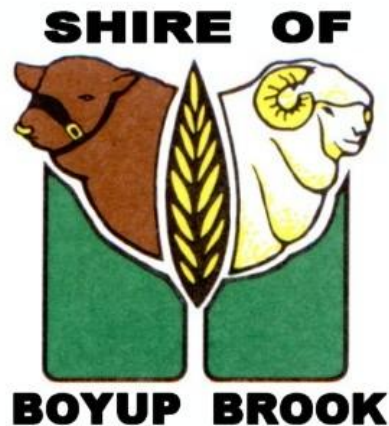


# Minutes



**ORDINARY MEETING**

held

**THURSDAY 27 August 2015**

**Commenced AT 5.00PM**

**AT**

**SHIRE OF BOYUP BROOK  
CHAMBERS**

**ABEL STREET – BOYUP BROOK**

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

**1.1 Attendance**

Cr M Giles – Shire President  
Cr G Aird – Deputy Shire President  
Cr N Blackburn  
Cr J Imrie  
Cr P Kaltenrieder  
Cr K Moir  
Cr O'Hare  
Cr T Oversby  
Cr R Walker

STAFF: Mr Alan Lamb (Chief Executive Officer)  
Mr Stephen Carstairs (Director Corporate Services)  
Mrs Maria Lane (Executive Assistant)

**1.2 Apologies**

**1.3 Leave of Absence**

**2 PUBLIC QUESTION TIME**

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

**3 APPLICATIONS FOR LEAVE OF ABSENCE**

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

- Cr Imrie informed Council a bus load of tourists will be arriving in the town next week which will be good for the businesses.
- Cr Blackburn & Cr Imrie attended the official opening of the Leschenault Recreation Pavilion held on 21st July in Australind. Cr Imrie mentioned it was a good venue and is shared by all the sporting groups.
- Cr O'Hare informed Council that the Community Resource Centre is interested in being an agency for the Bendigo Bank. This will be good for the community as it will provide employment and a service to the community.
- Cr Walker, Cr Moir and Cr Kaltenrieder attended the Bio Security Group meeting and informed Council on what was discussed.
- Cr Kaltenrieder attended the Blackwood Basin Group meeting and the WALGA Convention.
- Cr Aird attended the Sandakan service in Malaysia and thanked Council for giving him the opportunity to attend.

- Cr Aird attended the WALGA Convention; and gave an overview on the speakers at this year's Local Government Week. Generally the presentations were informative and the quality of the speakers was very good.

## **5 CONFIRMATION OF MINUTES**

### **5.1 Ordinary Meeting of Council - Thursday 16 July 2015**

#### **COUNCIL DECISION & OFFICER RECOMMENDATION**

**MOVED: Cr Oversby**

**SECONDED: Cr Kaltenrieder**

**That the minutes of the Ordinary Meeting of Council held on Thursday 16 July 2015 be confirmed as an accurate record.**

**CARRIED 9/0**

**Res 75/15**

## **6 PRESIDENTIAL COMMUNICATIONS**

Cr Giles had a phone conference with the Local Government Grain Infrastructure Group.

Cr Giles attended the Sandakan Service and President's Dinner which was a well organized venue and was privileged to be able to attend.

## **7 COUNCILLORS QUESTIONS ON NOTICE**

## 8 REPORTS OF OFFICERS

### 8.1 MANAGER WORKS & SERVICES

<b>8.1.1 Adoption of Procedures and Protocols required under Main Roads Western Australia's Instrument of Authority to allow deployment of temporary traffic signs and devices on roads within the Shire of Boyup Brooks jurisdiction.</b>
--

<b>Location:</b>	<i>Shire of Boyup Brook</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>19<sup>th</sup> of August, 2015</i>
<b>Author:</b>	<i>Rob Staniforth-Smith - MWKS</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Main Roads WA letter dated 23 of July, 2015 Administrative Protocol: Traffic Management for Works on Roads controlled by the Shire of Boyup Brook Procedure Manual: Traffic Management for Works on Roads controlled by the Shire of Boyup Brook</i>

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#### **SUMMARY**

The purpose of this report is to endorse the Administrative Protocol: *Traffic Management for Works on Roads* controlled by the *Shire of Boyup Brook* and the Procedure Manual: *Traffic Management for Works on Roads* controlled by the *Shire of Boyup Brook*.

#### **BACKGROUND**

The Commissioner of Main Roads has the authority to issue an 'Instrument of Authorisation' to the Shire of Boyup Brook to allow the Shire to deploy temporary traffic signs and devices on roads within its jurisdiction for the purpose of managing traffic during road works and events affecting traffic flow. This 'Instrument of Authorisation' also allows the Shire to authorise third parties to deploy traffic management devices on the Shire controlled roads for the purpose of managing traffic during road works and events.

Main Roads Western Australia have requested that the Shire of Boyup Brook supply a copy of its procedures and protocols showing that the Shire of Boyup Brook is complying with its obligations under the Instrument of Authority and the Occupational Safety and Health Act 1984.

To help Local Councils update their procedures and protocols, Main Roads Western Australia have supplied templates (attached) of the minimum protocols and procedure that they require to ensure that the Shire of Boyup Brook is carrying out its obligations. This report is to endorse the adoption of Main Roads Western Australia's standard protocols and procedures which are considered to be the minimum requirement in order to keep the Instrument of Authorisation.

#### **COMMENT**

In order to keep the "Instrument of Authority" issued by Main Roads Western Australia, allowing deployment of temporary traffic signs and devices on roads in its jurisdiction for the purpose of managing traffic during road works and events, the Shire of Boyup Brook needs to supply relevant procedures and protocols. The attached procedures and protocols meet Main Roads Western Australia's minimum requirements.

#### **CONSULTATION**

Chief Executive Officer

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

Additional Checking of Traffic Management Plans

#### **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**

**MOVED: Cr Blackburn**

**SECONDED: Cr Imrie**

**That Council approves and adopts:**

**The Administrative Protocol: *Traffic Management for Works on Roads controlled by the Shire of Boyup Brook***

- **The Procedure Manual: *Traffic Management for Works on Roads controlled by the Shire of Boyup Brook***

**CARRIED 9/0**

**Res 76/15**

**COUNCIL DECISION**

**MOVED:** Cr Walker

**SECONDED:** Cr Kaltenrieder

**That the Council adopts enbloc 8.2.1, 8.2.2 and 8.2.3**

**CARRIED 9/0**

**Res 77/15**

**8.2**

**FINANCE**

<b>8.2.1 List of Accounts Paid in June 2015</b>
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<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>20 August 2015</i>
<b>Author:</b>	<i>Stephen Carstairs – Director Corporate Services</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in June</i>

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**SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in June 2015 are presented to Council.

**BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 June 2015.

**COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 June 2015.

**CONSULTATION**

Nil

**STATUTORY OBLIGATIONS**

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



12. Payments from municipal fund or trust fund

(1) *A payment may only be made from the municipal fund or the trust fund —*

(a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*

(b) *otherwise, if the payment is authorised in advance by a resolution of the council.*

(2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

**13. Lists of accounts**

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

(a) *the payee's name;*

(b) *the amount of the payment;*

(c) *the date of the payment; and*

(d) *sufficient information to identify the transaction.*

(2) *A list of accounts for approval to be paid is to be prepared each month showing —*

(a) *for each account which requires council authorisation in that month —*

(i) *the payee's name;*

(ii) *the amount of the payment; and*

(iii) *sufficient information to identify the transaction;*

*and*

(b) *the date of the meeting of the council to which the list is to be presented.*

(3) *A list prepared under sub regulation (1) or (2) is to be —*

(a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*

(b) *recorded in the minutes of that meeting.*

**POLICY IMPLICATIONS**

Council's Authority to Make Payments Policy has application.

