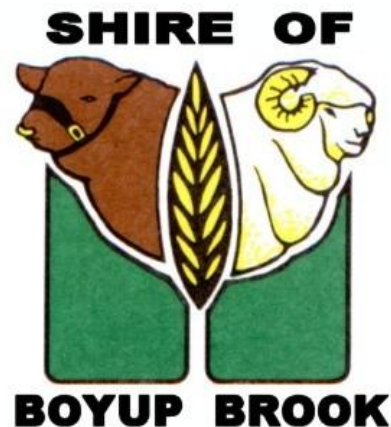


Minutes



ORDINARY MEETING

held

THURSDAY 18 October 2018
Commenced AT 3.30PM

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 S Alexander
Cr P Kaltenrieder
Cr Moir
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 & Records Officer)

PUBLIC: Neil Derrick
Liz Roney

1.2 Apologies

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

- 2.1 Neil Derrick expressed his concern regarding a sweeper which had no revolving light and door was open while the machine was in motion.

Response from Shire President

This incident should have been reported to the Shire, if the Shire are not made aware of these issues, we are unable to deal with it.

- 2.2 Neil Derrick informed Council that the Coates hire machine was in bad condition (air cleaner was dirty) lack of maintenance.

Response from Shire President

The Coates hire machine does not belong to the Shire so it is therefore not our responsibility.

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 a Special Council Meeting on 27th September 2018.
Cr O'Connell attended a WALGA Roles and Responsibilities session on 10th October 2018.
Cr O'Connell attended a Corporate Business Plan workshop on 11th October 2018.
Cr Oversby wishes to thank the generous Boyup Brook community for their support of a community bus project.
Cr Kaltenrieder attended a Special Council Meeting on 27th September 2018.
Cr Kaltenrieder attended a Blackwood Basin Group AGM Meeting.
Cr Kaltenrieder attended a WALGA Roles and Responsibilities session on 10th October 2018.
Cr Kaltenrieder attended a Community Resource Centre meeting on 24th October 2018.
Cr Kaltenrieder attended a Corporate Business Plan workshop on 11th October 2018.
Cr Alexander attended a Special Council Meeting on 27th September 2018.
Cr Alexander attended a WALGA Roles and Responsibilities session on 10th October 2018.
Cr Alexander attended a Corporate Business Plan workshop on 11th October 2018.
Cr Rear attended a Special Council Meeting on 27th September 2018.
Cr Rear attended a meeting at the Boyup Brook Pioneer Museum on 10th October 2018.
Cr Rear attended a WALGA Roles and Responsibilities session on 10th October 2018.
Cr Rear attended a Corporate Business Plan workshop on 11th October 2018.
Cr Rear attended a Bushfire Awareness training session on 13th October 2018.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - 20 September 2018

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Alexander

SECONDED: Cr Kaltenrieder

That the minutes of the Ordinary Council Meeting held on Thursday 20 September 2018 be confirmed as an accurate record.

CARRIED 9/0

Res 183/18

6 PRESIDENTIAL COMMUNICATIONS

Attended a Special Council Meeting on 27th September 2018.
Attended an Emergency Power Outage exercise in Bunbury on 8th October 2018.
Attended a WALGA Roles and Responsibilities session on 10th October 2018.
Attended a Corporate Business Plan workshop on 11th October 2018.
Attended a meeting regarding the Saleyard on 12th October 2018.
Attended a Sandakan debrief with the RSL and Lions President.

Cr Rear left the Chambers at 3.42pm

Cr Rear returned to the Chambers at 3.46pm

7 COUNCILLORS QUESTIONS ON NOTICE

NOTE, Standing orders provide as follows:

8. QUESTIONS

8.1 Questions of Which Due Notice Has to be Given

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

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

8.2 Questions Not to Involve Argument or Opinion

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

7.1 Councillor O'Connell

QUESTION

Can the CEO please advise the safety procedure provided to Shire staff for use of herbicide sprays?

CEO's ANSWER

Gardening staff are the only Shire employees handling herbicides as part of their employment. All gardening staff have the following accreditation:

AHCCHM303A Prepare And Apply Chemicals

(<https://training.gov.au/Training/Details/AHCCHM303A>)

AHCCHM304A Transport, Handle And Store Chemicals

(<https://training.gov.au/Training/Details/AHCCHM304A>)

All Expire 28th July 2022.

Its a 2 day accreditation course and its valid for a period of 5 years. There is then a 1 day refresher to extend the accreditation a further 5 years.

For each chemical, including herbicides, the correct procedures are obtained from the manufacturers Material Safety Data Sheet (MSDS) and the supervisor (Calvin Brown) ensures his staff are clear on these requirements. There is also a "Substance Risk Assessment Procedure" in our OH&S manual. When applying these chemicals in the community, our policy is to cease operations if members of the public are in the vicinity and may be impacted.

