11 July 2006</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	
<i>Appendices:</i>	<i>1.3 - Submission and plans</i>

**BACKGROUND:**

Thompson McRobert Edgeloe (TME), planning consultants, have submitted a rezoning submission on behalf of their client Bindaree Corp.

The Council is requested to consider the proposed rezoning of a rural property to ‘special rural’.

**DETAIL:**

Please find attached the proposal from TME.

Note that reference to the terms ‘rural-residential’ and ‘rural smallholdings’ are WAPC zones for creating lots of 1-4ha and 4-40ha respectively.

The ‘special rural’ zone terminology has been replaced under state planning policies by these two zones in recent times. However, special rural zoning remains in the shire’s town planning scheme and will do so until the scheme is reviewed and updated.

**COMMENT:**

The shire’s draft Local Rural Strategy does support such development within the Riverside Development/Protection Investigation Area.

It is suggested that the recommendation above be considered.

The Development Services Committee considered this issue at its meeting held on 10 July 2006 and concurred with the Chief Executive Officer’s recommendation.

**MOVED: Cr Piper**

**SECONDED: Cr Martin**

**That:-**

- 1** pursuant to Section 75 of the Planning and Development Act 2005 the Council resolves to amend Town Planning Scheme No 2 by including Locs 1213 and 1265 Boyup Brook-Kojonup Road within a Special Rural Zone;
- 2** upon receipt of the formal documentation the Council will consider these further and will refer any adopted amendment to the WAPC for consent to advertise.

**CARRIED 8/0**

7.2.5 Economic Development Committee Minutes

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>-</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>11 July 2006</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>GO/37/005</i>
<i>Appendices:</i>	<i>1.4 - Minutes</i>

**BACKGROUND:**

A meeting of the Economic Development Committee was held on the 5 July 2006.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.4).

**MOVED: Cr Martin**

**SECONDED: Cr Downing**

**That the minutes of the Economic Development Committee Meeting held on 5 July 2006, be received.**

**CARRIED 8/0**

7.2.6 Reserve 16199 – Request to Excise Loc 13503

<i>Proponent:</i>	<i>Water Corporation</i>
<i>Location:</i>	<i>Reserve 16199 Loc 13503</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>7 June 2006</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>FM/25/008</i>
<i>Appendices:</i>	<i>1.5 - Maps</i>

**BACKGROUND:**

The Water Corporation is seeking additional land in the Boyup Brook townsite for the construction of additional water storage facilities.

The corporation has identified a portion of shire reserve located on the Bridgetown Road opposite the Lee Steere Dve intersection as a potential site.

This matter was laid on the table at the Council's June 2006 meeting.

**DETAIL:**

The corporation writes-

**Re: Reserve 16199 – Part Reserve Location 13503**

The Water Corporation is seeking to increase the water storage capacity for the town of Boyup Brook, and has identified part reserve location 13503 as suitable for the purpose. This location 13503 forms part of Reserve (16199) which is, as I am sure you are aware, vested with the Shire of Boyup Brook under a Water & Parkland Management Order.

It is proposed that a new storage tank be erected, which is to have a diameter of 27 metres and a height of 4m, with a site area requirement of 3,200 sq m (40m x 80m).

The purpose of this letter is to seek your consent to approach DPI to excise Reserve Location 13505 for the purposes of construction of this water tank.

*(Please note that reference to 13505 in the last line of the correspondence is incorrect. It should read '13503').*

Plans are attached of the subject reserve and proposed site – see appendix 1.5.

**COMMENT:**

Concern was raised by an adjacent landowner, Mrs M Calley, of the proposed clearing of native vegetation. Crs Broadhurst, Florey and Downing met with Mr and Mrs Calley and Mr P Chan of the Water Corporation to discuss the concerns.

Mrs Calley was requested to consider releasing a portion of her land to the corporation for the above use due to its superior topography to the reserve, being the corporation's least preferred option.

Mrs Calley has since indicated that her land is not available. This leaves only the subject reserve as the preferred site as no other site in town provides the height required to provide adequate water pressure for Water Corporation customers.

It is not considered unreasonable for the Council to relinquish this land for a most important public service. The lot is fully vegetated and not used by the shire or any local groups.

