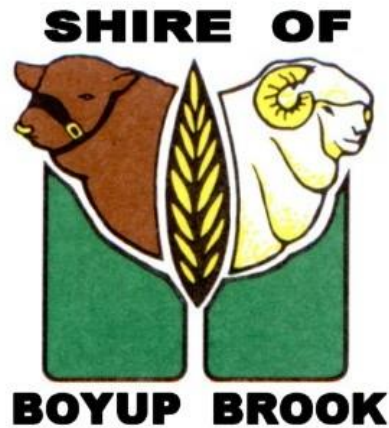


# Minutes



**ORDINARY MEETING**

held

**THURSDAY 18 June 2020**  
**Commenced AT 5.00PM**

**SHIRE OF BOYUP BROOK**  
**CHAMBERS**  
**ABEL STREET-BOYUP BROOK**

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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)

PUBLIC: Mrs Sue White  
Mr Eric Muncey

**1.2 Apologies**

**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**

Cr Oversby attended an Agricultural Society meeting.

Cr Rear met the new Doctors at a function held outside the Shire office on 5<sup>th</sup> June 2020.

Cr Rear attended a barbeque at the Depot on 10<sup>th</sup> June 2020.

Cr Rear attended an AGM meeting at the Museum.

Cr Rear attended the Rylington Park AGM on 17<sup>th</sup> June 2020.

Cr Price attended the CRC Management Committee meeting.

Cr Price represented Council at Boyup Brook Tourism Association at their monthly meetings and also their budget meeting. Met with new BBTA Manager, Grace Borrello.

Cr Price attended the Lion's/Shire meeting regarding proposed Cash for Containers site.

Cr Price attended an AGM meeting at the Museum.

Cr Price met the new Doctors at a function held outside the Shire office on 5<sup>th</sup> June 2020.

Cr Alexander met the new Doctors at a function held outside the Shire office on 5<sup>th</sup> June 2020.

Cr Alexander attended a barbeque at the Depot on 10<sup>th</sup> June 2020.

Cr O'Connell was an apology for the barbeque at the Depot.

Cr O'Connell attended the Rylington Park AGM on 17<sup>th</sup> June 2020.

Cr Moir apologises for not attending the function held for the Doctors.

Cr Moir attended the Mayanup Progress meeting.

Cr Kaltenrieder was an apology for the function held for the Doctors.

**5 DISCLOSURE OF INTEREST**

Nil

**6 CONFIRMATION OF MINUTES**

**6.1 Ordinary Council Minutes - 21 May 2020**

**COUNCIL DECISION & OFFICER RECOMMENDATION - Item 6.1**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Alexander**

That the minutes of the Ordinary Council Meeting held on Thursday 21 May 2020 be confirmed as an accurate record.

**CARRIED 8/0**

**Res 85/20**

**7 PRESIDENTIAL COMMUNICATIONS**

Attended a Community consultation workshop held on 4<sup>th</sup> June 2020.

Met the new Doctors at a function held outside the Shire office on 5<sup>th</sup> June 2020.

Had a meeting with Terry Redman and the CEO on 9<sup>th</sup> June 2020.

**8 COUNCILLORS QUESTIONS ON NOTICE**

Nil

**9 REPORTS OF OFFICERS**

## 9.1 MANAGER WORKS & SERVICES

### 9.1.1 Jayes Road Numbering & Renaming

<b>Location:</b>	<i>Boyup Brook Town Site</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>Jayes Rd</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>8 June 2020</i>
<b>Author:</b>	<i>Vanessa Crispe – Coordinator Works, projects and Assets</i>
<b>Authorizing Officer:</b>	<i>Christopher Smith - Chief executive Officer</i>
<b>Attachments:</b>	<i>Letter of Approval</i>

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#### **SUMMARY**

The renaming of Jayes Road in order to resolve a numbering issue was brought to the Council at the 2019 November 2020 February and 2020 March Ordinary Meetings. The matter is being presented to Council for information according to the resolution from the March Ordinary meeting.

