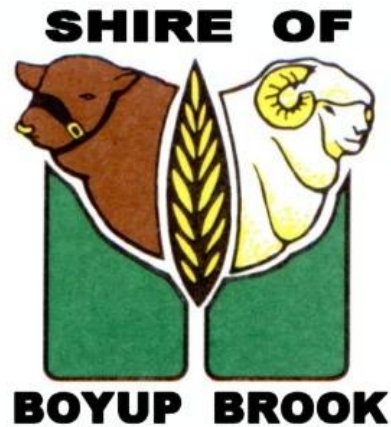


Minutes



ORDINARY MEETING

held

THURSDAY 18 April 2019

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 E Rear

STAFF: Mr Stephen Carstairs (Acting/CEO)
Mrs Maria Lane (Executive Assistant)

1.2 Apologies

1.3 Leave of Absence

Cr T Oversby

2 PUBLIC QUESTION TIME

Nil

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Muncey advised Council that he will not be attending the Ordinary Council meeting being held on 16 May 2019.

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr O'Connell attended the BBTA Committee meeting on 25 February 2019.
Cr O'Connell attended the Busy Bee at Boyup Brook Visitor Centre on 11 March 2019.
Cr O'Connell attended the Sub-Regional (Alliance of Councils) Growth Plan Workshop on 5 March 2019.
Cr O'Connell attended the Community Grants Committee meeting on 5 March 2019.
Cr O'Connell attended the Biosecurity meeting in the Town Hall on 9 March 2019.
Cr O'Connell attended the Swimming Pool Committee meeting on 11 March 2019.
Cr O'Connell attended the Storm in a Teacup - Mad Hatters Tea Party on 15 March 2019.
Cr O'Connell attended the CRC Management Committee meeting on 20 March 2019.
Cr O'Connell attended a meeting at Rylington Park.
Cr Rear attended the Museum meeting.
Cr Rear attended the Biosecurity meeting in the Town Hall on 9 March 2019.
Cr Rear attended the Children's Pool Opening on 26 March 2019.

Cr Walker attended the Biosecurity meeting in the Town Hall on 9 March 2019.
Cr Walker attended the annual Anzac Service at the Primary school amphitheatre on 12 April 2019.
Cr Walker attended a Timber Industry meeting in Nannup.
Cr Kaltenrieder attended the Children's Pool Opening on 26 March 2019.
Cr Kaltenrieder attended the Biosecurity meeting in the Town Hall on 9 March 2019.
Cr Alexander attended the Children's Pool Opening on 26 March 2019.
Cr Alexander attended the annual Anzac Service at the Primary school amphitheatre on 12 April 2019.

5 DISCLOSURE OF INTEREST

Cr Rear declared a financial interest in item 9.3.5
Cr O'Connell declared a financial interest in item 9.3.5.
Cr Alexander declared a financial interest in item 9.3.6

COUNCIL DECISION

MOVED: Cr Rear

SECONDED: Cr Walker

That the Council adopts enbloc 6.1.1, 6.1.2 and 6.1.3

CARRIED 8/0

Res 70/19

6 CONFIRMATION OF MINUTES

6.1.1 Ordinary Council Meeting - 21 March 2019

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1.1

That the minutes of the Ordinary Council Meeting held on Thursday 21 March 2019 be confirmed as an accurate record.

CARRIED BY ENBLOC

Res 71/19

6.1.2 Special Council Meeting - 27 March 2019

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1.2

That the minutes of the Special Council Meeting held on Wednesday 27 March 2019 be confirmed as an accurate record.

CARRIED BY ENBLOC

Res 72/19

6.1.3 Special Council Meeting - 28 March 2019

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1.3

That the minutes of the Special Council Meeting held on Wednesday 28 March 2019 be confirmed as an accurate record.

CARRIED BY ENBLOC

Res 73/19

7 PRESIDENTIAL COMMUNICATIONS

Attended a South West Zone meeting on 22 March 2019 at the Shire of Collie.

Attended a ComHat meeting held on 25 March 2019.

Attended the Children's Pool Opening on 26 March 2019.

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 APRIL 2019

Attended a LEMAC desktop exercise held on 27 March 2019.

Attended a meeting with Terry Redman on 28 March 2019.

Attended the Pumpkin Festival on 6 April 2019.

Attended the Biosecurity meeting held in the Town Hall on 9 April 2019.

Attended a Sport and Recreation meeting held on 10 April 2019.

Attended a Budget Announcement meeting in Manjimup on 12 April 2019.

Attended a Community Group meeting on 16 April 2019 in relation to forming a Community Hub.

8 COUNCILLORS QUESTIONS ON NOTICE

8.1.1 Cr Walker

Cr Walker put a question on notice to the administration as follows:

Does the Shire of Boyup Brook have a record of any livestock feedlots within the Shire and are these feedlots operating in accordance with local laws?

Comment:

Local Laws are there to protect community interests and manage development within our Shire and a proactive approach is beneficial to the community.

Acting CEO's Response

Division 5-Feedlots of the shire's Health Local Laws 2004 reads as follows:

Division 5—Feedlots

Interpretation

5.5.1 For the purpose of this division—

“feedlot” means a confined area with watering and feeding facilities where animals or birds are held and fed for the purpose of weight gain;

“animal” includes sheep, lambs, goats, deer, cattle and buffalo;

“birds” includes roosters, hens, geese, turkeys, ducks, poultry, emus and ostriches.

Premises to be approved

5.5.2 (1) No premises shall be used as a feedlot unless approved by the local government;

(2) Subject to subsection (3), no premises shall be approved as a feedlot by the local government unless every portion of such feedlot complies with the minimum separation distances listed in Table 1; and

(3) Sites unable to satisfy the separation requirements may be approved at the discretion of the local government if the local government is satisfied that approving the feedlot will not give rise to a health nuisance.

Table 1—Required Buffer Distances for Feedlots

<i>Buffer</i>	<i>Distances</i>
<i>Townsite boundaries.....</i>	<i>5000m</i>
<i>Isolated rural dwellings, dairies & industries.....</i>	<i>1000m</i>
<i>Public roads and recreation areas</i>	<i>100m</i>
<i>Neighbouring rural property boundaries.....</i>	<i>50m</i>

<i>Major water course and water impoundments.....</i>	<i>300m</i>
<i>Bores, wells or soaks used for drinking, stock or irrigation</i>	<i>300m</i>
<i>Minor water courses.....</i>	<i>100m</i>

Site Conditions

5.5.3 (1) The owner or occupier of the approved feedlot shall ensure the premises—

- (a) is sited on gently sloping land, no greater than 1:20 but not less than 1:100;*
- (b) is sited on soils with sufficient filtration to avoid surface ponding and run-off;*
- (c) has a minimum groundwater clearance of 2 metres;*
- (d) drainage diverts all uncontaminated stormwater from the general waste stream;*
- (e) has solid and liquid waste disposal arrangements that are not offensive or injurious to health.*

(2) The owner or occupier of the approved feedlot shall take effective measures to prevent the discharge

of dust which may involve—

- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or*
- (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or*
- (c) provision of adequate windbreaks to effectively prevent the discharge of dust.*

While anecdotal evidence suggests there may be a number (3 or so) of feedlot operators in the Boyup Brook district, a search of the shire's Synergy Soft records did not reveal that the shire had received any planning application to operate feedlots.

Given that the operation of a feedlot without the approval of the local government would trigger both a planning breach event and a local health law breach event, this matter will be taken up by both the shire's (consultant) Planner and (consultant) Environmental Health Manager.

COUNCIL DECISION

MOVED: Cr Alexander

SECONDED: Cr O'Connell

That the Council adopts enbloc 9.1.1 and 9.1.2

CARRIED 8/0

Res 74/19

9 REPORTS OF OFFICERS

9.1 MANAGER WORKS & SERVICES

9.1.1 Warren-Blackwood 2050 Cycling Strategy

Location: N/A

Applicant: N/A

File:

Disclosure of Officer Interest:

Author: Steele Alexander - Manager Works and Services and Joanna Kaye - Research and Development Coordinator

Authorizing Officer: Stephen Carstairs - Acting CEO

Attachments: -Yes Action Plan for the Warren-Blackwood 2050 Cycling Strategy. The Warren-Blackwood 2050 Cycling Strategy.

SUMMARY

The purpose of this report is for Council to consider and endorse the Warren-Blackwood 2050 Cycling Strategy and include for consideration in the shire's long term financial plan the priority actions outlined in the Action Plan (section 5)

BACKGROUND

The Western Australia Bike Network (WABN) Plan 2014-2031 identifies a key action to improve planning for cycling in the regions. Specifically, to identify any gaps in existing networks, plan for future growth corridors, and produce strategic and operational plans for key regional centres and their surrounding areas. Reflecting this priority, the Department of Transport

(DoT) started working with local governments across regional WA in 2017 to develop aspirational, long-term cycling strategies.

The attached document provides a summary of the project and general information across the Shires of Boyup Brook, Bridgetown-Greenbushes, Manjimup and Nannup.

The Plan and strategies have been informed by consultation with Council and Shire Officers:

23 August 2018 - James Pearce (Engineer, Transport) from WSP Australia Pty Ltd discussed and presented the draft Warren Blackwood 2050 Cycling Strategy at the Council Briefing Session.

7 September 2018 - Council were then invited by email to provide initial feedback to the plan. No feedback was received. Shire Officers provided some feedback.

25 October 2018 - 14 November 2018 - Formal comment period for the Plan.

18 December 2018 - James Pearce advised via email that the key remaining task was developing an agreed Five Year Action Plan which will outline the strategic priorities for the next five years with the deadline being 16 January 2019. This task was delegated by the Acting CEO to the Manager of Works and Services.

16 January 2019 the Shire's Five Year Action Plan information was submitted including:

- Priority 1: Beatty Street shared path
- Priority 2: Jackson Street shared path project
- Priority 3: Extension of Beatty Street project – southern half
- Although not considered a priority in the next 5 years, the Shire supports (in theory) the Donnybrook-Katanning rail trail; however, this land is controlled by the Public Transport Authority and there are several issues in regards to safety and access, Skeleton Bridge is currently closed to the public. It is unlikely that this would happen in the next 5 years.

