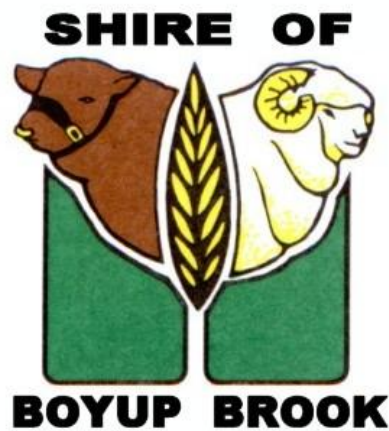


Minutes



ORDINARY MEETING

held

THURSDAY 16 June 2016

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 – Deputy Shire President
Cr N Blackburn
Cr J Imrie
Cr E Muncey
Cr T Oversby
Cr E Rear

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr Stephen Carstairs (Director Corporate Services)
Mr Rob Staniforth-Smith (Director of Works & Services)
Ms Kerry Fisher (Manager of Finance)
Mrs Maria Lane (Executive Assistant)

PUBLIC: Mrs Sue White
Sandy Chambers
Jackie Chambers

1.2 Apologies

Cr M Giles - Shire President
Cr P Kaltenrieder
Cr K Moir

1.3 Leave of Absence

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Blackburn advised that he will be absent for the July 2016 ordinary meeting of Council.

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Nil

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 19 May 2016

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Rear

SECONDED: Cr Muncey

That the minutes of the Ordinary Meeting of Council held on Thursday 19 May 2016 be confirmed as an accurate record.

CARRIED 6/0

Res 56/16

6 PRESIDENTIAL COMMUNICATIONS

The Deputy Shire President attended the below meetings in the Shire President's absence.

- Bushfire Advisory Meeting on 31st May 2016.
- Local Emergency Management Committee (LEMC) on 1st June 2016.
- Water Corporation presentation held on 8th June 2016.
- Regional Road Group meeting held on 13th June 2016

7 COUNCILLORS QUESTIONS ON NOTICE

8 REPORTS OF OFFICERS

8.3 CHIEF EXECUTIVE OFFICER

Change to Order of Business

That the order of business in the agenda be changed to allow Items 8.3.4 to be brought forward and dealt with at this time.

8.3.4 Heated Multipurpose Therapeutic Pool

Location:	N/A
Applicant:	Heated Multi Purpose Therapeutic Pool Committee
File:	
Disclosure of Officer Interest:	None
Date:	24 May 2016
Author:	Daly Winter
Authorizing Officer:	Alan Lamb
Attachments:	Letters dated 21/3/16 and 2/5/16. Quote from Sheridan's, List of contributors, concept drawing and quote from S Chambers.

SUMMARY

The purpose of this report is to put to Council a request from the Heated Multipurpose Therapeutic Pool Committee to alter the acknowledgement of donations for the Heating of the Pool from an Honour Board to a mural.

BACKGROUND

At the Council meeting held on the 19 June 2014 Council resolved:

"COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.3.7

MOVED: Cr Moir

SECONDED: Cr Walker

1. That Council resolve to accept the Heated Multi Purpose Therapeutic Pool Committee's offer and conditions.

2. That Council resolve to formally thank the Heated Multi Purpose Therapeutic Pool Committee for its generous offer of funding assistance to heat the existing Shire swimming pool, and ask the Shire President to write to the group, on behalf of Council, to advise of its decision and gratitude.

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 72/14"

Item 5 of the conditions that Council accepted read;

"That an Honour Board showing the names of contributors to the Tile Fund (as advised by the Heated Pool Committee) be supplied by Council and erected at the Pool as recognition of their donation."

Mrs S White on behalf of the Heated Multipurpose Therapeutic Pool Committee wrote to Council in March and May of this year and requested that instead of a standard honour board that a mural with an ocean / water theme be created incorporating the tiles for each donation.

Sandy Chambers has offered to undertake the creation of the mural. Sandy's cost will be \$2,500.00 plus the costs for the name plates \$635.29 Total Cost without installation \$3,235.29.

COMMENT

It was suggested that there were two possible options for placement of the mural:

- a) In the entrance across the glass window, above the framed certificates;
- b) On the verandah - facing the pool - attached to the ladies shower outside wall.

In my opinion option a) In the entrance across the glass window is not a viable option as it will significantly obscure and restrict the Pool Manager view of the foyer area and the outside car park and will result in management issues for the facility regarding security and safety.

Option b) on the outside verandah is therefore the only option suitable in my opinion if the mural concept proceeds.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

F.03 Purchasing Policy - 1.6.1 Where the value of the procurement of goods or services does not exceed \$5,000, quotations will not be required. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

BUDGET/FINANCIAL IMPLICATIONS

The mural and name plates form part of the project and so their costs were included in the overall budget (signage). The project is currently running to budget.

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 8.3.4

MOVED: Cr Muncey

SECONDED: Cr Imrie

1. That Council receive the letters and attachments in relation to the new Mural Honour Board.
2. That Council accepts the proposal to change the format of the Honour Board to a mural upon the condition that the applicant installs the mural in a suitable case to required safety standards/ specifications to protect it from the elements.
3. That Council accepts the quote as presented from Artist Sandy Chambers and Sheridans (\$3,135.29) to create the mural and authorises this expense.
4. That the new mural be completed and installed before the 30 September 2016 ahead of the opening of the heated pool project.
5. That the ladies shower outside wall be approved for the final installation of the finished mural.

CARRIED 6/0

Res 57/16

8.1 DIRECTOR OF WORKS & SERVICES

8.1.1 Revision to Policy W.08 - Crossovers

Location:	<i>N/A</i>
Applicant:	
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10th of June, 2016</i>
Author:	<i>Rob Staniforth-Smith</i>
Authorizing Officer:	<i>Alan Lamb</i>
Attachments:	<i>Nil</i>

SUMMARY

This report recommends that Council approve the revision to Council Policy W08 – Crossovers, which has been revised to allow Council contribution for Rural and Special Rural Areas to be increased to 7.2 metres of pipe or 9m3 of gravel.

BACKGROUND

Council officers continually review Councils policies during the daily use of these policies to make them work better for Council. Policy W08 allows for Rural and Special Rural crossovers to receive a Council contribution of either 6 metres of stormwater pipe or 5 m3 of gravel.

PIPE

To get 6 metres of pipe, 1 standard length of pipe must be cut in ½ which takes Council Employees approximately 15 minutes the cost of this is approximately \$27.50 plus machinery cost (2 employees x 15 minutes) and the hazard of cutting, whilst the additional ½ length of pipe (375 diameter) is worth \$54, meaning that the additional cost to Council for the additional ½ length of pipe is \$26.50. The benefits of the additional 1.2 metres of pipe, is a wider crossover that is less likely to have its headwalls knocked off by turning vehicles, meaning that the Shire has less maintenance and the likely hood of drain blockage is minimised.

GRAVEL

A full truck load of gravel (9m3) typically costs in the order of \$210 depending on delivery location, this is made up of:

- 1 1/2 hour labour and truck : \$150
- 15 minutes loader hire: \$25

- 9 m3 of gravel \$36

A 5 cubic meter load costs the same except for a reduction in the gravel cost itself - which ends up at \$195 or a reduction in cost of \$16.

COMMENT

The cost of increasing Councils crossover contribution to Rural and Special Rural areas to 7.2 metres (3 lengths of pipe) or 1 truck load of gravel will not significantly change the cost of these contributions to Council, but it will benefit in a wider crossover that will require less maintenance in the future.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Revised Rural and Special Rural Area – Shire Contribution

POLICY NO.	W.08
POLICY SUBJECT	Crossovers
ADOPTION DATE	17 June 2004
VARIATION DATE	10 th of June, 2016 – (Council item 8.1.1 June 2016)
Revision	Rural and Semi Rural Council contribution revised to 7.2 metres of pipe (3 x full lengths) or 9m3 (1 x truck load) of gravel

Objective

To determine standards for crossovers.

Statement

The following is the Council's policy in relation to crossovers.

Driveways and crossovers giving access to roads managed by the Shire of Boyup Brook will be controlled for the safety and efficiency of the network and all road users.

All crossovers shall be constructed in accordance with the Shire of Boyup Brook specifications and guidelines.

Owner/Builder shall arrange for the construction of the crossovers by the Shire of Boyup Brook or a nominated private contractor.

Urban

Urban crossovers shall comprise of three categories:-

CATEGORY	ROAD FRONTAGE	<u>CROSSOVER TYPE</u>
A -	Sealed Road Concrete Kerbing	Concrete or Brick/Block Paving
B -	Sealed Road – Stone Kerbing	2 Coat Seal or Asphalt
C -	Sealed Road – No Kerbing	2 Coat Seal or Asphalt

The Shire will subsidise half the cost of a standard 3.0m wide crossover (measured at boundary /6.0m at road edge) per property subject to the crossover conforming to the Shire of Boyup Brook specifications.

A standard residential crossover (for the purposes of the Local Government Act 1995) has the following dimensions:

Length (verge width):=7m

Width at boundary line = 3m

Width of Edge of road = 6m

Area= 31.5m²

The subsidy shall apply to residential, commercial and industrial properties.

In the case of Strata Titles, a subsidy will apply to each crossover required to service the number of dwellings.

Crossovers eligible for subsidy, may be claimed for at the subsidy rate that applies in the financial year construction is completed, as determined in that financial year budget.

Reconstruction of one crossover to a property will attract second subsidy revenue when that crossover has exceeded its maximum life as determined by the Chief Executive Officer.

<u>CROSSOVER TYPE</u>	<u>MAXIMUM LIFE OF CROSSOVER</u>
2 Coat Seal	10 Years
Asphalt	15 Years
Brick/Block Paving	20 Years
Concrete	25 Years

Rural and Special Rural Areas

The Shire will contribute a maximum of **7.2 metres** of stormwater pipes (if required) or deliver a maximum **nine** m³ of gravel, as its half contribution towards the cost of first crossover off a gravel road to the property, upon approval from the Chief Executive Officer. Where a crossover is proposed off a sealed road, the crossover shall also be sealed and drained and the subsidy will be as

per gravel crossovers. All special rural developments require a sealed crossover where a sealed road frontage exists.

No subsidy will be paid for the construction of crossovers on non-rateable properties.

General Conditions

- All applicants requesting a new crossover will need to fill out a “Crossover Application Form” available at the Shire Administration Office.
- All crossovers need to be constructed to Shire of Boyup Brook specifications and guidelines.
- No subsidy will be paid for the construction of crossovers on non-rateable properties.
- The Shire will not be responsible for maintenance of crossovers.

BUDGET/FINANCIAL IMPLICATIONS

Additional ½ length of pipe: \$26.50 per Council Contribution (typically get 3 to 4 requests for a rural crossover contribution per annum) or

4 m3 of gravel: \$16 per crossover

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

➤ **Environmental**

Nil

➤ **Economic**

Nil

➤ **Social**

There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 8.1.1

MOVED: Cr Blackburn

SECONDED: Cr Muncey

This report recommends that Council adopt the revised Crossover Contribution Policy - Policy W08.

