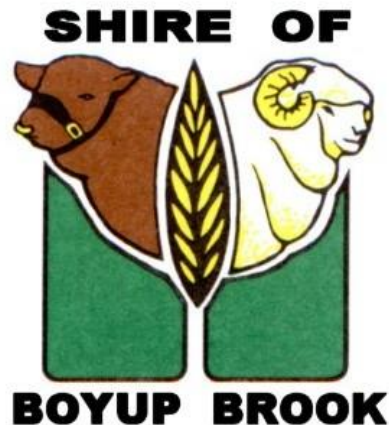


Minutes



ORDINARY MEETING

held on

THURSDAY 21 May 2020
Commenced AT 5.00PM

SHIRE OF BOYUP BROOK
CHAMBERS
ABEL STREET-BOYUP BROOK

Meeting was closed to the Public
due to COVID-19 restrictions

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RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

1.1 Attendance

Cr R Walker - Shire President
Cr S Alexander
Cr P Kaltenrieder
Cr K Moir
Cr H O'Connell
Cr T Oversby
Cr A Price
Cr E Rear

STAFF: Mr Chris Smith (CEO)
Mr Peter Dittrich (Manager Governance)
Ms Vanessa Crispe (Coordinator Works, Projects and Assets)
Mrs Maria Lane (Executive Assistant)

1.2 Apologies

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

Cr O'Connell declared an impartiality interest in item 13.3
Cr Price declared an impartiality interest in item 13.3

6 CONFIRMATION OF MINUTES

6.1 Ordinary Council Minutes - 16 April 2020

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1

MOVED: Cr O'Connell

SECONDED: Cr Rear

That the minutes of the Ordinary Council Meeting held on Thursday 16 April 2020 be confirmed as an accurate record.

CARRIED 8/0

Res 65/20

7 PRESIDENTIAL COMMUNICATIONS

- | | |
|---------------|--|
| 24 April 2020 | South West Zone meeting (phone conference). |
| 29 April 2020 | DPIRD phone conference was held with Tim Thompson , Coordinator, Officer of RBGs, DPIRD, Chris Smith, Victoria Aitken(Invasive Species & Environmental Biosecurity, DPIRD and Tim Stevens (Regional Biosecurity Coordinator) |
| 30 April 2020 | COVID-19 Team Meeting (phone conference) |
| 1 May 2020 | Telephone conference with Adrian South(Chairman) from BBI |
| 7 May 2020 | Attended the works depot BBQ |
| 7 May 2020 | Community Grants Committee meeting |
| 11 May 2020 | Visited Rylington Park |
| 13 May 2020 | Attended Wilga Hall Committee meeting |
| 14 May 2020 | Rylington Park Transitional Committee meeting |
| 19 May 2020 | Briefing session |

The Shire President mentioned the passing of John Roberts and Denize Cooper and condolences go out to family and friends.

The Shire President acknowledged that the road crew did a fantastic job of cleaning up after stormy weather.

8 COUNCILLORS QUESTIONS ON NOTICE

Nil

9 REPORTS OF OFFICERS

Cr Price attended the CRC Management meeting.

Cr O’Connell attended the CRC Management meeting.

Cr Oversby will be attending the Agricultural meeting soon.

Cr Rear mentioned the passing of Carmen Curran-Lord and condolences go out to Sam and the family.

9.1 MANAGER WORKS & SERVICES

9.1.1 Budget Variation – Ammann Multi Tyred Roller

Location:	Not applicable
Applicant:	Not applicable
Disclosure of Interest:	Nil
Date:	14 May 2020
Authors:	Peter Dittrich – Manager Governance
Authorizing Officer:	Chris Smith - CEO
Attachments:	Yes. Multi Tyred Roller Evaluation Sheet and Hire Quotes

PURPOSE

For Council to consider and authorise a budget amendment to allow the transfer of funds from the Plant Reserve and authorise the purchase of a Multi Tyred Roller.

BACKGROUND

In undertaking winter grading and the re-sheeting of gravel roads it has been identified that the Shire requires a second heavier Multi Tyred Roller.