**BUDGET/FINANCIAL IMPLICATIONS**

Account payments accorded with the (amended) 2014-15 Annual Budget.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

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

That at its August 2015 ordinary meeting Council receive as presented the list of accounts paid in June 2015, and totalling \$601,896.19 and as represented by: cheque voucher numbers 19810-19837 totalling \$147,455.94; and accounts paid by direct electronic payments through the Municipal Account totalling \$454,440.25 and cheque voucher numbers 2051-2054 totalling \$650 paid through the Trust Account.

### 8.2.2 List of Accounts Paid in July 2015

<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>20 August 2015</i>
<b>Author:</b>	<i>Stephen Carstairs – Director Corporate Services</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in July</i>

### **SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in July 2015 are presented to Council.

### **BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 July 2015.

### **COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 July 2015.

### **CONSULTATION**

Nil

### **STATUTORY OBLIGATIONS**

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

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

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name;*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;**and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**POLICY IMPLICATIONS**

Council's Authority to Make Payments Policy has application.

**BUDGET/FINANCIAL IMPLICATIONS**

Account payments accorded with a detailed (draft) 2015-16 Annual Budget.

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2**

That at its August 2015 ordinary meeting Council receive as presented the list of accounts paid in July 2015, and totalling \$737,044.50 and as represented by: cheque voucher numbers 19838-19851 totalling \$111,476.38; and accounts paid by direct electronic payments through the Municipal Account totalling \$625,568.12.

**8.2.3 31 July 2015 Statement of Financial Activity**

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	20 August 2015
<b>Author:</b>	Stephen Carstairs—Manager Corporate Services
<b>Authorizing Officer:</b>	Alan Lamb—Chief Executive Officer
<b>Attachments:</b>	No

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**SUMMARY**

This report recommends that Council defer to the September 2015 ordinary meeting of Council the receiving of the Statement of Financial Activities and the Net Current Assets for the month ended 31 July 2015.

**BACKGROUND**

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

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

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

**COMMENT**

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

The 2015-16 Budget timetable set 27 August 2015 as the date that Council would consider a draft 2015-16 Annual Budget for adoption. At the time of writing this report, there were no July 2015 budget figures to compare actual incomes and expenditures with, and so presentation of the 31 July 2015 Statement of Financial Activity has been deferred to the September 2015 ordinary meeting.

**CONSULTATION**

Alan Lamb – Chief Executive Officer

**STATUTORY OBLIGATIONS**

Local Government (Financial Management) Regulations 1996, Regulation 33(A)

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

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

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.3**

**That receipt by Council of the shire's 31 July 2015 Statement of Financial Activity and Statement of Net Current Assets be deferred to Council's September 2015 ordinary meeting.**

### **8.3 CHIEF EXECUTIVE OFFICER**

<b>8.3.1 New Fire Policy – Final Endorsement</b>
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<b>Location:</b>	<i>Shire Boyup Brook</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>Nil</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>August 2015</i>
<b>Author:</b>	<i>A. Nicoll, Town Planner</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb, Chief Executive Officer</i>
<b>Attachments:</b>	<i>New Fire Policy</i>

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#### **SUMMARY**

The purpose of this report is to put before Council the request to endorse a new Fire Policy.

#### **BACKGROUND**

Evidence shows that cleared areas around buildings and superior constructions standards of homes can reduce the exposure to bushfire and thus assist in firefighting efforts (Department of the Premier and Cabinet (2015), Bushfire Reviews,)

The Shire developed a Fire Policy with procedures and standards applicable to new development proposed in areas at risk from bushfire. Development within 100m of vegetation (> 1ha) is at risk from bushfire.

#### **CONSULTATION**

In July 2015, the Shire advertised a draft fire policy and at the close of advertising, no submissions were received.

#### **COMMENT**

Principle aims of the Fire Policy include:

- To reduce the probability of fire (reducing fuel loads); and
- To protect new development from fire (improved building construction standards).

The Fire Policy has been developed considerate of Government regulations, standards and policy, including:

- *Australian Standards 3959 – Construction of Buildings in Bushfire-prone-areas;*
- *Draft Planning and Development (Bushfire Risk Management) Regulations 2014;*
- *State Planning Policy 3.7 – Planning for Bushfire Risk Management (SPP 3.7), and the associated Planning for Bushfire Risk Management Guidelines.*

These instruments apply to different stages of the planning process but work together to achieve the objective of reducing the impact of bushfire damage on lives and property.

The new Fire Policy seeks to provide guidance on:

- Types of vegetation deemed to be of a high fire risk;
- Types of development that needs to be protected from fire;
- Standards applicable to developing a Fire Management Plan;
- Standards applicable to determining a Bushfire Attack Level; and
- Environmental values applicable when assessing fire risk.

#### **STATUTORY OBLIGATIONS**

In accordance with the Shire's *District Planning Scheme 2*, the Council in considering an application for planning approval, is to have due regard to threat of bushfire (Clause 3.4.3).

The Shire's scheme provides regulatory guidance on adopting policies. The scheme states:

*A Policy shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision. Any policy prepared shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.*

The new draft fire policy aims to deliver consistency between the scheme and policy provisions and objectives.

#### **POLICY IMPLICATIONS**

There are no policy implications relating to this item.

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

There are no financial implications relating to this item.



**STRATEGIC IMPLICATIONS**

The Shire does not have any policy guidelines adopted to ensure development appropriately considers fire risk. The Fire Policy seeks to assist the scheme in reducing the possibility and impact of fire.

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple majority

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

**MOVED: Cr Oversby**

**SECONDED: Cr Aird**

**That Council**

- 1. Agrees to endorse a new Fire Policy; and**
- 2. Authorizes the CEO to publish notification of the final adoption once in a newspaper/gazette, circulating within the Shire area.**

**CARRIED 9/0**

**Res 78/15**

**8.3.2 Lot 8548 Boyup Brook Cranbrook Road – Single House (Relocated)**

<b>Location:</b>	<i>Lot 8548 Boyup Brook-Cranbrook Road</i>
<b>Applicant:</b>	<i>R Forbes</i>
<b>File:</b>	<i>A7480</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>August 2015</i>
<b>Author:</b>	<i>A. Nicoll, Town Planner</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb, Chief Executive Officer</i>
<b>Attachments:</b>	<i>Planning Application</i>

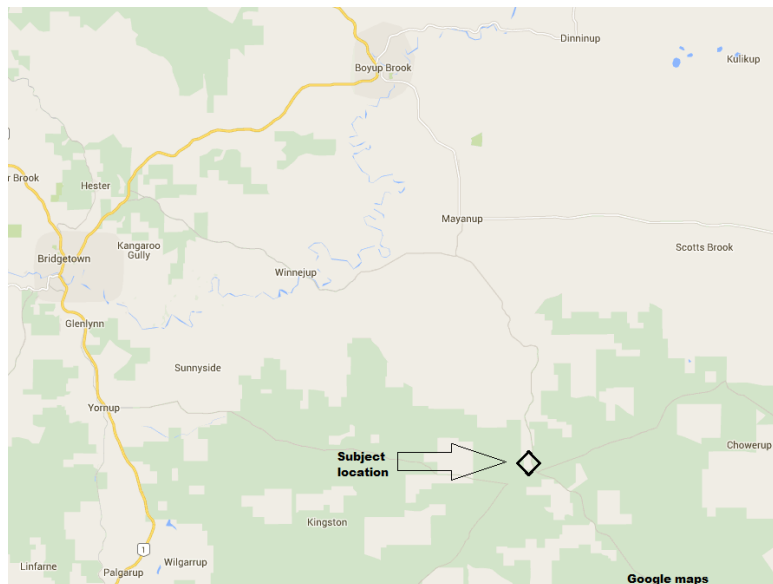
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**SUMMARY**

The purpose of this report is to put before Council the request to develop a Single House (Relocated) at Lot 8548 Boyup Brook-Cranbrook Road.

**BACKGROUND**

The Shire of Boyup Brook received an application to develop a Single House (Relocated) with a commitment to demolish an existing house, at Lot 8548 Boyup Brook-Cranbrook Road.



