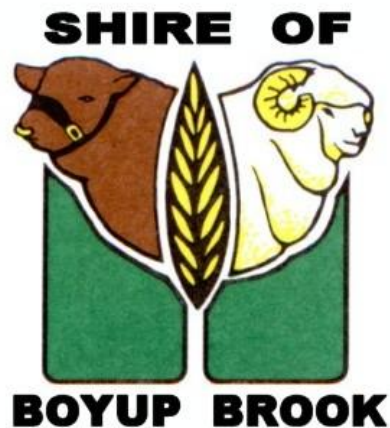


# MINUTES



ORDINARY MEETING

held

THURSDAY 20 JUNE 2013  
Commenced AT 5.26PM

AT

SHIRE OF BOYUP BROOK  
CHAMBERS  
ABEL STREET - BOYUP BROOK

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

### **1.1 Attendance**

Cr M Giles – Shire President  
Cr G Aird  
Cr E Biddle  
Cr J Imrie  
Cr P Kaltenrieder  
Cr B O’Hare  
Cr T Oversby  
Cr R Walker

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

PUBLIC: Mr & Mrs Kemsley

### **Apologies**

Cr Moir

### **1.3 Leave of Absence**

## **2 PUBLIC QUESTION TIME**

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

Nil

### **2.2 Public Question Time**

## **3 APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Oversby and Cr Giles advised that they would be absent for the July 2013 ordinary meeting of Council.

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

Cr O’Hare informed Council that the Boyup Brook Community Resource Centre is a Registered Training Organisation which provides various training and workshops.

Cr Biddle thanked the Council for its support with the Tourism Association and an Annual Report will be available shortly.

Cr Biddle being a representative on the Boyup Brook District High School Board attended a meeting and spoke about the School Review which was a very constructive exercise from the Schools point of view.

Cr Biddle met with Cr Aird and Rose Dickson from the Lions Club regarding the Anzac Memorial and what improvements could be made to make it safer for the community.

## 5 CONFIRMATION OF MINUTES

### 5.1 Ordinary Meeting of Council - Thursday 20 May 2013

#### COUNCIL DECISION & OFFICER RECOMMENDATION

**MOVED:** Cr O'Hare

**SECONDED:** Cr Biddle

**That the minutes of the Ordinary Meeting of Council held on Thursday 20 May 2013 be confirmed as an accurate record.**

**CARRIED 8/0**

**Res 78/13**

## 6 PRESIDENTIAL COMMUNICATIONS

- Attended the AGM Bushfire Advisory Meeting held on 23<sup>rd</sup> May 2013 at the Town Hall.
- Met with Peta White regarding heated pool group's proposal.

## 7 COUNCILLORS QUESTIONS ON NOTICE

Nil

## 8 REPORTS OF OFFICERS

### 8.1 MANAGER WORKS & SERVICES

<b>8.1.1 Policy Revision – Policy B04 Building Stormwater Drainage</b>
--

<b>Location:</b>	N/A
<b>Applicant:</b>	
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	11 <sup>th</sup> of June, 2013
<b>Author:</b>	Rob Staniforth-Smith
<b>Authorizing Officer:</b>	Alan Lamb
<b>Attachments:</b>	Revised Policy B04

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#### SUMMARY

This item is to revise policy B04 to include a reference to the new stormwater policy W13 "Connection of Stormwater to Council Storm Water System".

#### BACKGROUND

Policy W13 was adopted at the May 2013 meeting and deals with the connection of private landholder's stormwater to Councils Storm Water System. Policy B04 covers owners' general requirements with regards to building stormwater and does not include a reference to the associated policy W13.

## **COMMENT**

Policy B04 covers general building stormwater requirements whereas Policy W13 covers stormwater drainage from both buildings and developed land. The proposed reference to Policy W13 in Policy B04 is to ensure that readers of policy B04 are aware of the existence of policy W13.

## **CONSULTATION**

CEO, Alan Lamb

## **STATUTORY OBLIGATIONS**

Nil

## **POLICY IMPLICATIONS**

The policy will enhance the Shires administration process by giving a clear indication of the Shires requirements for landholders to follow when disposing of their stormwater.

## **BUDGET/FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Nil

## **SUSTAINABILITY IMPLICATIONS**

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

## **VOTING REQUIREMENTS**

Simple majority

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

**MOVED: Cr Imrie**

**SECONDED: Cr Oversby**

**That the wording of policy B04 “Building Stormwater Drainage” be modified to include a reference to policy W13 “Connection of Private Landholders Stormwater into Councils Stormwater Drainage System”.**

**CARRIED 8/0**

**Res 79/13**

## 8.2 FINANCE

### 8.2.1 List of Accounts Paid

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>10 June 2013</i>
<b>Author:</b>	<i>Kay Raisin – Finance Officer</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid</i>

---

### **SUMMARY**

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

### **BACKGROUND**

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

### **COMMENT**

The attached listing represents accounts paid by cheque and by electronic means during the period 1 May to 11 June 2013.

### **CONSULTATION**

Nil

### **STATUTORY OBLIGATIONS**

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

#### **12. Payments from municipal fund or trust fund**

- (1) *A payment may only be made from the municipal fund or the trust fund —*
- (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

#### **13. Lists of accounts**

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

- (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
- (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name;*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;*
    - and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**POLICY IMPLICATIONS**

Council's Authority to Make Payments Policy has application.

**BUDGET/FINANCIAL IMPLICATIONS**

Account payments are in accordance with the adopted budget for 2012/13 or authorised by separate resolution.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.2.1**

**MOVED: Cr Oversby**

**SECONDED: Cr Walker**

**That the list of accounts paid in May and June 2013 as presented totalling \$502,472.99 and as represented by cheque voucher numbers 19278-19297 totalling \$41,249.65 and accounts paid by direct electronic payments through the Municipal Account totalling \$461,223.34 be received.**

**CARRIED 8/0**

**Res 80/13**

<b>8.2.2 Monthly Statements of Financial Activity</b>
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<b>Location:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>File:</b>	FM/10/003
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	14 June 2013
<b>Author:</b>	Alan Lamb – Chief Executive Officer
<b>Authorizing Officer:</b>	Alan Lamb – Chief Executive Officer
<b>Attachments:</b>	Nil

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### **REPORT**

Despite valiant efforts and many hours of hard work by staff we have not been able to get the transferred data from the old computer system to the new one to balance with what was in the old one, and so cannot produce a set of accounts for this meeting. The glitch may be in the transfer process or in the way the new accounts are set up; in any case the software supplier is working on it. The accounts in the old system balanced at the time of transfer.



