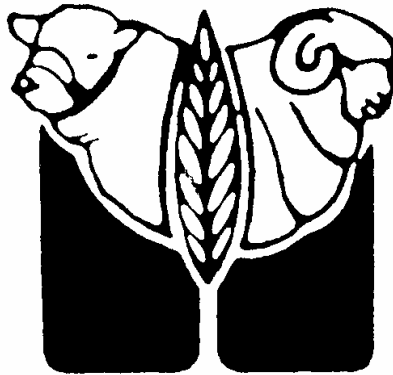


MINUTES



ORDINARY MEETING

HELD ON

THURSDAY, 21 APRIL 2005

AT

SHIRE OF BOYUP BROOK
ABEL STREET – BOYUP BROOK
COMMENCEMENT AT 3.30PM

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Suspension of Standing Orders

MOVED: Cr Purse

SECONDED: Cr Blackburn

That the Order of Business for the Council Meeting, being Clause 5 of the Standing Orders, Local Law No 1 be suspended.

CARRIED: 7/0

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

1.1 Attendance

Cr T Ginnane – Shire President
Cr N Blackburn
Cr S Broadhurst
Cr R Downing
Cr P Marshall
Cr T Oversby
Cr S Purse

Mr W Pearce – Chief Executive Officer
Mr K Jones – Manager of Finance and Administration
Mr J Eddy – Manager of Works and Services

Mr B Anderson – Donnybrook/Bridgetown Mail (departed 4.40pm)
Ms J Florey (departed 5.27pm)
Mr C Elliot – Water Corporation (departed 4.35pm)

1.2 Apologies

Cr K Moir
Cr J Mondy

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

MOVED: Cr Downing

SECONDED: Cr Oversby

That Councillor Ginnane be granted leave from 23/04/05 to 10/06/05.

CARRIED 7/0

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Mr Chris Elliott - Water Corporation

The Shire President welcomed Mr Elliott, the regional manager for the Water Corporation.

Mr Elliott advised the Council that the Water Corporation has a plan to improve the Bridgetown Regional Scheme in the next few years by either accessing the Yarragadee Acquifer or building a new dam in the Gregory area west of Bridgetown which would 'drought proof' various towns including Boyup Brook.

A decision will be made by the Minister in early 2006 and will take several years to implement.

The Shire President thanked Mr Elliott who left the chambers at 4.35pm

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Minutes of the Ordinary Meeting of the Council held on 17 March 2005.

MOVED: Cr Marshall

SECONDED: Cr Broadhurst

That the minutes of the previous Ordinary Meeting of the Council held on 17 February 2005 be confirmed as an accurate record subject to the following changes:-

- **Page 16 item 7.3.3 – that the words 'and the Council come out of committee' be inserted after the word 'public' in the motion 'In accordance with Section 5.23 (2) of the Local Government Act 1995 the next part of the meeting is open to the members of the public, the time being 4.59pm.'**
- **Page 22 – motion for item 7.3.4 relating to laying the matter on the table – renumber clause '15.6' to '15.9'.**

CARRIED 7/0

6 PRESIDENTIAL COMMUNICATIONS

7 REPORTS OF OFFICERS AND COMMITTEES

7.1 WORKS AND SERVICES

7.1.1 Townscape Advisory Committee Minutes

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>-</i>
<i>Reporting Officer:</i>	<i>John Eddy</i>
<i>Date Report Written:</i>	<i>10 April 2005</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>PA/37/001</i>
<i>Appendices:</i>	<i>1.1 - Minutes</i>

BACKGROUND:

A Townscape Advisory Committee meeting was held on 06 April 2005.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.1).

MOVED: Cr Downing

SECONDED: Cr Marshall

That the minutes of the Townscape Advisory Committee held on the 06 April 2005, be received.

CARRIED 7/0

MOVED: Cr Broadhurst

SECONDED: Cr Oversby

That the Council considers the following:-

1 Townscape projects listed in order of priority in the 2005/2006 budget:-

- 1. Landscaping of the Bridge Street median between Forrest Street and Barron Street.**
- 2. Landscaping to the Abel Street side of the Town Hall.**
- 3. Median landscaping at the Abel Street/Jayes Road intersection (BP garage corner)**
- 4. Proposed buy one, get on free tree offer for residents of the Boyup Brook Townsite.**

2 signage for the 2005/2006 budget:-

- A directional sign for the Town Hall toilets to be located at Federation Square in Sandakan Park.**
- Right and left turn arrows painted on the road surface at the intersection of Cowley Street and Inglis Street.**
- Provide zebra markings where pram/wheelchair ramps have been installed on footpaths to indicate 'no parking' by vehicles.**

7.1.2 Plant Tender No 05-002

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: John Eddy
Date Report Written: 08 April 2005
Enabling Legislation: Local Government Act 1995
File: EQ/57/001
Appendices: -

BACKGROUND:

Tender No 05-002 is for the supply and delivery of one four wheel drive wheel loader and the trade in of the 1996 Komatsu WA250-3 wheel loader (BU 5742).

The budgeted changeover price is ninety five thousand dollars (\$95,000).

This plant purchase is part of the Works and Services Plant Replacement Programme.