COMMENT

A summary of the Plan including the specific Action Plan is attached.

The next and final step for the final version of the Warren Blackwood 2050 Cycling Strategy is Council endorsement.

This is the final one of three strategies across the South West region. The other two (Leeuwin-Naturaliste and Bunbury-Wellington) were endorsed by the eight local governments in December 2018.

CONSULTATION

Council

STATUTORY OBLIGATIONS

Nil.

POLICY IMPLICATIONS

Nil.

BUDGET/FINANCIAL IMPLICATIONS

There are no implications for the 2018-19 Budget. There are, however, implications for future budgets as the recommendation is to include these projects in future financial plans.

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.

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
Sustainable Infrastructure	Strengthen road safety and local infrastructure.	<ul style="list-style-type: none"> + Maintain and implement asset management plans for roads, footpaths, and buildings & structures. + Continually evaluate and implement new and improved rural road maintenance and construction techniques, particularly on school bus routes and commodity routes. + Continue to advocate for reduced restrictions relating to control of road reserve vegetation. + Continue to monitor heavy haulage access through town. + Continue to implement improved disabled access in town (gopher access and disabled parking).

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.1

That Council:

- 1. Endorse the Warren-Blackwood 2050 Cycling Strategy**
- 2. Directs the CEO to include for consideration in the shire's long term financial plan the priority actions outlined in the Warren-Blackwood 2050 Cycling Strategy's Action Plan.**

CARRIED BY ENBLOC

Res 75/19

9.1.2 2019/2020 WABN (WA Bike Network) Grant Acceptance

Location:	<i>N/A</i>
Applicant:	<i>N/A</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Author:	<i>Steele Alexander - Manager Works and Services and Joanna Kaye - Research and Development Coordinator</i>
Authorizing Officer:	<i>Stephen Carstairs - Acting CEO</i>
Attachments:	<i>No</i>

SUMMARY

The purpose of this report is for Council to accept the Department of Transport 2019-2020 WABN Grant of \$30,000 and to allocate \$30,113.90 in the 2109/20 Budget for the Beatty Street Shared Path Project. The total cost of the project is \$60,113.90.

BACKGROUND

At the Briefing session, 20 September 2018 Council received the below information:

Briefing Note - Bike Network Grant

2019-20 / 2020-21 WA Bicycle Network Grants program

Background

The Shire submitted an Expression of Interest for the Beatty Street Shared Path Project to the Department of Transport last month. Tuesday 11 September, the Shire of Boyup Brook was advised this project has been approved for progression to Full Proposal stage for the Regional Bicycle Network (RBN) Grants Program. This project is fully supported in the Shire of Boyup Brook Bicycle Network Plan developed in 2015, The Warren Blackwood 2050 Cycling Strategy and is budgeted for in the 2018/19 Budget.

What is the project?

Shared Path will provide improved access along Beatty Street from Forrest Street to Boyup Brook District High School (BBDHS). It will provide a safe, convenient, interconnected path that will be accessible to cyclists, pedestrians and the mobility impaired. This corridor serves many different purposes in particular recreation, the town swimming pool and recreation grounds are on Beatty St and education linkage to the District High School.

Why is it important?

The dead-end of the Connolly St path at Barron St and the lack of access to the Barron St/Beatty St path creates a disconnect from the town centre to the High School, Caravan Park, Music Park, Blackwood River, and most of the towns sports facilities. The existing Connolly St path ends at Barron Street. Due to the curb height and steep gravel slopes cyclists and pedestrians, are forced onto the road to reach the Barron and Beatty St paths with the nearest safe access points 250m and 270m away.



Next steps

Develop and submit full proposal by Wednesday 17 October.

On March 1 2019 the Shire received notification that the grant application was successful:

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 18 APRIL 2019

Thank you for your submission (attached) to the 2019-20 / 2020-21 Regional Bicycle Network Local Governments Grant Program. This year a total of \$3.6 million was applied for with only \$1.36 million available to be allocated in 2019-20 (due to pre-committed projects awarded).

We are pleased to inform you that the Shire of Boyup Brook has been successful in securing grant funding totalling \$30,000 in 2019-20 for the Beatty Street Shared Path Project.

Your application was of very high quality and clearly demonstrated the strategic importance of the project to the local cycle network.

The Department of Transport (DoT) will be in contact again shortly to discuss the scope, deliverables and timeframe of the project prior to the formal Grant Agreement Contracts being made. To accept this grant, a written response (by reply to this email) 'confirming' or 'declining' is required from the Shire by Friday 26th April 2019.

It is now necessary to confirm the grant in writing and provide a written acceptance.

COMMENT

The Grant application detailed the budget requirements and timeframe for the project:

Budget and timeframes

Select the financial years in which funding is being sought: ☒ 2019-20 ☐ 2020-21

Project start date: 01/07/2019

Project completion date: 21/09/2019

Total project cost: \$60,113.90

This field will be calculated.

Indicate the stage(s) and amounts of funding for each financial year of the project:

Note: More than one stage may be selected over more than one financial year. All costs to be GST exclusive.

2019-20	Local government	DoT request	Other	TOTAL
Feasibility/ concept design	\$0.00	\$0.00	\$0.00	\$0.00
Detailed design	\$0.00	\$0.00	\$0.00	\$0.00
Construction	\$30,113.90	\$30,000.00	\$0.00	\$60,113.90
TOTAL	\$30,113.90	\$30,000.00	\$0.00	\$60,113.90

As the Briefing Note outlined, this project is fully supported in the Shire of Boyup Brook Bicycle Network Plan developed in 2015, The Warren Blackwood 2050 Cycling Strategy (refer separate report presented elsewhere in this Agenda)- and was budgeted for in the 2018/19 Budget since reviewed.

At the Budget review the 2018-19 Capital Program that was adopted at the 28 March 2019 highlighted that the Cycleways project grant funded for 2019-20:

INFRASTRUCTURE - FOOTPATHS & DRAINAGE

Program/ Schedule	Sub-Program	COA	COA Description	I/E	2018-19 Budget	Grants	Contributors	Funding Reserves	Loan	Council	Total	Variations
10 Community Amenities	Cemetery		Renewal Program - replace/repair kerbing									
			Materials & Contracts		4,000	4,000				4,000	4,000	
12 Transport	Roads, Bridges, etc Construction		Footpath/Cycle Way									
			Street to be determined									
			Salaries		0							
			PWOH		0							
			Plant		0							
			Materials		0							
			Contracts		0	0				0	0	-30,000 Grants -30,000 Council

CONSULTATION

Kay Raisin - Acting Finance & HR Manager and Stephen Carstairs - Acting CEO

STATUTORY OBLIGATIONS

Nil.

POLICY IMPLICATIONS

Nil.

BUDGET/FINANCIAL IMPLICATIONS

There are no implications for the 2018-19 Budget. There are however implications for the the 2019/20 budget.

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.

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
Sustainable Infrastructure	Strengthen road safety and local infrastructure.	<ul style="list-style-type: none"> ✦ Maintain and implement asset management plans for roads, footpaths, and buildings & structures. ✦ Continually evaluate and implement new and improved rural road maintenance and construction techniques, particularly on school bus routes and commodity routes. ✦ Continue to advocate for reduced restrictions relating to control of road reserve vegetation. ✦ Continue to monitor heavy haulage access through town. ✦ Continue to implement improved disabled access in town (gopher access and disabled parking).

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.2

That Council:

1. That Council accepts the Department of Transport's 2019-20 WABN (WA Bike Network) Grant for \$30,000, and directs the Acting CEO to provide the Department with a written acceptance.
2. That Council endorses the provision of up to \$60,113.90 expense and \$30,000 income in the 2019-20 draft budget for the Beatty Street Shared Path Project.

CARRIED BY ENBLOC

Res 76/19

9.1.3 Progress Report - Transfer Station

Location:	<i>Shire Transfer Station</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/005</i>
Disclosure of Interest:	<i>Nil</i>
Date:	<i>12 April 2019</i>
Author:	<i>Steele Alexander - Manager Works and Services and Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs – Acting CEO</i>
Attachments:	<i>Nil</i>

PURPOSE

For Council to receive a report on progress made on matters to be addressed at the shire's Transfer Station.

BACKGROUND

At its March 2019 ordinary meeting Council received a LGIS Waste Transfer Station Facility report, and directed the Acting CEO to address the recommendations of that report as follows:

MOVED: Cr Walker

SECONDED: Cr Moir

That Council:

- 1. Receive the 01 March 2019 LGIS Waste Transfer Station Facility report.**
- 2. Direct the Acting CEO to address the recommendations of the LGIS Waste Transfer Station Facility report, specifically:**
 - **Review the role and Position Description of the Waste Management Officer;**
 - **Review the amenities provided to the Waste Management Officer such as: provision of cool drinking water; and provision of an (control point) office space to provide security for financial management, and storage for emergency and safety equipment;**
 - **Review: vehicle movement and parking; and directional signage across the station;**
 - **In association with the Boyup Brook Lions Club place restrictions on the collection and sale of items from the recycling shop i.e. reduce stockpiled items so as to minimise slip, trip and fall hazards for the public and shop attendants.**
 - **Control, monitor and review external hazards e.g. shop water diversion hump, concrete panels and trees adjacent to buildings, while maintaining waste management service provision to the shire, and report to Council at its April 2019 ordinary meeting progress made on the abovementioned actions .**

CARRIED 7/0

Res 58/19

As can be seen from resolution Res 58/19, the Acting CEO is to report to Council at this meeting on progress made toward addressing the abovementioned five (5) dot points.

COMMENT

Each of the dot points will be address separately as follows:

Dot Point 1: Review the role and PD of the Waste Management Officer.

Since the current Waste Management Officer PD was drafted (2017), a number of omissions in that PD, e.g. money handling, have been identified. A review of the PD and role is in process.

Dot Point 2: Review amenities e.g. provision of cool drinking water, (control point) office, etc.

A Transfer Station Concept Plan (Concept Plan A) has been developed to address these matters, and will be brought before Council as part of the 2019-20

budgetary process.

Dot Point 3: Review vehicle movement and parking, and directional signage.

