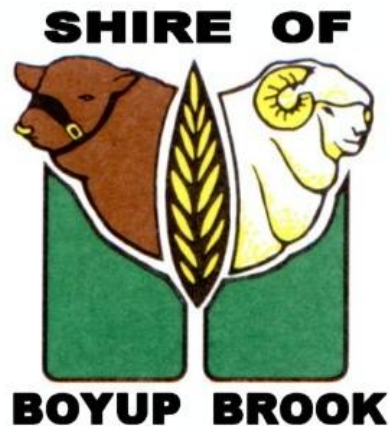


Minutes



ORDINARY MEETING

held

THURSDAY 21 June 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)

PUBLIC: Mr Tony Doust
Mr John Eddy
Mrs N Jones
Mr M Armstrong

1.2 Apologies

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

Questions raised by Mr Tony Doust

Two items on today's Council meeting agenda (8.2.6 & 8.2.7) relate to the possible introduction of differential rating for the Special Rural Area outside the Boyup Brook Townsite and presently rated using the Unimproved Valuation.

1. *Will Council advise if the Valuer General has provided a report on the use of Gross Rental Value for the Special Rural Area west and south of the Boyup Brook Townsite, following the visit to property owners by officers from Landgate in the early part of the 2018 year? If so, when was the report received and has it been considered at a formal meeting of Council? If not when will this occur?*
2. *I would like the Council to explain the logic and reasoning for the proposed introduction of a differential rate on the Special Rural Area west and south of the Boyup Brook Townsite.*
3. *I ask the Council to consider deferring the introduction of the both the proposed amended "Rating Strategy" and "Special Rural Differential Rate" to allow a thorough and fair review of all the options for differential rating, including the opportunity for ratepayers to have input into the longer term position, and until this has been completed the existing rating structure be retained.*

Response by Chief Executive Officer

1. *The Valuer General's report on GRV values for Special Rural Areas was received and it has been used to develop a report to Councillors at a briefing session. The general revaluation of GRV valued properties will be conducted, by the Valuer General, in 2018/19 for application in 2019/20, and so the report referred to will be support for a Shire Officer's report, on the option of using GRV instead of UV in Special Rural Areas, to Council in August.*
2. *Following discussions with Councillors, the intention is to withdraw the report to this Council meeting. The move away from recommending a differential rate for mining was prompted by the need to try to get the annual budget completed and adopted in July. The process to obtain Ministerial approval for prior years differential rates, which were more than twice the general UV rate, was lengthy and delayed the budget process. Rates modelling of differential rates less than double the general UV rate resulted in more than 50% of properties being on minimums, and so contrary to legislative requirements. The intent was to put forward the option of a differential rate for Special Rural for Council to consider but the report will now be withdrawn.*

3. *Items 8.2.6 and 8.2.7 been withdrawn by the CEO. This will be brought back to the Special Council meeting being held on 26th June 2018.*

Statement by Mr John Eddy

As a ratepayer in the Zig Zag Road subdivision since 1998/99, I object to the proposed rate increase of 39.57% if the area of UV Special Rural as shown in item 8.2.7 of the agenda. Mr Doust has already covered the areas of Fairness and Equity , consistency and transparency and I cannot identify any major difference between UV Rural and UV Special Rural.

Over the last five years the minimum rate increase of my property has been 22.62% (average 4.52% / year) while the value of my property has decreased by 14.75%.

So I would ask the question where is the fairness and equity in the proposed rate increases as recommended in item 8.2.7.

GRV - 12.8775 to 13.4150 = +4.17%

UV Rural - 0.7268 to 0.7622 = +4.87%

UV Special Rural - 0.7268 to 1.0144 = + 39.57%

UV Special Rural is rated at 33.09% above UV other

(U.V. other includes UV mining with was previously rated at 9.3845)

Malcolm Armstrong/Treasurer from Country Music Club of Boyup Brook

Mr Armstrong provided a list of costs that the Country Music Club has incurred in running the club, showcasing the town and Shire of Boyup Brook and the festival for the years 2014 to 2018.

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr O'Connell attended the Community Donation Workshop on 31st May 2018.
Cr O'Connell attended the Tonebridge Opening morning tea at Perup: Nature's Guesthouse.
Cr O'Connell attended the Swimming Pool Committee meeting on 13th June 2018
Cr O'Connell attended the Special Council Meeting on 14th June 2018.
Cr O'Connell attended the Swimming Pool Committee meeting on 18th June 2018
Cr O'Connell attended the Boyup Brook Community Resource Centre meeting on 20th June 2018.
Cr Alexander attended the Swimming Pool Committee meeting on 13th June 2018.
Cr Alexander attended the Special Council Meeting on 14th June 2018.
Cr Alexander attended the Swimming Pool Committee meeting on 18th June 2018.
Cr Kaltenrieder attended the Community Resource Centre meeting on 20th June 2018.
Cr Kaltenrieder attended the Blackwood Basin Group meeting.
Cr Kaltenrieder attended the Swimming Pool Committee meeting on 13th June 2018
Cr Kaltenrieder attended the Special Council Meeting on 14th June 2018
Cr Kaltenrieder attended the Swimming Pool Committee meeting on 18th June 2018
Cr Walker attended the Community Donation Workshop on 31st May 2018
Cr Walker attended the Special Council Meeting on 14th June 2018
Cr Walker attended the Swimming Pool Committee on 18th June 2018
Cr Rear attended the Tonebridge Official Opening Ceremony on 12th June 2018
Cr Rear attended the Swimming Pool Committee meeting on 13th June 2018
Cr Rear attended the Special Council Meeting on 14th June 2018
Cr Rear attended the Early Learning Centre Open Day on 16th June 2018
Cr Rear attended the Swimming Pool Committee meeting on 18th June 2018

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 17 May 2018

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 5.1

MOVED: Cr Kaltenrieder

SECONDED: Cr Muncey

That the minutes of the Ordinary Council Meeting held on Thursday 17th May 2018 be confirmed as an accurate record.

CARRIED 9/0

Res 93/18

6 PRESIDENTIAL COMMUNICATIONS

Attended Sporting Group meeting on 24th May 2018, the Sporting Group is fully incorporated and it consists of 14 members.

Attended the Community Donation Workshop on 31st May 2018.

Attended the Regional Road Group meeting on 11th June 2018.

Attended the Official Opening Ceremony of Tonebridge on 12th June 2018.

Attended the Swimming Pool Committee meeting on 13th June 2018.

Attended the Special Council meeting on 14th June 2018

Attended the Boyup Brook Early Learning Centre Open day of 16th June 2018

Attended the Swimming Pool Committee meeting on 18th June 2018

Attended meeting with the Chief Bush Fire Control Officer before the Bushfire Advisory meeting.

Attended the Bushfire Advisory meeting on 19th June 2018.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

8.1.1 10 Year Works Programs

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>7th of March, 2018</i>
Author:	<i>Rob Staniforth-Smith - MWKS</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	

- *10 year gravel re-sheeting program*
- *10 year seal program*
- *10 year maintenance program,*
- *10 year footpath program*
- *10 year widening program*
- *10 year plant replacement program*
- *10 year drainage replacement program*
- *10 year bridge capital works*

SUMMARY

The purpose of this report is to put the 10 year Works Programs to Council for endorsement as a basis for budget development and inclusion in the Integrated Planning Project.

BACKGROUND

As a requirement of the Integrated Planning program the 10 year Works Programs form an integral part of the budget preparation process.

The 10 year Works Programs are revised annually to accommodate changes to proposed works projects and budget considerations.

COMMENT

The 10 year Works Programs have been prepared for the 2017-2018 budget considerations and future years costing have been calculated in terms of current dollar values.

As previously noted the Works Programs will be revised annually so that budget estimates can be adjusted to current dollar values.

These plans are “anticipated projects” and may change throughout the year.

CONSULTATION

Chief Executive Officer

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

2013-2023 Strategic Community Plan

2014-2017 Corporate Business Plan

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 Rear

That the Council endorse the 2018/2019 to 2027/2028 Ten Year Works Programs as presented, for budget development and inclusion in the Strategic Plan.

CARRIED 9/0

Res 94/18

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Walker

That the Council adopts enbloc 8.2.1, 8.2.2 and 8.2.3

CARRIED 9/0

Res 95/18

8.2 FINANCE

8.2.1 List of Accounts Paid in May 2018
--

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

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in May 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 31 May 2018.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 May 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 June 2018 ordinary meeting Council receive as presented the list of accounts paid in May 2018, totalling \$604,889.46 from Municipal account, \$3,111.31 from Trust account and \$49,098.5 from Police Licensing account as represented by:

Municipal Cheques	20179 - 20189	\$ 16,284.68
Municipal Electronic Payments	EFT6610 – EFT6716	\$306,157.47
Municipal Direct Payments		\$ 282,447.31
Trust Cheques	2128 - 2131	\$ 1,183.26
Police Licensing Payments		\$ 49,098.50

CARRIED BY ENBLOC

96/18

8.2.2 31 May 2018 Statement of Financial Activity
--

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	15 June 2018
Authors:	Kay Raisin - A/Finance and HR Manager and Stephen Carstairs - Director Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – 31 May 2018 Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 May 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 31 May 2018 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC

Res 97/18

8.2.3 Finance Policy F.07 Material Variance in Financial Activity Statement

Location:	Shire Boyup Brook
Applicant:	N/A
File:	
Disclosure of Officer Interest:	None
Date:	12 June 2018
Author:	Stephen Carstairs (Director Corporate Services)
Authorizing Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: Material Variance in Financial Activity Statements Policy

SUMMARY

Council is requested to consider and adopt reviewed finance policy F.07 *Material Variance in Financial Activity Statements Policy*.

Policy F.07 presents: materiality thresholds for use in monthly financial reporting during the 2018-19 financial year as required by regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*; and a methodology for mathematically determining (i.e. calculating) these thresholds.

BACKGROUND

Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* (the FMR) requires local governments to adopt each year a percentage or value material variance, between year to date (YTD) budget and YTD actual values, calculated in accordance with the Australian Accounting Standards (AAS).

Both AASB 101 and AASB 108 have the following to say about materiality:

“Material – omissions or misstatements of items are material if they could, individually or collectively, influence the economic decisions that users make on the basis of the financial statements. Materiality depends on the size and nature of the omission or misstatement judged in the surrounding circumstances. The size or nature of the item, or a combination of both, could be the determining factor.”

Further, disclosure and provision of explanations for (material) variances presented in Financial Activity Statements is mandatory under FMR 34(2)(b).

COMMENT

Contrasting with AASB 101 and AASB 108 which require reporting entities to make an assessment (i.e. meaning to evaluate or estimate, or meaning to calculate) about materiality thresholds, FMR 34(5) requires that local governments calculate (i.e. determine mathematically) these thresholds.

Refer attached reviewed policy F.7 for minor amendments highlighted in yellow.

CONSULTATION - Nil

STATUTORY OBLIGATIONS

The Local Government Act prescribes that the role of Council includes:

1.7 *The role of the council*

(2) *Without limiting subsection (1), the council is to –*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies.*

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

No financial implications derive from this item.

STRATEGIC IMPLICATIONS

The policy provides officers with guidance when reporting each month on the shire's financial affairs.

SUSTAINABILITY IMPLICATIONS

- **Environmental** – Nil
- **Economic** – Nil
- **Social** – Nil

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.3

That Council adopt Policy F.07 *Material Variance in Financial Activity Statements Policy*, as presented.

CARRIED BY ENBLOC

Res 98/18

8.2.4 Policy Review - M.11 Councillors Telecommunications and Information Technology Allowance Policy

Location: Shire Boyup Brook
Applicant: N/A
File:
Disclosure of Officer Interest: None
Date: 11 June 2018
Author: Stephen Carstairs (Director Corporate Services)
Authorizing Officer: Alan Lamb (Chief Executive Officer)
Attachments: Yes: Policy M.11 Councillors Telecommunications and Information Technology Allowance Policy and excerpt from the 10 April 2018 Determination of the Salaries and Allowances Tribunal for Local Government

SUMMARY

Council is requested to consider and adopt reviewed Members policy M.11 *Councillors Telecommunications and Information Technology Allowance Policy*.

Policy M.11 aligns the annual Information Communication and Technology (ICT) allowance of Councillors with the 10 April 2018 determination of the *Salaries and Allowances Tribunal for Local Government* (refer excerpt attached) and provides for the provision of certain ICT devices .

BACKGROUND

In July 2017, as in previous years, policy M.11 set a fixed dollar amount (\$1,210) for Councillors' ICT allowances. Contrasting with this the Salaries and Allowance Tribunal (the Tribunal) set the allowance at between \$500 and \$3,500.

COMMENT

So as to align policy M.11 with the Tribunal's 10 April 2018 determination, it is proposed that section 4.1.1 of the policy shall be amended from:

"Members will be paid an annual telecommunications and technology allowance of \$1,210."

to: Members will be paid an annual telecommunications and technology allowance of between \$500 and \$3,500.

A second proposed (housekeeping) amendment occurs at section 2, which is to be amended from:

"To meet Member's telecommunication costs relevant to their Membership on Council."

to: To meet Member's telecommunication and IT costs relevant to their Membership on Council.

Further the Variation Date and Review Date sections of policy M.11 are also proposed to be updated, and refer attached policy M.11 for all the proposed changes highlighted in yellow.

CONSULTATION - Nil

STATUTORY OBLIGATIONS

The Local Government Act prescribes that the role of Council includes:

1.8 *The role of the council*

(2) *Without limiting subsection (1), the council is to –*

- (c) *oversee the allocation of the local government's finances and resources; and*
- (d) *determine the local government's policies.*

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

No financial implications derive from this item.

STRATEGIC IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

- **Environmental** – Nil
- **Economic** – Nil
- **Social** – Nil

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.4

MOVED: Cr O'Connell

SECONDED: Cr Rear

That Council adopts revised Policy M.11 *Councillors Telecommunications and Information Technology Allowance Policy*, as presented.

CARRIED 9/0

Res 99/18

8.2.5 Elected Members Meeting Attendance Fees, Allowances and Expense Entitlements

Location:	N/A
Application:	N/A
File:	
Disclosure of Interest:	Nil
Date:	11 June 2018
Author:	Stephen Carstairs (Director Corporate Services)
Authorising Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	1. excerpt from 10 April 2018 Determination of the Salaries and Allowances Tribunal on for Local Government 2. Public Sector Wages Policy Statements for 2016 and 2017.