## 8.3 CHIEF EXECUTIVE OFFICER

8.3.1 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>29 May 2013</i>
<b>Author:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – Convention Program</i>

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### **SUMMARY**

The 2013 Local Government Convention and Exhibition will be held on the 7<sup>th</sup> August to 9<sup>th</sup> August 2013. 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 required prior to the 12<sup>th</sup> July 2013.

Member Councils are invited to submit motions for the Annual General Meeting, the closing date is 12<sup>th</sup> July 2013.

Elected member development program training is being offered during the lead up to the convention and also immediately afterwards.

### **COMMENT**

Convention Registration deadline is 2<sup>nd</sup> July 2013.

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 \$2,500, depending on accommodation requirements and involvement with member development programs.

## **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 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 2013/14 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

## **COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1**

**MOVED: Cr Biddle**

**SECONDED: Cr O’Hare**

**That:-**

- 1 That Cr Moir, Cr Kaltenrieder, Cr Aird, Cr Oversby and Cr Biddle and the CEO attend the 2013 Local Government convention and exhibition and expenses incurred be paid by the Shire, as per Council Policy M.01.**
- 2 That Cr Oversby and Cr Kaltenrieder be appointed as voting delegates for the Western Australian Local Government Association Annual General Meeting.**

**CARRIED 8/0**

**Res 81/13**

### **NOTE**

The Shire President Cr Giles, announced that he would not be available to attend the convention and exhibition and so Cr Moir, in his capacity as Deputy President, was delegated to deputise for the President if he was able to attend.

<b>Location:</b>	N/A
<b>Applicant:</b>	Daly Winter
<b>File:</b>	FM/25/046
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	15 April 2013
<b>Author:</b>	Daly Winter
<b>Authorizing Officer:</b>	Alan Lamb
<b>Attachments:</b>	Copies of Shire of Boyup Brook - Aged Housing Plan and Aged Friendly Report prepared by Jackie Massie of JM Community Development Projects and copy of Age Friendly Community Study prepared by BHW Consulting.

---

### **SUMMARY**

The South West Development Commission supported the Shire with funding for an aged Friendly Community Project. The three reports attached are the result of this project.

The reports identify a range of issues, findings and recommendations that will need to be considered by Council for future development planning and strategic planning.

### **BACKGROUND**

In July 2011 the Chief Executive Office signed on behalf of the Shire of Boyup Brook a grant agreement with the South West Development Commission to produce a report on an Aged Friendly Communities Project for Shire. The report was to build upon information already gathered from a series of community visioning workshops undertaken by the Lions Club of Boyup Brook.

### **COMMENT**

Nil

### **CONSULTATION**

#### **Aged Housing Plan –**

In addition to a community survey, the project manager also conducted a range of consultations with individual and groups. A full list of those consulted is attached to the actual plan. They fall into the following categories:

- Representatives from the WA Country Health Service (regional and local)
- Representatives from the Shire staff, the Council and community health advisory group
- Providers of independent living units, residential parks and aged care in other locations

### **Aged Friendly Community Study –**

Information gathered as part of the Strategic Planning Framework was used to write the Aged Friendly Community Study.

There were a number of tools used during the community consultation including:

- one on one interviews;
- community workshop;
- meeting with Councillors – Shire of Boyup Brook; and
- the conduct of a community survey.

### **Boyup Brook Age - Friendly Report –**

The Boyup Brook Age – Friendly Report brings together partial information previously gathered through the Boyup Brook Lions Club’s Age – friendly Community Study (2011), the Shire’s integrated strategic planning process (2012) and the Shire’s Aged Housing Plan (2013).

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

None

#### **STRATEGIC IMPLICATIONS**

Council should consider the findings and the recommendations contained in these reports for possible inclusion in future forward planning.

## **SUSTAINABILITY IMPLICATIONS**

- ***Environmental***  
There are no known significant environmental issues.
- ***Economic***  
There are no known significant economic issues.
- ***Social***  
Boyup Brook has an aging population coupled with limited capacity to accommodate a rapidly aging community. If Council does nothing eventually we could see these facilities reach capacity! With no other options available, our elderly could be forced to move away from family and the community which they have supported. Council should consider the information contained in the reports to determine if they can support one or more of the findings and recommendations contained therein.

## **VOTING REQUIREMENTS**

Simple Majority

## **COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.2**

**MOVED: Cr Biddle**

**SECONDED: Cr Oversby**

- **It is recommended that reports listed below be received by Council: Boyup Brook Aged Housing Plan, Boyup Brook Aged Friendly Community Study and Boyup Brook Age Friendly Report.**
- **That the contents of the reports be reviewed and that their findings and recommendations be considered by Council in future Shire business development and strategic planning.**

**CARRIED 8/0**

**Res 82/13**

<b>8.3.3 Development Application Pioneers Museum</b>
--

<b>Location:</b>	<i>Lot 34 Jayes Road</i>
<b>Applicant:</b>	<i>Boyup Brook District Pioneers Museum</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>1 June 2013</i>
<b>Author:</b>	<i>Geoffrey Lush (Council Consultant)</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb</i>
<b>Attachments:</b>	<i>1 Site Plan</i>

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### **SUMMARY**

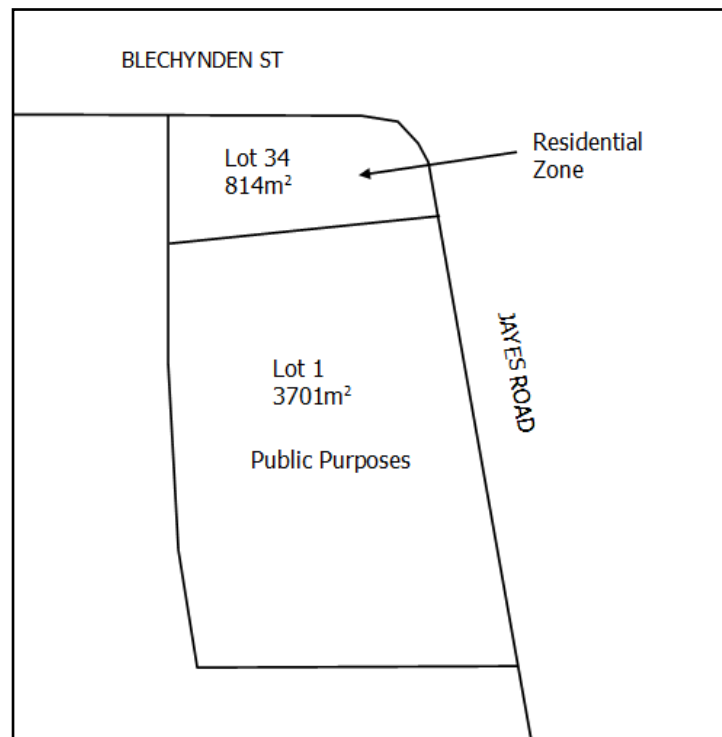
This report is to consider a development application from Boyup Brook District Pioneers Museum for a new display shed.

