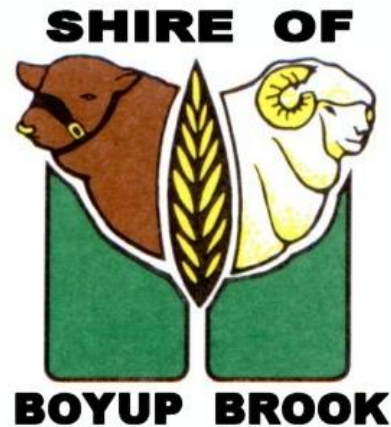


Agenda



ORDINARY MEETING

being held

THURSDAY 22 August 2019

Commencing AT 5.00PM

AT

SHIRE OF BOYUP BROOK

CHAMBERS

ABEL STREET - BOYUP BROOK

NOTICE OF ORDINARY COUNCIL MEETING

To:-

Cr G Aird – Shire President
Cr R Walker - Deputy President
Cr K Moir
Cr S Alexander
Cr P Kaltenrieder
Cr E Muncey
Cr H O'Connell
Cr T Oversby
Cr E Rear

The next Ordinary Council Meeting of the Shire of Boyup Brook will be held on Thursday 22 August 2019 in the Council Chambers, Shire of Boyup Brook, Abel Street, Boyup Brook – commencing at 5.00pm.

Mr Stephen Carstairs
Acting Chief Executive Officer

Date: 16 August 2019

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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 K Moir
Cr E Muncey
Cr T Oversby
Cr H O'Connell
Cr E Rear

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

PUBLIC: Mr Sandy Chambers

1.2 Apologies

Cr P Kaltenrieder

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

5 DISCLOSURE OF INTEREST

6 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting - 18 July 2019

OFFICER RECOMMENDATION - Item 6.1

That the minutes of the Ordinary Council Meeting held on Thursday 18 July 2019 be confirmed as an accurate record.

7 PRESIDENTIAL COMMUNICATIONS

8 COUNCILLORS QUESTIONS ON NOTICE

8.1 Cr Alexander - Status report on the progress of the Sale yards

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

Can we please have a status report on the progress of the Sale Yards?

Acting CEO's Response

At the time of writing this response the shire's excavator was on site at the Sale Yards, and Depot staff were breaking the yard's concrete deck into football sized pieces and drawing the material into rows. If suitable, this material will be stockpiled elsewhere for use in drainage construction/maintenance.

The administration is in the process of completing the freehold sale and transfer of the (Sale Yards) Reserve from Department of Planning Lands and Heritage (the Department) to the shire, and on 29 July 2019 the Department communicated to the shire's settlement agent as follows:

Subject: FW: (44087) Shire of Boyup Brook - Purchase of Reserve 33552 (Stock Sale and Holding Yards): 2730 Bridgetown-Boyup Brook Road, Boyup Brook

From: Greg Martiensen [<mailto:Greg.Martiensen@dplh.wa.gov.au>]
Sent: Wednesday, 31 July 2019 9:36 AM
To: Wayde Newton <WNewton@mcleods.com.au>
Subject: Sale to Shire of Boyup Brook. DPLH File 03302-1973. Case 180254.

Wayde,

I refer to your message of 29 July 2019.

The Shire has already provided the Declaration that I previously requested.

The 'Verification of Identity' process is not required when the Transfer affects Crown land (as it does in this case). You may wish to affirm this directly with Landgate.

Settlement. Due to the long delay, I am not sure if the sale is proceeding at present.

As advised in my message of 25 July 2019, I am asking seeking advice from other quarters in this Department as to whether a new valuation is warranted, and a new offer should be made.

You will be further advised.

Greg Martiensen | Assistant State Land Officer | Delivery
140 William Street, Perth WA 6000
6552 4578
www.dplh.wa.gov.au

Given that in recent times the Department sold large tracts of strategically located land to the Shire of Dardanup for a \$1 (*pers comms* Cr Michael Bennet, President Shire of Dardanup), and the shire subsequently sold the land for several millions of dollars – that the Department has put a hold on the sale pending new valuation information, may work to Boyup Brook's advantage.

8.2 Cr Alexander - Status report on progress of the Look Out Tower

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

Can we please have a status report on the progress of the investigation into the lookout tower at the old water tower site?

Acting CEO's Response

Cr Graham Aird and the shire administration met (Adrian Nicholl (Manager Development Services) by phone conference) with Mr Michael Wright and Mr Paul Broockmann (Tower proponents), and at the meeting it was established that the preferred location for the tower would be on Water Corporation controlled Reserve land.

The Tower project will need a *business plan*, and for the business plan to succeed either control of the preferred location i.e. the Water Corporation Reserve, will need to transfer to the shire, alternatively Water Corporation could allow the shire to co-locate the Tower on their Reserve. To this end the administration has been in communication with Water Corporation, and some of that correspondence is as follows:

Subject: FW: Proposed Public Viewing Tower - Reserve 24878 (Attention

From: Daniel Stevens [<mailto:Daniel.Stevens@watercorporation.com.au>]
Sent: Friday, 26 July 2019 2:52 PM
To: Shire
Cc: Stephen Carstairs
Subject: RE: Proposed Public Viewing Tower - Reserve 24878 (Attention

Hi Steven – good to talk with you just then.

As discussed, can you please provide a site plan that shows the location of the tower within the reserve, and any associated works such as access roads or car parking.

This will enable us to determine if the proposed facility can coexist with Water Corporation's assets in the event it decided to develop the site.

Kind regards,

Daniel Stevens
Snr Plnr - Property Portfolio
Procurement & Property

E Daniel.Stevens@watercorporation.com.au
T (08) 9420 3383



watercorporation.com.au
.....



