MINUTES

SHIRE OF BOYUP BROOK

ORDINARY MEETING

held

THURSDAY 15 November 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 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)
Mr Steele Alexander (Manager Works & Services)
Mrs Maria Lane (Executive Assistant & Records Officer)

PUBLIC: Mrs S White
Ms K Kaisserian
Mr T Doust
Mr E Biddle
Mr J Walsh
Mr J Rowe
Ms C Wilson
Mr M Gibbs
Ms G Lloyd

1.2 Apologies

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

Tony Doust asked the following questions:

2.1 Asset Management Strategy 2018-2028

Item 9.2.5 on the Agenda for today's meeting included a recommendation for the adoption of Shire of Boyup Brook Asset Management Strategy 2018-2028.

"I refer to Section 4 subsection 2 The Community Expectation Level, of the proposed Asset Management Strategy 2018-2028 and ask how and when the Council intends to undertake the community consultation, given the significant importance of all the Shire Assets and infrastructure and the need to provide the opportunity for all ratepayers and electors to contribute prior to finalizing any future plans, particularly for Parks & Gardens and Recreation Infrastructure. It is noted under Item 3.4 that plans for Plant & Equipment, Parks & Gardens and Recreation Infrastructure have not been adopted at this time. It is also noted that the agenda item states that there has been "nil" consultation on the preparation of the proposed strategy?"

Response from CEO
That the Shire conducts regular community satisfaction surveys. Now to be done every two years, with the next being completed in 2019.

2.2 Community & Commercial Leases Policy

"Given that Item 9.2.7 of the Agenda for today's meeting recommends the adoption of a new policy "F12 Community and Commercial Leases", I ask the Shire President to confirm that the Statement recorded in the Consultation section of the agenda item "Consultation with both community groups in regard to the draft leases has also taken place" has been undertaken including the following:

a. The cost implications of the proposed policy with all existing community groups that presently have leases.

b. The cost implications of the proposed policy with any community groups that utilize facilities on Shire property that do not presently have a lease however under the proposed policy will be required to in the future?"

Response from CEO
Council has been working on achieving lease agreements with all Community Groups who use/occupy shire properties. The matters laid out in the policy are consistent with existing leases and those in negotiation.

2.3 Proposed Demolition of Flaxmill Buildings

As the 2018/19 adopted budget and Agenda for today's meeting, item 9.3.2, both include funding for the demolition of several buildings at the Boyup Brook Flaxmill site, will the Shire President advise how and when the community have been advised of the proposal to demolish these particular buildings at the Flaxmill and the extent of any feedback received?

Response from CEO
A Council meeting was held on 15th June 2017 which was advertised on the website and displayed at the Administration Office. The Shire did receive a few letters in relation to Councils decision.

2.4 Agenda Item 10.1.1 relating to the Special Electors Meeting 18th October 2018

I am concerned about the comments included by Chief Executive Officer in five places in the Agenda Item 10.1.1 for today's meeting, "The resolution, as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the Presidents response", and ask that they be removed from the minutes of this Council meeting, as the Shire President comments on each of the items raised at the Special Electors meeting were read out prior to the motions being put and the assumption that the motions may have changed as a result of the Shire President comments, is a misleading statement, as the electors at the meeting did approve any amendments to reflect they were influenced or accepted the information provided by the Shire President"?

Response from Shire President
No.

2.5 Road Maintenance Grading

"For the record will the Shire President acknowledge that based on the figures he provided to the Special electors meeting relating to "Road Maintenance Grading", albeit the information provided included items that were now shown as "Road Maintenance Grading" in the adopted Shire Budgets over the five year period 1st July 2014 to 30th June 2019, decreased from $695,735 in 2014/15 to $678,905 in 2018/19, and in real terms that value of this work due to increased input costs, reduced by approx 20% or $140,000", whilst in the same period Shire Rates increased by $472,441 (21%), General Purpose Funding from the Grants Commission increased by $264,493 (56%) and Roads to Recovery funding increased by $92,015 (30%)?

Response from Shire President
The Shire President agreed to acknowledge the above matter however he explained the actual expenditure did not reflect the figures presented in budget form.

2.6 Boyup Brook Sports & Recreational Association Inc

Whilst the Council assisted and encouraged the formation of the Boyup Brook Sports & Recreational Association Inc, will the Shire President confirm that the association is independent decision making body and not a part of the Council committee structure?

Response from Shire President
The association is an independent decision making body because that is the way it was envisaged.

2.7 Boyup Brook Recreation Ground Oval Playing Surface

"Has the Shire received confirmation in writing from the Boyup Brook Sports & Recreational Association Inc, that at a recent meeting the organisation unanimously resolved that they do not see their role to be involved with any discussions with the

Shire of Boyup Brook relating to the improvements and maintenance of the Boyup Brook Oval playing surface?".

Response from CEO

Not to my knowledge but will check the system to see if and when it was received.

2.8 Ms C Wilson

Ms C Wilson asked the Shire President if the Flax Mill demolition was advertised.

Response from Shire President

It was recorded in the Council Minutes which was placed on the shire website and displayed at the Administration Office.

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr O'Connell

Boyup Brook Tourism Association meeting - 22nd October 2018
CRC AGM & General meeting - 24th October 2018
Integrated Planning workshop - 25th October 2018
Talison Lithium Information session at CRC - 13th November 2018

Cr Oversby
Dinninup Show - 6th November 2018

Cr Alexander
Integrated Planning workshop - 25th October 2018

Cr Kaltenrieder
CRC AGM Committee meeting - 24th October 2018

Cr Walker
Integrated Planning workshop - 25th October 2018
CEO Review - 5th November 2018

Cr Rear
Integrated Planning workshop - 25th October 2018
Harvey Dickson's - 27th October 2018
Dinninup Show - 6th November 2018
Remembrance Day - 11th November 2018

5 DISCLOSURE OF INTEREST

6 CONFIRMATION OF MINUTES

6.1 Special Council Meeting - 27 September 2018

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Oversby **SECONDED: Cr Rear**

That the minutes of the Special Council Meeting held on Thursday 27 September 2018 be confirmed as an accurate record.

CARRIED 9/0 **Res 198/18**

6.2 Ordinary Council Meeting - 18 October 2018

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Oversby **SECONDED: Cr Rear**

That the minutes of the Ordinary Council Meeting held on Thursday 18 October 2018 be confirmed as an accurate record.

CARRIED 9/0 **Res 199/18**

7 PRESIDENTIAL COMMUNICATIONS

Special Electors Meeting - 18 October 2018

Integrated Planning workshop - 25th October 2018
CEO Review - 5th November 2018
Dinninup Show - 6th November 2018
LEMC Meeting - 7th November 2018
Remembrance Day - 11th November 2018
Talison Lithium Information session at CRC - 13th November 2018
Met with Hon Terry Redman and Deputy Shire President on 14th November 2018 and discussed the Talison Mine and Biosecurity.

8 COUNCILLORS QUESTIONS ON NOTICE

Nil

9 REPORTS OF OFFICERS

9.1 MANAGER WORKS & SERVICES

9.1.1 Tender No 018-001 – Supply of Asphalt and Bitumen – 10 month contract

Location:	*N/A*
Applicant:	
File:	
Disclosure of Officer Interest:	*None*
Date:	*9th of November, 2018*
Author:	*Steele Alexander*
Authorizing Officer:	*Alan Lamb*
Attachments:	*Bitumen Tender Award Matrix 2018-19, Rate Comparison 2018-19 (Commercial in Confidence)*

SUMMARY

The 2018/2019 Construction budget and programme has in excess of $250,000 worth of bitumen works.

Prices were requested for these works for a 10-month period based on a schedule of rates using WALGA's E Quotes system.

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

BACKGROUND

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

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

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

Tender prices were received from:

- Fulton Hogan Industries
- Malatesta Road Paving

The tendered rates were then put into Councils "approximate" 2018/2019 Works Programme volumes and then these were used to evaluate tenders in the "cost score" portion of the 'award matrix". Demonstrated Experience and Capability were accessed from documentation provided and previous experience with the contractors.

COMMENTS

On assessment of the 'award matrix', Councils Officers recommends Fulton Hogan Industries be awarded the tender as they have the highest "matrix" score, due to them having better "Experience" scores. Price difference between the contractors was negligible. The contract is for a 10-month period so that next year's bitumen contract can be awarded in September. This is necessary to allow sufficient lead time according to the expected works program.

CONSULTATION

CEO Alan lamb

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Purchasing Policy F03

BUDGET/FINANCIAL IMPLICATIONS

Allowed for in the budget in the separate construction projects.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
  There are no known significant environmental issues.

- **Economic**
  There are no known significant economic issues.

- **Social**
  There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.1

MOVED: Cr Oversby **SECONDED: Cr O'Connell**

That the tender submitted by Fulton Hogan Industries be approved by Council for the supply and placement of asphalt and bituminous services for the 10-month period, 16/11/2018 to 15/09/2019.

CARRIED 9/0 **Res 200/18**

COUNCIL DECISION

MOVED: Cr Walker **SECONDED: Cr Rear**

That the Council adopts enbloc 9.2.1, 9.2.2, 9.2.3 and 9.2.4.

CARRIED 9/0 **Res 201/18**

9.2 FINANCE

9.2.1 List of Accounts Paid in October 2018

Location:	*Not applicable*
Applicant:	*Not applicable*
File:	*FM/1/002*
Disclosure of Officer Interest:	*None*
Date:	*07/11/18*
Author:	*Carolyn Mallett - Acting Accountant and Kay Raisin – Acting Finance and HR Manager*
Authorising Officer:	*Alan Lamb – Chief Executive Officer*
Attachments:	*Yes – List of Accounts Paid in October*

SUMMARY

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

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 October 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 9.2.1

That at its November 2018 ordinary meeting Council receive as presented the list of accounts paid in October 2018, totalling $546,631.03 from Municipal account, $1,150.62 from Trust account and $55,230.35 from Police Licensing account as represented by:

Municipal Cheques	**20226 - 20234**	**$ 32,821.16**
Municipal Electronic Payments	**EFT7189 – EFT7323**	**$ 287,532.33**
Municipal Direct Payments		**$ 226,277.54**
Trust Cheques	**2146 - 2148**	**$ 1,150.62**
Police Licensing Payments		**$ 55,230.35**

CARRIED BY ENBLOC 9/0 **Res 202/18**

9.2.2 30 September 2018 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	08 November 2018
Authors:	Kay Raisin - A/Finance and HR Manager and Stephen Carstairs - Director Corporate Services
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	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

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.2

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.