CARRIED 6/0

Res 58/16

8.2 FINANCE

8.2.1 List of Accounts Paid in May 2016

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 June 2016</i>
Author:	<i>Kerry Fisher – Manager of Finance</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – List of Accounts Paid in May</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in May 2016 are presented to Council.

BACKGROUND

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 May 2016.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 May 2016.

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 the 2015-16 Annual Budget.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

MOVED: Cr Blackburn

SECONDED: Cr Imrie

That at its June 2016 ordinary meeting Council receive as presented the list of accounts paid in May 2016, totalling \$672,200.65 and as represented by:

Municipal Cheques	19963-19970	\$97,800.54
Municipal Electronic Payments	4070-4182	\$397,243.77
Municipal Direct Payments		\$177,094.69
Trust Fund Electronic Payment	4148	\$61.65

CARRIED 6/0

Res 59/16

Cr Rear left the Chambers at 5.49pm
Cr Rear returned to the Chambers at 5.50m

8.2.2 31 May 2016 Statement of Financial Activity
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Location:	Not applicable
Applicant:	Not applicable
File:	FM/10/003
Disclosure of Officer Interest:	None
Date:	9 June 2016
Author:	Kerry Fisher – Manager of Finance
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activities and Net Current Assets for the month ended 31 May 2016.

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 be 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

Alan Lamb – Chief Executive Officer

STATUTORY OBLIGATIONS

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

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

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2

MOVED: Cr Oversby

SECONDED: Cr Rear

That having regard for any material variances, Council receive the 31 May 2016 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED 6/0

Res 60/16

8.2.3 Review of Certain Finance Policies

Location:	Shire Boyup Brook
Applicant:	N/A
File:	
Disclosure of Officer Interest:	None
Date:	14 May 2015
Author:	Stephen Carstairs (Director Corporate Services)
Authorizing Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: Current Finance Policies and Newly Proposed or Amended Finance Policies

SUMMARY

Council is requested to consider and adopt reviewed, or newly drafted, finance policies as follows:

- F.03 *Purchasing Policy*;
- F.04 *Authority to Make Payments*; and
- F.06 *Sundry Debtor (Other than Rates) Management*, a proposed new policy.

Amendments to policies F.03 and F.04 are proposed so as to add clarity to the policies, and/or to contemporize the policies with legislative or other changes.

BACKGROUND

In their October 2014 (finalised February 2015) review of the shire's financial management systems and procedures, Mr D. Carbone and Associated recommended that Council consider a policy on the collection of debts other than rates. To that end, proposed shire policy F.06 *Sundry Debtor (Other than Rates) Management* has been drafted for Council consideration.

On 18 September 2015 Regulation 11 of the *Local Government (Functions and General) Regulations 1996* was amended to read as follows:

11. When tenders have to be publicly invited

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 ...

This had the effect of lifting the threshold requirement for local governments to call tenders from \$100,000 to \$150,000. Consequently policy F.03 *Purchasing Policy* has been amended to raise the threshold for calling tenders to \$150,000.

Further, the *Local Purchasing Preference* clauses within policy F.03 were removed in the proposed revised policy, as on 18 September 2015 Regulation 24G of the *Local Government (Functions and General) Regulations 1996* was amended to read as follows:

24G. Adopted regional price preference policy, effect of

A local government that has adopted a regional price preference policy in relation to a certain type of contract may choose not to apply that policy to a particular tender in the future for a contract of that type but, unless it does so, the policy is to apply to all like tenders.

It is proposed therefore, that the administration investigate the possibility of recommending to Council a separate regional price preference policy which accommodates all regulations within Part 4A – *Regional price preference* of the *Local Government (Functions and General) Regulations 1996*.

Proposed policy F.04 *Authority to Make Payments* has been substantially amended so as to:

- reduce risk in the payment process by setting limits for certain classes of payers; and
- improve efficiencies.

A fourth policy F.07 *Material Variance levels in Financial Activity Statements* was to be presented at this meeting, however changes to the Australian Accounting Standards mean that the administration will be seeking advice from the *Department of Local Government and Communities* before recommending a proposed material variance levels policy to Council.

COMMENT

Policies F.03 and F.04 have been revised so as to simplify them and/or contemporise them with legislative or other changes. Policy F.07 *Sundry Debtor (Other than Rates) Management* is a newly proposed policy resulting from an October 2014 review of the shire's financial systems and procedures.

CONSULTATION

Chief Executive Officer

Director Works and Services

Finance Manager and Senior Finance Officer

STATUTORY OBLIGATIONS

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

1.7 *The role of the council*

(2) *Without limiting subsection (1), the council is to –*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies.*

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

The new and reviewed policies seek to provide officers with guidance on the management of the shire's financial affairs.

SUSTAINABILITY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.3

MOVED: Cr Rear

SECONDED: Cr Blackburn

- 1. That Council adopts amended financial policies as follows:**
 - **F.03 *Purchasing Policy*; and**
 - **F.04 *Authority to Make Payments*,****as presented.**
- 2. That Council adopts newly drafted finance policy F0.6 *Sundry Debtor (Other than Rates) Management* as presented, and determines to defer receiving proposed policy F.07 *Material Variance levels in Financial Activity Statements* until the July 2016 ordinary meeting of Council.**

CARRIED 6/0

Res 61/16

8.2.4 Elected Members Meeting Attendance Fees, Allowances and Expense Entitlements

Location:	<i>N/A</i>
Application:	<i>N/A</i>
File:	
Disclosure of Interest:	<i>Nil</i>
Date:	<i>07 June 2016</i>
Author:	<i>Stephen Carstairs – Director Corporate Services</i>
Authorising Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members Pursuant to Section 7A and 7B 14 April 2016</i>

SUMMARY

For Council to consider the method for determining Councillor meeting fees in 2016-17, and further for Council to set Elected Member's meeting fees, allowances, and expense entitlements for 2016-17.

BACKGROUND

Part 5, Division 8 (Sections 5.98, 5.98A, 5.99 and 5.99A) of the Local Government Act provides for council members to receive certain payments.

The Salaries and Allowances Tribunal (the Tribunal) completed its 2016 review of meeting attendance fees, allowances and expense entitlements for elected members of Local Governments throughout Western Australia, and made a determination which comes into operation on 01 July 2016 (see page 12 in Attachment 8.2.3). In accordance with the Local Government Act 1995 and the Local Government (Administration) Regulations 1996, the determination establishes, among other things, the current scale of elected member fee and allowance payments, and provisions for reimbursement of expenses.

Meeting Fees or Annual Attendance Fees - Councillors

Pursuant to Section 5.98 of the Local Government Act a council member, mayor or president who attends a council or committee meeting is entitled to be paid a fee set by the Council within the range stipulated in the Tribunal's determination. Pursuant to Section 5.99 of the Local Government Act a Council may decide by absolute majority that instead of paying council members, mayors or presidents a meeting fee it will be pay an annual attendance fee within the range stipulated in the Tribunal's determination.

Band 4 Councils, like the Shire of Boyup Brook (and see Schedule 1 on page 36 of the attached), are able to set Council meeting attendance fees in the range \$90 to \$236 per meeting for members other than the president (see page 25 of Attachment 8.2.4), and between \$45 and \$118 for committee meetings (see page 26 of Attachment 8.2.4). Alternatively Council, by absolute majority, may pay Councillors an annual attendance fee within the range of \$3,553 to \$9,410 (see page 27 of Attachment 8.2.4).

In July 2016 Council resolved (Res 63/15) that in 2015-16 Councillors would receive an annual attendance fee of \$6,915 (representing a 5.0% increase on 2014-15), which was an amount within the fee range set by the Tribunal.

Meeting Fees or Annual Attendance Fees – Shire President

The Shire President can be provided with a higher meeting or annual attendance fee in recognition of the greater workload and responsibility associated with presiding at a council meeting.

Band 4 Councils are able to set council meeting attendance fees for the President in the range \$90 and \$485 per meeting, and might receive the same committee meeting attendance fee as determined by Council for Councillors. Alternatively, Council, via absolute majority can determine that the President would receive an annual attendance fee in the range of \$3,553 to \$19,341.

In 2015-16 Council resolved that the President would receive an annual attendance fee of \$13,295 (representing a 5.0% increase on 2014-15), which was an amount in the range set by the Tribunal.

Annual Allowance for President

Under Section 5.98 of the Local Government Act Council can set an allowance for the President (separate from meeting or annual attendance fees), and as per the 2016 Determination the allowance can be in the range \$508 to \$19,864 (see page 29 of Attachment 8.2.3).

In 2014-15 Council resolved that the President's Allowance would be \$6,920 (representing a 5.0% increase on 2014-15).

Annual Allowance for Deputy President

Section 5.98A of the Local Government Act allows Council to provide a special allowance to the Deputy President, with the amount of the allowance being 25% of the President's allowance.

In 2015-16 Council resolved that the Deputy President would receive an allowance.

Meetings Fees or Annual Attendance Fee?

It is recommended that Council retain the “annual” method for determining Councillor meeting attendance allowances rather than changing to a “per meeting” fee. The advantages of the “annual” method include:

- A “per meeting” fee doesn’t take into account all the work that a Councillor does in between Council or Committee meetings. A Councillor may perform a substantial amount of work between meetings but if he/she then misses a meeting for legitimate reasons they would not receive any payment towards that work.
- Under the Local Government Act only Council or committee meetings trigger payment of a meeting attendance fee. This Council uses the “briefing session” process on a regular basis, and those meetings, which can generate additional work for Councillors, would not provide a meeting fee to those participating Councillors.
- Whilst the annualising of meetings fees can result in Councillors receiving a fee when not attending meetings, as in the case of an apology or on leave of absence, it is a rare occurrence for a Councillor to take extended leave of absence.

Reimbursement of Expenses Including Annual Allowances *in Lieu* of Reimbursement

Under the *Local Government Act and Local Government (Administration) Regulations 1996* elected members are entitled to reimbursement of telecommunications, information technology, child care, travel and accommodation expenses. Policies M.05 (Councillors – Expenses Reimbursement and Loss of Earnings) and M.11 (Councillors Telecommunications and Information Technology) provides guidance on these entitlements.

Pursuant to Section 5.99A of the *Local Government Act 1995* Council can decide by absolute majority that instead of reimbursing Councillors for all of a particular type of expense, it pay an annual allowance.

The Tribunal has amalgamated telecommunications and information technology allowances into a single Information and Communications Technology (ICT) Allowance, with a permissible range between \$500 and \$3,500 (see page 35 of Attachment 8.2.3).

While policy M.11 indicates that elected members will be paid an annual ICT allowance of \$1,800, in 2015-16 Council resolved that each Councillor would receive an ICC allowance of \$1,165.