SUMMARY

For Council to:

- elect the method for determining Councillor meeting fees in 2018-19; and
- set Elected Member's meeting fees, allowances, and expense entitlements for 2018-19.

BACKGROUND

Part 5, Division 8 (Sections 5.98, 5.98A, 5.99 and 5.99A) of the *Local Government Act 1995* (the Act) provides for council members to receive certain payments.

The Salaries and Allowances Tribunal (the Tribunal) completed its 2018 review of meeting attendance fees, allowances and expense entitlements for elected members of Local Governments throughout Western Australia, and made its determination which comes into operation on 01 July 2018 (see page 10 in Attachment 8.3.5). In accordance with the Act and the *Local Government (Administration) Regulations 1996*, the determination establishes, among other things, the current scale of elected member fee and allowance payments, and provisions for reimbursement of expenses.

Meeting Fees or Annual Attendance Fees - Councillors

Pursuant to Section 5.98 of the Act a council member, mayor or president who attends a council or committee meeting is entitled to be paid a fee set by the Council within the range stipulated in the Tribunal's determination. Pursuant to Section 5.99 of the Act a Council may decide by absolute majority that instead of paying council members, mayors or presidents a meeting fee it will be pay an

annual attendance fee within the range stipulated in the Tribunal's determination.

Band 4 Councils, like the Shire of Boyup Brook (and see Schedule 1 on page 33 of the attached determination), are able to set Council meeting attendance fees in the range \$90 to \$236 per meeting for members other than the president (and see Table 4 on page 23 of the attached), and between \$45 and \$118 for committee meetings (see page 24 of the attached). Alternatively Council, by absolute majority, may pay Councillors an annual attendance fee within the range of \$3,553 to \$9,410 (see Table 8 on page 25 of the attached).

In June 2016 Council resolved (Res 62/16) that in 2016-17 Councillors would receive an annual attendance fee of \$6,915 (representing a 0.0% increase on 2015-16), which was an amount within the fee range set by the Tribunal. In July 2017 Council resolved (Res 96/17) to increase by 4.0% to \$7,190 the 2017-18 annual sitting fee for Councillors.

Meeting Fees or Annual Attendance Fees – Shire President

The Shire President can be provided with a higher meeting or annual attendance fee in recognition of the greater workload and responsibility associated with presiding at a council meeting.

Band 4 Councils are able to set council meeting attendance fees for the President in the range \$90 and \$485 per meeting, and might receive the same committee meeting attendance fee as determined by Council for Councillors. Alternatively, Council, via absolute majority can determine that the President would receive an annual attendance fee in the range of \$3,553 to \$19,341.

In June 2016 Council resolved (Res 62/16) that the President would receive an annual attendance fee of \$13,295 (representing a 0.0% increase on 2015-16), which was an amount in the range set by the Tribunal. In July 2017 Council resolved (Res 96/17) to increase by 4.0% to \$13,825 the 2017-18 annual sitting fee for the President.

Annual Allowance for President

Under Section 5.98 of the Act Council can set an allowance for the President (separate from meeting or annual attendance fees), and as per the Tribunal's 2018 Determination the allowance can be in the range \$508 to \$19,864 (see Table 10 on page 27 of the attached).

In 2016-17 Council resolved that the President's Allowance would be \$6,920 (representing a 0.0% increase on 2015-16). In 2017-18 Council resolved to increase the President's allowance by 4.0% to \$7,195.

Annual Allowance for Deputy President

Section 5.98A of the Act allows Council to provide a special allowance to the Deputy President, with the amount of the allowance being 25% of the President's allowance.

In 2017-18 Council resolved that the Deputy President would receive an allowance.

Meetings Fees or Annual Attendance Fee?

It is recommended that Council retain the "annual" method for determining Councillor meeting attendance allowances rather than changing to a "per meeting" fee. The advantages of the "annual" method include:

- A "per meeting" fee doesn't take into account all the work that a Councillor does in between Council or Committee meetings. A Councillor may perform a substantial amount of work between meetings but if for legitimate reasons a Councillor misses a meeting, then they would not receive any recompense payment towards that work.
- Under the Act only Council or committee meetings trigger payment of a meeting attendance fee. This Council uses the "briefing session" process on a regular basis, and those meetings, which can generate additional work for Councillors, would not provide a meeting fee to those participating Councillors.
- Whilst the annualising of meetings fees can result in Councillors receiving a fee when not attending meetings, as in the case of an apology or on leave of absence, it is a rare occurrence for a Councillor to take extended leave of absence.

Reimbursement of Expenses Including Annual Allowances *in Lieu of Reimbursement*

Under the *Local Government Act and Local Government (Administration) Regulations 1996* elected members are entitled to reimbursement of telecommunications, information technology, child care, travel and accommodation expenses. Policies M.05 (Councillors – Expenses Reimbursement and Loss of Earnings) and M.11 (Councillors Telecommunications and Information Technology) provides guidance on these entitlements.

Pursuant to Section 5.99A of the Act Council can decide by absolute majority that rather than reimburse Councillors for all of a particular type of expense, it would pay an annual allowance.

The Tribunal has amalgamated telecommunications and information technology allowances into a single Information and Communications Technology (ICT)

Allowance, with a permissible range between \$500 and \$3,500 (refer page 32 of the attached determination).

COMMENT

In this report the author recommends that Council consider increasing in 2018-19 elected member annual meeting attendance fees, the President's annual meeting attendance fee and allowance, and the annual ICT allowance for elected council members by 3.0%, rounded up to the nearest \$5. The proposed 3.0% increase comprises an inflationary increase of 1.5% (and refer Public Sector Wages Policy Statement 2016 at point 3), and an additional regional component of 1.5%.

Councillor Fees and Allowances Proposed in 2018-19

	2017-18	2018-19
Councillor annual attendance fees	\$7,190	\$7,405
President's annual attendance fee	\$13,825	14,240
President's annual allowance	\$7,195	\$7,410
Deputy President's annual allowance	\$1,798.75	\$1,852.50
Councillor ICT allowance	\$1,210	\$1,245

Currently meeting attendance fees, allowances and travel re-imbursements payments are made to Councillors in three x four monthly instalments, occurring in February, June and October of the year.

CONSULTATION

Alan Lamb - Chief Executive Officer

STATUTORY OBLIGATIONS – Local Government Act

5.98. Fees etc. for council members

(1) A council member who attends a council or committee meeting is entitled to be paid —

(a) the prescribed minimum fee for attending a council or committee meeting; or

(b) where the local government has set a fee within the prescribed range for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

(a) the prescribed minimum fee for attending a meeting of that type; or

(b) where the local government has set a fee within the prescribed range for meetings of that type, that fee.

(2) A council member who incurs an expense of a kind prescribed as being an expense —

(a) to be reimbursed by all local governments; or

(b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).

(3) A council member to whom subsection (2) applies is to be reimbursed for the expense —

(a) where the minimum extent of reimbursement for the expense has been prescribed, to that extent; or

(b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the prescribed range (if any) of reimbursement, to that extent.

(4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.

(5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —

(a) the prescribed minimum annual local government allowance for mayors or presidents; or

(b) where the local government has set an annual local government allowance within the prescribed range for annual local government allowances for mayors or presidents, that allowance.

(6) A local government cannot —

(a) make any payment to; or

(b) reimburse an expense of, a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.

(7) A reference in this section to a committee meeting is a reference to a meeting of a committee comprising —

(a) council members only; or

(b) council members and employees.

[Section 5.98 amended by No. 64 of 1998 s. 36; No. 17 of 2009 s. 33.]

5.98A. Allowance for deputy mayor or deputy president

(1) A local government may decide to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).*

** Absolute majority required.*

(2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted by No. 64 of 1998 s. 37.]

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

(a) the prescribed minimum annual fee; or

(b) where the local government has set an allowance within the prescribed range for annual allowances for that type of expense, an allowance of that amount and only reimburse the member for expenses of that type in excess of the amount of the allowance.

** Absolute majority required.*

POLICY IMPLICATIONS

Policy M.11 (Councillors Telecommunications and Information Technology) provides guidance on ICT entitlements, and Policy M.05 (Councillors – Expenses Reimbursement and Loss of Earnings) addresses other expenses e.g. child care & travel, not covered in this report.

BUDGET/FINANCIAL IMPLICATIONS

As part of the annual budget process Council is to set annual meeting attendance fees (or per meeting fees) for the President and Councillors, the President's annual attendance fees and allowance, and ITC allowances within the permissible range set by the Tribunal.

STRATEGIC IMPLICATIONS

Not Applicable

SUSTAINABILITY IMPLICATIONS

Not Applicable

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION - Item 8.2.5

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council:

- 1. Retain in 2018-19 the annual attendance fee method of payment of Councillor and President meeting attendance fees, rather than the 'per meeting basis' method.**
- 2. Set in 2018-19 Councillor meeting attendance fees, the President's annual attendance fee and annual allowance, the Deputy President's annual allowance, and ICT allowances as follows:**
 - Annual Attendance Fee for Council Members is to be \$7,405;**
 - Annual Attendance Fee for Shire President is to be \$14,240;**
 - Annual President's Allowance is to be \$7,410;**
 - Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance i.e. \$1,852.50; and**
 - Annual Information and Communications Technology Allowance is to be \$1,245.**

The Shire President and Deputy Shire President left the Chambers at 6.49pm

Kay Raisin left the Chambers at 6.52pm

Cr O'Connell took the Chair.

AMENDMENT - Item 8.2.5

MOVED: Cr Moir

SECONDED: Cr Muncey

- Annual President's allowance to be increased to \$10,000.**
- Provision of an Annual Deputy President Allowance to be increased to \$2,500.00.**

CARRIED 5/2

Res 100/18

Request for Vote to be recorded

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

For	Against
Cr Moir	Cr Kaltenrieder
Cr Muncey	Cr Oversby
Cr Rear	
Cr O'Connell	
Cr Alexander	

MOTION - Item 8.2.5

That Council:

- 1. Retain in 2018-19 the annual attendance fee method of payment of Councillor and President meeting attendance fees, rather than the 'per meeting basis' method.**
- 2. Set in 2018-19 Councillor meeting attendance fees, the President's annual attendance fee and annual allowance, the Deputy President's annual allowance, and ICT allowances as follows:**
 - Annual Attendance Fee for Council Members is to be \$7,405;**
 - Annual Attendance Fee for Shire President is to be \$14,240;**
 - Annual President's Allowance is to be \$10,000;**
 - Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance is to be \$2,500.00;**
 - Annual Information and Communications Technology Allowance is to be \$1,245.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Res 101/18

The Shire President and the Deputy Shire President returned to the Chambers at 6.58pm.

The Shire President resumed the Chair.

WITHDRAWN

Item 8.2.6 and 8.2.7 was withdrawn by the CEO and will be brought up at the Special Council Meeting on Tuesday, 26th June 2018.

8.2.6 Finance Policy F.09 Rating Strategy
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Location:	Shire Boyup Brook
Applicant:	N/A
File:	Policy
Disclosure of Officer Interest:	None
Date:	11 June 2018
Author:	Stephen Carstairs (Director Corporate Services)
Authorizing Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: 1. Department of Local Government and Communities Rating Policy. 2. Finance Policy F.09 Rates Strategy

SUMMARY

This report is for Council to consider and adopt reviewed Finance Policy F.9 Rating Strategy which outlines the shire's position and approach to levying rates.

BACKGROUND

Local governments impose rates on the properties in the district to raise revenue to fund the services and facilities provided to residents and visitors. Subsection 2 of section 6.2 of the *Local Government Act 1995* (the Act) puts in perspective the importance of rates in preparing annual budgets:

6.2. Local government to prepare annual budget

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —

(a) the expenditure by the local government; and

*(b) the revenue and income, **independent of general rates**, of the local government; and*

(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

The amount of rates payable by rate payers is determined by the interplay of three factors: the method of valuation of the land i.e. unimproved value (UV) or gross rental value (GRV) as determined, effectively, by the Minister (and refer s.6.28 of the act); the valuation of the land and improvements as determined by the Valuer General in accordance with the provisions of the *Valuation of Land Act 1978*; and the rate in the dollar applied to that valuation by the local government.

The shire may impose separate single general rates to apply to all of the properties in the UV and GRV categories, respectively. Alternatively, the shire can distinguish between land in either of the categories on the basis of its zoning, use, whether or not it is vacant, other criteria set by Regulation, or a combination of these factors, and rate them differently i.e. apply a differential rate to each sub-category.

In March 2016 the then Department of Local Government and Communities (the Department) published its *Rating Policy* on Differential Rates (s.6.33), and see attached. Among other things, the document describes the legislative and policy basis for the application of differential general rates to land being rated by a local government, and provides guidance to local governments on the Ministerial approval processes for the imposition of a differential general rate which is more than twice the lowest differential rate.

The purpose of the imposition of a differential general rate is generally to ensure that every landowner makes a reasonable contribution to the rate burden.

Since the 2014-15 financial year, and in accord with both s.6.33(3) of the Local Government Act 1995 (the Act) and the WA Local Government Grants Commission's (the Commission) Balanced Budget methodology, the Shire of Boyup Brook has been levying a Mining differential general rate which is more than twice the Rural (lowest) differential general rate.

Section 6.33(3) of the Act reads as follows:

"In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it."

The Minister's approval under section 6.33(3) will be made consistently with the key values of objectivity, fairness and equity, consistency, transparency and administrative efficiency, and refer to the Department's policy for details on these values.

COMMENT

With the aim of aligning Council's approach to levying rates in Boyup Brook with both the Department's Rating Policy and the Commission's Balanced Budget methodologies, the shire's F.9 Rating Strategy policy was adopted in June 2017.

Proposed amendments to Policy F.9 are as follows:

Under the Section *OBJECTIVE*, amend the paragraph from: *"The objective of this ... Policy is to guide both the shire's Strategic Community Plan and Long Term Financial Plan ..."*

to read: The objective of this ... policy is to guide both the shire's Corporate Business Plan and Long Term Financial Plan ...