COMMENT

The cost of hiring a Multi Tyred Roller for the work required over a 20 week period was identified as being two thirds of the cost of purchasing a second hand item of plant.

The CEO reviewed the plant items available and authorised the Shire Mechanic to inspect and report on the plant available in the local market. The Mechanic identified a suitable item of plant.

CONSULTATION

Shire Mechanic

Chief Executive Officer

STATUTORY ENVIRONMENT

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an

additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

POLICY IMPLICATIONS

Nil.

BUDGET IMPLICATIONS

Budget to be amended to reflect the transfer of funds from reserve and the purchase of a plant item.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENT

Absolute Majority.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.1

MOVED: Cr Rear

SECONDED: Cr O’Connell

That Council:

1. Authorises the transfer of the sum of \$30,000 from the Plant Reserve; and
2. Authorises the budget amendment for the purchase of a Multi Tyred Roller for the sum of \$30,000 excl GST

CARRIED BY ABSOLUTE MAJORITY

Res 66/20

COUNCIL DECISION

MOVED: Cr O’Connell

SECONDED: Cr Alexander

That the Council adopts enbloc 9.2.1 and 9.2.2.

CARRIED BY ENBLOC 8/0

Res 67/20

9.2 FINANCE

9.2.1 List of Accounts Paid in April 2020

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>07/05/20</i>
Author:	<i>Carolyn Mallett - Accountant</i>
Authorising Officer:	<i>Peter Dittrich – Manager Governance</i>
Attachments:	<i>Yes – List of Accounts Paid in April</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in April 2020 are presented to Council.

BACKGROUND

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 30 April 2020.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 30 April 2020.

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 2019-20 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.1

That at its May 2020 ordinary meeting Council receive as presented the list of accounts paid in April 2020, totalling \$819,453.59 from Municipal account, \$43,042.10 from Police Licensing account and \$6.60 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20376 - 20388	\$ 42,714.48
Municipal Electronic Payments	EFT9175 – EFT9278	\$ 464,180.43
Municipal Direct Payments		\$ 312,558.68
Police Licensing Payments		\$ 43,042.10
BBELC Payments		\$ 6.60

CARRIED BY ENBLOC 8/0

Res 68/20

9.2.2 30 April 2020 Statement of Financial Activity

Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	15 May 2020
Authors:	Peter Dittrich – Manager Governance
Authorizing Officer:	Chris Smith - CEO
Attachments:	30 April 2020 Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 30 April 2020.

BACKGROUND

Section 6.4 of the Local Government Act 1995 places financial reporting obligations on local government operations.

Regulation 34.(1)–(4) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a *Statement of Financial Activity*.

The regulations also prescribe the content of the reports, and that details of items of Material Variances shall also listed.

COMMENT

It is a statutory requirement that the statement of financial activity be prepared each month (Regulation 34.(1A)), and that it be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates (Regulation 34.(4)(a)).

CONSULTATION - Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 34.(1A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(4)(a)

POLICY IMPLICATIONS - Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.2.2

That having had regard for any material variances, Council receive the 30 April 2020 Statements of Financial Activity and Statements of Net Current Assets, as presented.

CARRIED BY ENBLOC 8/0

Res 69/20

9.2.3 Policy F.01 Investments and Surplus Funds Policy

Location:	Shire Boyup Brook
Applicant:	N/A
File:	Policy
Disclosure of Officer Interest:	None
Date:	13 May 2020
Author:	Maria Lane (Executive Assistant)
Authorizing Officer:	Christopher Smith (Chief Executive Officer)
Attachments:	Yes: Proposed Policy F.01 Investments and Surplus Funds Policy

SUMMARY

Council is requested to consider and adopt reviewed finance policy F.01 *Investments and Surplus Funds Policy* (as attached).

BACKGROUND

This policy was last reviewed in 2017 and adopted by Council on 16 November 2017. To ensure compliance with the required review timeline, a review of this policy has been undertaken.

COMMENT

Further information has been included under section b) Counterparty Credit Framework (please refer to the attachment)

CONSULTATION

Chief Executive Officer

STATUTORY OBLIGATIONS

The *Local Government Act 1995* prescribes that the role of Council includes:

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

(2) When investing money under section 6.14(1), a local government may not do any of the following —

- (a) deposit with an institution except an authorised institution;*
- (b) deposit for a fixed term of more than 3 years;*

(c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;

(d) invest in bonds with a term to maturity of more than 3 years;

(e) invest in a foreign currency.

