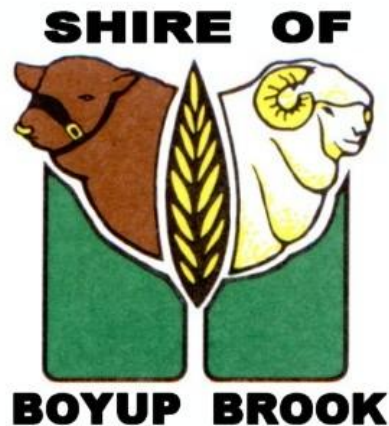


# Minutes



**ORDINARY MEETING**

held

**THURSDAY 23 August 2018**

**Commenced AT 5.00PM**

**AT**

**SHIRE OF BOYUP BROOK  
CHAMBERS**

**ABEL STREET – BOYUP BROOK**

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## **1 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED**

### **1.1 Attendance**

Cr G Aird – Shire President  
Cr R Walker - Deputy Shire President  
Cr Moir  
Cr S Alexander  
Cr P Kaltenrieder  
Cr E Muncey  
Cr H O'Connell  
Cr E Rear

STAFF: Mr Alan Lamb (Chief Executive Officer)  
Mrs Kay Raisin (Acting Finance Manager)  
Mrs Maria Lane (Executive Assistant)

PUBLIC: Mr John Imrie

### **1.2 Apologies**

### **1.3 Leave of Absence**

Cr T Oversby

## **2 PUBLIC QUESTION TIME**

Q.Mr Imrie wanted to know if he can do repairs to the Boyup Brook Museum?

A. The CEO advised Mr Imrie to refer to the Lease agreement and make an appointment to discuss any further queries.

Q. Mr Imrie wanted to know why he did not receive his tip pass with his rates notice.

A.The CEO advised Mr Imrie there is a change of procedure this year.

Ratepayers will be requested to sign for the numbered pass.

Historically passes were sent out with the rates but there has not been a clear indication as to the number of rural ratepayers that actually use these passes.

Hopefully by having a numbered pass, which the Transfer Station officer will return to Admin when fully used, will allow statistics to be compiled. Reviewing the statistics will assist in determining the most cost effective and efficient distribution of Rural Tip Passes to those entitled.

**2.1 Response to Previous Public Questions Taken on Notice**

**3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS**

Cr Rear attended the RSL meeting.

Cr Rear attended the Museum meeting.

Cr Rear attended a meeting at the Mayanup Hall in relation to the Live Sheep Export.

Cr O'Connell attended the Boyup Brook Tourism Association AGM on 31st July 2018.

Cr O'Connell attended the Rylington Park Committee meeting on 31st July 2018.

Cr O'Connell attended the Budget workshop/Special Council meeting on 9th August 2018.

Cr O'Connell attended the Boyup Brook CRC Management meeting on 15th August 2018.

Cr Alexander attended the Budget workshop/Special Council meeting on 9th August 2018.

Cr Kaltenrieder attended the Boyup Brook CRC Management meeting.

Cr Kaltenrieder attended the WALGA Convention Week.

Cr Kaltenrieder attended the Blackwood Basin Group Committee meeting.

Cr Muncey informed Council that the upgrade to the Lodge is money well spent and they have done a good job.

**5 CONFIRMATION OF MINUTES**

**5.1 Ordinary Meeting of Council**

**COUNCIL DECISION & OFFICER RECOMMENDATION**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr Muncey**

**That the minutes of the Ordinary Council Meeting held on Thursday 19 July 2018 be confirmed as an accurate record.**

**CARRIED 8/0**

**Res 149/18**

**5..2 Special Council Meeting of Council**

**COUNCIL DECISION & OFFICER RECOMMENDATION**

**MOVED: Cr Alexander**

**SECONDED: Cr O'Connell**

**That the minutes of the Special Council Meeting held on Tuesday 10th July 2018 and 9th August 2018 be confirmed as an accurate record.**

**CARRIED 8/0**

**Res 150/18**

**6 PRESIDENTIAL COMMUNICATIONS**

Attended a Budget Workshop on 26th July 2018.

Attended a WALGA training course on 31st July 2018.

Attended the WALGA Convention week from 31st July to 3rd August 2018.  
Attended a meeting at the Mayanup Hall in relation to the Live Sheep Export.  
Attended the Boyup Brook District High School meeting regarding Talison and Sandakan arrangements on 6th August 2018.  
Attended a meeting at the War Memorial with the RSL President and CEO.

## **7 COUNCILLORS QUESTIONS ON NOTICE**

### **Standing Orders provide for**

#### **8. QUESTIONS**

##### **8.1 Questions of Which Due Notice Has to be Given**

*8.1.1 Any Councillor seeking to ask a question at any meeting of the Council shall give written notice of the specific question to the Chief Executive Officer at least 24 hours before publication of the business paper.*

*8.1.2 All questions and answers shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.*

##### **8.2 Questions Not to Involve Argument or Opinion**

*In putting any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except those necessary to explain the question.*

<b>7.1 Question from Councillor Walker</b>
--

Can the CEO please explain to Council, how the LTFP covers the review of the organisational structure to ensure alignment of resources and capability to deliver the SCP and CBP?

