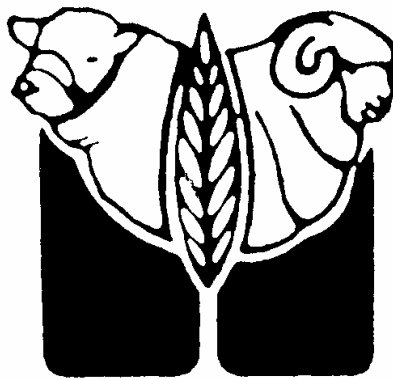


MINUTES



ORDINARY MEETING

HELD

THURSDAY, 15 OCTOBER 2009

COMMENCED AT 3.48PM

AT

SHIRE OF BOYUP BROOK CHAMBERS
ABEL STREET – BOYUP BROOK

TABLE OF CONTENTS

1	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED ..	3
1.1	Attendance.....	3
1.2	Leave of Absence.....	3
2	PUBLIC QUESTION TIME	3
2.1	Response to Previous Public Questions Taken on Notice	3
2.2	Public Question Time	3
3	APPLICATIONS FOR LEAVE OF ABSENCE	3
4	PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS	3
5	CONFIRMATION OF MINUTES	4
6	PRESIDENTIAL COMMUNICATIONS	4
7	REPORTS OF OFFICERS	5
7.1	MANAGER WORKS & SERVICES.....	5
7.1.1	Plant Tender No 09 – 001 – Multi Tyred Roller	5
7.2	MANAGER – FINANCE.....	12
7.2.1	Accounts for Payment.....	12
7.2.2	September 2009 Monthly Statements of Financial Activity	14
7.2.3	Audit and Management Report for Year Ended 30 June 2009	16
7.3.1	Adoption of Occupational & Health Policy	18
7.3.2	Adoption of Flax Mill Conservation Plan.....	20
8	COMMITTEE REPORTS	22
8.1.1	Minutes of the WA Local Government Association South West Zone	22
8.1.2	Minutes of the Boyup Brook Tourism Association.....	22
8.1.3	Minutes of the Boyup Brook Shire Council Structural Reform Committee	23
9	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	23
9.1.1	Replacement of the 'Visitors' Chairs in Council Chambers.....	23
9.1.2	Policy for the Naming of Public Facilities & Buildings	24
10	URGENT BUSINESS – BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT	25
10.1	Rylington Park - options.....	25
11	CONFIDENTIAL MATTERS	27
12	CLOSURE OF MEETING	27

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

1.1 Attendance

Cr R Downing – Shire President
Cr Marshall
Cr S Broadhurst
Cr T Ginnane
Cr B O'Hare
Cr A Piper

STAFF: Mr Alan Lamb (Chief Executive Officer)
 Mr Keith Jones (Manager of Finance)
 Mr John Eddy (Manager of Works and Services)
 Mrs Maria Lane (Executive Assistant)

PUBLIC: Mr Tom Oversby

Apologies

Cr M Giles
Cr K Lamshed

1.2 Leave of Absence

Nil

2 PUBLIC QUESTION TIME

Nil

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 Public Question Time

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr S Broadhurst attended the Warren Blackwood Strategic Alliance which was held on 6th October 2009 and reported that the following office bearers were elected:-

Wade Decanyso – Chairman
Tony Goode – Chief Executive Officer
Louise Kingston – Treasurer

Boyup Brook Representatives:-

Shire President – Roger Downing – Municipal member
Shirley Broadhurst – Community member

To be confirmed at a meeting of the new Council after elections.

Blackwood River Valley Marketing Association

Blackwood River Valley Marketing Association has distributed \$10,000 in 12 months and 20,000 were distributed via RAC magazine.

Requests for copies are regular and many compliments are received on its value and acceptability.

Boyup Brook Tourism Association

The association is currently working on a bumper sticker.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council Thursday 20 August 2009.

OFFICER RECOMMENDATION – ITEM 5.1

That the minutes of the Ordinary Meeting of Council held on Thursday 17 September 2009, be confirmed as an accurate record.