[Regulation 19C inserted in Gazette 20 Apr 2012 p. 1701; amended in Gazette 12 May 2017 p. 2469.]

POLICY IMPLICATIONS

Policy F.01 Investments and Surplus Funds should be read in conjunction with other finance policies.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

Finance policy F.01 seeks to improve the management of risk as it relates to the investment of Council's surplus funds.

SUSTAINABILITY IMPLICATIONS

- **Environmental** – Nil
- **Economic** – See the section on *Strategic Implications*.
- **Social** – Nil

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.2.3

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council adopts reviewed finance policy F.01 *Investments and Surplus Funds Policy*, as presented.

CARRIED 8/0

Res 70/20

9.2.4 New Policy – Financial Hardship Policy

Location:	Shire Boyup Brook
Applicant:	N/A
File:	Policy
Disclosure of Officer Interest:	None
Date:	13 May 2020
Author:	Peter Dittrich (Manager Governance)
Authorizing Officer:	Christopher Smith (Chief Executive Officer)
Attachments:	Draft Financial Hardship Policy Application Form – Financial Hardship Rate Relief

SUMMARY

This policy sets out Council guidelines for the assessment of requests for rates and charges relief due to financial hardship. This policy is presented for adoption by Council.

BACKGROUND

The Shire of Boyup Brook does not have a policy in relation to Financial Hardship. On 8th May the Minister of Local Government Sport and Cultural Industries made the following announcement in respect of rate instalment and penalty interest rates:

- *Penalty interest reduced from a maximum of 11% to 8% (in-line with ATO penalty rates)*
- *Instalment interest to remain at 5.5% if a Local Government has a Hardship Policy, and to be a max of 3% if a Local Government does not have a hardship policy.*
- *For those that are in hardship and meet the Local Government Hardship policy eligibility, then no penalty interest or instalment interest rate applies. Each Local Government decides on approving the application for hardship.*

COMMENT

The Shire acknowledges that due to exceptional circumstances ratepayers may at times encounter difficulty in paying rates and service charges as they fall due.

It is not the intention of the Shire to cause hardship to any ratepayer through the Shire's recovery procedures and consideration will be given to acceptable

arrangements to clear any debt, where possible, prior to the end of the relevant financial year.

CONSULTATION

Chief Executive Officer

WALGA

Other Shires

STATUTORY OBLIGATIONS

Local Government Act 1995

POLICY IMPLICATIONS

New Policy.

BUDGET/FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 9.2.4

MOVED: Cr O'Connell

SECONDED: Cr Oversby

That the Council resolve to adopt the new policy F.15 Financial Hardship Policy.

CARRIED 8/0

Res 71/20

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Public Health Project Plan

Location:	N/A
Owner:	N/A
File:	
Disclosure of Officer Interest:	none
Date:	9 th May 2020
Author:	Angela Hales – Environmental Health Officer
Authorizing Officer:	CV Smith – CEO
Attachments:	Public Health Project Plan

SUMMARY

The *Public Health Act 2016* (The Act) requires local governments to develop a Public Health Plan that is comprehensive and includes a set of proposed activities that informs the way in which public health is managed within a local government. It is also to provide an avenue of communication to the local community.

The plan will take time to develop to ensure it meets community and organizational needs, this is outlined in the attached project plan.

The purpose of this item is to seek Councils support to adopt the project planning process.

BACKGROUND

In 2016, the *Public Health Act 2016* was introduced to provide a modern more flexible and risk-based approach to public health regulation. Part 2, division 2 stipulates that local governments must initiate, support and manage public health planning for its district.

The Act provides a framework that promotes and manages current and emerging public health risks in WA. Under this new Act, all Local governments are required to develop a Public Health Plan that addresses the requirements of Part 2 of the Act.

COMMENT

Development of the plan will require collaboration and analysis of local health data with both internal and external stakeholders. The general community will be asked to comment via an online survey, which will be available in alternative formats, and individual and group interviews.