**MOVED: Cr Oversby**

**SECONDED: Cr Kaltenrieder**

**That Council:**

- 1. Approve the following road network and addressing changes:**
  - Rename Jayes Road north from the Abel Street intersection. Property numbering to begin at the Abel St intersection and increase heading north. The names selected for the new roads from Policy P.08 in order of preference are Bode, Dent and Cailles.**
  - Rename Jayes Road south from the Abel Street intersection. Property numbering to remain unchanged. The names selected for the new roads from Policy P.08 in order of preference are Cailles, Dent and Bode.**
- 2. Direct the CEO to engage the community in a three-week consultation period with direct consultation undertaken with any ratepayers requiring an address change. Submissions to be reported to council at the April 2020 ordinary meeting.**

**CARRIED 8/0**

## **BACKGROUND**

The rural property addressing scheme was implemented a number of years ago across Australia as a solution to problems with locating rural properties, particularly for emergency services. The system is distance based with property numbers being determined according to their distance from the designated start of the road. Most properties within the Shire have been allocated a new address under the scheme but requests for numbers continue to be received, mostly for new properties. A recent numbering request highlighted a problem on Jayes Road within the Boyup Brook town site locality (not to be confused with rural Jayes Road south of the town).

Community consultation was undertaken with only one enquiry asking the question to change the Jayes Rural road instead. After the consultation process was completed an application and letter requesting approval for the name changes was sent to the Geographic Names Committee – Landgate.

## **COMMENT**

Correspondence with approval was received from the Geographic Names Committee – Landgate, advising the following:

The naming proposal was considered to be appropriate by the Geographic Names Committee – Landgate.

Rename Jayes Road between Abel Street and Knapp Street **CAILES STREET** as depicted on the attached map, by Ministerial Order.

Rename a portion of Jayes Road to **BRIDGETOWN-BOYUP BROOK ROAD** as depicted on the attached map, by Ministerial Order.

Rename Jayes Road between Abel Street to the north eastern corner point of DP225864 Lot 147 **BODE STREET** as depicted on the attached map, by Ministerial Order.

Rename Boyup Brook-Arthur Road to **BODE STREET** as depicted on the attached map, by Ministerial Order.

Landgate's preference is for road names to begin and end at logical points. With that in mind, and acknowledging that there is a townsite boundary, Landgate's preference would be that the northern portion of road to be renamed will start from the intersection of Boyup Brook Road North and Boyup Brook-Arthur Road. This intersection is approximately 250m further north than the townsite boundary point.

Whilst Landgate acknowledge this may affect RSA measurements the amount is minimal. As most RSAs were rolled out 15-20 years ago many are not “spot on” any more due to road realignments and town bypasses that have happened over the years. As there are known numbers along this and other affected roads, Landgate’s suggestion for future allocations is to measure from known surrounding numbers. This is what Landgate have suggested to all Shires who have road extent changes. With that in mind, Landgate are also renaming the southern portion of Jayes Road to the intersection with Knapp St and look to extend Bridgetown-Boyup Brook Road to the same intersection with Knapp St. This extension will not affect any RSA numbering as the numbering is coming from Bridgetown into Boyup Brook nor will it affect any current addressing.

Landgate have also advised in relation to commemorative naming, they have moved away from the use of “early settler” names unless there is other stronger community contribution and involvement from these individuals within the area. Landgate’s preference is for an individual to have a strong commitment to the area where the name is being used rather than they just owned land. Landgate encourage Local Governments to consult with local Aboriginal groups for appropriate naming where possible.

Landgate’s suggestion for commemorative naming would be to look at naming a building or a structure within a park after your early settlers. This type of naming does not need approval from Geographic Naming Team.

#### **CONSULTATION**

Landgate - Location Data Maintenance  
Adrian Nicoll – Shire of Boyup Brook Town Planner

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET/FINANCIAL IMPLICATIONS**

- Cost of under \$1,000 for new street signs and installation.



**STRATEGIC IMPLICATIONS**

With reference to the Strategic Community Plan 2017 - 2027

**Our Goals**

**Built Environment**

- Improve road infrastructure

**SUSTAINABILITY IMPLICATIONS**

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

With reference to the Strategic Community Plan 2017 - 2027

**Our Goals**

**Built Environment**

- Improve road infrastructure

**Social**

- Improve community safety.
- Promote outdoor activities, community participation, interactions and connections.
- Strengthen an active and vibrant community.

**VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION & OFFICER RECOMMENDATION - Item 9.1.1**

**MOVED: Cr Oversby**

**SECONDED: Cr O'Connell**

**That Council:**

- 1. Note the approval from the Geographic Naming Committee to rename the whole of Jayes Road within the townsite of Boyup Brook with two new names, increasing the town Boundary and extending the Bridgetown – Boyup Brook Road as follows;**
  - **Rename Jayes Road to Cailles Street between Abel Street and Knapp Street.**
  - **Rename a portion of Jayes Road between the Knapp Street and the town boundary to Bridgetown-Boyup Brook Road.**
  - **Rename Jayes Road to Bode Street between Abel Street and the northern town boundary.**
  - **Rename Boyup Brook Arthur Road to Bode Street from the northern town boundary to the Boyup Brook North Road.**
  
- 2. Note the suggestion for commemorative naming of a building or a structure within a park after early settlers and naming of roads be based on names with a stronger community contribution and involvement.**

**CARRIED 8/0**

**Res 86/20**

**COUNCIL DECISION**

**MOVED: Cr Rear**

**SECONDED: Cr Alexander**

That the Council adopts enbloc 9.2.1 and 9.2.2.

**CARRIED BY ENBLOC 8/0**

**Res 87/20**

**9.2 FINANCE**

**9.2.1 List of Accounts Paid in May 2020**

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>10/06//20</i>
<b>Author:</b>	<i>Carolyn Mallett - Accountant</i>
<b>Authorising Officer:</b>	<i>Peter Dittrich – Manager Governance</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in May</i>

**SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in May 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 31 May 2020.

**COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 May 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 May 2020, totalling \$1,253,398.98 from Municipal account, \$45,163.25 from Police Licensing account and \$7.76 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20389 - 20404	\$ 24,804.13
Municipal Electronic Payments	EFT9279 – EFT9402	\$1,007,240.29
Municipal Direct Payments		\$ 221,354.56
Police Licensing Payments		\$ 45,163.25
BBELC Payments		\$ 7.76

CARRIED BY ENBLOC 8/0

Res 88/20

UNCONFIRMED MINUTES

**9.2.2 31 May 2020 Statement of Financial Activity**

<b>Location:</b>	Not applicable
<b>Applicant:</b>	Not applicable
<b>File:</b>	FM/10/003
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	10 June 2020
<b>Authors:</b>	Peter Dittrich – Manager Governance
<b>Authorizing Officer:</b>	Chris Smith - CEO
<b>Attachments:</b>	31 May 2020 Financial Reports

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**SUMMARY**

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 May 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 31 May 2020 Statements of Financial Activity and Statements of Net Current Assets, as presented.

**CARRIED BY ENBLOC 8/0**

**Res 89/20**

UNCONFIRMED MINUTES

### 9.3 CHIEF EXECUTIVE OFFICER

#### 9.3.1 Revoking of Resolutions

<b>Location:</b>	N/a
<b>Applicant:</b>	N/a
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	8 June 2020
<b>Author:</b>	Maria Lane
<b>Authorizing Officer:</b>	Christopher Smith - CEO
<b>Attachments:</b>	Yes

#### **SUMMARY**

The purpose of this report is for Council to consider revoking resolutions that are outstanding and are no longer required.

#### **BACKGROUND**

There are a number of resolutions of Council dating back to 2015 that have not been actioned. It is requested that Council review those resolutions and revoke those resolutions that are no longer required.

#### **COMMENT**

Council will need to review each of the outstanding resolutions and revoke each resolution that is no longer required.

At least one third of Council Members are needed to support the motion to revoke a resolution and before the motion to revoke the resolution is put.

#### **CONSULTATION**

Nil.

#### **STATUTORY OBLIGATIONS**

Shire of Boyup Brook Local Law No.1 Standing Orders Section 16.20 requires:

#### ***16.20 Revoking Decisions - When This Can Occur***

*16.20.1 A substantive motion may be revoked at any time provided that no action in relation to the resolution being rescinded has already occurred;*

*16.20.2 If a decision has been made at a Council or a committee meeting*



*then any motion to revoke or change the decision must be supported-*

- (a) in the case where an attempt to revoke or change the decision has been made within the previous three months but had failed, by an absolute majority; or*
- (b) in any other case, by at least one third of the number of offices (whether vacant or not) of members of the Council or committee,*

*inclusive of the mover.*

*16.20.3 If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made*

- (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
- (b) in any other case, by an absolute majority.*

*16.20.4 This clause does not apply to the change to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

**POLICY IMPLICATIONS**

Nil.

