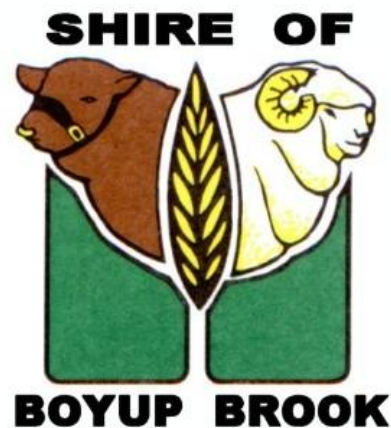


# MINUTES



ORDINARY MEETING

held

THURSDAY 17 May 2018

Commenced AT 5.00PM

AT

SHIRE OF BOYUP BROOK  
CHAMBERS

ABEL STREET - BOYUP BROOK

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

**1.1 Attendance**

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

STAFF: Mr Alan Lamb (Chief Executive Officer)  
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**

Nil

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

Cr Rear attended the Boyup Brook District Pioneer Museum AGM and informed Council that Mr J Imrie has been appointed the new President.

Cr Rear attending the Anzac Service on 25th April 2018 and thanked those who attended

Cr Rear attended Sporting Group meeting on 3rd May 2018.

Cr Rear attended the Sporting Group meeting on 10th May 2018.

Cr Kaltenrieder attended the Community Resource Centre meeting

Cr Kaltenrieder attended the Blackwood Basin Group meeting

Cr Alexander attended the Anzac Service on 25th April 2018 and mentioned it was a very respectful day.

Cr Alexander attended training on 26th April 2018 - CLGF - Integrated Strategic Planning - Essentials.

Cr O'Connell attended training on 26<sup>th</sup> April 2018 - WALGA Elected Member Training Integrated Strategic Planning – Essentials - Bunbury

Cr O'Connell attended the South West Zone Meeting on 27th April 2018.

Cr O'Connell attended the Corporate Business Plan workshop on 1st May 2018.

Cr O'Connell attended the Swimming Pool Committee meeting on 9th May 2018.

Cr O'Connell attended the Boyup Brook CRC Management Committee meeting on 16th May 2018.

Cr Oversby attended the Anzac Service on 25th April 2018

Cr Walker and Cr O'Connell apologised for not being able to attend the Anzac service.

#### **5 CONFIRMATION OF MINUTES**

##### **5.1 Ordinary Meeting of Council - Thursday 19 April 2018**

###### **COUNCIL DECISION & OFFICER RECOMMENDATION - Item 5.1**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Oversby**

**That the minutes of the Ordinary Council Meeting held on Thursday 19th April 2018 be confirmed as an accurate record.**

**CARRIED 9/0**

**Res 74/17**

**6 PRESIDENTIAL COMMUNICATIONS**

25th April 2018 - Attended Dawn Service and Main Service  
27th April 2018 - Gave a presentation at the South West Zone meeting  
9th May 2018 - Swimming Pool Committee meeting  
10th May 2018 - Attended Sporting Group meeting  
11th May 2018 - Attended the Dardanup Shire Annual dinner

**7 COUNCILLORS QUESTIONS ON NOTICE**

**Standing orders provides:**

**8. QUESTIONS**

**8.1 Questions of Which Due Notice Has to be Given**

8.1.1 *Any Councillor seeking to ask a question at any meeting of the Council shall give written notice of the specific question to the Chief Executive Officer at least 24 hours before publication of the business paper.*

8.1.2 *All questions and answers shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.*

**8.2 Questions Not to Involve Argument or Opinion**

*In putting any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except those necessary to explain the question.*

**MOTION**

**MOVED: Cr Moir**

**SECONDED: Cr Muncey**

**That Council suspend Standing orders.**

**CARRIED 8/1**

**Res 75/18**

<b>7.1 Cr Moir</b>
--------------------

**Question**

Could the CEO please provide the following information:

Please provide the dates that the Invoices were issued and payments received, for services rendered to the Country Music Club by The Shire, (for the amount of \$10,000) for the Festival Weekends of February 2012 to February 2018, inclusive.

What Plan has the CEO in place, for the recovery of any outstanding monies that may exist, for the period above?

**Answer - Provided by the CEO**

The basis of the Boyup Brook Country Music Club's request each year for the donation of \$10,000 was in order to be able to show a cash contribution from the Shire to assist with other funding applications. The intent was that the BBCMC would then pay for things the Shire previously provided as in kind support. The BBCMC and Shire staff are compiling data assist with this response but this could not be completed in time to be included with the agenda papers and so is intended to be presented at the Council meeting and forwarded electronically before hand if it is available in time.

**MOTION**

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

**That Council resume Standing orders.**

**CARRIED 9/0**

**Res 76/18**

**COUNCIL DECISION**

**MOVED: Cr Moir**

**SECONDED: Cr Alexander**

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

**CARRIED 9/0**

**Res 77/18**

**8 REPORTS OF OFFICERS**

**8.2 FINANCE**

<b>8.2.1 List of Accounts Paid in April 2018</b>
--

<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>07 May 2018</i>
<b>Author:</b>	<i>Carolyn Mallett - Acting Accountant and Kay Raisin – Acting Finance and HR Manager</i>
<b>Authorising Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in April 2018</i>

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## **SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in April 2018 are presented to Council.