Early in the week commencing Monday 12 August the Acting CEO met with Mr Daniel Stevens (Water Corporation), and at the meeting Mr Daniels determined that he would enquire of the relevant business unit within Water Corporation as to whether or not the Corporations has future interests in their Reserve to develop and install infrastructure such as a holding tank for the Boyup Brook town. Communications between the administration and Water Corporations about this Reserve is ongoing.

9 REPORTS OF OFFICERS

9.1 MANAGER WORKS & SERVICES

Nil

9.2 FINANCE

9.2.1 Levying Rates in 2019-20

Location:	N/A
Application:	N/A
File:	Policy
Disclosure of Interest:	Nil
Date:	16 August 2019
Author:	Kay Raisin - Acting Finance & HR Manager and Stephen Carstairs - Acting CEO
Authorising Officer:	Stephen Carstairs - Acting CEO
Attachments:	Yes: Rating Information - 2019-20 Financial Year

PURPOSE

This report seeks to have the Council consider and endorse proposed general rates and minimum payments for inclusion in the draft 2019-20 Annual Budget.

BACKGROUND

A report like this one was included in Council's 18 July 2019 ordinary meeting agenda and was *laid on the table* as follows:

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 18 JULY 2019

LAY ON THE TABLE

Council decided that item 9.2.5 be discussed at a workshop and be brought back to a Council meeting.

9.2.5 Levying Rates in 2019-20

Subsequently Council conducted two (2) rates workshops, and in accord with what happened at Council's 18 July 2019 meeting, this *Levying Rates in 2019-20* report is brought back for Council's consideration.

Rates revenue is a substantial source of general purpose (sometimes described as discretionary) revenue for the Shire of Boyup Brook, and in 2018-19 accounted for some 33.7% of operating expenses (Rates Coverage Ratio). Among other things, the *Local Government Act 1995* (the Act) empowers local governments to impose general rates and minimum payments on rateable land.

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

Division 2 — Annual budget

6.2. Local government to prepare annual budget

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —
- (a) the expenditure by the local government; and
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

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

A LG may impose a single general rate which applies to all of the properties in the UV or GRV categories. Alternatively, the shire can distinguish between land in either of the categories on the basis of its zoning, use, whether or not it is vacant, other criteria set by Regulation, or a combination of these factors, and rate them differently i.e. apply a differential rate to each sub-category. In 2018-19 the Shire of Boyup Brook did not impose any differential rates.

So after all the other sources of income and expenses have been recognised for a budget, the object of a rating model is to provide for the funding shortfall required to meet the needs (services, activities, financing costs and the current and future capital requirements) of the community. In 2018-19 Council budgeted to raise \$2,764,671 in rates (*ex gratia* rates not included).

For the 2019-20 financial year, Scenarios 3 in the shire's 2017-18 to 2026-27 Long Term Financial Plan (LTFP) indicated that the funds shortfalls would be some \$2,877,741, requiring a 4.25% increase on the rates to be levied in 2018-19 (\$2760,430). Given that in 2018-19 actual rates budgeted to be levied (before interims, back rates, write offs and *ex gratia* rates) was \$2,763,306, then it is reasonable to assume that the target 2019-20 figure for rates modelling purposes would approach \$2,880,746.

Increasingly, the cost for assets management is being recognised as a significant challenge for LGs in Western Australia, and so any rating model must also support

substantial transfers to and from Reserve Accounts (e.g. Plant Replacement Reserve) to fund asset renewal and replacement requirements in line with defined service levels.

The revaluation of UV properties by Landgate through May and early June of 2019 resulted in the following outcomes:

- the number of UV properties in the district remained relatively static at 958 compared to 954 for the 2018-19 year; and
- the rateable value of properties increased substantially by some \$18,902,875 (approximately 6.65%) from \$284,410,354 in 2018-19 to \$303,313,229 for 2019-20.

As from 01 July 2019 Landgate revalued GRV properties in the district as well with the following outcomes:

- there was no change in the number of GRV properties in the district; however
- the rateable value of properties increased substantially by some \$216,740 (approximately 6.25%) from \$3,462,141 in 2018-19 to \$3,678,881 for 2019-20.

COMMENT

Rates Modelling

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

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

The proposed rates to apply in 2019-20 were designed, as much as practicable, to ensure equity and contribution of rates according to land use, and approach as much as is practicable to the percentage split (GRV : Rural UV : Mining UV) as assessed in the WA Local Government Grants Commission's 2016-17 Balanced Budget.

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

For the 2019-20 financial year, and to meet the outcomes of Scenario 3 (4.25% overall increase in rates) of the LTFP, Council might consider endorsing rate in the \$ and minimum rates increases across the two (2) broad rating classes as follows:

Rate Class Min S's	2018-19			2019-20
	Rate in \$	Min \$'s	% Increase ¹	Rate in \$
GRV 973	13.4150	925	4.25	13.1509
UV 900	0.7713	875	4.25	0.7482

1. These values refer to the % increase in revenue derived from the respective (proposed) 2019-20 rate in the \$ and minimums increases for each rate class.

While the above model was designed to cover costs and fund some assets replacement in 2019-20, 2 alternative models were appraised by Council e.g. where the GRV % increases by 6.00% and UV rates increase by 9.25%. Alternatively, Council might consider endorsing the following rates model:

Rate Class Min S's	2018-19			2019-20
	Rate in \$	Min \$'s	% Increase	Rate in \$
GRV 995	13.4150	925	6.00	13.3700
UV 900	0.7713	875	9.25	0.7900

Increasing GRV by 6.00% and UV by 9.25% (i.e. an 8.69% increase overall), would have the effect of recovering some \$125,115 of rates funds additional to requirement as per the Shire's LTFFP. These funds could be quarantined in Reserve accounts to fund future Sport and Recreation facility initiatives.