CONSULTATION

Department of Health – Environmental Health Directorate

STATUTORY OBLIGATIONS

Public Health Act 2016, as amended

The Plan must align with the objectives of the State Public Health Plan 2019-2024, and be evidence based.

POLICY IMPLICATIONS

Public Health Policy to be developed as part of the plan.

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.
- **Governance**

OUTCOMES	OBJECTIVES	PRIORITIES
Council and Community Leadership	Provide leadership on behalf of the community.	<ul style="list-style-type: none"> ✦ Lobby and advocate for improved services, infrastructure, and access to. ✦ Advocate for the strengthening of health and education services. ✦ Develop partnerships with stakeholders to enhance community services and infrastructure.
	Foster community participation and collaboration.	<ul style="list-style-type: none"> ✦ Support volunteers and encourage community involvement in community groups and organisations. ✦ Partner in specific projects including community contributions.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.3.1

MOVED: Cr Rear

SECONDED: Cr Alexander

That Council endorses the draft Public Health Project Plan as per attachment.

CARRIED 8/0

Res 72/20

9.3.2 Change name on Certificate of Titles

<i>Location:</i>	N/A
<i>Applicant:</i>	N/A
<i>Disclosure of Officer Interest:</i>	None
<i>Date:</i>	14 May 2020
<i>Authors:</i>	Joanna Kaye - Research and Development Coordinator
<i>Authorizing Officer:</i>	Christopher Smith CEO
<i>Attachments:</i>	Yes. Forms to be signed and sealed.

SUMMARY

The purpose of this report is to complete the forms, sign and affix the Shire of Boyup Brook seal to enable the name change from properties that are registered under 'Upper Blackwood Road Board' and 'Shire of Upper Blackwood' to the correct name of Shire of Boyup Brook.

BACKGROUND

The below properties are registered under 'Shire of Upper Blackwood':

1. Lot 59 on Deposited Plan 130069 – 40 Forrest Street: Tourism Office and Abel Street Park.
2. Lots 15 and 16 on Deposited Plan 120096 – 3 and 1 Main Street, Mayanup: Mayanup Hall
3. Lot 16 on Deposited Plan 222385 – 1 Upper Blackwood Road, Dinninup

Lot 59 Forrest St



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
505889	1353920	F130069	59	130069	1353.973	40 Forrest Street, BOYUP BROOK 6244	1035000618	1035/618	UPPER BLACKWOOD ROAD BOARD	A000001A

Mayanup Hall



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
514199	1941957	F120096	15	120096	1011.724	3 Main Street, MAYANUP 6244	1229000386	1229/386	UPPER BLACKWOOD ROAD BOARD	A000001A
514195	1941958	F120096	16	120096	1011.724	1 Main Street, MAYANUP 6244	1229000386	1229/386	UPPER BLACKWOOD ROAD BOARD	A000001A

Lot 16 - Dinninup



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
514996	1882700	P222385	16	222385	1009.477	1 Upper Blackwood Road, DINNINUP 6244	794000106	794/106	UPPER BLACKWOOD ROAD BOARD	T.18212/1960

The below properties are registered under 'Shire of Upper Blackwood':

1. Lot 336 on Deposited Plan 11985 – 112 Jackson Street: Flax Mill
2. Lot 201 on Deposited Plan 301850 – Lot 201 Stanton Road

3. Lot 50 on Deposited Plan 130069 – 18 Inglis Street: Known as 16 Forrest Community Housing Duplex.

Lot 336 Jackson Street



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
506724	1854114	D011985 336	11985	336	159849.518	111 Jackson Street, BOYUP BROOK 6244	1337000336	1337/838	SHIRE OF UPPER BLACKWOOD	A000001A

Lot 201 – Stanton Rd



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
521244	3413620	P301850 201	301850	201	44819		1268000330	1268/330	SHIRE OF UPPER BLACKWOOD	T 2025/1963

Lot 50 Inglis St



ACTION ?