## **BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 April 2018.

## **COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 April 2018.

## **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 May 2018 ordinary meeting Council receive as presented the list of accounts paid in April 2018, totalling \$507,147.20 from Municipal account, \$1,183.26 from Trust account and \$65,945.45 from Police Licensing account as represented by:

Municipal Cheques	20171 - 20178	\$ 77,993.67
Municipal Electronic Payments	EFT6482 - EFT6609	\$233,601.51
Municipal Direct Payments		\$ 195,552.02
Trust Cheques	2126 - 2127	\$ 1,183.26
Police Licensing Payments		\$ 65,945.45

CARRIED BY ENBLOC

Res 78/18



<b>8.2.2 30 April 2018 Statement of Financial Activity</b>
--

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>File:</b>	FM/10/003
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	11 May 2018
<b>Authors:</b>	Kay Raisin - A/Finance and HR Manager and Stephen Carstairs - Director Corporate Services
<b>Authorizing Officer:</b>	Alan Lamb – Chief Executive Officer
<b>Attachments:</b>	Yes – 30 April 2018 Financial Reports

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### **SUMMARY**

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 30 April 2018.

### **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**

Nil

**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 had regard for any material variances, Council receive the 30 April 2018 Statement of Financial Activity and Statement of Net Current Assets, as presented.

**CARRIED BY ENBLOC**

**Res 79/18**

### 8.3 CHIEF EXECUTIVE OFFICER

<b>8.3.1 Request permission to install a nature playground at the ELC</b>
---

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	17 May2018
<b>Author:</b>	Jimina Shaw (ELC Director), Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)
<b>Authorizing Officer:</b>	Alan Lamb (Chief Executive Officer)
<b>Attachments:</b>	Letter from Playgroup requesting permission to install a nature playground at the ELC.

---

#### **SUMMARY**

This report is for Council to consider the request from Boyup Brook Playgroup request permission to install a nature playground at the Boyup Brook Early Learning Centre.

#### **BACKGROUND**

This nature playground will be on the Boyup Brook Early Learning Centre site so it will be used by both Playgroup and childcare children.

Based on their lease, the Lessee must apply in writing to the Shire if they wish to make alterations to the property. A letter requesting permission for the proposed Nature Playground Project was received April 23, 2018, see attachment 1 for the letter.

## 9. Alterations

- (1) The Playgroup must not make any alterations to the Premises or install any fixtures, fittings, signs or advertisements without the prior written permission of the Shire, which may be withheld at the absolute discretion of the Shire.
- (2) To apply for the Shire's permission to do any of the things referred to in **clause 9(1)** the Playgroup must submit an application in writing to the Shire at least one month prior to when the Playgroup wishes to commence any work to effect the alteration or installation.
- (3) The Playgroup must not commence any work to effect a proposed alteration or installation until it has received the Shire's written permission to do the work and, if such permission is granted, the Playgroup must comply with any conditions specified in the permission.
- (4) Any alteration or installation effected by the Playgroup will be at the sole cost of the Playgroup.
- (5) The Playgroup agrees that if it effects any alteration or installation in a manner that does not meet the Shire's standards, the Shire may, at the Playgroup's cost, take any action the Shire considers necessary to remove or rectify the alteration or installation, and the cost of doing so will be a liquidated debt payable by the Playgroup on demand and recoverable in a Court of competent jurisdiction.

Nature Playgrounds are becoming increasingly popular as they promote imagination and creativity. They encourage the children's social skills, cooperation and problem solving and help children recognize, assess and negotiate risks, while building confidence and competence. Due to the vast array of textures, sensory activities and natural sounds, they encourage a child to use all of their sense.

Jimina Shaw the Director of Boyup Brook Early Learning Centre supports Playgroup's request to install a Nature Playground as it will add value to the centre assuming that:

- all the regulations and standards for the playground are met.
- that Boyup Brook Early Learning Centre endorse the final proposal – in regards to content and layout.
- Playgroup agree to the upkeep and that the location of the playground and shade sails does not affect the leach drain or have any negative impact on the venue.

### **CONSULTATION**

Internal: Jimina Shaw, Director Boyup Brook Early Learning Centre.

External: Leah Windsor, Boyup Brook Family Playgroup President.

### **STATUTORY OBLIGATIONS**

There are numerous requirements that must be considered when installing playground equipment. Playgroup have had experience with these as they were responsible for the current playground at the Early Learning Centre. The below is

an excerpt from the Nature Play WA website  
<https://www.natureplaywa.org.au/programs/nature-playgrounds/relevant-standards>.

### **Relevant Australian Playground Standards**

Australia's new standard for playground equipment was released in April 2014 and is based on the European Standard. This change brings it in line with many other countries while taking into account specific Australian safety and design requirements relating to UV factors, moveable equipment and the height regulations for upper body equipment. The standard provides playground owners and designers with greater flexibility and equipment choices.