Under the sub-heading Rating based on the "use" of a property, amend the paragraph from: *"Where the predominant use is rural or mining, the basis of rating will be Unimproved Value (UV). UV Urban and Special Rural properties are also captured in this property category."*

to read: Where the predominant use is rural or mining, the basis of rating will be Unimproved Value (UV). UV Urban and Special Rural properties are also captured in this property category. Sub-classes within this rate category might be UV - Rural, UV - Mining, UV - Special Rural, or UV - Other.

Under the sub-heading *Differential Rating*, amend the paragraph from: *"Differential rating is supported, ... , and will be applied in the Shire of Boyup Brook."*

to read: Differential rating is supported, ... , and will be applied in the Shire of Boyup Brook where the projected benefit, e.g. increase in rate revenue, or a more equitable distribution of the rate burden, is likely to exceed the cost of undertaking the differential rating.

Under the sub-heading *Spot and split rating*, amend paragraph one (1) from: *"Spot rating will not normally be applied."*

to read: Spot rating, of a portion or portions within rateable parcels of land, will not normally be applied.

Under the sub-heading The Rates Revenue Pool of Moneys Levied, amend the last paragraph from: *"For the 2015/16 grant determinations, the Gants Commission uses the following formula:*

\$617.66 per assessment + \$0.001058 x valuations + \$3.28 per ha = rural contributions.

\$918.56 x assessments + 0.1681 x area + \$0.050 x valuations = mining contributions.

\$960.72 per assessment + \$0.02236 in the dollar = GRV contributions."

to read: For the 2016/17 grant determinations, the Gants Commission uses the following formula:

$\$272.90 \text{ per assessment} + \$0.00154 \times \text{valuations} + \$2.84 \text{ per ha} = \text{rural contributions.}$

$\$1260.61 \times \text{assessments} + \$0.2653 \times \text{area} + \$0.0636 \times \text{valuations} = \text{mining contributions.}$

$\$824.11 \text{ per assessment} + \$0.0316 \text{ in the dollar} = \text{GRV contributions.}$

Other proposed amendments to reviewed policy F.9 Rating Strategy are highlighted in yellow.

Among other things, the Minister will be mindful that any proposed differential rates to be levied by Council in 2018-19 are consistent with the shire's rating strategy which in turn guides both the corporate business plan and long term financial plan.

CONSULTATION

Alan Lamb (Chief Executive Officer)

STATUTORY OBLIGATIONS

The Local Government Act prescribes that the role of Council includes:

1.9 The role of the council

(2) *Without limiting subsection (1), the council is to –*

- (e) oversee the allocation of the local government's finances and resources; and*
- (f) determine the local government's policies.*

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

This reviewed policy F.9 Rating Strategy seeks to provide officers with guidance on the management of the shire's financial affairs.

SUSTAINABILITY IMPLICATIONS

➤ **Environmental – Nil**

- **Economic** – Nil
- **Social** – Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION - Item 8.2.6

That Council adopts amended policy F.09 Rating Strategy, as presented.

8.2.7 Levying Rates in 2018-19

Location:	N/A
Application:	N/A
File:	
Disclosure of Interest:	
Date:	12 June 2018
Author:	Stephen Carstairs (Director Corporate Services)
Authorising Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: Rating Information - 2018-19 Financial Year and 2018-19 Objects and Reasons for Levying Rates

PURPOSE

This report seeks to have the Council consider and endorse for inclusion in the draft budget proposed general rates and minimum payments for the coming 2018-19 financial year.

BACKGROUND

Rates revenue is a substantial source of general purpose (sometimes described as discretionary) revenue for the Shire of Boyup Brook, and accounted for some 35.6% of operating expenses (Rates Coverage Ratio) in 2017-18. The *Local Government Act 1995* (the Act) empowers local governments to impose differential general rates and minimum payments on rateable land.

The imposition of differential rates is a conscious decision by Council to redistribute the rate burden in its district by imposing a higher impost on 'higher-end' service users (ratepayers) relative to others. Recognising this, and in accord with the WA Local Government Grants Commission's (the Grants Commission) 2015-16 *Balanced Budget*, in 2017-18 the actual rates levied by Council approached the following percentage split:

- 17.31% GRV : 80.77% Rural UV : 1.92% Mining UV

The above percentage split had the effect of causing the Mining UV general rate (9.3845 cents in the \$) to be more than twice the Rural UV general rate (0.7268 cents in the \$), thereby triggering a section 6.33.(3) of the *Local Government Act 1995* event and requiring Ministerial approval which is a drawn out process.

After all the other sources of income and expenses have been recognised for a budget, the object of a rating model is to provide for the funding shortfall required to meet the needs (services, activities, financing costs and the current and future capital requirements) of the community. In 2017-18 Council budgeted to raise \$2,658,265 in rates (*ex gratia* rates not included).

For the 2018-19 financial year, Scenarios 2 and 3 in the shire's (draft) 2017-18 to 2026-27 Long Term Financial Plan (LTFP) indicate that the funds shortfalls would be \$2,771,240 (an increase of \$112,975 not including *ex gratia* rates) and \$2,757,950 (an increase of \$99,685 not including *ex gratia* rates) respectively. For 2018-19 of the LTFP Scenario 2 approximated to an overall rates increase of 4.25% relative to 2017-18, while Scenario 3 approached a 3.75% increase.

Increasingly, assets management is being recognised as a significant challenge for local governments in Western Australia, and any rating model must also support substantial transfers to and from Reserve Accounts (e.g. Plant Replacement Reserve) to fund asset renewal and replacement requirements in line with defined service levels.

The revaluation of UV properties by Landgate through May and early June of 2018 for Mining and Rural properties resulted in the following outcomes:

- the number of Mining UV properties in the district remained relatively static at 16 properties (15 of which are rateable), and their rateable value decreased by \$51,330 from \$509,595 in 2017-18 to \$458,265 for 2018-19; and
- the rateable value of Rural UV properties increased by some \$1,694,250 from \$282,150,840 in 2017-18 to \$283,845,090 for 2017-18.

COMMENT

In the development of the rating modelling methodology the following principles were applied:

1. Equity
2. Incentive
3. Administrative Efficiency
4. Compliance
5. Sustainability

The proposed rates to apply in 2017-18 were designed, as much as practicable, to ensure equity and contribution of rates according to land use, and approach as much as is practicable to the percentage split (GRV : Rural UV : Mining UV) as assessed in the WA Local Government Grants Commission's 2016-17 Balanced Budget.

Rates are calculated by multiplying the valuation (either GRV or UV) provided by Landgate (the Valuer-General), with a rate in the dollar imposed by the Council. When Landgate revalue properties, the Shire can adjust the rate in the dollar to offset significant fluctuations in valuation.

For the 2017-18 financial year, and to meet the outcomes of Scenario 2 (4.25% overall increase in rates) of the LTFP, Council might consider endorsing rate in the \$ and minimum rates increases across three (3) rating classes as follows:

Rate Class Min S's	2017-18			2018-19
	Rate in \$	Min \$'s	% Increase ¹	Rate in \$
GRV 901	12.8775	897	4.5	13.4150
UV - Rural 859	0.7268	824	4.5	0.7622
UV – Mining 889	9.3845	851	-0.2	9.8000

1. These values refer to the % increase/decrease in revenue derived from the respective (proposed) 2018-19 rate in the \$ increases for each rate class.

NB: Pros for adopting a model like this include: (a) the percentage split of the rate pool across the rate categories (GRV : Rural UV : Mining UV) will approach that achieved in 2017-18 and previous years; and (b) a level of equity is achieved for the Mining category. Cons include: (a) the Mining class rate in the \$ (9.8000) is more than twice that of the other UV classes (0.7622), triggering a section 6.33.(3) event which is a drawn out and costly process (compliance with the then Department of Local Government and Communities' 2016 Rating Policy is an onerous exercise), that delays the adoption of the budget till late in August having the effect of 'stalling' for a month or more the normal functioning of the council; and (b) The UV – Special Rural class of properties under-contributes to the total rate pool (by \$65,585) as determined should its basis/method of rating be GRV. In short, while officers have been able to defend Council's position on differentially rating the mining sector, the benefits haven't matched the cost.

By way of an alternative model, and to meet the outcomes of Scenario 3 (3.75% overall increase in rates) of the LTFP, Council might consider endorsing the following:

Rate Class Min S's	2017-18			2018-19
	Rate in \$	Min \$'s	% Increase ¹	Rate in \$
GRV 901	12.8775	897	4.5	13.4150
UV - Rural	0.7268	824		
UV – Mining	9.3845	851		

UV – Other ² 859	2.6	0.7622
UV – Special Rural 859	123.1	1.0144 ³

1. These values refer to the % increase/decrease in revenue derived from the respective (proposed) 2018-19 rate in the \$ increases for each rate class.
2. This rate class includes Mining with Rural and Urban Rural properties.
3. This rate in the \$ will achieve income equivalent to that which would be achieved if this class were rated as UV-Other + 1/3 the difference if rated as GRV, i.e. \$90,255 + 0.333*\$65,585.

NB: Pros for adopting a model like this include: (a) a section 6.33.(3) event is not triggered; (b) the UV – Special Rural class of properties contributes a more equitable amount to the total rate pool. Cons include: (a) the percentage split of the rate pool across the rate categories (GRV : Rural UV : Mining UV) will deviate substantially from that achieved in 2017-18 and previous years; and (b) the Mining category will substantially (\$36,270) under contribute to the total rates pool.

Endorsing rates in the \$ and minimums at this stage, will not preclude Council from striking some other rates when adopting the 2018-19 Annual Budget. The proposed Scenario 3 general and minimum rate increases will generate in 2018-19 some \$2,756,080 (the rates pool), an increase of \$97,815 on 2017-18 and refer attached to the Statement of Rating Information.

Included as Attachment 8.2.7 is a workbook which models the proposed increases showing in some detail the average rates that would be payable for each of the rating categories. It should be noted that this is just an average, and that the amount properties increase varies depending upon their valuations.

CONSULTATION

Subject to endorsement of the proposed rating model by Council, the proposed general rates and general minimum payments will be advertised for submissions in Saturday's West Australian, the Gazette (time permitting), on the shire website, on the shire public notice board and in the library.

STATUTORY OBLIGATIONS

Local Government Act 1995
Part 6 Division 6 – Rates and service charges
s.6.33; s.6.35; and s.6.36

POLICY IMPLICATIONS

Policy F.9 *Rating Strategy* should be read in conjunction with this report.

BUDGET/FINANCIAL IMPLICATIONS

The matter of this report has no implications for the shire's 2017-18 *Annual Budget* as amended. Based on property valuations at the time of writing, the proposed general rates and minimum rates of Scenario 3 are expected to yield in 2018-19 total rates revenue of \$2,756,080 representing the total rates pool.

STRATEGIC IMPLICATIONS

Officers have had regard for the financial principles and strategies identified in Policy F.09 *Rating Strategy*.

POLICY IMPLICATIONS

Policy F.09 *Rating Strategy* has implications for this report.

SUSTAINABILITY IMPLICATIONS

The financial sustainability principles and strategies identified in the draft 2017-27 LTFP (presented elsewhere in this agenda) have been adhered to.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - Item 8.2.7

That Council:

1. Endorses for 2018-19 Annual Budget preparation purposes the following proposed general rates and minimum payments to be applied from 1 July 2018 for the 2018-19 financial year:

Rate Classes	2018-19 Rate in \$	Min S's
GRV	13.4150	901
UV - Other	0.7622	859
UV – Special Rural	1.0144	859

2. Endorse the Objects and Reasons for the rates to be imposed in the 2017-18 financial year, as presented.
3. Directs the CEO to advertise for submissions the proposed 2018-19 rates in the \$ and minimum rates, and Objects and Reasons, in Saturday's West Australian, the Gazette (time permitting), on the shire website, on the shire public notice board and in the library

8.2.8 Shire of Boyup Brook 2017-2027 Long Term Financial Plan & Corporate Strategic Plan

Location:	N/A
Applicant:	
File:	
Disclosure of Officer Interest:	None
Date:	19 April 2018
Author:	Stephen Carstairs -Director Corporate Services
Authorizing Officer:	Alan Lamb - CEO
Attachments:	Yes: Endorsed 2017-2027 Plant Replacement and Works & Services 10 Year Programs, 2017-27 Long Term Financial Plan and Corporate Business Plan

SUMMARY

The purpose of this report is for Council to appraise and receive the Shire of Boyup Brook 2017-2027 Long Term Financial Plan (LTFP) and Corporate Business Plan (CBP).

BACKGROUND

In keeping with the Department of local Government & Communities' (DLGC) integrated planning principles, local governments (LG) will produce LTFP's which integrate operating and their various asset management plans into a ten (10) year financial management plan. LTFP's are to align with a LG's Community Strategic Plan, and are an informing document for a LG's Corporate Business Plan (usually the next 4 years).

COMMENT

The 2017- 2027 Long Term Financial Plan integrates the outcomes of workshops held by Council during 2017, 10 year operating budgets and 10 Year Plant and Works Programs which were endorsed by Council (Res 47/17). The financial KPI's (ratios) generated by the plan confirm that that the Shire of Boyup Brook is sustainable while supported by federal operating and state and Federal infrastructure grants. The Corporate Business Plan derives from the LTFP.

CONSULTATION

Council
Alan Lamb (Chief Executive Officer)
Rob Staniforth-Smith (Director of Engineering Services)
Kay Raisin (A/ Finance & HR Manager)

STATUTORY OBLIGATIONS

As identified in DLGC Policies & Guidelines

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The 2017-2027 LTFP is an informing document for the CBP, and together they form the basis for generating future annual budgets.

STRATEGIC IMPLICATIONS

Both the 2017-2027 LTFP and CBP fully align with the shire's Community Strategic Plan.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
The financial KPI's (ratios) generated by the LTFP confirm that that the Shire of Boyup Brook is sustainable while supported by federal operating and state and Federal infrastructure grants.
- **Social**
The LTFP aligns with the Community Strategic plan.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.8

MOVED: Cr Walker

SECONDED: Cr Rear

That Council:

- 1. Receives the Shire of Boyup Brook Long Term Financial Plan 2017-2027.**
- 2. Adopts the Shire of Boyup Brook Corporate Business Plan 2017-2027.**

CARRIED 8/1

Res 102/18

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Social Media Policy

Location:	N/A
Applicant:	N/A
File:	Policy
Disclosure of Officer Interest:	Nil
Author:	Joanna Kaye (Research and Development Coordinator) & Alan Lamb (Chief Executive Officer)
Authorizing Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Social Media Policy Social Media Guideline

SUMMARY

This report recommends that Council approves the draft Social Media Policy. This policy has been adapted from the WALGA Social Media Policy template released in March 2018.

