

MINUTES

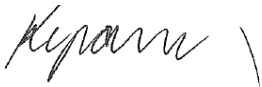
ORDINARY COUNCIL MEETING

HELD ON

Thursday 30 March 2023

Commenced at 6.00pm

Shire of Boyup Brook Shire Council Chambers, Boyup Brook



Athanasios Kyron
Acting Chief Executive Officer



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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS AND DISCLAIMER

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

Council Meetings are public meetings.

The Council Chambers are not a parliament and Parliamentary Privilege does not apply.

Elected Members and staff risk being held personally liable if their comments are defamatory, or breach any duty of confidentiality.

Statements made during Council meetings are solely those of the person making them. Nothing expressed at a Council Meeting can be attributed to the Shire, unless it is adopted by a resolution of Council.

The Confirmed Minutes of a Council Meeting are the official record of that Council meeting. Verbatim Minutes are not required.

May I ask everyone here today, to make sure your mobiles are turned off or on silent for the duration of the Meeting.

2. RECORD OF ATTENDANCE

PRESENT:	Shire President	Richard F Walker
	Deputy Shire President	Helen C O'Connell
	Councillor	Sarah E G Alexander
		Steele Alexander
		Charles A D Caldwell
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price
	Acting Chief Executive Officer	Athanasios (Arthur) Kyron
	Deputy Chief Executive Officer	Carolyn Mallett
	Town Planner	Adrian Nicoll (via MS Teams)
	Finance Manager	Ben Robinson (arrived 6.33pm)
	Executive Assistant	Maggie Le Grange
APOLOGIES:		Nil
LEAVE OF ABSENCE:		Nil
MEMBERS OF PUBLIC:		Ian Kugler
		Stewart Tutton
		Mel Parker

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Opened 6.01pm

Question from Ian Kugler

Has due diligence been done with the appointment of the new CEO?

Response from Cr Walker

The appointment of the new Chief Executive Officer was done in accordance with departmental guidelines on recruitment and selection.

Questions from Ian Kugler

Refund on services supplied?

Recycling of waste?

Response from Acting Chief Executive Officer

The Acting Chief Executive Officer to call Mr Kugler and discuss the questions.

Closed 6.07pm

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Opened 6.06pm

Stewart Tutton from PF Olsen Australia will provide a PowerPoint presentation on Rationalisation of Tree Farms at the Ordinary Council Meeting to be held on 30 March 2023.

Closed 6.43pm

6. DISCLOSURE OF INTEREST

Declarations of (Impartiality)

Officer/Elected Member	Order of Business/ Report No	Agenda Page No	Item Details	Nature of Association
Cr P Kaltenrieder	10.4.1	22	Subdivision Application – Lots 203, 709 & 711	My residential address is on Terry Road

7. CONFIRMATION OF MINUTES

7.1 Special Council Minutes – 9 February 2023 – 2022 Ward and Representation Review

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.1

That the unconfirmed minutes of the Special Council Meeting held on Thursday 9 February 2023 which commenced at 7.40pm be confirmed as an accurate record.

7.2 Special Council Minutes – 13 February 2023 – Appointment of Acting Chief Executive Officer

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2

That the unconfirmed minutes of the Special Council Meeting held on Monday 13 February 2023 which commenced at 1.41pm be confirmed as an accurate record.

7.3 Ordinary Council Minutes – 16 February 2023

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3

That the unconfirmed minutes of the Ordinary Council Meeting held on Thursday 16 February 2023 which commenced at 6.05pm be confirmed as an accurate record.

7.4 Special Council Minutes – 2 March 2023 – Appointment of the Chief Executive Officer for the Shire of Boyup Brook

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.4

That the unconfirmed minutes of the Special Council Meeting held on Thursday 2 March 2023 which commenced at 3.05pm be confirmed as an accurate record.

7.5 Special Council Minutes – 2 March 2023 – Tender for the Upgrade of the Boyup Brook Town Hall Precinct Building

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.5

That the unconfirmed minutes of the Special Council Meeting held on Thursday 2 March 2023 which commenced at 3.30pm be confirmed as an accurate record.

7.6 Special Council Minutes – 15 March 2023 – Rylington Park Committee Meeting Minutes of 9 March 2023, Amendment to the Terms and Conditions of the Temporary A/CEO Letter of Offer, Contract of the Chief Executive Officer

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.6

That the unconfirmed minutes of the Special Council Meeting held on Wednesday 15 March 2023 which commenced at 12.05pm be confirmed as an accurate record.

The Recommendations were moved enbloc Items 7.1 to 7.6

MOVED: Cr Kevin J Moir

SECONDED: Cr Sarah E G Alexander

CARRIED BY ENBLOC 9/0

Res 23/03/038

8. PRESIDENTIAL COMMUNICATIONS

February 2023

Friday, 17 February 2023, 10am - 3pm - DPLH SW Regional Planning Strategy workshop

The workshop was for the purpose of seeking input and comments from Local Government and State Government Agencies on regional land use planning and raised concerns on behalf of Boyup Brook re development head works, availability of water and power and also land use change through State large scale purchasing of land for Pine Estate Expansion.

March 2023

Tuesday, 7 March 2023, 4pm

Met with Ministers Jarvis (Ag and Forestry) and McGurk (Water) along with WBAC Presidents and Nannup CEO re water for the Bombara subdivision and the State Pine Estate Expansion.

This meeting was very useful as we were able to hear from Minister McGurk that water availability for the Bombara subdivision would be supported whilst Minister Jarvis assured us that there is plenty of new land available for agriculture.

Wednesday, 8 March 2023, 12pm met with Leonard Long re contract

The meeting was to finalise the arrangements for the new CEO and view the house.

Thursday, 9 March 2023, 10am Rylington Park Committee

At this meeting we were able to hear from people regarding the research projects being considered for Rylington Park. The outcome was for the project proponents to provide more information in order for Rylington Park Committee to decide which projects will be considered to go ahead with external funding support and ECU capability.

Friday, 24 March 2023, 8.30am on gate with ACEO Arthur at Rylington Park “Storm in a Teacup” Ladies Day

This was an outstanding event and is a credit to the Managers of RP, Marc and Erlanda. There was an excellent turnout of participants from all across the agricultural region for the event. The meeting was addressed by the Member for Warren Blackwood Jane Kelsbie and an impressive line-up of speakers covered a broad range of topics.

A big thank you to all who participated, to the stall holders and especially to the sponsors.

Friday, 24 March 2023, 11.30am at the Shire Council Chambers

The CEO and I met with the CEO of the SWDC and planning representative of the Leafield development to discuss available land for residential development. The State government is looking for land for residential development for industry to house their workforce. The SWDC is working with the Shire of Boyup Brook to identify land that could come to market to meet the housing demands of industry.

9. COUNCILLOR QUESTIONS ON NOTICE

Nil

10. REPORTS OF OFFICERS

Nil

10.1 MANAGER WORKS AND SERVICES

Nil

10.2 FINANCE

10.2.1 List of Accounts Paid in January 2023

Location:	Not applicable
Applicant:	Not applicable
File:	FM/1/002
Disclosure of Officer Interest:	None
Author:	Ben Robinson, Finance Manager
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	List of Accounts Paid in January 2023

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in January 2023 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 January 2023.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 January 2023.

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 2022-23 Annual Budget.

STRATEGIC IMPLICATIONS

Key outcome area: Governance and Organisation - improve financial sustainability.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.2.1

That Council receives the list of accounts paid in January 2023, totalling \$460,396.68 from Municipal account, \$57,508.35 from Police Licensing account and \$0.00 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20590-20592	\$ 6,728.38
Municipal Electronic Payments	EFT13512 – EFT13623	\$ 220,190.61
Municipal Direct Payments		\$ 233,477.69
Police Licensing Payments		\$ 57,508.35
BBELC Payments		\$ 0.00

MOVED: Cr Helen C O'Connell

SECONDED: Cr Darren E King

CARRIED 9/0

Res 23/03/039

10.2.2 List of Accounts Paid in February 2023

Location:	Not applicable
Applicant:	Not applicable
File:	FM/1/002
Disclosure of Officer Interest:	None
Author:	Ben Robinson, Finance Manager
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	List of Accounts Paid in February 2023

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in February 2023 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 28 February 2023.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 28 February 2023.

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.*
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 - (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 2022-23 Annual Budget.

STRATEGIC IMPLICATIONS

Key outcome area: Governance and Organisation - improve financial sustainability.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.2.2

That Council receives the list of accounts paid in the list of accounts paid in February 2023, totalling \$589,945.91 from Municipal account, \$54,249.90 from Police Licensing account and \$0.00 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20593-20595	\$ 24,253.63
Municipal Electronic Payments	EFT13624 – EFT13758	\$ 289,754.01
Municipal Direct Payments		\$ 275,938.27
Police Licensing Payments		\$ 54,249.90
BBELC Payments		\$ 0.00

MOVED: Cr Helen C O'Connell

SECONDED: Cr Sarah E G Alexander

CARRIED 9/0

Res 23/03/040

10.3 CHIEF EXECUTIVE OFFICER

10.3.1 Model Standards for CEO Recruitment, Performance and Termination

Location:	Not applicable
Applicant:	Not applicable
Disclosure of Officer Interest:	None
Author:	Maria Lane, Records/Governance Officer
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	<ol style="list-style-type: none">1. Local Government (Administration) Regulations 1996, Schedule 2 of the Regulations2. Shire of Boyup Brook Standards for CEO Recruitment, Performance and Termination3. Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination

SUMMARY

For Council to adopt the new Model Standards for Chief Executive Officer Recruitment, Performance and Termination.

BACKGROUND

On Tuesday 2 February 2021, the final aspects of the Local Government Act Review were proclaimed and amendments to the Local Government (Administration) Regulations 1996 were advertised in the gazette. Schedule 2 of the Regulations (as presented in Attachment 1), details the Model Standards for Chief Executive Officer (CEO) Recruitment, Performance and Termination. The Model Standards contains more detail on how to manage the recruitment, performance and termination processes for CEO's compared to the details originally specified in the Act.

The Department of Local Government, Sport and Cultural Industries states these Model Standards are intended to ensure best practice and greater consistency in these processes between local governments.

The Shire of Boyup Brook Standards for CEO Recruitment, Performance and Termination as presented in Attachment 2 takes the same content and format from the Model Standards.

The Department of Local Government, Sport and Cultural Industries also released in February 2021 "Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination". These guidelines presented in Attachment 3 outline the recommended practice for local governments in undertaking these processes and are intended to assist local governments in meeting the Model Standards prescribed in the regulations.

COMMENT

The CEO is of the opinion that the model standards are consistent with current contemporary practice being applied at the Shire already and can be adopted without modifications. However, the Council is at liberty to adjust them, as long as they are not inconsistent with the default standards in the regulations.

CONSULTATION

Department of Local Government, Sport and Cultural Industries.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.39B – Adoption of Model Standards

Local Government (Administration) Regulations 1996 Section 18FB

Section 5.39B (4) states if Elected Members wish to make any amendments to the standards, these amendments must be consistent with the Model Standards and cannot be contrary to the intent of the original model.

Section 5.39B (6) states the CEO must publish an up-to-date version of the adopted standards on the local government's official website.

Regulations 18FB9(3) of the Local Government (Administration) Regulations 1996 provides that as soon as practicable after a person is employed in the position of CEO, the local government must, by resolution (absolute majority), certify that the person was employed in accordance with the local government's adopted standards (or model standards if the local government has not adopted its own standards) in relation to the recruitment of CEO's. A copy of the resolution to appoint the CEO in accordance with the adopted standards must be provided to the Department of Local Government, Sport and Cultural Industries within 14 days of the decision to appoint.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

There are no current Council policies in place with regards to CEO Recruitment, Performance or Termination.