CARRIED BY ENBLOC 9/0 Res 203/18

9.2.3 30 October 2018 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	08 November 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 October 2018 Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 October 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 9.2.3

That having had regard for any material variances, Council receive the 31 October 2018 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC 9/0 Res 204/18

9.2.4 Reviewed Finance Policy - F.08 Asset Management

Location:	Shire Boyup Brook
Applicant:	N/A
Disclosure of Officer Interest:	None
Date:	06 November 2018
Author:	Stephen Carstairs – Director Corporate Services
Authorizing Officer:	Alan Lamb – CEO
Attachments:	Yes: Reviewed F.08 *Asset Management Policy*

SUMMARY

Council is requested to consider and adopt reviewed finance policy F.08 Asset Management Policy. The aim of policy F.08 is to ensure the local government is kept informed about its capability to deliver, in accord with its vision, strategy and plans, the asset based services required by the community.

BACKGROUND

Regulation 19DA (3)(c) of the *Local Government (Administration) Regulations 1996* requires local governments to prepare and implement corporate business plans which develop and integrate matters relating to resources, and include:

- asset management;
- workforce planning; and
- long term financial planning.

COMMENT

Policy *F.08 Asset Management* has been drafted so as to accord with Regulation 19DA (3)(c) of the *Local Government (Administration) Regulations 1996*. Proposed amendments to the policy are highlighted in yellow (refer reviewed policy F.08 attached).

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Section 19DA of the *Local Government (Administration) Regulations 1996* have application to this report.

19DA. Corporate business plans, requirements for (Act s. 5.56)

(3) A corporate business plan for a district is to —

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

The reviewed policy presented here also seeks to provide officers with guidance on asset management.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.2.4

That Council adopts reviewed finance policy *F.08 Asset Management*, as presented.

CARRIED BY ENBLOC 9/0 **Res 205/18**

9.2.5 Review: Asset Management Strategy 2018

Location:	Shire Boyup Brook
Applicant:	N/A
File:	
Disclosure of Officer Interest:	None
Date:	06 November 2018
Author:	Stephen Carstairs – Director Corporate Services
Authorizing Officer:	Alan Lamb – CEO
Attachments:	Yes: (Reviewed) Shire of Boyup Brook Asset Management Strategy 2018

SUMMARY

Council is requested to consider and endorse reviewed Asset Management Strategy 2018 which, together with policy F.08 Asset Management Policy, aims to ensure the local government is kept informed of its capability to deliver asset dependent services to the community.

BACKGROUND

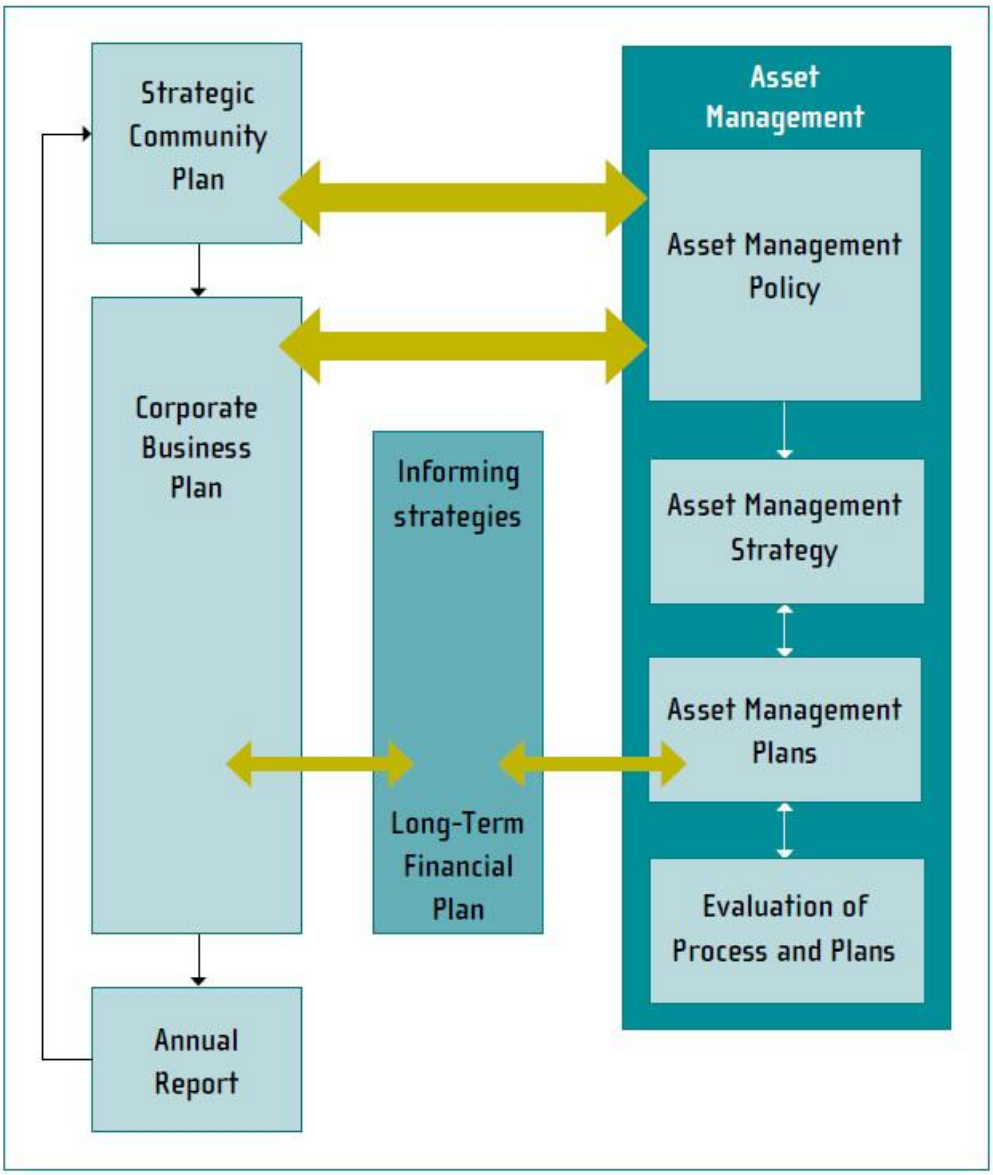
Regulation 19DA (3)(c) of the *Local Government (Administration) Regulations 1996* requires local governments to prepare and implement corporate business plans which develop and integrate matters relating to resources, and include:

- asset management;
- workforce planning; and
- long term financial planning.

The Asset Management Strategy (the Strategy) and Asset Management Plans (Transport (Roads, Drainage, Footpaths and Bridges), Buildings and Structures, and Plant and Furniture/ Equipment) are key documents in the Asset Management Framework (the Framework, and refer to Figure 1 below), which forms part of the Western Australian Government's Local Government wider Reform Programme.

At its November 2016 meeting Council resolved (Res 142/16) to endorse the then newly drafted Asset Management Strategy 2016. The 2018 strategy includes new information and presents a pathway for moving forward.

FIG 1 ELEMENTS OF WA ASSET MANAGEMENT FRAMEWORK



COMMENT

Figure 1 illustrates the Strategy's linking position between Council's Asset Management Policy in one direction, and subsequently to the annual budget in the other direction via Council's asset management plans, Long Term Financial Plan, and Corporate Business Plan.

The Strategy seeks to communicate the Shire's ongoing commitment to improve asset management practices and to ensure that activities are undertaken in accordance with the guidance and requirements of the Framework.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Section 19DA of the *Local Government (Administration) Regulations 1996* have application to this report.

19DA. Corporate business plans, requirements for (Act s. 5.56)

(3) A corporate business plan for a district is to —
(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

POLICY IMPLICATIONS

As with the shire's Long Term Financial Plan 2017 - 2027, Policy F.08 *Asset Management* should be read in conjunction with the Asset Management Strategy.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

The Strategy presented here seeks to communicate the Shire's ongoing commitment to improve asset management practices and to ensure that activities are undertaken in accordance with the guidance and requirements of the Framework.

SUSTAINABILITY IMPLICATIONS

- **Environmental** – Nil
- **Economic** – Refer to the *Strategic Implications* section.
- **Social** – Nil

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.2.5

MOVED: Cr Kaltenrieder **SECONDED: Cr Alexander**

That Council adopt (reviewed) *Shire of Boyup Brook Asset Management Strategy 2018*, as presented.

CARRIED 9/0 **Res 206/18**

9.2.6 Integrated Planning - Asset Management Plans

Location:	*N/A*
Applicant:	*N/A*
File:	
Disclosure of Officer Interest:	*None*
Date:	
Author:	*Kay Raisin (A/Finance Manager) and Stephen Carstairs (Director Corporate Services)*
Authorizing Officer:	*Alan Lamb (CEO)*
Attachments:	*Yes: Draft Copies of 1. Plant and 2. Information Technology Asset Management Plans. 3. Amended Transport (Roads) Asset Management Plan*

SUMMARY

The purpose of this report is to put newly drafted Plant Asset Management Plan and Information Technologies Asset Management Plan, and an Amended Transport (Roads) Asset Management Plan, before Council for consideration and adoption.

BACKGROUND

In 2012-13 the then Department for Local Government provided funding for the preparation of asset management plans, and at its June 2013 meeting Council Adopted a Roads and Bridges Asset Management Plan and a Buildings Asset Management Plan.

At its March 2018 meeting the Audit and Finance Committee resolved (Res 25/18) as follows:

2. Direct the CEO to incorporate the shire's endorsed (Res. 47/17) 2017-18 to 2026- 27 Ten Year Works Programs (including a Ten Year Plant Replacement Program) into the shire's Asset Management Plans as addenda.