BACKGROUND

16 November 2017 Council resolved (Res. 151/17) as follows: That Council direct the CEO to develop a draft social media policy. Officers are currently planning the implementation of a formal Shire of Boyup Brook social media presence to assist Council's communication and engagement with its residents. Officers intend launching the social media presence in conjunction with the Shire's new web site that is currently being developed. The policy is to govern and provide guidelines for the social media use by both elected members and staff.

15 February 2018 Council Minutes stated:

OFFICER RECOMMENDATION - Item 8.3.8

- 1. That Council endorses the Social Media Policy as presented.**
- 2. That Council directs the CEO to have the endorsed Social Media Policy appraised by the Shire's solicitors for shortcoming, if present, and then brought back to Council.**

The CEO requested that the Social Media Policy be redrafted based on the WALGA Social Media Policy template released in March 2018.

CONSULTATION

29 March WALGA released a Social Media Policy Template. The Boyup Brook Social Media Policy is based on this template.

STATUTORY OBLIGATIONS

The requirement to govern and control social media use by elected members and staff, in their capacity as representatives of the Shire of Boyup Brook is considered necessary in order to minimise any risk associated with publically published content.

Elected Member behaviour and activity, including when using social media for professional or personal purposes is governed by:

- *Local Government Act 1995*
- *Code of Conduct*
- *Local Government (Rules of Conduct) Regulations 2008*
- *Local Government (Elections) Regulations 1996*
- *State Records Act 2000*
- *Freedom of Information Act 1988*

POLICY IMPLICATIONS

It is important that the Social Media policy is also read in conjunction with existing Shire policies such as (but not limited to) Public Relations - Press Releases and Record Keeping Policy.

BUDGET/FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

The shire's *Community Strategic Plan 2013 – 2023*, in the section under “*Council and Community Leadership*”, reads to: “*Foster community participation and collaboration through the “Development of a website to communicate information more easily to residents.”*”

This also applies to social media.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Nil.
- **Economic**

It is estimated that delegated officials will dedicate four hours per week to update social media platforms.



Social

These proposed improvements will meet with the Shire's social responsibility to provide our community with an accessible source of information regarding the operations of the Council, and with technological advancements a good website supported by social media will meet the majority of our communities' expectations at this point in time.

VOTING REQUIREMENTS

Absolute majority.

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Kaltenrieder

SECONDED: Cr Rear

That Council adopt the Social Media Policy, as presented.

Cr Muncey left the Chambers at 7.12pm

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 103/18

8.3.2 Policy M.13 Support for Community Seniors Christmas Lunch
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Location:	N/A
Applicant:	N/A
File:	Policy
Disclosure of Officer Interest:	21 June 2018
Author:	Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)
Authorizing Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Policy M.13 Support for Community Seniors Christmas Lunch Policy

SUMMARY

This report recommends that Council approves the draft Support for Community Seniors Christmas Lunch Policy for inclusion in the Policy Manual.

BACKGROUND

The annual Community Seniors Christmas Lunch is an event organised by volunteers to encourage a sense of community and inclusion for the ageing residents of Boyup Brook.

According to Synergy the Shire has provided support for this event under the GL code 082100 since at least 2013.

In 2017 the Shire supported the event by providing the Town Hall free of charge, the in-kind set up of chairs to the value of \$130 and a cash donation for event promotion and refreshments for \$1,115.

The funds for this event has traditionally been allocated as a separate line item in the budget 082100 Support for Seniors Christmas Lunch, under the programme 08 Education and Welfare, Sub-Programme 082 Aged and Disabled.

Prog	Programme Description	SP	Sub-Programme Description	COA	Description	2017-18 Budget	2016-17 Budget	2016-17 Actual
08	Education & Welfare	081	Other Education	081001	Rylington Park Reimbursements	-7,875	-7,595	-7,681
				081100	Community Resource Centre	3,085	3,930	2,010
				081101	Rylington Park Farm Complex	9,195	9,455	8,824
				081102	Donations - Other Education	200	200	200
				081150	Admin Allocation - Other Education	11,840	11,235	10,737
				081190	Depreciation - Community Resource Centre	4,985	4,955	4,960
				081191	Depreciation - Rylington Park Farm Complex	16,765	16,655	16,680
		082	Aged And Disabled	082100	Support for Seniors Christmas Lunch	1,105	1,025	1,827
				082104	Interest Paid Loan 118 - Aged Needs Initiative	13,485	14,150	17,054
				082150	Admin Allocated - Aged & Disabled	11,840	11,235	10,737

This contribution has not been included under the donation policy as the event is organised by a group of individuals not an organisation. Only organisations are eligible for funding support through the community donations process.

It is also not possible to enter into a Memorandum of Understanding with a group of individuals. It is therefore recommended that this funding is approved through the mechanism of a Council Policy, similar to the Sandakan Relationship Policy.

CONSULTATION

Director of Corporate Services Stephen Carstairs

Manager of Finance Kay Raisin

STATUTORY OBLIGATIONS

NIL

POLICY IMPLICATIONS

NIL

BUDGET/FINANCIAL IMPLICATIONS

The Budget each year will need to continue to include a line item 082100 for the event.

STRATEGIC IMPLICATIONS

Relevant excerpts from the Shire's *Strategic Community Plan 2013 – 2023*

Our Vision

Growing our Community Together

Our Shire will be:

A place for people, with a sense of community, one that is active, vibrant, engaged and connected.

A place that is safe and secure.

A place that nurtures its youth and aging population; and retains its health and medical services.

A place that grows and has employment opportunities, through commercial diversity, which is based on our local comparative advantage.

Governance: Strengthen Local Leadership

Our Vision:

We will ensure our sustainability through our leadership, our regional partnerships and ensure we make informed resource decisions for the good of our community.

We will engage and listen to our community, advocate on their behalf, be accountable and manage within our governance and legislative framework.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Council and Community Leadership	Provide leadership on behalf of the community.	<ul style="list-style-type: none">✦ Lobby and advocate for improved services, infrastructure, and access to.✦ Advocate for the strengthening of health and education services.✦ Develop partnerships with stakeholders to enhance community services and infrastructure.
	Foster community participation and collaboration.	<ul style="list-style-type: none">✦ Support volunteers and encourage community involvement in community groups and organisations.✦ Partner in specific projects including community contributions.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Nil.
- **Economic**
Nil.

- **Social**
- Nil.

Community Priorities against Key Areas

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">✦ Continue to work on retaining a Police Station in Boyup Brook.✦ Continue to encourage initiatives that provide employment opportunities.✦ Continue to provide and advocate for quality medical and ancillary services in Boyup Brook✦ Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.✦ Continue to support development which provides diversity and opportunity for accommodation.
	Promote community participation, interactions and connections	<ul style="list-style-type: none">✦ Continue to support Community groups and clubs✦ Partner with key stakeholders on community needs driven projects.

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.2

MOVED: Cr Moir

SECONDED: Cr O'Connell

That Council adopt Policy M.13 *Support for Community Seniors Christmas Lunch Policy*, as presented.

CARRIED 8/0

Res 104/18

Cr Muncey returned to the Chambers at 7.15pm

8.3.3 Review of Disability Access and Inclusion Plan

Location:	N/A
Applicant:	N/A
File:	DAIP
Disclosure of Officer Interest:	none
Date:	05 June 2018
Author:	Angela Hales – Environmental Health Officer
Authorizing Officer:	Alan Lamb - Chief Executive Officer
Attachments:	DAIP 2018-2023 - Draft

SUMMARY

Reference is made to Council's May 18 briefing note regarding the review of the 2013-2018 Disability Access and Inclusion Plan, as required under the *Disability Services Act 1993*.

The DAIP (2013-2018) expires soon, and therefore requires renewing and updating to ensure it is relevant and reflects the strategic direction of the Shire. A reviewed plan is before Council for consideration and endorsement.

BACKGROUND

The *Disability Services Act 1993*, requires public authorities, which includes Local Governments, to review their DAIP's at least every five years.

The minimum requirements are that public authorities must call for submissions regarding DAIPs "... either generally or specifically in the local area newspaper or printed media, and on the authority's website"

Previous shire DAIP's covered the period 2007-2012 and 2013-2018, with the plans being lodged with the Disability Services Commission by July 30th in the year of development.

COMMENT

The review is a statutory requirement and the 2013-2018 Plan has been reviewed.

CONSULTATION

One of the integral requirements of the DAIP is community consultation. Consultation will ensure the plan is relevant and responsive to the needs of the Shire's customers. The amendments to the *Disability Services Act 1993*, now make community consultation mandatory.

Consultation has occurred using a variety of methods, including advertisement in the local Gazette, posters on notice boards around town, an online survey, and direct contact and emails to key stakeholder groups.

Feedback and suggestions have been included as part of the review process and included in strategies where applicable.

STATUTORY OBLIGATIONS

Under Part 5, Section 28 of the *WA Disability Services Act 1993*, public authorities are required to develop and implement a Disability Access and Inclusion Plan. This Plan must be reviewed at least every five years.

The current plan (2013-2018) is due for renewal and lodgement with the Disability Commission.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Each Business Unit will be required to budget for any strategies or actions that have been committed to in the DAIP.

STRATEGIC IMPLICATIONS

Aligns with priorities against key areas in the Shire's Strategic Community Plan 2017 – 2027.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues.
- **Social**
There are only positive social implications.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.3

MOVED: Cr Rear

SECONDED: Cr O'Connell

That Council resolve to:

1) Endorse the *Draft Disability Access and Inclusion Plan (2018-2023)* to replace the existing *Disability Access and Inclusion Plan (2013-2018)*.

2) Direct the CEO to:

- **Lodge the *Disability Access and Inclusion Plan (2018-2023)* with the Disability Services Commission by 30 July 2018;**
- **Promote the DAIP by advertising in the local newspaper (Gazette), on Council Notice Boards, and on the Shire website;**
- **Consult with people with disability and other key stakeholders on an ongoing basis as part of the implementation process;**
- **Make the *Disability Access and Inclusion Plan (2018-2023)* publicly available and accessible.**
- **As prescribed, report annually to the *Disability Services Commission* on the implementation of the *Disability Access and Inclusion Plan (2018-2023)*.**

CARRIED 9/0

Res 105/18

**8.3.4 Development & Use – ‘Art Gallery’ (Tea Pots) – Lots 8 & 9
Williams Street, Boyup Brook.**

Location:	<i>Lots 8 & 9 Williams Street.</i>
Applicant:	<i>Ray & Ruth Gorman</i>
File:	<i>Property File</i>
Disclosure of Officer Interest:	<i>None.</i>
Date:	<i>21 June 2018.</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 Shire of Boyup Brook received an application proposing to display tea pots at Lots 8 & 9 Williams Street.



The landowners of the subject lots propose to invite guest to view an extensive collection of tea pots from within a new purpose built shed.

A unisex toilet is proposed to be developed as a service to guests. Car parking bays are also proposed to be provided within the subject lots.

Shire staff believe that the proposed display of tea pots falls within the Shire's Scheme definition of 'Art Gallery' (Pottery Artefacts). The Shire's *Local Planning Scheme No.2* defines an 'Art Gallery' to mean: *'premises used for the showing of works of art'*.

The subject property is zoned 'Residential'. In accordance with the Shire's *Local Planning Scheme No.2*, an 'Art Gallery' may be considered for approval at a property zoned 'Residential'.

Council discretion is required in accordance with the Shire's *Local Planning Scheme No.2*, clause 3.3.1, which states:

In order to give full effect to the provisions and objectives of this Scheme, all development, including a change in the use of land, except as otherwise provided, requires the prior approval of the Council in each case. Accordingly, no person shall commence or carry out any development, including a change in the use of any land, without first having applied for and obtained the planning approval of the Council pursuant to the provisions of this Part.

Council discretion is also required due to a reduced setback proposal. The landowners propose to locate the new shed 4.4m from the front boundary. The Shires outbuilding policy stipulates a minimum 6m setback to a front boundary. The reduced setback is requested to protect a mulberry tree.

This report item recommends that the Council support a variation to Council Policy and approve the proposed 'Art Gallery' (tea pots) subject to conditions.

BACKGROUND

The owners of Lots 8 & 9 Williams Street, approached the Shire with the idea of inviting guests to view an extensive collection of tea pots (5000 tea pots) whilst enjoying a cup-of tea and a sandwich or scone.

Shire staff researched the Shire's *Local Planning Scheme No.2*, and established that:

- Lots 8 & 9 Williams Street are zoned 'Residential';
- An 'Art Gallery' may be considered at a 'Residential' zone; and
- An 'Art Gallery' is defined as, *'premises used for the showing of works of art'*.

Shire staff advised the lot owners that the proposal to display tea pots (pottery artefacts), may be termed as 'Art Gallery'.

Shire staff also advised the lot owners that:

- A new purpose built shed to house the tea pots is to:

- Provide an appealing design to the street;
 - Be setback to enable landscaping between the street and the shed; and
 - Provide ramped access and egress.
- A toilet is to be developed to provide convenience to guests; and
- The operations would need to be registered as a Food Business with the Shire.

Shire staff intended to seek comment from an adjoining property to the north, however it was revealed that the owners of Lots 8 & 9, also own the adjoining northern lot. A road reserve and drainage reserve exist on the southern and eastern boundary respectively. There are no houses on the other-side of Williams Street.

COMMENT

The application proposed for consideration includes:

- 'Art Gallery':
 - Display of tea pots (pottery artefacts).
 - Low key - 5 guests at one time.
 - Serving of tea and sandwiches or scones
- A new gable roof shed (6m X 10m X 2.7m) setback 4.4m from the Williams Street boundary;
 - The shed is to house the tea pots and is to include a deck where guests can sit for a cup of tea and sandwich or scone.
 - The decking is to include a ramp for access.
 - The shed is to be developed across the boundary of Lots 8 & 9 Williams Street.
 - Landscaping is to be developed around the deck area to provide an appealing frontage to the street.
- Minimum of 3 car parking bays to be developed between the existing house at Lot 9 William Street and the proposed new shed.
- A new single unisex toilet is to be developed under an existing carport, which adjoins onto the existing house.
 - Water will be plumbed from the house and waste will be plumbed back into the existing septic.