BUDGET/FINANCIAL IMPLICATIONS

The adoption of the model standard which is required by law with only minor variations permitted and only to the extent that it is not inconsistent will, in all probability, may add to the cost of recruitment of a Chief Executive Officer. This by virtue of the additional mandated administrative requirements of a consultant. The consultant will charge a fee and the inclusion of an external person (in addition to the consultant) on the recruitment panel may also require remuneration. However, examples of recent external independent persons engaged in CEO recruitment panels has not incurred a fee/cost.

STRATEGIC IMPLICATIONS

These standards meet the following:

Demonstrate effective leadership, advocacy and governance

- 1.1 Strengthen leadership, advocacy and governance capabilities;
- 1.2 Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community;
- 1.3 Improve our business and asset management systems and processes to meet our audit compliance and the needs of the community.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.3.1

That Council:

1. **Adopts the Department of Local Government, Sports and Cultural Industries Model Standards for CEO Recruitment, Performance and Termination as contained in Attachment 1 which now replaces the Shire of Boyup Brook Chief Executive Officer Standards for Recruitment, Performance and Termination;**
2. **Follows the Western Australian Local Government Association template.**

MOVED: Cr Kevin J Moir

SECONDED: Cr Adrian Price

CARRIED 9/0

Res 23/03/041

10.3.2 Local Government Elections 2023

Location:	Not applicable
Applicant:	Not applicable
Disclosure of Officer Interest:	None
Author:	Maria Lane, Records/Governance Officer
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	1. Letter from Hon John Carey MLA 2. Quote from the WAEC 3. Letter from WAEC (option 1 and 2)

SUMMARY

The next Local Government election is due to be held on 21 October 2023. In accordance with *the Local Government Act 1995* (the Act), Council can opt to conduct an election either as an in-person election or a postal election. Current legislation dictates that if a Council decides to conduct a postal election, the Western Australian Electoral Commission (WAEC) must conduct the election, with the cost of the election to be recouped by the WAEC on the basis of full accrual cost recovery.

This year's election is significant as it will be voting using the optional preferential system. This will add a degree of complexity to the system.

The Shire of Boyup Brook has received a cost estimate from the WAEC to conduct the election as a postal ballot. Council is required to make a decision, from the options available, for the conduct of the 2023 Local Government Election.

BACKGROUND

Many Local Governments utilize the services of the Electoral Office in managing the election process as it streamlines the process and allows staff to progress other priority areas within the organization. The Shire of Boyup Brook has traditionally held an in-person election.

Local government elections occur on the third Saturday in October every two years. Councillors each serve a term of four years. The Shire of Boyup Brook have four Councillors whose term expires in 2023.

At a Special Council Meeting held on 9 February 2023, the Shire of Boyup Brook decided to remove wards and reduce the number of elected member positions by one in 2023 with the aim of reducing the overall number of elected members by two (an additional one elected member position) in 2025 local government elections. This will bring the number of elected members to seven for the Shire of Boyup Brook. The number of elected member positions that will be contested in the October 2023 elections will be three.

There is a possibility that an election would not be required in the event that only three nominations are received to fill the 4 vacancies.

PREVIOUS COUNCIL RESOLUTION

Special Council Meeting minutes 9 February 2023:

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 4.1

MOVED: Cr Helen C O'Connell

SECONDED: Cr Darren E King

That Council:

1. Advises the Local Government Advisory Board that it:
 - a. Has conducted a Ward and Representation Review and consulted with the community.
 - b. Has considered submissions made during the consultation on its proposed Ward Review and has resolved to abolish the Ward Review System and reduce the number of Councillors to seven (7) elected members following a staged reduction over two election cycles to 8 Councillors from 2023 to 2025 and 7 Councillors from 2025 onwards based on the following consideration:
 - The Staged reduction in the number of Councillors to 7 elected positions would result in the least disruption to Council and allow all Councillors whose terms end in 2025 to complete their elected terms in office.
2. Authorises the Chief Executive Officer to forward the Council Resolution, copy of the Shire of Boyup Brook Ward Review and copies of submissions received by the Shire of Boyup Brook to the Local Government Advisory Board.

CARRIED 9/0

Res 23/02/003

COMMENT

The State Government's Local Government reforms which will be legislated prior to this year's elections will require changes to the way that Local Government Elections will be held. The State Government will be abolishing Wards and introducing optional preferential voting.

With the introduction of optional preferential voting, elections are becoming more complex and need specialists to undertake them to ensure they comply with the Local Government Act and Regulations; therefore, Council may deem it prudent to engage the Electoral Commissioner to carry out the Shire of Boyup Brook Local Government election as a postal election.

Postal voting generally receives a greater return of votes than an in-person vote, also the votes can be returned by the elector at their convenience rather than having to come into town on Election Day.

There is no issue with finding staff to work that day as this is the responsibility of the electoral commissioner.

With the Electoral commissioner running the Elections it is also perceived to be a greater level of independence by Councillors and Community in the running of the election as the administration is removed from the election process.

The estimated cost for the 2023 election if conducted as a postal ballot is \$18,000 (incl. GST), which has been based on the following assumptions:

- 1,300 electors;
- response rate of approximately 50%;
- 3 vacancies;
- Count to be conducted at the offices of the Shire of Boyup Brook;
- Appointment of a local Returning Officer;
- Regular Australia Post delivery service to apply for the lodgement of the election packages.

If Council intends to conduct the 2023 election by postal voting, the following two resolutions will need to be passed:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required.
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

If Council resolves not to declare the WA Electoral Commission responsible for conducting the election, the election will be conducted as a “voting in person election”, in accordance with s.4.61(1) of the Act.

The estimate cost for an ‘in-person’ election is approximately \$7,000 including:

- Production and printing of all election related material;
- Advertising, both statutory and any other local or promotional;
- Wage costs: engagement of a Returning Officer (generally the Chief Executive Officer) and at least two other employees to staff the polling booth for at least ten hours on polling day.

Should Council choose to conduct the election, an alternative resolution is:-

1. That Council appoints the Shire of Boyup Brook CEO as returning officer in accordance with section 4.20 (1) of the *Local Government Act 1995* for the October 2023 Local Government Elections.
2. Decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election; and
3. Endorses the allocation of funds in the 2023/24 annual budget for the Western Australian Electoral Commission to conduct the Shire of Boyup Brook’s ordinary postal election.

CONSULTATION

Western Australian Electoral Commission

STATUTORY OBLIGATIONS

The principal legislation covering local government elections is:

- *Local Government Act 1995* Part 4
- *Local Government (Elections) Regulations 1997*.

Local Government Act 1995

s.4.61. Choice of methods of conducting election

(1) The election can be conducted as a-

Postal election which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or **voting in person election** which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The WAEC has provided the quote at this time to enable Council to allocate the funds in its 2023/24 budget.

STRATEGIC IMPLICATIONS

This item is relevant to the Councils approved Strategic Community Plan 2021-2031.

Support a strong and inclusive economy

- 3.1 Partner with key stakeholders to maximize economic development opportunities through regional and sub regional initiatives;
- 3.2 Promote the town as a great place to visit, stay and live;
- 3.3 Partner with key stakeholders to attract investment that will create jobs and support growth.

Demonstrate effective leadership, advocacy and governance

- 1.1 Strengthen leadership, advocacy and governance capabilities;
- 1.2 Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community;
- 1.3 Improve our business and asset management systems and processes to meet our audit compliance and the needs of the community.

VOTING REQUIREMENTS

Absolute Majority for appointing the Electoral Commission to conduct the election.

Simple Majority to resolve to have the elections 'in-person'.

OFFICER RECOMMENDATION – ITEM 10.3.2

That Council:

- 1. Declares, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commission to be responsible for the conduct of the 2023 ordinary election together with any other elections or polls which may be required;**
- 2. Decides, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election and;**
- 3. Endorses the allocation of funds in the 2023/24 annual budget for the WAEC to conduct the Shire of Boyup Brook’s ordinary postal election.**

MOVED: Cr Darren E King

SECONDED: Cr Charles A D Caldwell

THAT THE MOTION BE REFERRED TO ADMINISTRATION TO CLARIFY WHETHER COUNCIL IS REQUIRED TO USE POSTAL VOTING IN THE LOCAL GOVERNMENT ELECTIONS

MOVED: Cr Darren E King

SECONDED: Cr Sarah E G Alexander

CARRIED 9/0

Res 23/03/042

10.3.3 Annual Compliance Audit Return 2022

Location:	Shire of Boyup Brook
Applicant:	Shire of Boyup Brook
File:	FM/9/004
Date:	30 March 2023
Disclosure of Officer Interest:	None
Author:	Maria Lane, Records/Governance Officer
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	Shire of Boyup Brook Compliance Audit Return 2022 Report

SUMMARY

This report is for Council to consider adopting the Compliance Audit Return (CAR) for 2022.

The CAR questions the following categories:

- **Commercial Enterprises by Local Governments**
 - The Shire has not undertaken any major land transactions.
- **Delegations on Power/Duty**
 - No issues or concerns to report.
- **Disclosure of Interest**
 - No issues or concerns to report.
- **Disposal of Property**
 - This section primarily had to be responded to as “no” due to 55 and 57 Cailes Street Boyup Brook not being advertised in a local newspaper.
- **Elections**
 - No issues or concerns to report.
- **Finance**
 - This section primarily had to be responded to as “no” due to currently being finalised with Auditors and Office of the Auditor General.
- **Local Government Employees**
 - No issues or concerns to report.
- **Tenders for providing Goods and Services.**
 - N/A – no tenders for the year 2022
- **Integrated Planning and Reporting**
 - Number 2 and 3 had to be responded to as “no” due to a corporate business plan not being provided to Council. Previous Plan expired. Currently Plan in progress.
- **Optional Questions**
 - Number 1,2 and 8 had to be responded to as “no”. Currently in the process of being reviewed.

BACKGROUND

Each local government has to carry out a compliance audit for the period 1 January to 31 December each year against the requirements included in the Compliance Audit Return (Return) set out by the Department of Local Government Sport and Cultural Industries (the Department).

The Department of Local Government, Sport and Cultural Industries (the Department) has distributed the 2022 Compliance Audit Return for completion by the Shire of Boyup Brook. The Compliance Audit Return is one of the tools that allow the Audit Committee and Council to monitor how the organization is functioning. The Compliance Audit Return is required to be presented to Council for adoption before its submission to the Department.

The Return places emphasis on the need to bring to Council's attention cases of non-compliance or where full compliance was not achieved. The return also requires Council to endorse any remedial action taken or proposed to be taken in relation to instances of non-compliance.

The year's Return has again been prepared by electronic means and will be submitted electronically to the Department.

The Compliance Audit Return for 2022 for the Shire of Boyup Brook will be presented for review at the Ordinary Council meeting being held on 30 March 2022.

COMMENT

The Deputy Chief Executive Officer and the Records/Governance Officer have undertaken the review of the Compliance Audit Return and the findings are attached.

CONSULTATION

D/CEO
Records/Governance Officer

LEGISLATION AND POLICY CONSIDERATIONS

- *Local Government Act 1995*
 - *Local Government (Administration) Regulations 2007*
 - *Local Government (Audit) Regulations 1996*
14. *Compliance audits for local governments*
- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
 - (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
 - (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
 - (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be-*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *recorded in the minutes of the meeting at which it is adopted.*

(Regulation 14 inserted in Gazette 23 Apr 1999 p. 1724-5; amended in Gazette 30 Dec 2011 p. 5580-1.)