#### **AS 4685:2014 Playground Equipment and Surfacing**

- AS 4685.1: 2014 Pt 1 General safety requirements and test methods
- AS 4685.2: 2014 Pt 2 Particular safety requirements and test methods for swings
- AS 4685.3: 2014 Pt 3 Particular safety requirements and test methods for slides
- AS 4685.4: 2014 Pt 4 Particular safety requirements and test methods for runways
- AS 4685.5: 2014 Pt 5 Particular safety requirements and test methods for carousels
- AS 4685.6: 2014 Pt 6 Particular safety requirements and test methods for rocking equipment

#### **AS/NZS 4422: 1996**

- Playground Surfacing - Specifications, Requirements & Test Methods

#### **AS/NZS 4486.1: 1997**

- Playgrounds and Playground Equipment - Part 1: Development, Installation, Inspection, Maintenance and Operation

#### **AS 2155: 1982**

- Playgrounds: Guide to Siting and to Installation and Maintenance of Equipment

#### **AS 2555: 1982**

- Supervised Adventure Playgrounds - Guide to Establishment and Administration

#### **AS 1428.3: 1992**

- Design for Access and Mobility - Requirements for Children and Adolescents with Physical Disabilities

#### **AS/NZS ISO 31000: Risk Management - Principles & Guidelines**

**More info:** To purchase a copy of the Australian Standards for Playgrounds visit [www.standards.org.au](http://www.standards.org.au)

### **Education and Care Services National Regulations, December 2011 (Under Sections 301 and 324 of the Education and Care Services National Law)**

Providers of centre-based child care services must ensure the outdoor spaces provided at its premises allow children to explore and experience the natural environment, for example through the use of natural features such as trees, sand and natural vegetation.

Note: A compliance direction may be issued for failure to comply with this regulation under Part 4.3  
(113) Outdoor space - natural environment.

**POLICY IMPLICATIONS**

Any playground of the Early Learning Centre site will need to meet Australian Standards as well as the Early Learning Centre policies and procedures such as the Boyup Brook Early Learning Centre Physical Environment Policy (based on the Australian Standard).

**BUDGET/FINANCIAL IMPLICATIONS**

Playgroup will meet the majority of the costs associated with this project; however, Playgroup have also submitted a community donation request for the 2018/19 financial year. This request will be included in the Community Donation process. Jimina Shaw also supports their community donation request as the playground will add value to the Early Learning Centre.

**STRATEGIC IMPLICATIONS**

Relevant excerpt from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

**Social:      Sense of Community**

**Our Vision:**

Our place will be a safe, caring and secure community. Our place will be an active and vibrant community.

We will have access to services and facilities that meet our requirements.

Our objectives and priorities are built from our outcomes.

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

## Natural Environment: Preserve and Sustain our Natural Environment

### Our Vision:

Our environment will be preserved, enhanced and we will retain our 'river and forest' identity.

We will value our natural resources, managing our use of water and energy. Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Preserved and enhanced natural environment	Maintain the natural environment.	<ul style="list-style-type: none"> <li>+ Beautification of parklands and gardens, utilising native species.</li> <li>+ Showcase the Blackwood River foreshore as a natural asset.</li> </ul>
Sustainable resources	Support the use of sustainable and renewable resources.	<ul style="list-style-type: none"> <li>+ Support the use of renewable energy resources and recycling.</li> </ul>

Increased Visitors and Residents	Develop tourism industry	<ul style="list-style-type: none"> <li>+ Support initiatives for events, fairs, arts, and the like designed to attract visitors to the Shire .</li> <li>+ Collaborate with others on developing short stay accommodation initiatives.</li> </ul>
	Attract permanent residents	<ul style="list-style-type: none"> <li>+ Continue to promote the family friendly lifestyle of Boyup Brook.</li> <li>+ Provide incentives for cottage industries to develop in Special Rural/Commercial Zones.</li> </ul>

### SUSTAINABILITY IMPLICATIONS

#### ➤ Environmental

#### ➤ Economic

#### ➤ Social

Nature Play WA highlights the benefits of this sort of playground in the excerpt below sourced from <https://www.natureplaywa.org.au/programs/nature-playgrounds/benefits>

### Summary of key benefits

- Children who play regularly in natural settings are sick less often. Mud, sand, water, leaves, sticks, pine cones and gum nuts can help to stimulate children's immune system as well as their imagination.



- Children who spend more time outside tend to be more physically active and less likely to be overweight.
- Children who play in natural settings are more resistant to stress; have lower incidence of behavioural disorders, anxiety and depression; and have a higher measure of self-worth.
- Children who play in natural settings play in more diverse, imaginative and creative ways and show improved language and collaboration skills. Single use, repetitive play equipment becomes boring quickly.
- Natural, irregular and challenging spaces help kids learn to recognise, assess and negotiate risk and build confidence and competence.
- Children who play in nature have more positive feelings about each other.
- Bullying behaviour is greatly reduced where children have access to diverse nature-based play environments.
- Symptoms of Attention Deficit Disorder are reduced after contact with nature.