COUNCIL DECISION – ITEM 5.1

MOVED: Cr Piper

SECONDED: Cr Broadhurst

That the minutes of the Ordinary Meeting of Council held on Thursday 17 September 2009, be confirmed as an accurate record, subject to the following corrections:-

Page 3 – Item 1.1 – delete the name “Cr Muncey” from apologies

Page 3 – Item 1.1 – Mr Eric Biddle left at 5.43pm -delete the time “5.11pm” and replace with “5.43pm.

Page 9 – Item 7.3.5 – Request for vote to be recorded – delete “Cr Giles” and replace with Cr Ginnane.

CARRIED 6/0

Res 207/09

6 PRESIDENTIAL COMMUNICATIONS

We are close to the date of another milestone for the Boyup Brook Shire Council. At 6 pm on Saturday night five of our current Councillors reach the end of the term for which they were elected. Councillors Broadhurst, Muncey and Piper have decided not to seek re-election and so

this is their last scheduled Council Meeting. I would like to thank them for the time and effort they have put into our community during their various length terms as Councillor. We will all watch with interest to see which area of the community will benefit from your contributions in the future.

Councillor Giles has decided to continue representing the residents of the Scotts Brook Ward, and because his was the only nomination has been re-elected unopposed for a four year term. I'm sure that Cr. Giles will build on the knowledge base he has obtained in the last two years, and Council will continue to benefit from his acute mind and forthright debating.

Councillor Ginnane has again deferred his retirement and nominated for a position representing the residents of Boyup Brook Ward. Because there are three nominations for two vacancies, Cr. Ginnane will once again need the endorsement of the residents to continue as Councillor. Should he be elected, his experience and clear thinking will be of value to all Councillors.

I would like to extend my best wishes to all the candidates in the coming election, and thank them for nominating so that an election occurs. These elections are the very core of democracy, where the residents can vote for the candidate of their choice without fear or favour.

The counting of votes on Saturday is open to the public, and I would like to invite Councillors, candidates and their families to attend, and then spend a little time after the Declaration of the Poll for some light refreshments and a post mortem.

You will be aware from your Schedule of Meetings that a Special Council Meeting has been called for Thursday next, for the newly elected Councillors to make their declarations, elect President and Deputy President, form Committees and appoint Councillors to represent Council on various organizations. As usual Council Meetings are open to the public, so relatives and friends of Councillors will be most welcome.

Since last Council Meeting –

7 Oct Attended Funeral of Mrs Hilda Groves
9 Oct Attended Funeral of Mrs Blanche Letchford
13 Oct Attended a meeting of the Rylington Park Management Committee.

7 REPORTS OF OFFICERS

7.1 MANAGER WORKS & SERVICES

7.1.1 Plant Tender No 09 – 001 – Multi Tyred Roller

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>EQ/57/001</i>
Disclosure of Interest:	<i>Nil</i>
Date:	<i>7 October 2009</i>
Author:	<i>John Eddy – Manager of Works & Services</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

The 2009/2010 Plant Replacement Program allows for the replacement of a Multi Tyred Roller. This report recommends that the Council approve the tender submitted by **BT Equipment** for the supply and delivery of a **Bomag – BW25RH** Multi Tyred Roller.

BACKGROUND

Tender No 09 – 001 for the supply and delivery of a Multi Tyred Roller was advertised in the “West Australian” newspaper on Saturday 5 September 2009.

Tenders closed at 4.00pm on Thursday 24 September 2009 with the following tenders received:-

- BT Equipment
- C.J.D Equipment
- Conplant
- Dynapac
- ERS Equipment
- Tractor Supply – **NON CONFORMING TENDER** (Tendered a used 1998 Multi Tyred Roller)

NOTE – Conplant have included a price for a **Ammann – AP240T3** in their tender submission which is gear driven not Hydrostatic drive and therefore considerably lower in price.

The specification asked for a Hydrostatic drive machine and the Ammann – AP240T3 has been assessed as an alternative option only.

Tender 09 – 001 was called to supply and deliver a new Multi Tyred Roller and trade the Shire’s 1994 Multipac VP200 Multi Tyred Roller - BU-1114.

TENDER NO 09 – 001 – Multi Tyred Roller (All prices include GST).

The highlighted tender is the recommended purchase.