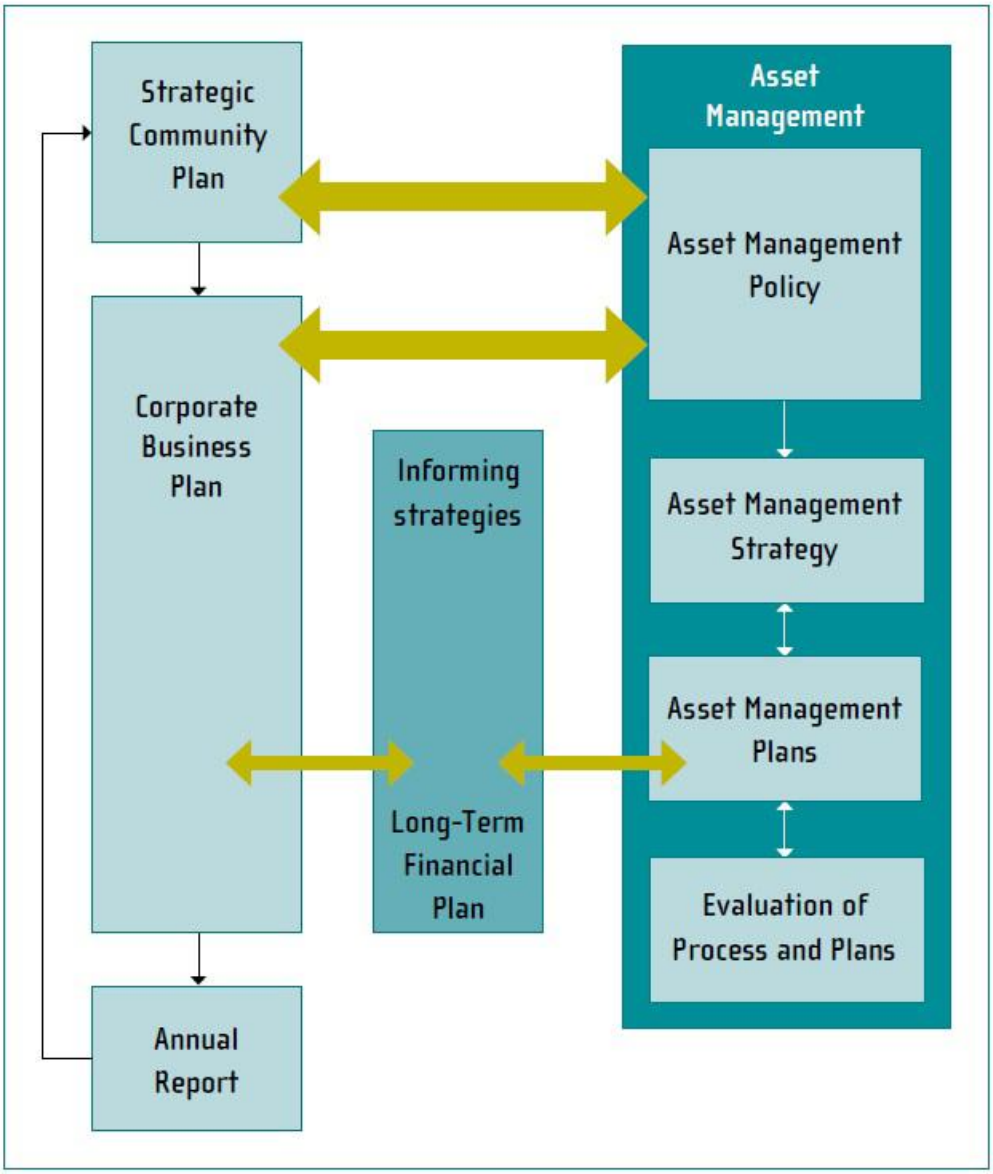
3. Direct the CEO to continue to develop each year, rolling ten year works and plant replacement programs for presentation to Council in the second quarter of

the calendar year, and as required incorporate these programs into the shire's asset management plans as addenda.

COMMENT

Asset Management Plans (Transport (Roads, Drainage, Footpaths and Bridges), Buildings and Structures, Plant and IT) are key documents in the Asset Management Framework (the Framework, and refer to Figure 1 below), which forms part of the Western Australian Government's Local Government wider Reform Programme.

FIG 1 ELEMENTS OF WA ASSET MANAGEMENT FRAMEWORK



While Council does not have to adopt asset management plans, they have been brought before Council as they give detail to the Shire's Long Term Financial Plan and Community Strategic Plan.

The Plant Asset Management and Information Technology Asset Management Plans are newly drafted plans, and the Transport Asset Management Plan has been updated so as to include the then Director Works and Services 10 Year Works Programs as an addendum.

CONSULTATION

The transport asset and plant replacement programs were developed by the then Director Works and services. The Plant Asset Management and Information Technology Plans were drafted by the A/ Finance Manager and the Director Corporate Services.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

The Shire's Asset Management Policy and Asset Management Strategy has relevance to this report.

BUDGET/FINANCIAL IMPLICATIONS

The asset management plans are informing documents for the shire's LTFP from which Corporate Business Plans derive, and Budgets derive from Corporate Business Plans.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.6

MOVED: Cr O'Connell **SECONDED: Cr Alexander**

1. **That Council adopt the newly drafted Plant Asset Management and Information Technology Asset Management Plan as presented.**

2. **That Council adopt the Amended Transport (formerly Roads and Bridges) Asset Management Plan as presented.**

CARRIED 9/0 **Res 207/18**

9.2.7 Community and Commercial Leases Policy

Location:	*N/A*
Applicant:	*N/A*
File:	
Disclosure of Officer Interest:	
Author:	*Joanna Kaye (Research and Development Coordinator) and Stephen Carstairs (Director of Corporate Serivces).*
Authorizing Officer:	*Alan Lamb (Chief Executive Officer)*
Attachments:	*Community and Commercial Leases Policy.*

SUMMARY

The purpose of this report is for Council to endorse the F.12 Community and Commercial Leases Policy.

BACKGROUND

At the Ordinary Meeting of Council held in 18 June 2015 the CEO was given delegated authority for Community Housing as well as:

- *Boyup Brook Medical Centre Rooms are for the purpose of Medical Practitioners servicing the community, with the Chief Executive Officer given the power to approve all Room allocations. When vacant, Rooms are to be offered for lease by advertisement at the current market rental value.*
- *Abel Street Commercial Premises (three shops adjacent to the Medical Centre) are for the purpose of providing services (e.g. personal grooming) or goods to the community, with the Chief Executive Officer given the power to approve all shop allocations. When vacant, the shops are to be offered for lease by advertisement at the current market rental value.*

The council owns and controls over 50 buildings, and yet there are community and sporting groups who occupy Council owned facilities without a lease or licence. The attached policy F.12 Community and Commercial Leases provides guidelines and advice to the CEO when entering into negotiations for community and commercial leases.

Following on from Councillor enquiries at its August 2018 meeting into on-costing of charges e.g. electricity to community lessees, the various costs/charges that might be negotiated in a lease were compiled. Subsequently it was recognised that these costs and charges might form the basis of a Council policy.

COMMENT

Attached is the draft policy for adoption. The main feature of the policy is the Standard Lease Charges table, which describes who is responsible for paying the item costs in both a community and commercial lease.

Standard Lease Charges:

Item	Description	Who is responsible for payment - Community Lease		Who is responsible for payment - Commercial Lease	
		Shire	**Lessee**	**Shire**	**Lessee**
*Rates	local government services and other charges	☑		☑	
*ESL	local government services and other charges	☑		☑	
*Bins (based on fees and charges)	local government services and other charges		☑		☑
Electricity	Utility		☑		☑
*Water Rates	local government services and other charges	☑		☑	
Water Charges	Utility		☑		☑
Telephone	Outgoings		☑		☑
Building/Property Insurance	Insurance: Shire is to on charge.		☑		☑
Public Liability Insurance	Insurance		☑		☑
Contents Insurance	Insurance		☑		☑
Termite	Public building safety inspection	☑		☑	
Electrical inspection RCD only	Public building safety inspection	☑		☑	
Fire equipment	Public building safety inspection	☑		☑	
Cost to prepare the lease	legal fees	☑		☑	

Item	Description	Who is responsible for payment - Community Lease		Who is responsible for payment - Commercial Lease	
Legal action in regards to lessee breach, work done at lessee request in regards to lease.	legal fees		☑		☑

* These costs are as per the Fees and Charges in the Annual Budget.

CONSULTATION

Mcleods, Shire lawyers to determine the legal standing of the generalised lease phrases.

Internal consultation with the Finance team to determine account payments.

Consultation with both community groups in regards to the draft leases has also taken place.

STATUTORY OBLIGATIONS

Nil.

POLICY IMPLICATIONS

Nil.

BUDGET/FINANCIAL IMPLICATIONS

If any changes are made within the leases the accounts may need to be updated. There is also a cost associated with any new lease or questions answered by Mcleods.

Rates –minimum rate as rating is dependent on valuation 2018-2019.

2018-2019	
Rate – Minimum only	$910.00
ESL	$ 82.00
General Bin x 1	$224.55
Recycling Bin x 1	$112.55
Water Charges	As per Water Corporation costings

STRATEGIC IMPLICATIONS

Relevant excerpts 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.	✦ 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	✦ Continue to support Community groups and clubs ✦ Partner with key stakeholders on community needs driven projects.