The proposal, which involves guests visiting and the serving of food at a property zoned 'Residential', is not too dissimilar to the following uses, which may also be considered for approval at properties zoned 'Residential':

- *Child Care Service;*

- *Civic Use - premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes;*
- *Community Purpose - premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit;;*
- *Education Establishment - premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;*
- *Industry-Cottage - trade or light industry producing arts and crafts goods which...does not cause injury to or adversely affect the amenity of the neighbourhood; and*
- *Place of Worship.*

The proposed land use is not expected to impact on the local neighbourhood for the following reasons:

- A small number of guests is expected throughout the day;
- The neighbourhood is isolated from other residential areas and consists of a small amount (5) of residential buildings, two of which are owned by the proponent.

It is recommended that the Council agree to grant approval for the proposed 'Art Gallery' (Pottery Artefacts – tea pots), which also includes a shed, toilet and car parking.

STATUTORY OBLIGATIONS

The subject properties (Lots 8 & 9) are zoned 'Residential'. An art gallery is defined by the Shire's *Local Planning Scheme No.2* to mean: '*premises used for the showing of works of art*'. An art gallery is a use that can be considered for approval at a 'Residential' zone property.

POLICY IMPLICATIONS

There are policy implications relating to this item.

In-order to protect a mulberry tree, the landholders propose to develop a shed, to house tea pots, 4.4m from the front boundary. The Shire's outbuilding policy stipulates a min 6m front boundary setback. Council is requested to agree to relax the policy standard for this application.

The Shire's *Local Planning Scheme 2*, Clause 9.6.6 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.

The objective of the Shire's 'Outbuilding Policy' is to minimise adverse impacts outbuildings may have on a locality. It is recommended that Council agree to include a condition that requires landscaping, developed between the shed and the street. This will help reduce any impact to the amenity of the locality.

Urban properties should have crossovers developed to a bitumen standard, as follows:

- Length (verge width): 7m
- Width at boundary line: 3m
- Width of Edge of road: 6m
- Area: 31.5m²

The crossover to the subject lot is currently developed to a gravel standard. With an increase of vehicles entering and exiting the site, may be necessary to require an upgrade to the crossover. Bear in mind, the Shire subsidises the development of crossovers.

CONSULTATION

Consultation was considered unnecessary as the neighbouring property to the north is owned by the proponents. Dwellings do not border any of the other boundaries and including across the road.

BUDGET/FINANCIAL IMPLICATIONS

It is recommended that a condition is included, requiring an upgrade to the crossover. The Shire may need to subsidize the upgrading of the crossover, in accordance with its Crossover Policy.

STRATEGIC IMPLICATIONS

There are no strategic implications.

The Shire's *Corporate Business Plan*, states the following at section 7.4 - Economic Development:

Vision

The economy will thrive through diversifying business and employment opportunities, through attracting industrial and commercial opportunities for the growing community, by actively supporting all local businesses.

Objective

Encourage new businesses through information, incentives and land use provision.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.4

MOVED: Cr Moir

SECONDED: Cr Oversby

That Council

Grants development approval for Lots 8 & 9 Williams Street, Boyup Brook, for the purpose of 'Art Gallery' (Pottery Artefacts – tea pots), subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lots 8 & 9 Williams Street, Boyup Brook

Description of proposed development:

'Art Gallery' (Pottery Artefacts – tea pots)

- **Shed;**
- **Toilet;**
- **Car parking.**

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 approved plans.

2. Prior to the occupancy of use:

- a) Three (3) car parking bays being developed to the satisfaction of the Shire of Boyup Brook.
- b) A unisex toilet being developed to the satisfaction of the Shire of Boyup Brook.
- c) Landscaping being developed (on private property) between the road reserve and the proposed shed, to the satisfaction of the Shire of Boyup Brook.
- d) The crossover to Williams Street being developed to the satisfaction of the Shire of Boyup Brook.
- e) All stormwater is to be managed and contained on-site, to the satisfaction of the Shire of Boyup Brook.

3. No processes being conducted on the property that may cause a detriment to the amenity of the area by reason of contamination, noise, vibration, smell, fumes, dust or grit.

Date of determination: 21 June 2018

Note 1: A building permit is required for the shed proposed to house the tea pots and for the toilet.

Note 2: The proposed operations (serving of tea and food) need to be registered as a Food Business with the Shire.

Note 3: 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 4: 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 5: 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:

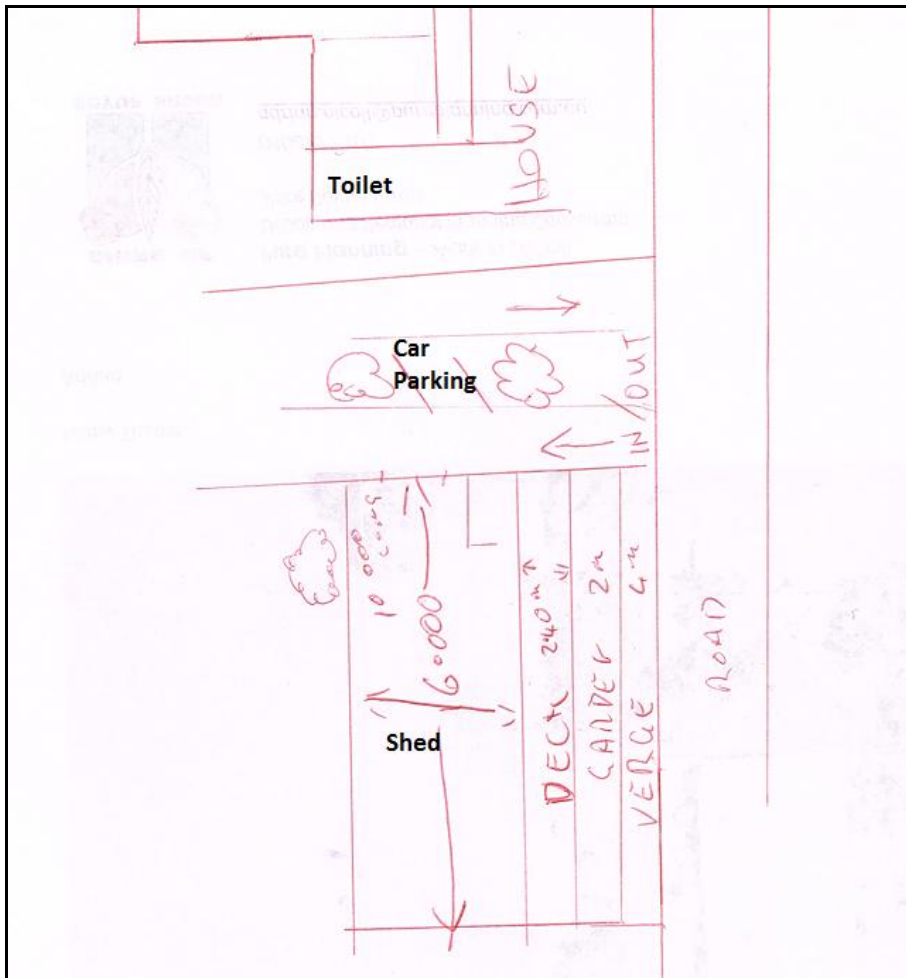
for and on behalf of the Shire of Boyup Brook.

CARRIED 9/0

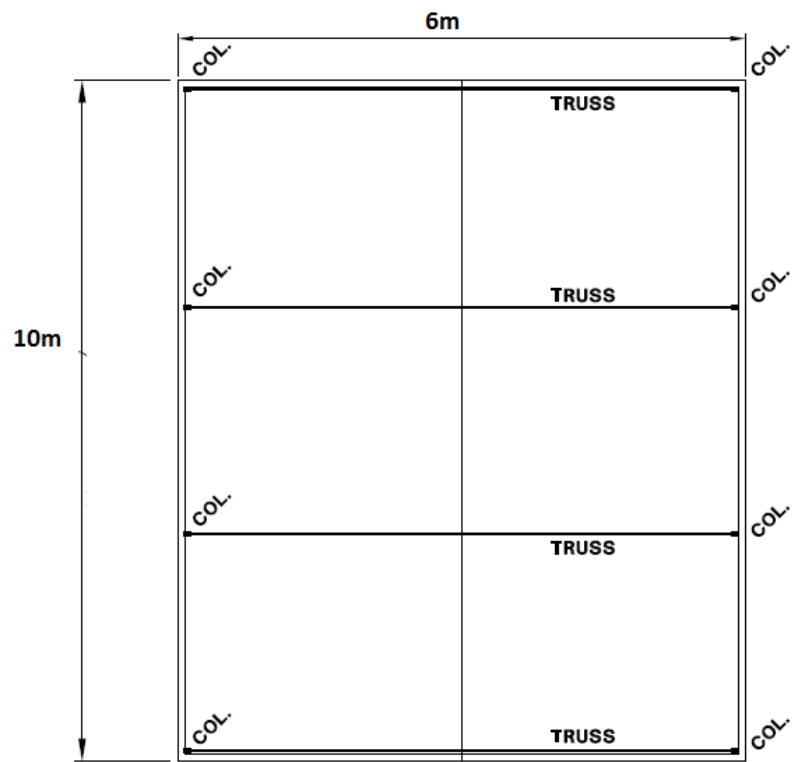
Res 106/18

APPROVED PLANS – JUNE 2018

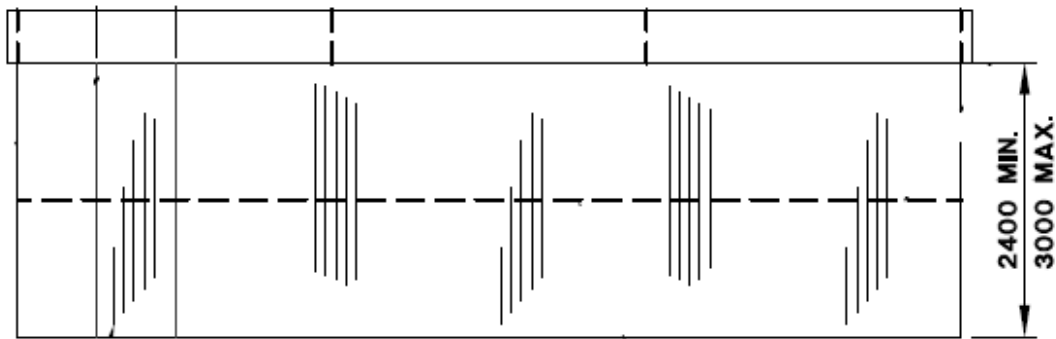
Site Plan



Floor Plan - Shed



Elevation Plan - Shed

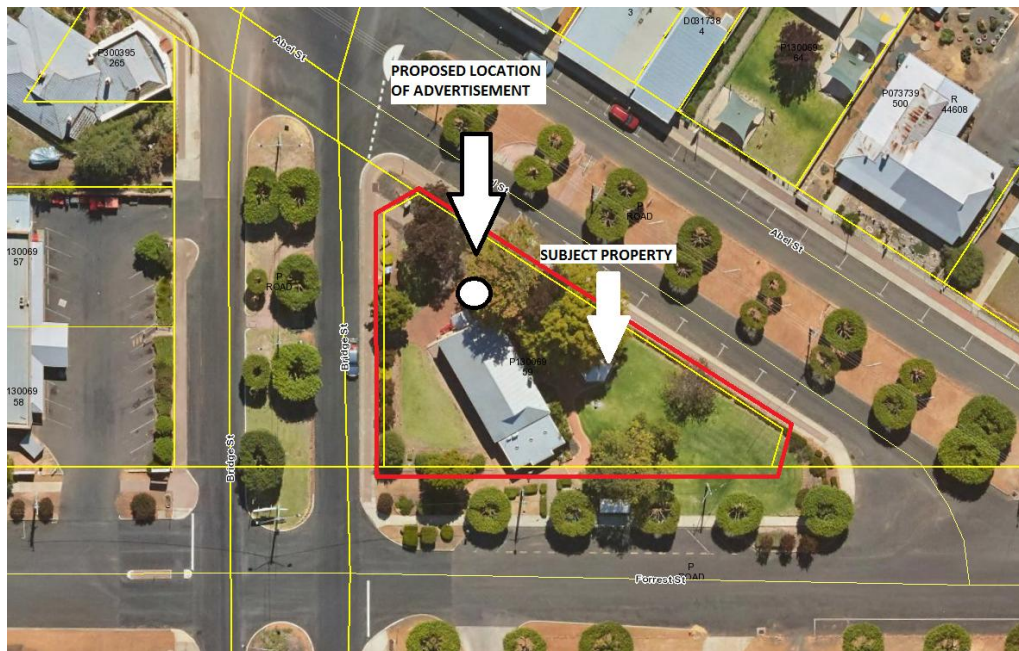


8.3.5 Development (Advertisement) – Lot 59 Forrest Street, Boyup Brook.

Location:	Lot 59, Forrest Street, Boyup Brook.
Applicant:	Boyup Brook Tourism Association Inc.
File:	Property File
Disclosure of Officer Interest:	None.
Date:	21 June 2018
Author:	A. Nicoll, Town and Regional Planner
Authorizing Officer:	Alan Lamb, Chief Executive Officer
Attachments:	Nil

SUMMARY

The purpose of this report is to put before Council the request to develop a 'Free Standing Notice Board' at the Shire's 'Visitor Information Centre', Lot 59 Forrest Street.



The purpose of the notice board is to display up-coming events.

The notice board is proposed to be located near the entrance to the Boyup Brook 'Visitor Information Centre', which is located at the corner of Abel and Bridge Streets.

Council discretion is required in accordance with the Shire's *Local Planning Scheme No.2*, which states:

8.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose in development within the definition of the Act requires, except as otherwise provided, the prior approval of the Council.

This report item recommends that the Council support the proposed advertisement (Free Standing Notice Board).