COMMENT

In this report officers are recommending that elected council member annual meeting attendance fees, the President's annual meeting attendance meeting fee and allowance, and the annual ICT allowance for elected council members increase in 2014-15 by 4.2% (rounded up to the nearest \$5). The proposed 4.2% increase comprises an inflationary increase of 1.5% (and see Public Sector Wages Policy Statement 2016 at point 24 on page 4 of Attachment 8.2.3), an increase in line with population growth (some 1.0%), and an additional regional component of 1.7%.

Note that at point 48 on page 8 of Attachment 8.2.3, the Tribunal has removed the 02.% of operating limit on the President Annual Allowance.

Currently meeting attendance fees, allowances and travel re-imbursements payments are made to Councillors in three x four monthly instalments, occurring in February, June and October of the year.

CONSULTATION

Alan Lamb

STATUTORY OBLIGATIONS – Local Government Act

5.98. Fees etc. for council members

(1) A council member who attends a council or committee meeting is entitled to be paid —

(a) the prescribed minimum fee for attending a council or committee meeting; or

(b) where the local government has set a fee within the prescribed range for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

(a) the prescribed minimum fee for attending a meeting of that type; or

(b) where the local government has set a fee within the prescribed range for meetings of that type, that fee.

(2) A council member who incurs an expense of a kind prescribed as being an expense —

(a) to be reimbursed by all local governments; or

(b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for

reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).

(3) A council member to whom subsection (2) applies is to be reimbursed for the expense —

(a) where the minimum extent of reimbursement for the expense has been prescribed, to that extent; or

(b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the prescribed range (if any) of reimbursement, to that extent.

(4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.

(5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —

(a) the prescribed minimum annual local government allowance for mayors or presidents; or

(b) where the local government has set an annual local government allowance within the prescribed range for annual local government allowances for mayors or presidents, that allowance.

(6) A local government cannot —

(a) make any payment to; or

(b) reimburse an expense of, a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.

(7) A reference in this section to a committee meeting is a reference to a meeting of a committee comprising —

(a) council members only; or

(b) council members and employees.

[Section 5.98 amended by No. 64 of 1998 s. 36; No. 17 of 2009 s. 33.]

5.98A. Allowance for deputy mayor or deputy president

(1) A local government may decide to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual*

local government allowance to which the mayor or president is entitled under section 5.98(5).

** Absolute majority required.*

(2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted by No. 64 of 1998 s. 37.]

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*

- (a) the prescribed minimum annual fee; or*
- (b) where the local government has set an allowance within the prescribed range for annual allowances for that type of expense, an allowance of that amount and only reimburse the member for expenses of that type in excess of the amount of the allowance.*

** Absolute majority required.*

POLICY IMPLICATIONS

Policy M.11 (Councillors Telecommunications and Information Technology) provides guidance on ICT entitlements, and Policy M.05 (Councillors – Expenses Reimbursement and Loss of Earnings) addresses other expenses e.g. child care & travel, not covered in this report.

BUDGET/FINANCIAL IMPLICATIONS

As part of the annual budget process Council is to set annual meeting attendance fees (or per meeting fees) for the President and Councillors, the President's annual attendance fees and allowance, and ITC allowances within the permissible range set by the Tribunal.

STRATEGIC IMPLICATIONS

Not Applicable

SUSTAINABILITY IMPLICATIONS

Not Applicable

VOTING REQUIREMENTS

Absolute Majority is required for setting an annual sitting fee, and for payments of allowances to elected members.

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.4

MOVED: Cr Blackburn

SECONDED: Cr Oversby

That Council:

- 1. Retain in 2016-17 the annual attendance fee method of payment of Councillor and President meeting attendance fees, rather than the 'per meeting basis' method.**
- 2. Retain in 2016-17 Councillor meeting attendance fees, the President's annual attendance fee and annual allowance, the Deputy President's annual allowance, and ICT allowances as they were in 2015/16:**
 - Annual Attendance Fee for Council Members is to be \$7,205;**
 - Annual Attendance Fee for Shire President is to be \$13,855;**
 - Annual President's Allowance is to be \$7,210;**
 - Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance i.e. \$1,802.50; and**
 - Annual Information and Communications Technology Allowance is to be \$1,215.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Res 62/16

Note: Councillors felt that the current fees should stay the same.

Cr Muncey left the Chambers at 6.23pm

Cr Muncey returned to the Chambers at 6.25pm

8.2.5 Levying Rates in 2016-17

Location:	N/A
Application:	N/A
File:	
Disclosure of Interest:	
Date:	10 June 2016
Author:	Stephen Carstairs (Director Corporate Services)
Authorising Officer:	Alan Lamb (Chief Executive Officer)
Attachments:	Yes: Rating Information - 2016-17 Financial Year

PURPOSE

This report seeks to have Council consider and endorse proposed general rates and minimum payments for the coming 2016-17 financial year.

BACKGROUND

Rates revenue is a substantial source of general purpose (sometimes described as discretionary) revenue for the Shire of Boyup Brook, and accounted for some 32% of total operating revenue in 2014-15. The *Local Government Act 1995* (the Act) empowers local governments to impose differential general rates and minimum payments on rateable land.

The imposition of differential rates is a conscious decision by Council to redistribute the rate burden in its district by imposing a higher impost on 'higher-end' service users (ratepayers) relative to others. Recognising this, and in accord with the WA Local Government Grants Commission's (the Grants Commission) 2014-15 *Balanced Budget*, in 2015-16 the actual rates levied by Council approached the following percentage split:

- 17.27% GRV : 81.35% Rural UV : 1.38% Mining UV

The above percentage split had the effect of causing the Mining UV general rate (14.9207 cents in the \$) to be more than twice the Rural UV general rate (0.675 cents in the \$), thereby triggering a section 6.33.(3) of the *Local Government Act 1995* event and requiring Ministerial approval which is a drawn out process.

After all the other sources of income and expenses have been recognised for a budget, the object of a rating model is to provide for the funding shortfall required to meet the needs (services, activities, financing costs and the current and future capital requirements) of the community. In 2015-16 Council budgeted to collect \$2,400,625 in rates. For the 2016-17 financial year both the shire's (detailed) 2013-23 Long Term Financial (LTFP) and 2016-17 Corporate Business (CBP) Plans estimate the funds shortfall to be \$2,532,721, this representing an increase in rate revenue to be collected of \$131,096 relative to that budgeted for in 2015-16 (i.e. approximating to an overall rates increase of 5.5%).

Increasingly, assets management is being recognised as a significant challenge for local governments in Western Australia, and any rating model must also support asset renewal and replacement requirements in line with defined service levels.

The revaluation of UV properties by Landgate through to June 2016 has resulted in the following outcomes:

- the number of Mining UV properties in the district remained static at 14 properties (13 of which are rateable), and their rateable value increased by \$7,765 from \$207,324 in 2015-16 to \$215,089 as at 01 July 2016; and
- the rateable value of Rural UV properties decreased by some \$2,631,730 from \$280,557,090 in 2015-16 to \$277,925,360 for 2016-17,

meaning that actual Rural UV rates in the \$ would have to increase (by about 1%) in 2016-17 just to recover the same amount of rates revenue that Council achieved for 2015-16.

COMMENT

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

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

5. Sustainability

The proposed rates to apply in 2016-17 are designed, as much as practicable, to ensure equity and contribution of rates according to land use, and approach as closely as possible the percentage split achieved in 2015-16 while not triggering a section 6.33.(3) event.

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

For the 2016-17 financial year, it is proposed that Council adopt increases across its various rating classes as follows:

Rate Class	2015-16			2016-17	
	Rate in \$	Min \$'s	% Increase	Rate in \$	Min S's
GRV	11.5995	806	6.625	12.3680	860
UV - Rural	0.6750	747	6.622	0.7197	797
UV – Mining	14.9207	500	(2,073.18)	0.7197	797

Adopting these rates in the \$ will not preclude Council from striking some other rates when adopting the 2016-17 Annual Budget. The proposed general and minimum rate increases will generate in 2016-17 some \$2,532,664 (the rates pool).

Included as Attachment 8.2.5 is a workbook which models the proposed increases, showing in some detail the average rates that would be payable for each of the rating categories. It should be noted that this is just an average, and that every property will vary based on its valuation.

CONSULTATION

Alan Lamb

Subject to endorsement of the proposed rating model by Council, the proposed general rates and general minimum payments will be advertised in the Gazette (time permitting), on public notice boards and in the library.

STATUTORY OBLIGATIONS

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

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The matter of this report has no implications for the shire's 2015-16 *Amended Budget*. Based on property valuations at the time of writing, the proposed general rates and minimum rates are expected to yield in 2016-17 total rates revenue of \$2,532,664.

STRATEGIC IMPLICATIONS

The financial principles and strategies identified on page 27 of the 2013-23 LTFP have been adhered to.

SUSTAINABILITY IMPLICATIONS

The financial sustainability principles and strategies identified on page 25 of the 2013-23 LTFP have been adhered to.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 8.2.5

MOVED: Cr Muncey

SECONDED: Cr Oversby

That Council:

- 1. Endorses for 2016-17 Annual Budget preparation purposes the following proposed general and differential rates and minimum payments to be applied from 1 July 2016 for the 2016-17 financial year:**

Rate Classes	2016-17 Rate in \$	Minimum \$
GRV	0.122440	851.00
UV - Rural	0.007125	790.00
UV – Mining	0.155393	530.00

- 2. Adopt the objectives and reasons for proposed UV differential rates and minimum payments for the 2016-17 financial year as attached.**
- 3. Advertise in the West Australian for submissions to the proposed UV differential and minimum rates for 2016-17.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Res 63/16

8.3 CHIEF EXECUTIVE OFFICER

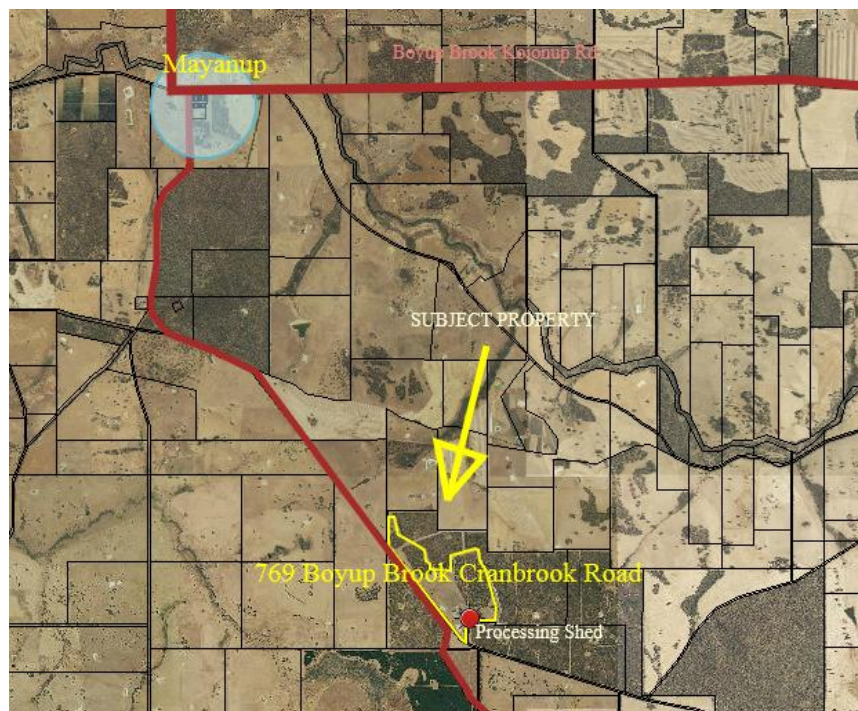
8.3.1 Winery – 769 Boyup Brook Cranbrook Road, Boyup Brook

Location:	769 Boyup Brook Cranbrook Road
Applicant:	P Harvey
File:	A9675
Disclosure of Officer Interest:	None
Date:	June 2016
Author:	A. Nicoll, Town Planner
Authorizing Officer:	Alan Lamb, Chief Executive Officer
Attachments:	Nil

SUMMARY

The purpose of this report is to put before Council the request to develop a winery at the 'Rural' property, 769 Boyup Brook Cranbrook Road.