As the subject land contains two lots. While main lot is designated in the Town Planning Scheme as “public purposes” the lot where the shed is to be located is zoned as Residential.

There is no objection to the application.

### **BACKGROUND**

The museum is located on the corner of Jayes Road and Blechynden Street Boyup Brook and the site contains two lots being Lot 34 and Lot 1 as shown below. Both lots are owned by Council. Buildings straddle the dividing boundary between the two lots.



The proposed display shed has an area of 72sqm being 12m X 6m in size. It will be colorbond with an eve height of 3.5m with a gable roof extending to 4.15m and it will be setback 1m from the northern boundary as shown in Attachment 1.

### **CONSULTATION**

None

### **STATUTORY OBLIGATIONS**

The subject land has multiple zonings in Town Planning Scheme No.2. as follows:

- Lot 1 is reserved as Public Purposes; and
- Lot 34 is included in the Residential zone.

Within the Public Purposes reservation no planning approval is required to use the site for its intended purpose i.e. a museum.

However in the Residential zone a museum is a prohibited use and is therefore a non conforming use. Clause 4.2 of the Scheme sets out the provisions for the alteration or extensions of non conforming uses as follows:

- 4.2.1 A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for, and obtained, Council's Planning Consent and unless in conformity with any other provisions and requirements contained in the Scheme.



- 4.2.2 Subject to approval being granted by Council in accordance with sub-clause 4.2.1, buildings may be extended by a maximum of 10% of the floor area of the building extension at the time of gazettal of this Scheme.
- 4.2.3 Notwithstanding the provisions of sub-clause 4.2.2, Council may approve an extension in excess of 10% of the floor area for business premises where it is satisfied that such extension will not impact upon the amenity of adjoining land.

Within the Residential R15 zone the following boundary setbacks apply:

- Front setback of 6m;
- Side street setback of 1.5m; and
- Rear setback of 6m.

### **COMMENT**

The inclusion of Lot 34 in the Residential zone appears to be an anomaly and it does not reflect the existing development of the site.

The proposed display shed is not considered likely to have any adverse impact on the amenity of the adjoining land because:

- It is setback from the intersection;
- It is setback from the rear boundary; and
- It will be constructed of colorbond material.

Normally under the Residential Design Codes the shed would need to be setback 1.5m from the side boundary. However Council's Outbuildings Policy allows this to be reduced to 1.0m.

In considering any variation to the provisions of the Residential Design Codes Council must have regard to the likely impact on the adjoining property. This is Lot 33 Blechynden Street. As this is located at the rear of the site, the proposed outbuilding will not have any impact.

### **POLICY IMPLICATIONS**

None

### **BUDGET/FINANCIAL IMPLICATIONS**

None

### **STRATEGIC IMPLICATIONS**

None

### **SUSTAINABILITY IMPLICATIONS**

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

There are no known significant social issues.

**VOTING REQUIREMENTS**

Simple Majority

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

**MOVED: Cr Oversby**

**SECONDED: Cr Imrie**

**That the Townsite Strategy recognises that Lot 34 should be included in the Public Purposes Reservation to reflect the existing use.**

**That Council approve the use and development of Lot 34 D52926 Jayes Road Boyup Brook for the purpose of a museum display shed subject to the following conditions;**

- 1. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.**
- 2. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.**
- 3. The display shed shall be constructed from non reflective materials to the satisfaction of Council.**
- 4. No advertising signs may be erected on northern side of the shed without the prior approval of Council.**
- 5. This approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Council, is granted by it in writing.**
- 6. All planning application fees that may be applicable be waved.**

**CARRIED 8/0**

**Res 83/13**

### 8.3.4 Reserves Managed by Council – Management plans

<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>13 June 2013</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Nil</i>

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#### **SUMMARY**

The purpose of this report is to put before Council the proposal that funding be provided to commence the process of developing management plans for Reserves, including road reserves, managed by the Shire.

#### **BACKGROUND**

The Roadside Conservation Committee, a part of DEC, recently completed a re mapping process of roadside vegetation in the Shire and it is understood that this will highlight the location of weeds and the like. Experience shows that Council will soon be under pressure to do something about these weeds. It is understood that there will be some funding opportunities which entitles such as the Blackwood Basin Group could access to do works.

Groups such as the Blackwood Basin Group (BBG) have from time to time obtained grant funding to do works on Council managed land but in the absence of a management plan Council is always on the back foot dealing with applications rather than being on the front foot setting direction.

#### **COMMENT**

We are fortunate enough to have a great many good people and good organisations within the community and all want to make an improvement but, in practice, we are often left floundering with insufficient information and notice to make the most of the opportunities that are presented. One problem that was recently highlighted is that whilst parcels of land are clearly defined on Landgate imagery and the like they are more often than not, not defined at all on the ground. So when an entity, for instance, wants to do something with what they see as a parcel of bush, it is actually a number of Crown Reserves, managed by more than one authority and UCL.

It is expected that Council will come under increasing pressure to properly manage crown land under its control and it is recommended that, in order to be proactive, and to make the most of opportunities that may come via groups such as BBG, Council commence the process of developing management plans.

We are further fortunate enough to have suitably qualified, experienced and skilled people locally to call upon to assist with the proposed management plans.

Highlighted priorities for proper planning are Reserve 5312 (at least that is what is on the old Vesting Order. It is very apparent that our records for this piece of land are not complete and that Landgate records are misleading. Work on a management plan would include sorting these sort of matters out) – Jayes Bridge. This area is important to the Mayanup Progress Association and the BBG. Another community group has put an ablution facility there in the past. The area is promoted as a free camping facility which appears odd given its proximity to the Shire Caravan Park begging the question of why would the Shire expend community funds on providing a free camping facility in opposition to its caravan park. This area is on the banks of the Blackwood but there is no easy access, boat launching facility or the like, to the water. A plan would better set direction for future works at this location and better enable Council to capitalize on opportunities highlighted/presented by BBG and others.