DETAIL:

Tender No 05-002 was advertised in the West Australian newspaper on the 02 March 2005 and closed on 22 March 2005. Seven (7) tenders were received and two (2) offers of outright purchase for the trade-in loader (BU 5742).

Tender No 05-002 – 4WD – Wheel Loader (all prices include GST)

Company	Make	Model	Power	Weight	Warranty	Price	Trade In	C/O Cost	No Trade
Earthwest	Hyundai	HL740-7	99Kw N	11500kg	12/1500h	\$148,643	\$63,547	\$85,096	\$137,115
BT Equipment	Kawasaki	65-ZV	105Kw N	12000kg	12/1500h	\$181,500	\$66,000	\$115,500	\$170,500
Westrac	Caterpillar	924G	96Kw N	11340kg	12months	\$203,940	\$77,000	\$126,940	\$198,440
Westrac	Caterpillar	928G	107Kw N	12310kg	12months	\$228,030	\$77,000	\$151,030	\$222,530
Komatsu Aust	Komatsu	WA200-5	92Kw N	9555kg	12/2000h	\$191,719	\$93,500	\$98,219	-
	Komatsu	WA250-5	101Kw N	13800kg	12/2000h	\$231,340	\$93,500	\$137,840	-
Hitachi Con Eq	John Deere	544J	116Kw N	13560kg	12/2000h	\$199,320	\$77,000	\$122,320	-
CJD Equipment	Volvo	L60E	102Kw N	11390kg	24/4000h	\$210,920	\$86,900	\$124,020	-
	Volvo	L70E	122Kw N	12890kg	24/4000h	\$221,712	\$86,900	\$134,812	-
Cons Equip Aust	JCB	426 ZX	113Kw N	14120kg	12/2000h	\$167,530	\$77,000	\$90,530	-
	JCB	436ZX	132Kw N	14825kg	12/2000h	\$199,210	\$77,000	\$122,210	-
Tahmoore Pty Ltd	Outright Purchase						\$66,100		
Smith Broughton & Sons	Outright Purchase						\$63,547		

The highlighted tenders are the recommended purchases.

The four lowest tenders were selected and assessed by the Works Supervisor, Works Mechanic and Plant Operator in accordance with the following Evaluation Assessment criteria:-

Factor	Weighting	Priority	Evaluation Criteria
Tender Pricing	3	High	
Mandatory Product Features	3	High	Product feature essential to undertake required function. Specifications conformance. Response and detail to specification

Warranty	2	Medium	Assessed on past performance. Warranty period offered.
Delivery	2	Medium	
Service Facilities	2	Medium	Ease of operation/controls. Operator comfort

This assessment matrix allows the tenders to be evaluated in an unbiased manner where the tenderer with the highest overall points may be considered to be the most advantageous tender. This is to be used as a guide only during the assessment and is not necessarily binding.

The scoring system is based on the following:-

Tender Price	Score
Within 10% of the lowest price	3
10 – 20% of the lowest price	2
Above 20% of the lowest price	1
Mandatory Product Features	Score
All requirements met	3
Most requirements met	2
Most requirements no met	1

Warranty	Score
Excellent	3
Good	2
Moderate	1

Delivery	Score
Within one month	3
One to two months	2
Not stated/>2 months	1

Service Facilities	Score
Excellent	3
Good	2
Moderate	1

Operator Ergonomics	Score
Excellent	3
Good	2
Moderate	1

Tender 05 – 002 – Earthwest – Hyundai HL 740-7

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Lowest Price
Mandatory product features	High	3	3	9	All met
Warranty	Medium	2	1	2	Moderate
Delivery	Medium	2	3	6	Within 1 month
Service facilities	Medium	2	1	2	Moderate
Operator Ergonomics	Medium	2	1	2	Moderate
Total Score				30	

Tender 05 – 002 Const. Equ. Australia – JCB 426ZX

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Within 10%
Mandatory product features	High	3	3	9	All Met
Warranty	Medium	2	1	2	Moderate
Delivery	Medium	2	3	6	Within 1 month
Service facilities	Medium	2	2	4	Good
Operator Ergonomics	Medium	2	2	4	Good
Total Score				34	

Tender 05 – 002 Komatsu Australia – Komatsu WA200-5H

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	2	6	Within 10% - 20%
Mandatory product features	High	3	3	9	All met
Warranty	Medium	2	2	4	Good
Delivery	Medium	2	3	6	Within 1 month
Service facilities	Medium	2	3	6	Excellent
Operator Ergonomics	Medium	2	3	6	Excellent
Total Score				37	

Tender 05 – 002 BT Equipment – Kawaski 65 – 2V

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	1	3	Above 20%
Mandatory product features	High	3	3	9	All met
Warranty	Medium	2	2	4	Good
Delivery	Medium	2	3	6	Within 1 month
Service facilities	Medium	2	2	4	Good
Operator Ergonomics	Medium	2	3	6	Excellent
Total Score				32	

COMMENT:

- The Council purchased a new Komatsu 250-3 wheel loader in 1996. The machine currently has 7000 hours on the meter and no major problems have been reported.
- The HYUNDI HL 740-7 was the lowest change over cost but scored the lowest points on the matrix.
- The assessment team of the Works Supervisor, Works Mechanic and Plant Operator have recommended the Komatsu WA 200-5H as the most suitable wheel loader for the Shire of Boyup Brook construction works.