The following diagram illustrates the location of the property and shed from which wine is proposed to be produced.



The Shire's scheme definition for a 'winery' is; *premises used for the production of viticulture produce and may include the sale of produce.*

A 'winery' is categorised as an 'AA' use in the Shires *Local Planning Scheme 2*, which means, '*Council, in exercising the discretionary powers available to it, may approve under the Scheme*'.

BACKGROUND

A 2.5 hectare vineyard has been developed and managed productively for many years at the 769 Boyup Brook Cranbrook Road property. Grapes grown at the vineyard have been sold to wineries located elsewhere in the region for processing into wine.

With an increasing difficulty in achieving profit margins due to grape prices being stagnant and the costs involved in growing grapes increasing, it is difficult to justify the economics of growing grapes alone.

As a means to hopefully increase profit margins, the owner of 769 Boyup Brook Cranbrook Road has proposed to value add by producing wine at the subject property.

COMMENT

Proposal

Grapes grown at the 2.5 hectare vineyard are proposed to be processed into wine using machines and storage vessels located within a shed at the subject property.



Wine produced at the subject property is then proposed to be sold via wholesale to various commercial outlets.

Wine Production

The procedure involved in producing wine begins by using a machine to remove the stems from the grapes. The grapes are then pumped into a fermentation vessel. Red wines are fermented on their skins, while white wines are pressed, separating juice from skins, before fermentation.

Once fermentation has finished, most red wines are then moved to barrels to complete their maturation. The source of the oak, and whether or not the barrel has been used previously, is important in the effect it has on the developing wine. Some wines see no oak at all, but are kept in stainless steel tanks to preserve the fresh fruity characteristics.

Finally, the wine is ready and is prepared for bottling.

Effluent

Winemaking produces effluents containing different types of principal pollutants in the form of grape juice and wine itself, sub-product residues such as seeds, lees, tartar, etc. and products used in various processes such as filtration and cleaning using disinfection chemicals such as caustic soda and citric acid.

Concrete pads or hard-stands with perimeter bunds should be used to capture and store stalks and other effluents or bi-products.

The effluents should be stabilised using physical, chemical or biological processes to control odour, volatile organics and suspended solids, in accordance with environmental standards. Options may include conventional treatment systems, settlement ponds, transporting waste off-site to a wastewater treatment plant and irrigation and evaporation.

STATUTORY OBLIGATIONS

Statutory Obligations	Recommendations
<p>In accordance with the Shire's <i>Local Planning Scheme 2</i>, "winery" means –</p> <p><i>'premises used for the production of viticulture produce and may include the sale of produce.'</i></p> <p>The Shire's <i>Local Planning Scheme 2</i> Zoning Table, classifies a 'winery' with the notation 'AA'.</p> <p>The notation 'AA' means; Council, in exercising the discretionary powers available to it, <u>may approve</u> the use under the Scheme.</p>	<p>Recommend approving the application for 'winery', for the reason that the use complies with the Scheme Zoning Table.</p> <p>Recommend including the following conditions to manage effluent and to ultimately safeguard the natural environment:</p> <p><i>A concrete pad or hard-stand with perimeter bunds being used to capture and store stalks and other effluents or bi-products.</i></p> <p><i>All effluent shall be managed to the satisfaction of the Shire of Boyup Brook.</i></p> <p><i>No processes being conducted on the property that may cause a detriment to the amenity of that area by reason of chemical, noise, vibration, smell, fumes, dust or grit.</i></p>

POLICY IMPLICATIONS

There are no Policy implications relating to this item.

CONSULTATION

N/A

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this proposal.

SUSTAINABILITY IMPLICATIONS

➤ **Environmental**

There are no known significant environmental issues, however, the following advice should be included with an approval notice:

Approval from the Shire's Environmental Health Department is required for the installation of effluent treatment systems including: aerobic treatment units, conventional septic tanks with leach drains/soak wells and or a stabilisation pond/lagoon system.

➤ **Economic**

There are no known significant economic issues. The development of a winery may boost employment opportunities in the Shire.

➤ **Social**

There are no known significant social issues. Although the application does not propose to receive customers at the subject property for wine tasting or purchase, the following note should be included with an approval notice:

A proposal to invite customers for wine tasting and wine purchase may invoke the need for the provision of a suitable building with disabled access and disabled toilets.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1

MOVED: Cr Oversby

SECONDED: Cr Rear

That Council

Grants development approval for 769 Boyup Brook Cranbrook Road, for the purpose of winery and subject to the following conditions:

Planning and Development Act 2005

Shire of Boyup Brook

NOTICE OF DETERMINATION ON APPLICATION FOR DEVELOPMENT APPROVAL

Location: 769 Boyup Brook Cranbrook Road, Boyup Brook

Description of proposed development:

Winery

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

Conditions:

1. No processes being conducted on the property that may cause a detriment to the amenity of that area by reason of chemical, noise, vibration, smell, fumes, dust or grit.
2. A concrete pad or hard-stand with perimeter bunds being used to capture and store stalks and other effluents or bi-products.
3. All effluent shall be managed to the satisfaction of the Shire of Boyup Brook. Advice.

Approval from the Shire's Environmental Health Department is required for the installation of effluent treatment systems including: aerobic treatment units, conventional septic tanks with leach drains/soak wells and or a stabilisation pond/lagoon system.

Date of determination: 16 June 2016

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: A proposal to invite customers for wine tasting and wine purchase may invoke the need for the provision of a suitable building with disabled access and disabled toilets.

Note 4: 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 6/0

Res 64/16

8.3.2 Resolution to SUPPORT Scheme Amendment 16 without modification – Lot 1 Forrest Street, Boyup Brook and portion of Railway Parade.

Location:	<i>Lot 1 Forrest Street and portion of Railway Parade</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>June 2016</i>
Author:	<i>A. Nicoll, Town Planner</i>
Authorizing Officer:	<i>Alan Lamb, Chief Executive Officer</i>
Attachments:	<i>1. Scheme Amendment (16) - Advertised Document 2. Schedule of Submissions 3. Submissions (letters/emails)</i>

SUMMARY

The purpose of this report is to put before Council the request to resolve to support an amendment to the Shire of Boyup Brook *Local Planning Scheme 2*.

Council support of the amendment is required in accordance with regulations 50(2) and 50(3) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which states:

(2) *The local government —*

(a) must consider all submissions in relation to a standard amendment to a local planning scheme lodged with the local government within the submission period; and...

(3) *Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution —*

(a) to support the amendment without modification; or

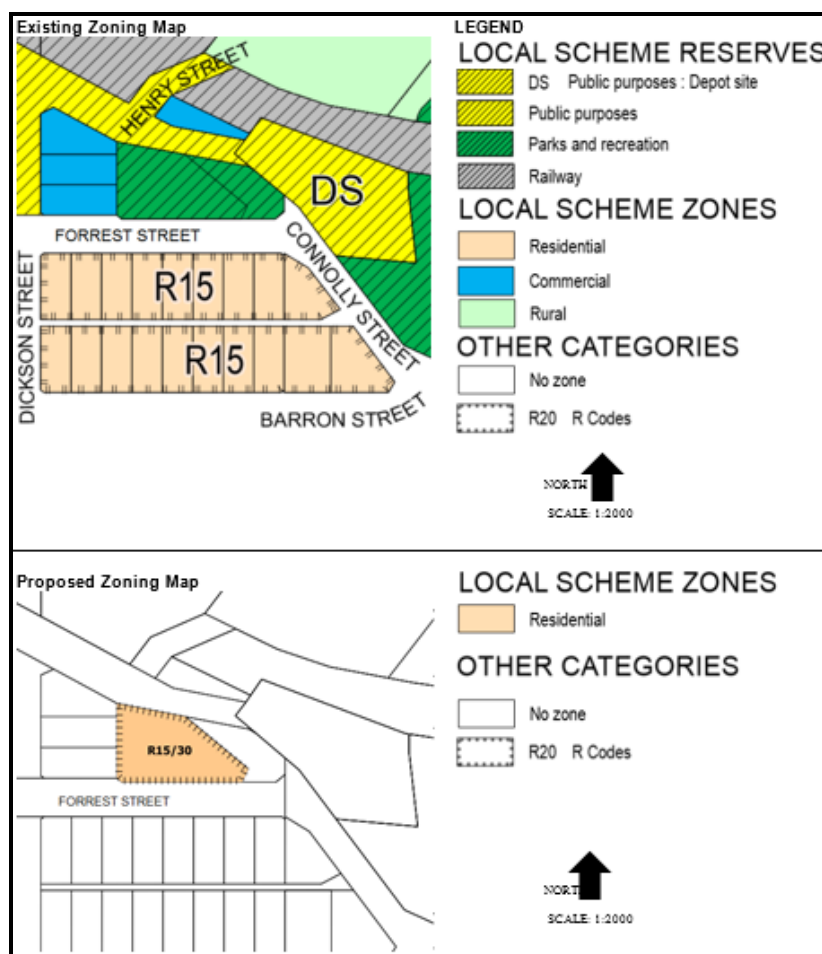
(b) to support the amendment with proposed modifications to address issues raised in the submissions; or

(c) not to support the amendment.

The following figure indicates Lot 1 Forrest Street and the portion of Railway Parade, the subject of the amendment.



The following figure illustrates the existing scheme reservation and the proposed new zoning for the Lot 1 Forrest Street and the portion of Railway Parade.