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

Nil

8.2 FINANCE

8.2.1 List of Accounts Paid in September 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>11/10/18</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 September</i>

SUMMARY

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

BACKGROUND

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

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 September 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 2018-19 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

MOVED: Cr Walker

SECONDED: Cr Alexander

That at its October 2018 ordinary meeting Council receive as presented the list of accounts paid in September 2018, totalling \$338,067.70 from Municipal account, \$308.60 from Trust account, \$ 6.95 from Boyup Brook Early Learning Centre account and \$47,293.30 from Police Licensing account as represented by:

Municipal Cheques	20221 - 20225	\$ 11,830.27
Municipal Electronic Payments	EFT7107 – EFT7188	\$ 170,995.99
Municipal Direct Payments		\$ 205,241.44
Trust Cheques	2143 - 2145	\$ 308.60
Early Learning Centre Payments		\$ 6.95
Police Licensing Payments		\$ 47,293.30

CARRIED 9/0

Res 184/18

WITHDRAWN

The CEO withdrew item 8.2.2 due to some discrepancies, will be brought back to the November meeting.

8.2.2 30 September 2018 Statement of Financial Activity
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<i>Location:</i>	Not applicable
<i>Applicant:</i>	Not applicable
<i>File:</i>	FM/10/003
<i>Disclosure of Officer Interest:</i>	None
<i>Date:</i>	11 October 2018
<i>Authors:</i>	Kay Raisin - A/Finance and HR Manager and Stephen Carstairs - Director Corporate Services
<i>Authorizing Officer:</i>	Alan Lamb – Chief Executive Officer
<i>Attachments:</i>	Yes – 30 September 2018 Financial Reports

SUMMARY

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

OFFICER RECOMMENDATION – Item 8.2.2

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

COUNCIL DECISION

MOVED: Cr Kaltenrieder

SECONDED: Cr Rear

That the Council adopts enbloc 8.3.1 and 8.3.3.

CARRIED 9/0

Res 185/18

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Subdivision Application (WAPC Ref 157221) - Lots 1 & 2 Donnybrook-Boyup Road, Benjinup.
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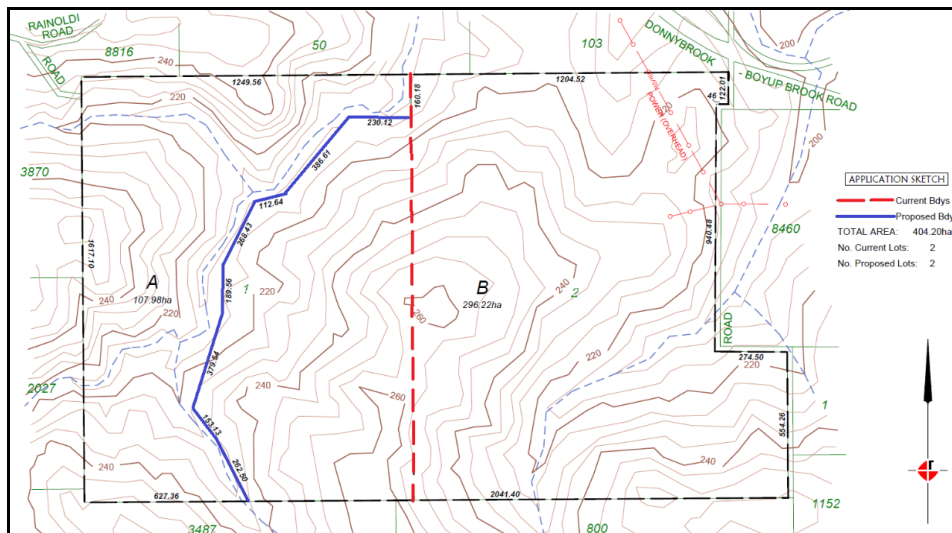
<i>Location:</i>	Lots 1 & 2 Donnybrook-Boyup Road Benjinup.
<i>Applicant:</i>	Thompson Surveying Consultants – Wyloo Pastoral Co Pty Ltd
<i>File:</i>	WAPC 157221
<i>Disclosure of Officer Interest:</i>	None
<i>Date:</i>	18 October 2018
<i>Author:</i>	A. Nicoll, Town Planner
<i>Authorizing Officer:</i>	Alan Lamb, Chief Executive Officer
<i>Attachments:</i>	Nil

SUMMARY

The purpose of this report is to put before Council a proposal to realign a property boundary between Lots 1 & 2 Donnybrook-Boyup Brook Road Benjinup.

The Shire's *Local Planning Scheme No.2* has zoned the subject land - 'Rural'.

The following plan indicates the proposed boundary realignment. The red dotted line is the current boundary and the blue line is the proposed boundary.