**COMMENT**

**Subject Property**

The subject property:

- Is zoned 'Rural';

- Is accessed via one crossover to Boyup Brook-Cranbrook Road; and
- Has an existing House.

Proposal

The proposal is to:

1. Relocate a second-hand house with four bedrooms and two bathrooms, to Lot 8548 Boyup Brook-Cranbrook Road;

Single House - Visual



2. Once relocated, re-develop with external colourbond roof and walls; and
3. Demolish an existing house positioned at Lot 8548 Boyup Brook-Cranbrook Road.

Likely Impact of the development on the locality

The proposal is unlikely to impact on the locality for the following reasons:

- The subject property is isolated from neighbouring farms;
- The proposed house is well setback (300m) from the main road;
- The proposed house is to be positioned amongst other developed infrastructure (sheds); and
- It is proposed that the house is re-developed with appealing (colourbond) external cladding.

## **STATUTORY OBLIGATIONS**

### Zone

Lot 8548 Boyup Brook-Cranbrook Road is zoned 'Rural' in accordance with District Planning Scheme 2.

The Rural Zone is intended primarily for the preservation of agriculturally significant land. Land within the Scheme Area is capable of high levels of agricultural production and is therefore a valuable resource worthy of protection. Council shall therefore seek to ensure that no action is taken to jeopardize that potential.

The proposed single house is not expected to jeopardize the potential for agriculture.

### Zoning Table

A Single House in the 'Rural' zone is a use that is permitted subject to compliance with all requirements of Scheme 2.

The proposal to develop a single house and to demolish an existing house at Lot 8548 Boyup Brook-Cranbrook Road, complies with the Scheme 2 requirements including achieving a 10m setback to property boundaries.

## **POLICY IMPLICATIONS**

The following policy applies to the subject application:

'POLICY NO. B.08 Transportable Residences'

The following Policy B.08 provisions are applicable to the application at hand:

- *Relocated houses may not be brought into the shire until a building permit is issued.*
- *Houses clad with asbestos cement sheeting will be permitted, provided the cladding is undamaged and the relocation complies with the Health (Asbestos) Regulations.*
- *The visual amenity of the building shall be brought up to the required standard within three (3) months of being placed on the lot.*
- *The building application shall include a Structural Engineers Report with the following:*
  - *A statement that the proposed dwelling is in a sound structural condition and can be transported and relocated on a stump floor system. the report must also detail any defects in relation to cladding, roofing, etc and repairs necessary to bring the house up to the required standard;*
  - *Photographs of each elevation;*
  - *Building plans of the dwelling as per the building regulations;*
  - *Septic tank application form and plans;*
  - *Building permit fee and bond (cash or bank guarantee) must be paid prior to the issuing of a building permit.*

- *Stumps may be of timber, steel or concrete. All timber stumps and sole plates to be of new jarrah or other hardwood approved by the Building Surveyor. No second-hand wood stumps or sole plates to be used.*
- *All damaged sections of external wall cladding and roof sheeting shall be replaced with new material to match existing.*
- *If more than 10% of roofing sheets, gutters, ridge caps or flashings are affected by rust then those sheets or materials must be replaced with new roofing materials to match existing.*
- *Any damaged or rusted gutters or downpipes are to be replaced with new materials to match existing.*
- *Any damaged tiles to be replaced with new tiles of the same colour and design as the existing tiles.*
- *All windows and openings are to comply with the Building Code of Australia. All broken glass in the dwelling is to be replaced, all windows and doors to open freely and locks and catches are to be easily operable.*
- *The building is not to be occupied prior to final inspection by the Building Surveyor.*

#### **CONSULTATION**

N/A

#### **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 8.3.2**

**MOVED: Cr Moir**

**SECONDED: Cr Imrie**

**That Council**

Grants planning scheme consent for Lot 8548 Boyup Brook-Cranbrook Road for the purpose of Single House (Relocated) and subject to the following conditions:

### **Conditions**

1. Development is to be carried out in accordance with the approved plans dated August 2015.
2. If the Single House (relocated) is not substantially commenced within two years, a fresh approval must be obtained before commencing or continuing development.
3. The existing house is to be demolished prior to completion of the Single House (relocated).
4. All stormwater is to be managed and contained on-site, to the satisfaction of the Shire of Boyup Brook.

### **Advice**

1. The Shire has adopted a Policy applicable to a relocated house. The following policy provisions apply and will need to be addressed as part of submitting a building permit:
  - a. Houses clad with asbestos cement sheeting will be permitted, provided the cladding is undamaged and the relocation complies with the Health (Asbestos) Regulations.
  - b. The building application shall include a Structural Engineers Report with the following:
    - A statement that the proposed dwelling is in a sound structural condition and can be transported and relocated on a stump floor system. The report must also detail any defects in relation to cladding, roofing, etc and repairs necessary to bring the house up to the required standard;
    - Photographs of each elevation;
    - Building plans of the dwelling as per the building regulations;
    - Septic tank application form and plans;
    - Building permit fee and bond (cash or bank guarantee) must be paid prior to the issuing of a building permit.
  - c. Stumps may be of timber, steel or concrete. All timber stumps and sole plates to be of new jarrah or other hardwood approved by the Building Surveyor. No second-hand wood stumps or sole plates to be used.
  - d. All damaged sections of external wall cladding and roof sheeting shall be replaced with new material to match existing.
  - e. If more than 10% of roofing sheets, gutters, ridge caps or flashings are affected by rust then those sheets or materials must be replaced with new roofing materials to match existing.
  - f. Any damaged or rusted gutters or downpipes are to be replaced with new materials to match existing.
  - g. Any damaged tiles to be replaced with new tiles of the same colour and design as the existing tiles.
  - h. All windows and openings are to comply with the Building Code of Australia. All broken glass in the dwelling is to be replaced, all windows and doors to open freely and locks and catches are to be easily operable.
  - i. The building is not to be occupied prior to final inspection by the Building Surveyor.