BACKGROUND

The Boyup Brook Information Centre is located on the corner of Bridge and Abel Streets, Boyup Brook. It's home to the famous Carnaby Beetle and Butterfly Collection which is reported to be the largest collection of Jewel Beetles in the Southern Hemisphere.

The Centre has established itself as a niche provider of locally grown and manufactured quality items. Displays include: soaps, oils, knitted and felt garments, beautiful woodwork, history books, collectables plus much more.

An Art Gallery adjoins the Centre, providing a wonderful array of interesting works available to view and purchase.

The Tourist Association of Boyup Brook propose to build a notice board near the entrance to the 'Visitor Information Centre'. The notice board will be used to advertise up-coming events.



COMMENT

The notice board is proposed to be designed as follows:

- Steel Frame, 2.8m high;
- Narrow Ripple Corrugated Iron Roof; and
- 800mm X 800mm sign face.

The notice board is designed to complement the 'Visitor Information Centre' and its surrounding gardens.

The scale of the notice board is in-keeping with the precinct (not too high or dominating) and has an appealing design (gable roof).

The notice board itself is black acrylic. Removable application pens are proposed to be used to advertise and inform the general public and tourists visiting the region.

STATUTORY OBLIGATIONS

Shire's Local Planning Scheme No. 2

The Shire's *Local Planning Scheme No.2* defines 'advertisement' as follows:

'any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of

advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising'

The Shire's *Local Planning Scheme No.2* states the following at clause 8.3:

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.

The Shire's *Local Planning Scheme No.2* states the following at clause 8.6:

Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to:-

i) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or

ii) remove the advertisement.

As per the above clause 8.6, if approval is granted for the proposed advertisement, the following condition should be specified:

The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

N/A

VOTING REQUIREMENTS

Simple majority.

SUMMARY

In considering an application for an advertisement, Council is to consider any potential impact to the amenity of the area and the need to ensure that advertisements are properly maintained.

The advertisement is not expected to impact on the amenity of the area.

Approval should be conditional and include:

1. *The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.*

The officer recommendation lapsed for want of a mover and a seconder.

NOTE:

Safety concerns with the construction and location.

OFFICER RECOMMENDATION – Item 8.3.5

1. That Council approves the erection of a sign as requested.
2. Grants development approval for an advertisement at Lot 59 Forrest Street, subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Boyup Brook 'Visitor Information Centre', Lot 59 Forrest Street,
Boyup Brook.

Description of proposed development:

Advertisement (Free Standing Notice Board)

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

Conditions:

- 1.The advertisement being developed in accordance with the approved plans.
- 2.The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.

Advice

Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to:-

- i. repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or*
- ii. remove the advertisement.*

Date of determination: 21 June 2018

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.

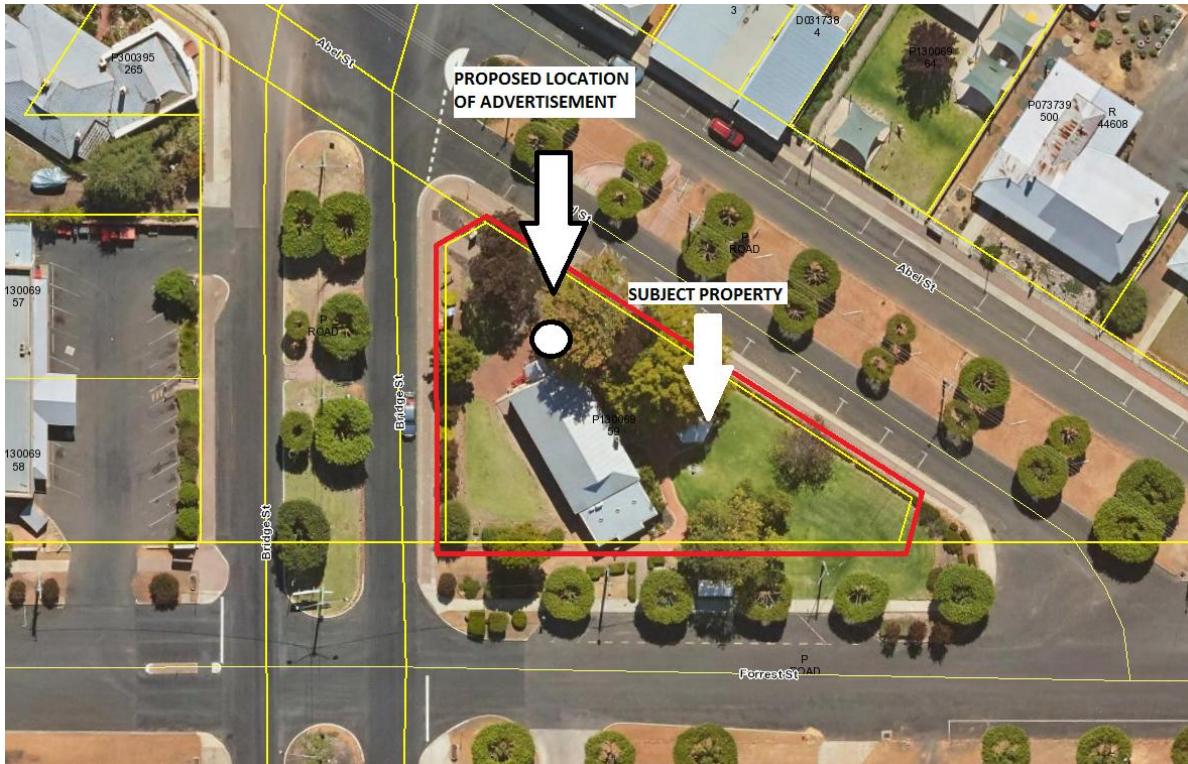
Signed:

Dated:

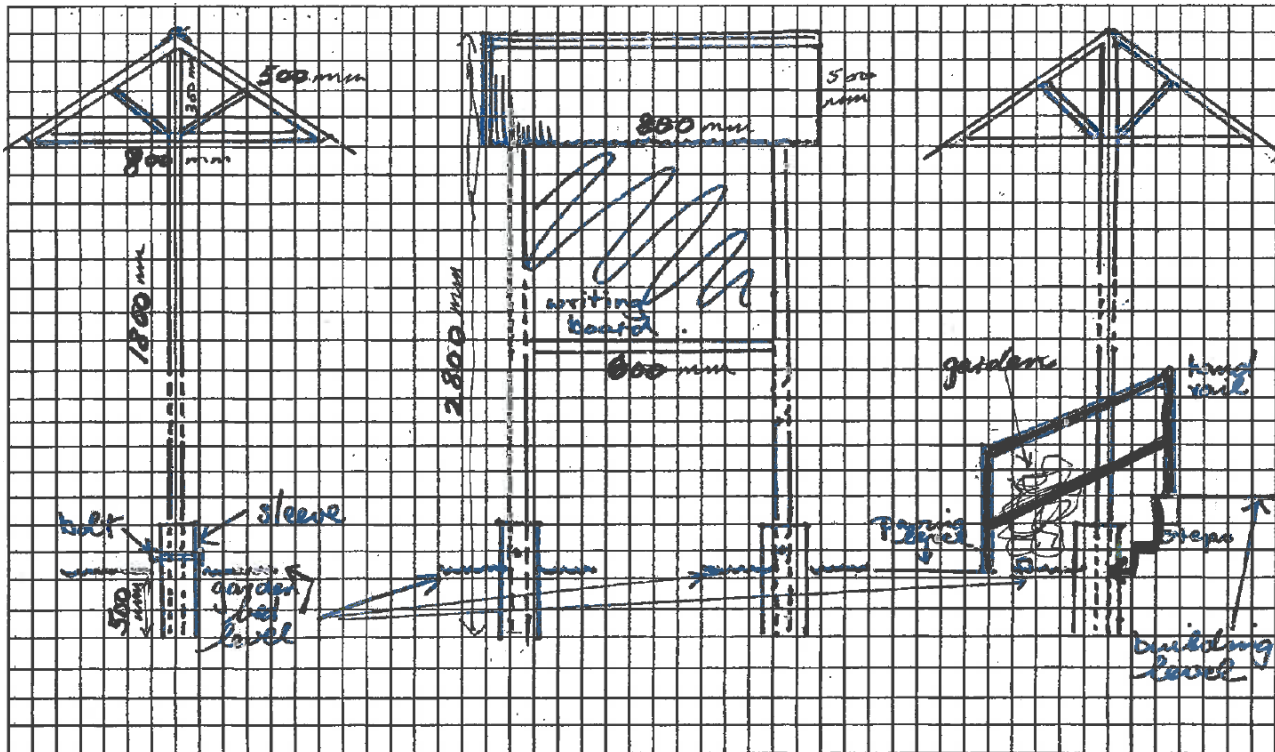
for and on behalf of the Shire of Boyup Brook.

APPROVED PLANS

Site Plan



Elevation Plans



8.3.6 Resolution to ADOPT Amendment (No.19) to Local Planning Scheme No.2 – Lot 34 Blechynden Street and Lot 38 Mitchell Avenue, Boyup Brook

Location:	<i>Lot 34 Blechynden Street and Lot 38 Mitchell Avenue, Boyup Brook</i>
Applicant:	<i>Shire Boyup Brook</i>
File:	<i>Amendment 19</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>21 June 2018</i>
Author:	<i>A. Nicoll, Town & Regional Planner</i>
Authorizing Officer:	<i>Alan Lamb, Chief Executive Officer</i>
Attachments:	<ul style="list-style-type: none">▪ <i>Amendment Document (Advertised Version)</i>▪ <i>Submissions.</i>▪ <i>Schedule of Submissions.</i>▪ <i>Photo's of parkland.</i>▪ <i>Photo's of neighbouring lots.</i>▪ <i>Photo of Fire Hydrant.</i>▪ <i>Bushfire Attack Level Contour Map.</i>

SUMMARY

The purpose of this report is to put before Council the request to resolve to ADOPT an amendment to the Shire of Boyup Brook *Local Planning Scheme No.2*.

The amendment involves rezoning Lot 34 Blechynden Street and Lot 38 Mitchell Avenue, Boyup Brook from the 'Residential' zone to the 'Public Purpose' reservation.

Council discretion is required in accordance with regulations 35(1) and 35(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which requires a resolution of the local government.

BACKGROUND

The proposal was referred to the Environmental Protection Authority and no environmental issues were raised.

{ 67 }

The submissions and a review of the submissions is provided as attachments to this report item.

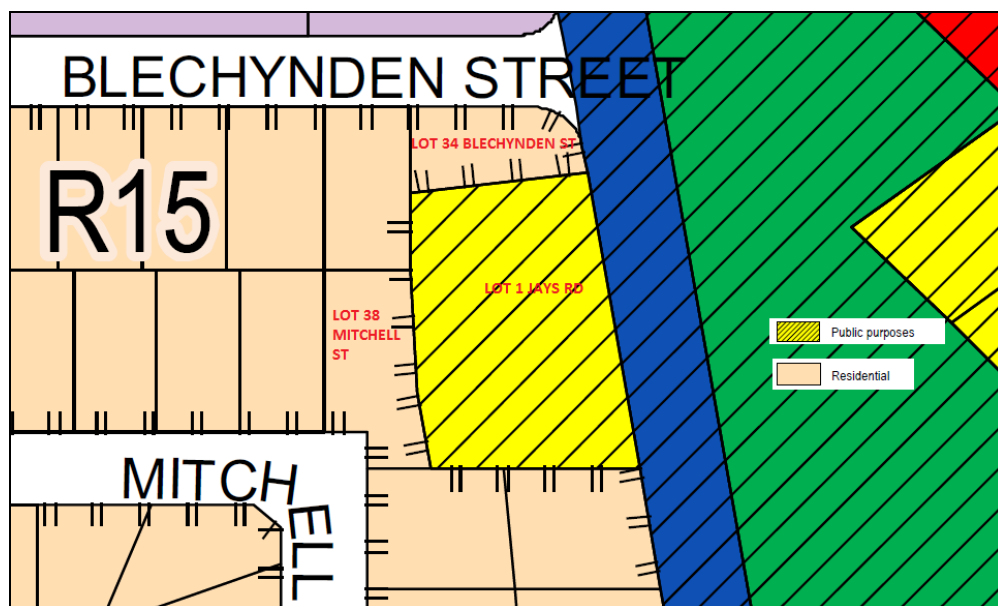
COMMENT

Lot 34 Blechynden Street and Lot 38 Mitchell Avenue are zoned 'Residential'.

These lots are owned by the Shire and proposed to be utilised as a museum. The Lot 34 Blechynden Street, is currently developed and used as a museum, along with the neighbouring Lot 1 Jays Road, which is reserved for 'Public Purpose'.

The Lot 38 Mitchell Avenue and the Lot 34 Blechynden Street should ideally be reserved for 'Public Purposes', similar to the reserve purpose designated for the Lot 1 Jays Road.

See following diagram, which indicates subject lots and current scheme zone or reservation.



During the advertising process, the Shire received comment from the Department of Fire and Emergency Services, the Department of Health, the Department of Planning Lands and Heritage and the Water Corporation.

With the exception of the Department of Fire and Emergency Services, no issues were raised.

Because the subject area is located within a bushfire prone area, the Planning Officer developed a Bushfire Attack Level assessment, a Bushfire Management Plan and an Emergency Evacuation Plan to justify use of the site as a museum. The Bushfire Attack Level Assessment determined that the subject lots are outside of the bushfire attack level rating of 'Flame Zone' and 40kw/m², meaning the strategic proposal complies with the State Planning Policy 3.7, clause 6.6.

The assessments completed by the planning officer were forwarded to the Department of Fire and Emergency Services for comment. The Department of Fire and Emergency Services responded with a number of concerns. Shire staff believe that the concerns have since been dealt with, as explained in the following paragraphs and the attached schedule of submissions.

Vegetation Exclusion

The Department of Fire and Emergency Services stated that there is not enough photographic, or other evidence to justify, that the area of parks and recreation reserve to the east of the museum is maintained as low threat vegetation as per AS3959. The Department of Fire and Emergency Services requested that the Shire demonstrate how and who will maintain the POS area to 'low threat' as per AS3959 (in accordance with the Guidelines Appendix 4, Element 2 and Schedule 1).