### **VOTING REQUIREMENTS**

Simple majority

### **OFFICER RECOMMENDATION -ITEM 8.3.1**

1. **Council grant permission to the Boyup Brook Playgroup to install a nature playground at the Early Learning Centre provided that:**
  - all the regulations and standards for the playground are met.
  - that the Director of the Boyup Brook Early Learning Centre, Jimina Shaw, endorse the final proposal for the equipment content and layout in regards to compliance with relevant requirements and appropriateness for the Council's facility.
  - Playgroup agree to the upkeep and that the location of the playground and shade sails does not affect the leach drain or have any negative impact on the venue.
2. **Council consider Playgroup's request for funding assistance for the Nature Playground as per the 2018/19 Community Donation process.**

### **COUNCIL DECISION - ITEM 8.3.1**

**MOVED: Cr Walker**

**SECONDED: Cr Oversby**

1. **Council grant permission to the Boyup Brook Playgroup to install a nature playground at the Early Learning Centre provided that:**
  - all the regulations and standards for the playground are met.
  - that the Director of the Boyup Brook Early Learning Centre, Jimina Shaw, endorse the final proposal for the equipment content and layout in regards to compliance with relevant requirements and appropriateness for the Council's facility.

- Playgroup agree to the upkeep and that the location of the playground and shade sails does not affect the leach drain or have any negative impact on the venue.

**CARRIED 9/0**

**Res 80/18**

**8.3.2 Solar Project - Stage 1 Installation of solar panels on the Shire  
Administration building**

<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>17 May 2018</i>
<b>Author:</b>	<i>Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb (Chief Executive Officer)</i>
<b>Attachments:</b>	<i>Solar Report Solar Equip Quote Stage 1 McLeod's document- The Role of Policy in Local Government Decision-making.</i>

---

**SUMMARY**

This report is for Council to consider nominating Solar Equip, the only local solar provider, to install Stage 1 of the Solar Project, panels to the Shire Administration building.

**BACKGROUND**

At the ordinary meeting of Council held on 19 April, the Council determined the schedule of buildings and confirmed the progress of the Solar Project.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 APRIL 2018

REVISED RECOMMENDATION - Item 8.3.9

That Council approve:

1. \$25,000, provided for in the 2017/18 budget for the installation of solar energy systems on Shire buildings, being transferred to the Building Reserve Fund.
2. The sum of \$101,311 being included in the draft 2018/19 budget for installation of solar energy systems for the following Shire facilities:
  - Swimming pool
  - Communication hut
  - Administration building
  - Depot
  - Medical Centre
  - Family stop
  - 5 Rogers avenue
  - Transfer Station
  - Museum

MOTION

MOVED: Cr Rear

SECONDED: Cr Muncey

That:

1. Reaffirm its plan to budget \$25,000 per year to install solar energy systems on Hire owned buildings, where there is an expectation of reduced electricity costs by doing so.
2. That the following schedule of buildings and financial years be the program going forward:

YEAR	BUILDING	EXPECTED COST	EXPECTED ANNUAL SAVING
2017/18	Shire Administration/Chambers	\$24,740	\$4,828
2018/19	Shire Depot	\$22,330	\$4,023
	Shire Communications Hut	\$2,751	\$201
2019/20	Shire Swimming Pool	\$21,650	\$6,131
	Shire Museum	\$3,980	\$483
2020/21	Shire Medical Centre	\$9,787	\$2,414
	Shire Family Stop	\$6,583	\$1,408
	Shire Transfer Station	\$3,040	\$201
	Shire House - 5 Rogers	\$6,450	\$1,406

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 70/18

In February 2017, David McFadyean, the only local solar provider was engaged to develop the Solar Report (see attachment 1). It is now recommended that Council consider nominating Solar Equip as they are the only local solar provider in the Shire of Boyup Brook to commence Stage 1 of the project.

Boyup Brook is a strong community and the Shire is committed to proactively encouraging local content where possible and practicable.

In the case of a small town like Boyup Brook it is advantageous to have an understanding of the area and local content. The Solar Equip quote (see attachment 2) includes the equipment and installation and is able to have the system up and running this financial year (mid June 2018).

There are numerous benefits in appointing the only local provider for installing the solar panels:

- David McFadyean completed the report and understands the requirements of the project.
- As a local provider travel and delivery costs associated with the project are minimised.
- As a local provider the income earned will be spent in the economy. The excerpt below from the RDAF application Support AEC Report March 2013 states that an imported worker will provide only 5% of the type II impact (household income earned being spent in the economy) a local worker would be expected to provide. This supports the local economy of Boyup Brook.

In estimating type II flow-on impacts (which examine impacts of household incomes earned being spent in the economy), it is necessary to account for the fact that wages and salaries of imported workers are more likely to be spent outside the local economy. For the purposes of economic modelling, it is assumed 80% of construction workers are imported and that these workers spend only a small proportion (assumed 5%) of their total consumption spend while within the Boyup Brook economy (e.g., for food and drink), thus providing only 5% of the type II impact a local worker would be expected to provide.

### **CONSULTATION**

Internal: Stephen Carstairs, Director of Corporate Services

External: David McFadyean (Solar Equip)

### **STATUTORY OBLIGATIONS**

An excerpt from the attached McLeod's document - The Role of Policy in Local Government Decision-making emphasises that it is an administrative law requirement to have due consideration for the relevant, in this case Purchasing, policy (see attachment 3 for full details).