It is suggested that the Council supports the proposal.

**MOVED: Cr Martin**

**SECONDED: Cr Florey**

**That the Council supports the relinquishing of Loc 13503 of R16199 for vesting in the Water Corporation.**

**CARRIED 8/0**

## 7.3 CORPORATE SERVICES

### 7.3.1 Accounts for Payment and Financial Status

*Proponent:* Shire of Boyup Brook  
*Location:* -  
*Reporting Officer:* Keith Jones  
*Date Report Written:* 11 July 2006  
*Enabling Legislation:* Local Government Act 1995  
*File:* FM/10/003  
*Appendices:* 1.6 – Payments – 1.7 – Statement

#### **BACKGROUND:**

A monthly financial report is presented for consideration.

#### **DETAIL:**

The accounts for payment up to 13 July 2006 are attached (see Appendix 1.6).

The Account Balances for the various accounts as at 30 June 2006 are:-

• Municipal Account	\$363,822.02
• Shire Clerk Advance	\$ 4501.23
• Shire Medical Account	\$68,969.80
• Trust Account	\$33,380.24

Investments secured with the Commonwealth Bank maturing 2 August 2006 are:-

- Reserves Account Term Deposit \$ 714,525.49 @ 5.47%

As at 13 July 2006 \$1,518,140.35 in rates was outstanding.

As at 13 July 2006 Sundry Debtors was \$249,657.87 and Sundry Creditors was nil.

**MOVED: Cr Martin**

**SECONDED: Cr Oversby**

**That the accounts as presented totaling \$639,821.54 as-**

- 1. cheque voucher numbers 15083-15191 be approved for payment;**
- 2. paid by-**
  - a) direct electronic payments through the Municipal Account;**
  - b) cheque voucher numbers 2062 -2064 paid through the Chief Executive Officer's Advance Account;**

**be endorsed.**

**CARRIED 8/0**

### 7.3.2 Review of Council Committees

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	-
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>27 June 2006</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>GO/51/001</i>
<i>Appendices:</i>	-

#### **BACKGROUND:**

The Council has historically established several advisory and formal committees to deal with specific matters. Generally, recommendations from the committees are then submitted to the next ordinary meeting of the Council for consideration.

The purpose of this report is to reaffirm continued support for such committees and consider new committees.

#### **DETAIL:**

Established committees of the Council are mentioned below.

Various organisations and incorporated associations of which elected members are Council representatives include Rylington Park, the Museum, Tourist Association and the Telecentre.

Section 5.8 of the Local Government Act 1995 (the 'Act') provides that a Council may establish committees of three or more persons to assist in its exercising of powers and discharging of duties that can be delegated to the committees. Committees can comprise of:-

- Council Members only
- Council Members and Employees
- Council Members, Employees and Other Persons
- Council Members and Other Persons (Audit committee only)
- Employees and Other Persons
- Other Persons only

Section 5.10 provides for the process of appointment for Committee members, generally requiring an absolute majority resolution of the Council. The Council determines the term of the appointment of Committee membership.

The existing committees are-

#### **Bushfire Advisory Committee**

##### **Purpose**

To provide advice and recommendations to the Council on matters pertaining to the management of the control of Bush Fires within the Shire of Boyup.

##### **Membership**

One elected member of Council

Two representatives from each of the Bush Fire Brigades

Five persons nominated at the Annual General meeting of Bush Fire Brigades to accept the positions of :-

Chief Fire Control Officer

First and Second Chief Fire Control Officers,

Communications Officer (and deputy)

Training Officer (and deputy)

Weather Officer (and deputy)

Term of appointment

Elected Members – 31 May annually.

All other members annually, until the Annual General meetings of the Bush Fire Brigades are held.

### **Townscape (Waters Edge) Advisory Committee**

Purpose

To provide advice and recommendations to the Council on enhancing the environs of the townsite including:-

- Median Islands
- Footpaths and undeveloped road reserves
- Reserves, parks and gardens
- Entrance statements
- Signage

The extent of the townsite for the purposes of the Townscape Advisory Committee should incorporate all those areas included under the gross rental valuation system, and generally described as that area bounded by the Boyup Brook /Bridgetown Road (Saleyards), Boyup Brook/Donnybrook Road (Powertak), Boyup Brook / Kojonup Road (Bridge) and Dinninup Road (Bridge).