**BUDGET/FINANCIAL IMPLICATIONS**

Nil.

**STRATEGIC IMPLICATIONS**

Good Governance

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Absolute majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.1**

**MOVED: Cr Rear**

**SECONDED: Cr Kaltenrieder**

1. That Council revoke the following resolutions:
  - 134/17
  - 70/18
  - 189/19
  - 198/19
  - 290/19

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 90/20**

**LAY ON THE TABLE – ITEM 9.3.2**

To be reviewed by a third party and will be reported back to the Ordinary Council meeting.

**9.3.2 Shire Boyup Brook Local Planning Strategy – Final Consideration**

<b>Location:</b>	<i>Shire Boyup Brook</i>
<b>Applicant:</b>	<i>Shire Boyup Brook</i>
<b>File:</b>	<i>LPS</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>18 June 2020</i>
<b>Author:</b>	<i>A Nicoll (Town Planner)</i>
<b>Authorizing Officer:</b>	<i>C Smith (Chief Executive Officer)</i>
<b>Attachments:</b>	<i>1. Draft (advertised) Local Planning Strategy; 2. LPS Schedule of Submissions and Recommendations; 3. Submissions.</i>

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**SUMMARY**

Under the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)*, a local government must prepare a local planning strategy for its local planning scheme.

A draft Local Planning Strategy (Strategy) has been prepared for the Shire of Boyup Brook. The Strategy sets the strategic direction for settlement growth, informs amendments to the Shire's Local Planning Scheme and informs strategic decisions in relation to land use and development over the next fifteen years.

The draft Strategy was advertised, and submissions received have been assessed, and where appropriate, recommendations made to modify the draft Strategy to address the matters raised.

Council is asked to support the draft Local Planning Strategy subject to recommended modifications and to resolve to submit the draft Strategy to the Western Australian Planning Commission for endorsement. Recommended modifications, together with a summary of submissions, are contained in the 'LPS Schedule of Submissions and Recommendations' (see attachment).

## **BACKGROUND**

The Shire of Boyup Brook does not have an endorsed 'Local Planning Strategy'.

The Shire endorsed a 'Local Rural Strategy' (LRS) in 2009 and developed a draft 'Townsite Strategy' (TS) in 2014.

On review of the draft TS, the Department of Planning (at the time) suggested that one document, being a 'Local Planning Strategy', would benefit by taking away potential for contradiction between documents (TS and LRS) and to more clearly express the strategic vision, policies and proposals of the local government.

In 2016 a draft Local Planning Strategy was developed in consultation with Shire Councillors.

The draft Strategy made a number of planning recommendations, including identifying:

- New areas for rural living lots; and
- Subdivision potential of existing residential lots, the result of an impending sewerage scheme.

The draft Strategy was then forwarded to the Department of Planning, Lands and Heritage (DPLH) with a request for approval to advertise.

The DPLH, commented that the proposal for additional rural living lots is inappropriate because of an existing oversupply and low demand. The DPLH also commented that the portrayal for subdivision potential of existing residential lots be downgraded because of a state government decision to deny funding of a sewerage scheme.

It was recommended by the DPLH that an area of land adjacent to existing developed land (Gibbs Street) may be suitable for additional residential development. It was suggested that the area may be constructed with onsite sewer and with a range of lot sizes, up to 5000m<sup>2</sup>.

It was also recommended that the subdivision of existing rural living lots into smaller lots (1ha) may be considered to facilitate better use of existing infrastructure and services.

Shire staff made changes to the draft strategy to support recommendations by the DPLH. The Strategy was then advertised, with a total of 16 submissions received.

Submissions were received from State Government Agencies, service providers, planning consultants and land owners. They are broadly categorised in a schedule of submissions, as follows:

- State government agencies and service providers;
- Topic specific submissions;
- General matters; and
- Shire proposed modifications.

Council is requested to support the draft Local Planning Strategy subject to the recommended modifications contained in the 'Schedule of Submissions and Recommendations' and resolve to submit the draft Strategy to the WAPC for endorsement.

### **COMMENT**

The Western Australian Planning Commission emphasizes a need for local planning strategies to provide an overarching framework to future development, land use and governance.

