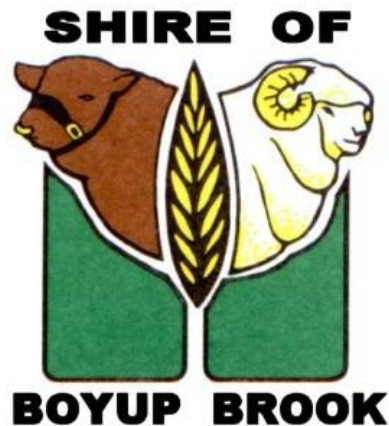


Minutes



ORDINARY MEETING

held

THURSDAY 21 September 2017
Commenced AT 5.00PM

AT

SHIRE OF BOYUP BROOK
CHAMBERS
ABEL STREET - BOYUP BROOK

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

1.1 Attendance

Cr G Aird – Shire President
Cr K Moir - Deputy Shire President
Cr J Imrie
Cr P Kaltenrieder
Cr E Muncey
Cr T Oversby
Cr E Rear

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr Stephen Carstairs (Director Corporate Services)
Mr Rob Staniforth-Smith (Director of Works & 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

Cr Kaltenrieder advised that he will be absent for the October 2017 ordinary meeting of Council.

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr Rear attended the Perup Open Day held on 2nd September 2017.
Cr Rear attended the Sandakan service on 12th September 2017.
Cr Rear attended a farewell dinner for Anne Klaassen.
Cr Kaltenrieder attended the Perup Open Day held on 2nd September 2017.
Cr Kaltenrieder informed Council that he will be unable to attend the Blackwood Basin Group meeting on 18th October 2017.
Cr Rear will be attending the BBG (AGM) in Philippe's absence.
Cr Kaltenrieder attended the Sandakan service on 12th September 2017.
Cr Imrie informed Council that the Wilga Mill Site has been cleared and looks good.
On behalf of the Agricultural Society, Cr Oversby thanked the Shire for supplying sand at the showgrounds.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 20 July 2017

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 5.1

MOVED: Cr Oversby

SECONDED: Cr Muncey

That the minutes of the Ordinary Meeting of Council held on Thursday 31 August 2017 be confirmed as an accurate record.

CARRIED 7/0

Res 119/17

MOVED: Cr Kaltenrieder

SECONDED: Cr Rear

That the minutes of the Special Ordinary Meeting of Council held on Thursday 31 August 2017 be confirmed as an accurate record.

CARRIED 7/0

Res 120/17

6 PRESIDENTIAL COMMUNICATIONS

Attended the Perup Open Day held on 2nd September 2017.
Attended a meeting with the South West Development Commission on 7th September 2017.
Attended the Sandakan Scholarship judging at the School on 11th September 2017.
Attended the Sandakan service on 12th September 2017.
Attended a Regional Road Group meeting on 18th September 2017.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

8.1.1 Tender No 017-002 – Supply of Asphalt and Bitumen – 12 month contract
--

Location:	<i>N/A</i>
Applicant:	
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14th of September, 2017</i>
Author:	<i>Rob Staniforth-Smith</i>
Authorizing Officer:	<i>Alan Lamb</i>
Attachments:	<i>Qualitative Criteria Assessment, rate Comparison and 'tendered rates' in "Confidential Attachment (commercially sensitive)"</i>

SUMMARY

The 2017/2018 Construction budget and programme has in excess of \$300,000 worth of bitumen and asphalt placement works.

Prices were requested for these works for a 12 month period based on a schedule of rates using WALGA's E Quotes system.

This report recommends that the Council approve the tender price, as shown in the commercial sensitive attachments, to Fulton Hogan Industries.

BACKGROUND

The Council's purchasing policy, F03, requires that for prices over \$150,000 that Council goes to public tender. WALGA's preferred supplier list allows for the tender process to be waived in lieu of seeking quotations from suppliers on WALGA's 'preferred supplier list'.

In this case WALGA's preferred Supplier list was used to seek quotations from 5 suitably qualified contractors, being:

- Fulton Hogan Industries
- Malatesta Road paving
- Boral Resources
- Colas West Australia
- Roads 2000

Tender prices were received from:

- Fulton Hogan Industries
- Malatesta Road Paving

The tendered rates were then put into Councils “approximate” 2017/2018 Works Programme volumes and then these were used to evaluate tenders in the “cost rating” portion of the ‘tender matrix’. Demonstrated Experience and Capability were accessed from documentation provided and previous experience with the contractors.

COMMENT

On assessment of the ‘tender assessment matrix’, Councils Officers recommends Fulton Hogan Industries be awarded the tender as they have the highest “matrix” score, primarily due to them having a better “Demonstrated Experience” score even though they were not the cheapest price.