15. *Compliance audit return, certified copy of etc. to be given to Executive Director*
- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with –*
 - (a) a copy of the relevant section of the minutes referred to in regulation 14 (3)(c); and*
 - (b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Executive Director by 31 March next following the period to which the return relates.*
 - (2) In this regulation-*
certified *in relation to a compliance audit return means signed by-*
 - (a) the mayor or president; and*
 - (b) the CEO*

(Regulation 15 inserted in Gazette 23 Apr 1999 p.1725.)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Boyup Brook Strategic Community Plan 2021-2031 sets out our governance goals.

Demonstrate effective leadership, advocacy and governance.

- 1.1 Strengthen leadership, advocacy and governance capabilities.
- 1.2 Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.
- 1.3 Improve our business and asset management systems and processes to meet our audit compliance and the needs of the community.
Improve financial sustainability.
- 1.4 Improve short- and long-term financial management planning.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.3.3

That Council:

- 1. Adopts the Compliance Audit Return (Attachment 10.3.3) for the local government of the Shire of Boyup Brook for the period 1 January 2022 to 31 December 2022; and**
- 2. Authorises the Shire President and Chief Executive Officer to certify the Compliance Audit Return for 2022;**
- 3. Requests the Chief Executive Officer to submit a certified copy of the Compliance Audit Return to the Director General of the Department of Local Government Sport and Cultural Industries by 31 March 2023.**

MOVED: Cr Darren E King

SECONDED: Cr Steele Alexander

CARRIED 9/0

Res 23/03/043

Impartiality Interest

Cr Philippe Kaltenrieder declared an impartiality interest in item 10.4.1 due to his residential address is on Terry Road.

10.4 PLANNING

10.4.1 Subdivision Application (WAPC Ref 163264) – Lots 203, 709 and 711, Terry Road, Boyup Brook

Location:	Lots 203, 709 & 711, Terry Road, Boyup Brook
Applicant:	Survey South
File:	S163264
Disclosure of Officer Interest:	None
Author:	A. Nicoll, Town Planner
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	Subdivision Plan

SUMMARY

Council is requested to agree to advise the Western Australian Planning Commission (WAPC) to support the proposed 'Rural' Lots 203 and 709 and the Rural Residential/Rural Lot 711, Terry Road subdivision (3 lot into 3 lots) with no conditions.

BACKGROUND

The WAPC received an application to modify lot boundaries and lot sizes for existing Lots 203, 709 and 711, Terry Road, to allow for better farm management.

The WAPC forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions.

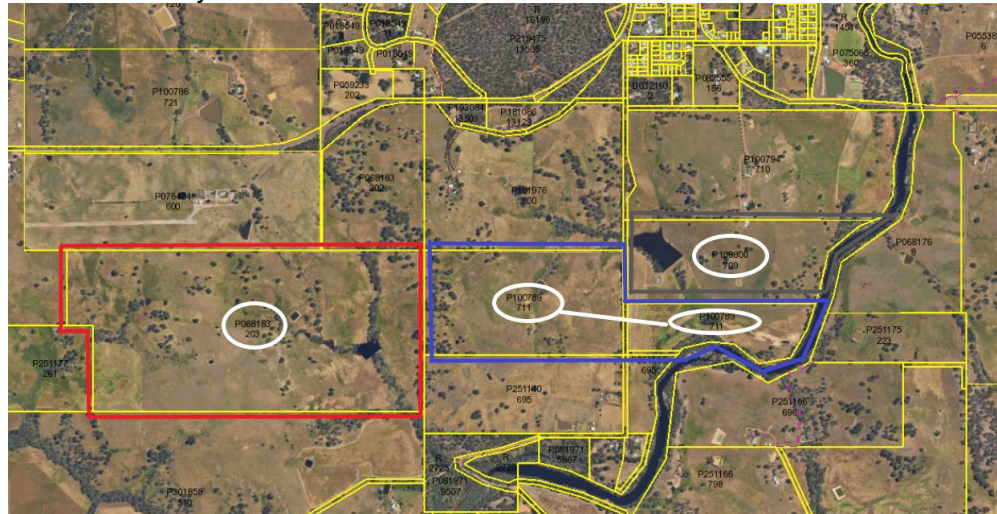
COMMENT

The Lots 203 and 709 are zoned 'Rural', and the Lot 711 has a dual zoning of 'Rural Residential' and 'Rural', in accordance with the Shire's Local Planning Scheme 2.

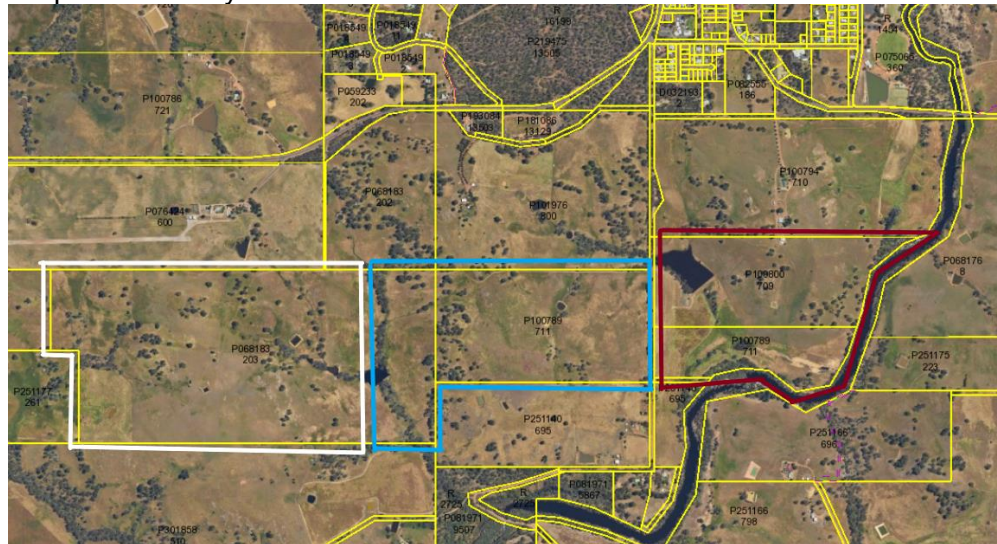
The subject Lots are located on the fringe of the Boyup townsite and are used for farming practices (livestock grazing).

The following figures illustrate the current Lot layout and the proposed Lot layout.

Current Lot Layout



Proposed Lot Layout

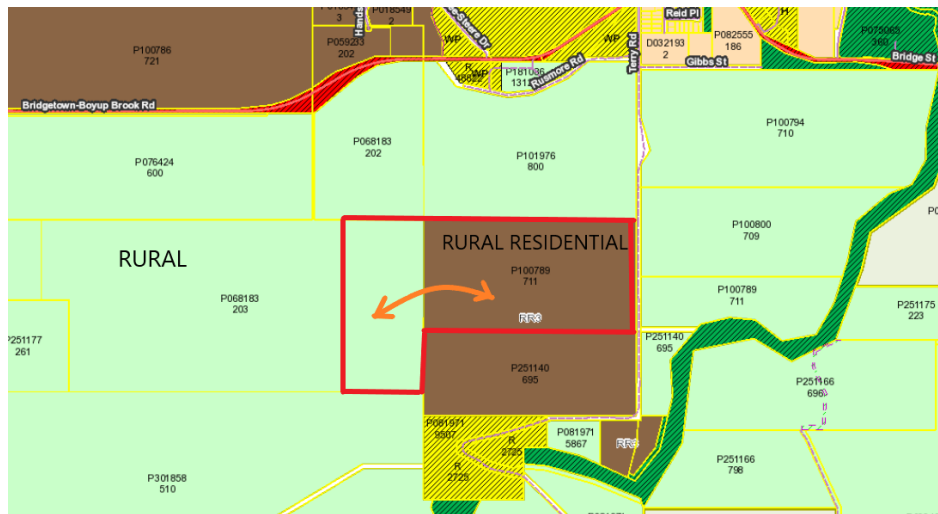


The subdivision includes:

- Decreasing the size of Lot 203 (by approximately 24ha), by moving the shared boundary between Lots 203 and 711
- Increasing the size of Lot 711 (by approximately 6ha), by amalgamating with a portion of Lot 203
- Increasing the size of Lot 709 (by approximately 20ha), by amalgamating with the portion of Lot 711, which is located on the east side of Terry Road

The subdivision is proposed to allow for better farm management, by allowing similar lot sizes and by preventing Lot 711 from crossing the Terry Road.

The subdivision proposes to realign the western boundary of the Lot 711 to include a dam and a watercourse. Should the subdivision be approved by the WAPC, this would mean that the Lot 711 would have a dual zoning of 'Rural' and 'Rural Residential' (which is currently the case). The following figure shows the Shire's scheme zones for the subject area and a dual zoning outcome for the proposed subdivision.



Should the subdivision be approved, the Shire should consider (at a later date – post advertising) amending its draft Local Planning Strategy to show the 'Rural' portion of Lot 711, as 'Rural Residential'. The following figure is the Shire's draft Local Planning Strategy map.

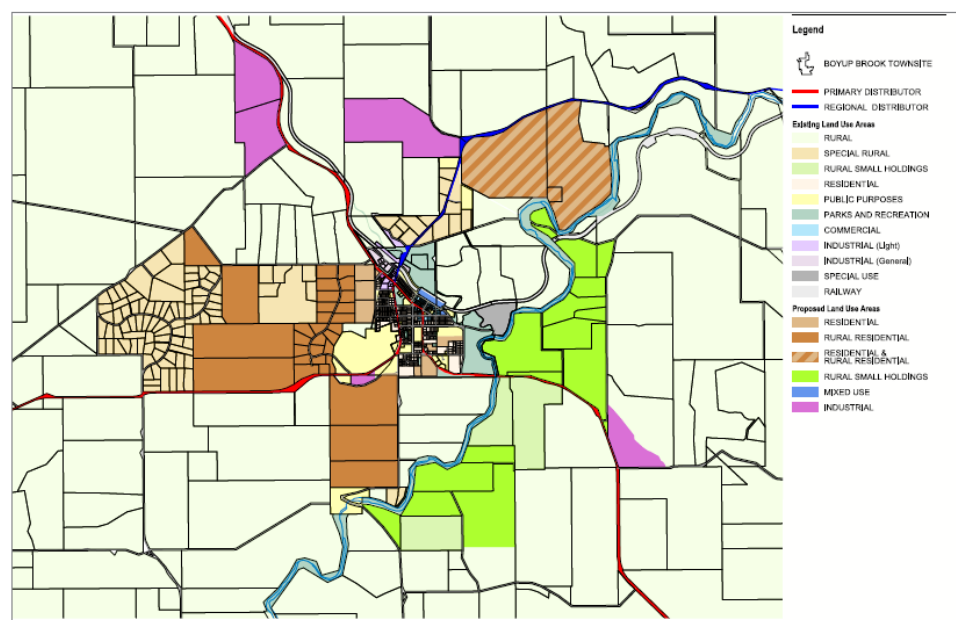


Figure 6: Local Planning Strategy Map for Boyup Brook Townsite and Surrounds

It is recommended that the Shire Council agree to advise the Western Australian Planning Commission to support the proposed subdivision as it complies with the Commissions Development Control Policy 3.4. The Development Control Policy 3.4 supports the subdivision of 'Rural' zone land, which proposes to realign boundaries and which does not propose additional lots.