Company	Roller	Power KW	Warranty YRS/HRS	Price	Trade-In	Change Over	Excl GST
BT Equipment	Bomag – BW25RH	75KW	12/1000	\$184,800	\$22,000	\$162,800	\$148,000
C.J.D Equipment	Volvo – PT240R	74KW	12/2500	\$203,500	\$5,500	\$198,000	\$180,000
Conplant	Ammann – AP240H	74KW	24/2000	\$169,895	\$12,100	\$157,795	\$143,450
				\$	No-Trade	\$164,395	\$149,450
Conplant	Ammann-AP240T3	74KW	24/2000	\$159,280	\$12,100	\$147,180	\$133,800
					No-Trade	\$153,780	\$139,800
DYNAPAC	DYNAPAC-CP224	74KW	36/4500	\$180,306.50	\$14,300	\$166,006.50	\$150,915
ERS EQUIPMENT	MULTIPAC-YL25C	82KW	24/3000	\$161,920	\$8,800	\$153,920	\$139,927.27

COMMENT

The machines offered by the tenderers were assessed by the Shire Mechanic and plant operators 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 vehicle servicing. Availability of spare parts. Number of technical support staff available.
Operator Ergonomics	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
Minimum requirements met	1
Warranty	Score
Excellent	3
Good	2
Moderate	1
Delivery	Score
Within one month	3
One to two months	2
Not stated/	1
Service Facilities	Score
Excellent	3
Good	2
Moderate	1
Operator Ergonomics	Score

Excellent	3
Good	2
Moderate	1

Tender 09 – 001. **BT Equipment – Bomag – BW25RH.**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Within 10% of Lowest Price
Mandatory product features	High	3	3	9	Meets Specifications
Warranty	Medium	2	1	2	12 months/1000 hrs
Delivery	Medium	2	3	6	Within 4 weeks
Service facilities	Medium	2	3	6	Bunbury Service Centre
Operator Ergonomics	Medium	2	3	6	Excellent ergonomics.
Total Score				38	

Tender 09 – 001. **CJD Equipment – Volvo PT240R.**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	1	3	29% above lowest price
Mandatory product features	High	3	2	6	Meets most Specifications
Warranty	Medium	2	1	2	12 months / 2500 hours
Delivery	Medium	2	2	4	6 – 8 weeks
Service facilities	Medium	2	3	6	Bunbury Service Centre
Operator Ergonomics	Medium	2	2	4	Not assessed
Total Score				25	

Tender 09 – 001 **Conplant – Ammann AP240H.**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Within 10% of lowest price
Mandatory product features	High	3	3	9	Meets Specifications
Warranty	Medium	2	2	4	24 months/ 2000 hours
Delivery	Medium	2	1	2	10 to 12 weeks
Service facilities	Medium	2	3	6	Bunbury Service Centre
Operator Ergonomics	Medium	2	2	4	Good ergonomics.
Total Score				34	

Tender 09 – 001 **Conplant – AP240T3**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Lowest price
Mandatory product features	High	3	1	3	Powershift transmission – Hydro – static transmission specified.
Warranty	Medium	2	2	4	24 months/ 2000 hours
Delivery	Medium	2	1	2	10 to 12 weeks
Service facilities	Medium	2	3	6	Bunbury Service Centre
Operator Ergonomics	Medium	2	2	4	Not assessed
Total Score				28	

Tender 09 – 001 **Dynapac – Dynapac CP224**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Within 10% of lowest price
Mandatory product features	High	3	2	6	Meets Specifications
Warranty	Medium	2	3	6	36 months/ 4500 hours
Delivery	Medium	2	1	2	16 - 20 weeks
Service facilities	Medium	2	1	2	Perth Service Centre
Operator Ergonomics	Medium	2	2	4	Not assessed.
Total Score				29	

Tender 09 – 001 **ERS Equipment – Multipac YL25C**

Criteria	Priority	Weight	Score	Total	Comments
Tender Price	High	3	3	9	Lowest price
Mandatory product features	High	3	2	6	Meets Specifications
Warranty	Medium	2	3	6	24 months/ 3000 hours
Delivery	Medium	2	3	6	4 weeks
Service facilities	Medium	2	1	2	Perth Service Centre
Operator Ergonomics	Medium	2	1	2	Poor Ergonomics
Total Score				31	

The recommended tender for the replacement of the Shire's Multi Tyred Roller was **BT Equipment**. All available Multi Tyred Rollers have been assessed by a panel comprising of:-

- Machine operator – B Carr
- Works Assistant – M Stanton-Halligan
- Shire Mechanic – J Fallon

All available machines were assessed under working conditions and the panel was unanimous in their decision to recommend the **Bomag BW25RH** Multi Tyred Roller.