The strategy developed for the Shire recommends different land use and development scenarios for various land parcels in the townsite of Boyup Brook. Twenty three (23) land parcels have been identified for a range of land use and development, including:

- 1) Industrial development;
- 2) Accommodation for aged persons;
- 3) Accommodation for tourists;
- 4) Infill development;
- 5) Residential development; and
- 6) A hub for recreation and community activities.

The strategy sees a future whereby the townsite of Boyup Brook is a safe and vibrant commercial and employment hub with a range of living opportunities and services to support aged persons, tourists and families.

Once the strategy is finally endorsed by the Western Australian Planning Commission, the strategy will become the document driving private sector investment and promoting sustainable development. It will also form the framework for legislative controls affecting development.

The submissions received from State government agencies and service providers predominately raise matters in relation to;

- Policies and the processes that govern their operations and application to the draft Strategy;
- Corrections and additional/improved information that relates to their areas of operation; and
- Suggested additional and/or improved actions.

In most instances, the proposed modifications by State government agencies and service providers were supported.

The submissions received in relation to the general public predominantly raise concern in regard to protecting the environment, supporting tourism and the designation of investigation areas under the draft Strategy.

In most instances, the proposed modifications by members of the public were supported.

We did receive a submission from a landholder requesting to identify their land (Lots 51, 1007 and 1118 Boyup Brook-Arthur Road) for development into 2000m<sup>2</sup> lots. Planning staff have recommended that the request be dismissed for the following reasons:

- The Local Planning Strategy has earmarked a suitable quantity of new land to satisfy current demand of varying (living) lot sizes.
- There is no need to identify any new areas beyond what is currently identified within the strategy.
- The Shire consulted with the Department of Planning Lands and Heritage (DPLH) on the idea of identifying the Lots 51, 1007 and 1118 Boyup Brook-Arthur Road for development into 2000m<sup>2</sup> lots. The DPLH recommended not including the subject land within the Strategy, as a future development site. It was calculated that land designated in the Strategy for future residential development could accommodate more than a doubling of the current townsite population.

### **CONSULTATION**

The public advertising of the draft Local Planning Strategy commenced on 23 January 2020 and concluded on 31 March 2020. Public Notices were placed in the Manjimup Times and the Local Shire Gazette. Letters were sent to government agencies and affected landholders.

A total of 16 submissions were received. The submission details, planning officer comments and recommended actions/modifications are contained in the attached 'Schedule of Submissions and Recommendations'.

### **STATUTORY OBLIGATIONS**

Regulation 12A of the Town Planning Regulations 1967 states:

1. *If a Scheme envisages the zoning or classification of land, the local government shall prepare the Scheme Report under regulation 12 in the form of a Local Planning Strategy and forward the Local Planning Strategy to the Commission.*
2. *A Local Planning Strategy shall set out the long-term planning directions for the local government apply State and regional planning*

*policies and provide the rationale for the zones and other provisions of the Scheme.*

#### **POLICY IMPLICATIONS**

The Local Planning Strategy will draw together several Council policies, strategies and related studies into a single overarching land use planning framework.

Once endorsed by the Commission, the strategy will become the document driving private sector investment and promoting sustainable development. It will also form the framework for legislative controls affecting development.

#### **BUDGET/FINANCIAL IMPLICATIONS**

Public advertising of the draft Boyup Brook Local Planning Strategy was undertaken in accordance with the allocated budget.

#### **STRATEGIC IMPLICATIONS**

The Shire currently does not have a Local Planning Strategy to guide developers and Councillors in making decisions and to provide direction for the Shire's Scheme.

The proposed Local Planning Strategy sets the strategic direction for settlement growth, informs future review and amendments to the Shire's Local Planning Scheme No. 2 and all other decisions in relation to land use and development over the next fifteen years.

#### **CONCLUSION**

The draft Local Planning Strategy has now completed the advertising process.

Planning staff have reviewed the draft Local Planning Strategy having regard for the submissions received and have accordingly recommended modifications. These modifications address matters raised by the submissions and improve the overall content of the draft Strategy.

It is recommended that Council, in pursuance to the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to submit a copy of the advertised local planning strategy, the submissions and the schedule of submissions received and proposed modifications to the Western Australia Planning Commission for endorsement.