Endorsing rates in the \$ and minimums at this stage, will not preclude Council from striking some other rates when adopting the 2019-20 Annual Budget. The proposed Scenario 3 general and minimum rate increases will generate in 2019-20 some \$2,880,747 (the rates pool), an increase of \$117,441 on 2018-19 (before interims, back rates, write offs and *ex gratia* rates), and refer attached to the Statement of Rating Information.

CONSULTATION

Council

STATUTORY OBLIGATIONS

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

POLICY IMPLICATIONS

Policy F.9 *Rating Strategy* has relevance for this report.

BUDGET/FINANCIAL IMPLICATIONS

The matter of this report has no implications for the shire's 2018-19 *Annual Budget* as amended. Based on property valuations at the time of writing, the proposed general rates and minimum rates of Scenario 3 are expected to yield in 2019-20 total rates revenue of \$2,880,747 representing the total rates pool. The alternative model (increasing GRV by 6.00% and UV by 9.25%) would have the effect of raising an additional \$125,115.

STRATEGIC IMPLICATIONS

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

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - ITEM 9.2.1

That Council endorses for 2019-20 *Annual Budget* preparation purposes the following proposed general rates and minimum payments to be applied from 1 July 2019 for the 2019-20 financial year:

Rate Classes	2019-20 Rate in \$	Min S's
GRV	13.1509	973
UV	0.7482	900
Or		
GRV	13.3700	995
UV	0.7900	900

9.2.2 List of Accounts Paid in July 2019

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14/08/19</i>
Author:	<i>Kay Raisin – Acting Finance Manager</i>
Authorising Officer:	<i>Stephen Carstairs – Acting Chief Executive Officer</i>
Attachments:	<i>Yes – List of Accounts Paid in July</i>

SUMMARY

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

COMMENT

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

OFFICER RECOMMENDATION – Item 9.2.2

That at its August 2019 ordinary meeting Council receive as presented the list of accounts paid in July 2019, totalling \$401,271.02 from Municipal account, \$184.95 from Trust account, \$59,611.70 from Police Licensing account and \$7.74 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20313 - 20316	\$ 9,476.73
Municipal Electronic Payments	EFT8252 – EFT8290	\$ 53,573.64
Municipal Direct Payments		\$ 338,220.65
Trust Cheques	2189 - 2190	\$ 184.95
Police Licensing Payments		\$ 59,611.70
BBELC Payments		\$ 7.74

9.2.3 31 July 2019 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	26 July 2019
Author:	Kay Raisin - Acting Finance and HR Manager
Authorizing Officer:	Stephen Carstairs - Acting CEO
Attachments:	No

SUMMARY

This report recommends that Council defer to the September 2019 ordinary meeting of Council the receiving of the Statement of Financial Activities and the Net Current Assets for the month ended 31 July 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. Details of items of Material Variances are 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)).

The 2019-20 budgetary timeline for Council to consider adopting a 2019-20 Annual Budget looks to be in the third week of August 2019. At the time of writing this report, there were no July 2019 budget figures to compare actual incomes and expenditures with, and so presentation of the 31 July 2019 Statement of Financial Activity has been deferred to Council's September 2019 ordinary meeting.

CONSULTATION

Stephen Carstairs - Acting CEO

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 33(A)

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

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION - Item 9.2.3

That receipt by Council of the shire's 31 July 2019 Statement of Financial Activity and Statement of Net Current Assets be deferred to Council's September 2019 ordinary meeting.

9.3 ACTING CHIEF EXECUTIVE OFFICER

9.3.1 Single House, Lot 6436 Six Mile Road, Boyup Brook

Location:	Lot 6436 Six Mile Road, Boyup Brook
Applicant:	K & L Tooke
File:	A9770
Disclosure of Officer Interest:	None
Date:	16 August 2019
Author:	A. Nicoll, Town 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 get approved, a Single House at Lot 6436 Six Mile Road, Boyup Brook.

Council discretion is required due to an existing house located on the same lot. The subject property is zoned 'Rural' in accordance with the Shire's Local Planning Scheme No.2. The scheme states the following at clause 5.2.6:

Not more than one single dwelling house may be erected and occupied on a lot within the Rural Zone except where Council is satisfied that an additional house is necessary or desirable for the continuation of bona fide agricultural activity.

The property owners propose to demolish the existing house once the new house is developed, in which case a conditional approval is required to ensure this occurs.

BACKGROUND

The Shire received a building permit seeking approval to develop a single house on a 'Rural' zone property.

On inspection of the property, it was revealed that a house exists at the subject lot.

The Shire's Local Planning Scheme No.2 does not support a second dwelling on a 'Rural' property unless one of the houses is necessary to accommodate a farm manager or for use as a 'Holiday Home'.

The landowner advised the intent to demolish the existing house, once the new proposed house is developed.

The Shire advised the owner that a planning application would need to be submitted in order to ensure that conditional approval is granted to ensure that the existing house is demolished.

COMMENT

It is recommended that approval is granted for the new house, subject to the existing house being demolished within two years of the date of the commencement of development of the new house.

STATUTORY OBLIGATIONS

The scheme states the following at clause 5.2.6:

Not more than one single dwelling house may be erected and occupied on a lot within the Rural Zone except where Council is satisfied that an additional house is necessary or desirable for the continuation of bona fide agricultural activity.

POLICY IMPLICATIONS

There are no policy implications that relate to the proposal.

CONSULTATION

N/A

BUDGET/FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION – ITEM 9.3.1

That Council

Grants development approval for a 'Single House' at Lot 6436 Six Mile Road, Boyup Brook, subject to the following notice:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: Lot 6436 Six Mile Road, Boyup Brook.

Description of proposed development:

Single House

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

Conditions:

1. Development is to be carried out in accordance with the approved plans dated August 2019.
2. An existing dwelling is to be demolished within two years of commencement of the new proposed Single House.
3. All stormwater is to be managed and contained on-site, to the satisfaction of the Shire of Boyup Brook.

