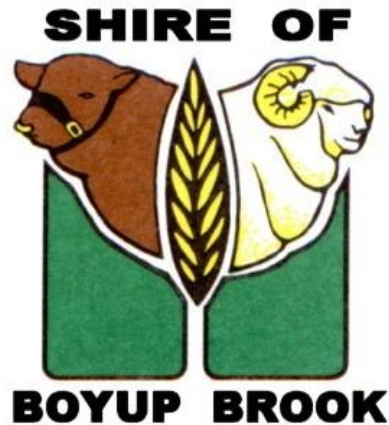


Minutes



SPECIAL COUNCIL MEETING

held on

WEDNESDAY 8 MAY 2019
Commenced AT 6.00PM

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 T Oversby
Cr H O'Connell
Cr E Rear

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

1.2 Apologies

Cr E Muncey

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

Nil

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Nil

5 DISCLOSURE OF INTEREST

Nil

6 REPORTS

6.1 ACTING CHIEF EXECUTIVE OFFICER

6.1.1 Boyup Brook Early Learning Centre - continuation of operation

Location:	<i>84 Abel Street Boyup Brook</i>
Applicant:	<i>N/A</i>
File:	<i>LS/62/011</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>06 May 2019</i>
Author:	<i>Stephen Carstairs - A/CEO</i>
Authorizing Officer:	<i>Acting CEO</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to bring to Council the matter of the pending completion of the Boyup Brook Early Learning Centre's (BBELC) twelve (12) month trial period, and for Council to consider continuing the service.

BACKGROUND

Prior to the shire operating the BBELC, it had been operated by at least two other entities over a number of years out of the shire property on Abel Street.

At its 16 November 2017 meeting Council resolved (Res 153/17) as follows:

That Council

- 1. agree to take on the Boyup Brook Early Learning Centre service.**
- 2. allow the CEO up to twelve months in which to make it work more sustainably.**
- 3. review the viability of the service after twelve months.**

CARRIED BY ABSOLUTE MAJORITY

Res 153/17

The shire operated BBELC (open Tuesdays to Fridays) had its first intake of early learners in July 2018. Initially the centre was licenced to take up to 19 x 0 - 5 year old children a day, and in recent months the age range was increased to include 6 and 7 year olds. At the time of writing this report, the centre was averaging 9 - 10 children a day (i.e. about 50% occupancy).

The centre's 2018-19 adopted operating budget forecast a \$44,170 loss for the year, and the mid-year (February figures) budget review forecast a \$34,180 loss. Revenue in 2018-19 is tracking with that shown in the adopted budget, and the forecast savings are mostly from non-salaried operating expenses.

At Council's April 2019 Briefing, the centre's Director advised as follows:

12 month probationary Period - notification requirements for families

Shire Council approved the operation of the Early Learning Centre for the duration of a 12 month probationary period. June 2019 will be the month that probationary period will end and I'm aware that council will need to make a decision if we continue to operate or not.

In conjunction with this decision, it will need to be brought to Council's attention that there is a legal obligation that if the Service is to close at the end of the probationary period:

Ceasing to operate an approved childcare service, requires, at least 42 days notification before the service ceases to operate.

Based on our current last day of operation being the 28th of June, families would need to be notified by the 17th of May (working on 42 days) or more preferable, the 10th of May (if utilizing business day).

COMMENT

Rates aside, there is probably not a shire service centre that isn't subsidised by Council in some way or another. The centre's director has alerted Council that there's some urgency about making a decision to continue the service or not. Further, it is scheduled for the fourth week in May 2019 that Mr D Carbone & Mr D Long workshop *Service Plans* with Council.

It would therefore seem prudent to continue to provide this service until such time as Council can appraise its cost - benefit against other shire services such as the Medical Service, or even the Swimming Pool that in 2018-19 (review) budgeted for a \$225,995 operating loss.

Other reasons for continuing to appraise the cost - benefit of this service includes:

- the Boyup Brook Play Group currently have a licence to co-occupy (Mondays) the facility with the ELC;
- in partnership with the Play Group Council has installed a nature play area at the centre; and
- Council is currently partnering with the Play Group to install (part) grant funded shade sails at the centre,

demonstrating that the centre is in a growth phase.