Having due regard to relevant policies is however an administrative law requirement, related to the obligation of decision-makers to have regard to considerations that are relevant to the matter before them, and not to have regard to irrelevant considerations.

This report requests that Council consider nominating a local provider for Stage 1 of the Solar Project for the flow-on benefits to the local economy.

### **POLICY IMPLICATIONS**

The purchasing policy states that two written quotations are sourced for purchases of \$25,000.

#### **Policy**

Where the value of procurement (excluding GST) for the value of the contract over the full contract period\* (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$5,000	Quotations not required.
\$5,001 - \$39,999	By reference to WALGA's Preferred Supply Panels or obtain at least two written quotations.
\$40,000 - \$150,000	By reference to WALGA's Preferred Supply Panels or obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
More than \$150,000	By reference to WALGA's Preferred Supply Panels or Conduct a public tender process.

#### **Policy**

### **BUDGET/FINANCIAL IMPLICATIONS**

Council will benefit from the installation of solar panels in the reduction of energy costs. There is also a direct economic benefit of nominating the only local solar provider. David has confirmed that he is able to install the system mid June 2018 (meeting the 2017/18 financial year deadline).

The original cost (from the Solar Report, attachment 1) of installing solar panels on the Shire Administration building was \$24,740.00 the quote is for \$24,138.57 (see attachment 2).

### **STRATEGIC IMPLICATIONS**

Relevant excerpts from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

#### **Economic Development: Maximise Business and Employment Opportunities**

##### **Our Vision:**

Our economy will thrive through diversified business and employment opportunities, taking advantage of our local comparative advantages.

We will endeavour to attract industrial and commercial opportunities for our growing community.

**We will actively support our local businesses.**

Our objectives and priorities are built from our outcomes.

**SUSTAINABILITY IMPLICATIONS**

➤ **Environmental**

➤ **Economic**

The recommendation will achieve the economic benefit by allowing Council to reduced costs associated with energy consumption.

As a local provider the income earned will be spent in the region thus supporting the local economy of Boyup Brook.

➤ **Social**

**VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION & OFFICER RECOMMENDATION - 8.3.2**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Oversby**

**That Council approve the appointment of Solar Equip, the local firm operated by Mr David McFadyen, for stage one of the Solar Panel Project, for the installation of solar panels to the Shire Administration building in June 2018.**

**CARRIED 6/3**

**Res 81/18**

**Request for Vote to be recorded**

Cr Moir requested that the vote of all Councillors be recorded.

**FOR**

**AGAINST**

Cr Rear

Cr Moir

Cr Alexander

Cr Walker

Cr O'Connell

Cr Aird

Cr Kaltenrieder

Cr Oversby

Cr Muncey

**8.3.3      Donation - Part cost of a portrait of Mr Eric Farleigh to hang in the  
Royal Agricultural Society of WA Agricultural Hall of Fame**

<b>Location:</b>	<i>N/a</i>
<b>Applicant:</b>	<i>Mr Winston Farleigh</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>9 May 2018</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Letter from Mr Farleigh and from RAS.</i>

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**SUMMARY**

The purpose of this report is to put the request before Council with the recommendation a donation be made.

**BACKGROUND**

Mr Eric Farleigh was inducted into the Agricultural Hall of Fame 17 April 2018. He is being honoured for his outstanding contribution to agriculture in Western Australia, particularly his innovative approach to all areas of farming. His contribution to soil nutrition, including the use of lime, and clover is of special note.

It is understood that he was nominated by Mr Richard Turner.

The RAS has asked Mr. Winston Farleigh if he would like to contribute toward the cost of a portrait of his father, to be hung in the RAS Hall of Fame gallery at the Claremont Show grounds. The cost of each portrait is up to \$1,500 and the RAS seeks a contribution toward the cost of having the painting done.

Mr Winston Farleigh seeks support from Council to ensure a worthy portrait is painted.

**COMMENT**

It is understood that the Rylington Park Committee has pledged a contribution. It is suggested that this community owes a debt of gratitude to Mr Farleigh, not only for his contribution to agriculture but also for the significant gift of a farm (Rylington Park). So Council may wish to allow sufficient funds to ensure a very high quality portrait.



The Shire President and Mr Turner were invited to the induction ceremony where they had an opportunity to speak with the family and RAS staff, about the level of contribution required to ensure a high quality painting and it is recommended that the President be empowered to broker a funding arrangement which achieves this aim. Council could set a limit to what may be offered.

The portrait is done by an artist, selected by the family, from a photo, provided by the family. The portrait is hung in the gallery ready for subsequent year's induction ceremony. So there is ample time to get things in place, but it would be comforting for Mr Winston Farleigh if the matter of the contribution toward the portrait could be sorted out with him, and his family, sooner rather than later.

Much of this report was written last month and before the induction ceremony. The President has spoken with all parties including Mr Turner, representing the Rylington Park Management committee. The President indicated that he would seek to support for a Shire donation of \$750 toward this portrait.

#### **CONSULTATION**

The author has spoken with Mr Winston Farleigh, the RAS representative. The Shire President consulted more widely at the RAS ceremony.