Economic Development: Maximise Business and Employment Opportunities

Our Vision:

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

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

We will actively support our local businesses.
Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Economic Growth	Support new and existing businesses.	✦ Encourage new businesses through information, incentives and land-use provision. ✦ Support existing businesses through advocating for a sewerage scheme, tailored parking controls and other initiatives
Increased Visitors and Residents	Develop tourism industry	✦ Support initiatives for events, fairs, arts, and the like designed to attract visitors to the Shire . ✦ Collaborate with others on developing short stay accommodation initiatives.
	Attract permanent residents	✦ Continue to promote the family friendly lifestyle of Boyup Brook. ✦ Provide incentives for cottage industries to develop in Special Rural/Commercial Zones.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.2.7

MOVED: Cr O'Connell **SECONDED: Cr Rear**

1. **Council adopt the draft *F.12 Community and Commercial Leases Policy,* as presented.**
2. **That Council receive the information on outgoings for leases current to November 2018 and accept that the Shire is responsible for all payments that are not specifically delegated to the Lessee.**

CARRIED 9/0 **Res 208/18**

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Council Meeting Dates for 2019

Location:	*Shire of Boyup Brook*
Applicant:	*Not Applicable*
File:	*N/A*
Disclosure of Officer Interest:	*none*
Date:	*7 November 2017*
Author:	*Alan Lamb – Chief Executive Officer*
Authorizing Officer:	*N/A*
Attachments:	*Nil*

SUMMARY

The purpose of this report is to put before Council proposed meeting times and dates for the Ordinary Council meetings for the 2019 year.

BACKGROUND

At the Chief Executive Officer's review last year it was recommended that regular briefing sessions be conducted before Ordinary Council Meetings.

COMMENT

Nil

CONSULTATION

Nil

STATUTORY OBLIGATIONS

The following sections of the Local Government Act have relevance:

5.3. Ordinary and Special Council Meetings

1) A council is to hold ordinary meetings and may hold special meetings.
2) Ordinary meetings are to be held not more than 3 months apart.
3) If a council fails to meet as required by subsection (2) the Chief Executive Officer is to notify the Minister of that failure.

5.4. Calling Council Meetings

An ordinary or a special meeting of a council is to be held –

(a) if called for by either-
(i) the mayor or president; or
(ii) at least 1/3 of the councillors;
in a notice to the Chief Executive Officer setting out the date and purpose of the proposed meeting; or

(b) if so decided by the council

5.5. Convening Council Meetings

(1) The Chief Executive Officer is to convene an ordinary meeting by giving each Council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.
(2) The Chief Executive Officer is to convene a special meeting by giving each Council member notice, before the meeting, of the date, time, place and purpose of the meeting.

The Local Government (Administration) Regulations provide:

Public notice of Council or Committee Meetings – s. 5.25(1)(g)

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
   (a) the ordinary council meetings; and
   (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public are to be held in the next 12 months.
(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
(3) Subject to sub regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
(4) If a special meeting of a council is to be open to members of the public but, in the Chief Executive Officer's opinion, it is not practicable to give local public notice of the matters referred to in sub regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the Chief Executive Officer's opinion, is practicable.

The Local Government Act provides that local public notice is as follows;

1.7. Local Public Notice
(1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be –
   (a) published in a newspaper circulating generally throughout the district;

(b) exhibited to the public on a notice board at the local government's offices; and
(c) exhibited to the public on a notice board at every local government library in the district.

(2) Unless expressly stated otherwise it is sufficient if the notice is –
(a) published under subsection (1) (a) on at lease once occasion; and
(b) exhibited under subsection (1) (b) and (c) for a reasonable time, being not less than –
(i) the time prescribed for the purpose of this paragraph; or
(ii) if no time is prescribed, 7 days.

POLICY IMPLICATIONS

Council Policy

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION –ITEM 9.3.1

MOVED: Cr Oversby **SECONDED: Cr O'Connell**

That the following meeting dates and times apply for the 2019 year:

Council Meeting Dates 2019

Held at 5.00pm in the Boyup Brook Chambers

21 February 2019	**22 August 2019**
21 March 2019	**19 September 2019**
18 April 2019	**17 October 2019**
16 May 2019	**21 November 2019**
20 June 2019	**12 December 2019**
18 July 2019	

CARRIED 9/0 **Res 209/18**

9.3.2 Boyup Brook Caravan Park

Location:	*Lot 336 Jackson Street Boyup Brook*
Applicant:	*N/a*
File:	
Disclosure of Officer Interest:	*None*
Date:	*8 November 2018*
Author:	*Alan Lamb*
Authorizing Officer:	*Chief Executive Officer*
Attachments:	*Internal use only report on the caravan park*

SUMMARY

The purpose of this report is to bring to Council the results of a compliance review of the Shire caravan park, together with a priority listing and indicative costs, in order to seek a budget amendment to allow required works to be completed.

BACKGROUND

Whilst there is no requirement for a Shire owned and operated caravan park to be licensed, there is a need for it to meet required standards.

At the CEO's instigation, the park was inspected by the Shire EHO and a report produced. This report has since been reviewed and items or required work have been prioritised in order of assessed need (by a suitable qualified Shire officer).

The intention of setting priorities was to ensure that the most important matter were treated as urgent, and so done as soon as possible, and any others which might be left till 2019/20, and budgeted for then, could be left.

Cost estimates have been completed and the qualified Shire officer has reassessed what has to be done and what might be done.

The resulting list of works have been assessed to cost between $14,500 and $21,000. There is $7,500 in the current budget to apply to these works, leaving a shortfall of between $7,000 and $13,500.

COMMENT

It is noted that the expected cost of compliance works is not as high as expected and so it is recommended that Council approve an amendment to the budget to allow the works to proceed.

Optional works have also been costed and it is intended that some be included in the 2019/20 draft budget for Council consideration at budget time.

Costs are also provided for demolishing the dining/kitchen structure and the two story green shed. Council had previously resolved that these, and the cottage be demolished but this work was held up due to other pressures and then due to the need to look at what the caravan park may need. In the caravan park assessment it was seen that the cottage could be modified to be a caretakers accommodation and office, that one of the adjoining carports would be ideal for the campers kitchen and the other as a shelter in front of the new office (a room in the cottage).

It appears that funding for the demolition works was not carried forward from 2017/18 and so a budget amendment is also sought for this.

CONSULTATION

The need improvements at the caravan park have been noted and discussed widely over some time. As has the need to rationalise flax mill structures which are in a poor condition and/or have been unused for some time.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Funding of up to $21,000 required to make the caravan park compliant and the 2018/19 budget provides for expenditure of $7,500, leaving a shortfall of $13,500. Similarly, $23,000 is required to remove the dining/kitchen and green shed. The 2018/19 budget provided for a surplus of $60,532. Whilst there may be adjustments to the actual income and expenditure for 2017/18 resulting from the audit process and there may be other calls on this surplus, the recommended added expenditure can be dealt with at the coming budget review.

STRATEGIC IMPLICATIONS

Meeting compliance requirements is a requirement.

Built Environment:

Enhanced Lifestyle Choices

Our Vision:

Our land-use and assets, including local roads, parks, reserves and facilities will meet the future needs of our growing community.

We will facilitate commercial and industrial land-use to create employment opportunities. Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Housing needs are met	Facilitate affordable and diverse housing options	✦ Rationalise Shire owned/managed land and buildings to maximise opportunity for Shire initiatives ✦ Partner with others on short stay accommodation initiatives.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.2

MOVED: Cr Kaltenrieder **SECONDED: Cr Alexander**

That Council approve additional expenditure of $23,500 for works at the caravan park compliance works and ablution block upgrade and $23,000 for approved flax mill structures removal works.

Works be completed prior to 30th January 2019.

CARRIED BY ABSOLUTE MAJORITY 9/0 **Res 210/18**

Cr Muncey left the Chambers at 5.54pm

9.3.3 Boyup Brook Tourism Association - Shire Representative

Location:	*N/a*
Applicant:	*N/a*
File:	
Disclosure of Officer Interest:	*None*
Date:	*9 November 2018*
Author:	*Alan lamb*
Authorizing Officer:	*Chief Executive Officer*
Attachments:	*Nil*

SUMMARY

The purpose of this report is to put before Council the possible need for Council to appoint another representative to the Boyup Brook Tourism Association Management Committee (BBTAMC).

BACKGROUND

Council appointed Cr Oversby as its representative on the BBTAMC following the general elections in 2017.

It is understood that Cr Oversby is happy to relinquish this appointment to allow Cr O'Connell to nominate.

COMMENT

The BBTA is an important community group and Council has maintained a representative on its committee for many years

CONSULTATION

The author has communicated with both Councillors.

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.

- **Socia**l
  There are no known significant social issues.

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.3

That Council accept the resignation of Cr Oversby as its representative on the Boyup Brook Tourism Association Management Committee and appoint Cr O'Connell.

CARRIED BY ABSOLUTE MAJORITY 8/0 **Res 211/18**

Cr Muncey returned to the Chambers at 5.56pm

9.3.4 Development – Group Dwelling - Lot 1 (#30) Elder Road, Wilga

Location:	*Lot 1 Elder Road, Wilga.*
Applicant:	*BGC Residential*
Owner:	*J Howard*
File:	*A12005*
Disclosure of Officer Interest:	*None.*
Date:	*15 November 2018.*
Author:	*A Nicoll, Town and Regional Planner.*
Authorizing Officer:	*Alan Lamb, Chief Executive Officer.*
Attachments:	*Bushfire Attack Level Assessment.*

SUMMARY

The purpose of this report, is to request that Council agree to approve a second dwelling (Grouped Dwelling) at Lot 1 (No.30) Elder Road, Wilga.

Council discretion is required in accordance with the Shire's *Local Planning Scheme No.2*, *Table No.1 – Zoning Table* and *clause 3.3.4*.

The Scheme zoning table defines a 'Grouped Dwelling' as an 'AA' use.

TABLE 1
Zoning Table

ZONES:

1. Residential
2. Commercial
3. Light Industrial
4. General Industrial
5. Rural
6. Urban
7. Special Rural
8. Special Use
9. Additional Use
10. Rural Small Holdings

		ZONES									
	LAND USE	1	2	3	4	5	6	7	8	9	10
34	Fast Food Outlet	-	AA	AA	-	-	AA				-
35	Fuel Depot	-	-	AA	AA	-	-				SA
36	Funeral Parlour	-	AA	AA	-	-	AA				P
37	Grouped Dwelling	AA	AA	-	-	-	AA				AA

Clause 3.3.4 defines an 'AA' use as: *'A use which Council, in exercising the discretionary powers available to it, may approve under this Scheme'.*

It is recommended that the Council approve the second dwelling subject to conditions to address issues associated with stormwater, bushfire threat, privacy to a neighbouring property and potable water.