#### **Answer from CEO**

The Long Term Financial Plan sets the financial framework for the organisation to meet the Strategic Community Plan, both are 10 year plans. The Corporate Business Plan sets how the aspirations of the SCP are to be implemented over a four year period. The LTFP provides detail of the income and expenses required to meet both the SCP and CBP. The LTFP includes employee costs. The LTFP used the adopted 2017/18 Budget, which, among other things set service levels by the provision of funds to meet those levels, as the starting point.

So the opinion was expressed on the basis that the latest LTFP, which was completed earlier this year, includes all costs associated with the current SCP and CBP.

## **8 REPORTS OF OFFICERS**

### **8.1 MANAGER WORKS & SERVICES**

Nil

## 8.2 FINANCE

### 8.2.1 List of Accounts Paid in July 2018

<b>Location:</b>	<i>Not applicable</i>
<b>Applicant:</b>	<i>Not applicable</i>
<b>File:</b>	<i>FM/1/002</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>15/08/2018</i>
<b>Author:</b>	<i>Carolyn Mallett - Acting Accountant and Kay Raisin – Acting Finance and HR Manager</i>
<b>Authorising Officer:</b>	<i>Alan Lamb – Chief Executive Officer</i>
<b>Attachments:</b>	<i>Yes – List of Accounts Paid in June</i>

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#### **SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in July 2018 are presented to Council.

#### **BACKGROUND**

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 July 2018.

#### **COMMENT**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 July 2018.

#### **CONSULTATION**

Nil

#### **STATUTORY OBLIGATIONS**

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

12. *Payments from municipal fund or trust fund*
- (1) *A payment may only be made from the municipal fund or the trust fund —*
    - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
    - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*

- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

13. *Lists of accounts*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
- (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
- (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name;*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction;**and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**POLICY IMPLICATIONS**

Council's *Authority to Make Payments Policy* has application.

**BUDGET/FINANCIAL IMPLICATIONS**

Account payments accorded with a detailed 2018-19 Annual Budget

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1**

**MOVED: Cr Alexander**

**SECONDED: Cr Muncey**

**That at its August 2018 ordinary meeting Council receive as presented the list of accounts paid in July 2018, totalling \$446,016.73 from Municipal account, \$3,145.30 from Trust account and \$52,239.90 from Police Licensing account as represented by:**

<b>Municipal Cheques</b>	<b>20203 - 20209</b>	<b>\$ 11,188.92</b>
<b>Municipal Electronic Payments</b>	<b>EFT6843 – EFT6978</b>	<b>\$210,328.78</b>
<b>Municipal Direct Payments</b>		<b>\$ 224,499.03</b>
<b>Trust Cheques</b>	<b>2135 - 2139</b>	<b>\$ 3,145.30</b>
<b>Police Licensing Payments</b>		<b>\$ 52,239.90</b>

**CARRIED 8/0**

**Res 151/18**



Kay Raisin left the Chambers at 6.04pm

**WITHDRAWN - ITEM 8.2.2**

The CEO withdrew item 8.2.2 due to it being received late. It will be presented at the September Council meeting.

<b>8.2.2 31 July 2018 Statement of Financial Activity</b>
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<b><i>Location:</i></b>	Not applicable
<b><i>Applicant:</i></b>	Not applicable
<b><i>File:</i></b>	FM/10/003
<b><i>Disclosure of Officer Interest:</i></b>	None
<b><i>Date:</i></b>	15 August 2018
<b><i>Authors:</i></b>	Kay Raisin - A/Finance and HR Manager and Stephen Carstairs - Director Corporate Services
<b><i>Authorizing Officer:</i></b>	Alan Lamb – Chief Executive Officer
<b><i>Attachments:</i></b>	Yes – 31 July 2018 Financial Reports

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**SUMMARY**

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 July 2018.

**BACKGROUND**

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

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

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

**COMMENT**

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

### **CONSULTATION**

Nil

### **STATUTORY OBLIGATIONS**

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

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

### **POLICY IMPLICATIONS**

Nil

### **BUDGET/FINANCIAL IMPLICATIONS**

As presented in the attached reports.

### **STRATEGIC IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION – Item 8.2.2**

**That having had regard for any material variances, Council receive the 31 July 2018 Statement of Financial Activity and Statement of Net Current Assets, as presented.**

### 8.3 CHIEF EXECUTIVE OFFICER

#### 8.3.1 Approval request for Water Tanks & Cattle Yards

<b>Location:</b>	N/A
<b>Applicant:</b>	N/A
<b>File:</b>	
<b>Disclosure of Officer Interest:</b>	
<b>Author:</b>	<i>Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb (Chief Executive Officer)</i>
<b>Attachments:</b>	<i>Letter and plans from UBAS for water tanks and cattle yards</i>

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#### **SUMMARY**

This report is for Council to consider a request from the Upper Blackwood Agricultural Society (UBAS) to install two 32,000 litre water tanks and cattle yards at the Dinninup Showgrounds.