The purpose of the Committee has been to provide advice and recommendations to the Council on enhancing the environs of the townsite including:-

- Median Islands
- Footpaths and undeveloped road reserves
- Reserves, parks and gardens
- Entrance statements
- Signage
- Cemetary

Membership

- Three elected Members
- Up to four community members

Term of appointment

- 31 May annually

### **Recreation and Leisure Advisory Committee**

Purpose

To provide advice and recommendations to the Council on Recreational and Leisure Activities and Recreational Opportunities for the Shire to the extent of:-

Preparations of plans for enhancement of such opportunities.

Applications for funding assistance from the Council or outside organisations resources, (Grant Applications).

Development of Business/Management Plans for recreational and leisure facilities.

Membership

Three Elected Members.

Up to four community representatives.

Term of appointment

- 31 May annually

### **Development Services Committee**

**Purpose**

To submit recommendations to the Council in relation to development applications requiring a resolution of the Council.

**Membership**

Four Elected Members.

**Term of appointment**

31 May annually

### **Audit and Finance Committee**

**Purpose**

As per Council's 'Terms of Reference for the Audit and Finance Committee Policy'

**Membership**

Three Elected Members.

**Term of appointment**

31 May annually

### **Economic Development Committee**

**Purpose**

As per Council's 'Economic Development Policy'

**Membership**

Cr

Business/Farming Representative

Business/Farming Representative

Business/Farming Representative

Boyup Brook Tourism Association Representative

Boyup Brook Country Music Club Representative

Shire's Chief Executive Officer

Shire's Community and Economic Development Officer

Boyup Brook Rural Youth Representative

Topoclimate/Farm Production Innovation Representative

**Term of appointment**

31 May annually

### **COMMENT:**

The establishment of committees follows the intention of the Act, viz. 'Greater Community participation in the decision in affairs of Local Governments'.

Provided the meetings are properly structured and members are committed to the task, committees can be a valuable source of feedback from the wider community including an indication of the services desired and the extent to which the community are prepared to pay for the services.

The committees can also act as a dissemination point for information, allowing community members to appreciate the complex issues which Local Governments face.



It is also now a requirement under the new Emergency Management Act for local government to legally establish Local Emergency Management Committees (LEMCs).

A LEMC has been operating very successfully in the Shire of Boyup Brook for many years under previous state policy. The new act requires legal formalisation of these committees.

It is recommended that the Council endorse the committee structures noted above.

**MOVED: Cr Oversby**

**SECONDED: Cr Piper**

**That the Council moves into a committee of the whole under clause 15.6 of the shire's Local Law No.1 - Standing Orders to allow members free discussion on the matter.**

**CARRIED 8/0**

**MOVED: Cr Downing**

**SECONDED: Cr Oversby**

**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**

**MOVED: Cr Piper**

**SECONDED: Cr Broadhurst**

**That the Council endorse the following committees established in accordance with Sections 5.8 and 5.18 of the Local Government Act 1995:-**

**1 Bushfire Advisory Committee**

***Purpose***

**To provide advice and recommendations to the Council on matters pertaining to the management of the control of Bush Fires within the Shire of Boyup Brook.**

***Membership***

- **One elected member of the Council.**
- **Two representatives from each of the Bush Fire Brigades.**
- **Five persons nominated at the Annual General meeting of Bush Fire Brigades to accept the positions of: -**
  - ◆ **Chief Fire Control Officer**
  - ◆ **First and Second Chief Fire Control Officers,**
  - ◆ **Communications Officer (and deputy)**
  - ◆ **Training Officer (and deputy)**
  - ◆ **Weather Officer (and deputy)**

***Term of appointment***

- **Elected Member – 31 May annually**
- **All other members annually, until the Annual General meeting of Bush Fire Brigades is held.**

**2 Townscape (Waters Edge) Advisory Committee**

***Purpose***

**To provide advice and recommendations to the Council on enhancing the environs of the townsite including: -**

- **Median Islands.**

- **Footpaths and undeveloped road reserves.**
- **Reserves, parks and gardens.**
- **Entrance statements.**
- **Signage**
- **Cemetary**