BACKGROUND

'BGC Residential' requested comment on a proposal to develop a 'Single Dwelling' on the Lot 1 Elder Road, Wilga.

On closer inspection, it was revealed that a dwelling already exists on the subject lot, meaning approval is required for a 'Grouped Dwelling' (second dwelling).

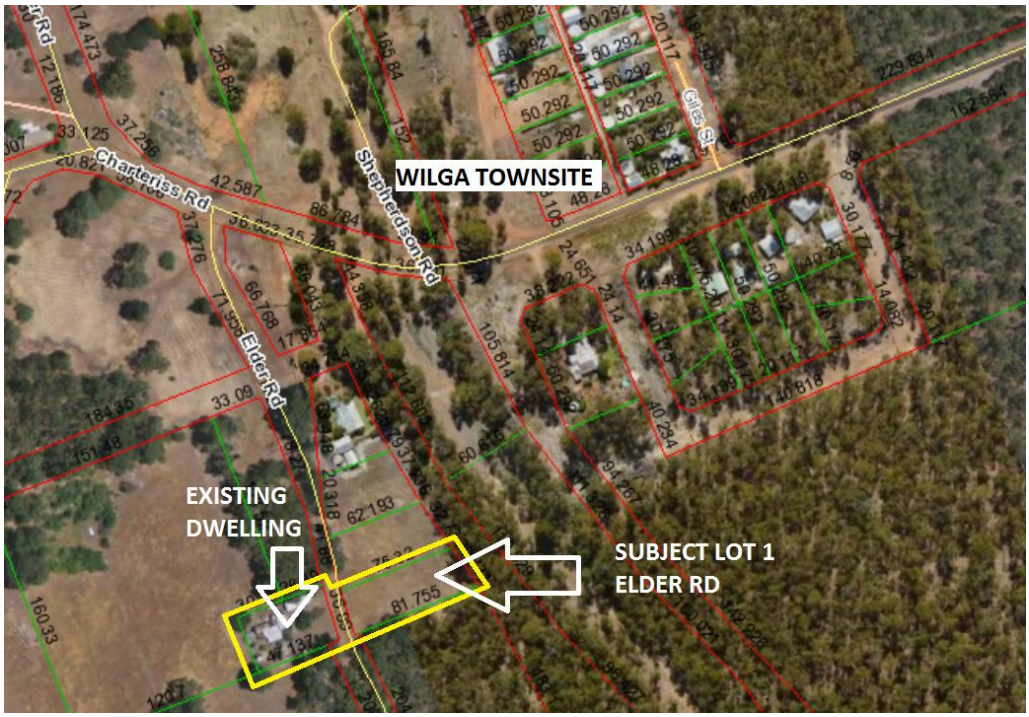
It was also revealed that the subject site is located within a bushfire prone area. Because the property is greater than 1,100m^2, a Bushfire Attack Level Assessment was completed to determine that, in the instance of a bushfire, the proposed dwelling may be subject to ember attack and radiant heat of 29kW/m^2. The Bushfire Attack Level Assessment is provided as an attachment to this report item.

COMMENT

The subject property is located on Elder Road, in the townsite of Wilga. Elder Road is a gravel constructed road and provides egress to Charteriss Road.

A dwelling is located on the western portion of the subject property and 'woodland' class vegetation surrounds the property on two sides.

The following map indicates the location of roads, the configuration of Lot 1 Elder Road and the location of existing development and vegetation.



The proponent is seeking to position a second dwelling on the eastern portion of the subject property.

The dwelling is designed as a single storey, four bedroom, two bathroom, brick rendered and selected clad development. The dwelling is to be developed on a cement pad, which is proposed to be raised approximately 500mm above the natural ground level.

The dwelling is proposed to be positioned 27m from the boundary fronting Elder Road, 3.2m from the northern boundary, 14m from the southern boundary and 25m from the eastern boundary.

The subject lot is 4336m^2 in area, meaning the proposed Grouped Dwelling complies with an average minimum land area of 666m^2 per dwelling.

Screening on the northern boundary is proposed, in-order to restrict overlooking from a theatre window to the neighbouring property.

A rain water tank and septic system are proposed to be located at the rear of the dwelling (eastern portion of the lot).

Because the dwelling is proposed to be located within close proximity to 'woodland' class vegetation and is therefore potentially exposed to a radiant heat of 29kW/m^2, design measures are proposed to be incorporated into the dwelling in accordance with the Australian Standard 3959, construction sections 3 and 7.

It is recommended that the Council grant conditional approval for the 'Grouped Dwelling', which has an appealing design and which complies with standards stipulated by the Western Australian Planning Commission's 'R-Codes' and State Planning Policy 3.7 and the Shire's *Local Planning Scheme No.2.*

STATUTORY OBLIGATIONS

Local Planning Scheme No.2

The subject property is zoned 'Urban' in accordance with the Shire's *Local Planning Scheme No.2.*

The prime objective of the 'Urban' zone is to 'encourage and foster development while protecting the residential environment from conflicting uses'.

In considering applications for the development of land within the 'Urban' zone, Council, in exercising its discretion, shall:

i. Seek to ensure the separation of incompatible land uses.
ii. Ensure the capacity of existing services, facilities and infrastructure (including water supply) to accommodate such development.
iii. Determine within which land use class the proposed form of development shall be classified and apply the development standards applicable to that use or any other development standard Council may consider appropriate.

Residential development within the 'Urban' zone shall be subject to the standards applicable to the R15 density code. The R15 density code enables one dwelling for every 666m^2.

Where a reticulated water supply is not available, nor in reasonable prospect to service proposed lots, Council shall require each dwelling to be provided with a supply of potable water from an underground bore or a rainwater storage tank with a minimum capacity of 92,000 litres to Council's satisfaction.

It is recommended that the Grouped Dwelling is approved subject to a condition requiring the development of 92,000L water tank.

R-Codes

In accordance with the Western Australian Planning Commission's 'R-Codes', the proposed Grouped Dwelling is setback from boundaries an appropriate distance and is designed to provide street surveillance, suitable car parking, access and outdoor living areas.

It is recommended that conditions are included to ensure:

1) Visual screening is developed to a proposed theatre window; and
2) Stormwater is managed on-site wherever possible either by containment or infiltration, as permitted by soil and other site conditions and which reduce the export of nutrients and sediments from the site.

POLICY IMPLICATIONS

State Planning Policy 3.7 and Guidelines for Planning in Bushfire Prone Areas.

As required by the Commission's *Guidelines for Planning in Bushfire Prone Areas*, habitable dwellings should:

1. Be located in an area where the bushfire hazard assessment is or will, on completion, be moderate or low, or a BAL–29 or below, and the risk can be managed.

2. Incorporate a defendable space around the dwelling that reduces the heat intensities at the building surface thereby minimising the bushfire risk to people, property and infrastructure, including compliance with AS 3959 if appropriate.

3. Have constructed vehicular access and egress to allow emergency and other vehicles to move through easily and safely at all times.

4. Be provided with a permanent and secure water supply that is sufficient for fire fighting purposes.

In accordance with the *Guidelines for Planning in Bushfire Prone Areas,* it is recommended that the following conditions are included on an approval notice for the proposed Grouped Dwelling:

1. The habitable building is surrounded by, an asset protection zone, which meets the following requirements:

    a) Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m² (BAL-29) in all circumstances.
    b) Location: the Asset Protection Zone should be contained solely within the boundaries of the lot on which the building is situated.
    c) Management: the Asset Protection Zone is managed in accordance with the requirements of *'Standards for Asset Protection Zones'* as defined by the *Guidelines for Planning in Bushfire Prone Areas.*

2. A dedicated static water supply of 10,000 litres is provided on the lot for firefighting purposes.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.3.4

MOVED: Cr Oversby **SECONDED: Cr Kaltenrieder**

That Council

Grants conditional development approval for Lot 1 Elder Road, Wilga for the purpose of 'Grouped Dwelling':

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lot 1, Elder Road, Wilga.

Description of proposed development:

Grouped Dwelling

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 occupation of use, visual screening is to be developed between the proposed theatre window and the northern property boundary, to the satisfaction of the Shire of Boyup Brook.

3. Prior to occupation of use, stormwater is to be managed on-site wherever possible either by containment or infiltration, as permitted by soil and other site conditions and which reduces the export of nutrients and sediments from the site, to the satisfaction of the Shire of Boyup Brook.

4. Prior to occupation of use, a minimum 92,000L rain water tank is to be developed on the lot to the satisfaction of the Shire of Boyup Brook.

5. Prior to occupation of use, the habitable building is to be surrounded by, an asset protection zone (APZ), which meets the following requirements:

   a) Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m² (BAL-29) in all circumstances.
   b) Location: the APZ should be contained solely within the boundaries of the lot

on which the building is situated.

c) Management: the APZ is managed in accordance with the requirements of *'Standards for Asset Protection Zones'* as defined by the *Guidelines for Planning in Bushfire Prone Areas.*

6. Prior to occupation of use, a dedicated static water supply of 10,000 litres is provided on the lot for firefighting purposes.

7. 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: 15 November 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: It has been determined via a Bushfire Attack Level Assessment that the proposed dwelling may be exposed to a radiant heat of 29kW/m^2. The dwelling therefore needs to be constructed in accordance with the Australian Standard 3959, construction sections 3 and 7.