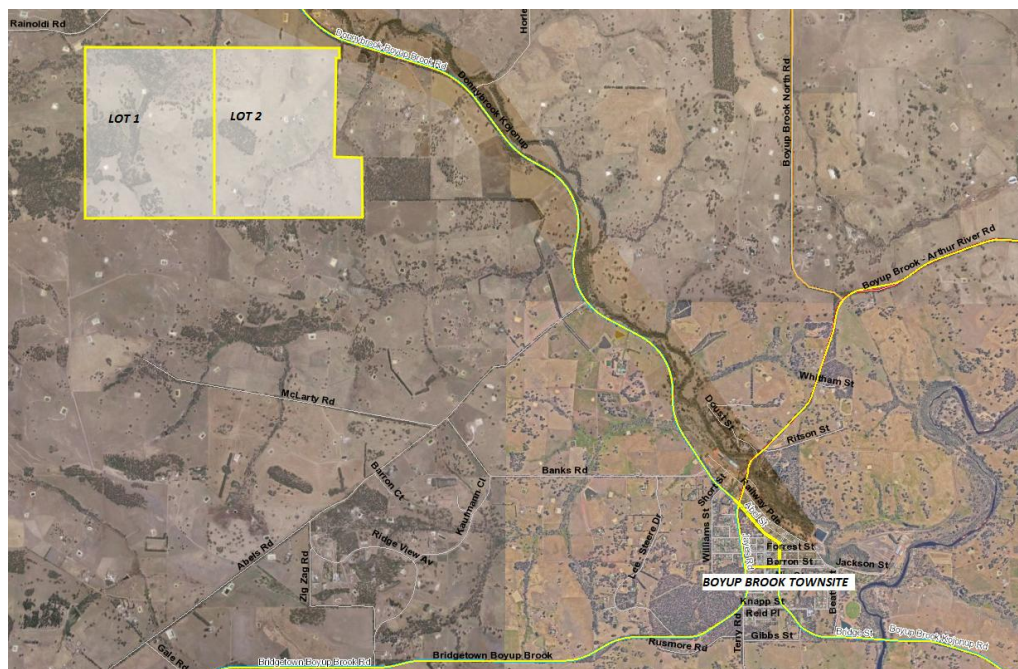


Council is requested to agree to advise the Western Australian Planning Commission to support the proposed subdivision (boundary realignment), which complies with the Shire's scheme and policy and the Commission's Development Control Policy 3.4.

BACKGROUND

The Western Australian Planning Commission received the subdivision application (Ref 157221), which proposes to realign the boundary between Lots 1 and 2 Donnybrook-Boyup Brook Road, Benjinup, such that the boundary follows the alignment of a creek.

The existing Lot 1 is 202.3 hectares in area and the existing Lot 2 is 202.1 hectares in area.



The Western Australian Planning Commission forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions by the 7 November 2018.

COMMENT

The current use of the land is for the grazing of cattle with the owners Wyloo Pastoral Co Pty Ltd trading as Blackwood Valley Beef an Australian Certified Organic Producer.

An existing house and sheds are situated on Lot 2. There are no buildings on Lot 1.

The west portion of the subject land is vegetated with mature Jarrah, Marri and Blackbutt whilst the eastern portion has been mainly cleared and pastured with only a few stands of remnant vegetation.

A creek meanders north/south through Lot 1.

Whilst the eastern side of Lots 1 & 2 is relatively easy to manage livestock, there are ongoing problems (e.g. erosion) associated with cattle traversing across the creek.

The proposed subdivision will be to amend the boundary between Lots 1 & 2 by realignment to form Lots A & B as shown on the subdivision plan.

The boundary between these two lots will be along the east side of the creek, to achieve Lot A of 107.98ha and Lot B of 296.21ha.

By essentially fencing off the 2 kilometre long section fronting the creek, a favourable environmental outcome is achieved whereby livestock no longer traverse the creek creating erosion issues.

Lot 1 is connected to a gazetted road in the north western corner which connects to Rainoldi Road and then to the Donnybrook Boyup Brook Road. However the road is unconstructed. The proponent has indicated willingness to construct a 320 metre section of road to Rainoldi Road to Council specifications.

Lot 2 is already connected to the Donnybrook Boyup Brook Road via a short section of public road on the east boundary.

As expressed in the following statutory and policy sections of this report, the proposed subdivision complies with statutory, policy and State development control standards for the rural zone.

The proposed subdivision creates the same number of lots as currently exists and will not prevent the land or the potential of the land to be used for agricultural purposes and hence has no adverse effect on the rural amenity of the area.

CONSULTATION

N/A

STATUTORY OBLIGATIONS

Pursuant to clause 5.2.1 of the Shire of Boyup Brook *Local Planning Scheme No. 2* the following is outlined in respect to subdivision:

In considering applications for subdivision, rezoning and planning consent in the Rural zone, Council shall have regard to:

- a) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;*
- b) the need to protect the area from uses which will reduce the amount of land available for agriculture;*
- c) the need to preserve the rural character and rural appearance of the area;*
- d) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.*

The proposed subdivision does not inherently change or impact on existing land uses or the rural character of the area.