BACKGROUND

The Shire of Boyup Brook Council resolved in March 2016, to the following:

1. *Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;*
2. *Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;*
3. *Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:*

5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and

4. *Re-numbering subsequent sub-clauses accordingly.*

Following the above Council resolution, the Amendment 16 was referred to the Environmental Protection Authority (EPA) to enable the EPA to determine whether or not an environmental assessment of the site was required. Following receipt of the Amendment 16, the EPA stated in a letter to the Shire, that the proposed amendment does not require an environmental assessment or additional requirements.

Following Council resolution, the amendment was also advertised in accordance with the *Planning and Development Regulations 2015* r.47(2) and r.47(1) and (4), as follows:

- a) Advertising occurred for a period of not less than 42 days;
- b) Advertising described the purpose of the amendment, where the amendment may be inspected, and to whom and during what period submissions in respect of the amendment may be made; and
- c) Advertising occurred in a newspaper circulating in the scheme area, as a display in the offices of the local government, as a copy to relevant public authorities and on the website of the local government.

Following advertising (42 days), the submissions were reviewed in a schedule. The submissions and the schedule are attached to this report item for the Council to review. The schedule delivers information on:

- Authorities making a submission;
- A summary of comments made by each submission; and
- Recommendations to either 'note' comments, 'dismiss' comments, or uphold comments.

COMMENT

Lot 1 Forrest Street is considered suitable for accommodating residential use, for the following reasons:

- The site is flat;
- The site is within walking distance to services and other established recreation facilities;
- The site is adjacent to existing dwellings;
- The site is not subject to extreme bushfire hazard or flooding; and
- The site is connected to utilities including sealed roads, power and water.

The Shire's *Local Planning Scheme 2*, however, currently deems that Lot 1 Forrest Street be reserved for parks and recreation.

The proposed Amendment 16 will transfer the *Parks and Recreation Reserve to Residential R15/R30*, therefore enabling housing development to proceed at Lot 1 Forrest Street in accordance with the scheme.

Submissions

Five government authorities, in addition to the Environmental Protection Authority, provided comment on the proposed amendment.

All the comments supported the proposed amendment.

The Department of Fire & Emergency Services recommended that the proposed amendment be modified to include a condition, to ensure that future development occurs in accordance with the Australian Standard 3959 – Construction Standards for Buildings in Fire Prone Areas.

The schedule, which makes recommendations on the submitted comments, recommends that the inclusion of such a condition is not necessary for the following reasons:

- Circumstances could change, such that the subject property is no longer within an area at risk from bushfire; and
- Planning and Building legislation is already in-place and well understood and conversed amongst developers and assessing officers to ensure residential development within bushfire prone areas undertake a Bushfire Attack Level

Assessment to determine and ensure applicable building construction standards in accordance with the Australian Standards 3959.

STATUTORY OBLIGATIONS

Regulation 53 of the *Planning and Development Regulations 2015* states:

- (1) After passing a resolution under regulation 50(3) the local government must provide the advertised amendment to the local planning scheme to the Commission together with the following —
 - (a) *a schedule of submissions made on the amendment;*
 - (b) *the response of the local government in respect of the submissions;*
 - (c) *particulars of each modification to the amendment proposed by the local government in response to the submissions;...*
 - (e) a copy of the resolution passed under regulation 50(3);

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

The Amendment 16 was advertised and reviewed in accordance with the *Planning and Development Regulations 2015*. Adjoining properties and the following authorities were requested to make comment:

- Department of Parks and Wildlife;
- Department of Fire and Emergency Services;
- Department of Health;
- Department of Aboriginal Affairs;
- Main Roads WA;
- Department of Planning;
- Telstra Corp;
- Water Corporation;
- Western Power; and
- Department of Water.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implication relating to this item.

STRATEGIC IMPLICATIONS

The request to amend the classification of the site to enable residential development is considerate of Liveable Neighbourhood principles, including:

- Providing easy access to services such as local shops and parks;
- Providing development that's connected to utilities including effluent disposal systems, stormwater, roads, power and water; and
- Ensuring development is designed (Local Development Plan) considerate of:
 - Streetscape amenity;
 - Solar efficiency;
 - Designing out crime;
 - Suitable access and car parking; and
 - Protection of privacy.

The Water Corporation is undertaking preliminary design work as part of the Western Australian Government's Infill Sewerage Program aimed for the Boyup Brook Townsite. The preliminary design work will define sewer catchment boundaries and a new pumping station location. The project aims to reduce the risk to public health and the environment by capturing and treating wastewater in a modern and safe way.

When works are complete, residents will be able to connect their property to a central wastewater system. Depending on current property size and density code, residents may be able to subdivide their property or develop group housing.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known significant environmental issues. The proposed infill sewerage scheme is expected to improve environmental outcomes and to reduce potential for contamination. The infill sewerage scheme will take wastewater that has already been treated in household septic tanks through a pipeline system, which is then pumped to an evaporation and infiltration disposal pond system.
- **Economic**
There are no known significant economic issues.
- **Social**
There are no known significant social issues. The proposed amendment, which enables development, together with an infill sewerage scheme, will improve social outcomes in the Boyup Townsite.

VOTING REQUIREMENTS

Simple majority

CONCLUSION

The proposed amendment involves transferring the Lot 1 Forrest Street Boyup Brook from the reservation of 'Parks and Recreation' to the 'Residential' zone and

the portion of Railway Parade from the reservation of 'Parks and Recreation' to the 'No Zone'.

The Council is requested to SUPPORT the scheme amendment without modification, for the following reasons:

- There are no environmental impediments;
- Lot 1 Forrest Street Boyup Brook is considered suitable and capable of accommodating residential use:
 - The site is flat;
 - The site is within walking distance to services and other established recreation facilities;
 - The site is adjacent to existing dwellings;
 - The site is not subject to extreme bushfire hazard or flooding; and
 - The site is connected to utilities including sealed roads, power and water.
- The portion of Railway Parade land the subject of the amendment is to remain acting as a local distributor for vehicles and is therefore best reserved in the Scheme as 'No Zone'; and
- Submissions on the amendment have been adequately reviewed with no outstanding issues.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.2

MOVED: Cr Oversby

SECONDED: Cr Rear

That Council

Resolves to consider all submissions and SUPPORT the amendment (without modification) to the *Local Planning Scheme 2* in accordance with regulations 50(2) and 50(3) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, as follows:

Planning and Development Act 2005

RESOLUTION TO SUPPORT WITHOUT MODIFICATION, AMENDMENT TO LOCAL PLANNING SCHEME

Local Planning Scheme 2

Amendment No 16

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. *Rezoning Lot 1 Forrest Street, Boyup Brook from Parks and Recreation Reserve to Residential R15/R30 and amending the Scheme maps accordingly;*
2. *Rezoning portion of the Railway Parade road reserve, Boyup Brook from Parks and Recreation Reserve to No Zone and amending the Scheme maps accordingly;*
3. *Inserting a new sub clause to 5.1.2 Residential Planning Codes: Variations and Exclusions as follows:*

5.1.2.2 Where a lot has a dual coding of R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) scheme and where a Local Development Plan demonstrating appropriate design standards has been approved in accordance with Part 6 of the Deemed Provisions; and

4. Re-numbering subsequent sub-clauses accordingly.

The Amendment is a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment;
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this 16 day of June 2016

Alan Lamb

Chief Executive Officer

CARRIED 4/2

Res 65/16

8.3.3 Lot 1 Forrest Street - Aged Accommodation planning

Location:	<i>Lot 1 Forrest Street</i>
Applicant:	<i>N/a</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10 June 2016</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Chief Executive Officer</i>
Attachments:	<i>Draft business plan with supporting documents</i>

SUMMARY

The purpose of this report is to put before Council the attached draft business plan and recommendations for Council consideration.

BACKGROUND

The matter of aged accommodation has been before Council on a regular basis over a number of years and so the background is limited to the last resolution.

Council passed the following resolution at its April 2016 meeting:

- 1. That, based on information provided, Council move forward with a plan to develop Lot 1 Forrest Street, for aged accommodation.**
- 2. That the CEO be directed to investigate and report on:**
 - 2.1 Development layout options.**
 - 2.2 The number of unit sites to be included and staging options.**
 - 2.3 Options to subdivide and sell or lease home sites.**
 - 2.4 Options available for leasing.**
 - 2.5 Options to build homes or just develop the land.**
- 3. That the CEO be directed to commence work on a business plan to a sufficient level to allow Council to make informed decisions as it progresses through the foregoing.**

4. That the CEO report back to Council by the June 2016 Council meeting.

COMMENT

The attached business plan deals with each of the matters in part two of the April resolution.

In addition to the recommendations in the attached plan it is recommended that Council receives the plan

CONSULTATION

The matter of aged accommodation has been before Council on a number of occasions.

STATUTORY OBLIGATIONS

The Local Government Act provides as follows for commercial enterprises by Local Governments. In terms of a major land transaction, the proposed matter does not entail the purchase of land but it does entail the development of land. Regulations set the trigger value for a major land transaction at \$2m or 10% of operating expenditure in the last financial year.

The Rate Setting Statement contained in the audited annual accounts for 2014/15 show the operating expenditure for that year to be \$6,340,411. 10% of this is \$634,041. If Council opted for the Forrest Street site, opted to have the homes provided by another entity and opted for a maximum of 8 units, there would be no need to go through this process. Whilst a 5 unit development at hospital Road would cost less than the trigger point it is clearly part of a bigger development there and so Council should prepare a plan (already done but Council may need to revisit the details and may have to go through the process again). If Council decided to pay for the homes to be built, regardless of any later income generation, it would need to prepare and advertise a Plan.

3.59. Commercial enterprises by local governments

(1) In this section —

***acquire** has a meaning that accords with the meaning of **dispose**;*

***dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

***land transaction** means an agreement, or several agreements for a common purpose, under which a local government is to —*

(a) acquire or dispose of an interest in land; or

(b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed for the purposes of this definition;

major trading undertaking means a trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of **land transaction**.

(2) Before it —

- (a) commences a major trading undertaking; or
- (b) enters into a major land transaction; or
- (c) enters into a land transaction that is preparatory to entry into a major land transaction,

a local government is to prepare a business plan.

(3) The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —

- (a) its expected effect on the provision of facilities and services by the local government; and
- (b) its expected effect on other persons providing facilities and services in the district; and
- (c) its expected financial effect on the local government; and
- (d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and
- (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
- (f) any other matter prescribed for the purposes of this subsection.

(4) *The local government is to —*

(a) *give Statewide public notice stating that —*

- (i) *the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and*
- (ii) *a copy of the business plan may be inspected or obtained at any place specified in the notice; and*
- (iii) *submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

and

(b) *make a copy of the business plan available for public inspection in accordance with the notice.*

(5) *After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.*

** Absolute majority required.*

(5a) *A notice under subsection (4) is also to be published and exhibited as if it were a local public notice.*

(6) *If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.*

(7) *The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.*

(8) *A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*

(9) *A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.*

(10) *For the purposes of this section, regulations may —*

- (a) *prescribe any land transaction to be an exempt land transaction;*
- (b) *prescribe any trading undertaking to be an exempt trading undertaking.*

[Section 3.59 amended by No. 1 of 1998 s. 12; No. 64 of 1998 s. 18(1) and (2).]