Another priority is the area of bushland either side of the Bridgetown Road going out of town. Here there are 4 separate Reserves managed by two different authorities and one parcel of UCL but it is not clear on the ground where these areas start and stop. A management plan would include defining the boundaries (not a survey by a licensed surveyor, but a GPS pick up and some on the ground pegging of the approximate boundaries), and a plan on how to manage the bush etc going forward. Areas of the Boyup Brook that are owned and or managed by the Shire and subject to weed infestations, and where eradication has been made more difficult by planting relevant to offset programs, are also priorities as are road verges.

The proposal is that Council provides funding from the funds set aside for planning in the current budget, to this planning, with the intention that these funds then be carried forward, and hopefully boosted by another provision in 2013/14, to make a start on preparing draft management plans for Council consideration.

It is appreciated that it appears a lot of money is being asked for, for planning but the reality is that planning is needed for order and for grant funding. It will also provide groups such as BBG with some clear priorities and projects that it can target for funding opportunities that align with its charter.

It is recommended that Council approves an amount of \$10,000 to be applied to the development of management plans for reserves managed by Council.

## **CONSULTATION**

The author has spoken with the BBG, council staff and a potential service provider.

## **STATUTORY OBLIGATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **BUDGET/FINANCIAL IMPLICATIONS**

Council set aside \$170,000 for planning and the requested funds would come from this provision.

## **STRATEGIC IMPLICATIONS**

Nil

## **SUSTAINABILITY IMPLICATIONS**

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

## **VOTING REQUIREMENTS**

Absolute majority

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

**MOVED: Cr Walker**

**SECONDED: Cr Biddle**

**That Council approves an amount of \$10,000 to be applied to the development of management plans for reserves managed by Council.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 84/13**

<b>Location:</b>	<i>Reserve 24011, Lot 369 Abel Street Boyup Brook</i>
<b>Applicant:</b>	<i>Fire and Emergency Services</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>13 June 2013</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Copy of draft lease</i>

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### **SUMMARY**

The purpose of this report is to put before Council the draft lease with the recommendation that it be adopted and signed.

### **BACKGROUND**

For some years now the Boyup Brook West Brigade have had a shed on the Reserve managed by Fire and Emergency Services (FES, used to be FESA). A few years ago FESA sought to have a MOU to formalize the arrangement and council resolved to agree to this. Following some changes to FESA the MOU solution was dropped by that authority and it embarked on the development of a lease instead. The lease was developed by FES and Council staff have liaised with that body over its development.

The lease is for the use of a portion of the property and a shed which the Brigade uses to house its Fast Attack, Fast Light tanker and Water Bomber refilling trailer. The lease is for 10 years with an option of a further 5 and the rental is \$1.00 per year if demanded (peppercorn).

### **COMMENT**

It is recommended that Council adopt the draft lease and authorize it to be signed.

### **CONSULTATION**

The matter has been discussed with FES and the use of the land has been before Council in the past.

### **STATUTORY OBLIGATION**

Nil

### **POLICY IMPLICATIONS**

NO.	POLICY	A.10
POLICY SUBJECT	Use of Common Seal and the Signatories for Contract Execution	
ADOPTION DATE	17 June 2004	
VARIATION DATE	22 December 2007	

**Objective**

To set out the procedures to be followed when there is a requirement to use the common seal.

**Statement**

The following applies to the use of the common seal and signatures when a document requires this method of completion:-

- 1 is to be used only when Council has previously authorised the action contained within the document being signed;
- 2 be affixed in the presence of the Shire President and Chief Executive Officer.

The document is to be completed in the following manner:-

The common seal of Shire of Boyup Brook was hereunto affixed and signed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_

Shire President

\_\_\_\_\_

Chief Executive Officer

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**

There are no known significant environmental issues.

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

**VOTING REQUIREMENTS**

Absolute majority

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

**MOVED: Cr Walker**

**SECONDED: Cr Oversby**

**That Council adopt the Draft Lease, as presented, with Fire and Emergency Services over Council's use of a portion of Reserve 24011, Lot 369 Abel Street Boyup Brook, and that Council authorize the affixing of the Common Seal in accordance with Council policy.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 85/13**



### 8.3.6 Council working group – potential rural residential development

<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>Mr M Bombara</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Confidential attachment – email from developer</i>

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#### **SUMMARY**

The purpose of this report is to bring the matter before Council with a recommendation that Council endorses the forming of a working group consisting of the Shire President and Deputy Shire President to work with the developer on the structure and detail of the proposed development

#### **BACKGROUND**

Mr Bombara has spoken with Council in the past about his ideas for his land and he now wants to move forward in a more structured and collaborative way. One option he would like to explore with the working group is to cut down on cost with both parties employing planning consultants.

#### **COMMENT**

It is suggested that this represents an opportunity for Council to set the direction for the proposed development before the developer or Council spends too much money on planning consultants. Naturally any discussions should not be binding on Council and there will eventually have to be an application (re zoning) that Council could consider.

The intention is that the working group would be supported by the CEO and where needed by Council's planning consultant.

#### **CONSULTATION**

The author has communicated with the developer and the President and Deputy President on this matter.

#### **STATUTORY OBLIGATIONS**

Nil at this time.

#### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time other than the CEO's time, Chambers use and perhaps refreshments all of which would come from normal budget provisions.

### **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 8.3.6**

**MOVED: Cr O'Hare**

**SECONDED: Cr Aird**

**That Council endorses the forming of a working group consisting of the Shire President and Deputy Shire President to work with Mr Bombara on the structure and detail of his proposed development on the basis that any discussions will not be binding on Council.**

**CARRIED 8/0**

**Res 86/13**

### 8.3.7 Community Satisfaction Survey

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 June 2013
<b>Author:</b>	Alan Lamb
<b>Authorizing Officer:</b>	Not applicable
<b>Attachments:</b>	Copy of survey report

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#### **SUMMARY**

The purpose of this report is to put the results of the survey to Council for it to receive.

#### **BACKGROUND**

As reported to the April Council meeting, the customer satisfaction survey is included in the draft Community Strategic Plan and the CEO's performance measures for this year provide that the survey be conducted before the 2013/14 budget is adopted. Council resolved as follows:

***That Council approve the expenditure \$25,000 to appoint Dominic Carbone and Associates (DCA), to complete Council's Corporate Plan, and JM Community Development Projects, to complete a customer satisfaction survey, both being a part of the strategic planning process, with the funds coming from the anticipated excess provided for integrated planning processes.***

#### **COMMENT**

The survey was conducted as set out in the report and the report is presented for Council to receive. It is noted that the report is very complete and so no further comments will be added except to note the significance of medical facilities and rural roads to the community. It is also noted that the survey will assist Council to better see where community needs and desires are and so the report should prove to be a valuable adjunct to the integrated planning tools Council now has.