It is therefore recommended that the Council awards Tender 05-002 for the supply and delivery of one Komatsu WA200-5H four wheel drive loader to Komatsu Australia Pty Ltd and the disposal of Komatsu WA250-3 (BU 5742) for the next changeover price of \$98,219 including GST (\$89,290 excluding GST).

MOVED: Cr Downing

SECONDED: Cr Marshall

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

CARRIED 7/0

MOVED: Cr Purse

SECONDED: Cr Broadhurst

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

CARRIED 7/0

MOVED: Cr Purse

SECONDED: Cr Oversby

That the Council awards Tender 05-002 for the supply and delivery of one Komatsu WA200-5H four wheel drive loader to Komatsu Australia Pty Ltd and the disposal of Komatsu WA250-3 (BU 5742) for the net changeover price of \$98,219 including GST (\$89,290 excluding GST).

CARRIED 7/0

7.1.3 Plant Tender No 05-003

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: John Eddy
Date Report Written: 08 April 2005
Enabling Legislation: Local Government Act 1995
File: EQ/57/001
Appendices: -

BACKGROUND:

Tender No 05-003 is for the supply and delivery of one 3 to 4 tonne light truck with tipper body and the trade-in of 2002 Isuzu light truck with tipper body (BU 932).

The budgeted changeover price is fifteen thousand dollars (\$15,000). This plant purchase is part of the Works and Services Plant Replacement Programme.

DETAIL:

Tender No 05-003 was advertised in the West Australian newspaper on the 02 March 2005 and closed on 22 March 2005. Three (3) tenders were received and one (1) offer of outright purchase for the trade-in vehicle (BU 932).

Tender No 05-003 – 3- 4 Tonne Light Truck with Tipper Body (all prices include GST)

Company	Make	Model	Power	Tonne	Chassis	Body	1t Crane	Price	Trade In	c/o Cost	
Skipper Trucks	Mitsubishi	Canter	103Kw	3.5t	\$37,983	\$13,167	\$6,810	\$57,960	\$40,180	\$17,780	
Jem Truck Sales	Isuzu	NPR300	103Kw	3.5t	\$37,961	\$13,167	\$6,810	\$57,938	\$33,228	\$24,710	
		NPR400	103Kw	3.5t	\$41,226	\$13,167	\$6,810	\$61,203	\$33,502	\$27,701	
WA Hino	HINO Dutro	6500M	114Kw	3.5t	\$39,187	\$13,167	\$6,810	\$59,164	\$26,000	\$33,164	
Eastside Commercial				Outright Purchase					\$30,286		

The highlighted tenders are the recommended purchases.

COMMENT:

All tenders received were similar in product, service and price.

The lowest recommended tender for the replacement of the Council 2002 Isuzu light truck was Skipper Trucks.

It is therefore recommended that the Council awards Tender 05-003 for the supply and delivery of one Mitsubishi 3.5T Turbo Canter Light truck with a tipper body and 1 tonne hydraulic crane to Skipper Trucks and the disposal of Isuzu tipper truck (BU-932) for the net change over price of \$17,780 including GST (\$ 16,164 excluding GST).

MOVED: Cr Marshall

SECONDED: Cr Purse

That the Council awards Tender 05-003 for the supply and delivery of one Mitsubishi 3.5T Turbo Canter Light truck with a tipper body and 1 tonne hydraulic crane to Skipper Trucks and the disposal of Isuzu tipper truck (BU-932) for the net change over price of \$17,780 including GST (\$ 16,164 excluding GST).

CARRIED 7/0

7.1.4 Abel Street to Forrest Street Right-of-Way

*Proponent: Shire of Boyup Brook
Location: Right-of-way running north - south between Abel & Forrest Street, Boyup Brook
Reporting Officer: Will Pearce
Date Report Written: 12 April 2005
Enabling Legislation: Local Government Act 1995
File: -
Appendices: 1.2 - Plan showing location of right-of-way*

BACKGROUND:

At its 17 March 2005 meeting, the Council resolved:-

'That the North (Abel Street) end of the lane to the west of the Commonwealth Bank be closed to vehicle access but remain open for pedestrian access.'

Following a period of consultation with adjoining landowners, it is now necessary for the Council to consider the above right-of-way (ROW) closure.

DETAIL:

Due to programmed footpath upgrade works being carried out in the near future along Abel Street from the Commonwealth Bank to Inglis Street, the concept of closing the Abel Street end of the subject ROW to traffic was considered worthy of consideration for 2 reasons-

1. the new footpath would not require a concrete cross-over where it meets the ROW and therefore a continuous paved and wall finish would be created,
2. safety of pedestrians will be increased significantly due to the prevention of vehicles entering and exiting the ROW.

The ROW will continue to be accessible to traffic at all times from Forrest Street.

Local traffic wishing to enter/exit properties from the ROW will continue to have that convenience.

All five (5) landowners with an adjoining boundary were advised of the proposed closure and invited to make comment by close of business 24 March 2004. The two responses that were received endorsed the proposal.

COMMENT:

It is suggested that the Council approves a partial closure of right-of-way running north – south from Abel to Forrest Streets between Bridge and Inglis Streets by installing a vehicle barrier allowing pedestrian access only at the Abel Street entry/exit.