CONSULTATION

N/A

STATUTORY OBLIGATIONS

Shire of Boyup Brook Local Planning Scheme No.2

Pursuant to clause 25 of the Shire of Boyup Brook *Local Planning Scheme No. 2* the following is outlined in respect to subdivision:

1. In considering applications for subdivision, rezoning and planning consent in the Rural Zone, Council shall have regard to:

- (a) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;*
- (b) the need to protect the area from uses which will reduce the amount of land available for agriculture;*
- (c) bushfire risk to the locality and adequacy of fire suppression measures;*
- (d) the need to preserve the rural character and rural appearance of the area; and*
- (e) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.*

The proposed subdivision does not inherently change or impact on existing land uses or the rural character of the area.

POLICY IMPLICATIONS

The Development Control Policy 3.4 - Rural Subdivision outlines the requirements for rural subdivision within Western Australia. Specifically, section 6 of DCP3.4 outlines the following for which rural subdivision may be considered:

In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:

- a) To realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect the rural land uses;*
- b) To protect and actively conserve place of cultural and natural heritage;*
- c) To allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- d) In the Homestead lot policy (Appendix 2)1 allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation: and*
- e) For other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.*

Subdivision of the rural land, in the form proposed, is in accordance with the Western Australian Planning Commissions *Development Control Policy 3.4 Subdivision of Rural Land*, which supports the realignment of boundaries.

BUDGET/FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.1

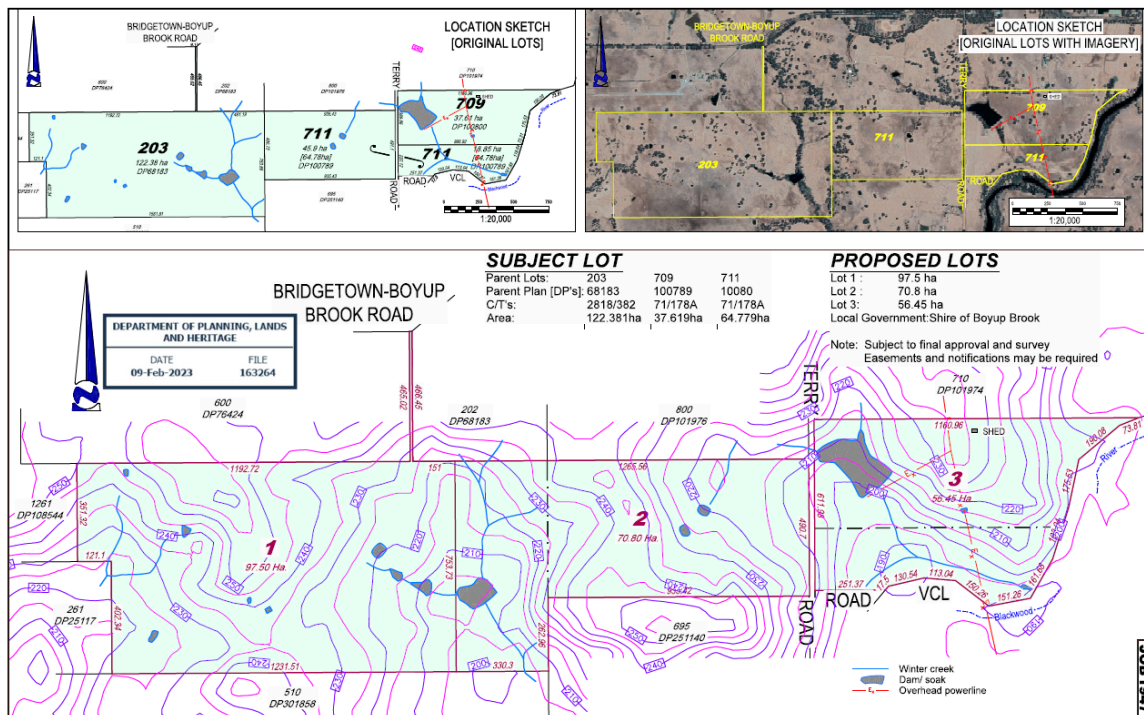
That Council

1. Agrees to advise the Western Australian Planning Commission to support the proposal (WAPC Ref 163264) to subdivide Lots 203, 709 and 711, Terry Road, for the following reasons and with no conditions.

Reason for support

- a) The subdivision is in accordance with the State's *Development Control Policy 3.4 Subdivision of Rural Land*, which limits subdivision potential to the following criteria:
 - To realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect the rural land uses.
 - b) The boundary realignments are not expected to impact on existing land uses or the rural character of the area.
2. Agrees to advise the Western Australian Planning Commission that the subdivision of the Lot 711, will inherently create a dual zoning situation pertaining to the Lot 711.

Subdivision Plan



MOVED: Cr Darren E King

SECONDED: Cr Sarah E G Alexander

CARRIED 9/0

Res 23/03/044

10.4.2 Subdivision Application (WAPC Ref 163272) – Lot 105 Donnybrook-Boyup Brook Road

Location:	Lot 105 Donnybrook-Boyup Brook Road
Applicant:	Thompson Surveying
File:	S163272
Disclosure of Officer Interest:	None
Author:	A. Nicoll, Town Planner
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	Subdivision Plan

SUMMARY

In accordance with the Shire's scheme, the Council is requested to agree to advise the Western Australian Planning Commission (WAPC), NOT to support the proposed 'Rural' Lot 105 Donnybrook-Boyup Brook Road subdivision (1 lot into 2 lots).

The Shire's scheme seeks to protect 'Rural' zone land for agriculture purposes. The scheme considers that the creation of additional 'Rural' zone lots (via subdivision), reduces the amount of land available for agriculture. The creation of additional Lots may reduce the capacity for farming, due to a reduction in farm size (economy of scale) and farmland, potentially lost to housing and infrastructure, needed to accommodate new landholders.

BACKGROUND

The WAPC received an application to subdivide the Lot 105 Donnybrook-Boyup Brook Road, into two lots.

The WAPC forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions.

COMMENT

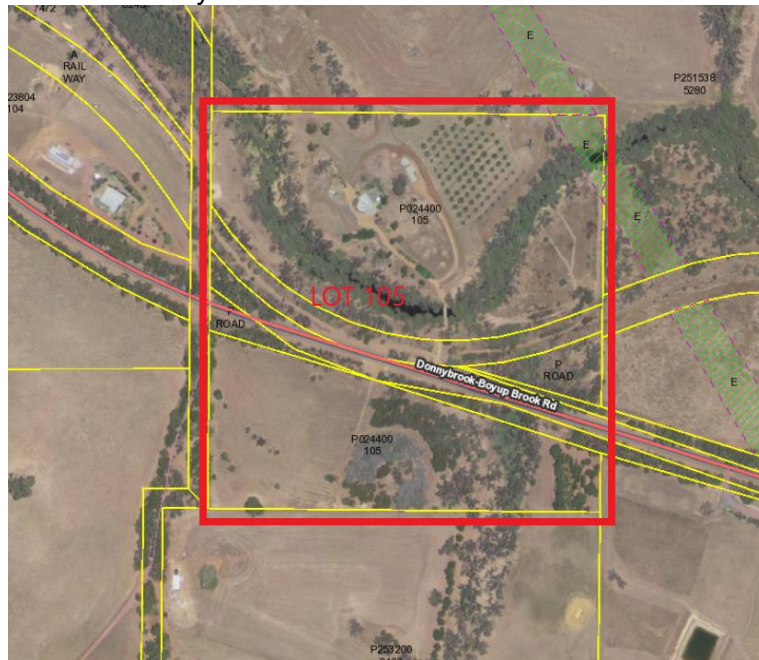
The subject Lot is zoned 'Rural' in accordance with the Shire's *Local Planning Scheme 2*.

The Donnybrook-Boyup Brook Road and a railway reserve dissect through the middle of the subject Lot.

The application proposes to create two lots, one Lot located either side of the Donnybrook-Boyup Brook Road and railway reserve.

The following figures illustrate the current Lot layout and the proposed Lots.

Current Lot Layout



Proposed Lots



It is the view of the Western Australian Planning Commission (State Planning Policy 2.5), that:

There are sufficient, suitably sized and located rural lots to cater for intensive and emerging primary production land uses. Creation of new rural lots through ad-hoc, unplanned subdivision will not be permitted.

Pursuant to clause 25 of the Shire of Boyup Brook *Local Planning Scheme No. 2*, in considering applications involving the creation of additional Rural zone Lots, the Council should have regard to:

The need to protect the area from uses which will reduce the amount of land available for agriculture.

By allowing the creation of an additional Lot (Lot 107), the amount of land available for agriculture is potentially diminished. A more favourable subdivision is in the form of an amalgamation with an adjoining farm (no additional created). This would increase the carrying capacity of an existing farming enterprise and ultimately its economic viability.

The proposal seeks to vary from the Shire's scheme and the Western Australian Planning Commission Policy and therefore it is recommended that the Shire Council agree to advise the Western Australian Planning Commission not to support the proposed subdivision.

The ability to undertake a viable farming enterprise at the subject Lot is somewhat constrained due to its small size and a river and major road dissecting the property. The Council is at liberty to provide advice contrary to scheme standards and therefore may wish to consider recommending that the Commission approve the subdivision for the reasons stipulated above (e.g. the built and natural constraints associated with the land, limit its potential for farming).

CONSULTATION

N/A

STATUTORY OBLIGATIONS

Shire of Boyup Brook Local Planning Scheme No.2

Pursuant to clause 25 of the Shire of Boyup Brook *Local Planning Scheme No. 2* the following is outlined in respect to subdivision:

1. In considering applications for subdivision, rezoning and planning consent in the Rural Zone, Council shall have regard to:

- (a) the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;*
- (b) the need to protect the area from uses which will reduce the amount of land available for agriculture;*
- (c) bushfire risk to the locality and adequacy of fire suppression measures;*
- (d) the need to preserve the rural character and rural appearance of the area; and*
- (e) where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.*

POLICY IMPLICATIONS

The State Planning Policy 2.5 – Rural Planning, seeks to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Specifically, section 6.5 states:

In contemplating subdivision proposals on rural land, WAPC policy is:

- (a) the creation of new or smaller rural lots will be by exception and in accordance with Development Control Policy 3.4: Subdivision of rural land;*
- (b) the creation of new or smaller rural lots by exception may be provided for in other State Planning Policies and/or a local planning strategy or scheme;*
- (c) no other planning instruments besides those listed at (a) or (b) can provide for the subdivision of rural land; and*
- (d) the introduction of new dwelling entitlements or other sensitive land uses should not limit or prevent primary production from occurring.*

The Development Control Policy 3.4 - Rural Subdivision outlines the requirements for rural subdivision within Western Australia. Specifically, section 6 of DCP3.4 outlines the following for which rural subdivision may be considered:

In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:

- a) To realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect the rural land uses;*
- b) To protect and actively conserve place of cultural and natural heritage;*
- c) To allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;*
- d) In the Homestead lot policy (Appendix 2)1 allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation: and*
- e) For other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.*