#### **BACKGROUND**

UBAS are hoping to have the water tanks and cattle yards installed for the centenary of the Show, Tuesday 6 November 2018.

As per the attached letter, one of the water tanks would be located at the end of Whistlers Pavilion and Poultry Section Shed; the other would be located directly behind the Main Hall on the Road side of the toilet amenities block.

Based on their lease, the lessee must not make any alterations without obtaining prior written consent. The Shire received a letter from Susan Titchmarsh UBAS Secretary 31 July requesting permission.

The Town Planner has advised that it is not necessary to gain planning approval for the proposed development on the reserve land as long as: the development complies with the reserve Purpose; the tank colour is in-keeping with the existing infrastructure; and, they do not impact on heritage.

The Building Surveyor has advised that this request does not require a building permit.

## **CONSULTATION**

Susan Titchmarsh (Secretary UBAS) has consulted with Peter Sanderson, Shire Maintenance Officer on site to discuss the installation of water tanks and cattle yards.

Adrian Nicholl (Town Planner) and Wayne Jolley (Building Surveyor) have also been consulted to determine planning and building approval requirements.

## **STATUTORY OBLIGATIONS**

Excerpt from the Lease page 9 and 10 Section 10 Alterations.

### **10. Alterations**

**(1) The Lessee must not –**

- (a) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises;
- (b) erect or construct any building on the Premises;
- (c) remove any flora, trees or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises,
- (d) unless the Lessee has obtained the prior written consent –
- (e) of the Lessor;
- (f) of any other person from whom consent is required under this Lease; and
- (g) of any other person as may be required under any statute in force from time to time.

**(2) If the Lessor –**

- (a) and any other person whose consent is required under this Lease or at law consents to any matter referred to in subclause (1) the Lessor may –
  - (i) consent subject to conditions;
  - (ii) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
  - (iii) require that any alteration be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant; and
- (b) consents to any matter referred to in subclause (1) –
  - (i) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities or permits under any statute or policies for such matters; and
  - (ii) the Lessee must apply for and obtain all such consents, approvals, authorities or permits as are required at law before undertaking any alterations, additions, improvements or demolitions.

**(3) All works undertaken under this clause will be carried out at the Lessee's expense.**

**(4) If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either –**

- (a) carry out those other works at the Lessee's expense; or

- (b) permit the Lessor to carry out those other works at the Lessee's expense,  
in accordance with the Lessor's requirements.

### **POLICY IMPLICATIONS**

Nil.

### **BUDGET/FINANCIAL IMPLICATIONS**

The proposed works would be done at no cost to Council but the structure being added will become a Shire asset. If the value of the works is over \$5,000 and can be seen to be of a capital nature, Council will need to obtain relevant costs/values from UBAS and then record the increase in asset value in the Shire's ledgers. The matter may be best treated as a donation from the group to the Shire and recorded as such.

### **STRATEGIC IMPLICATIONS**

Relevant excerpts from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

## **Our Goals**

### **Built Environment**

- Improve road infrastructure

### **Social**

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

### **SUSTAINABILITY IMPLICATIONS**

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

## Economic Development: Maximise Business and Employment Opportunities

### Our Vision:

Our economy will thrive through diversified business and employment opportunities, taking advantage of our local comparative advantages.

We will endeavour to attract industrial and commercial opportunities for our growing community.

We will actively support our local businesses.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Economic Growth	Support new and existing businesses.	<ul style="list-style-type: none"><li>✦ Encourage new businesses through information, incentives and land-use provision.</li><li>✦ Support existing businesses through advocating for a sewerage scheme, tailored parking controls and other initiatives</li></ul>
Increased Visitors and Residents	Develop tourism industry	<ul style="list-style-type: none"><li>✦ Support initiatives for events, fairs, arts, and the like designed to attract visitors to the Shire .</li><li>✦ Collaborate with others on developing short stay accommodation initiatives.</li></ul>
	Attract permanent residents	<ul style="list-style-type: none"><li>✦ Continue to promote the family friendly lifestyle of Boyup Brook.</li><li>✦ Provide incentives for cottage industries to develop in Special Rural/Commercial Zones.</li></ul>

➤ **Social**

## Community Priorities against Key Areas

### **Social:**      **Sense of Community**

#### **Our Vision:**

Our place will be a safe, caring and secure community. Our place will be an active and vibrant community.

We will have access to services and facilities that meet our requirements.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none"><li>+ Continue to work on retaining a Police Station in Boyup Brook.</li><li>+ Continue to encourage initiatives that provide employment opportunities.</li><li>+ Continue to provide and advocate for quality medical and ancillary services in Boyup Brook</li><li>+ Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.</li><li>+ Continue to support development which provides diversity and opportunity for accommodation.</li></ul>
	Promote community participation, interactions and connections	<ul style="list-style-type: none"><li>+ Continue to support Community groups and clubs</li><li>+ Partner with key stakeholders on community needs driven projects.</li></ul>

### **VOTING REQUIREMENTS**

Simple majority.