MOVED: Cr Blackburn

SECONDED: Cr Purse

That the Council approves a partial closure of right-of-way running north – south from Abel to Forrest Streets between Bridge and Inglis Streets by installing a vehicle barrier allowing only pedestrian access at the Abel Street entry/exit.

CARRIED 7/0

7.1.5 Budget Re-Allocation – Increase in Regional Road Group Funding Income

Proponent: Shire of Boyup Brook
Location: Arthur River Road
Reporting Officer: John Eddy
Date Report Written: 14 April 2005
Enabling Legislation: Local Government Act 1995
File: RD/45/003
Appendices: -

BACKGROUND:

Each financial year Main Roads WA provide a Regional Road Group (RRG) grant to local authorities based on a two thirds State Government one third Local Government funding agreement.

The Council is requested to consider re-allocating budgeted funds to access unbudgeted RRG funds.

DETAIL:

In 2003/04 the State Government reduced the RRG Funding by approximately twenty three percent (23%) reducing the Shire's allocation from one hundred and thirty thousand dollar (\$130,000) to one hundred thousand dollars (\$100,000).

For preliminary 2004/05 budget considerations the amount of one hundred thousand dollars (\$100,000) RRG funding was used awaiting confirmation from the Minister of Transport.

Main Roads WA advised the Manager of Works and Services on 20 July 2004 that the requested RRG funding of one hundred and thirty thousand dollars (\$130,000) has been approved requiring a sixty five thousand dollar (\$65,000) contribution from the Shire.

As the 2004/2005 budget was adopted on 15 July 2004 an amount of one hundred thousand dollars (\$100,000) RRG funding was allocated.

COMMENT:

The required Shire's one third contribution of the one hundred and thirty thousand (\$130,000) RRG funding for 2004/2005 is sixty five thousand dollars (\$65,000).

As only fifty thousand dollars (\$50,000) was allocated in the 2004/05 budget an additional fifteen thousand dollars (\$15,000) is now required.

The budgeted works to Knapp Street were to be carried out by contractors and can be reprogrammed with no effect on the Council workforce. Pruning works are an ongoing project and a reallocation of funds will have minimal effect on the overall works program.

It is suggested that the Council by an ABSOLUTE MAJORITY approve under Schedule 12 of the 2004/05 budget that the:-

- 1 Operating Expenditure allocation of 'Knapp Street – repair and seal' of ten thousand six hundred and eighty five dollars (\$10,685) be reduced to \$0 and 'Verge Pruning' of fifty one thousand and seventy seven dollars (\$51,077) be reduced to \$46,762;
- 2 Operating Expenditure allocation of 'RTR – Arthur River Rd' of \$150,433 be increased to \$195,433;
- 3 Operating Income allocation of 'MRD Special Grant/Regional Road Group' of \$100,000 be increased to \$130,000.

MOVED: Cr Marshall

SECONDED: Cr Purse

That the Council by an ABSOLUTE MAJORITY approve under Schedule 12 of the 2004/05 budget that the:-

1. **Operating Expenditure allocation of 'Knapp Street – repair and seal' of ten thousand six hundred and eighty five dollars (\$10,685) be reduced to \$0 and 'Verge Pruning' of fifty one thousand and seventy seven dollars (\$51,077) be reduced to \$46,762;**
2. **Operating Expenditure allocation of 'RTR – Arthur River Rd' of \$150,433 be increased to \$195,433;**
3. **Operating Income allocation of 'MRD Special Grant/Regional Road Group' of \$100,000 be increased to \$130,000.**

CARRIED 7/0

7.1.6 Lease Finance Agreement for Multipac Roller

Proponent: Asset Finance WA
Location: -
Reporting Officer: John Eddy
Date Report Written: 14 April 2005
Enabling Legislation: Local Government Act 1995
File: EQ/2/002
Appendices: -

BACKGROUND:

At the March 2001 meeting the Council resolved:-

'That the Council enter into a lease agreement with Wel-Quip for the finance lease and purchase of a Multi-Pac VP200 pneumatic tyred roller over a four (4) year term.'

The leased has now expired and requires consideration of the potential purchase of the plant.

DETAIL:

The four (4) year lease agreement with Asset Finance WA roller expires on 14 May 2005 with a residual value of eight thousand one hundred and sixty seven dollars and fifty cents (\$8,167.50).

The Plant Reserve balance budgeted as of 30 June 2005 is \$49,634.

The actual balance due to savings on plant purchases over the course of the financial year will be approximately \$59,000 as at 30 June 2005.

COMMENT:

Asset Finance WA has advised that the Council has the following options:-

1. return the roller to Asset Finance WA who will on-sell the machine. The Council would be responsible for any shortfall between the sale price and residual value,
2. extend the finance agreement for twelve months to cover the residual value (at a cost of \$14,364),
3. pay out the residual amount to allow the Shire to own the roller (at a cost of \$8,167.50).

The original intent of the lease and purchase agreement was for the Shire to purchase the Multipac Roller, however the payment of the residual value was overlooked in the 2004/2005 budget considerations.