Key factors in the recommendation of the Bomag Multi Tyred Roller were:-

- Duetz water cooled 4 cylinder diesel engine (75kw).
- Rear drive with Hydrostatic drive train.
- Pneumatic – hydraulic controlled, single line braking system.
- Multi disc Park / Emergency brake.
- Engine hood tilts around 70 deg. Providing greater accessibility to engine.
- No greasing required.
- Central drainage for engine oil, hydraulic oil, cooling water and differential.
- Ground level access to motor compartment and radiator systems.

- 4 front and 4 rear level compensating wheels with 'air on the run' tyre inflation system.
- Safety brake in case of air pressure system failure.
- 'Stop' button automatically stops all machine functions.

CONSULTATION

Works Assistant, Shire Mechanic and Plant Operator

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.57 – Tenders for providing goods and services.
Local Government (Functions and General) Regulations 1996 – Part 4.

POLICY IMPLICATIONS

Purchasing Policy F- 03.

FINANCIAL IMPLICATIONS

Funding is allocated in the 2009/2010 budget (changeover cost without GST \$130,000).
(Plant Replacement Program)
The changeover cost without GST of \$148,000 for the Bomag – BW25RH is \$18,000 over budget and it is recommended to source the additional funds from the Plant Reserve.

STRATEGIC IMPLICATIONS

Complies with the Shire of Boyup Brook 10 Year Plant Replacement Program to maintain and update the Shire's operational items of plant.

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.1.1

MOVED: Cr Piper

SECONDED: Cr O'Hare

1. **That the Tender submitted by BT Equipment for the supply and delivery of a Bomag – BW25RH Multi Tyred Roller and trade-in of the 1994 Multipac VP200 Multi Tyred Roller BU 1114 at the changeover cost including GST of \$162,800 (without GST \$ 148,000), be accepted.**
2. **That the Council approve the transfer of an additional \$18,000 from the Plant Reserve to the 2009/2010 Plant Replacement Program.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Res 208/09

7.2 **MANAGER – FINANCE**

7.2.1 **Accounts for Payment**

<i>Location:</i>	<i>Not applicable</i>
<i>Applicant:</i>	<i>Not applicable</i>
<i>File:</i>	<i>FM/1/002</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>7 October 2009</i>
<i>Author:</i>	<i>Keith Jones – Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>Not applicable</i>
<i>Attachments:</i>	<i>Yes – List of Accounts Paid</i>

SUMMARY

Report recommends the acceptance and approval of the Schedule of Accounts for Payment.

BACKGROUND

Invoices have been received during the month of September 2009.

COMMENT

Accounts are presented for consideration (see appendix 7.2.1) or where paid by direct debit pursuant to the Council's "Authorisation to Make Payments" policy.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations Act 1009, Regulation 12; and Regulations 13(3) (a) (b); 13(1); and 13(4).

POLICY IMPLICATIONS

Accounts are presented for consideration or where paid by direct debit pursuant to the Council's "Authorization to Make Payments" policy.

BUDGET/FINANCIAL IMPLICATIONS

Account payments are in accordance with the adopted budget for 2009/10 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2.1

MOVED: Cr Ginnane

SECONDED: Cr O’Hare

That the payment of accounts for September 2009 as presented totalling \$502,316.06 and as represented by cheque voucher numbers 17658 – 17708 totalling \$148,821.73, and accounts paid by direct electronic payments through the Municipal Account totalling \$324,349.56 be endorsed.

CARRIED 6/0

Res 209/09

7.2.2 September 2009 Monthly Statements of Financial Activity

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/10/003</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>7 October 2009</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 30 September 2009 and Investment Schedule for the month ended 31 October 2009.

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 'Monthly Statement of Financial Activity'.

The regulations also prescribe the content of the report.