BUDGET/FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

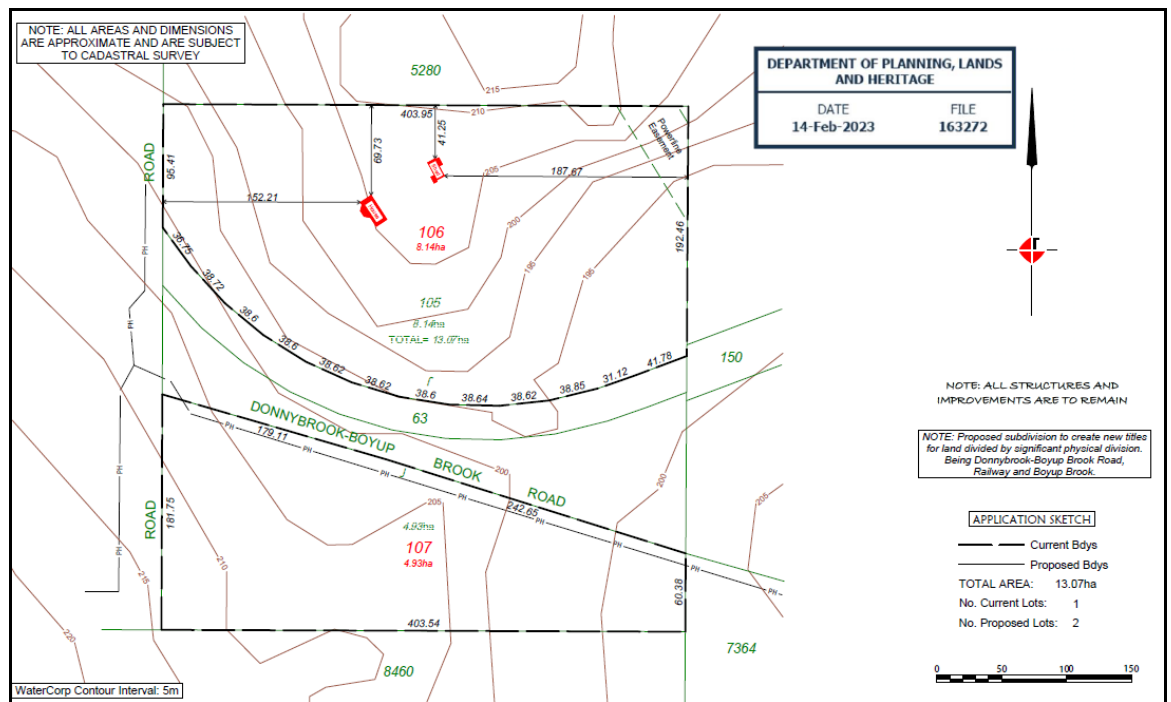
OFFICER RECOMMENDATION – ITEM 10.4.2

That Council:

Advises the Western Australian Planning Commission NOT to support the proposal (WAPC Ref 163272) to subdivide Lot 105 Donnybrook-Boyup Brook Road, for the following reason:

- 1) The subdivision is not in accordance with the Commissions Policy (3.4 and 2.5) or the Shire's *Local Planning Scheme 2*, which seek to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.**

Subdivision Plan



MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Charles AD Caldwell

LOST 9/0

Res 23/03/045

FORESHADOWED MOTION – ITEM 10.4.2

That Council:

Advises the Western Australian Planning Commission to support the proposal (WAPC Ref 163272) to subdivide Lot 105 Donnybrook-Boyup Brook Road, for the following reason:

- 1) The land is already fragmented by its small size and a river and major road dissecting the property.**

MOVED: Cr Steele Alexander

SECONDED: Cr Darren E King

CARRIED 9/0

Res 23/03/046

11 COMMITTEE MINUTES

11.1 Local Emergency Management Committee Minutes – 19 August 2022

COMMITTEE RECOMMENDATION – ITEM 11.1

That the confirmed minutes of the Local Emergency Management Committee held on Friday, 19 August 2022 be received.

MOVED: Cr Helen C O’Connell

SECONDED: Cr Philippe Kaltenrieder

CARRIED 9/0

Res 23/03/047

11.2 Local Emergency Management Committee Minutes – 10 November 2022

COMMITTEE RECOMMENDATION – ITEM 11.2

That the confirmed minutes of the Local Emergency Management Committee held on Thursday, 10 November 2022 be received.

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Darren E King

CARRIED 9/0

Res 23/03/048

11.3 Rylington Park Committee Minutes – 2 February 2023

COMMITTEE RECOMMENDATION – ITEM 11.3

That the confirmed minutes of the Rylington Park Committee held on Thursday, 2 February 2023 be received.

MOVED: Cr Sarah E G Alexander

SECONDED: Cr Darren E King

CARRIED 9/0

Res 23/03/049

12 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Three Motions have been received from Cr P Kaltenrieder

12.1 Waterwise Councils Program

Motion

That the Chief Executive Officer investigate the Shire joining the Waterwise Councils Program, and prepare a report to Council for its consideration.

Background

The Waterwise Councils Program, run jointly by the Water Corporation and the Department of Water and Environmental Regulation, supports Shires in improving water efficiency and adopting

waterwise practices in their operations and communities. In conjunction with building waterwise communities, it recognises the work of Shires leading by example and inspiring residents to save water.

Participation in the Waterwise Councils Program is free for local governments in Western Australia.

Currently there are 64 Local Governments across Western Australia participating in the Waterwise Councils program, including 32 regional Local Governments.

The Shire currently does not have an asset management plan to guide best practice in water efficiency across its operations, or for the community. Benefits of becoming a Waterwise Council include the development and implementation of a Waterwise Action Plan, to inform and guide the Shire on sustainable and efficient water use, and training of relevant staff in best practice water management.

Consideration of the Shire joining the Waterwise Councils Program is also a recommendation of the Warren Blackwood Alliance of Councils Climate Change Action Plan.

Participation in the Waterwise Council Program will assist and encourage the Shire to continuously improve water efficiency and to implement waterwise principles.

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Adrian Price

CARRIED 9/0

Res 23/03/050

12.2 Cities Power Partnership

Motion

That the Chief Executive Officer investigate the Shire joining the Cities Power Partnership and prepare a report to Council for its consideration.

Background

The Climate Council's Cities Power Partnership (CPP) is Australia's largest network of local councils delivering on climate action. It currently comprises over 165 councils from across the country, representing almost 65 percent of the Australian population.

The CPP engages with towns and cities, via local councils, throughout Australia and incentivises councils to increase renewable energy and energy efficiency, improve transport and engage in advocacy. Members are also given access to a national knowledge hub and a project assessment and tracking tool. They can connect with cities across the country to knowledge share, access hundreds of resources and are and celebrated at events with other local leaders.

Importantly, the CCP provides Shire elected members and staff with contemporary climate change information, news and case studies, thereby assisting in building the capacity of the Shire and its community in meeting the challenges of climate change.

Membership of the Cities Power Partnership is free of charge.

Shire consideration of joining the Cities Power Partnership is also a recommendation of the Warren Blackwood Alliance of Councils Climate Change Action Plan.

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Adrian Price

CARRIED 7/2

Res 23/03/051

12.3 Signing the WALGA Climate Change Declaration

Motion

That the Chief Executive Officer investigate the Shire signing the WALGA Climate Change Declaration, and prepare a report to Council for its consideration.

Background

In August 2022, the Warren Blackwood Alliance of Councils endorsed its Climate Change Policy and Climate Change Action Plan, respectively.

Local Governments from across Western Australia have committed to WALGA's Climate Change Declaration, that demonstrates their acknowledgment of the impacts of climate change and their commitment to developing locally appropriate mitigation and adaptation strategies to manage climate change.

To date, 51 Local Governments have signed the Climate Change Declaration, representing over 85% of Western Australia's population. WALGA encourages all Local Governments to become signatories of the Declaration, which will further support WALGA to advocate for the appropriate funding and development of legislative mechanisms to support Local Government climate change management.

The Warren Blackwood Alliance of Councils committed to sign the WALGA Climate Change Declaration at its March 2023 meeting. It is noted however that the Alliance of Councils is not a member of WALGA.

Individual member Shire consideration of signing the WALGA Climate Change Declaration is also a recommendation of the Warren Blackwood Alliance of Councils Climate Change Action Plan.

The Shire of Boyup Brook signing the WALGA Climate Change Declaration would further support WALGA's advocacy efforts in relation to climate change. The WALGA Declaration wording can also be contextualise to suite the Shire of Boyup Brook context.

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Adrian Price

CARRIED 6/3

Res 23/03/052

13 LATE ITEM/URGENT BUSINESS MATTERS

13.1 Statutory Budget Review as at 28 February 2023

Location:	Not Applicable
Applicant:	Not Applicable
File:	FM/9/005
Disclosure of Officer Interest:	None
Author:	D Long, Finance Consultant
Authorising Officer:	Athanasios Kyron, Acting Chief Executive Officer
Attachments:	Budget Review Workpaper

SUMMARY

The purpose of this report is for Council to consider and adopt the Budget Review Report, and authorise amendments to the Adopted Budget, based on projection outcomes to 30 June 2023.

BACKGROUND

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

***Absolute majority required.**

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

***Absolute majority required.**

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2023, for the period ending 28 February 2023, is presented for consideration. A Statement of Financial Activity, at program level and nature/type level, has been prepared to provide a summarisation of the budget review results, as well as a Statement of Closing Funds detailing the projected surplus as at 30 June 2023.

COMMENT

The budget review has been prepared to include the information required by the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996, and the Australian Accounting Standards. Council adopted a 10% or \$10,000 threshold minimum for the reporting of material variances to be used in the Statement of Financial Activity and the annual Budget Review Report.

In summary, based on current trends, it is anticipated that a small surplus of \$23,000 can be achieved as at 30 June 2023.

A budget workshop was held with Elected Members on 22 March 2023 where members were presented with the budget review.

The following table details the proposed budget amendments:

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
092020	Proceeds Sale of Land Asset – Increase in proceeds on sale of land for 55 and 57 Cailles Street. Not anticipated in original budget.	(\$0)	(\$106,000)	(\$106,000)	
'092600	Written Down Value – Disposal of Assets	\$175,000	\$280,545		\$105,545
051117	BFRC – Bushfire Risk Planning – Increase in wages allocation.	\$23,050	\$42,300		\$19,250
051004	ESL Funding Operating Grant – Increase from reimbursement of ESL operating expenses relating to 2021-2022.	(\$170,492)	(\$182,395)	(\$11,903)	
052110	Ranger Services Salaries – Decrease in wages allocation for ranger services – allocated to other law and order.	\$72,298	\$35,148	(\$37,780)	
074112	Medical Centre Locum Doctor – Decrease in materials expense for relieving doctor, offset by increase in Medical Centre Doctor salaries	\$48,600	\$22,600	(\$26,000)	
092108	Property Selling Expenses – Increase in contractor costs for settlement services to sell lots 55 and 57 Cailles St.	\$0	\$13,000		\$13,000
101102	Boyup Brook Transfer Station – Increase in contractor expenses for mulching of green waste.	\$56,614	\$69,094		\$12,480
101103	Landfill Disposal Site – Decrease in contractor	\$70,208	\$53,458	(\$16,750)	