It is suggested that the Council approve by an ABSOLUTE MAJORITY the unbudgeted expenditure of eight thousand one hundred and sixty seven dollars and fifty cents (\$8,167.50) from the Plant Reserve being the residual value payment for Asset Finance WA lease agreement 503252408 on the Multipac Tyre Roller VP200.

MOVED: Cr Downing

SECONDED: Cr Purse

That the Council approve by an ABSOLUTE MAJORITY the unbudgeted expenditure of eight thousand one hundred and sixty seven dollars and fifty cents (\$8,167.50) from the Plant Reserve being the residual value payment for Asset Finance WA lease agreement 503252408 on the Multipac Tyre Roller VP200.

CARRIED 7/0

7.2 DEVELOPMENT AND COMMUNITY SERVICES

7.2.1 Lot 314 Proctor Street, Boyup Brook – Planning Application for a Grouped Dwelling

<i>Proponent:</i>	<i>Department of Housing and Works</i>
<i>Location:</i>	<i>Lot 314 Proctor Street, Boyup Brook</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>08 April 2005</i>
<i>Enabling Legislation:</i>	<i>Town Planning Scheme No 2</i>
<i>File:</i>	<i>AS1900</i>
<i>Appendices:</i>	<i>1.3 - Plans</i>

BACKGROUND:

A planning application has been received by Michel Greenhalph Architect on behalf of the owner, Homeswest, of lot 314 (#6) Proctor Street, Boyup Brook, seeking approval for the development of a grouped dwelling.

A grouped dwelling is an 'AA' use under the Town Planning Scheme No. 2 ('Scheme') and is a land use which the Council, in exercising its discretionary powers available to it, may approve under the Scheme.

Site and floor plans of the proposal are attached (see appendix 1.3).

DETAIL:

The two brick and colorbond dwellings are self contained two (2) bedroom units containing standard amenities and facilities including appropriate storage area and carports.

However, only three (3) car parking bays are indicated, two (2) bays per unit are required under the Scheme.

The development will retain existing fencing along the rear and side boundaries.

The floor area for each unit is approximately 100m².

The property, 1,183m² in area, is currently zoned 'Residential' with a density code of 'R17.5' which, under the Residential Planning Codes ('R' Codes).

This Code requires a minimum area of 500m² per dwelling at an average of not less than 571m² per dwelling subject to Aerobic Treatment Units (ATUs), which are sewage treatment apparatus that allows for the reuse of wastewater, being installed in lieu of traditional septic tank systems. In other words a total lot size of 1,142m² is required.

COMMENT:

This development would seem to have little to no impact on surrounding properties. The new units will be a welcome addition to the residential asset base of the town.

It is suggested that the development as presented be approved, subject to conditions, as recommended above.

MOVED: Cr Marshall

SECONDED: Cr Oversby

That the Council approve the planning application for a 2 x 2 bedroom Grouped Dwelling development as presented to be located at Lot 314 Proctor Street, Boyup Brook subject to:-

- 1. all setback and carparking requirements comply with the 'Grouped Dwelling' requirements of the 'R' Codes and the Shire of Boyup Brook Town Planning Scheme No. 2;**
- 2. the development complies with all relevant statutes, local laws and the Council's policies;**
- 3. court yards of a minimum of twenty four (24) square metres in area are provided for each individual dwelling;**
- 4. 2 parking spaces per dwelling being provided that comply with the requirements of AS2890.1-1993 and parking shall be constructed, properly drained and sealed to the satisfaction of the Council;**
- 5. crossovers are constructed to the Council's design specifications and levels;**
- 6. all stormwater run off from impervious surfaces being contained within the property and disposed of to the Council's satisfaction;**
- 7. the provision of Aerobic Treatment Unit wastewater and effluent disposal systems that comply with the Heath Department of WA regulations and policies;**
- 8. each dwelling is supplied with separate clothes lines containing at least twenty (20) metres of useable line fully screened from the street;**

9. all existing trees on the property are preserved unless the removal is necessary due to building requirements;
10. a minimum of 10% of the lot area being landscaped.

CARRIED 7/0

7.2.2 Boyup Brook Wilga Mill Townsite Precinct - Heritage Council Assessment

<i>Proponent:</i>	<i>Heritage Council of WA</i>
<i>Location:</i>	<i>Wilga Mill Townsite Precinct</i>
<i>Reporting Officer:</i>	<i>Will Pearce</i>
<i>Date Report Written:</i>	<i>12 April 2005</i>
<i>Enabling Legislation:</i>	<i>Heritage of Western Australia Act 1990</i>
<i>File:</i>	<i>DE/51/001</i>
<i>Appendices:</i>	<i>1.4 - Letter, plans</i>

BACKGROUND:

The Heritage Council of WA (HCWA) wrote to the Council in January 2005 inviting a representative to attend its next meeting on 29 April 2005 at which the proposed Wilga Mill Heritage Precinct will be considered.

The proposal has been through all formal assessments under the HCWA's charter.

At its December 2003 meeting, the Council resolved:-

'That the Council advises the Heritage Council that it is prepared to support the Uniting Church, subject to the owner's consent, being assessed for possible entry on the State Register of Heritage Places.'

The HCWA will allow the shire's representative to have voting rights when formally considering approving the heritage status of the precinct.

The Council is requested to consider nominating a Councillor.