CONSULTATION

CEO Alan Lamb

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Purchasing Policy F03

BUDGET/FINANCIAL IMPLICATIONS

Allowed for in the budget in the separate construction projects.

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 Oversby

SECONDED: Cr Kaltenrieder

That the tender submitted by Fulton Hogan Industries be approved by Council for the supply and placement of asphalt and bituminous services for the 12 month period, 01/10/2017 to 30/09/2018.

CARRIED 7/0

Res 121/17

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Muncey

That the Council adopts enbloc 8.2.1, 8.2.2 and 8.2.3

CARRIED 7/0

Res 120/16

8.2 FINANCE

8.2.1 List of Accounts Paid in August 2017

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14 September 2017</i>
Author:	<i>Kerry Fisher – Manager of Finance</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – List of Accounts Paid in August</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in August 2017 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 August 2017.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 August 2017.

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 2017-18 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

That at its September 2017 ordinary meeting Council receive as presented the list of accounts paid in August 2017, totalling \$800,608.61 from Municipal account and \$1,329.51 from the Trust account as represented by:

Municipal Cheques	20103 - 20114	\$82,061.45
Municipal Electronic Payments	5693 - 5798	\$521,672.59
Municipal Direct Payments		\$196,874.57
Trust Cheques	2095 - 2101	\$1329.51

CARRIED BY ENBLOC 7/0

Res 122/17

8.2.2 31 August 2017 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	15 September 2017
Authors:	Kerry Fisher – Manager of Finance Stephen Carstairs - Director Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 August 2017.

BACKGROUND

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

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

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

COMMENT

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

CONSULTATION

Alan Lamb – Chief Executive Officer

STATUTORY OBLIGATIONS

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

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

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2

That having regard for any material variances, Council receive the 31 August 2017 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC 7/0

Res 123/17

8.2.3 31 July 2017 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	15 September 2017
Authors:	Kerry Fisher – Manager of Finance Stephen Carstairs - Director Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 July 2017.

BACKGROUND

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

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

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

COMMENT

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

CONSULTATION

Alan Lamb – Chief Executive Officer

STATUTORY OBLIGATIONS

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

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

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.3

That having regard for any material variances, Council receive the 31 July 2017 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC 7/0

Res124/17

Impartiality Interest

Cr Oversby declared an impartiality interest in the following item due to being a member of the Upper Blackwood Agricultural Society.

8.2.4 Budget Amendments: Roads to Recovery and Dinninup Hall Power Upgrade

Location::	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest	<i>Nil</i>
Date:	<i>15 September 2017</i>
Author:	<i>Rob Staniforth-Smith - Director Works and Services, and Stephen Carstairs - Director Corporate Services</i>
Author:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>No</i>

PURPOSE

Council is requested to consider and adopt amendments to the 2017-18 capital and operating budgets as follows:

- 2016-17 motor vehicle stamp duty refund (\$20,900) received August 2017.
- Capitalisation of Dinninup Hall and Showgrounds power upgrades (\$42,020) and recognition of Upper Blackwood Agricultural Society (UBAS) contributions towards the upgrade (\$21,010).
- Movement of Roads to Recover funded bridge upgrades (\$273,565) from Roads to Recover Projects to Bridges Construction.

BACKGROUND

At its 31 August 2017 Special Meeting Council determined to adopt by absolute majority its 2017-18 Annual Budget which included a capital program for the year.

During 2016-17 the state government determined to increase 2017-18 stamp duty on local government vehicle by what amounted to a three fold increase for the Shire of Boyup Brook, and these costs were paid to the Department of Transport - Licencing (the Department) in June 2017. Notwithstanding that the state government subsequently announced that the increase in stamp duty cost wouldn't occur, because it is an uncertain world in which we live, any anticipated refund was not included in the draft 2017-18 Budget. In August 2017 the shire did receive a 'windfall' refund (approaching \$20,900) from the Department.

UBAS made application for a 2017-18 Shire Community Grant to 50% partner with the shire to fund the 2016-17 Dinnunup Hall and Showground power upgrade which cost \$42,020. As the works effected an upgrade to a Council owned and UBAS leased facility, it was recognised that the Community Grant process was not best way for the shire to realise the capital upgrade, and now it is re-presented the other way round where Council is to consider a UBAS contribution to the shire.

The movement of a Roads to Recovery funded bridge expense represents a mis-allocation of a capital bridge project.