CONSULTATION

Should Council determine to not continue to provide an education and care service to the Boyup Brook community, it might first consider consulting with the Boyup Brook Play Group and the wider community.

STATUTORY OBLIGATIONS

Education and Care Services National Law Act 2010 and its associated regulations.

POLICY IMPLICATIONS

Policy F.10 Related Parties Disclosures should be read in conjunction with this report, notably:

2. Related Party Transactions

2.1 Ordinary Citizen Transaction

For the purpose of this Policy, an Ordinary Citizen Transaction is one that occurs between Council and KMP and/or related parties which satisfy the following criteria. The transaction would:

- occur during the normal course of Council delivering its public service goals;
- be under the same terms that would be available to a member of the community; and
- belong to a class of transaction that an ordinary member of the community would normally transact with Council.

This includes for example facility hire, and the payment of rates and dog registrations.

There is no obligation to disclose Ordinary Citizen Transactions.

Transactions between Council and Related Parties that would normally be considered Ordinary Citizen Transactions but where the terms and conditions differ from normal practice however, will be disclosed.

2.2 Non-ordinary Citizen Transactions

All related party transactions that do not satisfy the definition of an Ordinary Citizen Transaction (as per 2.1) will be disclosed in accordance with AASB 124.

BUDGET/FINANCIAL IMPLICATIONS

Notwithstanding that in 2018-19 the service will run at an (operating) loss of between \$32,000 and \$34,000, the compelling business case for continuing to provide this service to the Shire is that it meets a necessary community need.

STRATEGIC IMPLICATIONS

Continuing to provide an education and care service in town might induce some people to settle in Boyup Brook.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
The service is expected to run at a net cost to Council, but then it may enable parents to otherwise take up employment or an enterprise.
- **Social**
It is to be expected that social and educational benefits accrue to those who attend the early learning centre.

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 6.1.1

MOVED: Cr Rear

SECONDED: Cr Oversby

That Council resolves to:

1. Include in the draft 2019-20 annual budget, an annual (July 2019 to June 2020) budget for the Boyup Brook Early Learning Centre.
2. Direct the Acting CEO to bring a Boyup Brook Early Learning Centre *Service Plan* back to Council by its July 2019 ordinary meeting.

CARRIED 6/0

Res 99/19

6.1.2 South West Native Title Settlement - Reserve 27148 Lot 329 William St

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Department of Planning, Lands and Heritage</i>
File:	<i>R27148</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>07 May 2019</i>
Author:	<i>Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs - Acting CEO</i>
Attachments:	<i>Yes – 1. Correspondence from Department of Planning, Lands and Heritage 2. Spreadsheet identifying the land in question (Lot 329 William St) 3. An aerial of the land</i>

SUMMARY

This report is for Council to determine if the local government (the agency) has any interest in Reserve R 27148 (being Lot 329 William St Boyup Brook).

BACKGROUND

The State of Western Australia has committed to allocating up to 320,000 hectares of Crown land to the Noongar People to create the Noongar Land Estate, in accordance with the six registered Indigenous Land Use Agreements (ILUA) for the South West Native Title Settlement (the Settlement, and refer attached correspondence from the Department of Planning, Land and Heritage (DPLH)).

The Department of Planning, Lands and Heritage (DPLH) is responsible for undertaking an identification and assessment process for land parcels within the boundaries of the Settlement, and has identified Reserve R 27148 as being a priority for transfer. As part of DPLH's assessment the Department has approached the shire for comments on the following:

1. Does your Agency have any interest in the land?
2. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
3. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe

4. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
5. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

COMMENT

After consulting with shire staff, recommended responses to the Department's enquiries are as follows:

1. Does your Agency have any interest in the land?

No. (Acting CEO)

2. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

Not aware of any future proposals. The Shire's draft Local Planning Strategy does not propose anything different for this land parcel. The subject land is zoned 'Residential' ... see attached map. (shire's Planning Consultant)

3. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe

The Shire's draft Local Planning Strategy recommends the adjacent bush reserve as being suitable for 'Recreation' (passive recreation – bush walking) ... see draft Local Planning Strategy map on page 11. (shire's Planning Consultant)

4. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

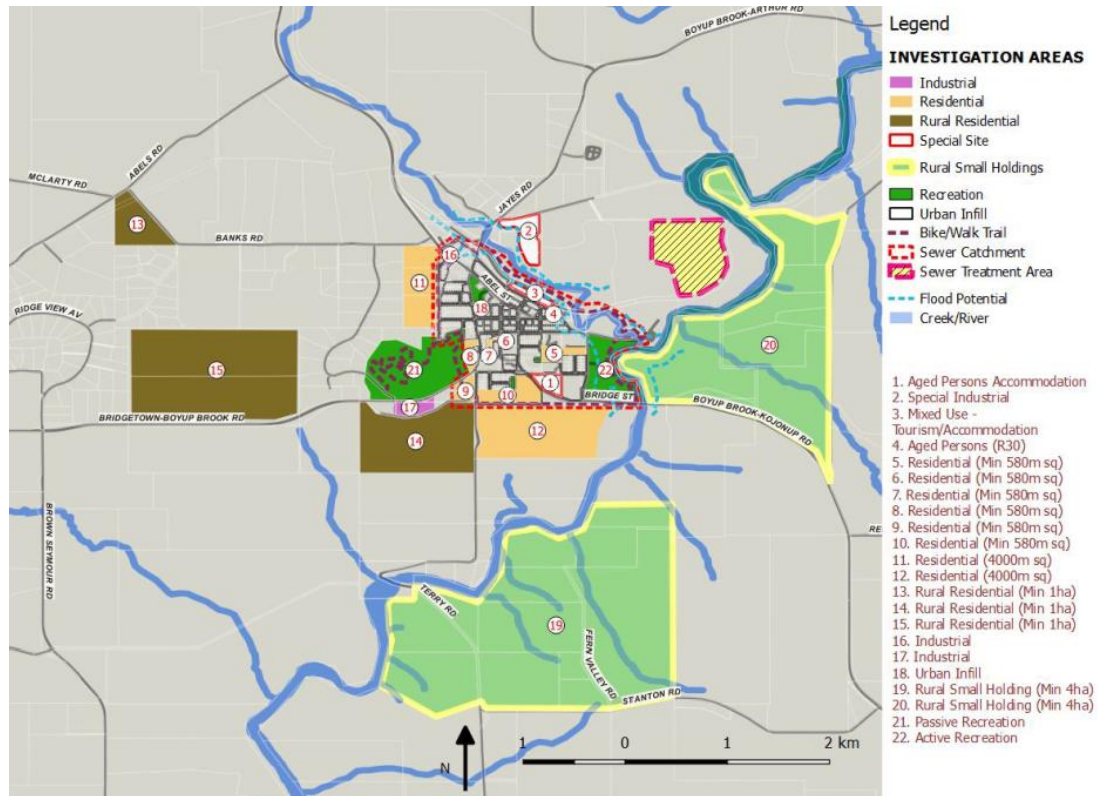
There are no scheme amendments proposed to affect the subject land. (shire's Planning Consultant)

5. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

Inspection of the site found that the land slopes slightly up to a rocky outcrop on the top of the hill beyond the boundary. There is evidence of man made contour drains that appear to have been installed to direct water runoff to the now Shire owned dam (once Railway Commission) on the adjacent property. The ground

cover is primarily native shrubs and regrowth, dead fall and naturally mulched leaves. The top soil is gravel, and based on local knowledge the soil under will have a large percentage of clay.

There was no evidence of site contamination, rubbish, hazards or debris other than that created by deadfall. Access tracks/fire breaks are being used to access the properties adjacent to the land, however the properties still have alternative access. (shire's Environmental Health Consultant)



CONSULTATION

Adrian Nicoll (shire's Planning Consultant) and Angela Hales (one of the shire's Environmental Health Consultants).

STATUTORY OBLIGATIONS - Nil

POLICY IMPLICATIONS - Nil

BUDGET/FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS - Nil

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

Cr Moir and Cr Walker arrived at 6.09pm

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 6.1.2

MOVED: Cr Walker

SECONDED: Cr Alexander

That with regard to the South West Title Settlement as it relates to Reserve R 27148 in the Shire of Boyup Brook, Council directs the Acting CEO to respond to the Department of Planning, Land and Heritage's enquiries as follows:

1. Does your Agency have any interest in the land?

No.

2. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?

Not aware of any future proposals. The Shire's draft Local Planning Strategy does not propose anything different for this land parcel. The subject land is zoned 'Residential'.

3. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe

The Shire's draft Local Planning Strategy recommends the adjacent bush reserve as being suitable for 'Recreation' (passive recreation – bush walking) ... see draft Local Planning Strategy map on page 13.

4. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?

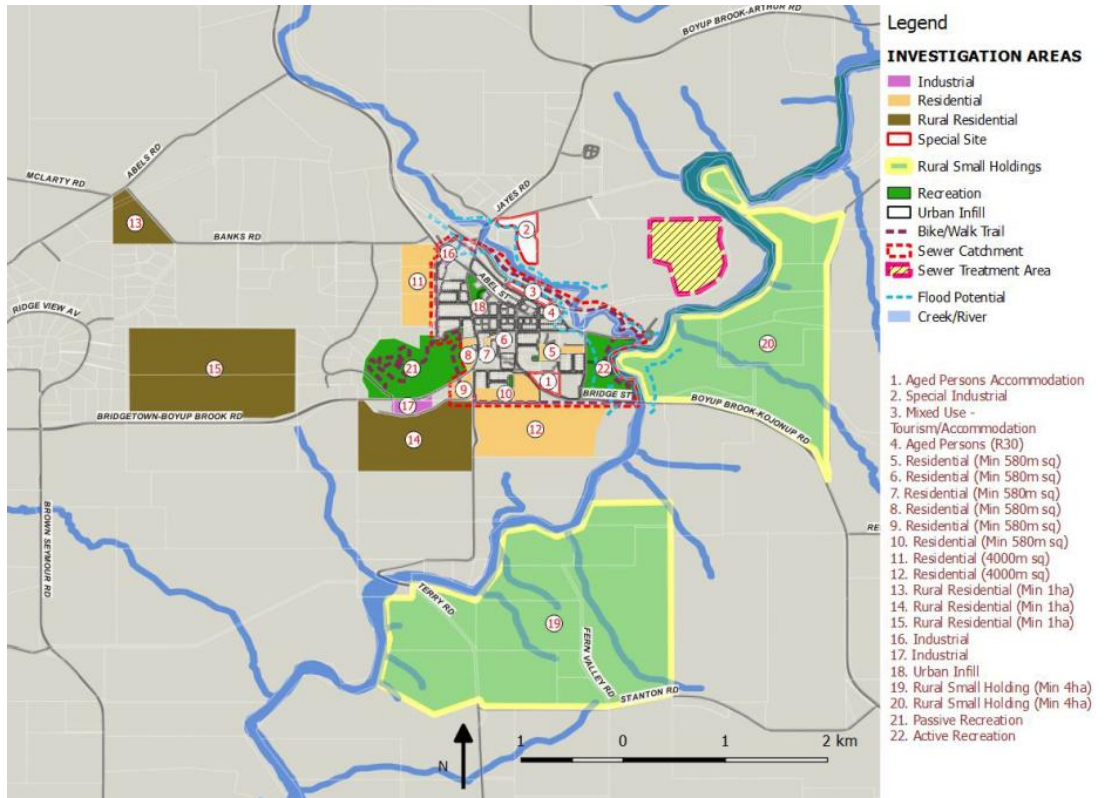
There are no scheme amendments proposed to affect the subject land.

5. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).

Inspection of the site found that the land slopes slightly up to a rocky outcrop on the top of the hill beyond the boundary. There is evidence of man made contour drains that appear to have been installed to direct water runoff to the now Shire owned dam (once Railway Commission) on the adjacent property. The ground cover is primarily native shrubs and regrowth, dead fall and naturally mulched

leaves. The top soil is gravel, and based on local knowledge the soil under will have a large percentage of clay.

There was no evidence of site contamination, rubbish, hazards or debris other than that created by deadfall. Access tracks/fire breaks are being used to access the properties adjacent to the land, however the properties still have alternative access.



CARRIED 7/1

Res 100/19

Request for Vote to be recorded

Cr Kaltenrieder requested the votes be recorded.