Date of determination: 22 August 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.

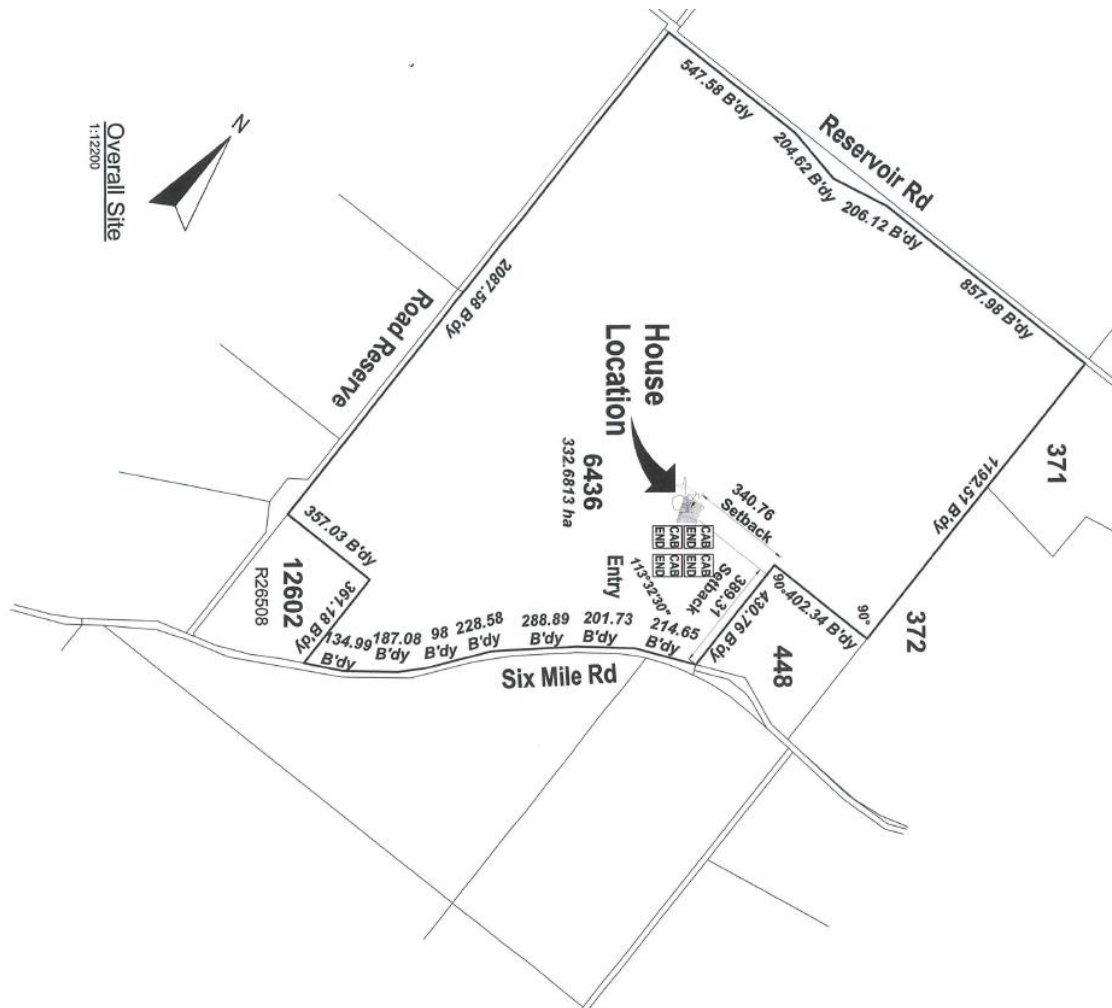
Signed:

Dated:

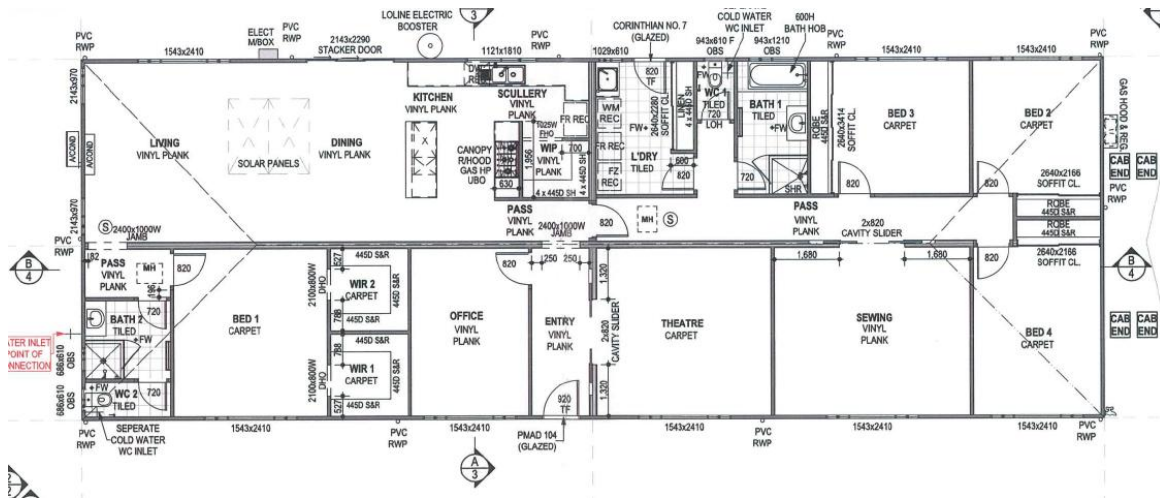
for and on behalf of the Shire of Boyup Brook.