The intent of Element 2 (Appendix 4 of the Commissions Guidelines) is to ensure that the siting and design of development minimises the level of bushfire impact.

Schedule 2 (Appendix 4 of the Commissions Guidelines) defines standards for areas surrounding development, including fencing, fuel loads, trees, shrubs, grass and ground covers.

The parks and recreation reserve to the east of the museum is maintained as low threat vegetation as per the Australian Standards (AS3959). The AS3959 states that, low threat vegetation, including managed grassland, maintained lawns...maintained public reserves and parklands are classified as low threat vegetation.

Shire staff have taken additional photo's to determine that the parks and recreation reserve to the east of the museum is low threat vegetation as per the AS3959...see photo's attached. The parks and recreation reserve is managed by the Shire. This includes raking ground leaves and bark and keeping grass mowed. The area is parkland cleared and maintained.

The Department of Fire and Emergency Services stated that there is not enough photographic evidence to justify that the vegetation within all residential and industrial lots surrounding the subject site, that are greater than 2023m², are maintained to a 'low threat' state as per the AS3959.

Shire staff have taken additional photo's to determine that the surrounding residential and industrial lots greater than 2023m² are maintained to a 'low threat' state as per AS3959...see photo's attached.

It is recommended that the photo's are included in the Bushfire Management Plan produced for the Scheme amendment proposal.

BAL Contour Map

The Department of Fire and Emergency Services require the preparation of a Bushfire Attack Level Contour map for Lot 38 Mitchell Avenue in accordance with clause 6.3 a) (ii) of State Planning Policy 3.7.

Shire staff have since developed a BAL Contour Map (attached), which indicates that the subject area is located within an area subject to a bushfire attack level of 12.5kw/m²...see attachment. Because the level is below 29kw/m², the strategic proposal is in accordance with the State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

It is recommended that the Bushfire Attack Level assessment is included in the Bushfire Management Plan produced for the Scheme amendment proposal.

Water

The Department of Fire and Emergency Services requires the bushfire management plan to detail the location of a compliant fire hydrant.

Shire staff have produced a photo and map to show the location of the fire hydrant. The fire hydrant is located on the road verge adjacent to the museum (Lot 1 Jays Road)...see attached.

It is recommended that the photo and map showing the location of the fire hydrant is included in the Bushfire Management Plan produced for the Scheme amendment proposal.

Responsibilities

The Department of Fire and Emergency Services stated that the Bushfire Management Plan should include all responsibilities of the developer, landowner and local government as necessary.

Shire staff have developed the following table, which identifies various responsibilities. It is recommended that this table is included in the Bushfire Management Plan.

Landholder/Developer Responsibility
Individual BAL assessments may be considered on the lot when building design/placement is known and can be undertaken at building approval stages.
Development of a crossover to the Lot 38 Mitchell Avenue, to the satisfaction of the Shire of Boyup Brook.

<p>Development, maintenance and signposting of on-site safety and evacuation areas.</p> <p>Lots connected to reticulated water.</p> <p>Implementation of Emergency Evacuation Plan</p>
Local Government Responsibility
<p>Periodic burns and management of vegetated Crown reserve areas.</p> <p>Enforcing/notifying:</p> <ul style="list-style-type: none"> ○ Prohibited burning periods; ○ Restricted burning periods; ○ The chance of a fire starting; ○ Non operation of machinery (e.g. lawn mower) that may cause a bushfire; ○ A bushfire and where necessary the need to evacuate; ○ Land 2023m² or less, is to be free of all inflammable matter (except living trees) and cultivated plants, shrubs and lawns, to a height no greater than 5cm: or ○ Land in excess of 2023m², is to clear a 2.5 metre wide bare earth firebreak immediately inside all external boundaries of the land or immediately surrounding all buildings on the land by removing all inflammable matter and vegetation within the 2.5 metre wide firebreak between the ground and 4 metres above the ground. ○ Offensive operations including operating welding apparatus of any kind or power operated abrasive cutting discs of any kind in the open air unless at least one fire extinguisher is provided at the place where the welding or cutting operation is carried out the place where the welding or cutting operation is carried out is surrounded by a firebreak which is at least 5 metres wide.

Emergency Evacuation Plan

The Department of Fire and Emergency Services recommended that further consideration be given to the Guidelines Section 5.5.2 'Developing a Bushfire Emergency Evacuation Plan'.

Shire staff have since referred to the Guidelines Section 5.5.2 and recommend that the following additional information is included in the Emergency Evacuation Plan.

Emergency Evacuation Considerations – Guidelines Section 5.5.2.	
Number of people expected at the facility	The museum may expect to receive 40 persons (via bus) at any one time.
Whether the occupants are permanent or transient.	There are no persons residing at the museum. Occupants are transient.
Whether there is a caretaker onsite.	A caretaker is proposed to be on-site to supervise guests.
Whether there are people with a disability, medically dependent, young children or the elderly.	Visitors may include persons that are with a disability, medically dependent, young or elderly.
Identification of a safe alternative location if there was a need for evacuation/relocation.	<p>Boyup Brook Visitor Centre.</p> <p>The Boyup Brook Visitor Centre is located in a LOW bushfire threat area and with parking and public toilets.</p> <p>A map is provided in the EEP.</p>
A proposed method of movement of occupants to safe location(s).	Persons can travel via car, bus or walk.
Details of suitable access/egress routes for the expected type/volume of traffic, including alternatives when suitable roads are inaccessible,	<p>A map is provided in the EEP.</p> <p>Alternative routes are available to</p>

insufficient or inappropriate	the evacuation area.
Transport options for those without access to private vehicles.	Bus or walking.
Options to shelter in place as a last resort.	A number of buildings are located on-site.
Roles and responsibilities of facility personnel and emergency services.	Refer to the EEP. Museum caretaker to perform checks on the DFES and BOM websites to determine the Fire Danger Rating and to update resort visitors if there is a likelihood of an evacuation.

STATUTORY OBLIGATIONS

Scheme amendments undergo a statutory process in accordance with the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

Regulation 50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows Council:

- a) To support the amendment without modification; or
- b) To support the amendment with proposed modifications to address issues raised in the submissions; or
- c) Not to support the amendment.

After passing a resolution under regulation 50(3) the local government must provide the advertised amendment to the local planning scheme to the Commission together with the following —

- a) a schedule of submissions made on the amendment;
- b) the response of the local government in respect of the submissions;
- c) particulars of each modification to the amendment proposed by the local government in response to the submissions;
- d) if any proposed modification to the amendment was advertised —
 - I. an explanation of the reasons for advertising the modification; and
 - II. particulars of how the modification was advertised; and

- III. a schedule of submissions made on the proposed modifications;
and
- IV. the recommendation of the local government in accordance with regulation 51(7)(c) in respect of each submission;
- e) a copy of the resolution passed under regulation 50(3);
- f) if that resolution was a resolution under regulation 50(3)(c) — a summary of the reasons why the local government does not support the amendment;
- g) details of any provision in the local planning scheme that varies or excludes a provision set out in Schedule 1;
- h) details of any provision in the local planning scheme as it will be amended that supplements a provision set out in Schedule 2;
- i) any relevant maps, plans, specifications and particulars required by the Commission.

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

The Scheme Amendment No 19 was advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The amendment was referred to government agencies and neighbouring properties, an advert was placed in the Manjimup Times and on the Shire's website.

At the close of the advertising period, four (4) submissions were received. Refer to the 'Discussion' section of this report, the submissions and the schedule of submissions for further information on comments received and recommendations pertaining to comments.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications beyond what has been budgeted for (planning fees) in the 2017/18 budget.

Additional financial outlay, beyond the rezoning of the subject land, may include:

1. Design and development of a storage shed, toilets, earthworks, and stormwater infrastructure.
2. Financial contribution (50%) toward grant funding.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
The amendment was referred to the Environmental Protection Authority and no environmental issues were raised.

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.6

MOVED: Cr Moir

SECONDED: Cr Rear

That Council

Resolves to adopt the Amendment No.19 to the Shire of Boyup Brook *Local Planning Scheme No.2* in accordance with regulations 35(1) and 35(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, as follows:

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

Local Planning Scheme No.2

Amendment No 19

THAT Council, pursuant to section 75 of the *Planning and Development Act 2005* and Part 5, r.35 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

- 1. ADOPT Amendment No. 19 to amend Shire of Boyup Brook *Local Planning Scheme No. 2* by:**
 - a) Rezoning Lot 34 Blechynden Street and Lot 38 Mitchell Avenue, Boyup Brook from the 'Residential' zone to the 'Public Purpose' reservation and amending the Scheme maps accordingly.**

Note: The amendment is a standard amendment in accordance with part (e), (f) and (g) of the standard amendment definition contained in Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- 2. Include the following within the amendment document to address comments from the Department of Fire and Emergency Services:**
 - a) Photo's illustrating the parkland cleared reserve located to the east of the subject sites.**
 - b) Photo's illustrating surrounding lots that are greater than 2023m².**
 - c) Photo and map showing location of fire hydrant.**
 - d) Bushfire Attack Level Contour Plan.**
 - e) Tables indicating landholder, developer and local government responsibilities.**
 - f) Additional information to accompany the Emergency Evacuation Plan.**
- 3. Forward the Amendment No.19 to the Western Australian Planning Commission for final determination.**

Dated this 21 June 2018

Alan Lamb
Chief Executive Officer

CARRIED 9/0

Res 107/18

8.3.7 South West Regional Waste Group - Project Officer - Shire Contribution

Location:	<i>South West</i>
Applicant:	<i>South West Regional waste Group</i>
File:	<i>SWRWG</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>14 June 2018</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Chief Executive Officer</i>
Attachments:	<i>Minutes of the SWRWG 28/5/18, Talis presentation to the Group, InRim presentation to the Group on waste to energy, Schedule of proposed contributions to facilitate employment of a Project Officer.</i>

SUMMARY

The purpose of this report is to put before Council the SWRWG's proposal to employ a project officer with funds from each of the constituent Councils with the recommendation that Council support the initiative.

BACKGROUND

The Shire of Boyup Brook has been a member of the Bunbury Wellington Group of Councils (BWGC) for a number of years. That group focused on a subregional waste disposal site and gained funding to purchase land. Over time the preferred site was put up for tender and another entity purchased it. The BWGC then looked at retaining the grant funds and expending the catchment to all Local Governments in the South West.

Progress was made by this, then larger, group called the South West Regional Waste Group (SWRWG) (not a separate legal entity so hosted, by agreement, by the City of Busselton. A area of land in the Capel Shire was selected, relevant preliminary site studies were done and more were to come but a significant number of Capel residents found issues with the proposed use and the Capel Shire capitulated.

With the preferred site then lost, the group hoped to look to other opportunities. But at around that time the State Government elections saw a new regime of cost cutting, savings and the like. The grant funding held by the BWGC was an obvious candidate for the State Government's drive to reduce expenditure etc as it had

been held for a number of years and there was no clear and immediate, or acceptable, project that the group could put forward to use the funds. In a nutshell then the substantial grant funding had to be paid back. It should be noted that this Shire regularly, and for some years, advocated to hand the grant back until a plan was in place, then seek new funding.

The focus of energies was on a waste disposal site, primarily land fill but with a plan to continually look to minimising what had to be buried. This Council, together with others in the group, advocated for waste to energy as a better solution than landfill but studies done at the time, showed that volumes were not great enough to meet minimums required for a waste to energy plant.

It appears now that changes in technology, markets for recyclables and the like have put waste to energy back on the table for consideration. There is also a higher level of keenness to pursue this option. Out sourcing waste disposal to the private sector was also looked at some time ago but not pursued. It is also back on the table.

At the recent meeting of the SWRWG it was recognised that there was a need to identify all potential solutions available to the group. That, whilst Busselton had done a great job in hosting the regional project, its officers had other tasks and priorities, so now it was time to look to employ Project Officer, for twelve months.

The plans being to employ the officer in 2018/19 with contributions from all South West Councils. As in past cost sharing arrangements, the cost sharing requests are based on rate revenue. So the larger/wealthier Councils pay more and Boyup Brook pays proportionally less.

COMMENT

Whilst it is open to observe that a lot of time money and effort has gone into seeking a regional solution to waste disposal, and so see this request as further wasting resources, a regional solution is, in reality, the only way forward.

The budget for employing the officer has been set at \$100,000 and the call on this Shire is \$1,516. It is suggested that all of the Local Governments have or will have significant issues with current landfill and recycling arrangements. The options include for each to tackle the problems alone or to work together and the latter will always be the best and cheapest solution for this Shire.

It is recommended that Council:

1. agree to support the concept of the employment of a Project Officer, funded by the South West Local Governments, to research and provide information on potential waste solutions.
2. refer this Shire's portion of the funds required, being \$1,516, to the 2018/19 budget process

CONSULTATION

The matter of working regionally on a solution to waste disposal has been before Council on a number of times over a number of years.

STATUTORY OBLIGATIONS

Nil at this time

POLICY IMPLICATIONS

Nil at this time

BUDGET/FINANCIAL IMPLICATIONS

Nil at this time. If supported by Council the action would be to include funding in the 2018/19 draft budget for Council's consideration.

STRATEGIC IMPLICATIONS

Waste disposal, whilst not always obvious, is a vital aspect of modern society, much effort has been put into waste reduction, reuse and the like.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
Continuing to rely heavily on land fill is not an option.

Nor is the reliance on exporting tons of waste to other countries and so better solutions are required.
- **Economic**
Land fill is by far the cheapest method of disposing of waste but it is no longer acceptable to just bury everything. It would be very expensive to this Shire mount its own research program to devise an acceptable solution and may be beyond its financial capability to action any resulting plan. Joining with the group will provide Boyup Brook with an equal say in what is done and provide all of the relevant information at a fraction of the cost.
- **Social**
There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.7

MOVED: Cr Walker

SECONDED: Cr Muncey

That Council:

- 1. agree to support the concept of the employment of a Project Officer, funded by the South West Local Governments, to research and provide information on potential waste solutions.**
- 2. refer this Shire's portion of the funds required, being \$1,516, to the 2018/19 budget process.**

CARRIED 5/4

Res 108/18

9 COMMITTEE MINUTES

9.1.1 Minutes of the Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee held 6 February 2018

Location:	N/A
Applicant:	N/A
File:	n/a
Disclosure of Officer Interest:	Nil
Date:	
Author:	Alan Lamb
Attachments:	Yes – Minutes

BACKGROUND

The Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee meeting was held on 6 February 2018.