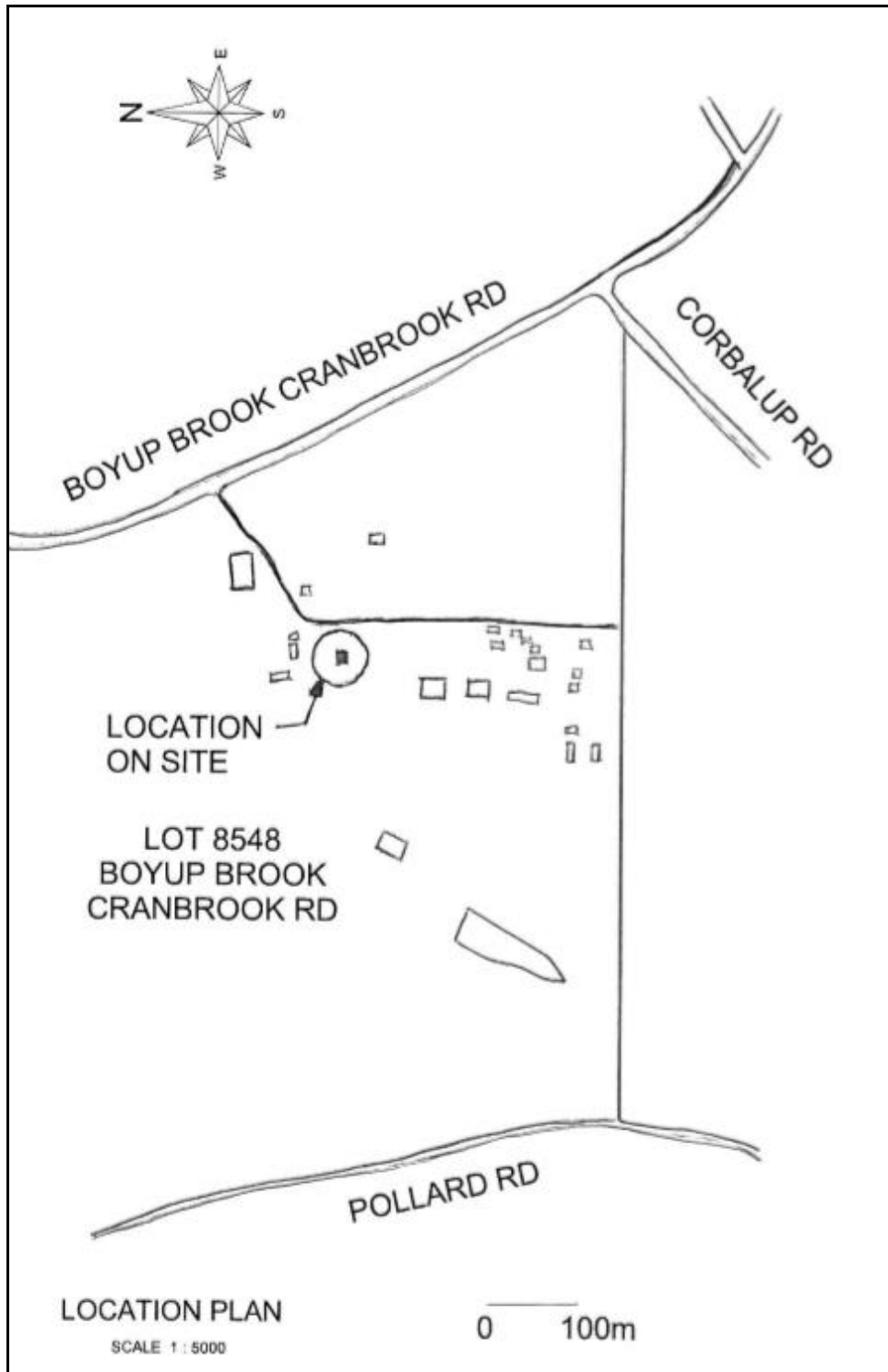
**Notes**

This Planning Scheme Consent contains 4 conditions.

You may appeal against any condition contained in this consent provided it is lodged within twenty-eight (28) days of the date of issue. For further information regarding this, refer to [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au), with reference to section 252 of the Planning and Development Act (2005) (as amended).