DETAIL:

The relevant sections of HCWA correspondence and plans are attached (see appendix 1.4) for information.

The CEO advised the HCWA in February 2005 that it was most likely that the Council would nominate a representative to attend their meeting when the Wilga proposal was being considered.

As further background for Council information, the following report on Wilga was presented at the Council's December 2003 meeting-

"BACKGROUND:

The Heritage Council has recently received a referral under the Government Heritage Property disposal process, pursuant to section 9 of the Heritage of Western Australia Act 1990, in respect to the Wilga Mill Townsite precinct.

The Council is now asking the shire of its views regarding the cultural heritage significance of the place before registration.

DETAIL:

The Heritage Council wrote:

As you may be aware, the Heritage Council of Western Australia is charged with the compilation of the State's *Register of Heritage Places*. This Register is the authoritative and comprehensive list of places throughout the State that have a high level of cultural heritage significance.

This letter is to advise you, as a stakeholder, that the place known as *Wilga Mill Townsite Precinct* located at *Charteris Road, Wilga* is likely to be considered for entry onto the State's *Register of Heritage Places* in the near future. Enclosed for your information is a pamphlet outlining the implications of Registration.

To assist us in making an evaluation, we would like to have professional assessors carry out a physical on-site assessment of the place. This evaluation will take into consideration such aspects as the aesthetic, historic, scientific and social values of the place as well as its rarity, representativeness, condition, integrity and authenticity.

Ms Annabel Wills and Ms Jacqui Sherriff, Heritage Consultants, have been chosen to carry out this assessment and will contact you shortly to arrange an on-site visit.

The Heritage Council would welcome any comments and information which could have a bearing on the evaluation of the cultural heritage significance of the place, or which you feel may have an influence on any recommendation for entry onto the *Register of Heritage Places*.

Discussions with the Heritage Council indicate that the precinct will capture the following buildings-

- *Wilga Town Hall – shire owned*
- *Wilga Timber Mill and Office (former general store) – on crown land, buildings owned by a timber company*
- *Uniting Church*
- *2 former timber mill residences on Reserve 20229 – shire owned*
- *Railway Dam – located on shire Reserve 29177 and Railway Corridor, currently owned by WA Government Railways*
- *Residence on Lot 21 Elder Rd – owned by R Shepherdson*
- *Residence on Lot 1 Elder Rd – owned by B Bunter*

Please refer to appendix 1.4, being a map of the townsite.

The Wilga Uniting Church building is currently the only listed Wilga building in the Shire's Municipal Heritage Inventory.

Please refer to appendix 1.5, being an extract from the inventory which includes an assessment of the level of heritage significance and recommendations for management of this particular building.

The owners of the buildings have yet to be advised of the assessment however the Heritage Council have committed verbally to inform the owners in writing and hold a public meeting in Wilga to ensure all views have a fair hearing.

COMMENT:

Should the buildings be entered on the State Register, then heritage legislation would require that prior to any future development approval be sought from the Heritage Council.

The townsite would be appear to have a high cultural and social value due to its timber mill history but the shire would need to have this confirmed by the community prior to making any commitments."

COMMENT:

Should the Council nominate a representative (Cr Moir is suggested being the Benjinup Ward representative and resident of Wilga), the CEO would also attend the HCWA meeting as non-voting representative if there is no objection from the Boyup Brook Shire Council.

The HCWA does not object to the officer's attendance.

It is suggested that the Council:-

- 1 appoints Cr Moir as its voting representative at the 29 April 2005 Heritage Council Meeting on the Wilga Mill Heritage Precinct proposal;
- 2 directs Cr Moir to advise the Heritage Council of WA that the Boyup Brook Shire Council is only prepared to support the Wilga Uniting Church, subject to the owner's consent, being assessed for possible entry on the State Register of Heritage Places and to vote accordingly, that is vote against the Wilga Mill Heritage Precinct proposal.

MOVED: Cr Oversby

SECONDED: Cr Purse

That the Council:-

- 1 **appoints Cr Moir as its voting representative on the Wilga Mill Heritage Precinct proposal at the 29 April 2005 Heritage Council Meeting;**
- 2 **directs Cr Moir to advise the Heritage Council of WA that the Boyup Brook Shire Council is only prepared to support the Wilga Uniting Church, subject to the owner's consent, being assessed for possible entry on the State Register of Heritage Places and to vote accordingly, that is vote against the Wilga Mill Heritage Precinct proposal.**

CARRIED 7/0

7.2.3 Youth Advisory Committee Minutes

<i>Proponent:</i>	<i>Shire of Boyup Brook</i>
<i>Location:</i>	<i>-</i>
<i>Reporting Officer:</i>	<i>Keith Jones</i>
<i>Date Report Written:</i>	<i>15 April 2005</i>
<i>Enabling Legislation:</i>	<i>Local Government Act 1995</i>
<i>File:</i>	<i>IM/37/004</i>
<i>Appendices:</i>	<i>1.5 – Minutes</i>

BACKGROUND:

Meetings of the Youth Advisory Committee were held on the 08, 15 and 22 March 2005.

Minutes of the meetings are laid on the table and circulated (refer to appendix 1.5).

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That the minutes of the Youth Advisory Committee on 08, 15 & 22 March 2005 be received.