This is addressed in Concept Plan A (refer Dot Point 2 above).

Dot Point 4: In association with the Boyup Brook Lions Club, place restrictions on the collection and sale of items from the recycling shop ...

This is yet to be addressed.

Dot Point 5: Control, monitor and review external hazards ...

This is addressed in Concept Plan A (refer Dot Point 2 above).

CONSULTATION

Tony Bogar - Works Supervisor

STATUTORY ENVIRONMENT

Occupational Safety and Health Act 1984

POLICY IMPLICATIONS - Nil

FINANCIAL IMPLICATIONS

There may be financial implications for the 2019-20 financial year.

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENT

Simple Majority required: Yes.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.3

MOVED: Cr Rear

SECONDED: Cr O'Connell

That Council receive this progress report on the shire's Waste Transfer Station Facility as follows:

Dot Point 1: Review the role and PD of the Waste Management Officer.

Since the current Waste Management Officer PD was drafted (2017), a number of omissions in that PD, e.g. money handling, have been identified. A review of the PD and role is in process.

Dot Point 2: Review amenities e.g. provision of cool drinking water, (control point) office, etc.

A Transfer Station Concept Plan (Concept Plan A) has been developed to address these matters, and will be brought before Council as part of the 2019-20 budgetary process.

Dot Point 3: Review vehicle movement and parking, and directional signage.

This is addressed in Concept Plan A (refer Dot Point 2 above).

Dot Point 4: In association with the Boyup Brook Lions Club, place restrictions on the collection and sale of items from the recycling shop ...

This is yet to be addressed.

Dot Point 5: Control, monitor and review external hazards ...

This is addressed in Concept Plan A (refer Dot Point 2 above).

CARRIED 8/0

Res 77/19

COUNCIL DECISION

MOVED: Cr Walker

SECONDED: Cr O'Connell

That the Council adopts enbloc 9.2.1 and 9.2.2

CARRIED 8/0

Res 78/19

9.2 FINANCE

9.2.1 List of Accounts Paid in March 2019

<i>Location:</i>	<i>Not applicable</i>
<i>Applicant:</i>	<i>Not applicable</i>
<i>File:</i>	<i>FM/1/002</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>10/04/19</i>
<i>Author:</i>	<i>Carolyn Mallett - Acting Accountant and Kay Raisin – Acting Finance and HR Manager</i>
<i>Authorising Officer:</i>	<i>Stephen Carstairs – Acting Chief Executive Officer</i>
<i>Attachments:</i>	<i>Yes – List of Accounts Paid in March</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in March 2019 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 March 2019.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 March 2019.

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 April 2019 ordinary meeting Council receive as presented the list of accounts paid in March 2019, totalling \$615,553.73 from Municipal account, \$873.47 from Trust account, \$49,931.60 from Police Licensing account and \$5.06 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20266 - 20273	\$ 24,451.94
Municipal Electronic Payments	EFT7726 – EFT7857	\$ 400,304.07
Municipal Direct Payments		\$ 190,797.72
Trust Cheques	2166 - 2172	\$ 873.47
Police Licensing Payments		\$ 49,931.60
Boyup Brook Early Learning Centre		\$ 5.06

CARRIED BY ENBLOC

Res 79/19

9.2.2 31 March 2019 Statement of Financial Activity

Location:	<i>Not applicable</i>
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	10 April 2019
Authors:	Kay Raisin - A/Finance and HR Manager and Darren Long - Consultant
Authorizing Officer:	Stephen Carstairs Acting Chief Executive Officer
Attachments:	Yes – 31 March 2019 Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 March 2019.

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

Stephen Carstairs - Acting CEO

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 31 March 2019 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC

Res 80/19

9.2.3 Review of the shire's Financial Systems and Processes

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>11 April 2019</i>
Author:	<i>Kay Raisin – Acting Finance & HR Manager and Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs - Acting CEO</i>
Attachments:	<i>Yes – Mr Carbone & Mr Long's Shire of Boyup Brook Financial Management Review Report March 2019</i>

SUMMARY

This report is for Council to consider and receive a review of appropriateness and effectiveness of the local government's (LG) financial management systems and processes as undertaken by Mr Dominic Carbone (principal, Carbone & Associates) and Mr Darren Long (principal, DL Consulting).

BACKGROUND

Regulation 5 of the *Local Government (Financial Management) Regulations 1996* specifies that a duty of the CEO is to regularly undertake reviews of the appropriateness and effectiveness of the LG's financial systems and processes, as follows:

5. CEO's duties as to financial management

(2) The CEO is to —

- (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

[Regulation 5 amended: Gazette 31 Mar 2005 p. 1047 and 1053; 26 Jun 2018 p. 2388.]

The last review was also undertaken by Mr Carbone and Mr Long, and that occurred in October 2014. The process of the current review commenced in December 2018, and was conducted on-site during March 2019.

In the period between October 2014 and 26 June 2018, the legislation changed from interpreting 'regular' to mean "... not less than once every four years ..." to read "... not less than once every three years ...".

COMMENT

The review by Mr Carbone and Mr Long provides both the Acting CEO and Council with an additional element of accountability through an independent check of the local government's financial management systems and processes (FMS&P).

When reviewing the shire's FMS&P in October 2014 Mr Carbone and Mr Long derived 12 recommendations as follows:

- (1) That Council undertake the necessary procedures to comply with the requirements of Section 3.58 of the Local Government Act, in relation to the swimming pool kiosk.
- (2) That the CEO determine the level of float required for the caravan park operations and formalise this in the Shires financial records.
- (3) That the CEO consider implementing a reconciliation process for the cash takings from the caravan park, including the attachment of a Synergy receipt to the last receipt issued from the caravan park manual receipt book.
- (4) That the CEO ensure that waste transfer staff are advised of the current Schedule of Fees and Charges applicable to the waste transfer station.
- (5) That the CEO arrange for the supply of a manual receipt book to waste transfer station staff that meets the GST Act requirements.
- (6) That Council consider adopting a policy on the collection procedure for debts other than rates.

(7) That Council undertake a review of its Investment Policy with a view to amending to ensure compliance with the Local Government Act 1995 and the Financial Management Regulations requirements.

(8) That the CEO evaluate the necessity of undertaking an annual back-up and holding it for a period of at least 6 months after the end of the financial year.

(9) That the CEO consider implementing a purchasing threshold tick box on purchase orders as part of the Purchasing procedure, to ensure improved internal control is achieved by placing emphasis on the provision of appropriate quotation documentation. In addition the CEO consider the implementation of the Synergy crystal report purchase order template that contains the threshold tick box mechanism.

(10) That the CEO, as a matter of urgency, take measures to ensure a monthly stock reconciliation system is implemented, with fuel purchases and issues processed into the stock system on a monthly basis.

(11) That the CEO prepare a report for Council to consider what action, if any, needs to be taken to address the weaknesses identified in relation to the Internal Control Evaluation.

(12) That Council consider the suitability of the model policies and delegations provided.

In analysing their March 2019 findings, Mr Carbone and Mr Long derived 13 recommendations as follows:

(1) That the CEO investigate whether it is necessary for Council to comply with the requirements of Section 3.58 of the Local Government Act, in relation to the swimming pool kiosk.

(2) That the CEO implement a dual trigger mechanism for the receipting of caravan park cash takings at the Administration Centre. The triggers being a combination of a cash limit of \$1,000 and a time limit of at least once every 4 weeks. Then when either the cash limit is reached or the timeframe occurs, the caretaker is required to receipt the cash held at the administration centre.

(3) That the CEO implement appropriate procedures to ensure that receipts are issued for all cash received at the waste transfer station and undertake a check to ensure that the manual receipt book meets the GST Act requirements.

(4) That Council consider adopting a policy on the collection of outstanding rates and service charges debts.

(5) That Council consider incorporating debt collection timeframes into Sundry Debts Policy – F.06 to assist guide staff.

(6) That the CEO confirm the tape back-up rotation suggested by BizLinQ is occurring and that each tape is stored at the off-site facility (depot).

(7) That the CEO consider implementing a purchasing threshold tick box on purchase orders as part of the Purchasing procedure, to ensure improved internal control is achieved by placing emphasis on the provision of appropriate quotation documentation. In addition the CEO consider the implementation of the Synergy crystal report purchase order template that contains the threshold tick box mechanism and ensure the procedure is incorporated as a control mechanism in the Accounts Payable process and the form is completed for purchases over \$5,000 in value.

(8) That the CEO implement a new Invoice Payment Authorisation Stamp that incorporates a place for the ordering or receiving officer to initial that goods have been received or services have been rendered.

(9) That the CEO implement a monthly stock reconciliation process where fuel purchases and issues are recorded into a stock system on a monthly basis and a reconciliation is done of the general ledger stock account, the stock system and the physical stock on hand.

(10) That the CEO consider reviewing the Shire's Work Force Plan so that it is in alignment with other informing strategy documents.

(11) That the CEO prepare a report for Council to consider what action, if any, needs to be taken to address the weaknesses identified in relation to the Internal Control Evaluation.

(12) That the CEO implement the use of an Investment Register that complies with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requirements.

(13) That Council consider the suitability of the model policies and delegations provided.

Of the 13 recommendations Carbone and Long derived in March 2019, 5 of them (notably recommendations 1, 7, 9, 11 and 13) were in common with their October 2014 recommendation, 3 of them (recommendations 2, 3 and 6) were refinements of recommendations made in October 2014, and there were 5 new recommendations (recommendations 4, 5, 8, 10 and 12).

CONSULTATION

Consultants Mr Carbone and Mr Long performed the review.

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS - Nil

BUDGET/FINANCIAL IMPLICATIONS

This review was funded in the shire's 2018-19 Adopted Budget.

STRATEGIC IMPLICATIONS - Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental:** Nil
- **Economic:** Nil
- **Social:** Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.3

MOVED: Cr Kaltenrieder

SECONDED: Cr O'Connell

That Council receive Mr Carbone and Mr Long's March 2019 review of the shire's financial systems and processes, as attached, and note that in analysing their findings, Mr Carbone and Mr Long derived 13 recommendations as follows:

(1) That the CEO investigate whether it is necessary for Council to comply with the requirements of Section 3.58 of the Local Government Act, in relation to the swimming pool kiosk.