***Membership***

- **Three Elected Members**
- **Up to four community members.**

***Term of appointment***

- **31 May annually.**

**3 Recreation and Leisure Advisory Committee**

***Purpose***

**To provide advice and recommendations to the Council on Recreational and Leisure Activities and Recreational Opportunities for the Shire to the extent of:-**

- **Preparations of plans for enhancement of such opportunities.**
- **Applications for funding assistance from the Council or outside resources, (Grant Applications).**
- **Development of Business/Management Plans for recreational and leisure facilities.**

***Membership***

- **Three Elected Members**
- **Up to four community representatives.**

***Term of appointment***

- **31 May annually**

**4 Development Services Committee**

***Purpose***

**To submit recommendations to the Council in relation to development applications requiring a resolution of the Council.**

***Membership***

- **Four Elected Members**

***Term of appointment***

- **31 May annually**

**5 Economic Development Committee**

***Purpose***

**As per Council's 'Economic Development Policy'**

***Membership***

- **2 x Elected Members**
- **3 x Business/Farming Representative**
- **Boyup Brook Tourism Association Representative**
- **Boyup Brook Country Music Club Representative**
- **Shire's Chief Executive Officer**
- **Shire's Community and Economic Development Officer**
- **Boyup Brook Rural Youth Representative**

- **Farm Production Innovation Representative**

***Term of appointment***

- 31 May annually

**6 Audit and Finance Committee**

***Purpose***

To provide advice and recommendations to the Council on the Local Government Act 1995 audit and finance requirements.

***Membership***

- Four Elected Members

***Term of appointment***

- 31 May annually

**7 Local Emergency Management Committee**

***Purpose***

To provide support in the implementation of the local government obligations of the Emergency Services Act

***Membership***

- One elected member
- Representatives from Emergency Services

***Term of appointment***

- 31 May annually

**CARRIED 8/0**

**7.3.3 Vacancies – Council Committees and Community Groups**

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>General</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>227 June 2006</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>GO/51/001</i>
<i>Appendices:</i>	<i>-</i>

**BACKGROUND:**

It is usual to review annually the necessity for and participation by Councillors and community members on several Council established Committees, together with various organisations in the community which require, by their constitutions or tradition, representation by the Council.

**DETAIL:**

In June 2005, appointments were made as per the below listing:-

- Development Services Committee  
Crs. Moir, Downing, Florey, Martin (Deputy Cr. Piper)

- Townscape Advisory Committee  
Cr. Marshall, Broadhurst, Downing (Deputy Cr. Florey)  
  
Community Delegates: R Campbell, C Hales, E Biddle
- Bush Fire Advisory Committee  
Cr. Oversby (Deputy Cr. Piper)
- Recreation and Leisure Advisory Committee  
Cr. Florey, Martin, Piper (Deputy Cr. Oversby)  
  
Community Delegates: K Bleechmore, E Biddle, K Martin, G Russell
- Rylington Park  
Cr. Florey (Deputy Cr. Piper)
- Conservation/ Environment  
Cr. Oversby (Deputy Cr. Martin)
- WA Local Government Association (South West Zone), WALGA,  
Cr. Ginnane (Deputy Cr. Downing has voting rights at WALGA AGMs)
- Warren Blackwood Economic Alliance  
Cr. Ginnane (Deputy Cr. Downing)
- Road Matters  
Cr. Moir (Deputy Cr. Marshall)
- Health Matters  
Cr. Downing (Deputy Cr. Ginnane)
- Telecentre  
Cr. Oversby (Deputy Cr. Ginnane)
- Tourism Matters  
Cr. Broadhurst (Deputy Cr. Oversby)
- Waste Management Matters  
Cr. Martin (Deputy Cr. Oversby)
- Local Emergency Management Committee  
Cr Ginnane

**COMMENT:**

The Council also needs to endorse community representatives on the Recreation and Leisure Advisory, Economic Development and Townscape Advisory Committees.

Nominations for recreation and townscape committee positions were invited in the April and May 2006 editions of the Boyup Gazette.

Written and verbal nominations were received and with two current members willing to continue for a further 12 months. These include E Biddle who wishes to remain on the Townscape Committee and K Bleechmore and E Biddle on the Recreation and Leisure Committee.