#### **VOTING REQUIREMENTS**

Absolute majority

#### **OFFICER RECOMMENDATION – Item 9.3.2**

**THAT Council, in pursuance to Clause 14 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to submit a copy of the advertised local planning strategy, submissions and the schedule of submissions/recommendations, to the Western Australia Planning Commission for endorsement.**

### 9.3.3 Medical Fees and Charges

<b>Location:</b>	Medical centre
<b>Applicant:</b>	Doctors
<b>File:</b>	FM/9/005
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	12 June 2020
<b>Author:</b>	Christopher Smith
<b>Authorizing Officer:</b>	Christopher Smith - CEO
<b>Attachments:</b>	Yes

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#### **SUMMARY**

The new Doctors have commenced operation and identified the need to update the fees and charges for the medical centre.

#### **BACKGROUND**

It is the recommendation of the new doctors that the fee structure does not adequately reflect the value of the work performed.

#### **COMMENT**

This item directly affects their proceeds and it is considered best to start this from the earliest date possible so that patients will see the linkage to the new doctors, new structure.

#### **CONSULTATION**

Medical Centre

#### **BUDGET/FINANCIAL IMPLICATIONS**

Will assist in achieving a cost neutral budget for the medical centre in 2020/21.

#### **STRATEGIC IMPLICATIONS**

Council has previously passed a resolution saying that there would be no increase in fees and charges. This resolution needs to be countenanced in the light of whether medical charges are considered separate from normal gazetted fees and charges.



**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple majority

**MOVED INTO COMMITTEE**

**MOVED: Cr O'Connell**

**SECONDED: Cr Alexander**

**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 91/20**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr O'Connell**

**SECONDED: Cr Rear**

**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 92/20**

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.3**

**MOVED: Cr Oversby**

**SECONDED: Cr Kaltenrieder**

**That Council agrees to the changes in fees and charges listed in the attached schedule are implemented from 1 July 2020.**

Cr Rear left the Chambers at 5.19pm

Cr Rear returned to the Chambers at 5.20pm

**AMENDMENT**

**MOVED: Cr Alexander**

**SECONDED: Cr O'Connell**

**That Council agrees to the changes in fees and charges listed in the attached schedule be implemented from Monday 22nd June 2020.**

**CARRIED 8/0**

**Res 93/20**

**MOTION**

**That Council agrees to the changes in fees and charges listed in the attached schedule be implemented from Monday 22nd June 2020.**

**CARRIED 7/1**

**Res 94/20**

**WITHDRAWN – ITEM 9.3.4**

The CEO will seek further information in relation to the Sale Yards.

**9.3.4 Sale Yards**

<b><i>Location:</i></b>	<i>Saleyards</i>
<b><i>Applicant:</i></b>	<i>Environmental Health Officer</i>
<b><i>File:</i></b>	<i>R33552</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>12 June 2020</i>
<b><i>Author:</i></b>	<i>Christopher Smith</i>
<b><i>Authorizing Officer:</i></b>	<i>Christopher Smith - CEO</i>
<b><i>Attachments:</i></b>	<i>Yes</i>

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**SUMMARY**

The washdown facility at the Saleyards is presenting an environmental issue which needs to be addressed.

**BACKGROUND**

Daniel Bleechmore has been using the site to wash down his trucks for some time. He does not pay a fee for this benefit although he has been paying for water and electricity at cost. I have had numerous conversations with him in respect of keeping the site clean. He is now refusing to do the clean-up.

**COMMENT**

The attached report is self-explanatory.

**CONSULTATION**

Mr Bleechmore refused to accept my view that he was obliged to maintain the site.

I asked him to contact a Councillor if he chose to disagree with my determination.

**STATUTORY OBLIGATIONS**

Environmental contamination

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

The current situation at the Saleyards will cost Council up to \$5,000 to remedy.

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
See report
- **Economic**  
Nil.
- **Social**  
Nil

**VOTING REQUIREMENTS**

Simple majority

**MOVED INTO COMMITTEE**

**MOVED: Cr O'Connell**

**SECONDED: Cr Alexander**

**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 7/1**

**Res 95/20**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Alexander**

**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 96/20**

**OFFICER RECOMMENDATION – Item 9.3.4**

**That Council agree to the wash down facility at the Saleyards be shut down from 30 June 2020 and that Council rehabilitate the site within next year's budget.**

**9.3.5 Policy Documents review**

<b>Location:</b>	<i>Main Office</i>
<b>Applicant:</b>	<i>N/a</i>
<b>File:</b>	<i>Policy</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>12 June 2020</i>
<b>Author:</b>	<i>Christopher Smith</i>
<b>Authorizing Officer:</b>	<i>Christopher Smith - CEO</i>
<b>Attachments:</b>	<i>previously provided by email</i>

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**SUMMARY**

Council is required to review all Policies on an annual basis.