DETAILS

The focus here is on expenditure items and bridge capital expense allocations not identified at the time of the 2017-18 Annual Budget preparation, and include:

	Opening Balance from the 2017-18 Adopted Annual Budget	\$0
OPERATING		
11 Recreation & Culture	Acct 111102 Halls Other Public Halls: budget increase from \$4,500 to \$12,335 to fund the Dinnunup Hall stairs repairs and to replace doors	-\$4,390
	NEW Acct 111005 Non-Operating Contributions: budget increase from \$0 to \$21,010 and representing UBAS's contribution to the Power Upgrade	\$21,010
14 Other Property & Services	New Acct 144001 Reimbursements - Operating: budget increase from \$0 to \$20,900 and representing 2016-17 stamp duty refunded	\$20,900
CAPITAL		
11 Recreation & Culture	Acct 111400 Other Halls - Buildings: budget increase from \$4,500 to \$42,020 and representing the power upgrade to the facilities	-\$37,520
12 Transport	Acct 121403 Roads to Recovery Projects: budget decrease from \$977,425 to \$703,860 and representing a movement of Roads to Recovery bridge upgrade expenses to the bridge construction account (121450)	\$273,565
	Acct 121450 Special Bridge Construct - Tone Br carried forward	-\$273,565
	Overall Change (surplus)	\$0

As a consequence of the above adjustments the 2017-18 Annual Budget remains balanced i.e. \$0 surplus/deficit.

CONSULTATION

Alan Lamb (Chief Executive Officer) and seniors officers.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulations.

POLICY IMPLICATIONS

The budget is based on the principles contained within the Community Strategic Plan and Plan for the Future.

FINANCIAL IMPLICATIONS

Specific financial implications are as outlined in the Detail section of this report.

STRATEGIC IMPLICATIONS

The 2017-18 Adopted Annual Budget was developed based on existing strategic planning documents adopted by council.

VOTING REQUIREMENT

Absolute Majority required: Yes.

TRIPLE BOTTOM LINE ASSESSMENT

Economic Implications

The proposed budget amendments are based on sound financial management and accountability principles with the view to deliver a sustainable economic outcome for council and the community.

Social Implications

The proposed budget amendments will deliver social outcomes identified in various planning and community supporting strategies that have previously been adopted by the council.

Environmental Implications

The in proposing these budget amendments key environmental strategies and initiatives as supported by the council have been considered.

COMMENT

As a consequence of the proposed amendments the 2017-18 Annual Budget would remain balanced i.e. \$0 surplus/deficit.

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 8.2.4

MOVED: Cr Kaltenrieder

SECONDED: Cr Imrie

That Council adopt proposed account level adjustments described as follows:

	Opening Balance from the 2017-18 Adopted Annual Budget	\$0
OPERATING		
11 Recreation & Culture	Acct 111102 Halls Other Public Halls: budget increase from \$4,500 to \$12,335 to fund the Dinninup Hall stairs repairs and to replace doors	-\$4,390
	NEW Acct 111005 Non-Operating Contributions: budget increase from \$0 to \$21,010 and representing UBAS's contribution to the Power Upgrade	\$21,010
14 Other Property & Services	New Acct 144001 Reimbursements - Operating: budget increase from \$0 to \$20,900 and representing 2016-17 stamp duty refunded	\$20,900
CAPITAL		
11 Recreation & Culture	Acct 111400 Other Halls - Buildings: budget increase from \$4,500 to \$42,020 and representing the power upgrade to the facilities	-\$37,520
12 Transport	Acct 121403 Roads to Recovery Projects: budget decrease from \$977,425 to \$703,860 and representing a movement of Roads to Recovery bridge upgrade expenses to the bridge construction account (121450)	\$273,565
	Acct 121450 Special Bridge Construct - Tone Br carried forward	-\$273,565
	Overall Change (surplus)	\$0

and amend the 2017-18 Adopted Annual Budget accordingly.