D Winter (with a request that B Mead be a deputy), as representatives of the Country Music Club, and H Payne have also nominated for the Recreation and Leisure Committee. Since June 2006, Mrs S Connor and Mrs G Pensini have also nominated for this committee.

This leaves three community vacancies on the Townscape Committee. It is suggested that these positions be re-advertised or the structure of the committee be reviewed.

The membership for the Economic Development Committee is by direct appointment. Unfortunately there are 3 vacancies. Recommendations on filling these vacancies will be submitted to the Council in July 2006.

It is suggested that the Council considers the appointments as noted in the recommendation above.

**MOVED: Cr Downing**

**SECONDED: Cr Oversby**

**That the Council moves into a committee of the whole under clause 15.6 of the shire's Local Law No.1 - Standing Orders to allow members free discussion on the matter.**

**CARRIED 8/0**

Cr K Moir entered the Chambers the time being 4.26pm.

**MOVED: Cr Moir**

**SECONDED: Cr Marshall**

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

**CARRIED 9/0**

**MOVED: Cr Moir**

**SECONDED: Cr Marshall**

**That the meeting be adjourned for an afternoon tea break, the time being 4.48pm.**

**CARRIED 9/0**

**MOVED: Cr Moir**

**SECONDED: Cr Martin**

**That the meeting resume, the time being 5.02pm.**

**CARRIED 9/0**

The meeting resumed with the following persons in attendance.

Cr T Ginnane – Shire President  
Cr R Downing  
Cr S Broadhurst  
Cr J Florey  
Cr P Marshall  
Cr M Martin  
Cr K Moir  
Cr T Oversby  
Cr A Piper

Mr W Pearce – Chief Executive Officer  
Mr K Jones – Manager of Finance & Administration

**MOVED: Cr Moir**

**SECONDED: Cr Martin**

**That the Council moves into a committee of the whole under clause 15.6 of the shire's Local Law No.1 - Standing Orders to allow members free discussion on the matter.**

**CARRIED 9/0**

**MOVED: Cr Piper**

**SECONDED: Cr Downing**

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

**CARRIED 9/0**

**MOVED: Cr Moir**

**SECONDED: Cr Downing**

**That members be appointed to the following Council Committees and external organisations:-**

➤ **Development Services Committee**  
**Crs Moir, Downing, Martin, Piper (Deputy Cr Florey)**

➤ **Townscape Advisory Committee**  
**Crs Marshall, Broadhurst, Oversby (Deputy Cr Downing)**

**Community Delegates: E Biddle, vacant, vacant, vacant**

➤ **Bush Fire Advisory Committee**  
**Cr Ginnane (Deputy Cr. Oversby)**

➤ **Recreation and Leisure Advisory Committee**  
**Crs Piper, Martin, Florey (Deputy Cr Broadhurst)**

**Community Delegates: K Bleechmore, H Payne, S Connor, G Pensini**

➤ **Rylington Park**  
**Cr. Florey (Deputy Cr.Piper)**

➤ **Environment/ Conservation/ Blackwood Basin Group**  
**Cr. Oversby (Deputy Cr. Florey)**

➤ **WA Local Government Association (South West Zone)**  
**Cr. Ginnane (Deputy Cr. Downing)**

➤ **WALGA AGM**  
**Crs Downing and Moir**

➤ **Warren Blackwood Economic Alliance**  
**Cr. Ginnane (Deputy Cr. Downing)**

**Community Delegate: Cr Broadhurst**

➤ **Road Matters**  
**Cr. Moir (Deputy Cr. Martin)**

➤ **Health Matters**  
**Cr. Downing (Deputy Cr. Marshall)**

➤ **Telecentre**  
**Cr. Florey (Deputy Cr. Oversby)**

➤ **Tourism Matters**  
**Cr. Broadhurst (Deputy Cr. Oversby)**

- **Waste Management Matters**  
**Cr. Martin (Deputy Cr. Oversby)**
- **Audit and Finance Committee**  
**Crs. Ginnane, Downing, Piper, Marshall (Deputy Cr. Martin)**
- **Economic Development Committee**  
**Cr Moir, Martin (Deputy Cr Ginnane) – Chaired by a Councillor**