POLICY IMPLICATIONS

Development Control Policy 3.4

The Development Control Policy 3.4 - Rural Subdivision outlines the requirements for rural subdivision within Western Australia. Specifically, section 6 of DCP3.4 outlines the following for which rural subdivision may be considered:

In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:

- a) To realign lot boundaries with no increase in the number of lots , where the resultant lots will not adversely affect the rural land uses;*
- b) To protect and activity conserve place of cultural and natural heritage;*
- c) To allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- d) In the Homestead lot policy (Appendix 2)1 allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation: and*
- e) For other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.*

Subdivision of the rural land, in the form proposed, is in accordance with the Western Australian Planning Commissions *Development Control Policy 3.4 Subdivision of Rural Land*, which supports the adjustment of lot boundaries, whilst not creating additional lots and whilst not adversely affecting rural land uses.

Road Contribution Policy (W.07)

The Shire's Road Contribution Policy (W.07) states:

The Shire will require the proponent of a subdivision/amalgamation to contribute towards the upgrading and construction of roads in the rural areas in accordance with the following:

1. *The minimum standard of road construction in a rural area is a six (6) metre formed gravel surface with roadside drains with a 20m wide road reserve.*

The construction or upgrading costs may include the following:

- *Field and feature surveys;*
- *Soil testing;*
- *Preparation of the road design;*
- *Application to the EPA for the removal of any remnant vegetation;*
- *Confirming the absence declared rare flora with DEC;*
- *Compliance with Native Title and Future Act requirements;*
- *Relocation of existing services (if required);*
- *Fencing and signage (if required);*
- *Twelve month maintenance bond and supervision fees.*

A condition of subdivision will need to be included to ensure a contribution is provided towards the construction of a road between proposed Lot A and Rainoldi Road, in accordance with the Shire's Policy W.07.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications expected as a result of subdivision approval.

The Shire's Road Contribution Policy (W.07) states:

8. Where a subdivision application (including amalgamations or boundary re-alignments) requires the construction of a vacant road reserve the Shire will require the proponent to pay the total cost. In calculating the contribution the Shire will assess the likely traffic increase from the application.



VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1

That Council

Agree to advise the Western Australian Planning Commission to support the proposal to subdivide Lots 1 and 2 Donnybrook-Boyup Road Benjinup, for the following reasons and subject to the following conditions:

Reasons for Support

- 1) The subdivision does not impact on the Shire's *Local Planning Scheme No.2*, clause 5.2.2, which states: *Council shall encourage the continued use of land within the Rural Zone for the entire spectrum of broad-acre and intensive rural activities.*

and

- 2) The subdivision is in accordance with the State's *Development Control Policy 3.4 Subdivision of Rural Land*, which limits subdivision potential to the following criteria:
 - a) *to realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect rural land uses.*

Conditions

- 1) The landowner/applicant installing suitable rural fencing of good standard along the proposed new boundary and along the boundaries of all of the proposed lots abutting access road(s).

- 2) Satisfactory arrangements being made with the local government for the full cost of construction of a road in the road reserve, between proposed Lot A and Rainoldi Road.

Advice

In relation to condition 3, a road needs to be constructed in the section of road reserve between proposed Lot A and Rainoldi Road. Please note that the Shire's Road Contribution Policy (W.07) states:

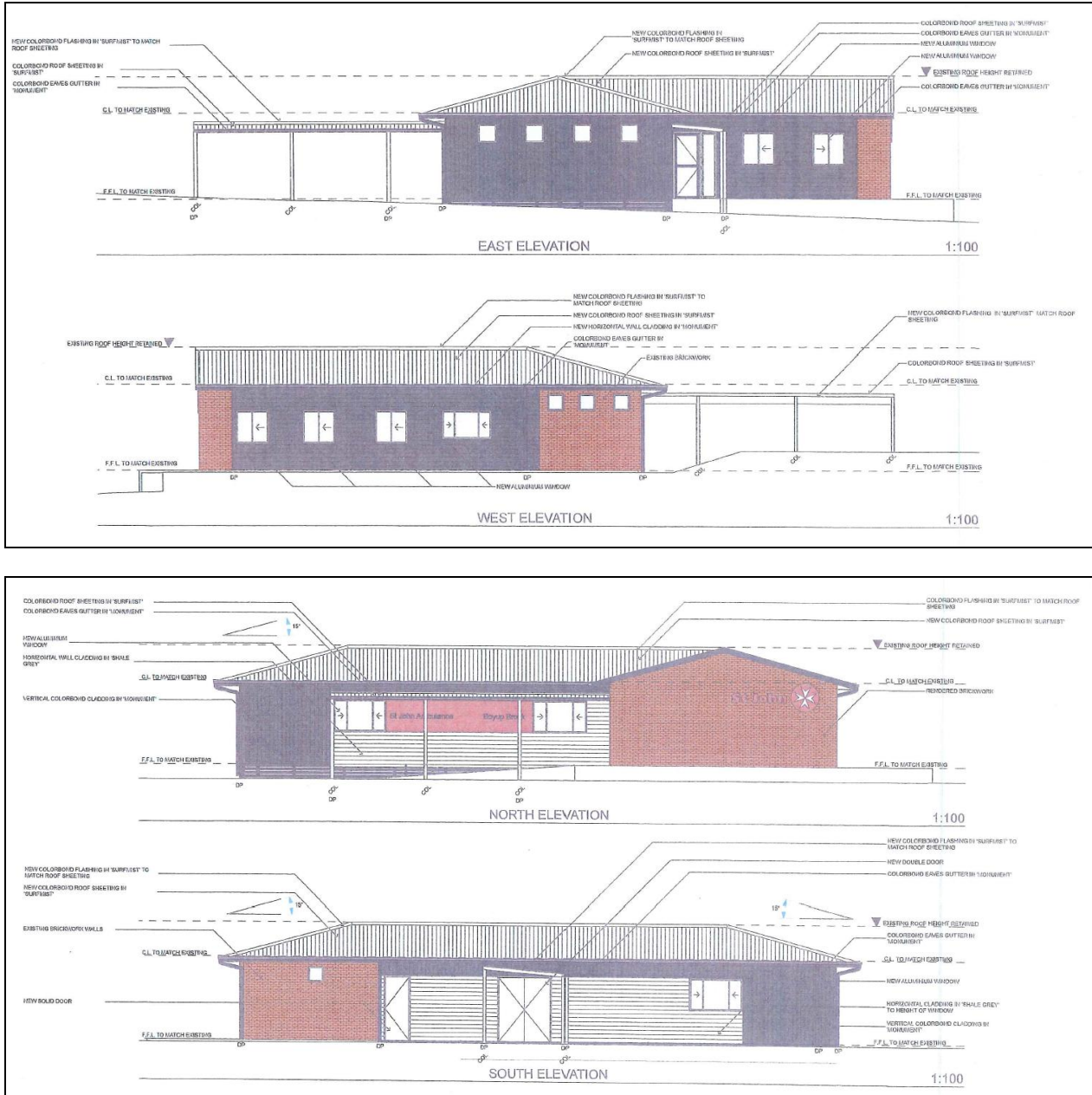
The Shire will require the proponent of a subdivision/amalgamation to contribute towards the upgrading and construction of roads in the rural areas in accordance with the following:

1. *The minimum standard of road construction in a rural area is a six (6) metre formed gravel surface with roadside drains with a 20m wide road reserve.*
8. *Where a subdivision application (including amalgamations or boundary re-alignments) requires the construction of a vacant road reserve the Shire will require the proponent to pay the total cost. In calculating the contribution the Shire will assess the likely traffic increase from the application.*

CARRIED BY ENBLOC 9/0

Res 186/18

Elevations



8.3.3 Rural Fire Service Centre of Excellence - Shire of Collie bid.

Location:	<i>Collie Western Australia</i>
Applicant:	<i>Shire of Collie</i>
File:	<i>GR/31/009</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>11 October 2018</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council the Shire of Collie request for support for its bid to host the Rural Fire Service Centre of Excellence (RFSCE) in Collie, with the recommendation that Council agree.

BACKGROUND

There have been a number of announcements about plans to build the RFSCE and most Council members will be aware that Collie is bidding to host it. Busselton is also lodging a bid and has sought support. It appears that many of the more populous LGs are working up bids for the opportunity to have this important service operated from their city/town.

COMMENT

It is understood that Collie has been working on its submission for some time and there has been talk, at Council level, of Boyup Brook lending its support for their bid. Whilst there may be many reasons to locate the RFSCE in other locations, including the outer metro area or the like, having it in the country is important. The most densely populated rural region in WA is the South West, but its also fire prone with its relative dense forests and the like.

Collie's economy is still reliant on coal mining and coal fired power generation. Recent mine closures, the trend away from Coal and the like should continue to have a negative impact on the local economy and the RFSCE may be the shot in the arm needed for a more diversity in employment opportunities.

Collie is not the geographical centre but is a significant rural town in the South West, close to the Great Southern, Wheatbelt and the Peel regions.

It is not known what employee numbers are envisaged but a number of Boyup Brook residents commute to Collie now and so there must be a possibility of some of the RFS staff wanting to live near to but not in Collie.

It is recommended that Council lend its support to the Shire of Collie bld.

CONSULTATION

The matter has been discussed at Council level.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.3

That Council support the Shire of Collie in its bid to host the Rural Fire Service Centre of Excellence.

CARRIED BY ENBLOC 9/0

Res 187/18

Declare an Interest

Cr Rear declared a financial interest in the following item and departed the Chambers, the time being 3.51pm.

8.3.2 Development (Renovations and Additions) – ST John Ambulance Sub-centre – Lot 501 Abel Street (Reserve 29739)

Location:	Lot 501 Abel Street (Reserve 29739)
Applicant:	Angela Hales – Chairperson for the Boyup Brook Ambulance Sub-centre.
File:	A2004
Disclosure of Officer Interest:	None
Date:	18 October 2018
Author:	A. Nicoll, Town 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 training and store room, as an addition to the St John Ambulance Sub-centre, located at Lot 501 Abel Street, Boyup Brook (Reserve 29739).



Council discretion is required in accordance with the Shire's *Local Planning Scheme 2*, clause 2.1.3, which states:

Except as otherwise provided in this Part, a person shall not carry out any development on land reserved under this Scheme other than the erection of a boundary fence, without first applying for, and obtaining, the written approval of the Council.