The reports are attached – see appendix 7.2.2

COMMENT

Nil

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, s34 (1) (a)
Local Government (Financial Management) Regulations 1996, s19 (1) (2) (a) (b)
Local Government (Financial Management) Regulations 1996, s34 (2) (a) (b)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2.2

MOVED: Cr Ginnane

SECONDED: Cr O’Hare

That the September 2009 Monthly Statements of Financial Activity as presented, be received.

CARRIED 6/0

Res 210/09

7.2.3 Audit and Management Report for Year Ended 30 June 2009

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/9/004</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>7th October 2009</i>
Author:	<i>Keith Jones – Manager of Finance</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – Audit & Management Reports</i>

SUMMARY

Reports to be discussed at a meeting of the Audit and Finance Committee on 15 October 2009.

BACKGROUND

The Auditors, UHY Haines Norton Chartered Accountants, have performed the annual audit and submitted their reports.

COMMENT

There are no major concerns this year.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government Act 1995 – Section 7.12A “Duties of Local Government with Respect to Audits”

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER & COMMITTEE RECOMMENDATION - ITEM 7.2.3

MOVED: Cr Marshall

SECONDED: Cr Broadhurst

That Council receives the Auditors Report and Management Report for the financial year ended 30 June 2009.

CARRIED 6/0

Res 211/09

7.3 CHIEF EXECUTIVE OFFICER

7.3.1 Adoption of Occupational & Health Policy

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>CM/43/001</i>
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>6th September 2009</i>
Author:	<i>Geoff Carberry – Senior Administration Officer</i>
Authorizing Officer:	<i>N/A</i>
Attachments:	<i>Yes – Occupational Safety & Health Policy</i>

SUMMARY

That Council adopt the “Shire of Boyup Brook Occupational Safety and Health Policy” as presented.

BACKGROUND

It is a requirement of the occupational Safety and health acts and regulations that all employers adopt a workable occupational safety and health policy that reflects the requirements of the mentioned acts and regulations and that this policy shall be regularly reviewed. On 29 November 2009 the then Shire President, Councillors T. Ginnane and then Chief Executive Officer W. Pearce signed a policy deemed suitable at that time.

COMMENT

As the policy has not been reviewed for some time, the proposed policy has been written to reflect the changes in the requirements of the acts and regulations. As a major focus of workplace, the occupation safety and health policy should be formally recognized and duly published as part of the Shire of Boyup brook’s formal documentation (Publish Documents.)

CONSULTATION

Local Government Insurance Service Risk Officer N. Logan
Chief Executive Officer Alan Lamb
Occupational Safety & Health Committee

STATUTORY OBLIGATIONS

Occupational Safety and Health Act 1984
Occupational Safety and Health Regulations 1996
Work Safe Guidelines and Codes of Practice
Australian Standards

BUDGET/FINANCIAL IMPLICATIONS

Failure to comply with the requirements may result in a fine or Compliance order being issued.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER RECOMMENDATION– ITEM 7.3.1

- 1) That Council adopts the Occupational Safety and Health Policy as provided, with this policy then being included as in the Published Documents

COUNCIL DECISION – ITEM 7.3.1

MOVED: Cr Ginnane

SECONDED: Cr Piper

- 1) That Council endorses the Occupational Safety and Health Policy as provided.

CARRIED 6/0

Res 212/09

7.3.2 Adoption of Flax Mill Conservation Plan

Location:	<i>Jackson Street, Boyup Brook</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/25/039</i>
Disclosure of Officer Interest:	<i>NIL</i>
Date:	<i>6 October 2009</i>
Author:	<i>Geoff Carberry – Senior Administration Officer</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Yes – Policy Recommendation Sheet - Conservation Plan</i>

SUMMARY

That Council adopt the Boyup Brook Flax Mill Conservation plan as presented by Kent Lyon Architect.

BACKGROUND

In mid 2007 it was decided to apply for grants to provide funding for the preparation of Conservation Plans for the Flax Mill and Town Hall. This innovation was to some degree influenced by the Heritage Council of Western Australia South West Manager, Annette Green.

It was suggested these plans would provide Council with a more informed perspective of the overall condition of these buildings and address the nature of restoration work required to take place to sustain their structural longevity.

Kent Lyon Architect was subsequently appointed to provide a Conservation Plan for both buildings.