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	expenses for plant hire for trenching.				
101001	Refuse Collection Charges – Increase in rubbish collection services.	(\$195,523)	(\$209,000)	(\$13,477)	
106101/ B0420	Cemetery operation – Increase in contractor expenses for site plan and kerbing works.	\$30,820	\$52,820		\$22,000
106101/ G314	Cemetery Grounds – Increase in wages, overheads and plant allocations	\$7,735	\$20,401		\$12,666
113110/ G206	Townsite Gardens – Increase in wages, overheads and plant allocations.	\$73,142	\$104,115		\$30,973
113112	Reserves and Parks Operations – Increase in wages, overheads and plant allocations. Increase in contractor expenses for music stage repairs.	\$71,089	\$96,134		\$25,045
112009	Grants and Contributions – Increase in contribution made for operation of swimming pool from third party.	(\$0)	(\$20,000)	(\$20,000)	
121001	RRG Project Grants – Decrease in RRG grant for Winnejug Road – project not able to proceed this year due to clearing permit delays – funding returned to RRG. Increase in RRG grant for Boyup Brook-Arthur River Road – new project to offset Winnejug Road project.	(\$1,147,000)	(\$1,007,493)		\$139,507
121003	Grants Roads to Recovery (RTR) – Decrease in RTR funding claimed due to deferral of projects to 2023-2024.	(\$593,098)	(\$372,429)		\$220,669
121004	Capital Grants & Other Contributions – Increase in LRCI Phase 2 funding received	(\$928,921)	(\$985,855)	(\$56,934)	
121007	Special Bridge Funding – Increase in grant funding transferred from contract liabilities to meet capital expenditure for Boree Gully Bridge reinstatement works.	\$0	(\$170,000)	(\$170,000)	
122100	Depot Building – Building Costs – Increase in wages, overheads and plant allocations. Increase in electricity expenses. Decrease in water consumption expenses.	\$61,748	\$79,246		\$17,498
122103	Road Maintenance and Repairs – Increase in wages, overheads and plant allocations. Increase in contractor expenses for plant hire.	\$421,364	\$496,173		\$74,809
122107	Maintenance Grading – Decrease in wages, overheads and plant allocations – reallocated to other works, including Road Maintenance and	\$302,567	\$129,612	(\$123,308)	

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ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	Repairs, Verge Pruning and Emergency Services.				
122105	Repairs & Maintenance Bridges – Increase in wages, overheads and plant allocations. Increase in contractor expenses for repair works. Increase in insurance premiums.	\$185,061	\$230,665		\$45,604
122108	Drains and Culverts Maintenance – Decrease in materials expenses for pipe purchases.	\$97,488	\$52,488	(\$45,000)	
122109	Verge Pruning – Increase in wages, overheads and plant allocations.	\$106,346	\$120,880		\$14,534
122123	Emergency Services – Increase in wages, overheads and plant allocations.	\$19,401	\$34,100		\$14,699
122126	Streetscape Expenses – Increase in wages, overheads and plant allocations	\$10,000	\$21,271		\$11,271
123103	Community Development Officer – Increase in salaries allocation.	\$0	\$12,300		\$12,300
132104	Tourist Centre – Increase in wages, overheads and plant allocations. Increase in water consumption expenses. Increase contractor expenses for building assessment.	\$62,219	\$84,723		\$22,504
132108	Caravan Park/Flaxmill Building Operation - Increase in wages, overheads and plant allocations. Increase in superannuation expenses. Increase in materials expenses for maintenance and replacement power pole. Increase in water consumption expenses.	\$97,061	\$155,482		\$58,421
132002	Caravan Park & Complex Fees – Trends indicate decrease in camping fees	(\$60,000)	(\$15,600)		\$44,000
135100	Standpipe Expenses – Decrease in water consumption expenses.	\$36,977	\$12,157	(\$24,820)	
143100	Supervision – Increase in salaries allocations.	\$311,084	\$325,562		\$14,478
143110	Occupational Health & Safety Expenses – Increase in wages allocations. Increase in training expenses and other employee costs.	\$46,128	\$73,520		\$27,393
143117	Works Manager Housing Expenses – Decrease in private rental expenses for housing.	\$15,600	\$75	(\$15,525)	
143180	Less Public Works Overheads allocated – Increase in overhead allocations to other programs and projects.	(\$839,889)	(\$867,362)	(\$27,474)	
143001	Workers Compensation Reimbursements – Increase in reimbursements for workers	(\$600)	(\$35,329)	(\$34,729)	

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	compensation insurance claims				
144100	Repair Wages – Decrease in wages allocations due to position vacancy.	\$99,910	\$48,485	(\$51,425)	
144101	Fuel & Oils – Trends indicate decrease in fuel expenses.	\$265,000	\$245,000	(\$20,000)	
144180	Less Plant Operation Costs Allocated – Decrease in plant allocations to other projects and programs.	(\$853,878)	(\$789,217)		\$64,661
145100	Gross Salaries and Wages – Increase in total salaries and wages paid for year.	\$3,557,380	\$3,614,975		\$57,595
145130	Less Salaries and Wages allocation to Programs – Increase in salaries and wages allocated to other programs.	(\$3,557,380)	(\$3,614,975)	(\$57,595)	
145101	Workers Compensation Expenses – Increase in workers compensation claim expenses.	\$0	\$35,887		\$35,887
146106	Consultants - Decrease in contractor expenses for fair valuation of Land & Building Assets. Increase in fair valuation expenses for Other Infrastructure. Increase in contractor expenses for Financial Management Review and Audit Regulation 17 Review.	\$153,000	\$183,013		\$30,013
146150	Less Administration Allocations – Increase in administration expenses allocated to other programs.	(\$1,550,493)	(\$1,567,262)	(\$16,769)	
149001	Rylington Park Operational Expenses – Increase in staff wages and overheads allocations. Increase in material expenses for field days, chemical costs and seed selling expenses. Increase in contractor expenses for hay bailing.	\$818,586	\$963,409		\$144,823
149101	Rylington Park income – Increase in seed sales and other income.	(\$832,337)	(\$886,380)	(\$54,043)	
300101	Transfer to Reserves – Increase in transfer to Rylington Park Community Projects Reserve from sale of Lot 55 and 57 Cailles St.	\$101,000	\$194,000		\$93,000
300102	Transfer from Reserves – Decrease in transfer from Rylington Park Working Capital Reserve due to increased revenue.	(\$154,100)	(\$90,000)		\$64,100
000000	Surplus/Deficit – Carried Forward – Decrease in closing surplus due to end of year audit adjustments.	(\$2,413,807)	(\$2,375,392)		\$38,415

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
000000	Book value of Assets Sold Written Back – Increase in non-cash write-back value of assets disposed.	(\$175,000)	(\$280,545)	(\$105,545)	
111400/ LRC019	Tonebridge Hall Refurbishment – Increase approved by Council to address removal of asbestos – reallocation from Sandakan Playground project.	\$40,000	\$58,000		\$18,000
111400/ LRC027	McAlinden Hall Refurbishment – Increase in contractor costs for hall refurbishment – reallocation of funds from Sandakan Playground project approved by Council.\$0	\$0	\$20,000		\$20,000
132400	Tourist Centre Capital Expenditure – Allocate funding to investigate & resolve building septic issue.	\$0	\$30,000		\$30,000
149503	Rylington Park House Capital Expenditure – Increase in contractor costs for roof and gutter repairs.	\$22,500	\$40,500		\$18,000
149502	Rylington Park Plant & Equipment – Decrease in materials cost for deletion of portable yards purchase.	\$85,000	\$60,000	(\$25,000)	
121403/ RTR007	Kulikup Road South RTR – Increase in wages, overheads and plant allocations. Decrease in materials and contractor expenses.	\$432,888	\$317,711	(\$115,177)	
121403/ RTR008	Jayes Road RTR – Project deferred to 2023-2024 due to time constraints.	\$202,115	\$0	(\$202,115)	
121403/ RTR038	Lodge Road RTR – Project deferred to 2023-2023 due to time constraints.	\$77,333	\$0	(\$77,333)	
121404/ RRG148	RRG Boyup Brook-Cranbrook Road – Decrease in wages, overheads and plant allocations.	\$443,989	\$330,000	(\$113,989)	
121404/ RGA148	RRG Boyup Brook-Cranbrook Road – Increase in wages, overheads and plant allocations. Decrease in contractor expenses.	\$142,200	\$177,971		\$35,771
121404/ RRG004	RRG Winnejug Road – Project delayed due to clearing permit issues. Funding returned to RRG.	\$321,820	\$5,950	(\$315,870)	
121404/ RGA004	RRG Winnejug road - Project delayed due to clearing permit issues. Funding returned to RRG.	\$228,099	\$3,523	(\$224,576)	
121404/ RGB148	RRG Boyup Brook-Arthur River Road – New project from RRG to replace Winnejug Road.	\$0	\$275,240		\$275,240
121410	Municipal Fund – Winter Grading – Increase in materials and contractor costs for plant hire.	\$380,670	\$504,021		\$123,351

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
121450/ MR0741	Bridges Capital – Boree Gully Road – increase in contractor expenses – project brought forward – offset by grant funds from WA Local Government Grants Commission.	\$0	\$170,000		\$170,000
121700	Inglis Street Footpath Construction - Project deferred to 2023-2023 due to time constraints and difficulty in sourcing contractors.	\$75,075	\$0	(\$75,075)	
111800/ LRC024	Drainage Town Hall – Increase in contractor expenses – reallocation of funds from Sandakan Playground approved by Council.	\$150,000	\$212,000		\$62,000
121411/ DC163	Spencer Road Culvert Works - Project deferred to 2023-2023 due to time constraints.	\$67,203	\$0	(\$67,203)	
113909/ LRC026	Sandakan Playground Upgrade – Decrease due to funding reallocated to other projects approved by Council.	\$100,000	\$0	(\$100,000)	
	Other minor variations below the \$10,000 threshold			(\$64,769)	\$153,682
TOTAL				(\$2,416,184)	\$2,393,184
Net Adjustment to 2022/23 Budget				\$23,000	

Estimated closing funds in 2022-23 Adopted Budget

\$ 0

Plus, net savings as detailed in table above

\$23,000

Net Estimated Closing Funds

\$23,000

Based on current revenue and expenditure trends, and projections as at 28 February 2023, it is estimated that a small surplus of \$23,000 can be achieved as at 30 June 2023.

CONSULTATION

Internal – Senior Executives

External – Nil

STATUTORY OBLIGATIONS

Local Government Act 1995 Section 6.2

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

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The financial implications of this report are detailed in the commentary section. Based on current trends, the budget review analysis predicts:

1. an overall increase in operating revenue of \$107,385;
2. an overall increase in operating expenditure of \$425,723;
3. an overall decrease in capital expenditure on assets of \$534,166;
4. an overall decrease in non-operating revenue of \$102,714;
5. an overall increase in Proceeds on Sale of Assets of \$105,545;
6. an overall increase in Lease Principal repayments of \$143;
7. an overall increase in Transfers to Reserve of \$93,000;
8. an overall decrease in Transfers from Reserve of \$64,100; and
9. a decrease in the Opening Surplus of \$38,415.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 13.1

That Council:

1. **Adopts the 2022/23 Annual Budget Review, as presented in Attachment 1, and note that the estimated closing funds are based on current revenue and expenditure trends; and**
2. **Approves the following budget amendments as authorised expenditure and income:**

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
092020	Proceeds Sale of Land Asset – Increase in proceeds on sale of land for 55 and 57 Cailles Street. Not anticipated in original budget.	(\$0)	(\$106,000)	(\$106,000)	
'092600	Written Down Value – Disposal of Assets	\$175,000	\$280,545		\$105,545
051117	BFRC – Bushfire Risk Planning – Increase in wages allocation.	\$23,050	\$42,300		\$19,250
051004	ESL Funding Operating Grant – Increase from reimbursement of ESL operating expenses relating to 2021-2022	(\$170,492)	(\$182,395)	(\$11,903)	
052110	Ranger Services Salaries – Decrease in wages allocation for ranger services – allocated to other law and order.	\$72,298	\$35,148	(\$37,780)	
074112	Medical Centre Locum Doctor – Decrease in materials expense for relieving doctor, offset by	\$48,600	\$22,600	(\$26,000)	