Approved Plans – August 2019

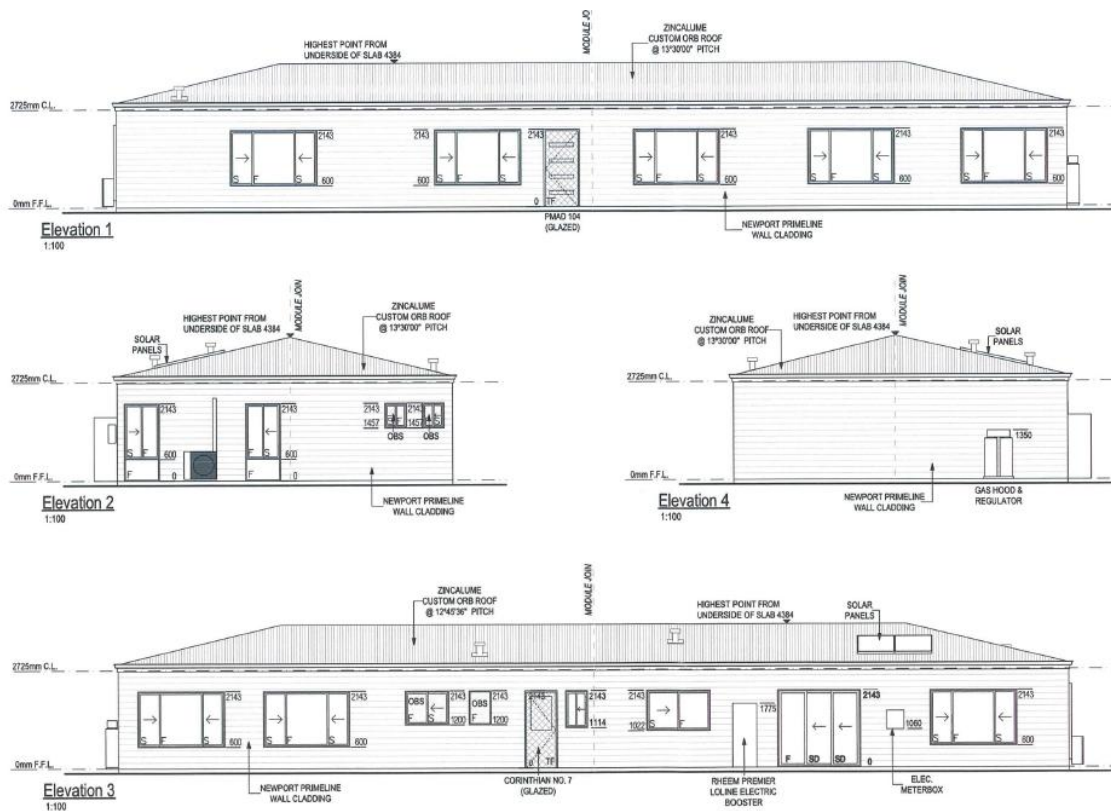
Single House - Site Plan



Single House – Floor Plan



Single House – Elevation



9.3.2 Boyup Brook District High School - Appointment of Representative

Location:	<i>Boyup Brook</i>
Applicant:	<i>Boyup Brook District High School</i>
File:	<i>BBDHS</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>15 August 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. 15 August 2019 Correspondence from Boyup Brook District High School</i>

SUMMARY

This report is brought to Council to consider appointing Cr Sarah Alexander to the Boyup Brook District High School Committee should she so choose to nominate.

BACKGROUND

At its 16 November 2017 meeting Council resolved (Res 139/17) to appoint Cr Oversby to the Boyup Brook District High School Committee, as follows:

MOVED: Cr Rear

SECONDED: Cr Muncey

That the following Committee/Representatives be appointed:-

- 6** ***That Cr Oversby be appointed as the Council Representative on the Boyup Brook District High School Board.***

CARRIED 9/0

Res 139/17

Subsequently Cr Oversby verbally resigned from the Boyup Brook District High School Committee, and now the Boyup Brook District High School (BBDHS) is inviting Council to nominate a representative to their Committee (refer attachment).

COMMENT

The Boyup Brook District High School Committee meets once a term which is every 10 weeks.

CONSULTATION - Nil

STATUTORY OBLIGATIONS

Section 5.2 of the *Local Government Act 1995* (the Act), has application 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.

Further, s.5.10.(1) and (4) of the Act have has application, as follows:

5.10. Committee members, appointment of

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

Finally, s.5.11A.(1) and (2) of the Act also have application, as follows:

5.11A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

** Absolute majority required.*

- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or

POLICY IMPLICATIONS - NIL

BUDGET/FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS - NIL

SUSTAINABILITY IMPLICATIONS - NIL

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION - ITEM 9.3.2

That Council appoints:

Cr Sarah Alexander to the Boyup Brook District High School Committee, should she so choose to nominate.

10 COMMITTEE MINUTES

10.1 Minutes of the Community Grants 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>6 May 2019</i>
Author:	<i>Stephen Carstairs-Acting CEO</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND

The Minutes of the Community Grants Committee was held on 22 July 2019.

Minutes of the meeting are attached.

OFFICER RECOMMENDATION – Item 10.1

That the minutes of the Community Grants Committee meeting held 22 July 2019 be received.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Cr Alexander - Reimbursement of Building Permit fees

Cr Alexander puts her Notice of Motion to Council as follows:

Direct the acting CEO to create a process to reimburse Shire Ratepayers for the Building and Demolition permit fees specified in the fees and charges schedule for selected buildings, based on criteria to meet the shires goals.

This incentive will be included for budgetary consideration for the 2019/20 financial year.

The goals and subsequent criteria will be:

Goal _____

Goal _____

Criteria _____

Criteria Building/Renovation must be completed before the application for reimbursement will be accepted.

Criteria The Shires' Building Surveyor will complete a building inspection to ensure work is of high standard and complies with the building code.

The duration of this incentive will be for 12 months and will be reviewed at each annual budget review.