CARRIED 7/0

Res 125/17

8.3 CHIEF EXECUTIVE OFFICER

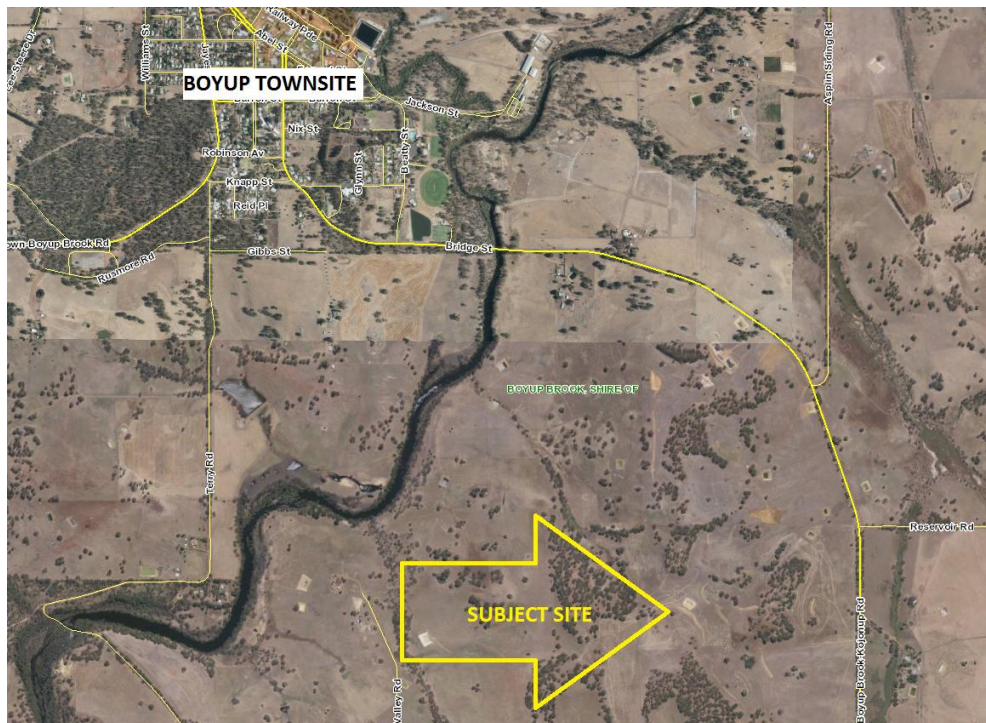
8.3.1 Development (Telecommunications Infrastructure) – Lot 5241 Stanton Road, Boyup Brook

Location:	<i>Lot 5241 Stanton Road, Boyup Brook</i>
Applicant:	<i>Optus Mobile Pty Ltd</i>
File:	<i>A9480</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>21 September 2017</i>
Author:	<i>A. Nicoll, Town and Regional Planner</i>
Authorizing Officer:	<i>Alan Lamb, Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council the request to develop telecommunications infrastructure (new mobile phone base station) at Lot 5241 Stanton Road, Boyup Brook.

Optus is seeking to upgrade its digital mobile telephone coverage in the Shire of Boyup Brook region and to achieve this requires the installation of a new mobile phone base station. The facility consist of a 61m high tower with a ground based equipment shelter. The site is immediately adjacent to an existing Telstra mast. The subject site is located approximately 3km south east of the Boyup Townsite.



Landholders adjacent to the subject site and the general community in the Boyup Townsite were invited to make comment on the proposed infrastructure. At the close of the advertising period, zero submissions were received.

It is recommended that the Council agree to support the proposed telecommunications infrastructure at Lot 5241 Stanton Road, subject to conditions.

BACKGROUND

In 2010, the Shire issued approval for a telecommunications facility at the Lot 5241 Stanton Road. The facility was not developed and the approval notice lapsed.

Optus allege that a mobile base station is required in the locality to provide the community with access to mobile phone coverage.

COMMENT

Mobile phones work by sending and receiving low power radio signals, much like a 2 way radio system. The signals are sent to and received from telecommunications infrastructure, which includes antennas that are attached to radio transmitters and receivers, commonly referred to as mobile base stations.

Mobile base stations operate together to provide service to users moving from place to place within a coverage area.

The telecommunications infrastructure at Lot 5241 will comprise the installation of a new 61m mast with associated support wires, antennas and an equipment shelter.

The proposed infrastructure is located in a large rural paddock adjacent to an existing Telstra mast. The location for the facility is at a hilltop and approximately 800m from the nearest road.

Telecommunications infrastructure is to operate in compliance with mandatory standards for human exposure to Electromagnetic Radiation. A report submitted with the application for the telecommunication infrastructure at Lot 5241 shows that the maximum radiation exposure limit is well below the allowable exposure limit under the Australian Standard.

CONSULTATION

Consultation on the proposed development included:

- Landholders adjacent to the proposed infrastructure were sent letters; and
- An advert was placed in prime locations around the Boyup Townsite.

At the close of the consultation period, zero (0) submissions were received.

STATUTORY OBLIGATIONS

Shire's Local Planning Scheme No.2 (scheme)

The Shire's scheme defines 'Telecommunications Infrastructure' as:

'land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network'.

The subject Lot 5241 is zoned 'Rural' under the Shire's scheme. Telecommunications infrastructure is listed as an 'AA' activity in the Rural Zone, meaning that Council, in exercising the discretionary powers available to it, may approve under its scheme.