### **COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.1**

**MOVED: Cr Moir**

**SECONDED: Cr Rear**

That Council approve the request of the Upper Blackwood Agricultural Society (UBAS) to install water tanks and cattle yards provided that:

- the tanks and cattle yards comply with any relevant Standards;
- the development complies with the reserve Purpose; the tank colour is in-keeping with the existing infrastructure; and, they do not impact on heritage;
- that any health and safety issues that arise from time to time regarding the tanks and cattle yards are resolved by UBAS.

**CARRIED 8/0**

**Res 152/18**

#### **Impartiality Interest**

Cr Moir and Cr Walker declared an impartiality interest in the following item due to being a member (volunteer) of the Wilga Progress Association.

### **COUNCIL DECISION**

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

That the Council adopts enbloc 8.3.2 and 9.1.1.

**CARRIED 8/0**

**Res 153/18**

<b>8.3.2 Approval request for works at the Wilga Town Hall</b>
--

**Location:** N/A

**Applicant:** N/A

**File:**

**Disclosure of Officer Interest:**

**Author:** Joanna Kaye (Research and Development Coordinator) and Alan Lamb (Chief Executive Officer)

**Authorizing Officer:** Alan Lamb (Chief Executive Officer)

**Attachments:** Letter from the Wilga Progress Association Inc.

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### **SUMMARY**

This report is for Council to consider a request from the Wilga Progress Association (WPA) to undertake renovation works on the Wilga Town Hall



including the removal and re-cladding of the exterior of the building with jarrah weatherboards.

### **BACKGROUND**

The aims of the proposed works are to ensure the longevity of the Hall and maximise the enjoyment of the town site. All renovation works will be carried out by a licensed Builder. The WPA is currently compiling a Lotterywest grant application for this project. The intention being that the project will be fully funded through the fundraising efforts of the WPA and successful grant applications.

Based on their lease, the Lessee must not make any alterations without obtaining prior written consent. The Shire received a letter from Helen Shields WPA Secretary 6 August requesting permission.

### **CONSULTATION**

Helen Shields, Secretary WPA.

### **STATUTORY OBLIGATIONS**

Building Code of Australia 2009

Excerpt from the Lease Section 10 Alterations.

## 10. Alterations

(1) The Lessee must not –

- (a) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises;
- (b) erect or construct any building on the Premises;
- (c) remove any flora, trees or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises,

unless the Lessee has obtained the prior written consent –

- (d) of the Lessor;
- (e) of any other person from whom consent is required under this Lease; and
- (f) of any other person as may be required under any statute in force from time to time.

(2) If the Lessor –

- (a) and any other person whose consent is required under this Lease or at law consents to any matter referred to in **subclause (1)** the Lessor may –
  - (i) consent subject to conditions;
  - (ii) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
  - (iii) require that any alteration be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant; and
- (b) consents to any matter referred to in **subclause (1)** –
  - (i) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities or permits under any statute or policies for such matters; and
  - (ii) the Lessee must apply for and obtain all such consents, approvals, authorities or permits as are required at law before undertaking any alterations, additions, improvements or demolitions.

(3) All works undertaken under this clause will be carried out at the Lessee's expense.

(4) If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either –

- (a) carry out those other works at the Lessee's expense; or

- (b) permit the Lessor to carry out those other works at the Lessee's expense,  
in accordance with the Lessor's requirements.

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### **POLICY IMPLICATIONS**

Nil

## **BUDGET/FINANCIAL IMPLICATIONS**

The proposed works would be done at no cost to Council but the structure being improved is a Shire asset. If the value of the works is over \$5,000 and can be seen to be of a capital nature, Council will need to obtain relevant costs/values from the Progress Association and then record the increase in asset value in the Shire's ledgers. The matter may be best treated as a donation from the group to the Shire and recorded as such.

## **STRATEGIC IMPLICATIONS**

Relevant excerpts from the Adopted Boyup Brook Strategic Community Plan 2017 - 2027.

### **Our Goals**

#### **Built Environment**

- Improve road infrastructure

#### **Social**

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

## **SUSTAINABILITY IMPLICATIONS**

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

## Community Priorities against Key Areas

**Social:**      **Sense of Community**

Our Vision:

Our place will be a safe, caring and secure community. Our place will be an active and vibrant community.

We will have access to services and facilities that meet our requirements.

Our objectives and priorities are built from our outcomes.

OUTCOMES	OBJECTIVES	PRIORITIES
Sustainable community	Ensure a safe, secure community with access to services and facilities as needed.	<ul style="list-style-type: none"> <li>+ Continue to work on retaining a Police Station in Boyup Brook.</li> <li>+ Continue to encourage initiatives that provide employment opportunities.</li> <li>+ Continue to provide and advocate for quality medical and ancillary services in Boyup Brook</li> <li>+ Continue to advocate for the retention of schools from K to year 10 in Boyup Brook.</li> <li>+ Continue to support development which provides diversity and opportunity for accommodation.</li> </ul>
	Promote community participation, interactions and connections	<ul style="list-style-type: none"> <li>+ Continue to support Community groups and clubs</li> <li>+ Partner with key stakeholders on community needs driven projects.</li> </ul>

### VOTING REQUIREMENTS

Simple majority.

### COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.2

1. That Council approve the request of the Wilga Progress Association Inc to undertake renovation works including the removal and re-cladding of the exterior of the building with jarrah weatherboards on the Wilga Town Hall provided that:
  - all renovations comply with any relevant Standards;
  - works are carried out by a licensed builder; and,
  - provisions are made when considering the cladding to prevent ember attack in the case of a bush-fire.
2. That Council approve the request of the Wilga Progress Association to apply for grant funding to contribute to the renovation project.

CARRIED BY ENBLOC 8/0

Res 154/18

## 9 COMMITTEE MINUTES

<b>9.1.1 Minutes of Swimming Pool Committee</b>
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<b>Location:</b>	<i>N/A</i>
<b>Applicant:</b>	<i>N/A</i>
<b>File:</b>	<i>n/a</i>
<b>Disclosure of Officer Interest:</b>	<i>Nil</i>
<b>Date:</b>	<i>16 August 2018</i>
<b>Author:</b>	<i>Alan Lamb</i>
<b>Attachments:</b>	<i>Yes – Minutes</i>

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### **BACKGROUND**

The Swimming Pool Committee meeting was held on 19 July 2018.

Minutes of the meeting are attached.

### **COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.1**

**That the minutes of the Swimming Pool Committee meeting held 19 July 2018 be received.**

**CARRIED BY ENBLOC 8/0**

**Res 155/18**

## 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 10.1 Cr Helen O'Connell

**MOVED: Cr O'Connell**

**SECONDED: Cr Walker**

**That the Shire of Boyup Brook recognise the environmental impact of single use plastics on our environment and commits to reduce the amount of single use plastics within our Shire.**

**The Shire of Boyup Brook cease to purchase single-use plastics for events organised or sponsored by the Shire of Boyup Brook including Shire meetings and the offices of the Shire. This initiative is to include but not be limited to plastic cups/plates, bottled water, straws, plastic bags etc.**

**That Council implement a new policy by the February 2019 Council meeting.**

**CARRIED 8/0**

**Res 156/18**

**COMMENT:**

The 2017/2027 Boyup Brook Strategic Community Plan states:

*Our Environment:*

*The natural environment, including the Blackwood River and State forests need to be sustained and it is vital that our fertile farming land is preserved.*

With a key goal being:

*Natural Environment*

*♣ Maintain and preserve the natural environment, enhancing the 'river and forest' experience of Boyup Brook.*

We all need to make a conscious effort to work on our plastic use if we want to keep our lands, our river and our community healthy.

Living in this current climate we are taught to live by the three R's : Reduce: Reuse :Recycle

The first and the most important 'R' is: **Reduce.**

**In Western Australia alone:**

- The State government introduced the ban on single use plastic bags from 1st July 2018.
- The Town of Bassendean has banned the use of single-use plastics from events organised or sponsored by the council.

- The Town of Cottesloe has banned the use of “single use plastics” at Council and committee meetings, events and functions.
- The Shire of Denmark are reviewing their Sustainable Event Policy to consider including a ban on single-use plastics.
- The Shire of Collie has recently approved a motion to create a policy to reduce and ban single-use plastics at shire events and within shire buildings.

I realise this resolution may cause some frustration and inconvenience in the short term, as we re-train our usual habits, but I feel the positive effect this will have on the environment will far outweigh the inconvenience – Every Action Counts!

By supporting this motion, we as the Shire Council, can provide good leadership and prove to our residents that we are serious about the goals in our Strategic Plan and caring for our community.

Cr Kaltenrieder left the Chambers at 6.52pm  
Cr Muncey left the Chambers at 6.53pm  
Cr Kaltenrieder returned to the Chambers at 6.55pm  
Cr Muncey returned to the Chambers at 6.56pm

<b>10.2 Cr Walker</b>
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**Declare an Interest**

Cr Alexander declared a financial interest in the following item and departed the Chambers, the time being 7.05pm.

**MOVED INTO COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

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

**CARRIED 7/0**

**Res 157/18**

**MOVED OUT OF COMMITTEE**

**MOVED: Cr Walker**

**SECONDED: Cr Rear**

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

**CARRIED 7/0**

**Res 158/18**

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

**That the CEO write to Price Consulting requesting a costed proposal that will assist the CEO to conduct a review of the organisational structure to ensure alignment of resources and capability to deliver the Strategic Community Plan and Corporate Business Plan.**

**AMENDMENT**

**MOVED: Cr Moir**

**SECONDED: Cr Muncey**

**That the CEO write to Price Consulting requesting a costed proposal that will review the organisational structure to ensure alignment of resources and capability including qualifications to deliver the Strategic Community Plan and Corporate Business Plan for the Shire of Boyup Brook.**