3.60. *No capacity to form or acquire control of body corporate*

A local government cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated company or any other body corporate except a regional local government unless it is permitted to do so by regulations.

Local Government (Functions and General) Regulations provide the following for major land transactions and joint ventures, however neither apply to this matter:

Part 3 — Commercial enterprises by local governments (s. 3.59)

7. *Term used: major regional centre*

(1) *In this Part —*

major regional centre means a local government the district of which —

- (a) *is not in the metropolitan area; and*
 - (b) *has more than 20 000 inhabitants.*
- (2) *Section 2.4(6) of the Act applies to determine the number of inhabitants of a district for the purposes of the definition of **major regional centre**.*

[Regulation 7 inserted in Gazette 27 Sep 2011 p. 3843-4.]

8A. *Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)*

(1) *The amount prescribed for the purposes of the definition of **major land transaction** in section 3.59(1) of the Act is —*

- (a) *if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —*

- (i) *\$10 000 000; or*
 - (ii) *10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;*

or

- (b) *if the land transaction is entered into by any other local government, the amount that is the lesser of —*

- (i) *\$2 000 000; or*

- (ii) *10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.*
- (2) *A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —*
 - (a) *the total value of —*
 - (i) *the consideration under the transaction; and*
 - (ii) *anything done by the local government for achieving the purpose of the transaction,**is more, or is worth more, than the amount prescribed under subregulation (1); and*
 - (b) *the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —*
 - (i) *the total value of the transaction; or*
 - (ii) *variations throughout the State in the value of land.*

[Regulation 8A inserted in Gazette 27 Sep 2011 p. 3844.]

8. *Exempt land transactions prescribed (Act s. 3.59)*

- (1) *A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —*
 - (a) *without intending to produce profit to itself; and*
 - (b) *without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.*
- (2) *For the purposes of subregulation (1)(b) a person is given joint use of land if the land is to be jointly used for a common purpose by the local government and that person (whether or not other persons are also given joint use of the land).*
- (3) *A transaction under which a local government disposes of a leasehold interest in land is an exempt land transaction for the purposes of section 3.59 of the Act if —*
 - (a) *all or any of the consideration to be received by the local government under the transaction is by way of an increase in the value of the land due to improvements that are to be made without cost to the local government; and*
 - (b) *although the total value referred to in the definition of **major land transaction** in that section is more, or is worth more, than the amount prescribed for the purposes of that definition, it would not be if the consideration were reduced by the amount of the increase in value mentioned in paragraph (a).*

[Regulation 8 amended in Gazette 29 Aug 1997 p. 4867-8.]

9. *Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)*

- (1) The amount prescribed for the purposes of the definition of **major trading undertaking** in section 3.59(1) of the Act is —*
 - (a) if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of—*
 - (i) \$5 000 000; or*
 - (ii) 10% of the lowest operating expenditure described in subregulation (2);*
 - or*
 - (b) if the trading undertaking is entered into by any other local government, the amount that is the lesser of—*
 - (i) \$2 000 000; or*
 - (ii) 10% of the lowest operating expenditure described in subregulation (2).*
- (2) The lowest operating expenditure referred to in subregulation (1) is the lowest of —*
 - (a) the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and*
 - (b) the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and*
 - (c) the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.*
- (3) A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the Act if —*
 - (a) the undertaking —*
 - (i) in the last completed financial year, involved; or*
 - (ii) in the current financial year or the financial year after the current financial year, is likely to involve,**expenditure by the local government of more than the amount prescribed under subregulation (1); and*
 - (b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which*

expenditure is, or is likely to be, more than the amount prescribed under subregulation (1) is not significant taking into account —

- (i) the total value of the undertaking; or*
- (ii) variations throughout the State in the value of land.*

[Regulation 9 amended in Gazette 31 Mar 2005 p. 1054; 27 Sep 2011 p. 3845.]

10. *Business plans for major trading undertaking and major land transaction, content of*

(1) If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —

- (a) the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and*
- (b) the business plan is to include details of —*
 - (i) the identity of each joint venturer other than the local government; and*
 - (ii) the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and*
 - (iii) any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and*
 - (iv) anything to which the local government may become liable under or as a result of the joint venture.*

(2) In subregulation (1) —

***joint venture** means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;*

***joint venturer** means the local government or another person with whom the local government is to carry on or enter into the joint venture.*

The Local Government (Functions and General) Regulations have relevance to the recommendation to call for expressions of interest and then tenders

Part 4 — Provision of goods and services

[Heading inserted in Gazette 2 Feb 2007 p. 244.]

Division 1 — Purchasing policies

[Heading inserted in Gazette 2 Feb 2007 p. 244.]

11A. Purchasing policies for local governments

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150 000 or less or worth \$150 000 or less.*
- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) A purchasing policy must make provision in respect of —*
 - (a) the form of quotations acceptable; and*
 - (ba) the minimum number of oral quotations and written quotations that must be obtained; and*
 - (b) the recording and retention of written information, or documents, in respect of —*
 - (i) all quotations received; and*
 - (ii) all purchases made.*

[(4) deleted]

[Regulation 11A inserted in Gazette 2 Feb 2007 p. 245; amended in Gazette 18 Sep 2015 p. 3804.]

Division 2 — Tenders for providing goods or services (s. 3.57)

[Heading inserted in Gazette 2 Feb 2007 p. 245.]

11. When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
 - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*

[(ba) deleted]

(c) within the last 6 months —

- (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or*

services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or

- (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*

or

- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or*
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or*

- (ea) the goods or services are to be supplied —*

- (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
- (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*

or

- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*

- (g) the goods to be supplied under the contract are —*

- (i) petrol or oil; or*
- (ii) any other liquid, or any gas, used for internal combustion engines;*

or

- (h) the following apply —*

- (i) the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and*
- (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*
- (iii) the local government is satisfied that the contract represents value for money;*

or

- (i) *the goods or services are to be supplied by an Australian Disability Enterprise; or*
- (j) *the contract is a renewal or extension of the term of a contract (the **original contract**) where —*
 - (i) *the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
 - (ii) *the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and*
 - (iii) *the original contract contains an option to renew or extend its term; and*
 - (iv) *the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*

or

- (k) *the goods or services are to be supplied by a pre-qualified supplier under Division 3.*

[Regulation 11 amended in Gazette 29 Apr 1997 p. 2145; 26 Jun 1998 p. 3447; 25 Feb 2000 p. 970-1; 29 Jun 2001 p. 3130; 31 Mar 2005 p. 1054-5; 2 Feb 2007 p. 245-6; 18 Sep 2015 p. 3804-6.]

12. *Anti-avoidance provision for r. 11(1)*

- (1) *This regulation applies if a local government intends to enter into 2 or more contracts (the **contracts**) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.*
- (2) *If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.*

[Regulation 12 inserted in Gazette 18 Sep 2015 p. 3806.]

13. *Requirements when local government invites tenders though not required to do so*

If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.

[Regulation 13 amended in Gazette 2 Feb 2007 p. 245-6.]

14. *Publicly inviting tenders, requirements for*

- (1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.*
- (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*
- (2a) *If a local government —*
 - (a) *is required to invite a tender; or*
 - (b) *not being required to invite a tender, decides to invite a tender,*
the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) *The notice, whether under subregulation (1) or (2), is required to include —*
 - (a) *a brief description of the goods or services required; and*
 - (b) *particulars identifying a person from whom more detailed information as to tendering may be obtained; and*
 - (c) *information as to where and how tenders may be submitted; and*
 - (d) *the date and time after which tenders cannot be submitted.*
- (4) *In subregulation (3)(b) a reference to detailed information includes a reference to —*
 - (a) *such information as the local government decides should be disclosed to those interested in submitting a tender; and*
 - (b) *detailed specifications of the goods or services required; and*
 - (c) *the criteria for deciding which tender should be accepted; and*
 - (d) *whether the local government has decided to submit a tender.*
 - [(e) deleted]*
- (5) *After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.*

[Regulation 14 amended in Gazette 29 Jun 2001 p. 3130; 18 Sep 2015 p. 3806.]

15. *Minimum time to be allowed for submitting tenders*

- (1) *If a notice under regulation 14(1) is given, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is first published in the newspaper circulating generally throughout the State.*

- (2) *If a notice under regulation 14(2) is given to a person listed as an acceptable tenderer, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is given.*

[Regulation 15 inserted in Gazette 18 Sep 2015 p. 3806-7.]

16. *Receiving and opening tenders, procedure for*

- (1) *The CEO is responsible for keeping any tender submitted including a tender submitted by facsimile or other electronic means in safe custody, and for ensuring that it remains confidential.*
- (2) *Tenders are not to be opened, examined, or assessed until the time after which further tenders cannot be submitted.*
- (3) *When tenders are opened —*
 - (a) *there must be present —*
 - (i) *at least 2 employees of the local government; or*
 - (ii) *one employee of the local government and at least one person authorised by the CEO to open tenders;*
 - and*
 - (b) *members of the public are entitled to be present; and*
 - (c) *details of the tenders (other than the consideration sought in the tender) are to be immediately recorded in a register to be known as the tenders register.*

[Regulation 16 amended in Gazette 29 Jun 2001 p. 3131; 31 Mar 2005 p. 1055; 18 Sep 2015 p. 3807.]

17. *Tenders register*

- (1) *The CEO is responsible for keeping the tenders register and making it available for public inspection.*
- (2) *The tenders register is to include, for each invitation to tender —*
 - (a) *a brief description of the goods or services required; and*
 - [(b) deleted]*
 - (c) *particulars of —*
 - (i) *any notice by which expressions of interests from prospective tenderers was sought; and*
 - (ii) *any person who submitted an expression of interest; and*
 - (iii) *any list of acceptable tenderers that was prepared under regulation 23(4);*

and

- (d) a copy of the notice of the invitation to tender; and*
 - (e) the name of each tenderer whose tender has been opened; and*
 - (f) the name of any successful tenderer.*
- (3) The tenders register is to include for each invitation to tender the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.*

[Regulation 17 amended in Gazette 29 Jun 2001 p. 3131; 18 Sep 2015 p. 3807.]

18. *Rejecting and accepting tenders*

- (1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.*
- (2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.*
- (3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.*
- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*
- (4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.*
- (5) The local government may decline to accept any tender.*
- (6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*
- (7) If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.*

[Regulation 18 amended in Gazette 29 Jun 2001 p. 3131-2; 18 Sep 2015 p. 3807.]

19. *Tenderers to be notified of outcome*

The CEO is to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.

[Regulation 19 amended in Gazette 29 Jun 2001 p. 3132.]