Polygon No	Land Id	Pi Parcel	Survey No	Lot No	Land Area	Street Address	Title Iden	Formatted	Proprietor	Document_i
505960	1853911	P130069 30	130069	30	1042.318	18 Inglis Street, BOYUP BROOK 6244	000238000033A	239/33A	SHIRE OF UPPER BLACKWOOD	A000001A

COMMENT

The Shire of Boyup Brook is the same entity as the Upper Blackwood Road Board and the Shire of Upper Blackwood. The Government Gazette passed on 30 May 1969 states that the Shire of Upper Blackwood changed its name to the Shire of Boyup Brook see below:

30 May, 1969.]

GOVERNMENT GAZETTE, W.A.

Local Government Act, 1960-1968.

Shire of Upper Blackwood.

Alteration of Name.

ORDER IN COUNCIL.

L.G. 18/53.

WHEREAS it is provided by paragraph (e) of sub-section (2) of section 12 of the Local Government Act, 1960-1968, that the Governor by Order made after effective presentation to him of a petition bearing the Common Seal of a municipality, may alter the name of a municipality; and whereas the Municipality of the Shire of Upper Blackwood by its Council, has submitted a petition praying that the name of the municipality be altered to that of the Shire of Boyup Brook; and whereas it is considered expedient that the prayer of the petition should be granted: Now, therefore, His Excellency the Governor, acting by and with the advice and consent of the Executive Council, doth hereby alter the name of the Municipality of the Shire of Upper Blackwood to that of the Shire of Boyup Brook.

W. S. LONNIE,
Clerk of the Council.

consent of the Executive Council, doth hereby alter the name of the Municipality of the Shire of Upper Blackwood to that of the Shire of Boyup Brook; and whereas it is considered expedient that the prayer of the petition should be granted: Now, therefore, His Excellency the Governor, acting by and with the advice and consent of the Executive Council, doth hereby alter the name of the Municipality of the Shire of Upper Blackwood to that of the Shire of Boyup Brook.

Sh:

The construction main about two thousand feet in length complete with necessary apparatus and

This Order in Council made on the 30th day of May, 1969.

C:

Workers' Compensation

ORD

WHEREAS it is enacted by section 12 of the Workers' Compensation Act, 1960-1968, that the Governor by Order made after effective presentation to him of a petition bearing the Common Seal of a municipality, may alter the name of a municipality; and whereas the Municipality of the Shire of Upper Blackwood by its Council, has submitted a petition praying that the name of the municipality be altered to that of the Shire of Boyup Brook; and whereas it is considered expedient that the prayer of the petition should be granted: Now, therefore, His Excellency the Governor, acting by and with the advice and consent of the Executive Council, doth hereby alter the name of the Municipality of the Shire of Upper Blackwood to that of the Shire of Boyup Brook.

The Landgate Change of Name form is to be affixed with the Common Seal and signed by the Shire President and CEO. The forms will then be returned to McLeods, who will lodge the forms on behalf of the Shire.

CONSULTATION

McLeods

STATUTORY OBLIGATIONS - Nil

POLICY IMPLICATIONS – Yes

POLICY NO.	A.09
POLICY SUBJECT	Use of Common Seal and the Signatories for Contract Execution
ADOPTION DATE	17 June 2004
VARIATION DATE	22 December 2007

Objective

To set out the procedures to be followed when there is a requirement to use the common seal.

Statement

The following applies to the use of the common seal and signatures when a document requires this method of completion:-

- 1 is to be used only when Council has previously authorised the action contained within the document being signed;
- 2 be affixed in the presence of the Shire President and Chief Executive Officer.

The document is to be completed in the following manner:-

The common seal of Shire of Boyup Brook was hereunto affixed and signed by the authority of a resolution of the Council in the presence of:

Shire President

Chief Executive Officer

BUDGET/FINANCIAL IMPLICATIONS

Fee to change name on 6 properties \$632.00.

STRATEGIC IMPLICATIONS - Yes

Planned development	Create land use capacity for industry	<ul style="list-style-type: none"> + Progress Local Planning Strategy to ensure commercial and industrial opportunities are maximised. + Advocate for provision of sewerage solutions to permit more intensive land use in town.
---------------------	---------------------------------------	--

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.2

MOVED: Cr Alexander

SECONDED: Cr Oversby

That Council:

1. Approve the change of name on the title for properties from Upper Blackwood Road Board and Shire of Upper Blackwood to the Shire of Boyup Brook.
2. Authorise the President and the Chief Executive Officer to affix the common seal to the Change of Name document and to sign the document to attest that the common seal was so affixed.