#### **CONSULTATION**

The report is the result of a survey

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

## **BUDGET/FINANCIAL IMPLICATIONS**

Nil other than that this report will, along with the integrated plans, be an influence on the 13/14 and future budgets.

## **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 8.3.7**

**MOVED: Cr Biddle**

**SECONDED: Cr Oversby**

**That Council receives the attached Community Satisfaction Survey 2013 Report.**

**CARRIED 8/0**

**Res 87/13**

<b>8.3.8 Family Stop Centre - Facility Hire - Boyup Brook Family Playgroup</b>
--

<b>Location:</b>	<i>Lot 64 (Street number 82) Abel Street Boyup Brook</i>
<b>Applicant:</b>	<i>Boyup Brook Family Playgroup Inc</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>13 June 2013</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Copy of MOU</i>

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### **SUMMARY**

The purpose of this report is to put before Council the negotiated draft Memorandum of Understanding with the Boyup Brook Family Playgroup Inc (BBFP) for adoption and signing.

### **BACKGROUND**

Council commenced to process of formalizing the uses of Shire assets some time ago and this is the continuation of this activity.

The Family Stop is leased to the YMCA for set days and times per week and MOU with the BBFP is for usage outside of this. The instrument for recording the usage arrangement was as recommended by Council's legal adviser.

As with most of this formalization of existing arrangements Council has been working on, the MOU does not change existing arrangements, it only records them.

### **COMMENT**

The negotiated and signed, by the BBFP, draft MOU is put to council with the recommendation that it be adopted and signed.

### **CONSULTATION**

The draft MOU was worked on in concert with the BBFP, with assistance from Council's legal advisers.

### **STATUTORY OBLIGATIONS**

Nil

## **POLICY IMPLICATIONS**

<b>POLICY NO.</b>	A.10
<b>POLICY SUBJECT</b>	<b>Use of Common Seal and the Signatories for Contract Execution</b>
<b>ADOPTION DATE</b>	17 June 2004
<b>VARIATION DATE</b>	22 December 2007

### **Objective**

To set out the procedures to be followed when there is a requirement to use the common seal.

### **Statement**

The following applies to the use of the common seal and signatures when a document requires this method of completion:-

- 1 is to be used only when Council has previously authorised the action contained within the document being signed;
- 2 be affixed in the presence of the Shire President and Chief Executive Officer.

The document is to be completed in the following manner:-

The common seal of Shire of Boyup Brook was hereunto affixed and signed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_

Shire President

\_\_\_\_\_

Chief Executive Officer

## **BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time. The Fee included in the MOU is \$28.60 per day ((inc GST) which is what is being charged now. The MOU provides for Council to review the Fee however it is suggested that this not be done at this time and left till the budget process in each year of the three year agreement.

## **STRATEGIC IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

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

### **VOTING REQUIREMENTS**

Absolute majority

### **COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.8**

**MOVED: Cr Imrie**

**SECONDED: Cr Biddle**

**That Council adopt the Draft Memorandum of Understanding, as presented, with the Boyup Brook Family Playgroup Inc over its use of the Family Stop Centre Lot 64 Abel Street Boyup Brook, and that Council authorize the affixing of the Common Seal in accordance with Council policy.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 88/13**

<b>8.3.9 Boyup Brook Air Field – request for use and development</b>
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<b>Location:</b>	<i>Lot 2 of Nelson Location 6443</i>
<b>Applicant:</b>	<i>Mr. Paul Drayton</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>13 June 2013</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>Confidential attachment relating to the applicant's request.</i>

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### **SUMMARY**

The purpose of this report is to bring the matter before Council with the recommendation that Council approve immediate access to the existing hangar facility and sufficient land, as negotiated by the CEO.

### **BACKGROUND**

This matter went to the May 2013 meeting of Council and much of the following is taken from that agenda item.

Council has freehold title to the land that the airfield has been established on. Previous reports have advised the current runway is 830 M long, that RFDS needs 1200M and that commercial (turbo prop type) need 2000m, also that it may not be economical to extend the airstrip and so another site might be better in the long term.

The facility is used occasionally but Council charges no landing fees.

In the absence of any formal agreement, all of the improvements on the land are owned by the Shire; however members of the now defunct aero club may be a sense of ownership of the hanger and other structures. Whilst it is probable that there is no legal claim the past members are members of the community and should be included in any consultation.

Mr. Drayton is a qualified aircraft repairer and has a number of customers now and does service at Jandakot and Serpentine. He seeks to establish a business in Boyup Brook at the Shire airfield and expects his client base to double. He also indicates there would be a number of additional services that could be provided such as joy rides or charter (he is suitably licenced and has a suitable craft at his disposal). Mr. Drayton indicates his hope to generate sufficient business to employ apprentices.

Council considered the request at its May 2013 meeting and resolved as follows:

- 1. That the CEO writes to Mr. Drayton to indicate Council's interest in the proposals.***



**2. That Council authorizes the CEO look to grant opportunities, costs and the like with the view of including relevant works and associated income in the 2013/14 draft budget.**

Mr. Dayton subsequently sought to move forward with his proposed occupation of the hangar facility and to make some improvements to it.

**COMMENT**

It was previously reported that:

*The Council and community have been advocating for some time the need to attract new businesses to Boyup Brook and this proposal offers many opportunities. It would entail Council spending funds on infrastructure at an airfield strip that has already been shown to be too short, expensive to improve and lengthen and so prompting a look elsewhere. It is suggested though that any new strip may well be a long way off. Also that most of the improvements may be relocatable or reused for another purpose so the expenditure now may not be totally wasted when and if the strip moves.*

*It is expected that Council could seek RADS grant funding for 50% of any of its costs in making the improvements required to encourage this new business opportunity. The improvements would also prompt a regime of airfield charges that would, along with lease fees provide at least a partial offset to costs.*

It has subsequently been established that the RADS funding applications closed February 2013 and that there is not expected to be another round until 14/15 or later. There may well be other avenues for funding but these are yet to be fully explored. Also, due to other pressures we are yet to establish estimated costs for works that Council may do at the facility.

The applicant is keen to get started and wants to explore the opportunities/options. He has an opportunity to get some improvements done to the existing hangar and wants to capitalize on these now. Against this is the need to act prudently, work through the grant opportunities and coming budget process, but at the same time not push this opportunity away due to undue delays.