(2) That the CEO implement a dual trigger mechanism for the receipting of caravan park cash takings at the Administration Centre. The triggers being a combination of a cash limit of \$1,000 and a time limit of at least once every 4 weeks. Then when either the cash limit is reached or the timeframe occurs, the caretaker is required to receipt the cash held at the administration centre.

(3) That the CEO implement appropriate procedures to ensure that receipts are issued for all cash received at the waste transfer station and undertake a check to ensure that the manual receipt book meets the GST Act requirements.

(4) That Council consider adopting a policy on the collection of outstanding rates and service charges debts.

(5) That Council consider incorporating debt collection timeframes into Sundry Debts Policy – F.06 to assist guide staff.

(6) That the CEO confirm the tape back-up rotation suggested by BizLinQ is occurring and that each tape is stored at the off-site facility (depot).

(7) That the CEO consider implementing a purchasing threshold tick box on purchase orders as part of the Purchasing procedure, to ensure improved internal control is achieved by placing emphasis on the provision of appropriate quotation documentation. In addition the CEO consider the implementation of the Synergy crystal report purchase order template that contains the threshold tick box mechanism and ensure the procedure is incorporated as a control mechanism in the Accounts Payable process and the form is completed for purchases over \$5,000 in value.

(8) That the CEO implement a new Invoice Payment Authorisation Stamp that incorporates a place for the ordering or receiving officer to initial that goods have been received or services have been rendered.

(9) That the CEO implement a monthly stock reconciliation process where fuel purchases and issues are recorded into a stock system on a monthly basis and a reconciliation is done of the general ledger stock account, the stock system and the physical stock on hand.

(10) That the CEO consider reviewing the Shire's Work Force Plan so that it is in alignment with other informing strategy documents.

(11) That the CEO prepare a report for Council to consider what action, if any, needs to be taken to address the weaknesses identified in relation to the Internal Control Evaluation.

(12) That the CEO implement the use of an Investment Register that complies with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requirements.

(13) That Council consider the suitability of the model policies and delegations provided.

Of the 13 recommendations Carbone and Long derived in March 2019, 5 of them (notably recommendations 1, 7, 9, 11 and 13) were in common with the recommendations they made in their October 2014 review, 3 of them (recommendations 2, 3 and 6) were refinements of recommendations made in

October 2014, and there were 5 new recommendations (recommendations 4, 5, 8, 10 and 12).

AMENDMENT - Item 9.2.3

MOVED :Cr Kaltenrieder

SECONDED: Cr Alexander

That Council receive Mr Carbone and Mr Long's March 2019 review of the shire's financial systems and processes, as attached, and note that in analysing their findings, Mr Carbone and Mr Long derived 13 recommendations as follows:

(1) That the CEO investigate whether it is necessary for Council to comply with the requirements of Section 3.58 of the Local Government Act, in relation to the swimming pool kiosk.

(2) That the CEO implement a dual trigger mechanism for the receipting of caravan park cash takings at the Administration Centre. The triggers being a combination of a cash limit of \$1,000 and a time limit of at least once every 4 weeks. Then when either the cash limit is reached or the timeframe occurs, the caretaker is required to receipt the cash held at the administration centre.

(3) That the CEO implement appropriate procedures to ensure that receipts are issued for all cash received at the waste transfer station and undertake a check to ensure that the manual receipt book meets the GST Act requirements.

(4) That Council consider adopting a policy on the collection of outstanding rates and service charges debts.

(5) That Council consider incorporating debt collection timeframes into Sundry Debts Policy – F.06 to assist guide staff.

(6) That the CEO confirm the tape back-up rotation suggested by BizLinQ is occurring and that each tape is stored at the off-site facility (depot).

(7) That the CEO consider implementing a purchasing threshold tick box on purchase orders as part of the Purchasing procedure, to ensure improved internal control is achieved by placing emphasis on the provision of appropriate quotation documentation. In addition the CEO consider the implementation of the Synergy crystal report purchase order template that contains the threshold tick box mechanism and ensure the procedure is incorporated as a control mechanism in the Accounts Payable process and the form is completed for purchases over \$5,000 in value.

(8) That the CEO implement a new Invoice Payment Authorisation Stamp that incorporates a place for the ordering or receiving officer to initial that goods have been received or services have been rendered.

(9) That the CEO implement a monthly stock reconciliation process where fuel purchases and issues are recorded into a stock system on a monthly basis and a reconciliation is done of the general ledger stock account, the stock system and the physical stock on hand.

(10) That the CEO consider reviewing the Shire's Work Force Plan so that it is in alignment with other informing strategy documents.

(11) That the CEO prepare a report for Council to consider what action, if any, needs to be taken to address the weaknesses identified in relation to the Internal Control Evaluation.

(12) That the CEO implement the use of an Investment Register that complies with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requirements.

(13) That Council consider the suitability of the model policies and delegations provided.

Of the 13 recommendations Carbone and Long derived in March 2019, 5 of them (notably recommendations 1, 7, 9, 11 and 13) were in common with the recommendations they made in their October 2014 review, 3 of them (recommendations 2, 3 and 6) were refinements of recommendations made in October 2014, and there were 5 new recommendations (recommendations 4, 5, 8, 10 and 12).

That Council direct the A/CEO to prepare a report to be presented to the Audit & Finance Committee to program the actioning of the 13 matters presented above.

CARRIED 8/0

Res 81/19

MOTION - Item 9.2.3

That Council receive Mr Carbone and Mr Long's March 2019 review of the shire's financial systems and processes, as attached, and note that in analysing their findings, Mr Carbone and Mr Long derived 13 recommendations as follows:

(1) That the CEO investigate whether it is necessary for Council to comply with the requirements of Section 3.58 of the Local Government Act, in relation to the swimming pool kiosk.

(2) That the CEO implement a dual trigger mechanism for the receipting of caravan park cash takings at the Administration Centre. The triggers being a combination of a cash limit of \$1,000 and a time limit of at least once every 4 weeks. Then when either the cash limit is reached or the timeframe occurs, the caretaker is required to receipt the cash held at the administration centre.

(3) That the CEO implement appropriate procedures to ensure that receipts are issued for all cash received at the waste transfer station and undertake a check to ensure that the manual receipt book meets the GST Act requirements.

(4) That Council consider adopting a policy on the collection of outstanding rates and service charges debts.

(5) That Council consider incorporating debt collection timeframes into Sundry Debts Policy – F.06 to assist guide staff.

(6) That the CEO confirm the tape back-up rotation suggested by BizLinQ is occurring and that each tape is stored at the off-site facility (depot).

(7) That the CEO consider implementing a purchasing threshold tick box on purchase orders as part of the Purchasing procedure, to ensure improved internal control is achieved by placing emphasis on the provision of appropriate quotation documentation. In addition the CEO consider the implementation of the Synergy crystal report purchase order template that contains the threshold tick box mechanism and ensure the procedure is incorporated as a control mechanism in the Accounts Payable process and the form is completed for purchases over \$5,000 in value.

(8) That the CEO implement a new Invoice Payment Authorisation Stamp that incorporates a place for the ordering or receiving officer to initial that goods have been received or services have been rendered.

(9) That the CEO implement a monthly stock reconciliation process where fuel purchases and issues are recorded into a stock system on a monthly basis and a reconciliation is done of the general ledger stock account, the stock system and the physical stock on hand.

(10) That the CEO consider reviewing the Shire's Work Force Plan so that it is in alignment with other informing strategy documents.

(11) That the CEO prepare a report for Council to consider what action, if any, needs to be taken to address the weaknesses identified in relation to the Internal Control Evaluation.

(12) That the CEO implement the use of an Investment Register that complies with the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requirements.

(13) That Council consider the suitability of the model policies and delegations provided.

Of the 13 recommendations Carbone and Long derived in March 2019, 5 of them (notably recommendations 1, 7, 9, 11 and 13) were in common with the recommendations they made in their October 2014 review, 3 of them (recommendations 2, 3 and 6) were refinements of recommendations made in October 2014, and there were 5 new recommendations (recommendations 4, 5, 8, 10 and 12).

That Council direct the A/CEO to prepare a report to be presented to the Audit & Finance Committee to program the actioning of the 13 matters presented above.

CARRIED 8/0

Res 82/19

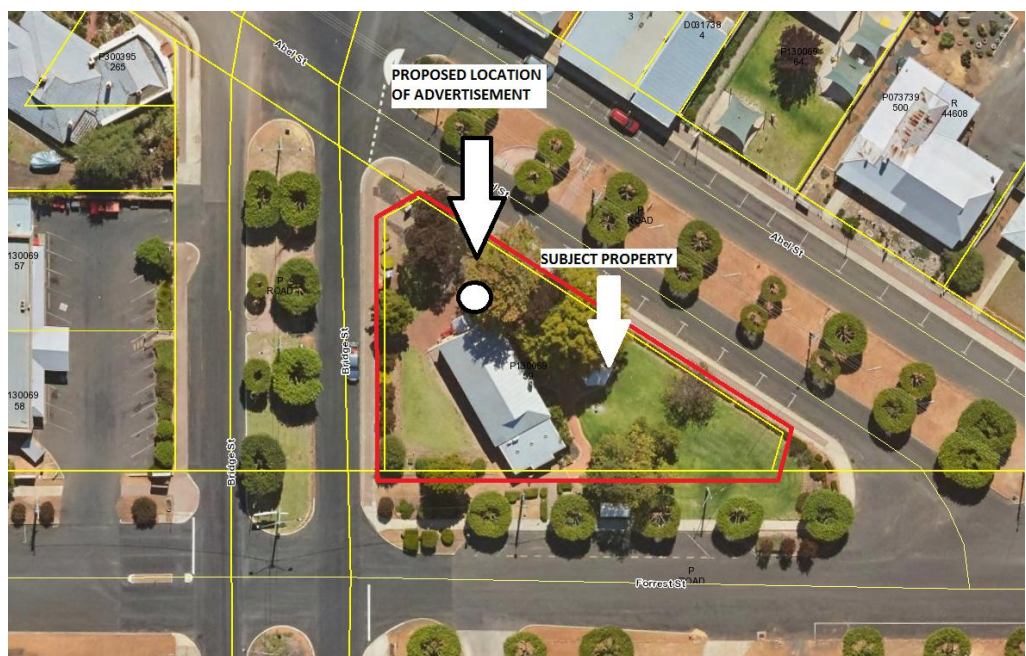
9.3 ACTING CHIEF EXECUTIVE OFFICER

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

Location:	Lot 59, Forrest Street, Boyup Brook.
Applicant:	Shire of Boyup Brook.
File:	BBTA
Disclosure of Officer Interest:	None.
Date:	18 April 2019.
Author:	A. Nicoll, Town and Regional Planner.
Authorizing Officer:	Stephen Carstairs (Acting Chief Executive Officer).
Attachments:	Nil

SUMMARY

The purpose of this report is to put before Council the request to develop an advertisement ('pylon sign') near the entry to the Shire's 'Visitor Information Centre', Lot 59 Forrest Street.