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

The proposed donation is not included in the budget but the amount would not have a significant impact on the end of year position.

#### **STRATEGIC IMPLICATIONS**

The proposed donation helps to ensure a passed Boyup Brook identity is recognised for his contribution to the area and farming in general.

#### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
Recognition of local peoples achievements is an important function of Local Government .

**VOTING REQUIREMENTS**

Absolute majority

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

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

**That Council approve a donation of \$750 being paid to Mr Winston Farleigh to assist with the cost of having a portrait of his father, Mr Eric Farleigh, painted and framed then to be hung in the Royal Agricultural Society's Hall of Fame**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

**Res 82/18**

<b>8.3.4 Expired Rail Corridor Leases - Dinninup Road Dinninup</b>
--

<b>Location:</b>	<i>Dinninup Road</i>
<b>Applicant:</b>	<i>ARC Infrastructure (previously Brookfield Rail Pty Ltd)</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>10 May 2018</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Authorizing Officer:</b>	<i>Chief Executive Officer</i>
<b>Attachments:</b>	<i>Copy of letter from ARC and email correspondence.</i>

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#### **SUMMARY**

The purpose of this report is to put before Council the matter of the expired lease, the offer of a licence to occupy with a recommendation that Council agrees to

#### **BACKGROUND**

ARC Infrastructure is managing the Rail Freight Network in WA under a long term lease from the State Government.

There was a lease in place between the Shire and the Public Transport Authority (PTA) which expired 30 September 2012 but was held over by PTA.

ARC now wants to know if:

1. the parcel of land is still used and required by the Shire
2. the purpose the parcel is used for
3. the lease area indicated on the diagram is accurate

Aerial photographs show that the area on rail corridor, in question, is occupied by the Upper Blackwood Agricultural Show group and so is considered necessary.

#### **COMMENT**

It is clear that UBAS need this portion of land, or at least that part where structures are built.

ARC indicated it would accept the use as "community purposes" and so may be able to offer some sponsorship, a license to use the area (based on a 5+5 year agreement). Also that it would discount the normal fee of \$2,000 to prepare the agreement to \$1,000.

#### **CONSULTATION**

Consultation has been limited to RAS at this stage.

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

The \$1,000 is an unbudgeted expense but its impact on the end of year position would be minimal

#### **STRATEGIC IMPLICATIONS**

UBAS is a strong and well established community group which puts on the well known annual show in Dinninup. The aerial images show that some buildings encroach on the subject land.

#### **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 any adverse impact on the UBAS would be detrimental to the whole community. The loss of the land may be an issue but the potential need to remove buildings, rebuild elsewhere or the like may be beyond their financial capacity. The structures in question are used during the show and at other times.

#### **VOTING REQUIREMENTS**

Absolute majority

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

**MOVED: Cr Walker**

**SECONDED: Cr Oversby**

**That the CEO advise ARC Infrastructure that:**

- 1. the parcel of land is still used and required by the Shire.**
- 2. the parcel is used by the Upper Blackwood Agricultural Show group as an integral part of its annual show and for other related activities during the year.**
- 3. the lease area indicated on the diagram appears to be accurate.**
- 4. the preference is for a long term lease but a license would be acceptable.**

**LOST 0/9**

**Res 83/18**

### **8.3.5 Grant Funding for Water Playground Project**

<b>Location:</b>	<i>Swimming Pool</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>10 May 2018</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**

The purpose of this report is to seek direction from Council in relation to State Government grant funding secured for the water playground facility.

#### **BACKGROUND**

At the 25 August 2016 Council Meeting, Council resolved to support the development of a water play facility at the Boyup Brook Swimming Pool.

At the 15 February 2018 Council Meeting, Council resolved to appoint a Water Playground Committee with the authority to purchase.

At the February Meeting of the Water Playground Committee the Committee resolve to:

- 1 engage Wetdeck Pools to construct a water playground facility at the Shire swimming pool complex to a maximum cost of \$130,650 excluding GST.
2. require that the supplier:
  - to have the project completed and operational no later than 31st May 2018
  - use stainless steel fittings
  - make the water features (spraying units and the like) interchangeable so that the playground may be reconfigured from time to time
  - construct the deck and associated plumbing such that additional features could be added at a later date.
3. Committee meet with the supplier and further scope the project as soon as practicable.

Following the meeting between the Water Playground Committee and representatives from Wetdeck Pools a new location was selected as the preferred site. This location incorporated a retaining wall feature and was positioned in a more suitable location for monitoring by the Swimming Pool Manager as it was immediately behind the small frog pool.

The inclusion of a new retaining wall pushed costs beyond the figures initially presented to Council. A new project budget is detailed below.