FOR	AGAINST
Cr Aird	Cr Kaltenrieder
Cr Moir	
Cr Walker	
Cr O'Connell	
Cr Alexander	
Cr Rear	
Cr Oversby	

6.1.3 Short Stay Accommodation planning - Flax Mill Caravan Park and Lot 1 Forrest Street

Location:	<i>Lot 1 Forrest Street</i>
Applicant:	<i>N/A</i>
File:	<i>Flax Mill/Lot 1 Forrest</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>07 May 2019</i>
Author:	<i>Stephen Carstairs - Acting CEO</i>
Authorizing Officer:	<i>Stephen Carstairs - Acting CEO</i>
Attachments:	<i>N/A</i>

SUMMARY

The purpose of this report is to put before Council: a Short Stay Accommodation planning option for the Flax Mill Caravan Park; and a Short Stay Accommodation planning alternative to the proposed Aged Accommodation planning at Lot 1 Forrest Street.

BACKGROUND

The matter of aged accommodation has been before Council on a regular basis over a number of years and at its June 2016 ordinary meeting Council resolved (Res 66/16) as follows:

That Council:

- 1. Receive the attached business plan for an independent living aged accommodation development**
- 2. Call for expressions of interest from building firms to:**
 - 2.1 develop Lot 1 Forrest Street Boyup Brook for an independent living development**
 - 2.2 work with Council on an agreed range of options for accommodation units (homes)**
 - 2.3 offer the range of units to the community**
 - 2.4 sell and build units**
 - 2.5 recover and pay to Council its required upfront land lease change as part of the sales process**
 - 2.6 based on a Council evaluation of the interests lodged, call for tenders to provide the required services.**
- 3. That Council resolve to:**
 - 3.1 maintain its focus on a development in Boyup Brook to meet the need for small lot housing for senior members of the community who do not need care.**
 - 3.2 keep working on a development at lot 1 Forrest Street whilst still progressing the opportunity of a development on its land in Hospital Road.**
 - 3.3 limit work and costs associated with the latter to securing additional land, amalgamating the various lots held as Crown Grants and Reserves into a single holding where Council may develop but does not have to purchase the land**
 - 3.4 base its further progress on the Lot 1 Forrest Street opportunity on the results of the expressions of interest and tendering processes.**

CARRIED 5/1

Res 66/16

At a Councillor convened workshop held on Friday 19 April, Councillors appraised their opportunities for planning *Short Stay* accommodation at the Flax Mill Caravan Park and at Lot 1 Forrest Street in Boyup Brook. The considerations of the Councillors was conveyed to the Acting CEO as follows: that given Talison's Lithium mining expansion at Greenbushes is to put pressure on the shire's rental housing stock, a report would be brought to a meeting of Council to consider the establishment of two (2) park cabins (not self contained) at the Flax Mill Caravan Park, and the establishment of 2 short stay accommodation units on Lot 1 Forrest Street.

COMMENT

The installation of a park cabin at the Caravan Park is administered under the *Caravan Parks and Camping Grounds Act 1995*, and will require, among other things, that there is: a site plan for the installation of the cabin; and that the cabin is suitably engineered.

Development of Lot 1 Forrest for Short Stay Accommodation planning on the other hand could be more complicated, particularly if the overall cost of the development triggers a s.3.59 of the *Local Government Act 1995* event, as follows:

3.59. Commercial enterprises by local governments

(1) In this section —

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

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

Regulation 8A of the Local Government (Functions and General) Regulations 1996 establishes how a development of land transaction might be an *exempt* transaction for the purposes of s.3.59, as follows:

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

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

- (b) if the land transaction is entered into by any other local government, the amount that is the lesser of —
 - (i) \$2 000 000; or
 - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

Operating expenditure incurred in the 2017-18 financial year was \$7,515,028, so to be an exempt land development transaction, the development of Lot 1 Forrest Street for Short Stay Accommodation would have to be less than \$751,503.

CONSULTATION

Adrian Nicoll - Consultant Planner, Gary Bruhn - Consultant Building Surveyor, and Dean Guja - Environmental Health Consultant.

STATUTORY OBLIGATIONS

Refer to the *Comment* section in this report.