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	increase in Medical Centre Doctor salaries				
092108	Property Selling Expenses – Increase in contractor costs for settlement services to sell lots 55 and 57 Cailles St.	\$0	\$13,000		\$13,000
101102	Boyup Brook Transfer Station – Increase in contractor expenses for mulching of green waste.	\$56,614	\$69,094		\$12,480
101103	Landfill Disposal Site – Decrease in contractor expenses for plant hire for trenching.	\$70,208	\$53,458	(\$16,750)	
101001	Refuse Collection Charges – Increase in rubbish collection services.	(\$195,523)	(\$209,000)	(\$13,477)	
106101/ B0420	Cemetery operation – Increase in contractor expenses for site plan and kerbing works.	\$30,820	\$52,820		\$22,000
106101/ G314	Cemetery Grounds – Increase in wages, overheads and plant allocations	\$7,735	\$20,401		\$12,666
113110/ G206	Townsite Gardens – Increase in wages, overheads and plant allocations.	\$73,142	\$104,115		\$30,973
113112	Reserves and Parks Operations – Increase in wages, overheads and plant allocations. Increase in contractor expenses for music stage repairs.	\$71,089	\$96,134		\$25,045
112009	Grants and Contributions – Increase in contribution made for operation of swimming pool from third party.	(\$0)	(\$20,000)	(\$20,000)	
121001	RRG Project Grants – Decrease in RRG grant for Winneup Road – project not able to proceed this year due to clearing permit delays – funding returned to RRG. Increase in RRG grant for Boyup Brook-Arthur River Road – new project to offset Winneup Road project.	(\$1,147,000)	(\$1,007,493)		\$139,507
121003	Grants Roads to Recovery (RTR) – Decrease in RTR funding claimed due to deferral of projects to 2023-2024.	(\$593,098)	(\$372,429)		\$220,669
121004	Capital Grants & Other Contributions – Increase in LRCI Phase 2 funding received	(\$928,921)	(\$985,855)	(\$56,934)	
121007	Special Bridge Funding – Increase in grant funding transferred from contract liabilities to meet capital expenditure for Boree Gully Bridge reinstatement works.	\$0	(\$170,000)	(\$170,000)	
122100	Depot Building – Building Costs – Increase in wages, overheads and plant allocations.	\$61,748	\$79,246		\$17,498

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	Increase in electricity expenses. Decrease in water consumption expenses.				
122103	Road Maintenance and Repairs – Increase in wages, overheads and plant allocations. Increase in contractor expenses for plant hire.	\$421,364	\$496,173		\$74,809
122107	Maintenance Grading – Decrease in wages, overheads and plant allocations – reallocated to other works, including Road Maintenance and Repairs, Verge Pruning and Emergency Services.	\$302,567	\$129,612	(\$123,308)	
122105	Repairs & Maintenance Bridges – Increase in wages, overheads and plant allocations. Increase in contractor expenses for repair works. Increase in insurance premiums.	\$185,061	\$230,665		\$45,604
122108	Drains and Culverts Maintenance – Decrease in materials expenses for pipe purchases.	\$97,488	\$52,488	(\$45,000)	
122109	Verge Pruning – Increase in wages, overheads and plant allocations.	\$106,346	\$120,880		\$14,534
122123	Emergency Services – Increase in wages, overheads and plant allocations.	\$19,401	\$34,100		\$14,699
122126	Streetscape Expenses – Increase in wages, overheads and plant allocations	\$10,000	\$21,271		\$11,271
123103	Community Development Officer – Increase in salaries allocation.	\$0	\$12,300		\$12,300
132104	Tourist Centre – Increase in wages, overheads and plant allocations. Increase in water consumption expenses. Increase contractor expenses for building assessment.	\$62,219	\$84,723		\$22,504
132108	Caravan Park/Flaxmill Building Operation - Increase in wages, overheads and plant allocations. Increase in superannuation expenses. Increase in materials expenses for maintenance and replacement power pole. Increase in water consumption expenses.	\$97,061	\$155,482		\$58,421
132002	Caravan Park & Complex Fees – Trends indicate decrease in camping fees	(\$60,000)	(\$15,600)		\$44,000
135100	Standpipe Expenses – Decrease in water consumption expenses.	\$36,977	\$12,157	(\$24,820)	
143100	Supervision – Increase in salaries allocations.	\$311,084	\$325,562		\$14,478
143110	Occupational Health & Safety Expenses – Increase in wages allocations. Increase in	\$46,128	\$73,520		\$27,393

Minutes – Council Meeting – 30 March 2023

ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	training expenses and other employee costs.				
143117	Works Manager Housing Expenses – Decrease in private rental expenses for housing.	\$15,600	\$75	(\$15,525)	
143180	Less Public Works Overheads allocated – Increase in overhead allocations to other programs and projects.	(\$839,889)	(\$867,362)	(\$27,474)	
143001	Workers Compensation Reimbursements – Increase in reimbursements for workers compensation insurance claims	(\$600)	(\$35,329)	(\$34,729)	
144100	Repair Wages – Decrease in wages allocations due to position vacancy.	\$99,910	\$48,485	(\$51,425)	
144101	Fuel & Oils – Trends indicate decrease in fuel expenses.	\$265,000	\$245,000	(\$20,000)	
144180	Less Plant Operation Costs Allocated – Decrease in plant allocations to other projects and programs.	(\$853,878)	(\$789,217)		\$64,661
145100	Gross Salaries and Wages – Increase in total salaries and wages paid for year.	\$3,557,380	\$3,614,975		\$57,595
145130	Less Salaries and Wages allocation to Programs – Increase in salaries and wages allocated to other programs.	(\$3,557,380)	(\$3,614,975)	(\$57,595)	
145101	Workers Compensation Expenses – Increase in workers compensation claim expenses.	\$0	\$35,887		\$35,887
146106	Consultants - Decrease in contractor expenses for fair valuation of Land & Building Assets. Increase in fair valuation expenses for Other Infrastructure. Increase in contractor expenses for Financial Management Review and Audit Regulation 17 Review.	\$153,000	\$183,013		\$30,013
146150	Less Administration Allocations – Increase in administration expenses allocated to other programs.	(\$1,550,493)	(\$1,567,262)	(\$16,769)	
149001	Rylington Park Operational Expenses – Increase in staff wages and overheads allocations. Increase in material expenses for field days, chemical costs and seed selling expenses. Increase in contractor expenses for hay bailing.	\$818,586	\$963,409		\$144,823
149101	Rylington Park income – Increase in seed sales and other income.	(\$832,337)	(\$886,380)	(\$54,043)	
300101	Transfer to Reserves – Increase in transfer to	\$101,000	\$194,000		\$93,000

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ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
	Rylington Park Community Projects Reserve from sale of Lot 55 and 57 Cailles St.				
300102	Transfer from Reserves – Decrease in transfer from Rylington Park Working Capital Reserve due to increased revenue.	(\$154,100)	(\$90,000)		\$64,100
000000	Surplus/Deficit – Carried Forward – Decrease in closing surplus due to end of year audit adjustments.	(\$2,413,807)	(\$2,375,392)		\$38,415
000000	Book value of Assets Sold Written Back – Increase in non-cash write-back value of assets disposed.	(\$175,000)	(\$280,545)	(\$105,545)	
111400/ LRC019	Tonebridge Hall Refurbishment – Increase approved by Council to address removal of asbestos – reallocation from Sandakan Playground project.	\$40,000	\$58,000		\$18,000
111400/ LRC027	McAlinden Hall Refurbishment – Increase in contractor costs for hall refurbishment – reallocation of funds from Sandakan Playground project approved by Council.\$0	\$0	\$20,000		\$20,000
132400	Tourist Centre Capital Expenditure – Allocate funding to investigate & resolve building septic issue.	\$0	\$30,000		\$30,000
149503	Rylington Park House Capital Expenditure – Increase in contractor costs for roof and gutter repairs.	\$22,500	\$40,500		\$18,000
149502	Rylington Park Plant & Equipment – Decrease in materials cost for deletion of portable yards purchase.	\$85,000	\$60,000	(\$25,000)	
121403/ RTR007	Kulikup Road South RTR – Increase in wages, overheads and plant allocations. Decrease in materials and contractor expenses.	\$432,888	\$317,711	(\$115,177)	
121403/ RTR008	Jayes Road RTR – Project deferred to 2023-2024 due to time constraints.	\$202,115	\$0	(\$202,115)	
121403/ RTR038	Lodge Road RTR – Project deferred to 2023-2023 due to time constraints.	\$77,333	\$0	(\$77,333)	
121404/ RRG148	RRG Boyup Brook-Cranbrook Road – Decrease in wages, overheads and plant allocations.	\$443,989	\$330,000	(\$113,989)	
121404/ RGA148	RRG Boyup Brook-Cranbrook Road – Increase in wages, overheads and plant allocations. Decrease in contractor expenses.	\$142,200	\$177,971		\$35,771

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ACCOUNT/ JOB	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
121404/ RRG004	RRG Winnejug Road – Project delayed due to clearing permit issues. Funding returned to RRG.	\$321,820	\$5,950	(\$315,870)	
121404/ RGA004	RRG Winnejug road - Project delayed due to clearing permit issues. Funding returned to RRG.	\$228,099	\$3,523	(\$224,576)	
121404/ RGB148	RRG Boyup Brook-Arthur River Road – New project from RRG to replace Winnejug Road.	\$0	\$275,240		\$275,240
121410	Municipal Fund – Winter Grading – Increase in materials and contractor costs for plant hire.	\$380,670	\$504,021		\$123,351
121450/ MR0741	Bridges Capital – Boree Gully Road – increase in contractor expenses – project brought forward – offset by grant funds from WA Local Government Grants Commission.	\$0	\$170,000		\$170,000
121700	Inglis Street Footpath Construction - Project deferred to 2023-2023 due to time constraints and difficulty in sourcing contractors.	\$75,075	\$0	(\$75,075)	
111800/ LRC024	Drainage Town Hall – Increase in contractor expenses – reallocation of funds from Sandakan Playground approved by Council.	\$150,000	\$212,000		\$62,000
121411/ DC163	Spencer Road Culvert Works - Project deferred to 2023-2023 due to time constraints.	\$67,203	\$0	(\$67,203)	
113909/ LRC026	Sandakan Playground Upgrade – Decrease due to funding reallocated to other projects approved by Council.	\$100,000	\$0	(\$100,000)	
	Other minor variations below the \$10,000 threshold			(\$64,769)	\$153,682
TOTAL				(\$2,416,184)	\$2,393,184
Net Adjustment to 2022/23 Budget				\$23,000	

MOVED: Cr Kevin Moir

SECONDED: Cr Helen C O'Connell

CARRIED 7/2

Res 23/03/053

13.2 Boyup Brook Bowling Club's Application for the Small Grants Community Sporting and Recreation Facilities Fund (CSRFF) for Upgrade of Bowling Surface

Location:	Not Applicable
Applicant:	Not Applicable
File:	FM/25/040
Disclosure of Officer Interest:	None
Author:	Nicki Jones, Community Development Officer
Authorising Officer:	Carolyn Mallett, Deputy Chief Executive Officer
Attachments:	Letter from Boyup Brook Bowling Club 16 January 2023

SUMMARY

The purpose of this report is for Council to consider:

1. Endorsing the submission by the Boyup Brook Bowling Club for the Small Grants Community Sporting and Recreation Facilities Fund (CSRFF) application for \$140,000 + GST to upgrade the artificial surface at the Boyup Brook Bowling Club; and,
2. Making an allocation of up to \$10,000 in the 2023/24 Shire Budget as a project contribution.