## **AMEND THE AMENDMENT**

**MOVED: Cr Walker**

**SECONDED: Cr O'Connell**

**That the CEO write to Price Consulting requesting a costed proposal that will review the organisational structure to ensure alignment of resources and capability to deliver the Strategic Community Plan and Corporate Business Plan for the Shire of Boyup Brook and report back to Council at the September Ordinary meeting.**

**3/4 LOST**

**Res 159/18**

## **AMENDMENT**

**MOVED: Cr Moir**

**SECONDED: Cr Muncey**

**That the CEO write to Price Consulting requesting a costed proposal that will review the organisational structure to ensure alignment of resources and capability including qualifications to deliver the Strategic Community Plan and Corporate Business Plan for the Shire of Boyup Brook.**

**CARRIED 4/3**

**Res 160/18**

## **Request for Vote to be recorded**

**Cr Rear requested that the vote of all Councillors be recorded.**

### **FOR**

### **AGAINST**

**Cr Muncey**

**Cr O'Connell**

**Cr Moir**

**Cr Kaltenrieder**

**Cr Walker**

**Cr Rear**

**Cr Aird**

## **MOTION**

**That the CEO write to Price Consulting requesting a costed proposal that will review the organisational structure to ensure alignment of resources and capability including qualifications to deliver the Strategic Community Plan and Corporate Business Plan for the Shire of Boyup Brook.**

**CARRIED 6/1**

**Res 161/18**

## **CEO Comment**

In a Briefing Session report to Council in April 2018, it was put that Mr Mike Fitz Gerald's firm conduct a review of the organisation, staffing levels, positions etc to assess capability to meet Council's Strategic Community Plan and Corporate Business Plan. The report included the cost (under \$17,000 and taking 70 hours of a consultants time plus staff time) and methodology of doing this. It also included the suggestion that the one day workshop, which was intended

to meet the same goal, not be conducted in order to part fund the more comprehensive study (the one day workshop cost was less than \$6,000). Open discussion indicated little support for the more comprehensive/expensive study and so the plan was shelved.

The foregoing motion is supported because, if conducted properly, would deliver what the Council appears to want.

It has to be said that all staff, practices and the like are under constant review and that annual reviews are conducted, to the extent possible, by senior officers. So the desire/need for an external review is Council's, but is respected.

If adopted, the motion would deliver a second cost and methodology for Council to assess, perhaps along with the previous one obtained earlier, to see if the method and deliverables meets what Council seeks.

Cr Alexander returned to the Chambers at 7.27pm.

## **11 URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT**

The Shire President accepted the late items be dealt with at this time.

### **COUNCIL DECISION**

**MOVED:** Cr O'Connell

**SECONDED:** Cr Walker

**That the Council adopts enbloc 11.1 and 11.2.**

**CARRIED 8/0**

**Res 162/18**

<b>11.1 Lot 59 Forrest Street - Approval to erect a sign on shire owned land</b>
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<b><i>Location:</i></b>	<i>Lot 59 Forrest Street</i>
<b><i>Applicant:</i></b>	<i>Boyup Brook Tourism Association</i>
<b><i>File:</i></b>	
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>23/8/2018</i>
<b><i>Author:</i></b>	<i>Alan Lamb</i>
<b><i>Authorizing Officer:</i></b>	<i>Chief Executive Officer</i>
<b><i>Attachments:</i></b>	<i>Nil</i>

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### **SUMMARY**

The Boyup Brook Tourism Association seeks Council approval to erect a sign on Shire owned land.

### **BACKGROUND**

The Association leases the building at lot 59 Forrest Street, it does not lease the land around it.

The Association seeks to erect a noticeboard style of sign on land near the building it leases. The Shire owns the land and buildings at lot 59 Forrest Street and so the Association has no right to erect the sign unless Council gives approval on behalf of the Shire.

The matter was included in the July Council agenda as a notice of motion which lead to the following resolution:

***That Council request the Development (Advertising) - Lot 59 Forrest Street, Boyup Brook report (item 8.3.5 in Council's 21 June 2018 agenda) to be reconsidered.***

Council subsequently, at the July meeting made the following resolution:

***The CEO be directed to report on the location of the proposed sign focusing on the safety aspect and report back to the next Council meeting.***

A Council officer visited the site and discussed the proposed sign and where it was intended to be erected. The officer's report back included the following:

*it will be recessed 50 or 60 cm inwards from the balustrades, so there is no way anybody can hit their head or other parts of their body on the notice board structure. The position diagram picture submitted is only a illustration and does not show the true location of the notice board.*

*The notice board itself is black acrylic and special removable application pens are used to advertise and inform, you can not draw on the board with normal pens or pencils. The board slides in and out of the stand so changes to the notice can be made. This should be able to be done safely by a person from where it is proposed to be located.*

### **COMMENT**

This matter came to Council, at its June 2018 meeting, as a development application. The CEO noted at that time that approval had not been sought or given to use the land as intended in the development application.