### Project Budget –

Boyup Brook Splash Pad Budget			
Expenditure	Unit	Total	
<b>Works</b>	\$		
Water Playground plus retaining wall works.		\$ 149,750	
<b>Subtotal</b>		\$ 149,750	
<b>In-kind Work</b>			
Shire Labour (130 hours)	\$ 55	\$ 7,150	
Shire Plant		\$ 3,000	
<b>Subtotal</b>		\$ 10,150	
<b>Promotion and Advertising</b>			
Promotion		\$ 500	
<b>Materials and Contractors</b>			
*Concrete		16,600	
*Electrical		10,000	
*Plumbing		3,000	
<b>Subtotal</b>		\$ 30,100	
<b>Total Expenditure (A)</b>		\$ 190,000.00	
• <b>ESTIMATES Only</b>			

Income	Unit	Total	c/ nc
<b>Grants and Other Income</b>	\$		
Department Sport and Recreation		\$ 32,000	c
Department Sport and Recreation		\$ 32,000	c
Shire of Boyup Brook		\$ 36,000	c
Lotterywest		\$ 20,000	c
<b>Subtotal</b>		\$ 120,000	
<b>In-kind Contributions</b>			
Shire Labour (130 hours)	\$ 55	\$ 7,150	c
Shire Plant		\$ 3,000	c
<b>Subtotal</b>		\$ 10,150	
<b>Promotion and Advertising</b>			
Promotion		\$ 500	c
<b>Materials and Contractors</b>			
Concrete		16,600	
Electrical		10,000	
Plumbing		3,000	
<b>Subtotal</b>		\$ 30,100	
<b>Total Income (B)</b>		\$ 190,000.00	

### Time Constraints –

As there were significant time constraints on the completion date for this project in consultation with the Shire President and Chief Executive Officer, the CEO authorised a purchase order to be placed with the selected supplier.

At the April 2018 meeting of Council, the officer recommendation was moved and seconded but lost, as follows:

**That Council;**

- 1. Authorises the additional expenditure of \$59,350.00 for the Water Playground Project.**
- 2. Endorses the Committees selection of Wetdeck Pools as the preferred supplier and the Chief Executives Officers actions in placing the Purchase Order to meet project deadlines.**

**LOST 2/7**

**Res 72/18**

The resolution gives direction on the project but is not clear on the matter of grants.

**COMMENT**

Before moving to the grants, its important to review the position in financial terms.

The Committee had Council's authorisation to purchase. At its meeting held 15 February 2018 the Committee resolved :

- 1 engage Wetdeck Pools to construct a water playground facility at the Shire swimming pool complex to a maximum cost of \$130,650 excluding GST.**

Subsequently, the CEO issued a purchase order to the firm (5/4/2018) for an amount of \$149,750, on the understanding that there was a matter of urgency in now getting the Committee's decision actioned, and that the Committee had met with the firm and increased the scope of the project.

So the firm was engaged by the Committee in February and the engagement confirmed by a purchase order in April. The firm was contacted later in April to advise that Council no longer supported the project and so there was insufficient funds to complete it, and the order was cancelled. The firm has indicated they have expenses relating to visits, purchases and the like and a claim is expected.

In relation to the Lotterywest grant of \$20,000. Council has 6 months in which to spend and acquit this grant, acquittal is required by 5 August 2018. In relation to the DSR grant of \$64,000. In September 2017, DSR advised that Boyup Brook would receive the 2017/18 grant of \$32,000 to add to the \$32,000 from 2016/17. That the project had to be completed and acquitted by 1 June 2018.

Following indication that there may be an opportunity to defer the DSR grant acquittal etc, a letter was forwarded seeking to have the project completion and acquittal date extended to allow Council, at this meeting, to consider seeking to use the grant for the purpose it was approved for or a like purpose. Whilst there has been no reply to this letter as yet this item is included to give Council the opportunity to either review the project, consider another or decide to return grant funds, if the opportunity to do so is presented by DSR.

The options discussed with DSR and included in the letter are as follows:

1. Return all grant funds held
2. Revisit the expanded water play project and fund the grant shortfall part from what was budgeted in 2017/18 and the balance from a 2018/19 provision.



3. Revisit the original water play project and seek to complete it within budget provisions.
4. Look to a similar project which may be acceptable to DSR (then also acceptable to Lotterywest). Here the children's splash pool replacement was noted as being a similar project.

If Council were to use Wet Deck Pools for options 2, 3 or 4 then it may be possible for costs incurred, by that firm, to be transferred to one of these projects.

If the option of deferring the DSR grant acquittal date presents itself does Council wish to have option 2, 3, or 4, or any other pursued or should option 1 be actioned?

If there is an opportunity to defer the DSR grant, does Council also wish to seek to have the Lotterywest grant deferred, to be used for the same purpose as the DSR grant, or returned?

### **CONSULTATION**

The author has discussed the matter with staff, DSR and the President.

### **STATUTORY OBLIGATIONS**

Nil.

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

Not known at this time, dependant on Council direction.

### **STRATEGIC IMPLICATIONS**

Nil

### **SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
The pool complex is a very well used feature of the town. The main pool and kiddies pool have served the community well for many years and the recent heating project has enhance the community benefit of this facility. The water playground will add to amenity of the pool area and encourage increased usage.

**VOTING REQUIREMENTS**

Absolute majority.