Note 4: 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:

_____ _____

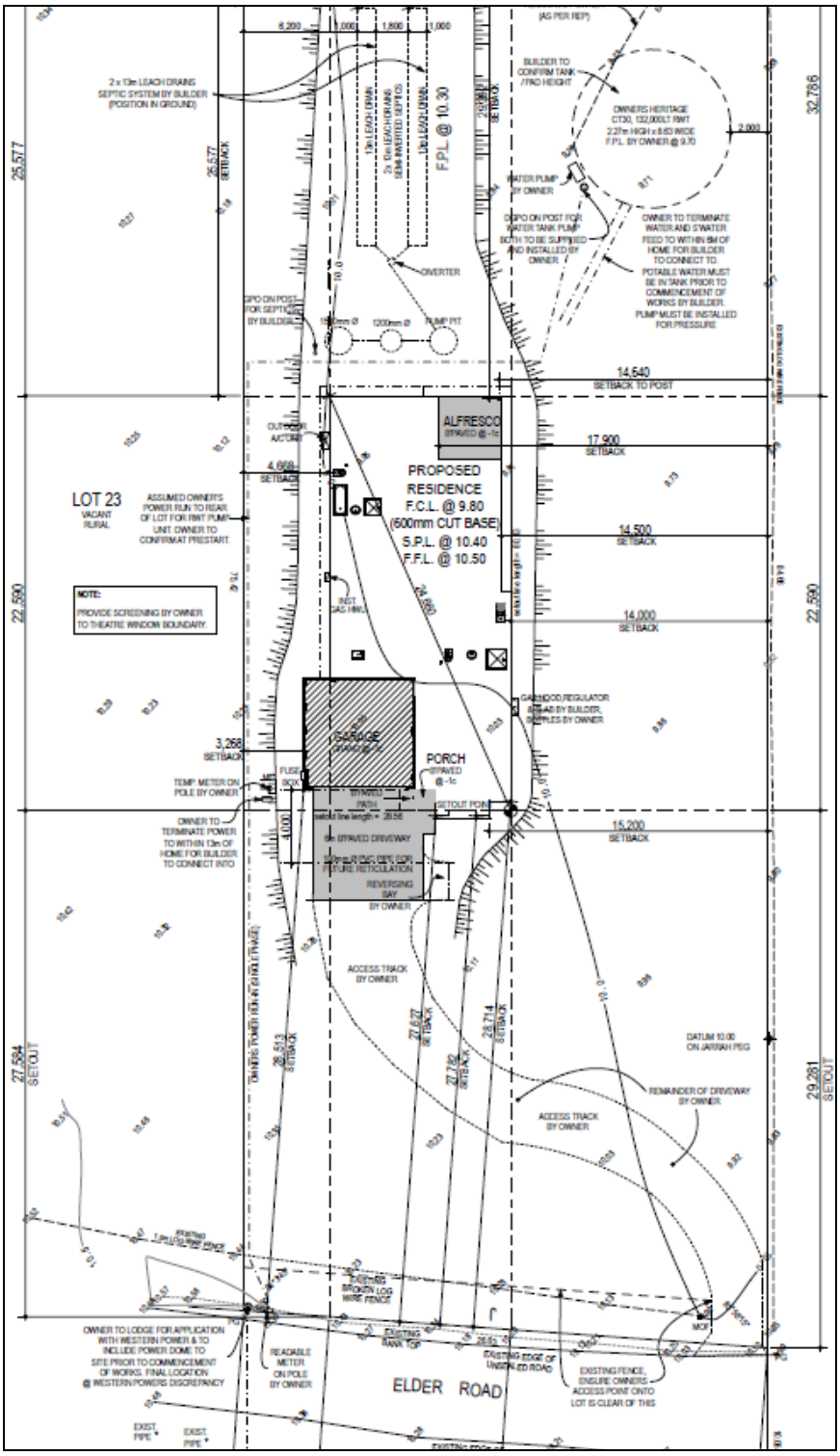
for and on behalf of the Shire of Boyup Brook.

Cr Muncey left the Chambers at 6.05pm
Cr Muncey returned to the Chambers at 6.08pm