The proposed telecommunication infrastructure is not considered to be incompatible with rural uses and is not expected to result in land use conflict.

Telecommunications Code of Practice 1997

Licensed telecommunications carriers must operate under the provisions of the *Telecommunications Code of Practice 1997*. Section 2.11 of The *Telecommunications Code of Practice 1997* sets out the design, planning and installation requirements to ensure the installation of facilities is in accordance with industry 'best practice'.

It is recommended that a decision to approve the proposed tower is conditional on the grounds that:

1. *The telecommunication infrastructure being designed and certified by qualified professionals in accordance with all relevant Australian Standards.*

POLICY IMPLICATIONS

There are no policy implications relating to the proposal. The application complies with the:

- *Western Australian Planning Commission's State Planning Policy 5.2 – Telecommunications Infrastructure;*
- *Western Australian Planning Commission's Planning Bulletin (No.22); and*
- *Western Australian Planning Commission's Guidelines for the location, siting and design of telecommunications infrastructure.*

The application facilitates the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs. It is recommended that a decision to approve the proposed tower is conditional on the grounds that:

1. *Any proposed lighting devices are positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries; and*
2. *The external colour of cladding used for the equipment shelter blends with the predominant background landscape.*

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications directly relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications directly relating to this item.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
The telecommunications infrastructure is not expected to create any environmental or visual impact. Clearing of vegetation is not necessary to accommodate the infrastructure. The two closest dwellings to the proposed facility are located 800m and 1.5km away, respectively.
- **Economic**
The proposed works is expected to provide the community with reliable phone coverage, which is expected to support the tourism and agriculture economies.
- **Social**
The proposed works provide the community with opportunity to network and communicate socially with each other.

VOTING REQUIREMENTS

Simple majority

CONCLUSION

The proposed Optus telecommunications facility at Lot 5241 Stanton Road is expected to provide an important community benefit by providing access to critical mobile telecommunications infrastructure, and therefore greatly improved mobile coverage in the area.

The proposed development is considered appropriate in light of the relevant legislative and public safety requirements and is considered acceptable in social, economic and environmental terms.

The infrastructure is proposed to be located so as not to impact on the ability of properties to utilise their land for agricultural or living uses.

It is recommended that the Council agree to support the proposed telecommunications infrastructure subject to conditions.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1

MOVED: Cr Rear

SECONDED: Cr Muncey

That Council

Grants development approval for Lot 5241 Stanton Road, Boyup Brook, for the purpose of Telecommunications Infrastructure subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lot 5241 Stanton Road, Boyup Brook

Description of proposed development:

Telecommunications Infrastructure

The application for development is approved subject to the following conditions.

Conditions:

1. Prior to occupancy of use, unless varied by a condition of approval or a minor amendment to the satisfaction of the Shire of Boyup Brook, all development shall occur in accordance with the stamped, approved plans.
2. The telecommunication infrastructure being designed and certified by qualified professionals in accordance with all relevant Australian Standards.
3. Lighting devices are positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with Australian Standard AS4282/1997.
4. The external colour of cladding used for the equipment shelter blends with the predominant background landscape.

Date of determination: 21 September 2017

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:

Dated:

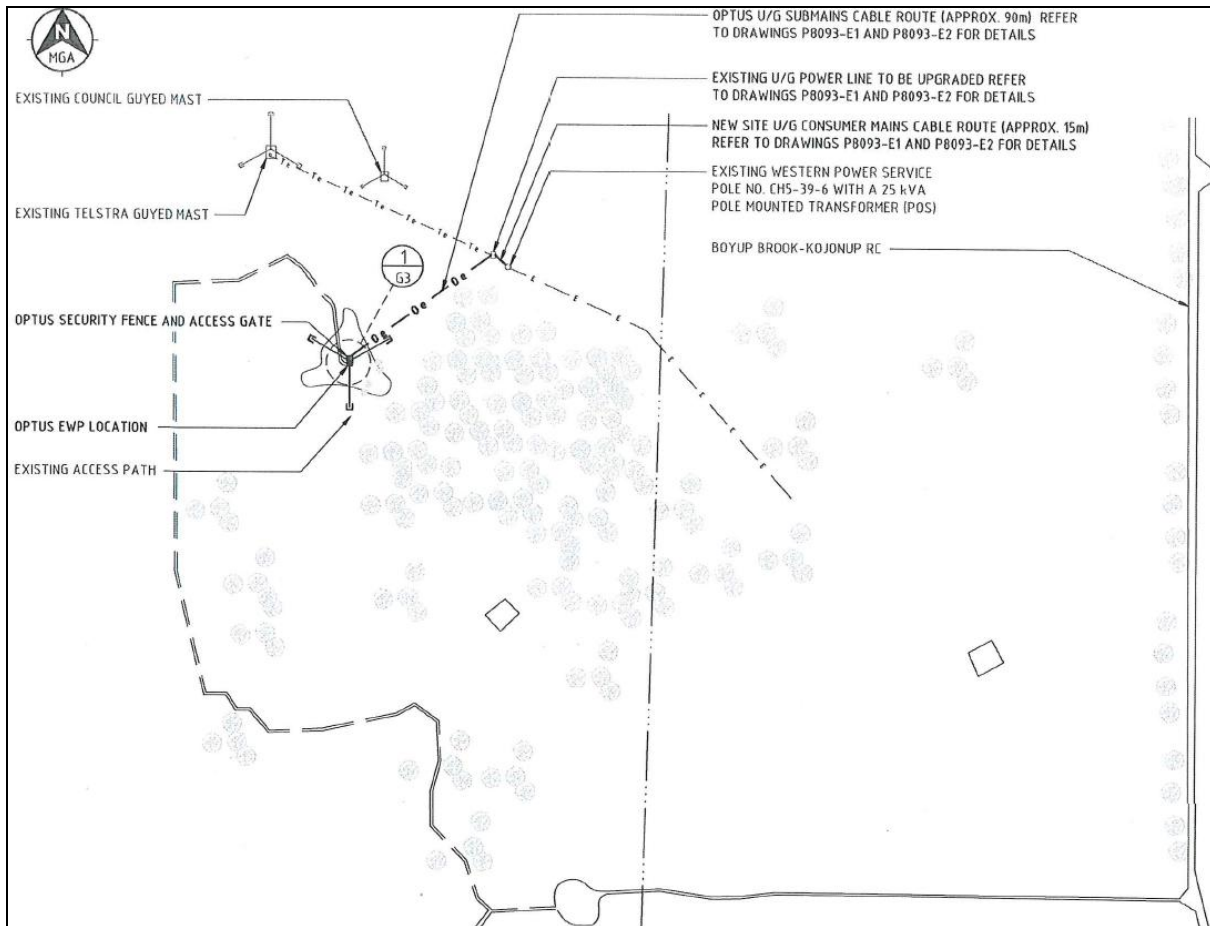
for and on behalf of the Shire of Boyup Brook.