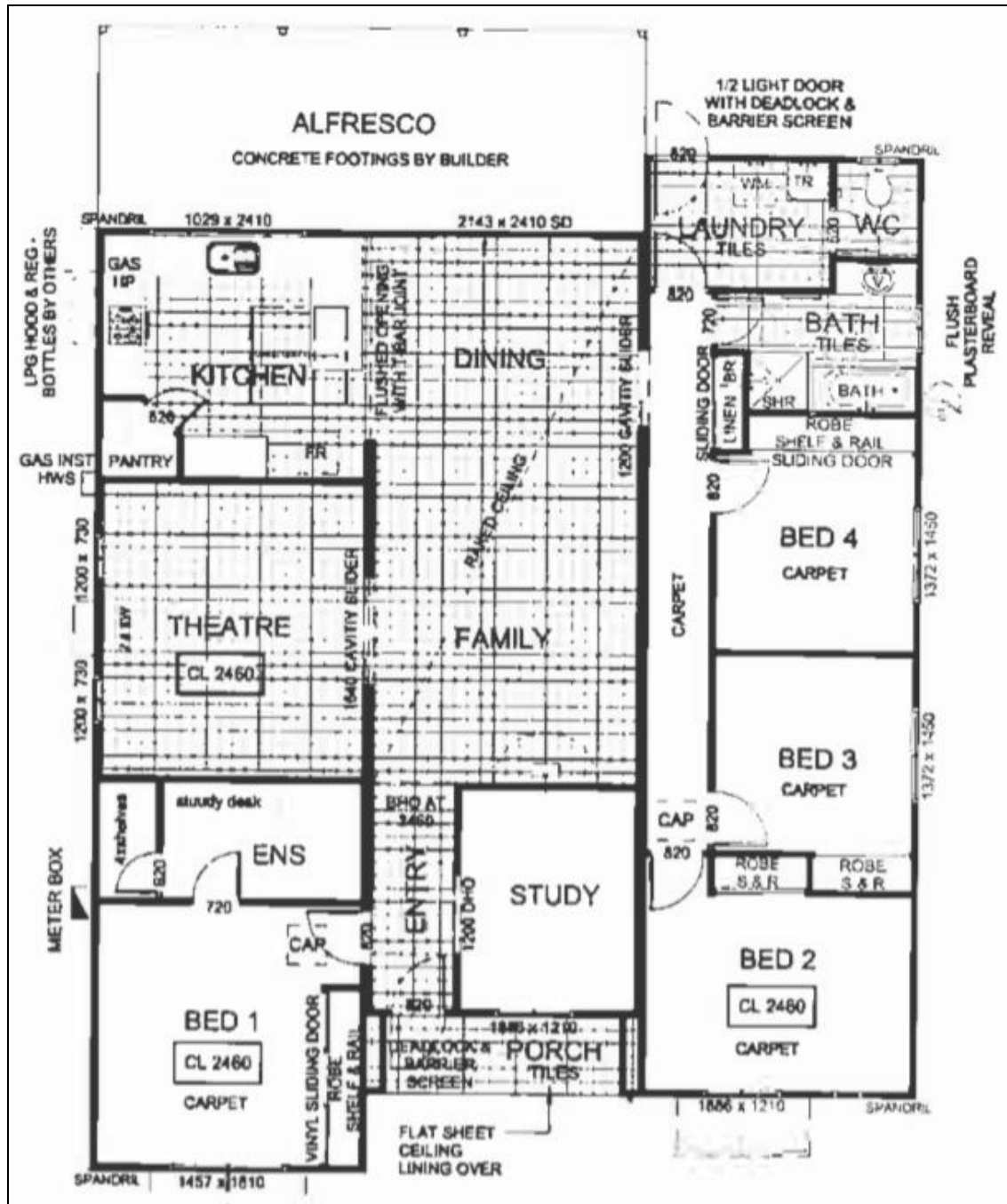
**Approved Plans – August 2015**

Single House - Site Plan

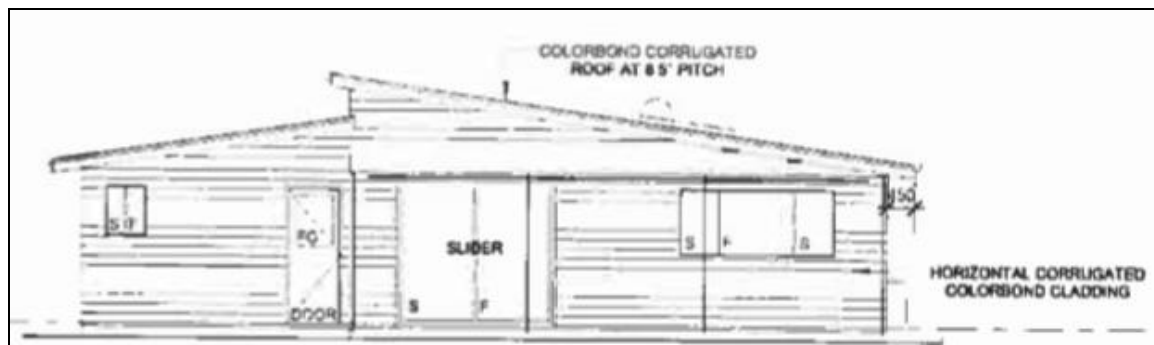
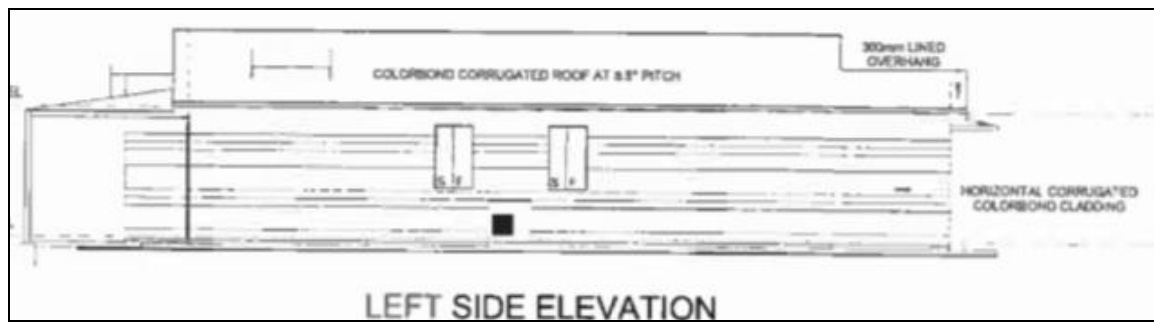
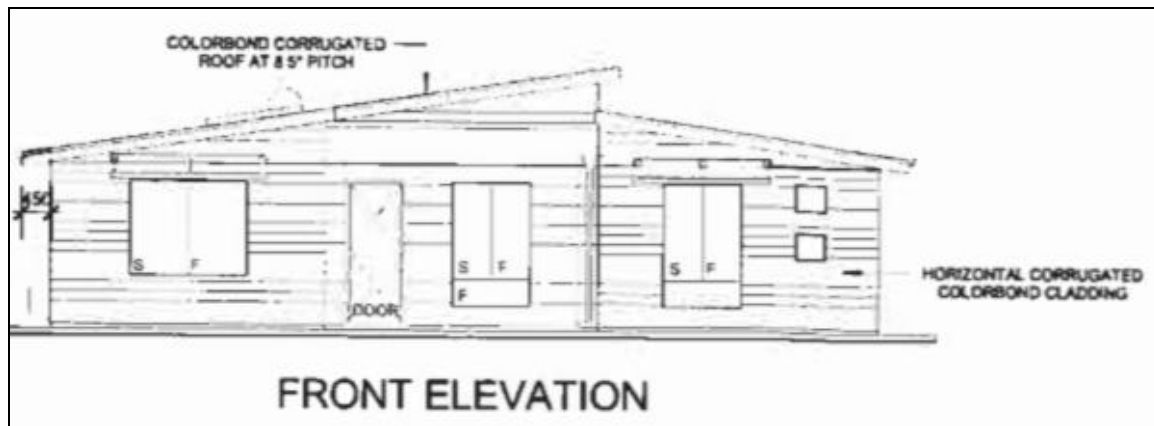




Single House – Floor Plan



Single House - Elevations



CARRIED 9/0

Res 79/15

### 8.3.3 Event Management Policy and Guidelines

<b>Location:</b>	N/A
<b>Applicant:</b>	
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	June 2015
<b>Author:</b>	Angela Hales
<b>Authorizing Officer:</b>	Alan Lamb
<b>Attachments:</b>	New policy & application guidelines

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#### **SUMMARY**

The purpose of this item is to present the new Event Management Policy and approval process to the Council for discussion and adoption.

#### **BACKGROUND**

Advice from LGIS is that all Local Government Authority's have a responsibility to ensure all event organisers have conducted a due diligence assessment on their event, with the aim to ensuring a safe, secure and quality event.

As a result of the outcomes from the inquiry into the Ultra Marathon Race in the Kimberley, it was found that many small LGA may not have a formal approval process in place that allows a due diligent check of the standard of care being afforded to protect the LGA, the community's assets and interests, and reputation.

A clearly stated policy and approval process will ensure event organisers approach their event with a level of assurance that benefits everyone.

#### **COMMENT**

The statutory framework that supports the event approval process is provided within the legislation listed below. The *Health (Public Buildings) Regulations 1992*, in particular requires any event over 5000 to have a risk management plan in place and for various approval certificates to be sited and signed by the LG.

The Event Approval Policy & approval process is based on the guidelines outlined in the Department of Health's "Guidelines for concerts, events, and organised gatherings.", and advice from LGIS, and is a standard management tool used to ensure an objective approach has been adopted to assess all events.

Adopting this process will also provide uniformity within LGAs when considering the conduct of an event within the shire.

### **CONSULTATION**

During the draft stages of the document and templates, event organisers have been consulted, encouraged to use the forms and provide feedback on the process. While additional instruction and some education will be needed for community group organisers, the process has been generally well received.

### **STATUTORY OBLIGATIONS**

Health Act 1911

Health (Public Buildings Regulations) 1992

Building Act 2011

Liquor Control Act 1988

Food Act 2008

Environmental Protection (Noise) Regulations 1997

Security and Related Activities (Control) Act 1996

Misuse of Drugs Act 1981

Caravan Parks and Camping Ground Act 1995 & Regulations.

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

Dependant on whether the Council seeks to be reimbursed for officer's time providing advice and reviewing plans.

### **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

### **OFFICER RECOMMENDATION – 8.3.3**

**That Council adopts the Policy – Event Management & Approval Process Guidelines.**

**REVISED RECOMMENDATION**

**Moved: Cr Moir**

**Seconded: Cr Walker**

**The matter be put back to administration for further consideration.**

**CARRIED 9/0**

**Res 80/15**

<b>8.3.4 Guidelines for Stump Grinder Operations</b>
--

***Location:*** N/A

***Applicant:*** Daly Winter

***File:***

***Disclosure of Officer Interest:***

***Date:*** 17 August 2015

***Author:*** Daly Winter

***Authorizing Officer:*** Alan Lamb

***Attachments:*** Guidelines for Stump Grinder Operations in the Shire of Boyup Brook V3.

---

**SUMMARY**

The Bush Fire Advisory held a Special Meeting of the committee on Friday the 7<sup>th</sup> of August to discuss draft Guidelines for Stump Grinder Operations in the Shire of Boyup Brook. At the meeting the draft guidelines were discussed and amended. The final sets of guidelines have been accepted by the Bush Fire Advisory Committee and they are tabled here for review and possible endorsement by Council.

**BACKGROUND**

In late July Mr David Fortune (FCO McAlinden Brigade) contacted Mr David Inglis (Chief Bush Fire Control Officer) regarding a stump grinder operating near Dave's farm. Dave had observed a grinder during operations in a plantation and he raised concerns regarding the sparks being thrown a considerable distance from the machine. David and members of the X Ray team met Dave the following evening on site at the plantation to observe the operation first hand and they considered the operation required some set guidelines when operating during restricted and prohibited burning periods. Hence the guidelines were drafted and presented to the Advisory Meeting.

**COMMENT**

I believe the CBFCO and his X-Ray team has been proactive in drafting these guidelines and submitting them for approval by the Bush Fire Advisory Committee and I commend them on their positive approach in addressing this issue.

**CONSULTATION**

Members of the Bush Fire Advisory who attended the meeting were consulted on this matter.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION**

**MOVED: Cr Moir**

**SECONDED: Cr Blackburn**

**I recommend to Council to:**

- 1. Accept the thrust of the attached guidelines for stump grinder operations in the Shire of Boyup Brook.**
- 2. That administration revise the wording of the guidelines so that they clearly relate only to stump grinding operations.**
- 3. That Council agrees to promote these guidelines to our community by, placing an article into the local Gazette newspaper for two months.**

**CARRIED 9/0**

**Res 81/15**

<b>8.3.5 License to occupy Corridor Rail Reserve for the purposes of a Walk Trail</b>
---

<b>Location:</b>	<i>Boyup Brook</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>21 August 2015</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Copy of draft license</i>

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### **SUMMARY**

The purpose of this report is to put the draft license to Council for approval.

### **BACKGROUND**

Council has had an agreement with the Public Transport Authority (PTA) to use the portion of its rail corridor from behind the flax mill to Skeleton Bridge for a number of years. The previous agreement expired some time ago and the new license is now presented for endorsement.