One option would be to give Mr. Drayton immediate access to the existing hangar and allow him to make improvements as agreed with the CEO and for Council to state that its intention is to work toward a lease of this and a lease of adjoining land to facilitate his planned business. This however may not give him sufficient comfort to move forward with improvements.

His plans hinge on Council also making some improvements to the airfield facility and the reality is that whilst we will try to get grant funding, this will delay the project and the only sure way of moving forward quickly is to self-fund the works. Estimated works costs and how they might be funded would generally be done leading up to a budget then, if the project is favoured by Council, the works and funding would be included in the draft budget. There is no funding to engage outside assistance with working

this project up and there is no available staff time to apply to it unless others things are put on the back burner or not done.

In order to not hold up the momentum of this opportunity it is recommended that Council resolve to allow Mr. Drayton immediate access to the airfield, and to occupy and improve, as agreed by the CEO, the existing hangar facility. Also for him to be able to site his 40 foot x 40 foot hangar at the airfield in a location as agreed to by the CEO. That it be indicated to Mr. Drayton that Council intends to work toward a suitable lease where the first few years will be at minimal rental to allow the business to establish. That Council intends to look at what improvements it may be able to make to the airfield, and how it might fund these, as part of the 2013/14 budget development. Also that Council approve of up to \$5,000 to employ an entity to develop and cost the project, establish funding opportunities and the like for the purposes of having the relevant information to put before Council as part of the budget process.

Whilst not stated in the foregoing, any improvements would require relevant planning and building approvals as required by relevant legislation.

#### **CONSULTATION**

The author has spoken with two local members (Mr. E Willett and Mr. R Ritson) of the now defunct Boyup Brook Aero Club which built the hangar at the strip. Both were aware of Mr. Drayton's proposal and were keen to see it move ahead. Both acknowledged that whilst the Club built the hangar there was no formal agreement in relation to it. Both saw the opportunity that Mr. Drayton's business would provide to perhaps rekindle a reforming of the old or the formation of a new aero club.

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

Nil at this time

#### **STRATEGIC IMPLICATIONS**

Nil

#### **SUSTAINABILITY IMPLICATIONS**

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

## **VOTING REQUIREMENTS**

Absolute majority

## **COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.9**

**MOVED: Cr Aird**

**SECONDED: Cr Kaltenrieder**

**That Council:**

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

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 89/13**

### 8.3.10 Integrated Planning

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	
<b>Author:</b>	Alan Lamb
<b>Authorizing Officer:</b>	Not applicable
<b>Attachments:</b>	Copy of final draft of Strategic Community Plan, Asset Management Plans, Long Term Financial Management Plan and possibly Workforce plan.

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#### **SUMMARY**

The purpose of this report is to put the latest draft of the Strategic Community Plan before Council for adoption. Also to advise Council of the long Term Asset Management, Financial and Workforce planning.

#### **BACKGROUND**

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

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

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

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

The item was not put to the May Meeting of Council because it was thought that it would be better to provide Council with copies of other relevant plans at the same time and these were not completed at that time.

#### **COMMENT**

The Strategic Community Plan is on the Shire website and was advertised in the in the Shire's page in the Gazette for April and mentioned again in May. No comments were received other than a staff member who

suggested changes which will be taken in to account when the document is reviewed. It is suggested that the lack of response is understandable because there had been a lot of consultation leading up to the plan's development.

The legislation provides that Council has to have the plan in place by the end of June 2013 and the grant funding has to be acquitted by 25 June 2013.

Legislation also requires that the Corporate Plan be adopted by the end of this month and I am hoping that the consultants have it completed in time for perhaps a Special Council Meeting before 30 June. It is probable though that we will not be able to comply with this and if so we will not be alone.

Council does not have to adopt the asset, finance and workforce plans but they will be presented. The asset and financial plans are attached at the time of writing but the workforce plan is not completed. The first two are very much Council documents because they give detail to the strategies. The workforce plan shows the impact of the forward plans on the workforce and what changes are required to meet needs going forward. The financial plan provides for no increase in staff numbers so the workforce plan will have to reflect this. Council appoints the CEO and the plan does not concentrate on this appointment rather it deals mainly with all other staff and as such becomes more of an administration tool.

We have to acquit grants for the asset and financial planning by 25 June 2013 and as these plans are now completed we should be able to do this. The workforce plan has to be in place before 30 June because it links to the strategic and corporate plans but we do not have to acquit the grant until December. Grant funding is for the plan and for implementation of any strategies and so work will continue, with grant funding, into 13/14.

A quick look at all of the plans show that amendments could be made primarily because they were drafted some time ago and they may not totally represent current planning. Also, as time goes on they will need to be amended. Whilst there may be the need for minor changes it is recommended that Council move forward with what it has and then start working with the plans rather than on their development. The coming budget process will result in changes to the financial plan and in turn to the corporate plan so there will be regular and periodic changes but we need a starting point and so it is recommended that Council adopt the Strategic Community Plan as presented and that it receives the Asset Management and Financial Management plans (and the Workforce plan if it is completed in time) as presented.

### **CONSULTATION**

The Strategic Community Plan has been developed in consultation with the community and Council over many months. The asset and financial plans were developed by the consultant working with Council and staff and the workforce plan was developed working with staff.

## **STATUTORY OBLIGATIONS**

The following Part of the Local Government (Administration) Regulations applies;

*Part 5 — Annual reports and planning*

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

### **Division 1 — Preliminary**

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

#### **19BA. Terms used**

*In this Part —*

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

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

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

### **Division 2 — Annual reports**

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

#### **19B. Information about numbers of certain employees to be included**

##### **(Act s. 5.53(2) (g))**

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

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

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

#### **19CA. Information about modifications to certain plans to be included**

##### **(Act s. 5.53(2)(i))**

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

- (3) *If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.*

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

<b>Division 3 — Planning for the future</b>
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*[Heading inserted in Gazette 26 Aug 2011 p. 3483.]*

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

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
- (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
  - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
  - (c) *demographic trends.*
- (6) *Subject to sub regulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*
- \*Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

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

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

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
  - (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
  - (3) *A corporate business plan for a district is to —*
    - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
    - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
    - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
  - (4) *A local government is to review the current corporate business plan for its district every year.*
  - (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
  - (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*
- \*Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

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

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

- (1) *In this regulation —*

***former regulation 19C** means regulation 19C as in force immediately before 26 August 2011 and continued under sub regulation (2);*

***former regulation 19D** means regulation 19D as in force immediately before 26 August 2011;*

***plan for the future** means a plan for the future of its district made by a local government in accordance with former regulation 19C.*



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

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

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

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

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

## **POLICY IMPLICATIONS**

Nil

## **BUDGET/FINANCIAL IMPLICATIONS**

Nil in the current year but the long term plans provide direction and enable better financial planning going forward. The financial plan shows a regularized rate increase of 5.2% per annum. Scenarios looked at and modelled were a standard rate increase of 3.2% per annum which was designed to keep pace with inflation but provided nothing for growth. Rate increases based on a balanced budget each year which resulted in rates varying from a decrease of 2.63% to an increase of 9.03%. This scenario also resulted in the operating surplus ratio varying from an unsustainable classification (-10%) to a moderate margin of comfort (3%). Another option looked at, and not included in the draft plan, was a rate increase of 6% per year for the ten years. Whilst this is in line with what other Councils are doing, at least for 13/14, it was thought that it may be too high.