CARRIED 8/0

Res 73/20

10 COMMITTEE MINUTES

10.1 Humanities Committee Minutes - 7 May 2020

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 10.1

MOVED: Cr Alexander

SECONDED: Cr O'Connell

That the minutes of the Humanities Committee Meeting held on Thursday 7 May 2020 be confirmed as an accurate record with the following amendment:

On the last page – remove Carried 9/0 and replace with Carried “8/0”.

CARRIED 8/0

Res 74/20

10.2 Rylington Park Transitional Committee – 14 April 2020

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 10.2

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That the minutes of the Rylington Park Transitional Committee Meeting held on Tuesday 14 April 2020 be confirmed as an accurate record.

CARRIED 8/0

Res 75/20

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

12.1 Lot 1 Forrest Street – Housing Development

Location:	<i>Lot 1 Forrest Street</i>
Applicant:	<i>Shire Boyup Brook</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>May 2020</i>
Author:	<i>A. Nicoll, Town Planner</i>
Authorizing Officer:	<i>Chris Smith, Chief Executive Officer</i>
Attachments:	<i>Request Expression of Interest - document</i>

SUMMARY

The purpose of this report is to seek Council support to solicit meaningful responses from relevant proponents to provide a design for:

1. Eight (8) dwellings at Lot 1 Forrest Street; and
2. A Septic Tank Effluent Disposal system (community scheme to service the 8 dwellings) at a location yet to be confirmed.

BACKGROUND

In 2016, Council agreed to rezone the Lot 1 Forrest Street from 'Parks and Recreation Reserve' to 'Residential R15/R30'.

The intent is to develop the subject land for residential purposes to cater for demand for holiday accommodation, workers accommodation and/or aged accommodation.

The Shire has developed the attached 'Request for Expressions of Interest' document.

The purpose of the 'Request for Expression of Interest', is to lead to a design and construct contract initially for two dwellings with the successful bidder having the right to complete the balance of six buildings within the next 3-year period at the same price.

This will be a two-phase process. Firstly, the expression of interest stage which will result in the successful bidder entering as A S4000 Design and Construct Contract.

COMMENT

The subject Lot is currently vacant, the Lot is zoned Residential and the Lot has a dual density coding of R15/30.

Where a Lot has a dual density coding, the local government may approve residential development at the higher density code (R30), subject to the development connecting to a Septic Tank Effluent Disposal System.

The R-Codes supports an average of one dwelling for every 666m² at the R15 density and an average of one dwelling for every 300m² at the R30 density. The subject Lot is 3758m² in area meaning a potential for 5 dwellings at the R15 density and 12 dwellings at the R30 density.

The Shire believes that 8 dwellings can comfortably fit on the subject Lot. This means that a design and development needs to incorporate a Septic Tank Effluent Disposal System.

The Shire envisages development to include:

Stage 1

- Site Works;
- Two (2) dwellings:
 - Develop 1 X 2bdr/1bthr brick dwelling; (or brick veneer) of approximate 95 – 105m²
 - Develop 1 X 3bdr/2bthr brick dwelling; and (or brick veneer) of approximate 135 – 145m²

Stage 2

- Develop 6 dwellings (design - subject to demand); and
- Incidentals (e.g. landscaping, fencing etc.);
- Develop Septic Tank Effluent Disposal system.

It is proposed that expression of interest is sought from builders and or architects. It is proposed that any expressions of interest are presented to the Shire of Boyup Brook Council for consideration.

Selection criteria is proposed to be based on:

- Design Concepts;
- Integrated appearance to match town character;
- Value for money;
- Local content;
- Financial stability of the applicant;
- Previous experience in similar works;

- Time to complete.

It is proposed that expressions of interest are submitted for review by the 11th June 2020.

STATUTORY OBLIGATIONS

The density and design of development is to comply with the Shire's *Local Planning Scheme No.2* and the Commissions *R-Codes*.