In addition to the portion of land previously used under agreement, Council has occupied and used PTA land behind the Shire Depot for many years. The new agreement includes this piece of land to legitimize this use.

The license is for a term of 10 years commencing 10 December 2014, when the previous lease expired.

### **COMMENT**

The attached license is a standard format with the following main points:

License fee – peppercorn

Term – 10 years from 10 December 2014

Permitted use – Community Purpose – Walk Trail

It is recommended that Council agree to the terms and authorise the document to be executed (seal affixed and witnessed by the President and CEO).

**CONSULTATION**

The matter of the continued access to the rail corridor has been discussed on a number of occasions.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil. Whilst there is no rental fee for this agreement there are liability and maintenance issues however these have been ongoing for a number of years and so are included in budgeted operational costs.

**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 Aird**

**SECONDED: Cr O’Hare**

**That Council endorse the attached License to Occupy L7043 Boyup Brook and authorise the affixing of the Shire Common Seal.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**Res 82/15**



**8.3.6 Wilga Mill site – Management of land**

<b>Location:</b>	<i>Lots 302-305 on Deposited Plan 47950</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>20 August 2015</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Confidential copy of a preliminary draft License agreement. Copy of plans</i>

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**SUMMARY**

The purpose of this report is to put before Council the proposal that it accept the notion of a licence to use the land as an interim measure leading to a more secure management/ownership arrangement, that it authorise the Chief Executive Officer to work with State Land Services on the development of a draft license, that includes any matters the Council may wish to add, to be brought back to Council for final consideration.

**BACKGROUND**

Councillors will be aware that the old mill has been a community and Council concern for many years. Matters relating to it appear in Council minutes regularly through the years from at least 2002.

In September 2014, Council passed the following resolution:

***That Council exerts all pressure it is able to on all relevant parties, including the local Member of Parliament, in order to have the old timber mill site in Wilga cleaned up and made safe. That in addition, Council seeks to have the land transferred to Council's management.***

The arrangement between the previous licensee and the State Government ended 31 July 2015 and Council is being offered a licence to occupy for the site as an interim whilst a more permanent arrangement is made. State Land Services (SLS) has advised that it will arrange for the site to be cleaned up using the income from any saleable materials to pay for this.

The land is Unallocated Crown Land and so may be subject to native title claim, which may make the process to reserve or freehold it protracted.

### **COMMENT**

Based on information provided by SLS, the State will be responsible for the remaining bits of the mill and they want to know if there is any current purpose for the tank and tank stand. SLS's legal section will draw up the license and the suggested wording to cover future tenure aspirations was "The Shire has Management of the site under the licence whilst the future planning and tenure is under consideration."

There are some concerns regarding the tank stand as it with its tank represent a potential hazard. The condition of the stand and tank is unknown but given its age it is likely that factors such as rust, termites and weathering will have taken their toll. It may also represent an opportunity for people to climb, with all of the relevant liability issues, on balance it is recommended that SLS be asked to remove it. If there is an overriding need to keep this structure however, it is recommended that Council seek to have it inspected by a suitably qualified structural engineer, or the like, and be certified for the desired use. Fencing the stand, it is to stay, should also be considered.

It is suggested that the stance of SLS in relation to what is left of the old mill, is sound as it will mean that Council's limited resources will not have to be diverted to this further workload.

The land in question comprises four lots in Wilga, lots 302 to 305 inclusive. Each lot is separated by one or more roads and they vary in size and shape. Lot 302 appears to be 2,382M<sup>2</sup>, 303 to be 22,767M<sup>2</sup>, 304 to be 2,502M<sup>2</sup> and 305 to be 35,969. Looking to future use opportunities, lots 302, 303 and 304 look to be well suited to commercial use (retail, offices etc) and 305, whilst close to residential development might lend itself to industrial uses that are low noise, smell and the like (tyre shop, mechanical workshop etc). But all of this is somewhat in the future at this time and will no doubt become the feature of future debates when Council gets to planning the community's vision for Wilga's future.

### **CONSULTATION**

The matter of the mill has been a feature of a number of Council meetings over the years, there have been at least two petitions and numerous pieces of correspondence. Council wrote to the Hon Terry Redman and SLS seeking a quick and final resolution to the previous arrangements for the mill site and for the Shire to have long term management of it. Mr Redman wrote in support of these aims and SLS have worked through the issues and now is in apposition to offer the Shire a license ahead of more permanent arrangements.

### **STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time however management of the area will be a net cost (representing public liability insurance, fire protection measures, and general management. At this stage it appears there will be no costs to obtain the license and that the annual fee will be \$1.

**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

Cr Oversby left the Chambers at 6.29pm

Cr Oversby returned to the Chambers at 6.30pm

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.6**

**MOVED: Cr Walker**

**SECONDED: Cr O’Hare**

**That Council;**

- 1. accept the notion of a licence to use lots 302 to 305, on Deposited Plan 47950, inclusive as an interim measure leading to a more secure management/ownership arrangement,**
- 2. that it authorise the Chief Executive Officer to work with State Land Services on the development of a draft license,**
- 3. seek to have the following included in the license**
  - 3.1. Retention of 3 phase power.**
- 4. Require that the final draft of the license be brought back to Council for final consideration.**
- 5. Seek to have State Land Services remove the water tank and tank stand on lot 305 removed as part of its site clean up.**

**CARRIED 9/0**

**Res 83/15**

**Impartiality Interest**

Cr Oversby declared an impartiality interest in the following item due to being a member of the Kulikup Hall Committee.

<b>8.3.7 Kulikup Hall 100th year celebration – request for support</b>
--

<b>Location:</b>	<i>Kulikup</i>
<b>Applicant:</b>	<i>Kulikup Hall Committee</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>21 August 2015</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Copy of letter of request</i>

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**SUMMARY**

The purpose of this report is to put before Council the committee's request with a recommendation that assistance be provided.

**BACKGROUND**

Kulikup Hall Committee (KHC) is working on celebrations to commemorate:

- 100 years of the Kulikup Hall
- 100 years of the first race meeting
- 100 years of the telephone exchange coming to town

The KHC had a meeting in July to discuss the milestone and how to recognise it. This meeting was very well attended (20 people). They have commenced painting the hall and have provided information on maintenance and other matters that administration is working through. The group seeks \$1,000 to enable them to purchase more paint for the hall and to assist with other expenses leading up to the celebrations.

**COMMENT**

Whilst this request has been made outside of the donation request program, and so has not been budgeted for, it is a very important milestone for the community and assistance is recommended.

Matters raised by the KHC Secretary/Treasurer, in her letter, are being attended to as part of the normal workings of Council and out of operational provisions. Some of the required works have already been attended to.

The KHC does not appear to have sought assistance from Council for many years (at least seven from memory) and is well into preparing the hall, and the like, as a community effort. The KHC seeks a \$1,000 from Council to assist it in its efforts.

### **CONSULTATION**

The author has spoken with the KHC representative and other Council officers.

### **STATUTORY OBLIGATIONS**

Nil

### **POLICY IMPLICATIONS**

Council's Donations Policy applies. Whilst the policy provides that the request should be rejected by the CEO, with respect, this aspect of the policy has not been followed. In an ideal world, the 100<sup>th</sup> year recognition would have been a part of planning some time ago but it is not always easy to get people enthusiastic well ahead of an event. The KHC has been very successful in getting a large attendance at its July meeting and a hive of activity has followed. There is renewed interest in the hall and what the community could use it for. Council has a Member on the KHC and he may wish to elaborate on this renewed interest especially by the younger people of the community which augurs well for the future of the hall.

### **BUDGET/FINANCIAL IMPLICATIONS**

No provision has been made, for this contribution, in the draft 2015/16 budget presented to Council at this meeting. Whilst this is so, and whilst the draft before Council has an insignificant surplus (that is at 30 June 2016), the \$1,000 would be met by savings and additional income throughout the year. If Council agrees to the contribution, it is proposed that the additional expenditure be recognised as part of the half year budget review and incorporated into the revised budget at that time.