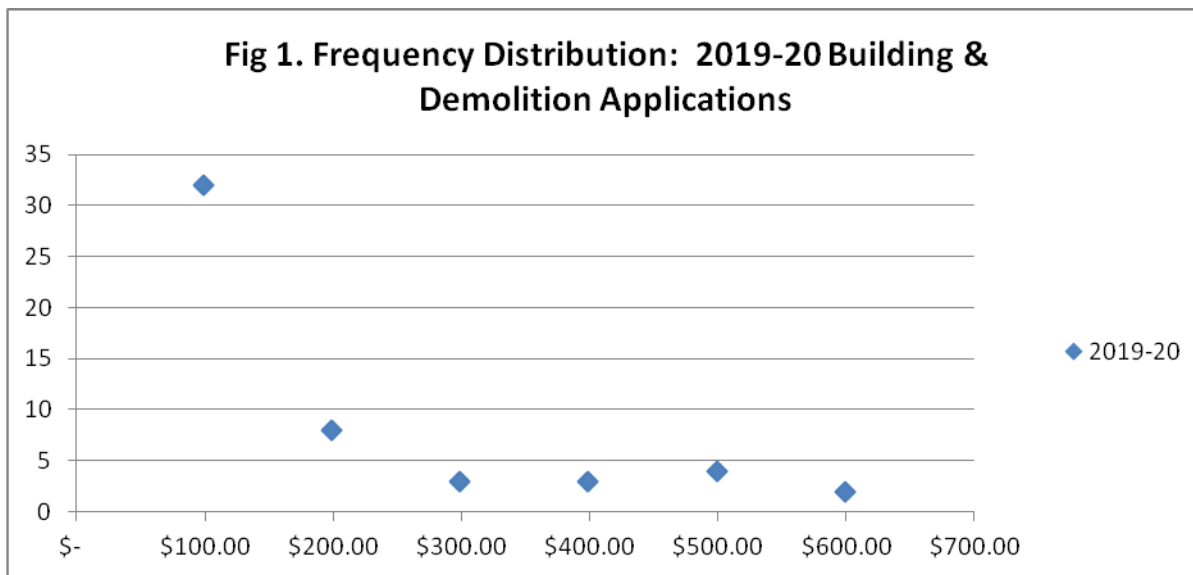
Background

The purpose of this initiative is to promote the construction and/or major renovation of quality buildings within the shire of Boyup Brook and in particular, quality accommodation to alleviate the current shortage of short term accommodation and quality housing to attract skilled workers, their families and also retirees to our shire.

Acting CEO Comment:

In the period 2014-15 to 2018-19 the 5 x year average income from building application fees was \$11,896, and in 2018-19 52 x building/demolition applications were processed for an income of \$9,728. Builds in 2018-19 were predominantly (62%) small builds (of the order \$20,000), and refer Figure 1. For the same period of time the 5 x year average employee (Building Surveyor) and associated costs was \$43,075, and in 2018-19 costs

amounted to \$45,062. So in building application fees Council is recovering about 27.5% of its costs.



The motion as proposed, requires that: “... *The Shires' Building Surveyor will complete a building inspection to ensure work is of high standard and complies with the building code...*”. Currently there is no requirement for the shire’s Building Surveyor to ‘certify’ a newly completed building as being of a high standard and compliant with the building code, and certainly these checks are not being undertaken. If Council determined that this will happen, Building Services costs could increase by 1/3rd (\$14,344) to 50%. The cost of this initiative would be more than this when you include the added finance staff costs of maintaining records and reimbursing application fees. When you add back revenue lost (\$11,896 p.a.) to this additional service cost (\$14,343 p.a.) the combined annual cost to Council of the initiative would be of the order \$26,240 not including finance staff costs.

Background to the motion proposes that: “*The purpose of this initiative is to promote the construction and/or major renovation of quality buildings within the shire of Boyup Brook ...*”, and the motion has it that: “... *The duration of this incentive will be for 12 months and will be reviewed ...*”. Thing is it could take 30 plus years of collecting data before the purpose of the initiative (... to promote ... construction ...) can be reliably tested to confirm whether or not construction had been stimulated. Over the life of such a test (30 years), the minimum total cost of this initiative to the shire would be \$26,240 x 30 = \$787,200 in today’s terms.

11..2 Cr Alexander - Health & Safety Report on the Caravan Park Cottage

Cr Alexander put a notice of motion as follows:

To have a report compiled regarding the health and safety requirements to bring the cottage up to standard for short stay accommodation at the flax mill.

The costings will be included for budgetary consideration for the 2019/20 financial year.

Comment: Angela Hales – Environmental Health, Gary Bruhn – Building surveyor and Stephen Carstairs – Acting CEO

Environmental Health and Safety

The cottage was inspected on 13 August 2019, and concerns as follows will need to be addressed:

- Beds currently exceed the floor space and ablutions provided (1 x DB, 4 x SB, 4 x SB)
- Lack of privacy for bedrooms - walk through/adjoining rooms converted into bedrooms
- There are cleaning and hygiene standards around bed linen (Health Local Laws)
- Exit sign currently not illuminated - (tubes or battery)
- 1 x smoke alarm in entry (required in each bedroom if multiple accommodation - unsure if hard wired)
- No fire-fighting appliances (extinguisher or fire blanket)
- Switchboard currently not enclosed/locked
- No laundry provided (required if caretakers cottage)
- Paving around entry door uneven and large hole near step covered by carpet/mat
- Evidence of a history of white ants in large beam and internal walls (unsure of treatment date & any follow up inspections)
- No appropriate stove provided, space in kitchen to locate under exhaust hood

Value to the Community

The Flax Mill Cottage is on the Municipal Inventory, meaning Council and the administration should investigate this point further to establish the appropriate possibilities for the building.

Considerations would include:

- How much does the community love this building?