**MOVED INTO COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

**That the Council move into a committee of the whole under clause 15.6 of the Standing Orders, Local Law No.1. to allow members free discussion on the matter.**

**CARRIED 9/0**

**Res 84/18**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Moir**

**SECONDED: Cr Kaltenrieder**

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

**CARRIED 6/3**

**Res 85/18**

**OFFICER RECOMMENDATION - ITEM 8.3.5**

**That Council;**

- 1. seek to have the Community Pools Revitalisation Program grant of \$64,000 acquittal date extended, from 1 June 2018, to 30 June 2019, or another date acceptable to the Government Department, in order to:**
  - a) review the planned project to set a new timeline and budget for the expanded water play facility, or**
  - b) review the planned project to set a new timeline for the original water play facility and seek to complete it within the amended 2017/18 budget provision, or**
  - c) seek approval for funds to be used for a new, yet to be decided, but similar project, such as a new children's splash pool.**
- 2 seek to have the Lotterywest grant of \$20,000 acquittal date extended to 30 June 2019 in order to:**
  - a) review the planned project to set a new timeline and budget for the expanded water play facility, or**
  - b) review the planned project to set a new timeline for the original water play facility and seek to complete it within the amended 2017/18 budget provision, or**
  - c) seek approval for funds to be used for a new, yet to be decided, but similar project, such as a new children's splash pool.**

**OR**

- 1 return both the Community Pools Revitalisation Program and Lotterywest grants applied for, and granted, for a water play facility at the Boyup Brook Swimming Pool.**

**MOTION**

**MOVED: Cr Moir**

**SECONDED: Cr Muncey**

**That Council;**

- 1 seek to have the Community Pools Revitalisation Program grant of \$64,000 acquittal date extended, from 1 June 2018, to 30 June 2019, or another date acceptable to the Government Department, in order to:**
  - c) seek approval for funds to be used for a new, yet to be decided, but similar project, such as a new children's splash pool.**
- 2 seek to have the Lotterywest grant of \$20,000 acquittal date extended to 30 June 2019 in order to:**
  - c) seek approval for funds to be used for a new, yet to be decided, but similar project, such as a new children's splash pool.**

**CARRIED BY ABSOLUTE MAJORITY 7/2**

**Res 86/18**

**MOTION**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Rear**

**That Council disband the Water Playground Committee because the Swimming Pool Committee has been formed.**

**CARRIED 9/0**

**Res 87/18**

**COUNCIL DECISION**

**MOVED: Cr Aird**

**SECONDED: Cr Moir**

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

**CARRIED 9/0**

**Res 88/18**

**9 COMMITTEE MINUTES**

<b>9.1.1 Minutes of the Water Playground Committee</b>
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<b><i>Location:</i></b>	<i>N/A</i>
<b><i>Applicant:</i></b>	<i>N/A</i>
<b><i>File:</i></b>	<i>n/a</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>Nil</i>
<b><i>Date:</i></b>	<i>9 May 2017</i>
<b><i>Author:</i></b>	<i>Alan Lamb</i>
<b><i>Attachments:</i></b>	<i>Yes – Minutes</i>

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**BACKGROUND**

The Water Playground Committee meeting was held on 23rd March 2018.

Minutes of the meeting are attached.

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

**That the minutes of the Water Playground Committee meeting be received.**

**CARRIED BY ENBLOC**

**Res 89/18**

<b>9.1.2 Minutes of the Swimming Pool Committee</b>
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<b><i>Location:</i></b>	<i>N/A</i>
<b><i>Applicant:</i></b>	<i>N/A</i>
<b><i>File:</i></b>	<i>n/a</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>Nil</i>
<b><i>Date:</i></b>	<i>9 May 2017</i>
<b><i>Author:</i></b>	<i>Alan Lamb</i>
<b><i>Attachments:</i></b>	<i>Yes – Minutes</i>

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**BACKGROUND**

The Swimming Pool Committee meeting was held on 9th May 2018.

Minutes of the meeting are attached.

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

**That the minutes of the Swimming Pool Committee meeting be received.**

**CARRIED BY ENBLOC**

**Res 90/18**

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

<b>10.1 Cr O'Connell</b>
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**Motion**

Will the CEO please provide a report to council outlining the feasibility and appropriate budgetary allowance for construction of a covered outdoor kitchen facility suitable for patrons to use at the Flaxmill Caravan Park to the June ordinary meeting of Council?

**Comment by the CEO**

As previously reported, work is underway on planning a compliant caravan park. Once the basic design, includes all relevant facilities required for a caravan park and a recommended location/layout, is completed the next phase is to address all of the relevant requirements including, but not limited to, aboriginal heritage, environmental impact, river flow impact, sewerage treatment. The basic design is expected to be completed by July, with the hope of being able to have it included in that month's Council agenda so that the next phase may be considered for the 2018/19 budget.

Any changes that impact on the current on site treatment system may trigger the need to bring that system up to current compliance requirements. The erection of any structures on the Blackwood River flood plane may trigger the need for a river flow impact study. Similarly, environmental and aboriginal heritage study requirements may be triggered.

It is suggested that moving to meet just one of the many requirements at the caravan park, to bring it up to a reasonable standard, without first addressing the bigger picture may not be the best solution.

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

Nil

**12 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS**

Nil

**13 CLOSURE OF MEETING**

There be no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.55pm.