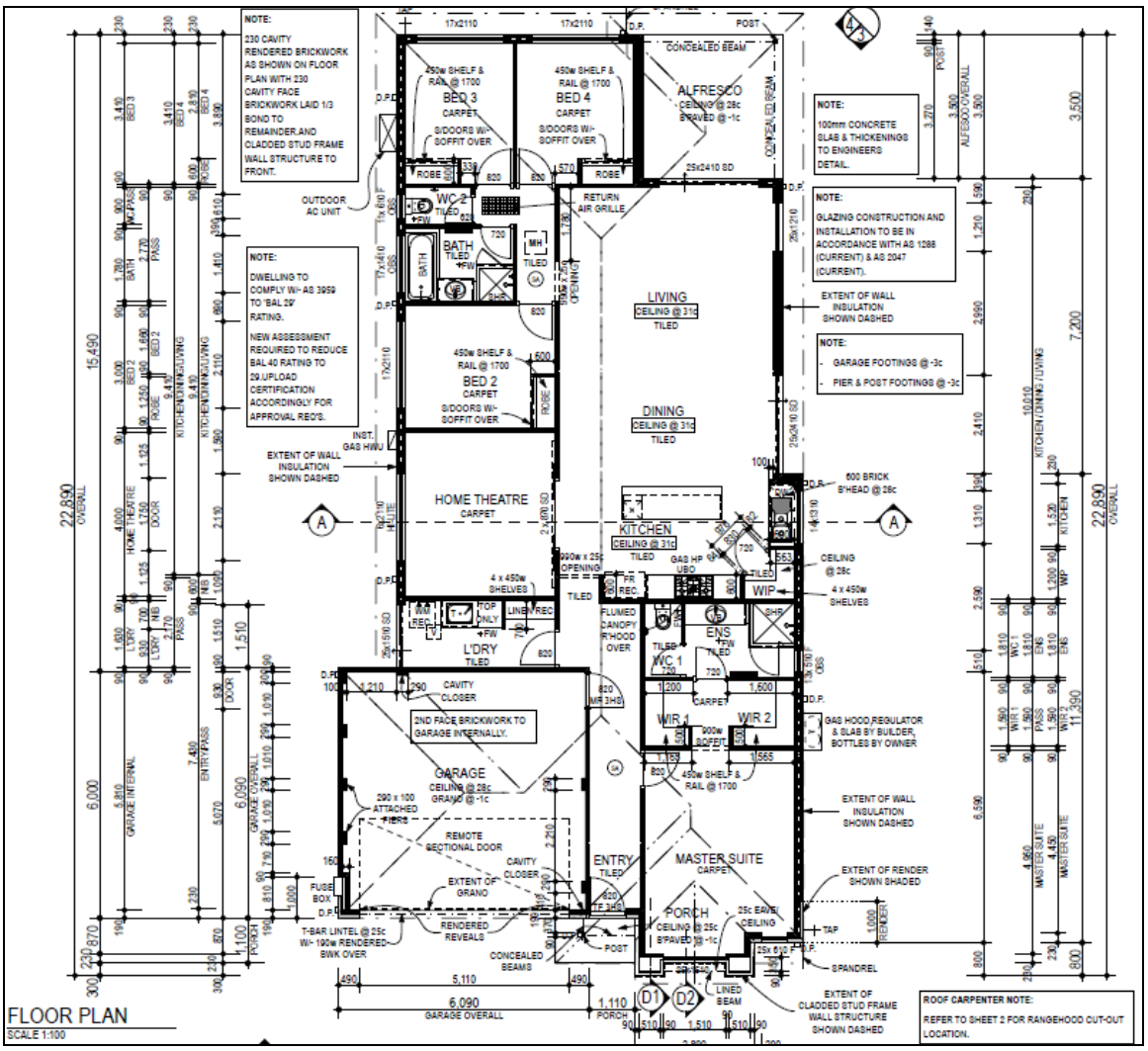
CARRIED 8/0 **Res 212/18**

APPROVED PLANS – APRIL 2018

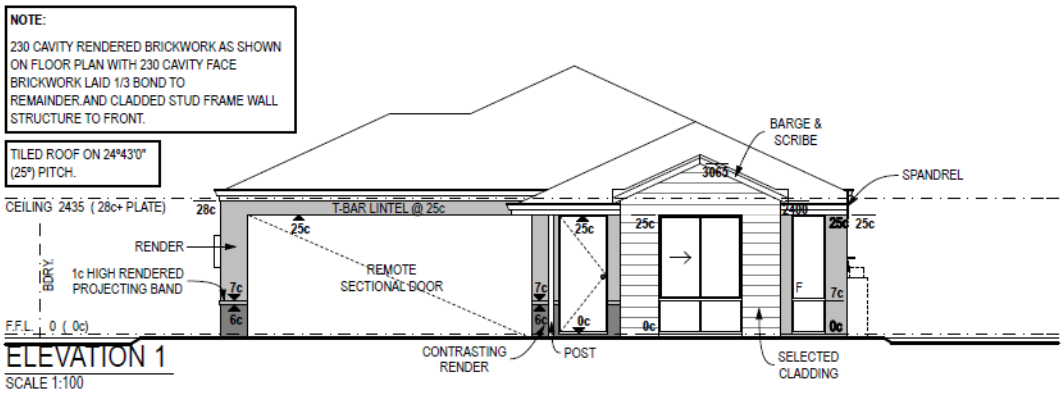
Site Plan

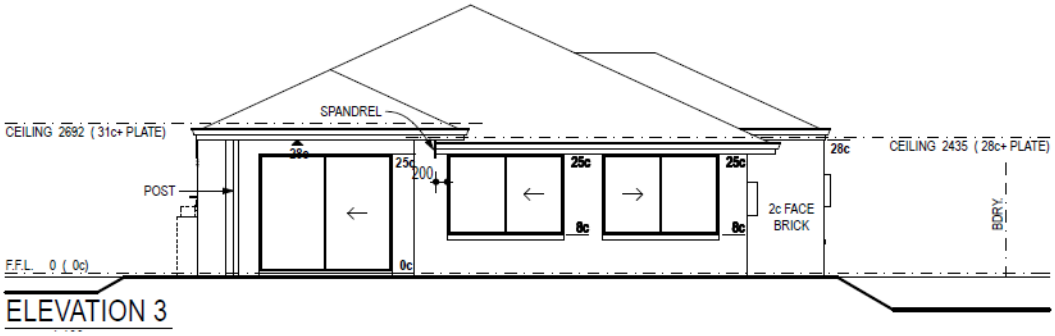


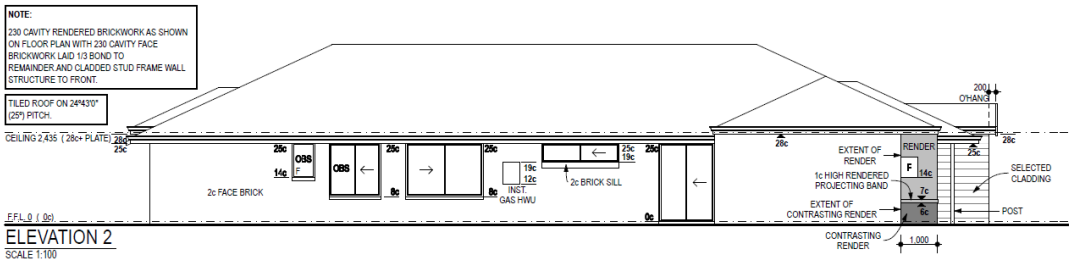
Floor Plan

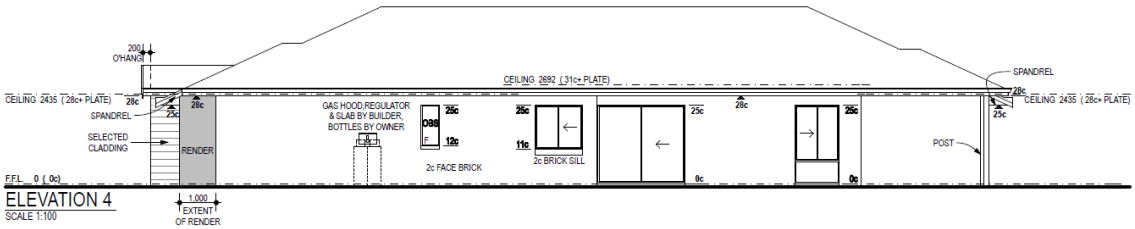

FLOOR PLAN
SCALE 1:100
NOTE:
230 CAVITY RENDERED BRICKWORK AS SHOWN ON FLOOR PLAN WITH 230 CAVITY FACE BRICKWORK LAID 1/3 BOND TO REMAINDER,AND CLADDED STUD FRAME WALL STRUCTURE TO FRONT.
NOTE:
DWELLING TO COMPLY W/- AB 3959 TO 'BAL 29' RATING.
NEW ASSESSMENT REQUIRED TO REDUCE BAL 40 RATING TO 29.UPLOAD CERTIFICATION ACCORDINGLY FOR APPROVAL REQ'S.
NOTE:
100mm CONCRETE SLAB & THICKENINGS TO ENGINEERS DETAIL.
NOTE:
GLAZING CONSTRUCTION AND INSTALLATION TO BE IN ACCORDANCE WITH AS 1288 (CURRENT) & AS 2047 (CURRENT).
NOTE:
- GARAGE FOOTINGS @ -3c
- PIER & POST FOOTINGS @ -3c
ROOF CARPENTER NOTE:
REFER TO SHEET 2 FOR RANGEHOOD CUT-OUT LOCATION.
BED 3
BED 4
ALFRESCO
WC 2
BATH
LIVING
BED 2
DINING
HOME THEATRE
KITCHEN
WIP
L'DRY
ENS
WC 1
WIR 1
WIR 2
GARAGE
ENTRY
MASTER SUITE
PORCH
OUTDOOR AC UNIT
RETURN AIR GRILLE
EXTENT OF WALL INSULATION SHOWN DASHED
600 BRICK S'HEAD @ 28c
CEILING @ 28c
4 x 450w SHELVES
GAS HOOD,REGULATOR & SLAB BY BUILDER, BOTTLED BY OWNER
EXTENT OF RENDER SHOWN SHADED
SPANDREL
EXTENT OF CLADDED STUD FRAME WALL STRUCTURE SHOWN DASHED
2ND FACE BRICKWORK TO GARAGE INTERNALLY.
REMOTE SECTIONAL DOOR
CAVITY CLOSER
EXTENT OF GRANO
RENDERED REVEALS
CONCEALED BEAMS
T-BAR LINTEL @ 25c W/- 190w RENDERED BWK OVER
FUSE BOX
22,890 OVERALL
15,490
6,000
6,090 GARAGE OVERALL
5,110
1,110 PORCH
11,390
7,200
3,500
10,010 KITCHEN/DINING/LIVING

Elevation Plan









COUNCIL DECISION

MOVED: Cr Rear **SECONDED: Cr Walker**

That the Council adopts all the recommendations in enbloc 10.1.1.

CARRIED 9/0 **Res 213/18**

10 COMMITTEE MINUTES

10.1.1 Minutes of the Special Electors Meeting

Location:	*N/A*
Applicant:	*N/A*
File:	*n/a*
Disclosure of Officer Interest:	*Nil*
Date:	*9 November 2018*
Author:	*Alan Lamb*
Attachments:	*Yes – Minutes*

BACKGROUND

The Minutes of the Special Electors meeting was held on18 October 2018

Minutes of the meeting are attached.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.1.1

That the minutes of the Special Electors meeting held 18 October 2018 be received and that Council considers the Electors resolutions.

CARRIED BY ENBLOC 9/0 **Res 214/18**

RESOLUTIONS FROM THE SPECIAL MEETING OF ELECTORS HELD IN THE TOWN HALL 18 OCTOBER 2018

Author:	*Alan Lamb*
Authorising Officer:	*Chief Executive Officer*
Disclosure of Officer Interest:	*The author is a Shire employee, an elector and ratepayer of the Shire of Boyup Brook*
Date:	*7 November 2018*

ELECTORS RESOLUTIONS

Resolution from the meeting:

1.1 That this meeting recommends to the Council that Policy W.05 "Grading" originally adopted in June 2004 and included in the current Policy Manual (updated on the 17th November 2017) and published on the Shire Web Site, be fully complied with and implemented to ensure the Shire road system is maintained at an acceptable standard.

1.2 Any variation to the implementation of the works as outlined in the policy by the Chief Executive Officer or other delegated officers be only with specific approval of the Council made at a formal Council Meeting.

2. That this meeting recommends to the Council that it accepts full responsibility for the upgrading and maintenance of the Boyup Brook Recreation Ground (oval) playing surface and undertakes the work required to improve the facility with funding from reserves or by raising a loan.

3. This meeting recommends to Council that there be no further changes to the opening hours and period of opening (length of season) of the Boyup Brook Swimming Pool (as implemented in the current financial year) without prior consultation with the community through public advertising, including projected costs involved, and inviting feedback on the proposal.

4. This meeting informs the Council that we are concerned about the significant increase in Employees' Salaries/Wages/Costs during the past (4) years, which are well above general employment increases during this period and recommends that an independent review of the Shire operation be undertaken to ensure that the outcomes and services required from the positions created are being achieved at an acceptable cost.

5. This meeting requests the Council that prior to proceeding with any significant improvements/changes to any existing buildings and any proposed new buildings or structures at an estimated cost in excess of $400,000, inform the community through public advertising of the capital cost and the level of shire contribution, projected ongoing yearly operating cost and revenue to be received and invite comments.

LEGISLATION

The Local Government Act 1995 provides as follows:

5.33. *Decisions made at electors' meetings*

(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —

(a) at the first ordinary council meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Council is required to consider resolutions from the electors meeting but does not have to make a decision in relation to these. If Council does make a decision then it must give a reason for that decision.

ELECTORS RESOLUTION

1.1 That this meeting recommends to the Council that Policy W.05 "Grading" originally adopted in June 2004 and included in the current Policy Manual (updated on the 17th November 2017) and published on the Shire Web Site, be fully complied with and implemented to ensure the Shire road system is maintained at an acceptable standard.

1.2 Any variation to the implementation of the works as outlined in the policy by the Chief Executive Officer or other delegated officers be only with specific approval of the Council made at a formal Council Meeting.

Comment

Policy W.05 Grading, copy attached appears to be both workable and sound.

The Shire President provided responses to questions put to Council, in the call for a Special Meeting of Electors, at the meeting. The resolution , as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the President's response.

At the meeting, the Shire President demonstrated that the total amount of expenditure on road grading had not been dramatically reduced, as appeared to have been the case. That the winter work was now shown elsewhere in the financial reports and treated as an asset improvement.

Comment at the meeting noted the need to concentrate more on winter grading, where materials may be brought in from the sides, or the like, and roads reshaped to better shed water, and less on summer grading. This is supported.

The intent is to review current practices, make changes where possible/practical, and beneficial. The coming budget review, followed by the 2019/20 budget development, will provide an opportunity to review funding for winter maintenance and roads generally.

COUNCIL DECISION & OFFICER RECOMMENDATION

That Council note concerns, expressed in the Special Electors Meeting, regarding road maintenance, look to improving works practices, and placing more emphasis on improving formation and drainage in winter.

CARRIED BY ENBLOC 9/0 Res 215/18

ELECTORS RESOLUTION

2. That this meeting recommends to the Council that it accepts full responsibility for the upgrading and maintenance of the Boyup Brook Recreation Ground (oval) playing surface and undertakes the work required to improve the facility with funding from reserves or by raising a loan.

Comment

The Shire President provided responses to questions put to Council, in the call for a Special Meeting of Electors, at the meeting. The resolution, as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the President's response.

Among other things, the Shire President noted to the meeting that a consultant had been engaged to inspect the oval and make recommendations to guide future works. Also that he had been working with relevant groups to form an overarching organisation to provide a collective voice in relation to sporting needs and priorities. That the Boyup Brook Sports and Recreational Association Inc was formed.

The independent review of the oval, put in place prior to the call for the Special Electors Meeting, puts forward a number of initiatives which could be employed. These include a maintenance regime, which was in part already set to occur, which should make improvements. It is possible that the already planned annual maintenance, which included verti mowing, along with other suggested measures, will lead to an improved surface, drainage etc, without the immediate need for disruptive and expensive measures. It is possible that the annual maintenance budget would need to be increased, and this will be the subject of a subsequent report (hopefully to Council in November 2018) in time to be included in the coming budget review and 2019/20 budget development.