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

2.1.3 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.

This report item recommends that the Council support the proposed advertisement as it is not expected to impact on the amenity of the site.

BACKGROUND

The Boyup Brook Visitor Information Centre is located on the corner of Bridge and Abel Streets, Boyup Brook.

In 2018, the Local Government areas of Bunbury, Capel, Collie, Donnybrook-Balingup, Harvey, Dardanup and Boyup Brook formed the Bunbury Geopraphe Tourism Partnership (BGTP) to drive visitation to the region. It was agreed that the Local Governments adopt a similar brand signage for all of the Visitor Centres.

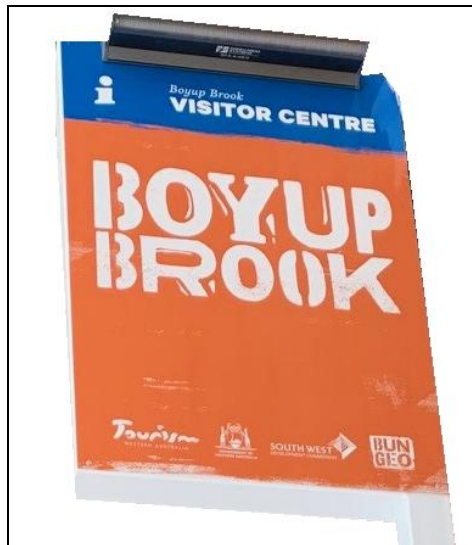
The Boyup Brook Visitor Centre is located on land that is 'Reserved' in accordance with the Shire's Scheme. In accordance with the Shire's Scheme, development approval is required for development on land that is 'Reserved'.

Hence the Shire has submitted a development application seeking Council approval to develop a branded pylon sign at the Boyup Brook Visitors Centre.



COMMENT

The proposed new Visitor Centre Pylon Sign displays the new Bunbury Geographe consumer tourism branding and the centre's information status as follows:



The following design characteristics are proposed:

- The sign writing is on both sides of the sign.
- The sign is a 'Pylon Sign' meaning it is free standing via a pole.
- The sign facia is 800mm in width x 1200mm in length x 100mm in thickness.
- The height of the sign is 3.9m.
- The sign includes solar lighting one either side.
- The signage panel is manufactured from 3mm high grade aluminium steel.

In accordance with the Shire's Local Planning Scheme No.2, the following standards apply:

- Development approval is required for advertisements on land 'Reserved';
- In assessing a development application for an advertisement, Council is to consider the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected; and
- Appropriate sign maintenance.

As per the above Scheme standards:

- An application for development approval has been submitted;
- The sign is not expected to impact on the character of the area for the following reasons:
 - The scale of the sign is in-keeping with the precinct (not too high or dominating);
 - The sign writing and colour is appealing.
 - The sign is proposed to be located amongst a landscaped garden, which is well setback from the street and pedestrian access and is therefore not expected to obstruct sightlines of vehicles or obstruct pedestrian movement.

- If approval is granted for the proposed advertisement, the following condition should be specified:
 - *The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.*

STATUTORY OBLIGATIONS

Shire's Local Planning Scheme No. 2

The Shire's *Local Planning Scheme No.2* states:

2.1.3 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.

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

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

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

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

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

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

The Boyup Brook Tourism Association have been consulted during this process and have selected their preferred location for the sign.

VOTING REQUIREMENTS

Simple majority.

SUMMARY

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

The advertisement is not expected to impact on the amenity of the area and the following condition of approval is recommended:

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

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.1

MOVED: Cr Kaltenrieder

SECONDED: Cr O'Connell

That Council

Grants development approval for an advertisement at Lot 59 Forrest Street, subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

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

Description of proposed development:

Advertisement (Pylon Sign)

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

Conditions:

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

Advice

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

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

Date of determination: 18 April 2019

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 83/19

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

Location:	Lot 5241 Stanton Road, Boyup Brook
Applicant:	Aurecon
File:	A9480
Disclosure of Officer Interest:	None
Date:	18 April 2019
Author:	A. Nicoll, Town and Regional Planner
Authorizing Officer:	Stephen Carstairs (Acting Chief Executive Officer).
Attachments:	Nil

SUMMARY

The purpose of this report is to put before Council the request to develop a 2.4m parabolic dish (curved surface used to collect and transmit waves) on an existing telecommunication tower at Lot 5241 Stanton Road, Boyup Brook.

It is expected that the 2.4m parabolic dish will not result in any visual or health impacts on the surrounding locality and land uses.

The proposed development will ensure the continuance of fast, reliable broadband internet service throughout the Southwest Region.

It is recommended that the Council agree to support the development of a 2.4m parabolic dish, on an existing telecommunications tower, at Lot 5241 Stanton Road, subject to conditions.

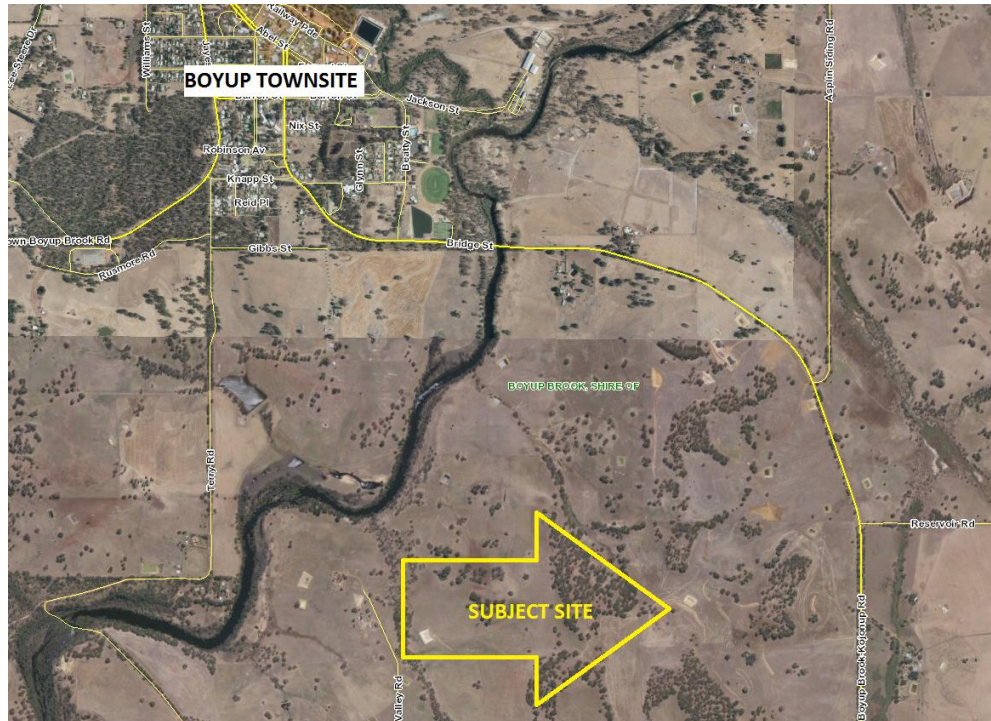
BACKGROUND

In 2017, the Shire issued approval for telecommunications infrastructure at the Lot 5241 Stanton Road.

The Australian government-owned corporation known as Australia's National Broadband Network (nbn - a monopoly wholesale broadband provider), has engaged Ericsson as the equipment vendor and project manager to establish infrastructure required to facilitate the fixed wireless component of the nbn network. Ericsson has in turn engaged Aurecon to act on its behalf in relation to

the establishment of required fixed wireless network infrastructure on an existing tower at Lot 5241 Stanton Road, Boyup Brook.

The following figure indicates the location of the telecommunications infrastructure. The subject site comprises rural land uses.



COMMENT

The existing infrastructure comprises a 57m guyed mast and associated equipment, located towards the north-eastern corner of Lot 5241 Stanton Road, which is situated approximately 2.5km south-east of the Boyup Brook Township.