POLICY IMPLICATIONS

Policy B.11 Wood Encouragement Policy should be read in conjunction with this report.

BUDGET/FINANCIAL IMPLICATIONS

\$225,000 is allocated in the Reviewed 2018-19 Annual Budget for construction of " ... 1 x House or equivalent ...".

STRATEGIC IMPLICATIONS

The reader is referred to the shire's current *Community Strategic Plan*.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

MOVED INTO COMMITTEE

MOVED: Cr Alexander

SECONDED: Cr Rear

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

CARRIED 8/0

Res 101/19

Stephen Carstairs left the Chambers at 7.09pm

MOVED OUT OF COMMITTEE

MOVED: Cr Aird

SECONDED: Cr Alexander

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 102/19

OFFICER RECOMMENDATION - ITEM 6.1.3

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

Given Talison's Lithium mining expansion at Greenbushes is to put pressure on the shire's rental housing stock, Council resolves as follows:

1. That two (2) park cabins (not self contained) will be installed at the Flax Mill Caravan Park, and Lot 1 Forrest Street will be developed for Short Stay Accommodation commencing with the construction of 2 living units.
2. Direct the Acting CEO to bring a report back to Council's June 2019 ordinary meeting which separately costs (for budgetary purposes) each of the Short Stay Accommodation proposals identified in item 1 above.

AMENDMENT - ITEM 6.1.3

MOVED: Cr Moir

SECONDED: Cr O'Connell

- 1 (a) That two (2) park cabins (not self contained) will be installed at the Flax Mill Caravan Park.
- 1 (b) Direct the Acting CEO to bring a report back to Council's June 2019 ordinary meeting which separately costs (for budgetary purposes) each of the Short Stay Accommodation proposals identified in item 1 above.
- 2 (a) Lot 1 Forrest Street will be developed for Short Stay Accommodation commencing with the construction of 2 living units.
- 2 (b) Direct the Acting CEO to bring a report back to Council's June 2019 ordinary meeting which separately costs (for budgetary purposes) each of the Short Stay Accommodation proposals identified in item 1 above.

MOTION - ITEM 6.1.3

- 1 (a) That two (2) park cabins (not self contained) will be installed at the Flax Mill Caravan Park.**
- 1 (b) Direct the Acting CEO to bring a report back to Council's June 2019 ordinary meeting which separately costs (for budgetary purposes) each of the Short Stay Accommodation proposals identified in item 1 above.**
- 2 (a) Lot 1 Forrest Street will be developed for Short Stay Accommodation commencing with the construction of 2 living units.**
- 2 (b) Direct the Acting CEO to bring a report back to Council's June 2019 ordinary meeting which separately costs (for budgetary purposes) each of the Short Stay Accommodation proposals identified in item 1 above.**

CARRIED 8/0

Res 103/19

6.1.4 Delegation of Authority: Appointment of Ranger as Authorised Officer under Various Acts and Regulations

<i>Applicant:</i>	<i>N/A</i>
<i>File:</i>	<i>P/F</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>07 May 2019</i>
<i>Author:</i>	<i>Stephen Carstairs – Acting CEO</i>
<i>Authorizing Officer:</i>	<i>Stephen Carstairs – Acting CEO</i>
<i>Attachments:</i>	<i>Yes: Excerpts from various Acts and Regulations</i>

SUMMARY

This report is for Council to consider authorising Ms Heather Blechynden to exercise on behalf of the local government the powers conferred on an authorised person by those Acts or Regulations as referred below in the *Background* section of this report and as attached.

BACKGROUND

Pursuant to the following Acts and Regulations, a local government shall, in writing appoint persons to exercise on behalf of the local government the powers conferred on an authorised person by those Acts and Regulations:

Bush Fires Act 1954

Local Government (Miscellaneous Provisions) Act 1960, Part XX, Section 449 - Pound Keeper and Ranger

Local Government Act 1995, Part 3, Subdivision 3 – Powers of entry

Local Government Act 1995, Part 3, Subdivision 4 – Impounding abandoned vehicle wrecks and goods involved in certain contraventions

Local Government Act 1995, Part 9, Division 2 – Enforcement and legal proceedings