**Community/Staff Delegates:**

- **Business/Farming Representative – vacant**
  - **Business/Farming Representative – vacant**
  - **Business/Farming Representative – Mr Lee Duke**
  - **Boyup Brook Tourism Association Representative**
  - **Boyup Brook Country Music Club Representative**
  - **Shire’s Chief Executive Officer**
  - **Shire’s Community and Economic Development Officer**
  - **Boyup Brook Rural Youth Representative**
  - **Topoclimate/Farm Production Innovation Representative – Mr Michael Giles**
- **Local Emergency Management Committee**
    - **Shire of Boyup Brook – Cr Downing, Manager of Works and Services and Works Supervisor**
    - **Police - 2 reps**
    - **Fire and Rescue Services - 2 reps**
    - **Boyup Brook Bushfire Brigade - 2 reps**
    - **St John’s Ambulance – 2 reps**
    - **Boyup Brook Health Services – 2 reps**
    - **Boyup Brook Medical Service - 1 rep**
    - **Dept of Community Development (Collie) – 2 reps**
    - **FESA – 2 reps**
    - **Chairman – Manager of Works and Services**
- **GP Working Group**  
**Crs Marshall, Downing, Broadhurst, CEO, Dr Mel**

The Chief Executive Officer declared a financial interest in the following item.

7.3.4 Chief Executive Officer– Key Result Areas 2006 - 2007

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>-</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>27 June 2006</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>9/2</i>
<i>Appendices:</i>	<i>1.8 - Confidential</i>

**BACKGROUND:**

The Council engaged the Western Australian Local Government Association's Industrial Relations personnel to workshop required Key Result Areas (KRAs) for the CEO to achieve for the period 2006-2007.

This workshop took place on 15 June 2006 and was facilitated by Mr John Phillips.

It is now necessary to adopt the agreed KRAs.

**DETAIL:**

Clause 4.1 of the CEO's employment contract requires that he ...'must use every endeavour to achieve the agreed Performance Outcomes and Indicators as detailed in Annexure 2'.

In the past three years, the CEO's position description as incorporated in Annexure 2 of the employment contract has been used as the review document.

The position description is attached – see confidential appendix 1.8. This document is very much governance and internal management focused.

The draft KRAs attached (see separate confidential appendix 1.8) have been developed to improve the annual process of reviewing the performance of the CEO by including project orientated duties in addition to governance duties..

**COMMENT:**

This new review format is a vast improvement to the CEO performance review process.

It is suggested that the employment contract for Mr Will Pearce, Chief Executive Officer, be amended to include the 2006-2007 Key Result Areas as presented as an addendum to Annexure 2.

**MOVED: Cr Piper**

**SECONDED: Cr Downing**

**That the employment contract for Mr Will Pearce, Chief Executive Officer, be amended to include the 2006-2007 Key Result Areas as presented as an addendum to Annexure 2.**

**CARRIED 9/0**



7.3.5 Western Australian Local Government Association – 2006 Annual General Meeting  
Agenda Items

*Proponent:* Western Australian Local Government Association (WALGA)  
*Location:* -  
*Reporting Officer:* Will Pearce  
*Date Report Written:* 05 July 2006  
*Enabling Legislation:* Local Government Act 1995  
*File:* -  
*Appendices:* 1.9 – Agenda Items

**BACKGROUND:**

The AGM for the Western Australian Local Government Association (WALGA) will take place on Sunday 06 August 2006 during Local Government Week.

The Council is requested to consider the motions submitted in the agenda for consideration at the 2006 AGM.

**DETAIL:**

The motions are attached (see appendix 1.9).

Crs Downing, Moir and Oversby are attending Local Government Week this year.

**COMMENT:**

It is suggested, as in 2005, that Councillors Downing and \_\_\_\_\_ be given discretion with their voting rights, subject to being in the best interests of the Shire of Boyup Brook, when considering agenda items for the 2006 Annual General Meeting of the Western Australian Local Government Association.