The development of an effluent disposal system to service proposed dwellings, is to comply with the Commissions *Government Sewerage Policy 2019* and is to be approved by the Department of Health.

POLICY IMPLICATIONS

The *Local Government Act 1995* (the Act) prescribes that the role of Council includes inviting tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

The Shire's Policy F.03 has been adopted by Council to ensure compliance with the Act and to deliver a best practice approach when purchasing services.

CONSULTATION

Consultation Date for expression of interest: 22 May 2020

Submission Deadline: 11 June 2020

Works/Design to commence: 1 July 2020

Completion: To be negotiated (Shire is seeking 6 months build time).

BUDGET/FINANCIAL IMPLICATIONS

The extent of fees necessary to process the 'Request for Expressions of Interest' can be catered for within the 2019/20 budget.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

The Shire's draft Local Planning Strategy has identified the subject site for 'Residential (Aged Persons Accommodation)'. Potential may exist, to utilise dwellings at Lot 1 Forrest Street, for holiday, workers and or aged accommodation.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 12.1

MOVED: Cr Rear

SECONDED: Cr Kaltenrieder

That Council

- 1. Resolves to AGREE to seek support to solicit meaningful responses from relevant proponents to provide a design for:
 - a. Eight (8) dwellings at Lot 1 Forrest Street; and**
 - b. A Septic Tank Effluent Disposal system (community scheme to service the 8 dwellings) at a location yet to be confirmed.****

CARRIED 8/0

Res 76/20

MOVED INTO COMMITTEE

MOVED: Cr O'Connell

SECONDED: Cr Oversby

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 77/20

MOVED OUT OF COMMITTEE

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

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

CARRIED 8/0

Res 78/20

12.2 Rylington Park Committee

BACKGROUND

The Council feels that we have made sufficient progress with the transition of Rylington Park, such that it is now time to establish a permanent subcommittee to oversee Rylington Park. This will involve seeking expressions of interest from persons wishing to join this Committee.

OFFICER RECOMMENDATION – ITEM 12.2

That expressions of interest be sought for the permanent positions on the to be formed Rylington Park Committee.

AMENDMENT

MOVED: Cr O'Connell

SECONDED: Cr Oversby

Expressions of Interest be sought for the positions on the yet to be formed Rylington Park Committee.

CARRIED 8/0

Res 79/20

MOTION

Expressions of Interest be sought for the positions on the yet to be formed Rylington Park Committee.

CARRIED 8/0

Res 80/20

13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS

13.1 Dr P de Ronchi – Employment Contract

COUNCIL DECISION & OFFICER RECOMMENDATION – item 13.1

MOVED: Cr Rear

SECONDED: Cr O’Connell

The CEO is permitted to enter into a contract to appoint Dr Phillip de Ronchi.

CARRIED 8/0

Res 81/20

Change to order of business

That the order of business in the agenda to be changed to allow item 13.3 be brought forward and dealt with at this time.

Declare an Impartiality Interest

Cr O’Connell declared an impartiality interest in item 13.3 and left the Chambers at 5.40pm.

Cr Price declared an impartiality interest in item 13.3 and left the Chambers at 5.40pm.

13.3 Community Grants Assessment 20/21

(Confidential Report)

Chris Smith, Peter Dittrich, Vanessa Crispe and Maria Lane left the Chambers at 6.03pm.

Cr O'Connell and Cr Price returned to the Chambers at 6.04pm.

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 83/20

MOVED OUT OF COMMITTEE

MOVED: Cr Overby

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 84/20

13.2 CEO – Review of salary arrangements

(Confidential Report)

Chris Smith, Peter Dittrich, Vanessa Crispe returned to the Chambers at 6.37pm

14 INFORMATION BULLETIN

14.1 Election Timetable

Voting In-Person Election *(please refer to attachment)*

S4.9 applies to the setting of the date:

4.9. Election day for extraordinary election (1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed — (a) by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or (b) by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).

14.2 Employment of Director Positions

Council to consider advertising the following positions:

- Director Corporate Services
- Director Works and Services

15 CLOSURE OF MEETING

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at 6.54pm.