COMMENT

The Conservation plan for the Town Hall was adopted at the September meeting of the Council, the Conservation plan for the Flax Mill has now been received and is here presented for consideration and adoption.

Regional Heritage Advisor Annette Green has requested a copy and will also provide a report on the plan.

The plan high lights several maintenance issues and also makes several suggestions requiring further reporting by a structural Engineer.

CONSULTATION

Kent Lyon Architect
Annette Green – Regional Heritage Advisor

STATUTORY OBLIGATIONS

Local Government Act: 6.10 financial management regulations that may provide for;
(c) The management by a local government of its assets, liabilities and revenue

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Further expenditure will be required depending on acceptance of the Conservation Plan and implementing its suggested actions. Day to day maintenance work has been allowed for in the 2009/2010 budget, but major items requiring detailed investigation were delayed pending the production and adoption of this report. The report recommends the commissioning of a structural report by a Structural Engineer which would then require funding..

It is proposed to apply for Lotterywest grants to offset this expenditure.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION – ITEM 7.3.2

- 1) That Council adopts the Flax Mill Conservation Plan as provided
- 2) That Council proceed with immediate maintenance recommendations and investigate the cost of major repairs recommended in the report.
- 3) That Council move to source a grant to cover a Structural Engineers report to an approximate cost of \$7000.

COUNCIL DECISION – LAY ON THE TABLE - ITEM 7.3.2

MOVED: Cr Marshall

SECONDED: Cr Piper

That the Flax Mill Conservation Plan lay on the table.

CARRIED 5/1

Res 213/09

8 COMMITTEE REPORTS

8.1.1 Minutes of the WA Local Government Association South West Zone

Location:	N/A
Applicant:	N/A
File:	IM/37/003
Disclosure of Officer Interest:	Nil
Date:	6 th October 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

A meeting of the WA Local Government Association South West Zone was held on 25th September 2009.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.2*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.2

MOVED: Cr Ginnane

SECONDED: Cr Piper

That the minutes of the WA Local Government Association South West Zone be held on 25th September 2009 be received.

CARRIED 6/0

Res 214/09

8.1.2 Minutes of the Boyup Brook Tourism Association

Location:	N/A
Applicant:	N/A
File:	IM/37/009
Disclosure of Officer Interest:	Nil
Date:	5 th October 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

A meeting of the Boyup Brook Tourism Association was held on 12th May, 9th June, 28th July and 11th August 2009.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.3*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.2

MOVED: Cr Broadhurst

SECONDED: Cr Piper

That the minutes of the Boyup Brook Tourism Association be held on 12th May, 9th June, 28th July and 11th August 2009 be received.

CARRIED 6/0

Res 215/09

8.1.3 Minutes of the Boyup Brook Shire Council Structural Reform Committee

Location:	N/A
Applicant:	N/A
File:	N/A
Disclosure of Officer Interest:	Nil
Date:	6 th October 2009
Author:	Alan Lamb – Chief Executive Officer
Authorizing Officer:	Not Applicable
Attachments:	Yes - Minutes

BACKGROUND:

A meeting of the Boyup Brook Shire Council Structural Reform Committee was held on 29th September 2009.

Minutes of the meeting are laid on the table and circulated (*refer to appendix 8.1.3*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.1.3

MOVED: Cr Ginnane

SECONDED: Cr O'Hare

That the minutes of the Boyup Brook Shire Council Structural Reform Committee meeting be received.

CARRIED 6/0

Res 216/09

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

9.1.1 Replacement of the 'Visitors' Chairs in Council Chambers

Cr Broadhurst lodged the following notice of motion:

Notice of motion 9/2009

That the replacement of the 'visitors' chairs in Council Chambers be placed on the items for budgetary consideration in the 2009/2010 Budget.

Councillors Comment

The chairs in current use are

1. a safety issue for those who have difficulty standing from a low position. (the greater majority of persons who use them are in an older age group and many are no longer nimble)
2. heavy and cumbersome to move around.
3. very wide and therefore poor use of available space.
4. too low for visitors to see all Councillors at the table and therefore intimidating in an inappropriate way in today's social climate.
5. of a colour that does not enhance the appearance of the room.
6. in good condition so eminently suitable for sale.