The electors resolution does not mention grants, as a source of funding for significant works, and Council would need to look to such opportunities. The formation of the Boyup Brook Sports and Recreational Association Inc, not long ago, offered the opportunity for the collective priorities of sporting groups to be put to Council. The Association is being involved in long term facilities planning and the like.

The following recommendation is based on positive results expected from the recommended maintenance regime, the need to allow the Association to put forward a collective view on all significant matters relating to the sporting area, and the need to plan, and budget for, any major works.

COUNCIL DECISION & OFFICER RECOMMENDATION

That Council note concerns, expressed at the Special Electors Meeting, regarding the oval's playing surface, looks to improved maintenance and work with the Boyup Brook Sports and Recreational Association Inc on collective priorities, future improvements and funding opportunities.

CARRIED BY ENBLOC 9/0 Res 216/18

ELECTORS RESOLUTION

3. This meeting recommends to Council that there be no further changes to the opening hours and period of opening (length of season) of the Boyup Brook Swimming Pool (as implemented in the current financial year) without prior consultation with the community through public advertising, including projected costs involved, and inviting feedback on the proposal.

Comment

The Shire President provided responses to questions put to Council, in the call for a Special Meeting of Electors, at the meeting. The resolution , as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the President's response.

The Shire President noted to the meeting that the various pool user groups had been consulted as part of the process to develop the current pool opening hours.

If supported, this resolution would result a protracted process to proceed any change, no matter how minor, to either increase or decrease opening hours. It would also require the pool to remain open despite the weather, and other considerations. Based on this it is assumed that the call is for wider consultation on any change where costs are to increase by a significant amount.

In the past, the pool hours have been varied, for a variety of reason including to suit a pool user group, as part of the normal operation, and where the net impact to cost is nil or not significant. At this time we have a proposal vary the times for early morning swim, to better suit the early morning lap group, where there will be no additional labour costs (the relief manager would conduct the two hour session from 6 to 8am instead of the scheduled 7am to 9am).

The current pool opening times were developed following consultation with all pool user groups, and were designed to provide a best fit. Based on community

sentiment, as expressed at the meeting, perhaps wider consultation would have been wise.

Significant cost changes would generally form part of the budget development process and not occur during the year, unless there was a breakdown or the like. Wider community consultation, when needed, could be accommodated by commencing the pool aspect of the budget development early enough to allow sufficient time for consultation.

COUNCIL DECISION & OFFICER RECOMMENDATION

That Council note concerns, expressed at the Special Electors Meeting, regarding increased pool opening hours and the associated increase in costs, continue to monitor costs, and undertake to consult more widely before adopting pool hours which result in increased costs.

CARRIED BY ENBLOC 9/0 Res 217/18

ELECTORS RESOLUTION

4. This meeting informs the Council that we are concerned about the significant increase in Employees' Salaries/Wages/Costs during the past (4) years, which are well above general employment increases during this period and recommends that an independent review of the Shire operation be undertaken to ensure that the outcomes and services required from the positions created are being achieved at an acceptable cost.

Comment

The Shire President provided responses to questions put to Council, in the call for a Special Meeting of Electors, at the meeting. The resolution , as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the President's response.

The Shire President noted to the meeting that part of increase noted resulted from a new position being created as part of the State Government's bushfire mitigation initiatives. This position was fully funded. Also that medical centre employee costs increased and that the increase was more than offset by an increase in income.

Legislation provides that the Council employs the CEO and that that position holder employs all other staff. Council controls this area via demands set in the Corporate Business Plan and funding provided in the budget. In the period in question, and apart from the funded position and medical centre increase, as explained, one new position was created in the administration area. The opportunity to change position titles and roles was taken when staff left. Further, and for part time staff, hours were increased where the individual's ability was noted and a need was shown. In relation to the new administration position

created in the period, the employee left within the same period. Subsequently, the opportunity for an organisation change was taken and that position was filled by two existing part time staff. Another resignation enabled the employment of four new staff in part time positions. On review, the loss of the two full time staff members resulted in FTEs being reduced by 0.4 (that is 1.6FTEs replaced 2FTEs).

COUNCIL DECISION & OFFICER RECOMMENDATION

That Council note concerns, expressed at the Special Electors Meeting, regarding the increase in salaries and wages from 2014/15 to 2017/18, that the increase has been explained, and continue to monitor this area of cost.

CARRIED BY ENBLOC 9/0 Res 218/18

ELECTORS RESOLUTION

5. This meeting requests the Council that prior to proceeding with any significant improvements/changes to any existing buildings and any proposed new buildings or structures at an estimated cost in excess of $400,000, inform the community through public advertising of the capital cost and the level of shire contribution, projected ongoing yearly operating cost and revenue to be received and invite comments.

Comment

The Shire President provided responses to questions put to Council, in the call for a Special Meeting of Electors, at the meeting. The resolution , as passed at the meeting, had been prepared prior to the meeting and so may not have taken account of the President's response.

The Shire President noted to the meeting that the Community Hub, that gave rise to the question, was an initiative developed after noting the condition of current community group's premises, that some had no premises and that there was funding for combined facilities. That a number of groups had been contacted and showed an interest in the idea.

It was noted, at the meeting, that after adopting the budget, with provision for the Hub, Council had reviewed the timing o this project and noted another, more urgent, project required funding in 2018/19. A budget amendment resulted in the Hub project being relegated to the planning phase this year.

The Electors Meeting resolution is similar to requirement relating to a major land transaction. Council is bound, by legislation, to complete a plan and consult with the community as follows:

Local Government Act

3.59. Commercial enterprises by local governments

(1) In this section —

acquire has a meaning that accords with the meaning of ***dispose***;

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —

(a) acquire or dispose of an interest in land; or

(b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

(a) the consideration under the transaction; and

(b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

(a) in the last completed financial year, involved; or

(b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of ***land transaction***.

(2) Before it —

(a) commences a major trading undertaking; or

(b) enters into a major land transaction; or

(c) enters into a land transaction that is preparatory to entry into a major land transaction,

a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

(a) its expected effect on the provision of facilities and services by the local government; and

(b) its expected effect on other persons providing facilities and services in the district; and

(c) its expected financial effect on the local government; and

(d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and

(e) the ability of the local government to manage the undertaking or the performance of the transaction; and

(f) any other matter prescribed for the purposes of this subsection.

(4) The local government is to —

(a) give Statewide public notice stating that —

(i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and

(ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) make a copy of the business plan available for public inspection in accordance with the notice.

(5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.

** Absolute majority required.*

(5a) A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.

(6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.

(7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.

(8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.

(9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.

(10) For the purposes of this section, regulations may —

(a) prescribe any land transaction to be an exempt land transaction;

(b) prescribe any trading undertaking to be an exempt trading undertaking.

Local Government (Functions and General) Regulations.

8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

(1) The amount prescribed for the purposes of the definition of ***major land transaction*** in section 3.59(1) of the Act is —

(a) if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —

(i) $10 000 000; or

(ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;

or

(b) if the land transaction is entered into by any other local government, the amount that is the lesser of —

(i) $2 000 000; or

(ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

(2) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —

(a) the total value of —

(i) the consideration under the transaction; and

(ii) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed under subregulation (1); and

(b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —

(i) the total value of the transaction; or

(ii) variations throughout the State in the value of land.

Taking the Shire's audited 2016/17 annual accounts, in particular the operating expenditure as shown in the Rate Setting Statement, $7.110M, the trigger for a major land transaction in 2017/18 would have been anything over $711,035. This significantly more than the $400,000 level requested in the resolution. That level of expenditure is never the less high and should be preceded by a number of steps and including a consultation phase does not seem at all unreasonable.

COUNCIL DECISION & OFFICER RECOMMENDATION

That Council note concerns, expressed at the Special Electors Meeting, regarding significant works on any new or existing building and make a practice of undertaking community consultation, including public advertising, where the full capital cost exceeds $400,000. That the practice be to provide the full capital cost, the level of Shire funding, the annualised whole of life costs and any offsetting annual revenue.

CARRIED BY ENBLOC 9/0 **Res 219/18**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

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.

The following people left the Chambers at 6.05pm

Mrs S White
Ms K Kaisserian
Mr T Doust
Mr E Biddle
Mr J Walsh
Mr J Rowe
Ms C Wilson
Mr M Gibbs
Ms G Lloyd

13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

13.1.1 Disposal of Shire Vehicle to an employee

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 13.1.1

MOVED: Cr Rear **SECONDED: Cr Muncey**

That Council, having met the requirements of Section 3.58(3) of the Local Government Act 1995, authorise the CEO to sell the Shire Honda Odyssey to Dr Mel for $20,000 inc GST.

CARRIED 9/0 **Res 220/18**

Mr A Lamb left the Chambers at 6.10pm
Mr S Alexander left the Chambers at 6.10pm

13.1.2 CEO Annual Review

Cr Muncey left the Chambers at 7.16pm
Cr Muncey returned to the Chambers at 7.21pm

MOVED INTO COMMITTEE

MOVED: Cr Rear **SECONDED: Cr Walker**

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

CARRIED 9/0 **Res 221/18**

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby **SECONDED: Cr Kaltenrieder**

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

CARRIED 9/0 **Res 222/18**

Cr Alexander left the Chambers at 7.29pm.
Cr Alexander returned to the Chambers at 7.36pm
Mr A Lamb returned to the Chambers at 7.36pm
Mr S Alexander returned to the Chambers at 7.36pm

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 13.1.2

MOVED: Cr Oversby **SECONDED: Cr Kaltenrieder**
That Council:

1. **Acknowledge the outcomes of the CEO Performance Review detailed in confidential attachment A**
2. **Approve performance criteria in confidential attachment B.**
3. **Approve that future review periods align with each financial year.**
4. **Approve that CEO Performance Reviews be conducted each August.**
5. **Approve that there be no change to the total value of the CEO's salary package as detailed in confidential attachment C.**
6. **Note the change to the components of the CEO's salary package as detailed in confidential attachment C.**
7. **Approve that any business use of the CEO's private vehicle will be payable at the prevailing Local Government Industry Award 2010 rate (currently $0.78/km).**

LOST 2/7 **Res 223/18**

14 CLOSURE OF MEETING

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.40pm.