- Do the people of Boyup Brook have an assumed/perceived ownership of the building?
- Would there be strong opposition to the possibility of demolition?
- Should the Shire seek public consultation, or could Council simply vote on the building's future?

Building Services

The cottage was inspected on 13 August 2019, and concerns as follows will need to be addressed:

- At the end of any improvement process the Shire will still have an old building and everything has a use by date and there needs to be consideration for new verses old.
- There is Asbestos on this building and though this is not currently a problem when left in situ, we don't know about any future legislative changes. Also it is a difficult product to work around using current legislation. OHS requirements do not permit sawing, drilling, water blasting etc, any future use or works need to consider this problem.
- Occupier expectations, the cottage appears to have been caught in a time warp may have once been acceptable for low budget sporting clubs of the 1970s, but in 2019 accommodation is more refined.
- We need to consider what visitors take away as an image of Boyup Brook and we should put our best foot forward, it is not good enough to have a failing building with a kitchen, beds, décor etc that one would not be prepared to live in yourselves.
- The floor is uneven and requires restumping to level the floor. The space under a floor is called a crawl space and its purpose is for ventilation and maintenance. Unfortunately in this instance the crawl space is too small to access the underside of the floor for maintenance including stump replacement.
- At some stage in the past there has been substantial termite damage, the extent of the damage is unknown and there are signs of termite infestation throughout the building.
- Looking at the kitchen sink and the tap ware probably dating to 1960s/70s and there is a likelihood that the plumbing may require upgrading.
- The chances that the electrical wiring has been upgraded are low and looking at the electrical sub board would indicate limited work has taken place.
- Currently there are 3 main rooms with beds. The main bedroom has a sliding door and access to the WC and bathroom is via the other rooms which are bedrooms. There are no internal screening walls or doors to the other rooms.
- Most accommodation in 2019 includes a dining/ lounge sitting area. This was not evident at the time of my visit.

- The building requires a makeover with cupboards, curtains, painting, floor coverings and appliances.
- I express concern that the number of beds in what appears a small cottage is over use for its current purpose.
- Hanging space for clothing etc, draws were not observed during the visit.
- There are no *mod cons*, no television, and the beds looked old and tired.

Concluding Comment

There is allocation in the 2019-20 for a Tourism, Area Promotion and Caravan Park Business Plan, and it is envisaged that the business plan team would commence their work in October 2019. It seems appropriate to wait for the business plan to become available, and then commence the process of addressing the fate of the Cottage.

Officer Recommendation

That Council defer making decisions about the fate of the Caravan Park Cottage until the shire's *Tourism, Area Promotion and Caravan Park Business Plan* has been completed.

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

12.1 Memorandum of Understanding: Warren Blackwood Sub-Regional Prospectus

<i>Location:</i>	<i>Warren-Blackwood Region</i>
<i>Applicant:</i>	<i>South West Development Commission</i>
<i>File:</i>	<i>SWDC</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>21 August 2019</i>
<i>Author:</i>	<i>Joanna Kay - Research and Development Coordinator and Stephen Carstairs - Acting CEO</i>
<i>Authorizing Officer:</i>	<i>Stephen Carstairs - Acting CEO</i>
<i>Attachments:</i>	<i>1. Warren Blackwood Sub-Regional Prospectus 2. Proposed Memorandum of Understanding: Warren Blackwood Sub-Regional Prospectus</i>

SUMMARY

The purpose of this report is to put the Warren Blackwood Sub-Regional Prospectus Memorandum of Understanding (MOU) before Council, and for Council to designate both a Shire of Boyup Brook signatory and Shire of Boyup Brook *point of contact* (POC) to the MOU.

BACKGROUND

During the latter part of 2018 the President, shire administration and Billy Wellstead (Regional Development Coordinator-South West Development Commission (SWDC)) engaged in the development of the Warren Blackwood Sub-Regional Prospectus (the Prospectus). The Prospectus was developed to attract attention to opportunities that can be found in the South West of Western Australia.

The purpose of the MOU is to define the services and key project parameters to be provided by the shires and SWDC.

COMMENT

The MOU has merit as it establishes:

- responsibility for maintaining content and public access to the Prospectus;
- responsibility for printing expenses (example given);
- responsible parties in each institution i.e. the *point of contact* (POC); and
- a mechanism for modifying, extending, or terminating (with 180 days notice) the MOU.

CONSULTATION

Cr Graham Air - Shire President and Billy Wellstead - Regional Development Coordinator (South West Development Commission)

STATUTORY OBLIGATIONS - Nil

POLICY IMPLICATIONS - Nil

BUDGET/FINANCIAL IMPLICATIONS

The MOU requires that a shire POC will be identified to implement the MOU, and so a minimal annual officer time cost will be incurred in addition to the printing cost (\$1,448 per 500 prospectuses).

STRATEGIC IMPLICATIONS

The Warren Blackwood Sub-Regional Prospectus was developed to provide:

- a strategic overview of sub-regional economic and social priorities; and
- alignment with regional and State development documents, including the SW Regional Blueprint.

SUSTAINABILITY IMPLICATIONS

- **Environmental** - Nil
- **Economic**
There are no known adverse economic issues.
- **Social**
Refer above to the *Strategic Implications* section in this report.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION - ITEM 12.1

That Council:

1. Receives the Warren Blackwood Sub-Regional Prospectus as attached.
2. Approve the Warren Blackwood Sub-Regional Prospectus Memorandum of Understanding (MOU) as attached for signing.
3. Designate the Shire President as the shire signatory to the Warren Blackwood Sub-Regional Prospectus MOU, and direct the Acting CEO to designate a shire point of contact (POC) to implement the plan.