20. *Variation of requirements before entry into contract*

(1) *If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.*

(2) *If—*

(a) *the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or*

(b) *the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement,*

that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, whose tender the local government considered it would be the next most advantageous to it to accept.

(3) *In subregulation (1) —*

minor variation *means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.*

21A. *Varying a contract for the supply of goods or services*

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless —

(a) *the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or*

(b) *the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j).*

[Regulation 21A inserted in Gazette 18 Sep 2015 p. 3807.]

21. *Limiting who can tender, procedure for*

(1) *If a local government decides to make a preliminary selection from amongst prospective tenderers, it may seek expressions of interest with respect to the supply of the goods or services.*

[(2) deleted]

- (3) *If a local government decides to seek expressions of interest before inviting tenders, Statewide public notice that expressions of interest are sought is to be given.*
- (4) *The notice is required to include —*
 - (a) *a brief description of the goods or services required; and*
 - (b) *particulars identifying a person from whom more detailed information may be obtained; and*
 - (c) *information as to where and how expressions of interest may be submitted; and*
 - (d) *the date and time after which expressions of interest cannot be submitted.*

[Regulation 21 amended in Gazette 18 Sep 2015 p. 3808.]

22. *Minimum time to be allowed for submitting expressions of interest*

The time specified in the notice as the time after which expressions of interest cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving Statewide public notice.

23. *Rejecting and accepting expressions of interest to be acceptable tenderer*

- (1) *An expression of interest is required to be rejected unless it is submitted at a place, and within the time, specified in the notice.*
- (2) *An expression of interest that is submitted at a place, and within the time, specified in the notice but that fails to comply with any other requirement specified in the notice may be rejected without considering its merits.*
- (3) *Expressions of interest that have not been rejected under subregulation (1) or (2) are to be considered by the local government and it is to decide which, if any, of those expressions of interest are from persons who it thinks would be capable of satisfactorily supplying the goods or services.*
- (4) *The CEO is to list each of those persons as an acceptable tenderer.*

[Regulation 23 amended in Gazette 29 Jun 2001 p. 3132.]

24. *People who submitted expression of interest to be notified of outcome*

The CEO is to give each person who submitted an expression of interest notice in writing —

- (a) *containing particulars of the persons the CEO has listed under regulation 23(4) as acceptable tenderers; or*
- (b) *advising that the local government has decided not to invite tenders because no expression of interest that it considered was from a person who it thinks would be capable of satisfactorily supplying the goods or services; or*

- (c) *informing the person of any other outcome if neither paragraph (a) nor (b) is appropriate.*

[Regulation 24 amended in Gazette 29 Jun 2001 p. 3133.]

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Administration, including advertising, costs associate with the call for expressions of interest will be met by the general provision for Administration costs.

STRATEGIC IMPLICATIONS

OUTCOMES	OBJECTIVES	PRIORITIES
Planned development	Create land use capacity for industry	<input type="checkbox"/> <input type="checkbox"/> Advocate for provision of sewerage solutions to permit more intensive land use in town.
Housing needs are met	Facilitate affordable and diverse housing options	<input type="checkbox"/> <input type="checkbox"/> Review land-use planning to provide housing and land size choices. <input type="checkbox"/> <input type="checkbox"/> Develop a range of aged accommodation opportunities.

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 8.3.3

MOVED: Cr Rear

SECONDED: Cr Oversby

That Council:

- 1. Receive the attached business plan for an independent living aged accommodation development**
- 2. Call for expressions of interest from building firms to:**
 - 2.1 develop Lot 1 Forrest Street Boyup Brook for an independent living development**
 - 2.2 work with Council on an agreed range of options for accommodation units (homes)**
 - 2.3 offer the range of units to the community**
 - 2.4 sell and build units**
 - 2.5 recover and pay to Council its required upfront land lease change as part of the sales process**
 - 2.6 based on a Council evaluation of the interests lodged, call for tenders to provide the required services.**
- 3. That Council resolve to:**
 - 3.1 maintain its focus on a development in Boyup Brook to meet the need for small lot housing for senior members of the community who do not need care.**
 - 3.2 keep working on a development at lot 1 Forrest Street whilst still progressing the opportunity of a development on its land in Hospital Road.**
 - 3.3 limit work and costs associated with the latter to securing additional land, amalgamating the various lots held as Crown Grants and Reserves into a single holding where Council may develop but does not have to purchase the land**
 - 3.4 base its further progress on the Lot 1 Forrest Street opportunity on the results of the expressions of interest and tendering processes.**

CARRIED 5/1

Res 66/16

8.3.5 Donations

Location:	N/A
Applicant:	Various
File:	FM/25/008
Disclosure of Officer Interest:	<i>The author is a member of the Boyup Brook Country Music Club, Boyup Brook Golf Club and the Boyup Brook Tourism Association. The author is part of the management committee of the Country Music Club and the Boyup Brook Tourism Association and so makes a declaration of impartiality.</i>
Date:	9 June 2016
Author:	Daly Winter - CDO
Authorizing Officer:	Alan Lamb
Attachments:	Confidential attachment – summary of donation applications

SUMMARY

The purpose of this report is to put before Council applications for donations with the recommendation that the recommended donations be included in the draft budget for Council consideration.

BACKGROUND

Each year Council calls for donations. Administration assesses and summarises the applications and the Council decision is made at budget adoption time.

COMMENT

It will be noted that all but five requests for a donation have been recommended and the attachment provides comments on all applications.

The Upper Blackwood Agricultural Society have supplied two applications for grant/sponsorship this year. The Shire's Policy states "Only one application per year may be funded for any one organisation" therefore Council will need to decide which of the two applications they perceive as the priority.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's Donations Policy applies.

<i>POLICY NO.</i>	<i>F.02</i>
<i>POLICY SUBJECT</i>	<i>Donations</i>
<i>ADOPTION DATE</i>	<i>17 June 2004</i>
<i>VARIATION DATE</i>	<i>21 December 2007</i>

Objective

To promote and support community-based initiatives, which meet Shire's strategic direction.

Statement

Definitions

The following definitions apply to this policy:

- *Organisation is an incorporated body under the Associations Incorporation's Act 1987 or a recognised corporate body created by government with an Australian Companies Number (ACN).*
- *Individual is a resident of the Shire.*
- *Grant – is the provision of a set amount of funds for a single year in order to achieve a specific identified purpose.*
- *Sponsorship- is the provision of cash, in-kind support or subsidy to organisations or individuals in return for specifically identified promotional opportunities for the Shire.*
- *Subsidy is the provision of in-kind in the form of a cash book entry which enables the Shire to determine the real cost of support provisions and donations to community groups.*

Eligibility

Only organisations are eligible for funding support. In some instances, organisations may apply for funding on behalf of individuals who must be residents of the shire. Only one application per year may be funded for any one organisation.

In general, applications for funding shall fulfil the following criteria:-

- *Not for direct profit or financial gain to the organisation or an individual;*
- *The proposal supports the mission statement, values and strategic direction of the Shire;*
- *The applicant organisation can demonstrate the capacity to manage and be accountable for the funds and the project.*

The Council will: -

- *only allocate funds for identified purposes and with specific expenditure estimates provided and will not provide block grants under any circumstances;*
- *require each applicant organisation to submit a new funding application on each occasion before Council will commit any funds;*
- *require each successful applicant to agree that they do not represent the Shire in any capacity.*

Program Promotion

All funding programs will be advertised annually in March with all applicants advised of the outcome of their application within one month of the adoption of the annual Budget.

These requests will be presented to the Council with a brief precis.

Lodging of Applications

Applications for assistance should be made on the application form available from the Shire Office.

The information required for applications of less than \$500 shall include:-

- *The name of the organisation and applicant, accompanied by contact details;*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*
- *Such other details as required from time to time.*

The information required for applications of more than \$500 shall include: -

- *The name of the organisation and applicant, accompanied by contact details*
- *The purpose and value of the funding required;*
- *The value of funding which will be provided by the organisation;*
- *The timeframe for completion of the project or activity;*
- *confirmation by the President or Secretary that the application has been supported by resolution of the Organisation;*
- *the names of current Office Bearers and Committee members and a copy of the Certificate of Incorporation;*
- *A copy of the most recent audited financial statements;*
- *Such other details as required from time to time.*

Accountability

Organisations successful in their application are generally required to:-

- *Acquit the funds by 30 June in the year following their successful grant application. The acquittal is to include the appropriate financial statements as determined by the Shire, and to demonstrate that the funds have been spent on the purpose for which they were allocated;*
- *Provide a written report to the Shire on the outcome of their project including relevant statistics and whether objectives of the project have been met. The contents of the report requirements will be determined by the Shire;*

Where an organisation has applied for funds, an individual on behalf of the group may be required to make a presentation to the Council, participate in an interview or address a group of people regarding the activity.

It is expected that all projects, events and activities will:-

- acknowledge Shire's support in its advertising, promotion and any media publicity to the satisfaction of the Shire;*
- utilise Shire's logo where appropriate;*
- provide a detailed report at the conclusion of the project, which outlines the project's achievements measured against the objectives.*

Availability of Information

A central register of grants will be maintained and will be submitted to Council for noting annually. The register will contain the following information: -

- Name of recipient organisation and individual concerned (where applicable);*
- Amount of funds provided;*
- Purpose of funds provision;*
- Date project/activity is expected to be complete;*
- Date funds were approved;*
- Date/notification of satisfactory acquittal of funds has been received by the Shire;*
- Any other information considered by the Chief Executive Officer to be of value to the Council in its decision-making and funds management.*

Decision Final

Decisions regarding funding applications are final and will not be reconsidered during the financial year in which the application was made.

Procedures for grants or contributions of \$10,000 or more:

On receipt of approval of a grant application the recipient agrees:-

- that the funds be applied only for the purpose approved;*
 - to supply an audited statement of income and expenditure supported by copies of invoices on the completion of the project;*
 - that 50% of the grant will be provided at the commencement of project (and following receipt of the duly signed approval terms).*
-
- Progressive claims (to a maximum of 50%) will be payable upon production of an income and expenditure statement accompanied by relevant invoices, or as otherwise agreed to in writing by the Shire.*

General

The Chief Executive Officer may in consultation with the Shire President approve extraordinary donation requests up to \$100.00 in cash, or \$500.00 in-kind (excluding administrative support e.g. photocopying), to local community groups throughout the year when requested.

The Annual Budget to include \$500.00 per year in cash for this purpose.

Extraordinary in-kind support may be carried out during normal working hours where there is no impact on work programs.

The CEO shall reject all other requests throughout the year outside the donation funding program.

BUDGET/FINANCIAL IMPLICATIONS

Nil at this stage as the recommendation deals with inclusion in the draft budget only and so is not a commitment of funds.

