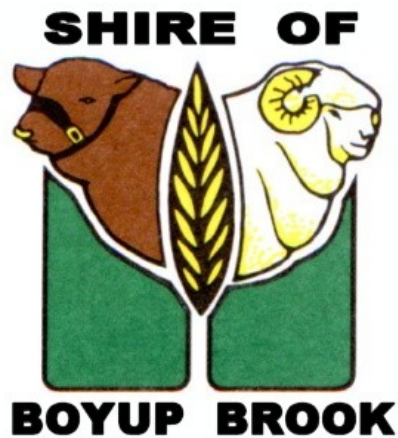


MINUTES



ORDINARY MEETING

HELD

THURSDAY 17 MAY 2012

COMMENCED AT 3.45PM

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 M Giles
Cr K Moir – Deputy Shire President
Cr G Aird
Cr E Biddle
Cr P Kaltenrieder
Cr T Oversby
Cr R Walker

STAFF: Mr Alan Lamb (Chief Executive Officer)
Mr John Eddy (Manager of Works & Services)
Mr Rob Staniforth-Smith (Senior Technical Officer)
Mrs Maria Lane (Executive Assistant)

PUBLIC: Nil

1.2 Apologies

1.3 Leave of Absence

Cr B O'Hare

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

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr Aird attended the Rylington Park AGM and mentioned the President and Vice President are remaining in their positions for the time being.

Cr Aird informed Council that the Rylington Park Women's day was a success which was held on 29th March 2012.

Cr Biddle thanked Councillors for attending the Boyup Brook Tourism Association on 18 May 2012 for afternoon tea.

Cr Biddle advised Council that the Boyup Brook District High School would like to provide Council with a briefing at the next shire meeting on the 21st of June. The BBDHS have just completed the 3 year business plan as part of being a Independent Public School, The School Board have identified the importance of updating the Shire Council on the current and future direction of the School.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 19 April 2012

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Biddle

SECONDED: Cr Oversby

That the minutes of the Ordinary Meeting of Council held on Thursday 19 April 2012 be confirmed as an accurate record.

CARRIED 7/0

Res 056/12

6 PRESIDENTIAL COMMUNICATIONS

25 April 2012 – Attended Anzac Day.

22 May 2012 – Attending the Bush Fire Advisory Annual General Meeting.

Thanked Cr Moir for chairing the Council meeting held on 19 April 2012.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

8.1.1 Revised 10 Year Plant Replacement Program
--

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 May 2012</i>
Author:	<i>R Staniforth-Smith – Technical Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Revised 10 year Plant Replacement Program</i>

SUMMARY

The purpose of this report is to put the revised 10 year Plant Replacement Program to Council for adoption as a basis for budget development.

BACKGROUND

As part of the budget preparation process the Plant Replacement Program is revised on an annual basis to ensure a high standard of plant and equipment is maintained.

COMMENT

To maintain a balance of plant and expenditure some items of plant have been interchanged between 2011/2012 and 2012/2013 financial years. By adopting the revised 10 year Plant Replacement Program at this time the changes of plant items can be achieved within the revised time frames.

CONSULTATION

Chief Executive Officer
Manager of Works and Services

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

2008 – 2013 Strategic Plan
Action Plan No 6.5-111
Continue to implement a Plant Replacement Program

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

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That the Council adopt the revised 2011/2012 to 2021/2022 Ten Year Plant Replacement Program as presented and accept the changes to the current financial year 2011/2012.

CARRIED 7/0

Res 057/12

Impartiality Interest

Cr Biddle declared an impartiality interest in item 8.1.2 due to being a past committee member of the Tennis Club.

Impartiality Interest

John Eddy and Rob Staniforth-Smith declared an impartiality interest in item 8.1.2 due to being a member of the Tennis Club.

8.1.2 Supply & Erection of Turf Mower Shed

Location:	<i>Boyup Brook Tennis Complex</i>
Applicant:	<i>Not applicable</i>
File:	
Disclosure of Officer Interest:	<i>Member of the Boyup Brook Tennis Club</i>
Date:	<i>9 May 2012</i>
Author:	<i>John Eddy – MWKS</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Nil</i>

SUMMARY

This item recommends that Council approve the allocation of \$4,000 to provide a storage shed at the Tennis Complex to accommodate the ride on “TORO” greens mower.

BACKGROUND

The 2011/2012 budget allowed for the replacement of the Tennis Club mower (\$7,500) and box trailer (\$4,500). A fine turf ride on “TORO” greens mower was purchased for \$6,000 but because of its size cannot be located in the existing storage shed at the Tennis Complex. The box trailer has not been purchased.

COMMENT

As the Toro greens mower is used only on the tennis courts and the difficulties of loading, transporting and unloading the mower from the works depot twice weekly, it is more economical to locate the mower at the tennis club.

A quotation to supply and erect a 4.0m extension to the existing tennis club storage shed of \$3,000 has been received from SJ & HC O’Connell of Boyup Brook and an estimated cost of \$1000 for the concrete slab and apron was supplied by Boyup Brook Concrete.