CARRIED 7/0

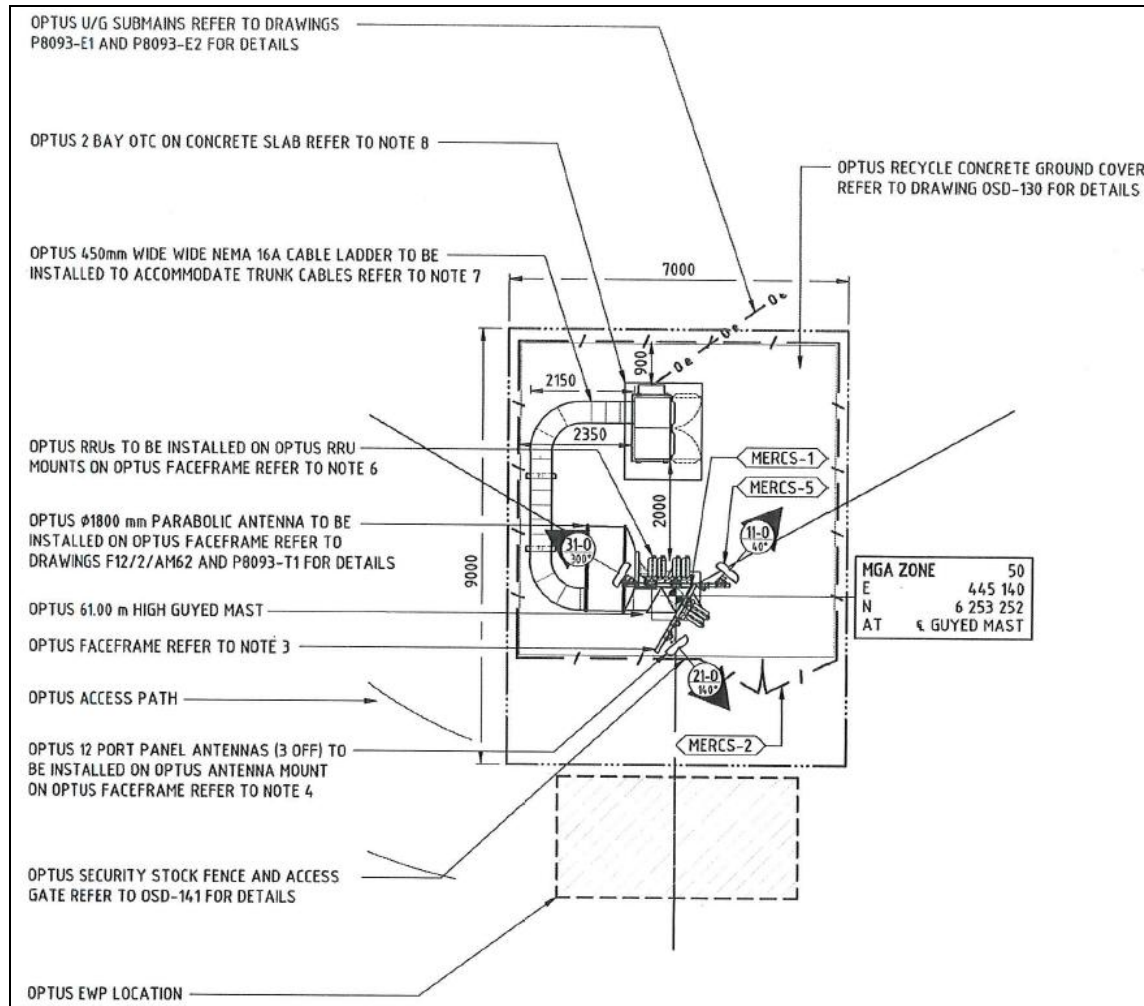
Res 126/17

Approved Plans

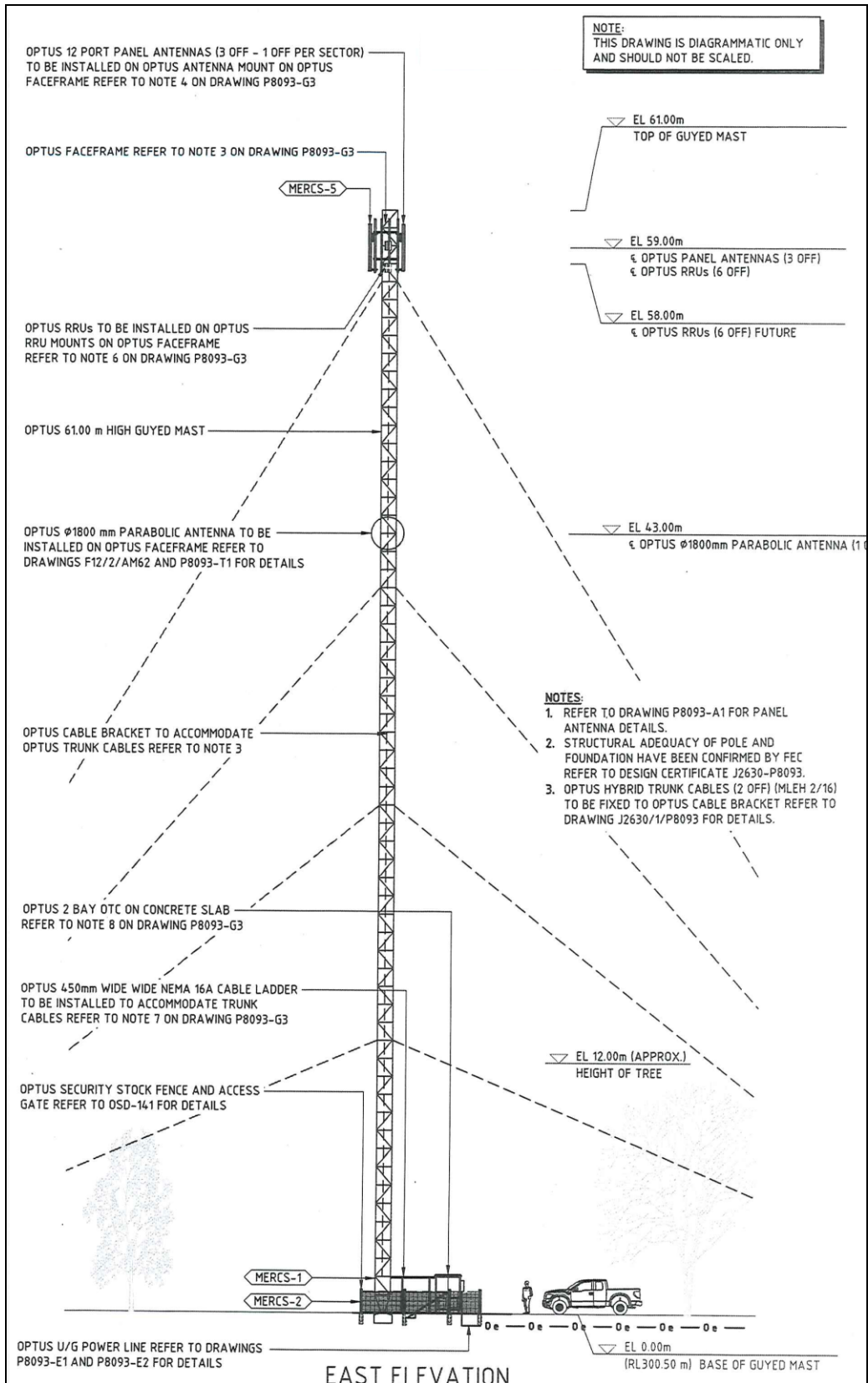
Site Plan



Floor Plan



ELEVATIONS



9 COMMITTEE MINUTES

9.1.1 Minutes of the South West Zone Meeting

Location:	<i>N/A</i>
Applicant:	<i>N/A</i>
File:	<i>n/a</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>9 May 2017</i>
Author:	<i>Alan Lamb - CEO</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND

The South West Zone meeting was held on 25 August 2017.

Minutes of the meeting are attached.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.1

MOVED: Cr Oversby

SECONDED: Cr Muncey

That the minutes of the South West Zone meeting be received.

CARRIED 7/0

Res 127/17

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

LAID ON THE TABLE

MOVED: Cr Moir

SECONDED: Cr Muncey

To be laid on the table until the November 2017 Council Meeting.

CARRIED 7/0

Res 128/17

10.1 - Councillor Rear

MOTION

That Monthly Council Briefing sessions be rescheduled to commence at 4pm and Council meetings commence at 5.30pm as from the November 2017 meeting of Council.

COMMENT

This will allow Councillor-elect Alexander to finish her paid position and then attend the standard Council meeting day meetings rather than attend briefing sessions late or take time off work.

CEO COMMENT

Council has reviewed starting times for the briefing session and meeting in the past and has amended these to better suit Councillors other commitments. This motion is not therefore out of line with past practice.

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

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

11.1.1 Urgent Business –Change to Budget Fees and Charges – 2017/2018 budget. Fee for degassing fridges at the Transfer Station

<i>Applicant:</i>	<i>N/A</i>
<i>File:</i>	
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>19th of September, 2017</i>
<i>Author:</i>	<i>Rob Staniforth-Smith</i>
<i>Authorizing Officer:</i>	<i>Alan Lamb</i>
<i>Attachments:</i>	<i>Amended Fees and Charges, 2017/2018.</i>

SUMMARY

This report recommends that Council raise a fee to cover the cost of degassing refrigeration devices which are delivered as scrap to the transfer station for disposal.

BACKGROUND