BACKGROUND

The Boyup Brook Bowling Club has been operational for over 60 years. In 2010 the Club upgraded their lawn greens to synthetic carpet and put in place a fund for future replacement costs. The existing carpet has served well over the last decade however is now due for replacement due to deterioration associated with age. There are currently only 4 rinks of a possible 7 that are now playable. Further deterioration in the current carpet will render the playing surface unusable.

The Club have taken the initiative to once again upgrade, deciding not to replace with the same carpet but move to a synthetic green that is more durable and fit for purpose. The Club has raised a substantial amount towards the upgrade, however, do not have the full amount to proceed with the project. The Bowling Club has also approached several organisations for sponsorship, with varying contributions.

Normally a request to Council for consideration of endorsement and financial support for a project would not come as a late item. The Acting CEO has brought this project to our attention to be resolved, as previous eligibility criteria for the grant application had been questioned. The Shire received enquiries from the Boyup Brook Bowling Club early April 2022, seeking Council endorsement and financial support in applying for grant funds to resurface the bowls playing surface. In the time ensuing, enquiries with DLGSCI have provided opposing responses, which has resulted in the project shifting from being ineligible to eligible many times. Due to the surface being funded by DLGSCI originally in 2010, the project was considered ineligible at the time, based on advice from DLGSCI. When the Bowling Club re-approached the Shire recently, enquiries were recommenced with DLGSCI with initial indication that the project was ineligible. Further enquiries then

revealed that the project would be eligible, though only for 1/6 contribution. Communication with DLGSCI has proven challenging, as they are responding to many queries from applicants.

COMMENT

The Department of Local Government, Sport and Cultural Industries (DLGSCI), formerly Department of Sport and Recreation, offer CSRFF small grants twice a year for projects such as surface conversions. Refer below excerpt from CSRFF website.

CSRFF small grants

Small grants will be awarded to projects involving a basic level of planning. The total project cost for small grants must not exceed \$300,000. Grants given in this category must be claimed by 15 June in the relevant financial year. Please see page 11 for an overview of the small grants application process.

Examples of small grant projects:

- Cricket pitch and practice wickets
- Storage upgrades
- Changerooms refurbishments
- Safety fences for sport and recreation facilities, i.e. ballistic sports
- Court surface conversion
- Large scale dams, water collection systems and pipelines for distribution (maximum grant offered is \$60,000)
- Various planning studies to a maximum grant amount of \$25,000

Value of total project

\$7500 to \$300,000 exclusive of GST.

Priority consideration

CSRFF can fund new or upgraded facilities which will maintain or increase physical activity, or result in a more rational use of facilities. Priority will be given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability. The program is not designed to provide facilities to meet a club's ambitions to compete in a higher grade.

Examples of projects which will be considered for funding include:

- New playing surfaces e.g. ovals, courts, synthetic surfaces etc.
- Change rooms and ablutions
- Sports storage
- Clubrooms including social space, kitchen, administration areas and viewing areas. Please note that these areas have a minimal impact on physical activity and would be considered a lower priority.
- Resurfacing of existing sports surfaces. It is expected that facility managers will budget for these items as part of the ongoing operation of the facility, frequently over 7 to 10 years, and will be considered a low priority for funding. If successful the project is likely to attract reduced funding of 16.66%. In competitive rounds it is unlikely that these projects will receive funding.

There are many health benefits to supporting this project:

- Connectedness – playing sport brings people together. Lawn Bowls is a team sport and provides a place for any age group to connect through a common interest. This can reduce the feeling of loneliness and isolation.
- Mental wellbeing – exercise has shown to have a positive influence on mental wellbeing. Participation in regular exercise can reduce stress and anxiety and also increases self-esteem. Exercise can not only assist in preventing mental health problems, but it can also improve the quality of life of those experiencing them.
- Physical wellbeing – regular physical activity can assist in the prevention of health issues such as heart disease, diabetes, stroke and some cancers. It also helps to prevent hypertension (high blood pressure), overweight and obesity. By preventing or reducing health issues, the reliance on our local health system is reduced meaning members of the community who are seeking a medical appointment can be seen sooner.

The Bowling Club have been dedicated in providing a fit for purpose bowling green for all members and the community to enjoy. This is evident by their effort and commitment to a savings plan and raising substantial funds to meet the ongoing needs of the asset and future members. The Club have been resourceful in their preparedness for the grant application by developing a scope of works, budget, key milestones and arranging for quotes.

Council endorsement is required, to meet grant application eligibility criteria.

CONSULTATION

Brendan McNally - A/Regional Manager – Peel/South West, Department of Local Government, Sport and Cultural Industries

Boyup Brook Bowling Club

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

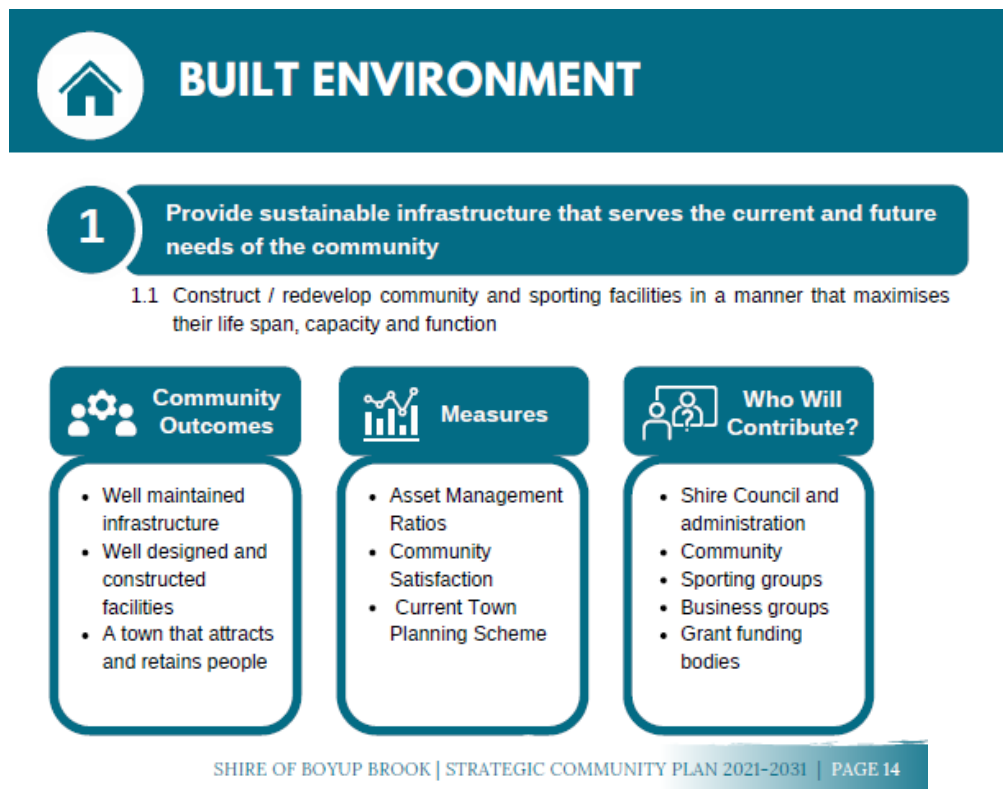
Policy F.02 Guidelines for Community Grants has been considered as an alternative source of funding application by the Bowling Club.

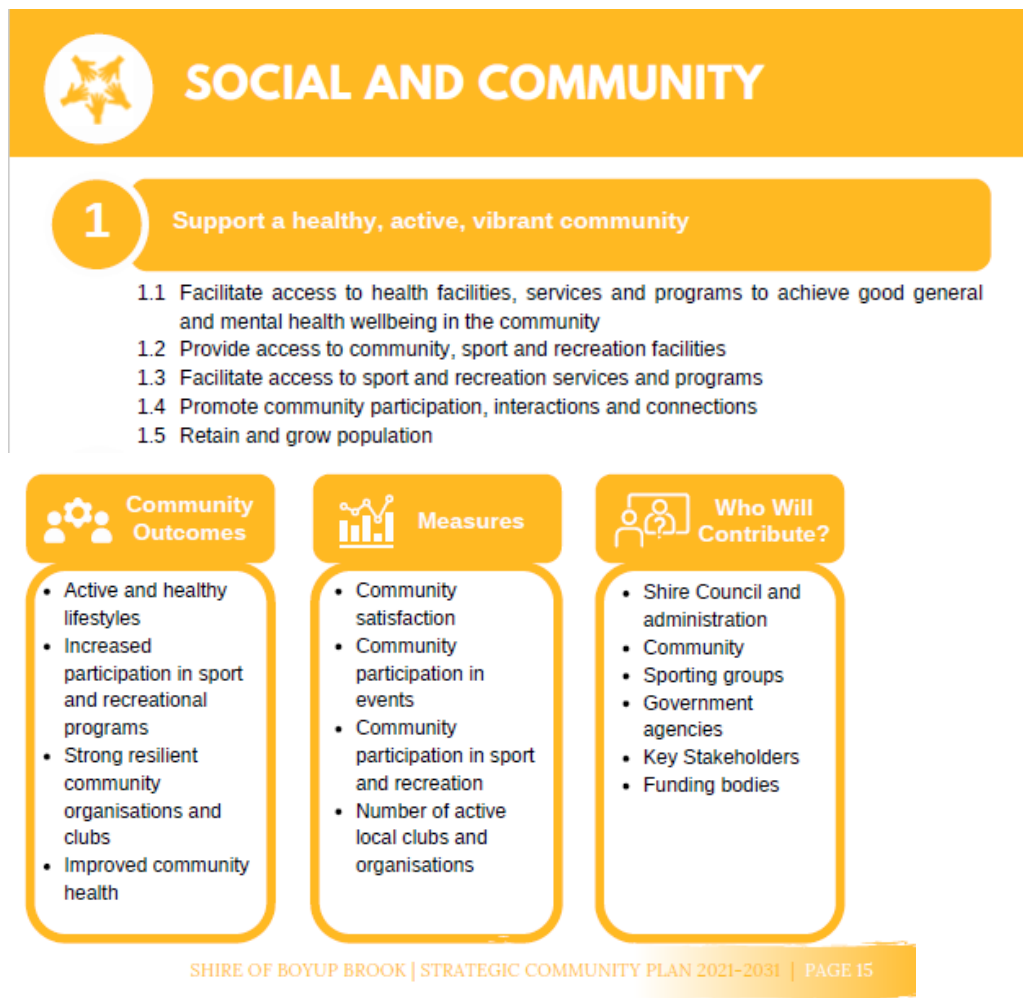
BUDGET/FINANCIAL IMPLICATIONS

The allocation of \$10,000 (ex GST) in the 2023/24 Budget for the Boyup Brook Bowling Club artificial surface upgrade.

STRATEGIC IMPLICATIONS

Relevant excerpt from the Adopted Boyup Brook Strategic Community Plan 2021 - 2031.





SUSTAINABILITY IMPLICATIONS

- **Environmental**
N/A
- **Economic**
Upgraded bowling surfaces will support the continued enjoyment of the sporting group, bringing additional visitors to Boyup Brook for competitive events.
- **Social**
N/A

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 13.2

That Council:

1. **Endorses the Boyup Brook Bowling Club's application to the Community Sporting and Recreation Facilities Fund (CSRFF) to upgrade the artificial surface at the Boyup Brook Bowling Club.**
2. **Considers an allocation of up to \$10,000 in the 2023/24 Shire Budget as a project contribution.**

MOVED: Cr Charles A D Caldwell

SECONDED: Cr Darren E King

CARRIED 9/0

Res 23/03/054

14 CLOSURE OF MEETING

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at 8.22pm.