**BACKGROUND**

In previous years not all policies have been reviewed. As the new CEO I have reviewed all policies, marked up my suggestions where necessary and emailed to all Councillors. This recommendation is seen as the conclusion of this process for this financial year. A more comprehensive approach will be considered next year including looking at the model policies suggested by LGA expert Margaret Hemsley.

**COMMENT**

Generally, the Council Policies have historically been carefully drafted and should not be automatically considered in need of change.

**CONSULTATION**

Via email over the last month

**STATUTORY OBLIGATIONS**

To comply with the requirements of the Local Government Financial Regulations.

**POLICY IMPLICATIONS**

Updating policies where required.

**BUDGET/FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

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

**VOTING REQUIREMENTS**

Simple majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.3.5**

**MOVED: Cr O’Connell**

**SECONDED: Cr Oversby**

That Council records in the minutes that all policies have been reviewed in the financial year ending 30 June 2020.

**CARRIED 8/0**

**Res 97/20**

## 10 COMMITTEE MINUTES

### 10.1 Rylington Park Transitional Committee – 14 May 2020

#### **COUNCIL DECISION & OFFICER RECOMMENDATION - Item 10.1**

**MOVED:** Cr O’Connell

**SECONDED:** Cr Rear

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

**CARRIED 8/0**

**Res 98/20**

## 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 Grant Agreement signed under seal for the Boyup Brook Visitor Tower

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	Tower
<b>Disclosure of Officer Interest:</b>	None
<b>Date:</b>	18 June 2020
<b>Authors:</b>	Joanna Kaye - Research and Development Coordinator
<b>Authorizing Officer:</b>	Chris Smith CEO
<b>Attachments:</b>	Yes. Grant Agreement to be signed and sealed.

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#### **SUMMARY**

The purpose of this report is to complete the grant agreement to write the Boyup Brook Visitor Tower Business Case and sign and affix the Shire of Boyup Brook seal.

#### **BACKGROUND**

The Shire of Boyup Brook has received a \$10,000 grant from the South West Development Commission for Business Case development for the Visitor Tower project.

**COMMENT**

The Execution of the agreement must be completed by Monday 22<sup>nd</sup> June 2020.  
The grant agreement must be signed under common seal.

**CONSULTATION**

Manager of Governance

**STATUTORY OBLIGATIONS** - Nil

**POLICY IMPLICATIONS** – Yes

<b>POLICY NO.</b>	A.09
<b>POLICY SUBJECT</b>	<b>Use of Common Seal and the Signatories for Contract Execution</b>
<b>ADOPTION DATE</b>	17 June 2004
<b>VARIATION DATE</b>	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**

The budget will be amended to include \$10,000 income and \$5,000 contribution for this project.

**STRATEGIC IMPLICATIONS** - Yes

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

Absolute Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION**

**MOVED: Cr Alexander**

**SECONDED: Cr Kaltenrieder**

That Council:

1. Approve the budget amendment of \$10,000 grant income and \$15,000 Consultant Expenditure for the development of the Business Plan being funded by way of \$10,000 State Government Grant and \$5,000 Shire contribution (consultants)
2. Authorise the President and the Chief Executive Officer to affix the common seal to the Grant Agreement document and to sign the document to attest that the common seal was so affixed.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 99/20**

**BEHIND CLOSED DOORS**

That in accordance with Section 5.23 (2) (b) of the Local Government Act 1995 the next part of the meeting be closed to members of the public to allow the Council to consider a matter dealing with the personal affairs of the CEO.

Mr P Dittrich, Ms V Crispe, Mrs M Lane, Mrs S White and Mr E Muncey left the Chambers at 6.07pm.

**13 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS**

**13.1 CEO performance considerations**

Mrs M Lane returned to the Chambers at 6.20pm.

***(Confidential Report)***

**14 INFORMATION BULLETIN**

Nil

**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.

**CERTIFICATION OF MINUTES**

As Presiding Member, I certify that the Minutes of the Council Meeting held 18 June 2020 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 16 July 2020

.....16 July 2020