Proposed development consists of the following:

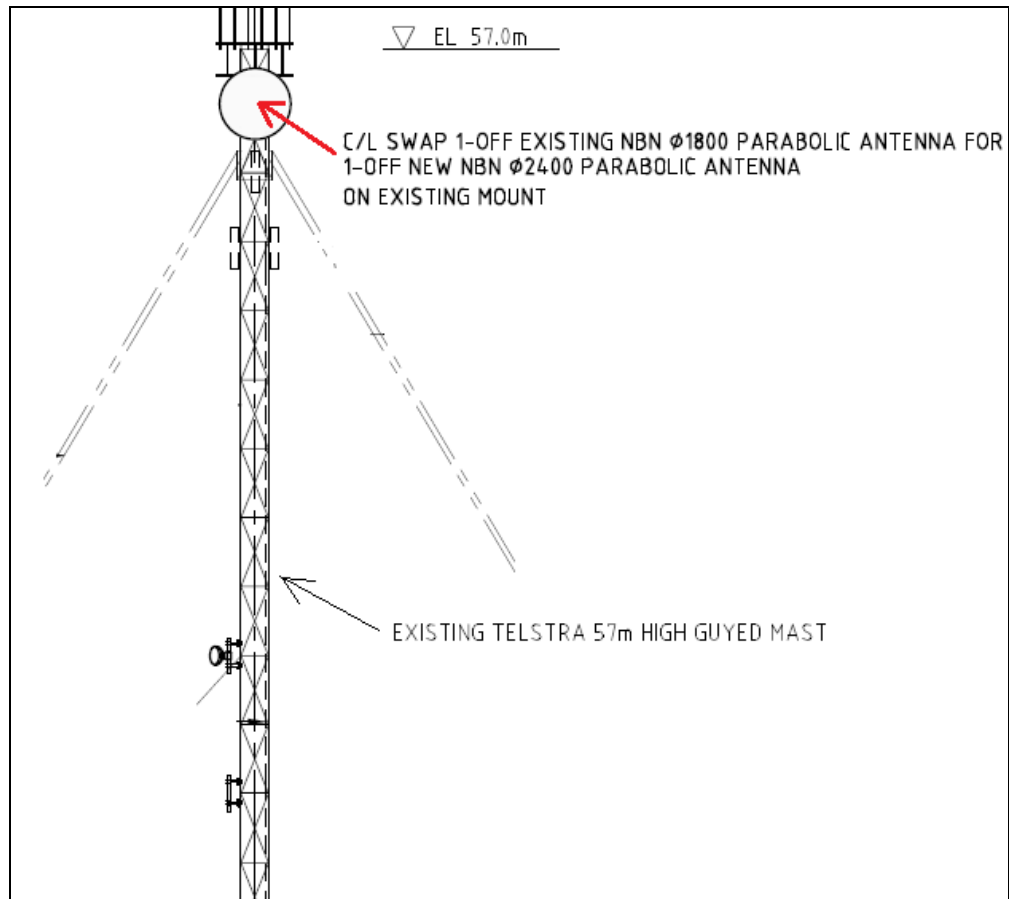
1. Replacement of an existing 1800mm parabolic dish antenna with a 2400mm diameter parabolic dish antenna at an approximate elevation of 55m above ground level;
2. Relocation of an existing 600mm parabolic dish antenna at an approximate elevation of 35m above ground level; and
3. Installation, relocation and replacement of associated ancillary equipment including the installation of five (5) additional RAU's, to be positioned behind the parabolic antennas.

The upgrade works listed under points 2 and 3 above are deemed low-impact in accordance with the Telecommunications (Low impact Facilities) Determination 2018 ("The Determination").

The upgrade works listed under point 1 is not deemed low impact due to the replacement parabolic dish antenna having a diameter 600mm greater than that permissible without development approval under the Determination.

As such the single element of the works for which development approval is required is for the 2.4m parabolic dish antenna that will replace an existing 1.8m diameter parabolic dish antenna.

The following figure illustrates the proposed location and size of parabolic dish relative to an existing guide mast.



It is expected that the 2.4m parabolic dish will not result in any visual or health impacts on the surrounding locality and land uses. The following explanations apply:

- The visual impact of the larger parabolic dish above that of what it replaces is trivial in the context of the overall facility.
- In relation to public safety and specifically Electromagnetic Emissions and public health, national broadband networks operate within operational standards.
- Residential land uses are well setback from the telecommunications infrastructure, which are largely contained to within the Township area of

Boyup Brook, north-west of the subject site. The nearest dwelling is located approximately 860m south of the existing facility at 275 Boyup Brook-Kojonup Road (Crown Allotment 1279).

The proposed development is necessary to ensure that a crucial link in transmission between this facility and others within the Fixed Wireless network can be maintained. A break in this chain of connection would have a flow on effect throughout the network and would impact the provision of service to multiple communities throughout the Boyup Brook area and wider region.

CONSULTATION

N/A

The telecommunications infrastructure is not expected to create any environmental or visual impact. The two closest dwellings to the proposed facility are located 860m and 1.5km away, respectively.

Landholders were consulted in 2017 regarding development of telecommunications infrastructure at the subject site. No objections were received.

STATUTORY OBLIGATIONS

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

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

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

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

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

Telecommunications Code of Practice 1997

Licensed telecommunications carriers must operate under the provisions of the *Telecommunications Code of Practice 1997*. Section 2.11 of The *Telecommunications Code of Practice 1997* sets out the design, planning and

installation requirements to ensure the installation of facilities is in accordance with industry 'best practice'.

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

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

POLICY IMPLICATIONS

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

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

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

1. *Any proposed lighting devices are positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries; and*

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications directly relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications directly relating to this item.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
The telecommunications infrastructure is not expected to create any environmental or visual impact. The two closest dwellings to the proposed facility are located 860m and 1.5km away, respectively.
- **Economic**

The proposed works is expected to provide the community with reliable telecommunication coverage, which is expected to support the tourism and agriculture economies.



Social

The proposed works provide the community with opportunity to network and communicate socially with each other.

VOTING REQUIREMENTS

Simple majority

CONCLUSION

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

The proposed upgrade, which includes the replacement of an existing 1.8m parabolic dish, with a 2.4m parabolic dish is considered appropriate in light of the relevant legislative and public safety requirements and is considered acceptable in social, economic and environmental terms.

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

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

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.3.2

MOVED: Cr Kaltenrieder

SECONDED: Cr Alexander

That Council

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

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lot 5241 Stanton Road, Boyup Brook

Description of proposed development:

Telecommunications Infrastructure (2.4m Parabolic Dish)

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

Conditions:

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

Date of determination: 18 April 2019

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:

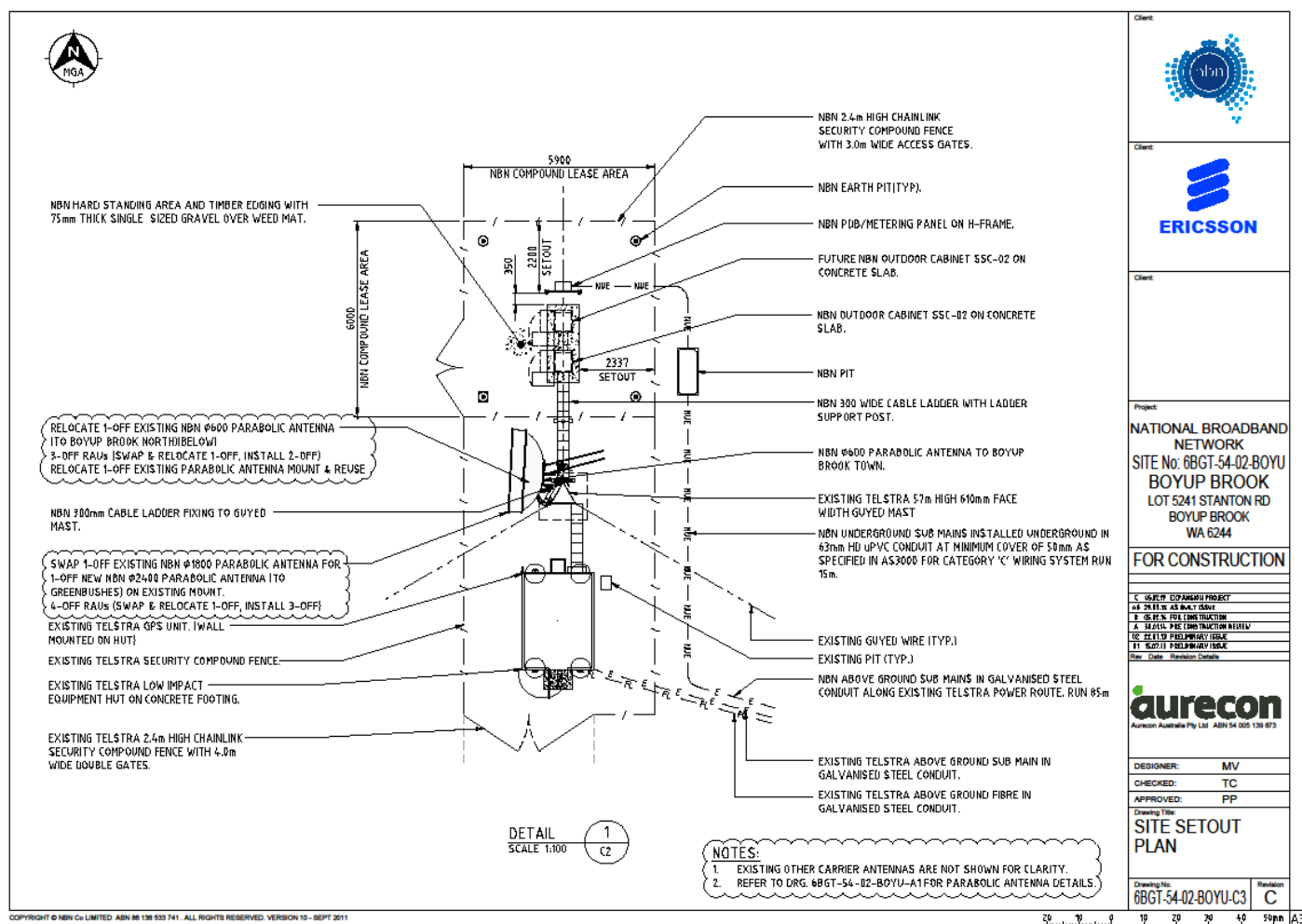
Dated:

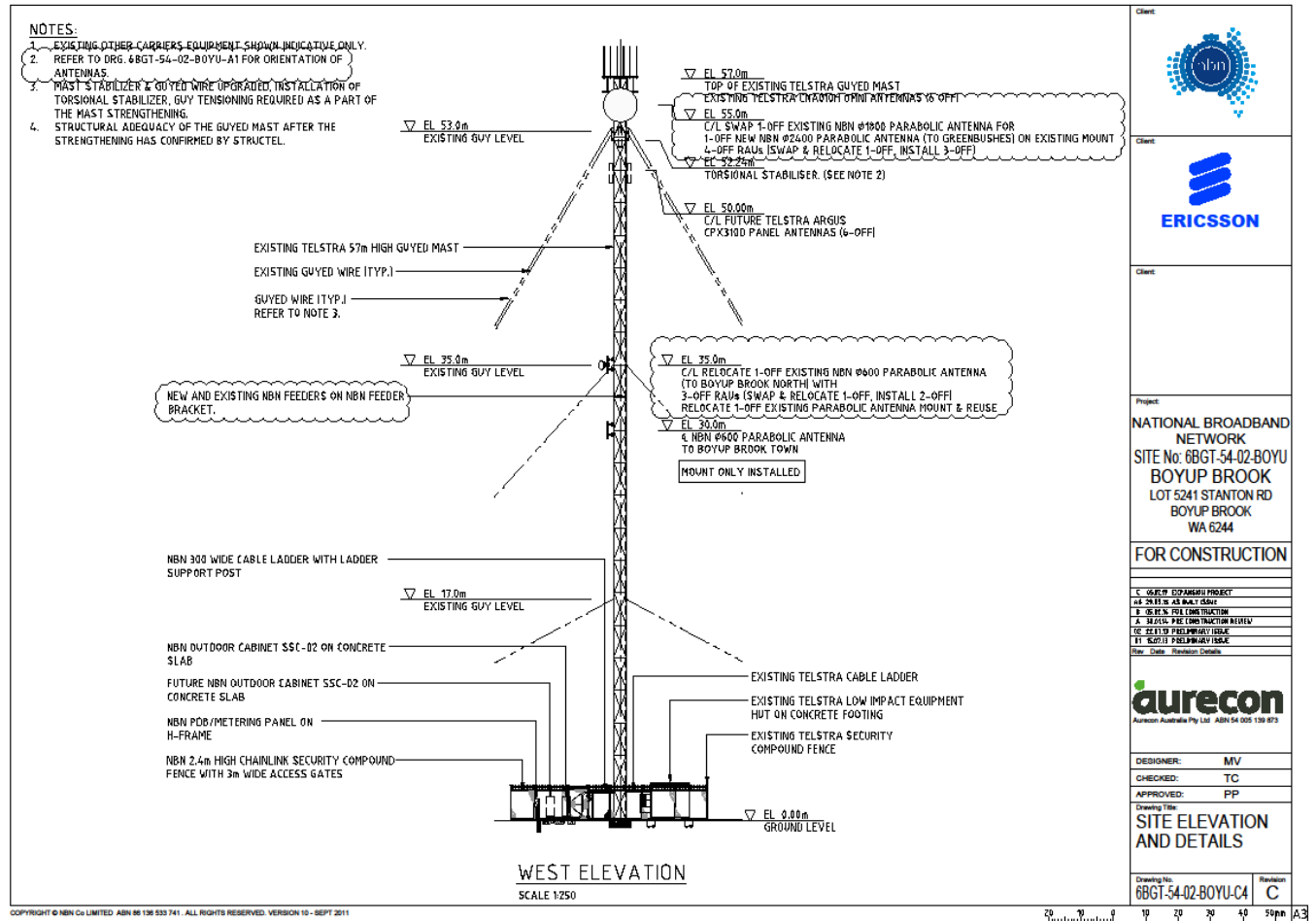
for and on behalf of the Shire of Boyup Brook.

CARRIED 8/0

Res 84/19

Approved Plans





9.3.3 Review of Occupational Safety and Health Policy - A.17

Location:	<i>N/A</i>
Owner:	<i>N/A</i>
File:	<i>Policy</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>8th April 2019</i>
Author:	<i>Angela Hales – Safety and Health Officer</i>
Authorizing Officer:	<i>Stephen Carstairs - Acting CEO</i>
Attachments:	<i>Yes: amended Occupational Health and Safety policy A.17</i>

SUMMARY

As part of the Shire of Boyup Brook's safety audit process the attached policy is required to be reviewed to ensure compliance with Occupational, Safety and Health legislation, and consistency with AS4801 - Occupational Health and Safety Management Systems, that sets out best practice standards for safety management.

BACKGROUND

The Occupational Safety and Health Manual was reviewed in 2018, and all staff inducted to ensure an understanding of their legal responsibilities.

COMMENT

Best practice includes having a policy that starts with a clear statement that demonstrates the Local Government's commitment to comply with legislation. It should also identify a senior manager who is responsible for the implementation showing clear line management roles and responsibilities. The policy objectives must align with the legislative requirements to achieve the outcomes stated. Mechanisms for consultation should also be identified.

The Policy should be signed by the Chief Executive Officer.

CONSULTATION

Once approved by Council the Policy will be presented to the Shire of Boyup Brook's safety and health committee.

STATUTORY OBLIGATIONS

Occupational Health and Safety Act 1984, as amended

POLICY IMPLICATIONS

NIL

BUDGET/FINANCIAL IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

There are no known strategic issues

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues.
- **Social**
None

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.3.3

MOVED: Cr Walker

SECONDED: Cr Rear

That Council adopt amended Occupational Health and Safety Policy A.17, as presented.

CARRIED 8/0

Res 85/19

9.3.4 Revised Administration Policy - A.14 Records Keeping Policy

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Not applicable</i>
File:	<i>Policy</i>
Disclosure of Interest:	<i>Nil</i>
Date:	<i>11 April 2019</i>
Author:	<i>Maria Lane – Executive Assistant and Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs – Acting CEO</i>
Attachments:	<i>Yes: 1. Revised Administration Policy – A.14 Records Keeping Policy</i>

PURPOSE

Council is requested to consider adopting revised administration policy A.14 *Records Keeping Policy*, as per Attachment 9.3.4 to this report.

BACKGROUND

Division 1 of Part 3 of the *State Records Act 2000* establishes that local governments will have records plans, as follows:

Part 3 — Record keeping plans for government organizations

Division 1 — General

16. Content of plans

- (1) A record keeping plan in respect of a government organization is a record setting out —
 - (a) the matters about which records are to be created by the organization; and
 - (b) how the organization is to keep its government records.

Policy A.14 provides officers with guidance as to how they are to go about complying with s.16.(1)(a) and (b) above.

COMMENT

The proposed minor amendments to A.14 *Records Keeping Policy* will have the effect of contemporising the policy given that in 2013 the shire implemented IT Vision's *Synergy Soft* records keeping module for electronically capturing the shire's incoming and outgoing correspondence.

CONSULTATION - Nil

STATUTORY ENVIRONMENT

Division 1 of Part 3 of the *State Records Act 2000*.

POLICY IMPLICATIONS - Nil

FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENT

Simple Majority required: Yes.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.3.4

MOVED: Cr Rear

SECONDED: Cr Alexander

That Council resolves to adopt revised policy A.14 *Records Keeping Policy*, as attached.

CARRIED 8/0

Res 86/19

Declare an Interest

Cr Rear and Cr O'Connell declared a financial interest in the following item and departed the Chambers, the time being 6.27pm.

9.3.5 Regional Price Preference Policy - Notice of Proposed Policy

Location: Shire of Boyup Brook
Applicant: Not applicable
File: FM/9/005
Disclosure of Interest: Nil
Date: 09 April 2019
Author: Stephen Carstairs - Acting CEO
Authorizing Officer: Stephen Carstairs – Acting CEO
Attachments: Yes: Newly Proposed Finance Policy – F.13 Regional Price Preference

PURPOSE

Following statewide public notice & calls for submissions, Council is requested to consider adopting newly proposed policy F.13 *Regional Price Preference*, as attached.

BACKGROUND

At its 13 December 2018 meeting Council resolved as follows:

That Council adopts newly drafted finance policy F0.12 Regional Price Preference, as presented.

CARRIED 9/0

Res 240/18

Further scrutiny of *Local Government (Functions and General) Regulations 1996* (the Regulations) identified Regulations 24 E & 24F as follows:

24E. Regional price preference policies for local governments

(4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

24F. Adoption and notice of regional price preference policy

(1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.

COMMENT

More than four weeks have lapsed since statewide public notice was given of Council's intent to adopt the proposed regional Price Preference policy, and in that time no submissions were received by the administration. Notwithstanding that no submissions were received, Council might determine to make significant changes to the proposed policy, and if so done, then a Reg. 24E event will again be triggered.

CONSULTATION

In excess of four weeks statewide public notice has been given of Council's intent to adopt the proposed policy.

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS - Nil

FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENT

Simple Majority required: Yes.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.3.5

MOVED: Cr Kaltenrieder

SECONDED: Cr Aird

That Council:

having given more than four weeks public notice in accord with Regulation 24 F of the *Local Government (Functions and General) Regulations 1996*, resolve to adopt proposed policy F.13 Regional Price Preference, as attached.

CARRIED 5/1

Res 87/19

Cr Rear and Cr O'Connell returned to the Chambers at 6.31pm.

Declare an Interest

Cr Alexander declared a financial interest in the following item and departed the Chambers, the time being 6.31pm.

9.3.6 Proposed Administration Policy - A.21 Staff Establishment Levels

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/005</i>
Disclosure of Interest:	<i>Nil</i>
Date:	<i>11 April 2019</i>
Author:	<i>Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs – Acting CEO</i>
Attachments:	<i>Yes: 1. Newly Proposed Administration Policy – A.21 Staff Establishment Levels 2. Current Organisation Structure of the shire</i>

PURPOSE

Council is requested to consider adopting newly proposed administration policy *A.21 Staff Establishment Levels*, as per Attachment 9.3.6 to this report.

BACKGROUND

Section 5.2 of the *Local Government Act 1995*, puts the onus on Council to ensure there is an appropriate structure in place for administering the local government, as follows:

5.2. Administration of local governments

The council of a local government is to ensure that there is an appropriate structure for administering the local government.

COMMENT

The proposed staff establishment policy aims to fulfil a number of functions as follows:

1. The policy will ensure a transparent approach to both:
 - (a) structuring the organisation into a hierarchy appropriate for the day-to-day management of the business of the shire; and
 - (b) ancillary staff recruitment.
2. Further, the policy will ensure that staffing levels are adequately funded through the budgetary process.

Attachment 9.3.6 to this report presents the administrations hierarchy and staffing levels for the period 04 December 2018 to present, and shows that:

- two second tier and senior officer positions (Director Corporate Services and Director Engineering Services) are vacant;
- the administration is supplying a level of service with: an Acting CEO; a third tier Acting Finance and HR Manager; and a supernumerary third tier Manager Works and Services.