CARRIED 7/0

7.2.4 Economic Development Committee Minutes

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Will Pearce
Date Report Written: 12 April 2005
Enabling Legislation: Local Government Act 1995
File: GO/37/005
Appendices: 1.6 - Minutes

BACKGROUND:

A meeting of the Economic Development Committee was held on the 09 April 2005.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.6).

In relation to the second recommendation above, the Council may recall that a similar matter was considered at its November 2004 meeting item 9.2-

“9.2 Cr Ginnane – Boyup Brook Theme

MOVED: Cr Ginnane

SECONDED: Cr Downing

That the Council adopts a theme of "Boyup Brook, the Town of Sculptures" and invite Mr Sandy Chambers to submit a proposal to design and create the theme."

LOST 2/6

MOVED: Cr Oversby

SECONDED: Cr Downing

That the minutes of the Economic Development Committee Meeting held on 09 April 2005, be received.

CARRIED 7/0

MOVED: Cr Oversby

SECONDED: Cr Downing

That the Townscape Committee approach Sandy Chambers to produce a series of works of art for the township.

LOST 2/5

7.2.5 Recreation & Leisure Advisory Committee Minutes

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Keith Jones
Date Report Written: 14 April 2005
Enabling Legislation: Local Government Act 1995
File: RE/37/001
Appendices: 1.7 - Minutes

BACKGROUND:

A meeting of the Recreation and Leisure Advisory Committee was held on the 04 April 2005.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.7).

COMMENT:

Due to an oversight, the Council is requested to provide authority to the Shire President and CEO to sign the lease with the Public Transport Authority (PTA) for the portion of rail corridor from, but not including, the bridge known as 'skeleton bridge' to the rear of shire depot. The lease has been drawn up by the PTA and is ready to be signed.

This land has been identified as the bridal trail for horses that the Council allocated \$3,000 in its current budget for upgrading the surface. The Recreation and Leisure Advisory Committee have been working extensively on making this project a reality since October 2004 as previous minutes will confirm.

A peppercorn rent is offered.

There are no other liabilities, apart from public liability, imparted on the shire. The Council's current liability insurance will not be impacted on.

Unfortunately, a formal Council resolution has not as yet been sought until now which will enable the formal signing of the lease.

A recommendation has been suggested above.

MOVED: Cr Oversby

SECONDED: Cr Purse

That the minutes of the Recreation & Leisure Advisory Committee held on 06 April 2005, be received.

CARRIED 7/0

MOVED: Cr Purse

SECONDED: Cr Oversby

That the sum of \$1,000 be considered for in the 2005/2006 financial year to provide for gates and sundries on the Pony Trail.

CARRIED 7/0

MOVED: Cr Purse

SECONDED: Cr Oversby

That the sum of \$100,000 for portable toilets and showers be considered for in the 2005/2006 financial year. The facility to be located near the existing maintenance shed to allow access for all users of the facility.

CARRIED 4/3

Cr Ginnane requested that the vote of all Councillors be recorded for the above motion.

For

Cr Purse
Cr Oversby
Cr Broadhurst
Cr Downing

Against

Cr Ginnane
Cr Blackburn
Cr Marshall

MOVED: Cr Purse

SECONDED: Cr Oversby

That the sum of \$10,000 be considered for in the 2005/2006 financial year to provide a detailed study on the raising of the Blackwood River by one metre from the Terry Road Culvert back to the Flax Mill.

CARRIED 4/3

Cr Ginnane requested that the vote of all Councillors be recorded for the above motion.

For
Cr Purse
Cr Oversby
Cr Broadhurst
Cr Downing

Against
Cr Ginnane
Cr Blackburn
Cr Marshall

MOVED: Cr Purse

SECONDED: Cr Oversby

That the:-

- 1 proposed "Deed of Lease" with the Public Transport Authority to occupy unused railway land between the Blackwood River, 2km east of the Boyup Brook townsite and the Shire Depot for the purposes of a Bridle/Walk Trail be executed by the Shire President and Chief Executive Officer;**
- 2 Seal of the Shire of Boyup Brook be placed on the "Deed of Lease" subject to clause 1 above.**

CARRIED 7/0

7.3 CORPORATE SERVICES

The Chief Executive Officer declared a financial interest in the following item.

MOVED: Cr Oversby

SECONDED: Cr Broadhurst

That the Chief Executive Officer be allowed to remain in Chambers and advise on the following item 7.3.1.

CARRIED 7/0

7.3.1 Chief Executive Officer – Performance Review

Proponent: Will Pearce
Location: -
Reporting Officer: Will Pearce
Date Report Written: 12 April 2005
Enabling Legislation: Local Government Act 1995
File: 9/2
Appendices:

BACKGROUND:

The contract of employment for the Chief Executive Officer requires that a performance review be conducted on an annual basis.

The anniversary of employment for the CEO is 23 April 2005.