12.2 2020/21 Regional Road Group Project Submissions

Location:	<i>Boyup Brook Shire</i>
Applicant:	
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>21st August 2019</i>
Author:	<i>Steele Alexander</i>
Authorizing Officer:	<i>Stephen Carstairs</i>
Attachments:	<i>RRG Submissions (5)</i>

SUMMARY

The Shires Regional Road Group project funding applications for the 2020/21 financial year have been prepared and are ready for submission. Application forms include a 5-year works and budget projection which requires Council endorsement.

BACKGROUND

State government funding for local government road projects is administered by the State Funds to Local Government Advisory Committee. Regional Road Groups advise the committee on required funding with one method being prioritised annual project submissions from local Government. Regional Road Groups also have a responsibility to establish a 5-year funding distribution plan and this is informed by 5-year projections being provided by Local Government as part of their project submissions.

The Shire currently has two ongoing road improvement projects:

- Boyup Brook-Arthur Road – 11 year project from 2013/14 to 2023/24
- Boyup Brook-Cranbrook Road – 14 year project from 2013/14 to 2027/28

A submission for Winnejup road has been prepared as a third project. This is proposed to be a 7 year project from 2020/21 to 2026/27.

Submissions for funding in the 2020/21 year are available as attachments. Submissions prepared last year for the 2019/20 year are included for historical reference. Submission documents include a project scope which outlines the type of work undertaken, the section of road, the project duration (in years), and the estimated total cost. The bulk of each submission consists of a scoring

system to establish the regional priority of the project. The 5-year projections are of relevance to this report and are shown below:

Boyup Brook-Arthur Road Project

Year	Grant Funds	LGA Funds	Total
2020/21	\$334,000	\$167,000	\$501,000
2021/22	\$351,000	\$176,000	\$527,000
2022/23	\$368,000	\$184,000	\$552,000
2023/24	\$386,000	\$193,000	\$579,000
2024/25	Ongoing Project Expires		

Boyup Brook-Cranbrook Road Project

Year	Grant Funds	LGA Funds	Total
2020/21	\$212,000	\$106,000	\$318,000
2021/22	\$222,000	\$111,000	\$333,000
2022/23	\$234,000	\$117,000	\$351,000
2023/24	\$246,000	\$123,000	\$369,000
2024/25	\$258,000	\$129,000	\$387,000
2025+	\$555,000	\$228,000	\$783,000

Winnejup Road Project

Year	Grant Funds	LGA Funds	Total
2020/21	\$150,000	\$75,000	\$225,000
2021/22	\$158,000	\$79,000	\$237,000
2022/23	\$165,000	\$83,000	\$248,000
2023/24	\$174,000	\$87,000	\$261,000
2024/25	\$182,000	\$91,000	\$273,000
2025+	\$390,000	\$195,000	\$585,000

COMMENT

The project submissions for the 2020/21 year represent a Shire commitment to provide funds (1/3) and undertake the works for that year only; the 5-year cost projections are estimates. The Regional Road Group requires projections for their planning however the Shire is free to vary expected costs with each year's submission as long as the overall project scope remains unchanged. However, these projections should be considered by Council to be an accurate expectation of the Shires 5-year Regional Road Group project plan.

CONSULTATION

Bret Howson (Consultant Engineer)
Bronwyn Albury (MRWA Asset Management Officer & SWRRG Secretary)

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Funding of the ongoing projects will continue to be a budgetary consideration.

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues.
- **Economic**
Continued funding of these road projects supports existing and future economic activity.
- **Social**
Continued funding of these road projects improves public safety for users of the network.

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION - ITEM 12.2

That Council endorses the 5-year project plans for inclusion in the Regional Road Group submissions for the 2020/21 financial year, as follows:

Boyup Brook-Arthur Road Project

Year	Grant Funds	LGA Funds	Total
2020/21	\$334,000	\$167,000	\$501,000
2021/22	\$351,000	\$176,000	\$527,000
2022/23	\$368,000	\$184,000	\$552,000
2023/24	\$386,000	\$193,000	\$579,000
2024/25	Ongoing Project Expires		

Boyup Brook-Cranbrook Road Project

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Winnejup Road Project

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2023/24	\$174,000	\$87,000	\$261,000
2024/25	\$182,000	\$91,000	\$273,000
2025+	\$390,000	\$195,000	\$585,000

and per attachment.

13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

13.1 Balance of Community Grants Pool 2019/2020

(Refer to separate attachment)

13.2 Confidential Report: Football Club Lease - Clubroom and Change Rooms

(Refer to separate attachment)

13.3 Appointment of CEO Recruitment Agency

(Refer to separate attachment)

13.4 2018-19 Grants Register, Extraordinary Grants and other Community, Sport, Recreation, and Culture Expenditure in 2018-19

OFFICER RECOMMENDATION - ITEM 13.4

1. That Council receives the *2018-19 Income and Expenses Register for Facilities, Events, and Community Groups and Associations* as presented in the *Comment* section in this report.
2. That Council directs the Acting CEO to commence the process of engaging with community groups and drawing up a Country Music Festival and other events service delivery plan.
 - A Halls Service Delivery Plan;
 - A Miscellaneous Clubs (e.g. Craft, Museum, Pistol) Service Delivery Plan;
 - A Memorials Service Delivery Plan;
 - A Tourism Centre Service Delivery Plan;
 - A Country Music Festival and Other Events Service Delivery Plan;
 - A Sporting Clubs Service Delivery Plan,and report back to Council at its October 2019 ordinary meeting on progress made with drawing up these service delivery plans.
3. That Council directs the Acting CEO to assign to a shire officer the responsibility of ensuring that shire facilities, events, community groups and associations are serviced in accord with the shire's service delivery plans.
4. That given the Shire of Collie determined that the average 2017-18 cost recovery across its sporting facilities was 6%, Council directs the Acting CEO to conduct a similar exercise for the Shire of Boyup Brook, and bring the results of that exercise back to Council in February 2020.

14 CLOSURE OF MEETING

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