It is recommended that the Council agree to support the proposed additions to the St John Ambulance Sub-centre.

BACKGROUND

St John Ambulance submitted an application involving renovations and additions to the St John Ambulance Sub-centre, located at Reserve 29739.

The property the subject of the application is approximately 2023m² in area and is currently occupied by an existing building, which is used to:

- Provide medical cover for events – from major sporting fixtures and music festivals to public gatherings;
- Train volunteers to attend emergency calls and provide care;
- Support the emergency services, responding to local incidents and major accidents.

COMMENT

St John Ambulance proposes to renovate their existing Sub-centre and to develop additions.

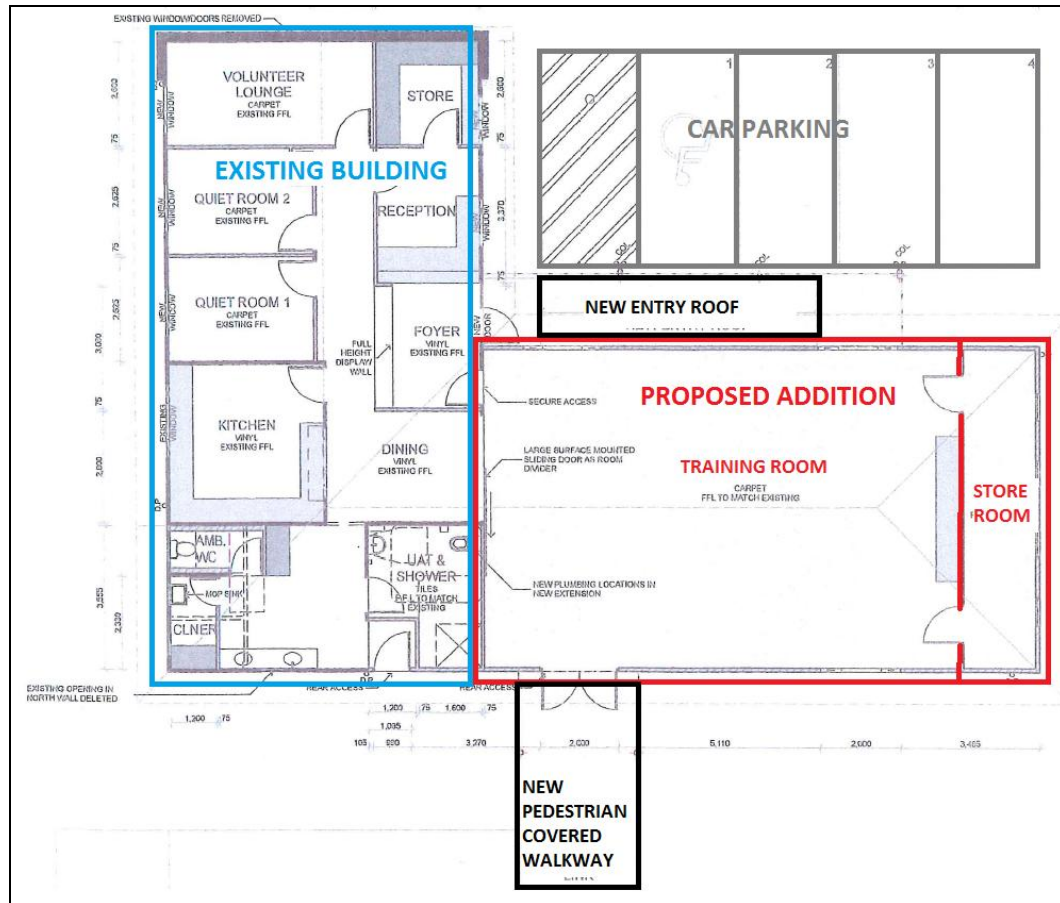
Renovation of the existing Sub-centre includes:

- New aluminium windows;
- New colourbond roof sheeting, flashings and guttering;
- New horizontal wall sheeting.

Additions include:

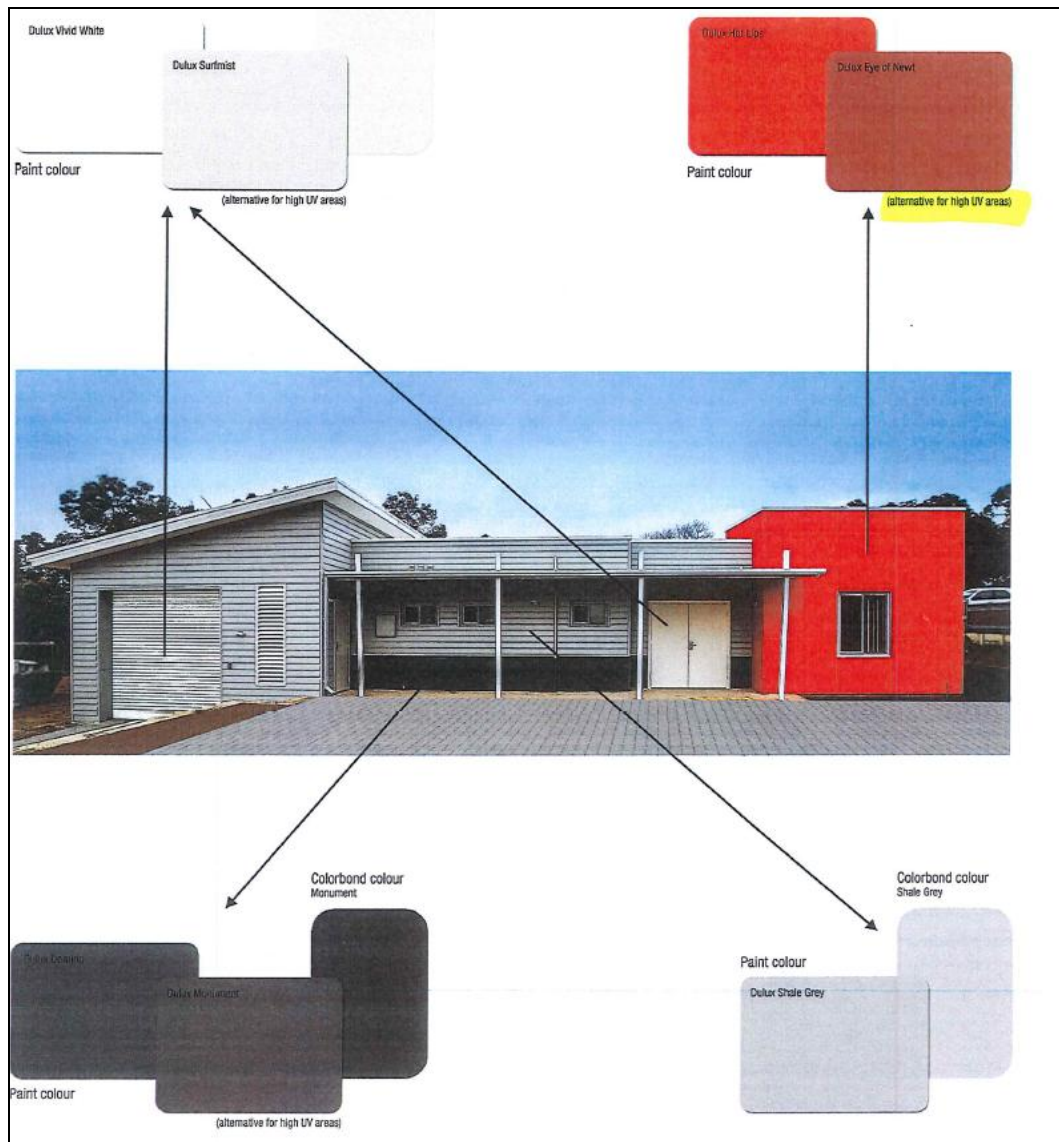
- A new training and store room;
- Car parking;
- An entry roof facing the north elevation adjacent to new car parking; and
- A covered walkway.

The following diagram shows the existing building and new additions and car parking areas.



The following provides an example of proposed colours, which includes:

- Red, grey and black walls; and
- White and/or surf mist flashings and roof.



The proposed renovations and additions and corporate colouring scheme are not expected to impact on the amenity of the street.

It is recommended that car parking areas are sealed and that landscaped areas are developed to attenuate stormwater (rain gardens).

CONSULTATION

N/A

STATUTORY OBLIGATIONS

The subject property is identified in the Shire's *Local Planning Scheme 2* as a 'Reserve' (29739) for 'Public Purpose'.

Clause 2.1.3 of the Shire's Scheme states:

Except as otherwise provided in this Part, a person shall not carry out any development on land reserved under this Scheme other than the erection of a boundary fence, without first applying for, and obtaining, the written approval of the Council.

POLICY IMPLICATIONS

The Shires Crossover Policy No.W.08 states:

All crossovers shall be constructed in accordance with the Shire of Boyup Brook specifications and guidelines.

An existing sealed and maintained crossover is proposed to be used to provide access to the site.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications in relation to the application.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.2

MOVED: Cr Walker

SECONDED: Cr O'Connell

That Council

Grants development approval for Lot 501 Abel Street, Boyup Brook, for the purpose of Development (Training and Store room, car parking, covered entry a covered walkway) subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lot 501 Abel Street, Boyup Brook

Description of proposed development:

Renovations and Additions (Training and Store room, car parking, covered entry a covered walkway)

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. Car-parking bays being sealed and line marked to the satisfaction of the Shire.
3. Crossover being maintained to the satisfaction of the Shire.
4. Landscaping being developed to the satisfaction of the Shire.

Advice:

Landscaped areas are useful as a means to improve the amenity of an area and to also attenuate stormwater.

5. All stormwater is to be managed and contained on-site, to the satisfaction of the Shire of Boyup Brook.
6. No processes being conducted on the property that may cause a detriment to the amenity of that area by reason of contamination, noise, vibration, smell, fumes, dust or grit.

Date of determination: 18 October 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.