**MOVED: Cr Downing**

**SECONDED: Cr Martin**

**That the Council moves into a committee of the whole under clause 15.6 of the shire's Local Law No.1 - Standing Orders to allow members free discussion on the matter.**

**CARRIED 8/1**

**MOVED: Cr Downing**

**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 9/0**

**MOVED: Cr Martin**

**SECONDED: Cr Florey**

**That Councillors Downing and Moir be given discretion with their voting rights, subject to being in the best interests of the Shire of Boyup Brook, when considering agenda items for the 2006 Annual General Meeting of the Western Australian Local Government Association.**

**CARRIED 9/0**

7.3.6 August 2006 Council Meeting – Proposed Change of Date

*Proponent:* Shire of Boyup Brook  
*Location:* -  
*Reporting Officer:* Will Pearce  
*Date Report Written:* 11 July 2006  
*Enabling Legislation:* Local Government Act 1995  
*File:* GO/37/001  
*Appendices:* -

**BACKGROUND:**

Crs Ginnane and Downing will be representing the Council at the Sandakan ceremonies in Sabah, Malaysia on 15 August 2006.

It is requested that the 17 August 2006 meeting date change to allow for these Councillors to attend.

**DETAIL:**

The 'Council Meeting Dates' policy states that it will meet 'on the third Thursday of each month unless resolved otherwise'.

Council should also note that Local Government Week is being held from Friday 4 – Monday 7 August 2006.

There is also a Development Services Meeting scheduled on 7 August.

**COMMENT:**

The Local Government Act section 5.3 (2) states that ordinary meetings are to be held not more than three months apart.

Altering this meeting date would not contravene the act.

**MOVED: Cr Martin**

**SECONDED: Cr Florey**

**That the Council changes the date of the monthly meeting August 2006 to be brought forward from the 17 to 9 August 2006.**

**CARRIED 9/0**

7.3.7 Down South Dance – Request for Reduction in Hall Hire Fees

*Proponent:* Jenny Piesse – Down South Dance  
*Location:* Lesser Hall  
*Reporting Officer:* Will Pearce  
*Date Report Written:* 11 July 2006  
*Enabling Legislation:* Local Government Act 1995  
*File:* FM/25/008  
*Appendices:* 1.10 - Letter

**BACKGROUND:**

Down South Dance has written to Council requesting a reduction of hall hire fees for proposed dance classes - see appendix 1.10.

**DETAIL:**

Down South Dance currently hold dance classes at the Boyup Brook High School. The school however closes at 3.30pm. The applicant wishes to provide classes for both juniors and seniors from 2.30pm until 5.30pm.

The school has been charging the applicant \$150 per term, being 10 weeks. Attendees are charged \$70 per term.

Shire hall hire fees for each term will be \$360.

The applicant travels from Bridgetown and fuel costs make Boyup Brook unviable on shire hall fees. She provides classes in Bridgetown shire facilities having had shire fees waived.

**COMMENT:**

The Council's 'Donations' policy requires groups to apply for funds in March and April annually for consideration during the budget process.

Down South Dance has put a request in to have the fees reduced.

The Council has 2 options-

- Decline the request as it is business
- reduce the fee as an act of supporting additional activities for children in the shire

It is suggested that the Council declines the request as the proponent should pass on activity expenses to the participants.

**MOVED: Cr Marshall**

**SECONDED:**

**That Council charges \$100 per term for Down South Dance to use the Town Hall.**

**MOTION LAPSED DUE WANT OF A SECONDER**

**MOVED: Cr Oversby**

**SECONDED: Cr Downing**

**That the Council charges \$150 per term for Down South Dance to use the Town Hall.**

**AMENDMENT**

**MOVED: Cr Downing**

**SECONDED: Cr Moir**

**Add the words 'for 2006 only' after the word 'hall'.**

**CARRIED 9/0**

**AMENDMENT BECOMES THE MOTION**

**MOVED: Cr Downing**

**SECONDED: Cr Moir**

**That the Council charges \$150 per term for Down South Dance to use the Town Hall for 2006 only.**

**CARRIED 9/0**

**8. PETITIONS AND MEMORIALS**

**9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**10. URGENT BUSINESS – BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT**

**11. CLOSURE OF MEETING**

There being no further business the Chairman declared the meeting closed at 5.43pm.

These Minutes and Schedule of Accounts were confirmed by the Council at the Council Meeting held on the 09 August 2006.

\_\_\_\_\_  
Cr Terry Ginnane, Shire President