Council expressed safety concerns at that meeting based on the drawings and diagrams provided by the applicant to show what was to be built. The officer recommendation was not moved or seconded and so the development approval was not dealt with.

Now that it has been established that the drawings put forward with the development application etc do not show the planned location of the sign, that the planned location should ensure that the sign is not a potential hazard and that the sign itself should not pose a risk to others writing on it, it is open to Council to approve Shire land being used for the desired purpose.

It is recommended that Council give approval subject to :

- The sign remaining the property of the Boyup Brook Tourism Association.
- The Boyup Brook Tourism Association maintaining the sign to the satisfaction of the Shire.
- The Shire having right of veto over what may be put on the sign.
- The approval is not given in perpetuity and may be withdrawn at any time.

The first two should require no explanation, this third is intended to allow the Shire the right to seek to have anything which may be seen as not being appropriate, removed (not expected but never the less, it will be a prominent sign on Shire property and so anything on it could be taken to be from or endorsed by Council). The last dot point is to cover the term for which approval is given. Whilst a set term, expressed in years or months, may be logical, it would not allow for a situation where future, as yet unplanned, works may dictate the sign be relocated, removed or the like.

The applicant has asked that Council to donate the development application fee waived. Accordingly, it is recommended that Council donate the development application fee of \$ 147.00.

#### **CONSULTATION**

The matter has been before Council on two occasions, the applicant has been contacted by a number of officers and a number of officers have been involved in the matter.

#### **STATUTORY OBLIGATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

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

The applicant has asked to have the development application fee donated (\$147.00).

#### **STRATEGIC IMPLICATIONS**

Nil

## **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 11.1**

**That Council:**

1. **Give approval to the Boyup Brook Tourism Association to place a sign on Shire land at lot 59 Forrest Street subject to :**
  - **The sign remaining the property of the Boyup Brook Tourism Association.**
  - **The Boyup Brook Tourism Association maintaining the sign to the satisfaction of the Shire.**
  - **The Shire request removal of inappropriate wording, as assessed by the Shire.**
  - **The approval is not given in perpetuity and may be withdrawn at any time.**
2. **Donate the development application fee of \$147.00**

**CARRIED BY ENBLOC**

**Res 163/18**

<b>11.2 Development (Advertisement) – Lot 59 Forrest Street, Boyup Brook.</b>
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<b>Location:</b>	<i>Lot 59, Forrest Street, Boyup Brook.</i>
<b>Applicant:</b>	<i>Boyup Brook Tourism Association Inc.</i>
<b>File:</b>	<i>Property File</i>
<b>Disclosure of Officer Interest:</b>	<i>None.</i>
<b>Date:</b>	<i>21 June 2018</i>
<b>Author:</b>	<i>A. Nicoll, Town and Regional Planner</i>
<b>Authorizing Officer:</b>	<i>Alan Lamb, Chief Executive Officer</i>
<b>Attachments:</b>	<i>Nil</i>

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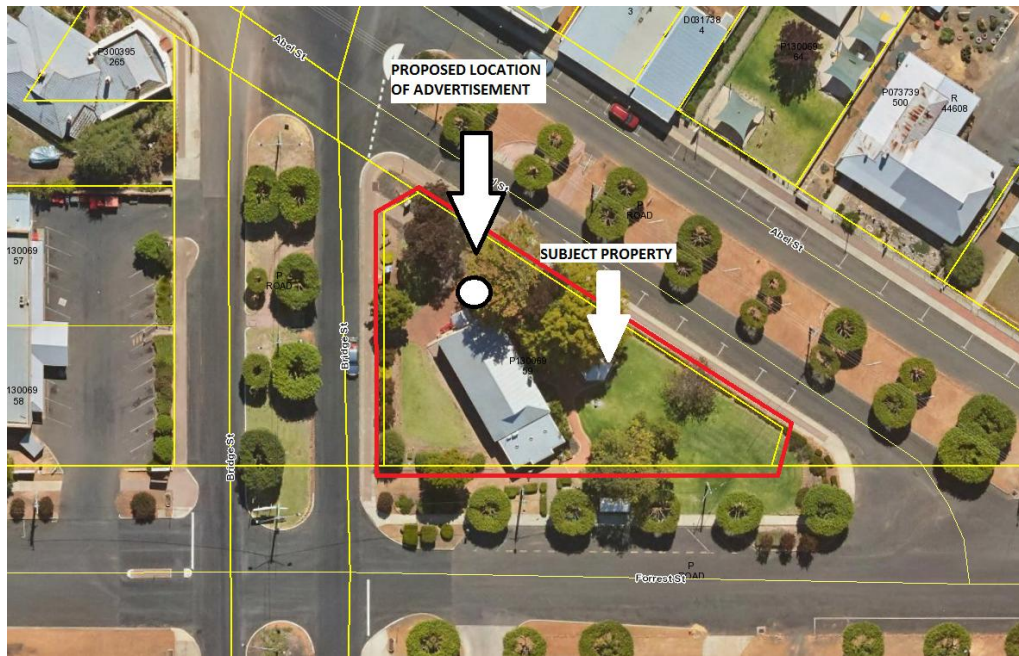
### **SUMMARY**