The option favoured, and shown in the plan as option three is based on the set 5.2% increase per year and shows a deficit in 14/15 and an increasing surplus from 15/16 on. It will, be noted from the Rate Setting Statement on page 77, that the surplus or deficit in each year is not carried forward to the next year. Each year is modelled as standing alone and where a deficit is forecast we will need to either increase income or reduce spending (the latter is where we, as staff, will look to make changes). In the latter years though Council will be able to implement plans such as increasing the funding to road works or the like utilizing the forecast surplus. Scenario three indicates an operating surplus ratio over the ten years will vary from an unsustainable (-5%) to a substantial comfort margin (11%). Five of the last six years of the plan will produce positive operating surplus ratios ranging from 2% to 11%. This operating surplus ratio is what many see as the test to a Local Government's viability because it is an indicator of the extent to which revenues raised cover operational expenses only or are available for capital funding purpose. So scenario three, based on a fairly modest but regular rate increase of 5.2% each year will show the entity to be moving toward sustainability fairly early in the term of the plan and attaining the target result of a ratio of between 0% and 15% each year from 2017/18.

## **STRATEGIC IMPLICATIONS**

Nil

## **SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Absolute majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.10**

**MOVED: Cr Walker**

**SECONDED: Cr Biddle**

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

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 90/13**

**8.3.11 Flax Mill – Boyup Brook Mens Association Lease**

**Location:** Portion of Lot 336, Diagram 11985  
**Applicant:** Boyup Brook Men’s Association  
**File:**  
**Disclosure of Officer Interest:** None  
**Date:** 13 June 2013  
**Author:** Alan Lamb  
**Authorizing Officer:** Not applicable  
**Attachments:** Draft lease

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**SUMMARY**

The purpose of this report is to put before Council the draft lease with the recommendation that it be adopted and signed.

**BACKGROUND**

The draft lease is for two parts of the flax mill, one being the part of the two story building it has occupied for some time and the other being the old bailing room shed.

**COMMENT**

The matter of a lease for both areas has been before Council previously. It is recommended that the draft lease be adopted and signed.

**CONSULTATION**

The matter has been before Council a number of times and has been discussed with the executive of the Association.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

NO.	POLICY	A.10
	POLICY SUBJECT	Use of Common Seal and the Signatories for Contract Execution
	ADOPTION DATE	17 June 2004
	VARIATION DATE	22 December 2007

**Objective**

To set out the procedures to be followed when there is a requirement to use the common seal.

**Statement**

The following applies to the use of the common seal and signatures when a document requires this method of completion:-

- 1 is to be used only when Council has previously authorised the action contained within the document being signed;
- 2 be affixed in the presence of the Shire President and Chief Executive Officer.

The document is to be completed in the following manner:-

The common seal of Shire of Boyup Brook was hereunto affixed and signed by the authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
Shire President

\_\_\_\_\_  
Chief Executive Officer

**BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time.

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Absolute majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.11**

**MOVED: Cr O’Hare**

**SECONDED: Cr Imrie**

**That Council adopt the Draft lease, as presented, with the Boyup Brook Mens Association over its use of the two buildings at the Flax Mill, and that Council authorize the affixing of the Common Seal in accordance with Council policy.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 91/13**

### 8.3.12 Naming of a Town Park

<b>Location:</b>	<i>Lot 59 Forrest Street Boyup Brook</i>
<b>Applicant:</b>	<i>Boyup Brook Tourism Association.</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>12 June 2013</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Not applicable</i>
<b>Attachments:</b>	<i>letter from Association and a copy of the Landgate land enquiry derail</i>

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#### **SUMMARY**

The purpose of this report is to bring the matter back before Council with the Boyup Brook Tourism Associations' (BBTA) suggested name recommending that Council adopt this.

#### **BACKGROUND**

Late last year the BBTA wrote to Council seeking to name the park (bounded by Bridge, Abel and Forrest Streets and net to the building it leases from Council), suggesting some names and offering to do more work on a suitable name.

Council passed the following resolution at its December 2012 meeting:

***That Council ask the Boyup Brook Tourism Association to look into the appropriate name for the park at lot 59 Bridge Street, conduct some public consultation to the level it sees fit for the purpose and then come back to Council with a firm proposal for a suitable name that Council can then seek to have approved by the Department of Land Administration.***

In the attached letter dated 10 June the BBTA set out that it conducted a public consultation process and received one suggested name which it endorsed.

#### **COMMENT**

As will be seen from the attached, the land is described by Landgate as lot 59 Forrest Street Boyup Brook. That it became a C class Reserve in 1909, was vested in the Road Board in 1920. It appears that a Crown Grant was created in 1934. It looks like there was a duplication of a vesting that was sorted out in 1976 and the Reserve was cancelled in 2004. Council holds an original copy of a Crown Grant dated 26 March 1934 in the name of the Upper Blackwood Road Board. The Grant shows it to be lot 59 but does not specify the Street this lot relates to.

If the land was a Reserve then Council would need Department of Regional Development and Land (RDL) approval for the name. If the land

was owned free hold then, it is understood that, Council could name it whatever it wanted to but in order for the name to appear on maps and the like it would need RDL approval. State Lands advised that the land is free hold but as it is subject to a restrictive Crown Grant and in order to ensure that any name Council wishes to assign is recognized more widely, it is recommended that RDL (or its equivalent if that department changed since the last election) approval be sought prior to signs being erected.

Speaking with the Geographic Names Committee people (part of RDL responsible for names) naming a park after the street it abuts is not only acceptable it is recommended so there should be no problems with the BBTA's requested name.