Should Council agree to the allocation to extend the existing storage shed (\$4,000) the purchase of the budgeted box trailer (\$4,500) would not be required.

CONSULTATION

Senior Technical Officer
Parks and Gardens staff
Boyup Brook Tennis Club

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No allowance for such works was made in the 2011/2012 budget therefore funding of \$4,000 unbudgeted expenditure will need to be approved.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority is required

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Walker

SECONDED: Cr Moir

- 1 That the 2011/2012 budget be amended by increasing the provision for operating costs (E113050) for Council's facility at the Tennis complex by \$4,000.**
- 2 That Council approve the provision of a storage shed at the Tennis complex for the ride on greens mower. The funds to be provided from unbudgeted expenditure.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Res 058/12

8.1.3 Transfer of Funds from Gibbs Street to Six Mile Road

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Officer Interest:	Nil
Date:	9 May 2012
Author:	John Eddy - MWKS
Authorizing Officer:	N/A
Attachments:	Nil

SUMMARY

This item recommends that Council approve the transfer of \$28,000 allocated to the re-sheeting of Gibbs Street in the 2011/2012 budget to complete remedial works to Six Mile Road.

BACKGROUND

The 2011/2012 budget allowed \$34,000 for re-sheeting works to Gibbs Street. As the works were carried out at the same time as re-sheeting works to Terry Road a saving of \$28,000 was achieved.

COMMENT

Further to several complaints a road inspection of Six Mile Road has identified sections of pavement failure and “clay” patches creating slippery and dangerous surface conditions when wet.

It is recommended that the \$28,000 saving on Gibbs Street works be transferred to carry out re-sheeting works on Six Mile Road.

CONSULTATION

Chief Executive Officer
Work Supervisor

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

2008 – 2013 Strategic Plan

Action Plan 6.5 – 102

Maintain and enhance rural roads throughout the Shire of Boyup Brook

VOTING REQUIREMENTS

Absolute Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Moir

SECONDED: Cr Walker

That the Council approve the transfer of \$28,000 allocated to Gibbs Street re-sheeting works (E121039) to complete unbudgeted remedial works on Six Mile Road.

CARRIED BY ABSOLUTE MAJORITY 7/0

Res 059/12

8.2 **FINANCE**

8.2.1 Accounts for Payment

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>11 May 2012</i>
Author:	<i>Kay Raisin – Finance Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<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 April 2012.

COMMENT

Accounts are presented for consideration 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 2011/12 or authorized by separate resolution.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.2.1

MOVED: Cr Biddle

SECONDED: Cr Oversby

That the payment of accounts for April 2012 as presented totalling \$586,286.39 and as represented by cheque voucher numbers 18943-18981 totalling \$87,483.06 and accounts paid by direct electronic payments through the Municipal Account totalling \$326,042.39 be endorsed.

CARRIED 7/0

Res 060/12

8.2.2 March/April 2012 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>11 May 2012</i>
Author:	<i>Kay Raisin – Finance Officer</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Financial Reports</i>

SUMMARY

Report recommends Council receive the Balance Sheet and Operating Statement for the month ended 31 March 2012/30 April 2012 and Investment Schedule for the month ended 31 March 2012/30 April 2012.

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.

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 8.2.2

MOVED: Cr Moir

SECONDED: Cr Walker

That the March 2012 & April 2012 Monthly Statements of Financial Activity as presented, be received.

CARRIED 7/0

Res 061/12

8.2.3 Financial Regulation Issue – Material Variance

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>Shire of Boyup Brook</i>
<i>File:</i>	
<i>Disclosure of Officer Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>10 May 2012</i>
<i>Author:</i>	<i>John Crothers – Acting Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>N/A</i>
<i>Attachments:</i>	<i>Nil</i>

SUMMARY

It is a statutory requirement on a Council to adopt a minimum Material Variance level, so that where the minimum level is exceeded then such variances should be included in the Monthly Financial Reports, as well as the Budget Review Report.

Such Variance levels must be adopted every year by a Council.

BACKGROUND

The Local Government (Financial Management) Regulations were amended in 2005 which required Councils to adopt a level of Material Variance, and for this to occur each year.

COMMENT

To comply with the statutory requirements, it is recommended that Council adopt a level of Material Variance between the Budget Estimate and the Actual figures of Incomes or Expenses and that where the variance is 10% above or below the Budget Allocation, with a minimum variance of \$1,000 or more, then such variances should be included Monthly Financial Reports, and the Budget Review Report.

It is recommended that this apply for the 2011/12 year and for the 2012/13 year.

CONSULTATION

No consultation is seen as being needed.

STATUTORY ENVIRONMENT

There is a statutory requirement that Material Variances must be included in the Monthly Reports, as follows:

Regulation 34. Financial activity statement report (linked to Section 6.4 of the Local Government Act) – Subsection 1 states “A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) **material variances between the comparable amounts referred to in paragraphs (b) and (c);** and
- (e) the net current assets at the end of the month to which the statement relates”.

Further, this matter is to be reviewed annually, as per the statutory requirements of Local Government (Financial Management) Amendment Regulation (No. 2) of 2005, which states:

Regulation 34 (5) - “Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances”.