DETAIL:

The employment contract for the Chief Executive Officer requires that a performance review be conducted on the following basis:-

4.4 A performance review conducted under this Clause 4 shall take the format of the following procedure:

- (a) as soon as practicable after receipt of notice pursuant to Clause 4.2, the Officer will prepare a report assessing the Officer's own performance of the Officer's obligations under this document measured against the Position Description and the Performance Criteria;*
- (b) the Officer will present his report to Council. and be available for interview;*
- (c) within one month of the conclusion of the performance review the Council shall prepare a report, in consultation with the Officer, to be signed by both the Council and the Officer, such report to include:*
 - (i) any conclusion about the Officer's performance during the period the subject of the performance review;*
 - (ii) any proposal by either party to vary the Performance Criteria as a consequence of the performance review and any comments by the Officer on any such proposal;*
 - (iii) any directions or recommendations made to the Officer in relation to future performance by the Officer of the Officer's obligations under this document; and*
 - (iv) details of the extent, if any, to which the Officer disagrees with any statement in the report.*

The Council can delegate the task of reviewing the CEO's performance to nominated persons.

The Chief Executive Officer's self assessment, as required under the contract, will be provided at the Council meeting.

COMMENT:

That:-

1. the Performance Review – Self Assessment of the Chief Executive Officer, be received;
2. a Performance Review Committee be established comprising of Councillors _____ (appoint up to 9 Councillors) to meet with the CEO on 27 April 2005 and provide a report as outlined in clause 4.4 of the employment contract to the May 2005 Council meeting.

MOVED: Cr Downing

SECONDED: Cr Oversby

That item 7.3.1 clause 1 be laid on the table under clause 15.9 of the Standing Orders, Local Law No.1.

CARRIED 7/0

MOVED: Cr Marshall

SECONDED: Cr Downing

That item 7.3.1 clause 2 be laid on the table under clause 15.9 of the Standing Orders, Local Law No.1.

CARRIED 7/0

7.3.2 Warren Blackwood Economic Alliance Minutes

Proponent: Warren Blackwood Economic Alliance
Location: -
Reporting Officer: Will Pearce
Date Report Written: 15 April 2005
Enabling Legislation: -
File: GR/31/006
Appendices: 1.8 - Minutes

BACKGROUND:

Meetings of the Warren Blackwood Economic Alliance were held on 22 March 2005.

Minutes of the meetings are laid on the table and circulated (refer to appendix 1.8).

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That the minutes of the Warren Blackwood Economic Alliance held on 22 March 2005 be received.

CARRIED 7/0

MOVED: Cr Blackburn

SECONDED: Cr Oversby

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

CARRIED 7/0

MOVED: Cr Marshall

SECONDED: Cr Purse

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

CARRIED 7/0

7.3.3 Accounts for Payment and Financial Status

Proponent: Shire of Boyup Brook
Location: -
Reporting Officer: Keith Jones
Date Report Written: 15 April 2005
Enabling Legislation: Local Government Act 1995

File: FM/10/003
 Appendices: 1.9 - Payments

BACKGROUND:

A monthly report is presented for consideration.

DETAIL:

The accounts for payment up to 14 April 2005 are attached (see appendix 1.9).

The payments made directly through the Municipal Account are as follows:-

• Salaries for the month of Mar 05	\$	82765.95
• Lease of Photocopier	\$	415.06
• Lease of Roller	\$	1,197.61
• Internet Access Fee	\$	40.00
• FlexiRent Computer	\$	2088.00
• Rent MFA	\$	160.00

The Account Balances for the various accounts as at 31 March 2005 are as follows:-

• Municipal Account	\$	200948.99
• Shire Clerk Advance	\$	3845.37
• Shire Medical Account	\$	82892.40
• Trust Account	\$	30577.59
•		

Investments secured with the Commonwealth Bank maturing April 2005 are as follows:-

• Reserves Account Term Deposit	\$	651,638.09	@5.12%
• Investment	\$	600,000.00	@5.12%

As at 15 April 2005 the following amount of rates were outstanding:-

Boyup Brook Ward	\$	42953.30
Benjinup Ward	\$	25284.57
Dinninup Ward	\$	3757.25
Scotts Brook Ward	\$	19188.35

<u>TOTAL</u>	\$	99183.47
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Sundry Debtors at 14 April 2005	\$	79743.05
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Sundry Creditors at 14 April 2005	\$	NIL
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MOVED: Cr Oversby

SECONDED: Cr Downing

That the accounts as:-

1 presented totalling \$208609.22 voucher numbers for payment; 13033,13118-13120, 13123-13216, 1900

2 paid by direct payments through the Municipal Account, the Chief Executive Officer's Advance Account and Trust,

be endorsed for payment.

CARRIED 7/0

8 PETITIONS AND MEMORIALS

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

10.1 Cr Blackburn – Stock Loss Financial Support

MOVED: Cr Blackburn

SECONDED: Cr Purse

That the Council considers re-imbursing farmers for stock losses at \$1 per sheep due to recent storms during its 2005/06 budget considerations.

LOST 1/6

10.2 Cr Marshall –Signatory for Absent Shire President and Deputy Shire President

MOVED: Cr Marshall

SECONDED: Cr Oversby

That the signatory for Shire President be carried out by Cr Broadhurst for the period 23 April to 10 May 2005 due to both Crs Ginanne and Mondy being absent from the district.

CARRIED 7/0

11 CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 6.14pm.

These Minutes and Schedule of Accounts were confirmed by the Council at the Council Meeting held on the 19 May 2005.

Cr _____, Shire President