COUNCIL DECISION – ITEM 9.1.1

MOVED: Cr Broadhurst

SECONDED: Cr Downing

That the replacement of the 'visitors' chairs in Council Chambers be placed on the items for budgetary consideration in the 2010/2011 Budget.

Councillors Comment

The chairs in current use are

1. a safety issue for those who have difficulty standing from a low position. (the greater majority of persons who use them are in an older age group and many are no longer nimble)
2. heavy and cumbersome to move around.
3. very wide and therefore poor use of available space.
4. too low for visitors to see all Councillors at the table and therefore intimidating in an inappropriate way in today's social climate.
5. of a colour that does not enhance the appearance of the room.
6. in good condition so eminently suitable for sale.

CARRIED 6/0

Res 217/09

9.1.2 Policy for the Naming of Public Facilities & Buildings

Cr Broadhurst lodged the following notice of motion:

Notice of motion 10/2009

MOVED: Cr Broadhurst

SECONDED: Cr Piper

That a policy for the naming of public facilities and buildings be developed as soon as possible.

OR

That the Policy for the Naming of Roads be extended to incorporate the naming of public buildings and facilities with appropriate alterations.

Councillor Comment

1. An enquiry into naming the hockey grounds at the Boyup Brook Ward meeting earlier in the year revealed a lack of direction to Council in its policies to respond effectively.

2. It could be advantageous to have our own policy in place before consideration may need to be given to consolidating matters between Regional partners in the event of amalgamations.

AMENDMENT – ITEM 9.1.2

MOVED: Cr Ginnane

SECONDED: Cr Piper

That a policy for the naming of public facilities and buildings be developed.

CARRIED 6/0

Res 218/09

The amendment became the motion and the President put the motion.

CARRIED 4/2

Res 219/09

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

Impartiality Interest

Cr Marshall and Cr Piper declared an impartiality interest in item 10.1 due to being members of the Future of Boyup Brook Advisory Committee.

10.1 Rylington Park - options

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>LS/62/009</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>14 October, 2009</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council the notion of disposing of the property known as Rylington Park with either the property or funds from the sale of the property going to a community based organisation.

BACKGROUND

With the growing threat of forced amalgamations of Councils Council may wish to look at how it may best apply the significant asset it has in Rylington Park to ensure it continues as a benefit to the Boyup Brook Community.

Council owns the farming property free hold and there are no known restrictions on the title. The farm was gifted to the Shire some years ago by a local property owner.

The property is leased to the Rylington Park Management Committee, the lease commenced 15 March 1999 and will end 14 March 2020. The annual rental is \$1.00.

Councillors will be aware that a company looking at developing an industry in the district has expressed an interest in purchasing or leasing Rylington Park. Also that Future Boyup Brook has been noted as a potential recipient of the proceeds of the sale because this would ensure that income from the sale proceeds are kept for local use.

The Shire President met with the Management Committee Tuesday 13 October and the Committee was not adverse to the title being transferred to a locally controlled trust and co-operative to ensure that the Boyup Brook community retained the asset.

COMMENT

It is noted that the apparent common aim of keeping the asset that Rylington Park represents for the Boyup Brook community may be achieved by transferring the property title to a locally controlled group or selling it and transferring the funds to such a group so that the recommendation is that options be investigated.

CONSULTATION

The author has spoken with the Shire President

STATUTORY OBLIGATIONS

Nil at this time.

POLICY IMPLICATIONS

Nil at this time.

BUDGET/FINANCIAL IMPLICATIONS

The recommended investigation will entail seeking legal advice, no cost estimates have been obtained however it is envisaged that costs will be in the order of \$2,000. There is a \$2,000 provision in the budget for legal expenses and whilst there is no provision for this specific project, the current provision could be applied.

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 10.1

MOVED: Cr Downing

SECONDED: Cr Ginnane

That the costs of and methodology to transfer the title for Rylington Park to a locally controlled trust fund or co-operative, and possibly to Future Boyup Brook, be investigated and the results reported to the November 2009 Council meeting.

CARRIED 6/0

Res 220/09

11 CONFIDENTIAL MATTERS

Nil

12 CLOSURE OF MEETING

There being no further business the Shire President, Cr Roger Downing, thanked Councillors and Staff for their attendance and declared the meeting closed at 5.02pm.