The following is included for comparison purposes:

<u>Detail</u>	<u>2014/15</u>	<u>2015/16</u>	<u>2016/17</u>
Group 1 Small Grants (\$500 or below)	2,000	1,500	1,600
Group 2 (\$501 to \$5,000)	10,351	12,031	10,682
Group 3 (\$5,001 to \$10,000)	15,300	31,500	12,400
Sub Total	27,651	45,031	24,682
Standard annual contributions	27,330	27,330	26,450
Total applied for and supported	54,981	72,361	51,132
Annual provision as per Policy	500	500	500
Boyup Brook Club rates assistance	2,500	-	-
Total Donations	57,676	72,861	51,632

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 8.3.5

MOVED: Cr Blackburn

SECONDED: Cr Imrie

That administration includes the donations as recommended in the confidential attachment, and in the table under Budget/Financial implications, in the draft budget for 2016/17.

CARRIED 6/0

Res 67/16

8.3.6 STED Sewerage Scheme - Council assistance with connection costs
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Location:	<i>N/a</i>
Applicant:	<i>N/a</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 June, 2016</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to recommend that Council agree on a strategy to assist property owners with connections to the planned Water Corporation sewerage scheme.

BACKGROUND

Water Corporation has advised that

- it is working toward having the scheme in and operating by the end of 2019.
- it is about to commence the public consultation phase which will include an opportunity for affected property owners to vote for or against the scheme
- the consultation period will be 4 to 29 July 2016 with public forums to be held in the evening 19 July and at lunchtime 20 July
- it does not have firm figures as yet but will provide relevant owners with information on the expected cost of sewerage rates and opportunities for pensioner and seniors to have some portion paid by the state government, and on expected connection costs.
- geotechnical survey work/reporting will be conducted this month but that other further works on design and the like will be on hold pending results of the community vote
- the final costs and area to be serviced cannot be determined until design and costing work is completed

COMMENT

This report deals with the opportunity for Council to ease the burden of up front costs on property owners.

Whilst expected connection costs are not known at this time modelling has been done on \$3,000, a figure mentioned by a Water Corp officer but yet to be confirmed.

Connection work would be carried out by a licensed plumber and would entail installation of pipe work from existing septic tanks to the sewer line and leach drain decommissioning.

The model being recommended to Council has been used by other Councils. It entails Council making an offer to all affected property owners to arrange and pay for their sewerage connections. Then calling for tenders to make connections for the owners who take up the offer. Tenders are generally for a fixed price per connection. To explain, plumbing contractors bid based on a price per connection and if this price is \$3,000 and property one cost the contractor less than say property two the contractor makes a saving on one connection that compensates for the premium on another.

Council then awards the tender based on the best, not necessarily the cheapest, offer and arranges the works. Council takes out a Treasury Corporation loan to meet the cost of works and recoups this, plus the interest, from participating property owners as part of the annual rating process over a number of years.

Council can borrow at favourable rates and, as an example the current rate on a 10 year loan is less than 3% (in the order of 2.7% at the time of writing).

So if Council were to offer this opportunity and the costs were \$3,000 per property then the additional charge on rate accounts would be in the order of \$340 per annum if payments were spread over 10 years. Council would need to look at this matter in more detail closer to the time, when costs were more certain, use interest rates applicable at the time and then decide on a firm offer but the information available now may be sufficient for Council to commit now to making an offer to affected property owners.

It may not be practical to offer a range of options and other Councils made a once off offer limited the offer to a set time line in order to gain ensure sufficient connections are made early in the piece to ensure the system had sufficient inflow to operate correctly. It is possible that a bulk purchase of connections will provide economies of scale that will allow contractors to offer lower prices for the Shire arranged connections.

Water Corporation advised that owners will be charged sewerage rates from the date connection is possible regardless of whether or not connection is made, and

that owners will have sometime (it is understood to be 5 years) to make a connection.

In summary then, whilst Council cannot look at accurate figures and so determine the detail of any assistance it may be in a position to commit to the idea of an assistance scheme. If so it could inform affected property owners of this as part of the Water Corporation consultation process. The benefits of a Council arranged bulk connection include:

- potential costs savings.
- ability to spread connection costs over time
- lower financing rates than individuals may be able achieve themselves
- sufficient early connections to allow the sewerage scheme to operate effectively.

Whilst not a consideration at this time, as Council is to be provided with the treated water, a tank to store it in and relevant approvals to use it etc, the additional source of water for reticulation will enable Council to look at improving other open spaces. Whilst not practical to pump this water to say Sandakan Park, the reduced need for stored storm water for existing green areas, currently reticulated, will allow Council to look at reticulating, turfing and otherwise improving, areas such as Sandakan Park.

CONSULTATION

The matter of providing this sort of assistance has been before Council a number of times over the years.

STATUTORY OBLIGATIONS

Nil in relation to the matter

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil at this time. If agreed to and the sewerage scheme goes ahead, Council will need to borrow funds and recoup costs over time. There will be an administrative cost involved in managing the process, tendering etc but it is expected that this would all be done within normal budget provisions and the recommendation would be to not seek to recover this cost, and instead treat it as contribution.

STRATEGIC IMPLICATIONS

The sewerage scheme will enable some land owners to subdivide their land, it should lead to increased land values, a study commissioned by Council some time

ago predicted that a scheme servicing a third of the town would lead to 60 new homes being developed over 10 years, also that it would stimulate economic growth through the increase in population and the resulting need for services.

SUSTAINABILITY IMPLICATIONS

- **Environmental**
The sewerage scheme will greatly reduce to opportunity for seepage of sewerage.
- **Economic**
The assistance envisaged should reduce the burden on property owners. The sewerage scheme should lead to more houses/people in town, increased local purchasing of goods and services, and increases in employment opportunities.
- **Social**
The sewerage scheme should stimulate an increase in population which should improve numbers in community groups, clubs etc .

VOTING REQUIREMENTS

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.6

MOVED: Cr Aird

SECONDED: Cr Rear

That Council commit to offering assistance to property owners in the area to be serviced by the Water Corporation sewerage scheme, due to be completed in 2019, by coordinating and paying for connection costs where owners agree to connect as soon as the opportunity to do so is available, and recouping the cost, including relevant financing costs, via an annual charge on the Shire rate notice over a number of years.

CARRIED BY ABSOLUTE MAJORITY 6/0

Res 68/16

8.3.7 Bunbury Wellington & Boyup Brook Regional Tourism Development Strategy

Location:	N/A
Applicant:	
File:	
Disclosure of Officer Interest:	<i>The author is a member of and sits on the Management Committee of the Boyup Brook Tourism Association. The author makes a declaration of impartiality.</i>
Date:	<i>10 June 2016</i>
Author:	<i>Daly Winter</i>
Authorizing Officer:	<i>Alan Lamb</i>
Attachments:	<i>Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy 2015 - 2019. Extract from Minutes of the Bunbury Wellington Group of Councils Meeting held on 18 April 2016.</i>

SUMMARY

The Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy has been adopted by the Bunbury Wellington Group of Councils (BWGC). A copy of the strategy is presented herewith to Council. The BWGC has suggested that South West Development Commission accept coordination and the lead role for the implementation of the strategy.

The BWGC has also recommended that each Local government consider:

- An allocation in the 2016/17 budget for implementation of the regional tourism initiatives.
- Support any submissions and applications for funding through Royalties for Regions and other programs to fund workshops, marketing and implement projects contained within the report.
- That each Council participate in each initiative as they determine.

BACKGROUND

In 2014 Council agreed to fund in part the development of a Regional Tourism Development Strategy in association with the Bunbury Wellington Group of Councils (BWGC).

Three documents resulted as part of the development of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy.

These three documents were:

- a. Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy 2015
- b. Bunbury Wellington and Boyup Brook Regional Tourism Development Summary Report
- c. Regional Action Plan and Regional Marketing Plan.

These three draft documents were returned to member Councils and were sent out to local tourism stakeholders with a request to provide feedback by 29 February 2016.

This feedback was then returned to the Bunbury Wellington Regional Tourism Development Steering Committee for review and amendments were drafted for the Strategy and put to the BWGC at the meeting held 18th of April 2016.

Bunbury Wellington Group of Councils Resolution

That the Bunbury Wellington Group of Councils:-

- 1. Note that (7) submissions were received**
- 2. Agree to the proposed amendments to the Strategy and Action Plan as outlined in the report from the South West Development Commission from the submissions received be adopted and the Strategy documents be amended to reflect these changes.**
- 3. Upon receipt of the updated report, that each member local government present the report to their respective Councils for consideration and endorsement, noting the group agrees to:**
 - a) Approach the Southwest Development Commission requesting the Commission accept coordination and the lead role for implementation of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy, as this is featured highly in the SW Blueprint and Regional Growth Plan.**
 - b) Recommend each local government request their Council consider an allocation in the 2016/17 budget for implementation of the regional tourism initiatives.**
 - c) Support any submissions and applications for funding through Royalties for Regions and other programs to fund workshops, marketing and implement projects contained within the report.**
 - d) That each Council participate in each initiative as they determine.**

4. **Agree that upon adoption by each respective Council, that the Bunbury Wellington Regional Tourism Development Strategy Steering Committee cease.**

COMMENT

Boyup Brook only has a handful of tourist operators and in reality we are really a tourism minnow in a large ocean when it comes to tourism promotion.

If we pool resources and funds with the Bunbury Wellington Group of Councils and work with the new tourism strategy I believe Council will receive more recognition from our tourism dollar spent, than if we try to achieve this on our own.

CONSULTATION

Various - Have been involved with this project for over 12 months and I have attended workshops with tourist stakeholders over that time and I have been part of the Bunbury Wellington Tourism Development Steering Committee.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil at this stage as the recommendation deals with inclusion in the draft budget only and so is not a commitment of funds.

STRATEGIC IMPLICATIONS

As an active member of the Bunbury Wellington Group of Councils I believe our continued involvement and work with the new Tourism Strategy, we provide Council with long term tourism benefits.

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 8.3.7

MOVED: Cr Oversby

SECONDED: Cr Muncey

That Council:

- 1. Receives and endorses the updated Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy 2015 - 2019**
- 2. Supports the Southwest Development Commission being requested to accept coordination and the lead role for implementation of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy, as this is featured highly in the SW Blueprint and Regional Growth Plan.**
- 3. Agrees to support joint submissions and applications for funding through Royalties for Regions and other programs to fund workshops, marketing and implement projects as determined beneficial to the Shire of Boyup Brook and /or the region.**
- 4. List for consideration for funding in its 2016/17 draft budget an allocation of \$2,000 towards the implementation of the regional tourism strategy.**
- 5. In the event that the other participating Councils do not wish to contribute towards the implementation of the Regional Tourism Strategy or contribute at a lower level, then Council's commitment to the Strategy may be reassessed.**

CARRIED 6/0

Res 69/16

9 COMMITTEE MINUTES

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

Nil

13 CLOSURE OF MEETING

There being no further business the Deputy Shire President thanked all for attending and declared the meeting closed at 7.30pm.