### **STRATEGIC IMPLICATIONS**

The recommendation entails the commitment of funds outside of the budget and so an Absolute Majority decision is required.

### **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 8.3.7**

**MOVED: Cr Walker**

**SECONDED: Cr Blackburn**

**That Council contribute \$1,000 to the Kulikup Hall Committee's efforts in preparing the hall and staging 100<sup>th</sup> year celebrations, with the funds coming from the end of year current position. The additional expenditure to be included in the half year budget review and subsequent revised budget.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**Res 84/15**

<b>8.3.8 Regional Waste Management Strategy</b>
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<b>Location:</b>	<i>South West Region</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>21 August 2015</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Nil</i>

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**SUMMARY**

This report presents the Regional Waste Management Strategy document developed by Talis Consultants (emailed to all Members prior to the meeting) on behalf of the South West Region group of Councils and recommends approval of the recommendations put forward by that study.

**BACKGROUND**

With the increasingly stringent standards and requirements by the State's waste regulatory authorities, waste operations and infrastructure are requiring substantial investments and increasing operating costs.

In order to work towards a cost-effective solution for waste management in the long term, the Shire has been involved in Bunbury Wellington Group of Councils (BWGC) initiatives such as an attempt to purchase a suitable site from the Shire or Dardanup, using regional Country Local Government grant funding, and more recently an initiative incorporating all local governments in the South West region. With assistance from SWDC the now larger group engaged Talis Consultants to undertake a regional study to look at the benefits regional collaboration may bring.

In July 2015 Talis Consultants submitted the regional waste management study which makes recommendations for a structured process to move forward.

**COMMENT**

All participating Local Governments are putting the Talis report to their Councils this month to gain support to keep working on a regional solution.

Most are treating the report as confidential because it contains commercially sensitive information.

It is recommended that Council support the further study of a regional waste solution, as spearheaded by BWGC.

**CONSULTATION**

The matter of a joint solution to waste management has been before Council a number of times over the past few years.

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

Nil at this time. Any further work on a regional solution will need to be jointly funded in some way. Indications are that all of the recommended further studies will cost in the order of \$200,000 over two years. This cost would be split between the Council's based on equity with the smaller Council's paying less than the larger ones. The BWGC will look at using accumulated funds it has and grant funding to minimise the impact on constituent Councils. The current draft budget provides for \$1,700 on BWGC initiatives. \$500 of this is the standard annual contribution and the balance could be used for these further studies.

Whilst the recommendation supports further contribution to the project, the exposure is limited to the \$1,700 budget provision. Any expenditure requirement past this amount would have to come back to Council for specific approval.

**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 8.3.8**

**MOVED: Cr Aird**

**SECONDED: Cr Kaltenrieder**

**That Council supports the Regional Waste Strategy's recommendations to continue working towards developing a South West Regional waste management system, in collaboration with the other local government authorities, including participating and contributing to further studies to assess strategic options, waste to energy development opportunities, regional site alternatives and establish an appropriate governance model.**

**Carried 8/1**

**Res 85/15**

<b>8.3.9 Adoption of the 2015-16 Annual Council Budget</b>
--

<b>Location:</b>	Boyup Brook
<b>Applicant:</b>	Not Applicable
<b>File:</b>	
<b>Disclosure of Interest:</b>	None Applicable
<b>Date:</b>	20 August 2015
<b>Author:</b>	Alan Lamb - Chief Executive Officer
<b>Attachment:</b>	Yes

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**SUMMARY**

It is recommended that Council adopt the Budget proposals and supporting documents along with the rates parameters and associated fees and charges for the 2015-16 financial year.

**BACKGROUND**

Council needs to adopt its annual budget before rate notices are issued, and before capital works are commenced.

It is a statutory requirement that a Council's budget shall be adopted before the end of August, unless Ministerial permission has been obtained for a later date of adoption (s. 6.2.(1) *Local government to prepare annual budget* as seen in the Local Government Act 1995, absolute majority required).

At its 02 July 2015 special meeting, Council dealt with Annual Fees and Allowances for Election Members and resolved as follows:

- 1. Retain in 2015-16 the annual attendance fee method of payment of Councillor and President meeting attendance fees, rather than the 'per meeting basis' method.***
- 2. Set in 2015-16 Councillor meeting attendance fees, President's annual attendance fee and allowance, and ICT allowances as follows:***
  - Annual Attendance Fee for Council Members is to be \$6,915;***
  - Annual Attendance Fee for Shire President is to be \$13,295;***
  - Annual President's Allowance is to be \$6,920;***
  - Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance i.e. \$1,730; and***
  - Annual Information and Communications Technology Allowance is to be \$1,165.***

**CARRIED BY ABSOLUTE MAJORITY 8/1**

**Res 63/15**

Further, at the July special meeting Rates and Minimum Rate Payments to be levied in 2015-16, and resolved, among other things, as follows:

- 1. Endorse for advertising for a minimum of twenty-one (21) days and seeks public submissions on the following notional differential general rates and minimum payments to be applied from 1 July 2015 for the 2015-16 financial year in accordance with section 6.36 of the Local Government Act 1995:**

**2015-16**

<b>Rate Classes</b>	<b>Rate in \$</b>	<b>Min \$'s</b>
<b>GRV</b>	<b>11.5995</b>	<b>806</b>
<b>GRV-Urban Townsites</b>	<b>11.5995</b>	<b>806</b>
<b>UV-Rural</b>	<b>0.6750</b>	<b>747</b>
<b>UV-Urban Townsites</b>	<b>0.6750</b>	<b>747</b>
<b>UV-Mining</b>	<b>14.9207</b>	<b>850</b>

- 3. In accordance with section 6.33(3) of the Local Government Act 1995, authorises the CEO to seek approval from the Minister for Local Government to approve the Council in imposing a rate in the dollar for UV Mining (14.9207) which will result in it being more than twice the lowest differential general rate (0.6750) imposed.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**Res 62/15**

The rates for 2015-16 were modeled on the basis that owners of Crown Grants 11859 (A15129), 12087 (A3270) and 4522 (A12300) properties would pay 50% of their rates, and that this concession should be subject to the Shire of Donnybrook-Balingup also providing these landowners with a 50% concession.

On 13 August 2015 the Department of Local Government and Community advised officers that the Minister had approved Council's proposal to impose UV-Mining rates (14.9207 cents in the \$) such that they were more than twice the lowest differential general rate (0.6750 cents).

**COMMENTS**

When considering a new budget, perhaps the most important item within the budget document is the Rate Setting Statement, and this is on page 3 of the attached 2015-16 Draft Annual Budget.

Department of Local Government and Community staff advised shire officers that – as all mining tenements might not be vacant land, the shire is compelled to set a minimum rates payment such that no more than 50% of the properties would be minimum rated. Hence the 2015-16 rates were modelled such that minimum rated UV-Mining properties would pay \$500.00.

### **CONSULTATION**

The Department of Local Government and Community advised officers on section 6.35 of the Act, seeking Ministerial approval for imposing minimum rates payments such that more than 50% of properties in a category would be minimum rated.

It is proposed that the draft budget will be workshopped by Council on Thursday 27 August 2015. Further, long term road construction, building, and plant replacement plans have been before Council.

### **STATUTORY ENVIRONMENT**

The statutory implications associated with this item are the Local Government Act 1995 Section 6.2 and the Local Government (Financial Management) Regulations 1996 Part 3 prescribes the requirements of the annual budget. The final document will be compiled in those formats, as well as including relevant additional appendices.

### **POLICY IMPLICATIONS**

There are no new Policy implications associated with the adoption of this budget.

### **FINANCIAL IMPLICATIONS**

As presented in the budget document.

### **STRATEGIC IMPLICATIONS**

This budget commences a more structured approach to the provision of services, and their associated assets, and these will be further refined over the next 6-9 months.