#### **CEO NOTE**

*This item from Council's June agenda is represented following detailed site inspection and discussion with the applicant. The June agenda item was not moved or seconded and so not dealt with at that time. It was noted that the applicant had not sought nor obtained the Shire's approval and the land owner. Also that the applicant had shown on the development application form that it was the owner.*

*Re-presenting this item will be preceded by an item seeking Council approval as the land owner. When, and if, approval is given, the CEO will correct the development application with respect to the owner's details indicating support.*

The purpose of this report is to put before Council the request to develop a 'Free Standing Notice Board' at the Shire's 'Visitor Information Centre', Lot 59 Forrest Street.



The purpose of the notice board is to display up-coming events.

The notice board is proposed to be located near the entrance to the Boyup Brook 'Visitor Information Centre', which is located at the corner of Abel and Bridge Streets.

Council discretion is required in accordance with the Shire's *Local Planning Scheme No.2*, which states:

*8.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose in development within the definition of the Act requires, except as otherwise provided, the prior approval of the Council.*

This report item recommends that the Council support the proposed advertisement (Free Standing Notice Board).

### **BACKGROUND**

The Boyup Brook Information Centre is located on the corner of Bridge and Abel Streets, Boyup Brook. It's home to the famous Carnaby Beetle and Butterfly Collection which is reported to be the largest collection of Jewel Beetles in the Southern Hemisphere.

The Centre has established itself as a niche provider of locally grown and manufactured quality items. Displays include: soaps, oils, knitted and felt garments, beautiful woodwork, history books, collectables plus much more.

An Art Gallery adjoins the Centre, providing a wonderful array of interesting works available to view and purchase.

The Tourist Association of Boyup Brook propose to build a notice board near the

entrance to the 'Visitor Information Centre'. The notice board will be used to advertise up-coming events.



#### **COMMENT**

The notice board is proposed to be designed as follows:

- Steel Frame, 2.8m high;
- Narrow Ripple Corrugated Iron Roof; and
- 800mm X 800mm sign face.

The notice board is designed to complement the 'Visitor Information Centre' and its surrounding gardens.

The scale of the notice board is in-keeping with the precinct (not too high or dominating) and has an appealing design (gable roof).

The notice board itself is black acrylic. Removable application pens are proposed to be used to advertise and inform the general public and tourists visiting the region.

#### **STATUTORY OBLIGATIONS**

##### **Shire's Local Planning Scheme No. 2**

The Shire's *Local Planning Scheme No.2* defines 'advertisement' as follows:



*‘any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising’*

The Shire’s Local Planning Scheme No.2 states the following at clause 8.3:

*Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.*

The Shire’s Local Planning Scheme No.2 states the following at clause 8.6:

*Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to:-*

- i) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or*
- ii) remove the advertisement.*

As per the above clause 8.6, if approval is granted for the proposed advertisement, the following condition should be specified:

*The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.*

#### **POLICY IMPLICATIONS**

There are no policy implications relating to this item.

#### **CONSULTATION**

N/A

#### **VOTING REQUIREMENTS**

Simple majority.

#### **SUMMARY**

In considering an application for an advertisement, Council is to consider any potential impact to the amenity of the area and the need to ensure that advertisements are properly maintained.

The advertisement is not expected to impact on the amenity of the area.

Approval should be conditional and include:

1. *The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.*

#### **COUNCIL DECISION & OFFICER RECOMMENDATION – Item 11.2**

##### **That Council**

Grants development approval for an advertisement at Lot 59 Forrest Street, subject to the following notice:

#### ***Planning and Development Act 2005***

##### **Shire of Boyup Brook**

#### **NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL**

Location: Boyup Brook 'Visitor Information Centre', Lot 59 Forrest Street, Boyup Brook.

Description of proposed development:

##### **Advertisement (Free Standing Notice Board)**

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

Conditions:

1. The advertisement being developed in accordance with the approved plans.
2. The advertisement being maintained to the satisfaction of the Shire of Boyup Brook.

##### **Advice**

*Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may, by notice in writing, require the advertiser to:-*

- repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or*
- remove the advertisement.*

Date of determination: 23 August 2018

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development must be carried out without the

further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

Signed:

Dated:

\_\_\_\_\_  
for and on behalf of the Shire of Boyup Brook.

**CARRIED BY ENBLOC**

**Res 164/18**

**Behind Closed Doors**

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

Cr Imrie left the Chambers at 7.32pm

**12 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS**

<b>12.1 Disposal of Shire Vehicle to an employee</b>
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**MOVED: Cr Aird**

**SECONDED: Cr Rear**

**That in accordance with Section 3.58(3) of the Local Government Act 1995, notice be given of the intention to sell the Shire Toyota Dual Cab Hilux to Rob Staniforth-Smith for \$26,000 inc GST.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**Res 165/18**

**13 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Aird thanked all for attending and declared the meeting closed at 7.48pm