CONSULTATION

Dominic Carbone (principal, Carbone & Associates) and Darren Long (principal, DL Consulting)

STATUTORY ENVIRONMENT

Section 5.2 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

Administration policies A.01 and A.02 should be read in conjunction with this report.

FINANCIAL IMPLICATIONS

When on 28 March 2019 Council reviewed the shire's employee costs budget through to 30 June 2019, provision was made for the structure and staffing levels presented in Attachment 9.3.6.

STRATEGIC IMPLICATIONS

Refer to the *Comments* section in this report.

VOTING REQUIREMENT

Simple Majority required: Yes.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.3.6

MOVED: Cr Muncey

SECONDED: Cr Kaltenrieder

That Council resolves to adopt proposed policy A.21 *Staff Establishment Levels*, as attached.

CARRIED 6/1

Res 88/19

Cr Alexander returned to the Chambers at 6.33pm.

9.3.7 Review of Delegation Register

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>GO/15/004</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>11 April 2019</i>
Author:	<i>Stephen Carstairs – Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs – Acting CEO</i>
Attachments:	<i>Yes – current Register of Delegations of Authority Manual</i>

SUMMARY

This item reviews the existing Delegation Register and recommends that the delegations, as set out in the *Register of Delegations of Authority Manual*, be adopted as presented.

BACKGROUND

Local Government Act 1995 section 5.42(1) states a local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43, as follows:

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

** Absolute majority required.*

5.43. Limits on delegations to CEO ²⁹

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

[Section 5.43 amended by No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23.]

Local Government Act 1995 section 5.46(2) states At least once every financial year, delegations made under this Division are to be reviewed by the delegator, as follows:

5.46. Register of, and records relevant to, delegations to CEO and employees

- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Council last reviewed its delegations on 15 March 2018.

COMMENT

The attached register is the current list of delegations as adopted in March 2018, and the delegations are to be reviewed annually.

CONSULTATION - Nil

STATUTORY OBLIGATIONS

Local Government Act 1995

POLICY IMPLICATIONS - Nil

BUDGET/FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS

An intended outcome of delegating Council authority, is to assist with the delivery of "best practice" within the local government industry.

SUSTAINABILITY IMPLICATIONS

- **Environmental:** Nil
- **Economic:**
Administrative efficiencies derive from these delegations.
- **Social:** Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.7

MOVED: Cr Walker

SECONDED: Cr Kaltenrieder

That Council delegate to the Acting CEO the exercise of its powers, as per the delegations presented in the shire's Delegation Register, and the same be implemented as from 18 April 2019 until further notice.

The Audit and Finance Committee commence a review of the delegations register.

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 89/19

10 COMMITTEE MINUTES

10.1.1 Minutes of the South West Zone

Location:	N/A
Applicant:	N/A
File:	n/a
Disclosure of Officer Interest:	Nil
Date:	12 April 2019
Author:	Stephen Carstairs-Acting CEO
Attachments:	Yes – Minutes

BACKGROUND

The Minutes of the South West Zone was held on 22 March 2019.

Minutes of the meeting are attached.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.1.1

MOVED: Cr Moir

SECONDED: Cr O'Connell

That the minutes of the South West Zone meeting held 22 March 2019 be received.

CARRIED 8/0

Res 90/19

10.1.2 Minutes of the Biosecurity Committee

Location:	<i>N/A</i>
Applicant:	<i>N/A</i>
File:	<i>n/a</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>12 April 2019</i>
Author:	<i>Stephen Carstairs-Acting CEO</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND

The Minutes of the Biosecurity Committee meeting was held on 18 April 2019.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.1.2

MOVED: Cr Alexander

SECONDED: Cr Rear

That the minutes of the Biosecurity Committee meeting held 18 April 2019 be received, and the recommendations be adopted as follows:

That after giving due consideration, Council determines to:

- not legitimise the activities of Blackwood Biosecurity Inc. within the Shire of Boyup Brook; nor forward the shire's rate record to the Office of State Revenue.
- allocate \$62,500 to be placed in the 2019-20 draft budget to go towards ranger services/pest and weed control.

CARRIED 8/0

Res 91/19

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

MOVED INTO COMMITTEE

MOVED: Cr Alexander

SECONDED: Cr O'Connell

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 8/0

Res 92/19

MOVED OUT OF COMMITTEE

MOVED: Cr Aird

SECONDED: Cr Walker

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

CARRIED 8/0

Res 93/19

11.1.1 Cr Rear - Revocation of Policies M.09 and A.03

MOVED: Cr Rear

SECONDED: Cr Alexander

That after giving due consideration, Council determine to revoke policies as follows:

- *M.09 Councillors-Retired-Gifts; and*
- *A.03 Gratuitous Payment to Employees*

CARRIED 8/0

Res 94/19

POLICY NO.	M.09
POLICY SUBJECT	Councillors – Retired - Gifts
ADOPTION DATE	17 June 2004
VARIATION DATE	

Objective

To determine the value and extent of gifts provided to retiring Councillors.

Statement

In recognition of the contribution provided by Councillors to the organisation and the community generally, acknowledgement of service will be provided in the form of a gift and appropriate framed certificate.

The gift provided is to be determined by the Shire President with a maximum value of \$300 to the Shire.

Should Council determine to revoke policy M.09, then s.5.100A of the *Local Government Act 1995* and Regulation 34AC. of the *Local Government (Administration) Regulations 1996* will prevail, as follows:

5.100A. Gifts to council members

A local government cannot give a gift to a council member unless —

- (a) the gift is given in prescribed circumstances; and
- (b) the value of the gift is less than a prescribed amount.

[Section 5.100A inserted: No. 17 of 2009 s. 34.]

**34AC. Gifts to council members, when permitted etc.
(Act s. 5.100A)**

- (1) The retirement of a council member who has served at least one full 4 year term of office is prescribed under section 5.100A(a) as circumstances in which a gift can be given to the council member.
- (2) The amount of \$100 for each year served as a council member to a maximum of \$1 000 is prescribed under section 5.100A(b) in respect of a gift given to a council member in the circumstances set out in subregulation (1).

[Regulation 34AC inserted in Gazette 3 May 2011 p. 1596.]

Policy A.03 reads as follows:

POLICY NO.	A.03
POLICY SUBJECT	Gratuitous Payment to Employees
ADOPTION DATE	15 May 2008
VARIATION DATE	21 June 2012

Objective

To determine ex-gratia payments to employees in addition to award or contract entitlements, when a person is leaving the employment of the Shire of Boyup Brook.

Statement

For the purpose of Section 5.50 (1) of the Act, the following approximate amounts be spent on a presentation gift to employees who retire or resign after a period of satisfactory service and who meet the criteria of items 2a, b and c.

1. After 3 years \$200 and thereafter an additional \$30 per year of completed service.
2. Council may also consider the payment of a gratuity to any employee leaving the service of the Council and who is regarded by Council to have been a loyal and productive employee. In considering this matter, Council will give particular regard to:
 - a) the employee's history and length of employment with the Council;
 - b) the employee's sick leave record; and
 - c) the employee's personal contribution to the progress of Council's objective and community wellbeing.
3. Council, after taking into account the above criteria, may agree to the awarding of the following gratuity:

Council, after taking into account the above criteria, may agree to the awarding of a gratuity up to the maximum permitted by legislation (currently limited by Regulations 19A of the Local Government (Administration) Regulations).

Should Council determine to revoke policy A.03, then s.5.50 of the *Local Government Act 1995* and Regulation 19A. of the *Local Government (Administration) Regulations 1996* will prevail, as follows:

5.50. Payments to employees in addition to contract or award

- (1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —
 - (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
 - (b) the manner of assessment of the additional amount,and cause local public notice to be given in relation to the policy.
- (1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1).
- (2) A local government may make a payment —
 - (a) to an employee whose employment with the local government is finishing; and
 - (b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government,but local public notice is to be given in relation to the payment made.
- (3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.
- (4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.

[Section 5.50 amended: No. 64 of 1998 s. 29.]

**19A. Payments in addition to contract or award, limits of
(Act s. 5.50(3))**

- (1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total —
 - (a) the value of the person's final annual remuneration, if the person —
 - (i) accepts voluntary severance by resigning as an employee; and
 - (ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;
 - or
 - (b) in all other cases, \$5 000.
- (2) In this regulation —

final annual remuneration in respect of a person, means the value of the annual remuneration paid, or payable, to the person by the local government which employed that person immediately before the person's employment with the local government finished.

*[Regulation 19A inserted in Gazette 31 Mar 2005 p. 1032;
amended in Gazette 13 Jul 2012 p. 3218.]*

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

Nil

13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

13.1.1 Supply and installation of a Solar Energy Solution at the Depot

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 13.1.1

MOVED: Cr O'Connell

SECONDED: Cr Kaltenrieder

That after considering a range of solutions and a number of quotes, Council selects Down South Solar Power to install a 20kW solar energy solution (to augment the grid) at the Shire Depot.

CARRIED 7/1

Res 95/19

COUNCIL DECISION

MOVED: Cr Rear

SECONDED: Cr Alexander

That the Council adopts enbloc 13.1.2 and 13.1.3

CARRIED 8/0

Res 96/19

13.1.2 Sale of property (A1060) in lieu of non-payment of outstanding rates

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 13.1.2

That Council directs the Acting CEO to take action in accord with section 6.64 (1) of the *Local Government Act 1995* and associated regulations, and sell property A1060.

CARRIED BY ENBLOC

Res 97/19

13.1.3 Sale of property (A1520) in lieu of non-payment of outstanding rates

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 13.1.3

That Council directs the Acting CEO to take action in accord with section 6.64 (1) of the *Local Government Act 1995* and associated regulations, and sell property A1520.

CARRIED BY ENBLOC

Res 98/19

WITHDRAWN - Item 13.1.4

Item 13.1.4 was withdrawn

13.1.4 Sale of property (A1886) in lieu of non-payment of outstanding rates

OFFICER RECOMMENDATION - Item 13.1.4

That Council directs the Acting CEO to take action in accord with section 6.64 (1) of the *Local Government Act 1995* and associated regulations, and sell property A1886.

Note: Payment received.

14 CLOSURE OF MEETING

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.28pm.