The transfer station takes scrap refrigeration devices for recycling as long as they have been “de-gassed”. It has come to Council officers attention that old refrigeration devices are being delivered with the gas still in them. Whilst the refrigerant gas is non-toxic and non-flammable (unless a significant direct heat is applied), it does cause “green house” gas issues by depleting the ozone layer. This item recommends that a fee of \$6 be charged per refrigeration device disposed of at the transfer station, unless a certificate from a licensed refrigeration mechanic/technician is provided. The fee is calculated on a refrigeration mechanic being able to degas 16 appliances an hour and charging Council \$100 per hour inclusive of GST. Council would stock pile the fridges in rows in one section of the transfer station until they are de-gassed.

COMMENT

It is important that Council collects household waste and appliances and minimises the amount of this waste that enters landfill by recycling. Due to the detrimental environmental effects of the refrigeration gases, it is important that these scrap appliances are de-gassed by a licensed refrigeration mechanic/technician. This new fee covers the cost of safely removing the gas from these appliances.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil as the fee will fully cover the costs of the de-gassing.

STRATEGIC IMPLICATIONS

6.16. Imposition of fees and charges

(1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* Absolute majority required

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed* during a financial year; and

(b) amended* from time to time during a financial year.

* Absolute majority required.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Minimises potentially harmful green house gases being released to the environment.
- **Economic**
Nil
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION - 11.1.1

MOVED: Cr Rear

SECONDED: Cr Kaltenrieder

That Council raise a fee of \$6.00 per refrigeration device disposed of at the transfer station to cover the cost of de-gassing these refrigeration devices prior to disposing of as scrap.

CARRIED BY ABSOLUTE MAJORITY 7/0

Res 128/17

12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

13 CLOSURE OF MEETING

There be no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 6.08pm.