It is recommended that Council accept the BBTA's recommendation and budget for a suitable sign to be erected in 2013/14. If approved the intention would be to work with the BBTA on the style and location of signage.

### **CONSULTATION**

The matter emanated from a community group, the group conducted a public consultation exercise, and the matter has been before Council previously.

### **STATUTORY OBLIGATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

Nil in the current budget

### **STRATEGIC IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

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

### **VOTING REQUIREMENTS**

Absolute majority if Council commits to funding signage in 2013/14 at this meeting or Simple majority if the decision is to refer the matter to the budget process as recommended

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.12**

**MOVED: Cr Walker**

**SECONDED: Cr Kaltenrieder**

**That Council accept the Boyup Brook Tourism Association's recommendation that the park bounded by Abel, Bridge and Forrest Street be named "Abel Park", that approval be sought from the Geographic Names Committee for the requested name and that funding for appropriate signage be considered as part of the 2013/14 budget process.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 92/13**



9.1.1 Minutes of the Blackwood River Valley Marketing Association

**Location:** Shire of Augusta  
**Applicant:** N/A  
**File:**  
**Disclosure of Officer Interest:** Nil  
**Date:** 10 May 2013  
**Author:** Alan Lamb - CEO  
**Attachments:** Yes – Minutes

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**BACKGROUND**

A BRVMA meeting was held on 9 April 2013 and 11 June 2013

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

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

**MOVED:** Cr O’Hare

**SECONDED:** Cr Walker

That the minutes of the BRVMA meeting held on 9 April 2013 and 11 June 2013 be received.

**CARRIED 8/0**

**Res 93/13**

9.1.2 Bush Fire Advisory AGM Minutes

**Location:** N/A  
**Applicant:**  
**File:**  
**Disclosure of Officer Interest:** None  
**Date:** 28 May 2013  
**Author:** Geoff Carberry  
**Authorizing Officer:** Not applicable  
**Attachments:** Minutes - Annual General Meeting of the Bushfire Advisory Committee 2013  
Letter to DFES

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**BACKGROUND**

An Annual General Meeting of the Bushfire Advisory Committee meeting was held on 23 May 2013

Minutes of the meeting are laid on the table and circulated (*refer to appendix 9.1.2*)

**VOTING REQUIREMENTS**

Simple majority

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

**MOVED: Cr Walker**

**SECONDED: Cr Biddle**

1. That the minutes of the Annual General Meeting of the Bushfire Advisory Committee meeting was held on 23 May 2013 be received.
2. That Council accepts and recognize those brigade representatives to the Bushfire Advisory Committee as listed in the minutes of the Annual General Meeting.
3. That in accordance with the Bushfire Advisory Committee annual general meeting recommendation to Council.  
"That the annual firebreak order be amended to return the restricted burning period to read "from 1 March to 30 April inclusive in lieu, with all signage being updated."
4. That in accordance with the resolution of the meeting a letter be written expressing the Shires protest against the new "Permit to Burn" permit, suggested letter attached.

**CARRIED 8/0**

**Res 94/13**

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

10.1.1	Heated Multipurpose Therapeutic Lap Pool
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Cr Biddle - 06/13

Motion

That the CEO be directed to clarify exactly what's being requested by the HMTLP committee, and then to provide a report to the December, 2013 meeting of Council in which:

- information on alternative configurations and methods of heating is provided
- cost estimates of the capital and operational costs of each are stated
- possible methods of funding are explored and provided

That the report be made available to ratepayers.

That ratepayers are given an opportunity to express their opinion on the matter before Council deals any further with it.

**CEO COMMENT**

It is noted that the call is for ratepayers involvement and it is possible that Cr Biddle meant electors (that is all persons eligible to vote for Council elections and not just those that pay rates).

The motion provides a good deal of lead time for the required work to be done and takes into account that Administration is in a very busy period now and for the next few months, and I record my appreciation for this latitude.

Councilors may wish to take the results of the customer satisfaction survey into account when dealing with this item as it indicates that the community does not want improvements to the swimming pool. Naturally, the results of any survey can be questioned and perhaps this is just another tool for Council to use to gauge priorities. It does bear out the thrust of the previous survey that showed roads and health to be areas where the community wanted improvements and so is worthy of reference when dealing with this item.

**MOVED INTO COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr Aird**

**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 95/13**

**Request for Vote to be recorded**

**Cr Biddle requested that the vote of all Councillors be recorded.**

**For**

**Cr Giles, Cr Kaltenrieder, Cr Imrie, Cr Walker, Cr Aird, Cr O'Hare and Cr Oversby**

**Against**

**Cr Biddle**

**Break for Afternoon Tea**

**Adjournment**

That the meeting be adjourned for an afternoon tea break, the time being 7.04pm.

**Resumption**

That the meeting resume, the time being 7.18pm.

The meeting resumed with the following persons in attendance.

Cr M Giles – Shire President

Cr G Aird

Cr E Biddle

Cr J Imrie

Cr P Kaltenrieder

Cr B O'Hare

Cr T Oversby

Cr R Walker

Mr Alan Lamb

Mr Rob Staniforth-Smith

Mrs Maria Lane

Rob Staniforth-Smith left at 6.24pm

Rob Staniforth-Smith returned at 6.25pm

Cr Oversby left at 7.00pm

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Biddle**

**SECONDED: Cr Aird**

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

**CARRIED 7/0**

**Res 96/13**

Cr Oversby returned at 7.08pm

Mrs Kemsley left at 7.16pm

Mrs Kemsley returned at 7.19pm

**NOTICE OF MOTION AND COUNCIL DECISION**

**MOVED: Cr Biddle**

**SECONDED: Cr Oversby**

**That the CEO be directed to clarify exactly what's being requested by the HMTLP committee, and then to provide a report to the December, 2013 meeting of Council in which:**

- information on alternative configurations and methods of heating is provided**
- cost estimates of the capital and operational costs of each are stated**
- possible methods of funding are explored and provided**

**That the report be made available to ratepayers.**

**That ratepayers are given an opportunity to express their opinion on the matter before Council deals any further with it.**

**CARRIED 5/3**

**Res 97/13**

**Request for Vote to be recorded**

**Cr Giles requested that the vote of all Councillors be recorded.**

**For**

**Cr Biddle, Cr Walker, Cr Aird, Cr Oversby and Cr O'Hare**

**Against**

**Cr Giles, Cr Imrie, Cr Kaltenrieder**

Mr & Mrs Kemsley left the Chambers at 7.37pm

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

Nil

**12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS**

Nil

**13 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Giles thanked all for attending and declared the meeting closed at 7.38pm.