Minutes of the meeting are attached.

OFFICER RECOMMENDATION – Item 9.1.1

That the minutes of the Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee meeting held 6 February 2018 be received.

CEO NOTE

The Committee minutes contain the following:

The Committee resolved to be recognised as per the Shire Policy O.11 as the "Annual Awards Committee"

The Committee's intent of seeking to simplify its rather wordy title, is supported.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.1

MOVED: Cr Moir

SECONDED: Cr O'Connell

That Council change the name of the Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee to "Annual Awards Committee"

CARRIED 9/0

Res 109/18

Cr Kaltenrieder left the Chambers at 7.45pm

9.1.2 Minutes of the Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee held 12 April 2018

Location:	N/A
Applicant:	N/A
File:	n/a
Disclosure of Officer Interest:	Nil
Date:	
Author:	Alan Lamb
Attachments:	Yes – Minutes

BACKGROUND

The Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee meeting was held on 12 April 2018. At this meeting the Committee reviewed nomination forms and the current Annual Awards - Process Policy, and the addition of a new award named the Kevin Henderson Memorial Award.

Minutes of the meeting are attached.

OFFICER RECOMMENDATION

That the minutes of the Citizen of the Year, Young Achiever of the Year, Sports Person of the Year Committee and Promoting Boyup Brook Committee meeting held 6 February 2018 be received.

CEO NOTE

The Committee minutes contain the following:

Nomination forms for Citizen of the Year, Sports Person and Young Achiever were reviewed and amendments drafted for Council's consideration. An eligibility and selection criterion for the Kevin Henderson Memorial Award was also drafted for Council to consider. All nomination forms are attached for consideration.

That the Awards Committee to complete the amendments to the nomination forms and the eligibility criteria for each of the Award categories and review and

complete the changes to the Annual Awards Policy and submit a recommendation to Council.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.2

MOVED: Cr Moir

SECONDED: Cr O'Connell

That in relation to Annual Awards Council:

1. Approve the redrafted nomination forms as attached
2. Approve the eligibility and selection criteria for the Kevin Henderson Memorial Award as attached
3. Adopt the amended Annual Awards - Process Policy, as attached which include the following changes:
 - **Advertising and Promotion** - Amend the term the nomination forms are available from "3" to "6" months.
 - Delete "The committee will review Nomination Forms and make changes as it determines."
 - **Nominations** - Include in the list of Awards the: "Kevin Henderson Memorial Award – Volunteer Award"
 - Under the Committee may also: Second dot point. Amend "that a President's Award should be made..." to "that a President's Award could be made...."
 - Add the following as dot points:
"To review policy, forms and may make changes as it sees fit. (Policy changes to be drafted to be submitted to council)."
"Nominations may not come from a member of this committee however Shire Councillors are eligible to submit a nomination. "
 - Under "Notes: - Before the points add: **"Nominations will be open to be received from the 1st August."**
 - " Amend the closing date that nominations must be received by from " received by the Chief Executive Officer no later than 4.00pm on the 21st day of November of each year." to " received by the Chief Executive Officer no later than 4.00pm on the 1st day of November of each year."
 - **Selection of Awardees** - Make the following amendments to the first sentence - Delete "review nominations and" It should now read - "Following the close of award nominations, the committee will meet in camera at least once each year to select Awardees."
 - Delete "if it thinks necessary." from the second sentence. The sentence should now read " Names of Awardees are to remain confidential until awards are made. The minutes of Awards Committee meetings are to be reported to Council at the February meeting each year, following the presentation of awards.
 - **Selection Criteria - Sports Person of the Year** - Amend the first line of the criteria from " a resident who has..." to " a resident (of any age) who has..."

- Add in the Criteria for the new Kevin Henderson Memorial Award.
To now read:

" Kevin Henderson Memorial Award-Volunteer

- Open to volunteers over the age of 5. The volunteer/nominee must be a current resident in the Shire of Boyup Brook
- The nominee has been a volunteer for a minimum of 5 years within the Shire of Boyup Brook, not necessarily with the same organisation for the whole time
- The volunteer should be from a recognised organisation
- **Nature of Awards** - Amend the first paragraph from - "The successful nominee(s), if any, shall be announced at the Australia Day Breakfast function hosted annually by the Shire. At that function, or one subsequently organised by the Shire, each awardee will be presented with an appropriate certificate (laser engraved jarrah plaques) are considered to be the most appropriate (subject to availability), a letter from the Shire President evidencing the award and a small gift of local produce." so that it now reads " "The successful nominee(s), shall be announced at the Australia Day Breakfast function hosted annually by the Shire. At that function, or one subsequently organised by the Shire, each awardee will be presented with an appropriate certificate (engraved plaque) ."
- Under the above paragraph delete - "The annual budget process will determine the funds available for awards."
- Under the heading ELIGIBILITY CRITERIA add the following:

ELIGIBILITY CRITERIA

- Nominees should reside or work principally within the local authority making the award.
- Awards may be granted posthumously in recognition of achievements.
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative.
- Unsuccessful nominees may be nominated in future years.
- Nominations must be apolitical in their nature and should not in any way bring the awards program or local government area into disrepute.
- Sitting members of State, Federal and Local Government are not eligible.

CARRIED 9/0

Res 110/18

AMENDMENT - Item 9.1.2

MOVED: Cr O'Connell

SECONDED: Cr Rear

With the removal of "Open to volunteers over the age of 5".

CARRIED 8/1

Res 111/18

MOTION - Item 9.1.2

That in relation to Annual Awards Council:

1. Approve the redrafted nomination forms as attached
2. Approve the eligibility and selection criteria for the Kevin Henderson Memorial Award as attached
3. Adopt the amended Annual Awards - Process Policy, as attached which include the following changes:
 - **Advertising and Promotion** - Amend the term the nomination forms are available from "3" to "6" months.
 - Delete "The committee will review Nomination Forms and make changes as it determines."
 - **Nominations** - Include in the list of Awards the: "Kevin Henderson Memorial Award – Volunteer Award"
 - Under the Committee may also: Second dot point. Amend "that a President's Award should be made..." to "that a President's Award could be made...."
 - Add the following as dot points:
 - "To review policy, forms and may make changes as it sees fit. (Policy changes to be drafted to be submitted to council)."
 - "Nominations may not come from a member of this committee however Shire Councillors are eligible to submit a nomination. "
 - Under "Notes: - Before the points add: **"Nominations will be open to be received from the 1st August."**
 - " Amend the closing date that nominations must be received by from " received by the Chief Executive Officer no later than 4.00pm on the 21st day of November of each year." to " received by the Chief Executive Officer no later than 4.00pm on the 1st day of November of each year."
 - **Selection of Awardees** - Make the following amendments to the first sentence - Delete "review nominations and" It should now read - "Following the close of award nominations, the committee will meet in camera at lease once each year to select Awardees."
 - Delete "if it thinks necessary." from the second sentence. The sentence should now read " Names of Awardees are to remain confidential until awards are made. The minutes of Awards Committee meetings are to be reported to Council at the February meeting each year, following the presentation of awards.

- **Selection Criteria - Sports Person of the Year** - Amend the first line of the criteria from " a resident who has..." to " a resident (of any age) who has..."
- Add in the Criteria for the new Kevin Henderson Memorial Award. To now read:

" Kevin Henderson Memorial Award-Volunteer

- The volunteer/nominee must be a current resident in the Shire of Boyup Brook
- The nominee has been a volunteer for a minimum of 5 years within the Shire of Boyup Brook, not necessarily with the same organisation for the whole time
- The volunteer should be from a recognised organisation
- **Nature of Awards** - Amend the first paragraph from - "The successful nominee(s), if any, shall be announced at the Australia Day Breakfast function hosted annually by the Shire. At that function, or one subsequently organised by the Shire, each awardee will be presented with an appropriate certificate (laser engraved jarrah plaques) are considered to be the most appropriate (subject to availability), a letter from the Shire President evidencing the award and a small gift of local produce." so that it now reads " "The successful nominee(s), shall be announced at the Australia Day Breakfast function hosted annually by the Shire. At that function, or one subsequently organised by the Shire, each awardee will be presented with an appropriate certificate (engraved plaque) ."
- Under the above paragraph delete - "The annual budget process will determine the funds available for awards."
- Under the heading ELIGIBILITY CRITERIA add the following:

ELIGIBILITY CRITERIA

- Nominees should reside or work principally within the local authority making the award.
- Awards may be granted posthumously in recognition of achievements.
- A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative.
- Unsuccessful nominees may be nominated in future years.
- Nominations must be apolitical in their nature and should not in any way bring the awards program or local government area into disrepute.
- Sitting members of State, Federal and Local Government are not eligible.

Cr Kaltenrieder returned to the Chambers at 7.46pm

CARRIED 9/0

Res 112/18

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

Impartiality Interest

Cr Oversby declared an impartiality interest in the following item due to being on the Committee.

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

11.1.1 Boyup Brook Tourism Association Inc - Memorandum of Understanding

<i>Location:</i>	<i>N/a</i>
<i>Applicant:</i>	<i>Boyup Brook Tourism Association</i>
<i>File:</i>	<i>BBTA</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>21 June 2018</i>
<i>Author:</i>	<i>Joanna Kaye Research and Development Officer and Alan Lamb CEO.</i>
<i>Authorizing Officer:</i>	<i>Chief Executive Officer</i>
<i>Attachments:</i>	<i>BBTA draft MOU</i>

SUMMARY

The purpose of this report is to put before Council the draft Memorandum of Understanding for the \$25,000 annual contribution to be used for operating costs including staffing arrangements.

BACKGROUND

For some years the Shire has provided the Boyup Brook Tourism Association with premises, an operating subsidy (primarily to enable them to employ someone to assist them) and a staff member one day per week.

This arrangement was discussed at the December 2017 meeting and Council resolved as follows:

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.5

MOVED: Cr Kaltenrieder

SECONDED Cr Muncey

That Council

- 1. Authorise the CEO to offer the Boyup Brook Tourism Association an additional \$10,000 per year in lieu of providing a Shire staff member one part day per week.**
- 2. approve the following amendment to the 2017/18 budget to facilitate the change in arrangements.**

{ 37 }

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 14 DECEMBER 2017

Account Number	Account name	Budget \$	Amended budget \$
146105	Administration employee costs	752,950	747,950
041114	Donations	50,080	55,080
	TOTAL	803,030	803,030

- 3. require the CEO to prepare a draft Memorandum of Understanding between the Shire and the Boyup Brook Tourism Association, assuming the Association accepts the change, and report back to Council by its February 2018 meeting.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 160/17

Whilst the matter of the Shire staff member was resolved at that meeting a review of the annual financial contribution was not addressed. At the February 2018 meeting the Council resolved as follows:

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 FEBRUARY 2018

REVISED RECOMMENDATION – 8.3.4

MOVED: Cr Kaltenrieder

SECONDED: Cr O'Connell

That Council receive the Boyup Brook Tourism Association's request for additional annual funding assistance and asks that the Association demonstrate, with the assistance of annual audited financial statements, forward plans that include income and expenditure predictions, and the like, the need for annual funding assistance and the level of funding required in order for the Information Centre and Association to operate.

CARRIED 8/1

Res 11/18

The Tourism Association provided the financial information requested. At the April 2018 Council meeting their request was declined and Council resolved as follows:

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.7

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council increase the annual donation to the Boyup Brook Tourism Association from \$25,000 per annum to \$30,000 effective from when the Association accepts the amended funding level. The additional \$5,000 to be paid pro rata in 2017/18 and the Boyup Brook Tourism Association be required to submit, to the Shire Council, annual audited accounts.

LOST 4/5

Res 68/18

In May the Shire received a letter from the Tourism Association accepting with thanks, the offer of \$25,000 per year towards operating costs:

Dear Alan

The Boyup Brook Tourism Association acknowledges, with thanks, the offer of \$25,000.00 per year towards the management costs of running the business of promoting the tourism potential of Boyup Brook and providing an outlet for local products.

Earlier in the process, during verbal discussions with you the suggestion was made that the amount passed by Council could be secure for a period of 3 years. Is this offer still on the table and if so we would much appreciate the proposal being identified officially with written advice to that effect for our records?

COMMENT

The Draft MOU (see attachment 1) has now been developed.

CONSULTATION

The author has spoken with the BBTA and other staff.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The additional expenditure was budgeted for as part of the annual budget review.

STRATEGIC IMPLICATIONS

The BBTA is long standing community group

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 11.1.1

MOVED: Cr O'Connell

SECONDED: Cr Oversby

That Council adopt the Draft, three year, MOU with the Boyup Brook Tourism Association subject to Tourism agreement and with any minor changes.

CARRIED 9/0

Res 113/18

12 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

LAY ON THE TABLE - item 12.1.1

Will be brought to the Special Council meeting being held on Tuesday, 26th June 2018.

12.1.1 Community Donations and MOUs 2018/19
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1. That Council approves the MOU template (see attachment 1), as presented.
2. That Council directs the CEO to include the amounts for the MOUs discussed at the Council workshop, and as set out in Table 1 of this report, in the draft Budget for 2018/19.
3. That Council directs the CEO to include the amounts for the Donations discussed at the Council workshop, and as set out in Table 2 of this report, in the draft Budget for 2018/19.
4. That Council directs the CEO to include the Donation request from Country Music Club of Boyup Brook WA Inc, as set out in Table 3 of this report, in the draft Budget for 2018/19.

12.1.2 Confidential item - appointment of a new Principal GP

MOVED: Cr O'Connell

SECONDED: Cr Walker

That Council accept the appointment of Dr Luc to the position of Principal General Practitioner at the Shire's medical Centre, to replace Dr Mel when his resignation becomes effective, subject to Dr Luc attaining relevant professional accreditation, and being acceptable to the WA Health Department to provide GP services at its hospitals, including the Boyup Brook Hospital, under contract.

CARRIED 9/0

Res 114/18

13 CLOSURE OF MEETING

There be no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 8.25pm.