Dog Act 1976, Sections 29. Power to seize dog

Dog Act 1976, Division 2 – Dangerous dogs

Dog Act 1976, Division 4 – Control of nuisance

Dog Act 1976, Part VII - Enforcement

Cat Act 2011 Section 48

Control of Vehicles (Off Road Area) Act 1978, Section 38

Litter Act 1979, Section 26

Caravan Parks and Camping Grounds Act 1995, Section 17

Local Government (Parking for People with Disabilities) Regulations 2014

Shire of Boyup Brook Local Laws and Regulations

COMMENT

Ms Blechynden is an experienced Ranger having served as a council law enforcement officer in the Northern Territory. Ms Blechynden is scheduled to commence her rangering duties for the shire on Tuesday 14 May 2019, initially working three (3) days a week (Tuesdays, Wednesdays and Fridays). Additionally, Mr Calvin Brown will continue to perform his auxiliary rangering duties for the shire.

CONSULTATION

Daly Winter – Community Emergency and Regulatory Services Manager, Steele Alexander – Manager of Works and Services and Kay Raisin – Acting Finance and HR Manager were consulted.

STATUTORY OBLIGATIONS

Authorisation is required under:

Bush Fires Act 1954

Local Government (Miscellaneous Provisions) Act 1960, Part XX, Section 449 - Pound Keeper and Ranger

Local Government Act 1995, Part 3, Subdivision 3 – Powers of entry

Local Government Act 1995, Part 3, Subdivision 4 – Impounding abandoned vehicle wrecks and goods involved in certain contraventions

Local Government Act 1995, Part 9, Division 2 – Enforcement and legal proceedings

Dog Act 1976, Sections 29. Power to seize dog

Dog Act 1976, Division 2 – Dangerous dogs

Dog Act 1976, Division 4 – Control of nuisance

Dog Act 1976, Part VII - Enforcement

Cat Act 2011 Section 48

Control of Vehicles (Off Road Area) Act 1978, Section 38

Litter Act 1979, Section 26

Caravan Parks and Camping Grounds Act 1995, Section 17

Local Government (Parking for People with Disabilities) Regulations 2014

Shire of Boyup Brook Local Laws and Regulations

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Provision was made in Council's 2018-19 Adopted Annual Budget for Ranger wages.

STRATEGIC IMPLICATIONS

Shire of Boyup Brook Strategic Community Plan states:

Outcome: Growing Our Community Together – A place that is safe and secure.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
N/A
- **Economic**
N/A
- **Social**
- Refer to the Strategic Implications section in this report.

VOTING REQUIREMENTS

Simple majority.

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 6.1.4

MOVED: Cr Moir

SECONDED: Cr O'Connell

That Council:

1. Authorises Ms Heather Blechynden to exercise on behalf of the local government the powers conferred on an authorised person by Western Australian Acts and Regulations and Shire of Boyup Brook Local Laws and Regulations as follows:

Bush Fires Act 1954

Local Government (Miscellaneous Provisions) Act 1960, Part XX, Section 449 - Pound Keeper and Ranger

Local Government Act 1995, Part 3, Subdivision 3 – Powers of entry

Local Government Act 1995, Part 3, Subdivision 4 – Impounding abandoned vehicle wrecks and goods involved in certain contraventions

Local Government Act 1995, Part 9, Division 2 – Enforcement and legal proceedings

Dog Act 1976, Sections 29. Power to seize dog

Dog Act 1976, Division 2 – Dangerous dogs

Dog Act 1976, Division 4 – Control of nuisance

Dog Act 1976, Part VII - Enforcement

Cat Act 2011 Section 48

Control of Vehicles (Off Road Area) Act 1978, Section 38

Litter Act 1979, Section 26

Caravan Parks and Camping Grounds Act 1995, Section 17

Local Government (Parking for People with Disabilities) Regulations 2014

Shire of Boyup Brook Local Laws and Regulations

2. Directs the Acting CEO to confer the abovementioned authorities on Ms Heather Blechynden in writing, and have them published in the State Government Gazette.

CARRIED 8/0

Res 104/19

7 CLOSURE OF MEETING

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.53pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Thursday,

.....
Presiding Member

.....
Date