### **VOTING REQUIREMENTS**

Absolute majority.

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

1. That Council adopt the 2015-16 Budget as set out in the papers attached.
2. **Minimum Rates Payment**  
That in 2015-16 Council sets the Minimum Rates Payment at:
  - Gross Rental Value (GRV) Rate - \$806.00
  - Unimproved Value (UV) Rural and Urban Rural - \$747.00
  - Unimproved Value (UV) Mining - \$500.00.
3. **Rates in the Dollar**  
That in 2015-16 Council sets the Rates in the dollar at:
  - Gross Rental Value (GRV) Rate – 0.115995 cents
  - Unimproved Value (UV) Rural and Urban Rural Rate – 0.006750 cents

- Unimproved Value (UV) Mining Rate – 0.149207 cents.
4. **Waste Collection Rate and Kerbside Waste and Recycling Receptacle Charge**  
That in 2015-16 Council sets Waste Rates and Receptacle Charges as follows:
- Waste Collection Rate per property in the district – 0.0003 cents in the \$;
  - Minimum Waste Collection Rates Payment per property - \$20.00;
  - the 1 x 240 litre Waste Receptacle (bin) per week, commercial and residential, collection charge - \$207.00 per annum; and
  - the 1 x 240 litre Recycling Receptacle (bin) per week, commercial and residential, collection charge - \$103.50 per annum.
5. **Due Date for Payment of Rates & Charges**  
That Council in accordance with the Local Government Financial Management Regulations 1996 – Clause 64 (1) set the due date for the single payment of a rate and charges for the 2015-16 financial year to be 08 October 2015.
6. **Due Date for Payments of Rate Installments**  
That Council in accordance with the Local Government Financial Management Regulations 1996 – Clause 64 (2) set the due date for the payment of rate installments for the 2015-16 financial year as follows:
- |                   |                  |
|-------------------|------------------|
| First Instalment  | 08 October 2015  |
| Second Instalment | 08 December 2015 |
| Third Instalment  | 08 February 2016 |
| Fourth Instalment | 08 April 2016.   |
7. **Administration Charge on Instalments**  
That Council in accordance with Section 6.45 (3) of the Local Government Act 1995 and the Local Government Financial Management Regulations 1996 – Clause 67 set an administration charge of \$12.00 per rate instalment notice for the 2015-16 financial year where the instalment plan is selected.
8. **Interest on Rate Instalments**  
That Council in accordance with Section 6.45 (3) of the Local Government Act 1995 and the Local Government Financial Management Regulations 1996 – Clause 68 sets an additional charge by the way of Interest where the instalment plan is selected, an interest rate of 5.5% for the 2015-16 financial year.
9. **Late Payment Interest Charge**  
That Council in accordance with Sections 6.13 and 6.51 (1) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, set an interest rate of 11% for the 2015-16 financial year as penalty interest for the late payment of:
- property rates;
  - waste collection rates; and
  - waste and recycling receptable (bin) charges.
10. **Reserve Funds**

**That Council in accordance with Section 6.11 of the Local Government Act 1995 allocate funds to and from the Reserve Funds for the financial year ending 30 June 2016 as specified in the 2015-16 budget document.**

**11. Trust Fund Budget**

**That Council adopt the Trust Fund Budget for the financial year ending 30 June 2016 as per the budget document.**

**12. That in 2015-16 Council approve the listed items within the budget document for Donations.**

**13. That the Significant Accounting Policies, as included within the statutory Budget document, be adopted for the 2015-16 year.**

**14. Rate Concessions**

**That in 2015-16 Council provide a 50% Rate concession to the owners of Crown Grants 11859 (A15129), 12087 (A3270) and 4522 (A12300) subject to the Shire of Donnybrook-Balingup also providing these landowners with a 50% Rate concession.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**Res 86/15**

## **COUNCIL DECISION**

**MOVED: Cr Aird**

**SECONDED: Cr Kaltenrieder**

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

**CARRIED 9/0**

Res 87/15

## 9 COMMITTEE REPORTS

### 9.1.1 Minutes of the Blackwood River Valley Marketing Association

**Location:** N/A

**Applicant:** N/A

***File:***

**Disclosure of Officer Interest:** Nil

**Date:** 19 August 2015

**Author:** Alan Lamb - CEO

**Attachments:** Yes – Minutes

## BACKGROUND

The Blackwood River Valley Marketing Association meeting was held on 12<sup>th</sup> August 2015

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

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

**That the minutes of the Blackwood River Valley Marketing Association meeting be received.**

<b>9.1.2 Minutes of the Audit &amp; Finance Committee</b>
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**Location:** N/A  
**Applicant:** N/A  
**File:**  
**Disclosure of Officer Interest:** Nil  
**Date:** 11 July 2015  
**Author:** Alan Lamb - CEO  
**Attachments:** Yes – Minutes

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**BACKGROUND**

The Audit & Finance Committee meeting was held on 21<sup>st</sup> May 2015, 18<sup>th</sup> June 2015 and 16 July 2015.

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

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

That the minutes of the Audit & Finance Committee meeting be received.

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

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

<b>11.1.1 Wilga Progress Association Draft Lease</b>
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**Location:** Lot 300 on Deposited Plan 47950 and Lot 54 on Deposited Plan 93415  
**Applicant:** Wilga Progress Association  
**File:** LS/62/012  
**Disclosure of Officer Interest:** None  
**Date:** 20 August 2015  
**Author:** Shane Collie - Consultant  
**Authorising Officer:** Chief Executive Officer  
**Attachments:** Draft Wilga Progress Association Lease for “Community Hall” including Annexure 1 Plan

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### **SUMMARY**

For Council to endorse the draft lease document for the Wilga Progress Association for the ongoing use of the Community Hall at Wilga.

### **BACKGROUND**

As part of the process of bringing all of Council's outstanding leases up to date the lease of the Community Hall at Wilga to the Wilga Progress Association has been prepared and provided to the group.

### **COMMENT**

The Progress Association represented by Mr Bill Jackson have agreed to the terms and conditions contained in the draft lease and hence the document is submitted to Council seeking endorsement. The document was initially prepared by Council's solicitor in 2011 and has been updated over recent months taking into account contemporary practices recommended by Council's solicitor. The main amendment is a clear indemnification for the Minister for Lands which is now a standard requirement.

This land subject to the lease is the subject of a Management Order requiring the Minister for Lands approval to lease.

The commencement date for the lease will be inserted following the anticipated approval from the Department of Lands. The commencement date cannot be a date prior to that approval.

### **CONSULTATION**

Chief Executive Officer, Mr Bill Jackson and Leah Christie (Council's representative solicitor).

### **STATUTORY OBLIGATIONS**

The lease document becomes a legal document and is entered into pursuant to the Land Administration Act 1997.

The final document would be registered with Landgate with original copies being held by the Shire of Boyup Brook, the Wilga Progress Association and the Department of Lands.

### **POLICY IMPLICATIONS**

There are no policy implications relating to this item.

### **BUDGET/FINANCIAL IMPLICATIONS**

There are minor legal costs in finalising this matter which are taken into account in the 2015/16 budget.

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 11.1.1**

**MOVED: Cr Walker**

**SECONDED: Cr Oversby**

**That Council endorse the lease document between the Shire of Boyup Brook and the Wilga Progress Association for the Wilga Community Hall located at Lot 300 on Deposited Plan 47950 and Lot 54 on Deposited Plan 93415 as depicted on Annexure 1 of the draft Lease document confirming the following actions –**

- **Signing and sealing of the document by the Shire President and Chief Executive Officer.**
- **Submission to the Department of Lands for approval with any non-substantial changes incorporated into the lease document.**
- **Submission to Landgate for Registration.**

**CARRIED 9/0**

**Res 88/15**

**12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS**

**13 CLOSURE OF MEETING**

There being no further business the Shire President thanked all for attending and declared the meeting closed at 6.55pm.