CARRIED 8/0

Res 188/18

COUNCIL DECISION

MOVED: Cr Moir

SECONDED: Cr Oversby

That the Council adopts enbloc 8.3.4 and 9.1.1

CARRIED 9/0

Res 189/18

8.3.4 Playgroup Licence for endorsement
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Location:	<i>Family Stop Centre</i>
Applicant:	<i>N/A</i>
File:	<i>LS/62/011</i>
Disclosure of Officer Interest:	
Author:	<i>Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)</i>
Authorizing Officer:	<i>Alan Lamb (Chief Executive Officer)</i>
Attachments:	<i>Playgroup Licence</i>

SUMMARY

The purpose of this report is for Council to endorse the licence document for the Boyup Brook Family Playgroup for the ongoing use of the Family Stop Centre 9.30am - 11.30am every Monday during Western Australian school terms, including public holidays.

BACKGROUND

The Boyup Brook Family Playgroup licence expired earlier this year. The licence has been adjusted to accommodate the now operating Boyup Brook Early Learning Centre.

COMMENT

The licence has been prepared by Council's solicitor and has been updated over recent months taking into account contemporary practices recommended by Council's solicitor.

CONSULTATION

Boyup Brook Family Playgroup

Boyup Brook Early Learning Centre

Council's solicitor

STATUTORY OBLIGATIONS

The licence document becomes a legal document.

POLICY IMPLICATIONS

There are no policy implications relating to this item.

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Social: Sense of Community

Our Vision:

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

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

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none">+ 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.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues any adverse impact on the Playgroup would be detrimental to the whole community.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.4

1. That Council endorse the licence document (with any non-substantial changes) between the Shire of Boyup Brook and the Boyup Brook Family Playgroup.
2. Signing and sealing of the document by the Shire President and Chief Executive Officer.

Cr Rear returned to the Chambers at 4.06pm

CARRIED BY ENBLOC 9/0

Res 190/18

9 COMMITTEE MINUTES

9.1.1 Minutes of the South West Zone

Location:	<i>N/A</i>
Applicant:	<i>N/A</i>
File:	<i>n/a</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>16 August 2018</i>
Author:	<i>Alan Lamb</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND

The Minutes of the South West Zone was held on 24 August 2018

Minutes of the meeting are attached.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.1

That the minutes of the South West Zone meeting held 24 August 2018 be received.

CARRIED BY ENBLOC 9/0

Res 191/18

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

The Shire President accepted the late items be dealt with at this time.

11.1 Declarations of Interest

MOTION

MOVED: Cr Walker

SECONDED: Cr Muncey

That Council review the agenda structure for meetings of Council to include an item titled "Declarations of Interest", before the body of a meeting commences and be included in all future Council meetings as of the 18th October 2018.

CARRIED 9/0

Res 192/18

11.2 Review the Shire of Boyup Brook Local Law 1 - Standing Orders

MOTION

MOVED: Cr Walker

SECONDED: Cr Muncey

That the CEO commence the process to review the Shire of Boyup Brook Local Law 1 - Standing Orders and report back to Council with a draft, which meets current requirements and practices of Local Governments generally, and is in line with any relevant guidelines.

CARRIED 5/4

Res 193/18

12 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

Behind Closed Doors

That in accordance with Section 5.23 (2) (b) of the Local Government Act 1995 the next part of the meeting be closed to members of the public.

Neil Derrick left the Chambers at 4.35pm

Liz Roney left the Chambers at 4.35pm

COUNCIL DECISION

MOVED: Cr Muncey

SECONDED: Cr Alexander

That the Council adopts enbloc 12.1.1 and 12.1.3

CARRIED 9/0

Res 194/18

12.1.1 Disposal of Shire Vehicle to an employee

That in accordance with Section 3.58(3) of the Local Government Act 1995, notice be given of the intention to sell the Shire Honda Odyssey to Dr Mel for \$20,000 inc GST.

CARRIED BY ENBLOC 9/0

Res 195/18

12.1.3 Disposal of Shire Vehicle to an employee

That Council, having met the requirements of Section 3.58(3) of the Local Government Act 1995, authorise the CEO to sell the Shire Toyota Dual Cab Hilux to Rob Staniforth-Smith for \$26,000 inc GST.

CARRIED BY ENBLOC 9/0

Res 196/18

Cr Alexander noted that she may have a reportable interest in item 12.1.2 as her spouse is employed by the Shire. The CEO suggested that the matter, at this time, may have no direct link to employee positions and remuneration.

Cr Alexander remained at the meeting and voted on the matter.

12.1.2 Review of the organizational structure to ensure alignment of resources and capability to deliver the Strategic Community Plan and Corporate Business Plan.

MOVED: Cr Moir
That Council

SECONDED: Cr Walker

1. **Accept Price Consulting Group's quotation/proposal to conduct an organisational review for \$18,462 plus GST, plus travel and accommodation.**

LOST 3/6

Res 197/18

Cr Rear left the Chambers at 4.50pm

13 CLOSURE OF MEETING

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 4.55pm.