POLICY IMPLICATIONS

This item is proposed to be adopted at this time, and to apply for the 2011/12 year, as well as the forthcoming next financial year.

With the next budget there will be a proposal for Council to adopt Local Government “Significant Accounting Policies”, and the level of Material Variances will be included with these in future.

FINANCIAL IMPLICATIONS

There are no financial cost implications, but merely a level of what needs to be reported in future.

STRATEGIC IMPLICATIONS

There are no Strategic implications emanating from this proposal.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Moir

SECONDED: Cr Biddle

That Council adopt a Material Variance level for the 2011/12 year, and the 2012/13 year, a level of 10% variance, or \$1,000, and that for all variances over these minimum levels then the variances shall be included in the Monthly Financial Reports to Council, as well as for the Budget Review Report.

CARRIED 7/0

Res 062/12

8.2.4 Annual Compliance Audit Return 2011

<i>Location:</i>	<i>Shire of Boyup Brook</i>
<i>Applicant:</i>	<i>Shire of Boyup Brook</i>
<i>File:</i>	<i>FM/9/004</i>
<i>Disclosure of Officer Interest:</i>	<i>Nil</i>
<i>Date:</i>	<i>10 May 2012</i>
<i>Author:</i>	<i>John Crothers – Acting Manager of Finance</i>
<i>Authorizing Officer:</i>	<i>N/A</i>
<i>Attachments:</i>	<i>Yes – Boyup Brook Compliance Audit Return 2011</i>

SUMMARY

The purpose of this report is to present to Council the Annual Compliance Return for Council adoption.

BACKGROUND

The Local Government (Audit) Regulations 1996, Section (14) requires Local Governments to carry out a Compliance Audit for the period 1st January to 31st December in each year. Section (13) of the regulations outlines the sections of the Act & Regulations that are subject to audit.

The Department of Local Government and Regional Development has provided the compliance form approved by the Minister for completion and presentation to Council for adoption.

Section (15) of the Regulations require that a certified copy of the return presented and adopted by Council be sent to the Director General of Department of Local Government each year, together with a copy of the minutes referring to this matter. The report is to be certified by the Shire President and Chief Executive Officer.

COMMENT

A draft Compliance Return has been compiled and a copy is attached.

CONSULTATION

Chief Executive Officer – Alan Lamb
Manager of Works and Services – John Eddy
Environmental Health/Building Officer – Wayne Jolley
Finance Officer – Kay Raisin
Administration Staff

STATUTORY OBLIGATIONS

Local Government Act 1995 Section 7.13(1(i))
Local Government (Audit) Regulations 1996 Sections (13) (14) & (15)

POLICY IMPLICATIONS

No specific policy in relation to compliance as it is covered by legislation

BUDGET/FINANCIAL IMPLICATIONS

There were no separate costs incurred for completing the Compliance Return.

STRATEGIC IMPLICATIONS

There are no Strategic implications relating to the Compliance Return.

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

MOVED: Cr Oversby

SECONDED: Cr Walker

That the Council adopts the Annual Compliance Report for 2011, and the Shire President and Chief Executive Officer certify the return for submission to the Department of Local Government and Regional Development.

CARRIED 7/0

Res 063/12

ITEM 8.2.5 WITHDRAWN BY THE CEO

Reason: Typographical error in draft policies.

8.2.5 Policies – Revisions & New Proposals

Location:	N/A
Applicant:	N/A
File:	FM/9/004
Disclosure of Officer Interest:	Nil
Date:	10 May 2012
Author:	John Crothers – Acting Manager of Finance
Authorizing Officer:	N/A
Attachments:	Yes – Boyup Brook Compliance Audit Return 2011

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Local Government Convention and Exhibition

Location:	Perth Convention Exhibition Centre
Applicant:	Not applicable
File:	GR/31/002
Disclosure of Officer Interest:	Nil
Date:	4 May 2012
Author:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Convention Program

SUMMARY

The 2012 Local Government Convention and Exhibition will be held on the 1st August to 3rd August 2012. This report recommends that Council be represented at the convention and nominate delegates accordingly.

BACKGROUND

The Local Government Convention is the premier event for Elected Members and Officers within Local Government.

The Association's Annual General Meeting is part of the convention program.

In accordance with Western Australian Local Government's constitution, member Councils are entitled to have two voting delegates. Registration of the voting delegates is required prior to the 9th July 2012.

Member Councils are invited to submit motions for the Annual General Meeting, the closing date is 4th June 2012.

Elected member development program training is being offered during the lead up to the convention and also immediately afterwards.

COMMENT

Convention Registration deadline is 3rd July 2012.

In previous years Boyup Brook has been well represented with at least three Councillors and the Chief Executive Officer attending.

The estimated cost per attendee could be up to \$2,500, depending on accommodation requirements and involvement with member development programs.

CONSULTATION

Not applicable

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's policy on conferences – attendances and expenses by Councillors is as follows:-

Objective

To determine the procedures for attendance at conferences and seminars by Councillors.

Statement

It is Council's policy to have the Shire of Boyup Brook represented at any conference or seminar where it is evident that some benefit will accrue to the Council and/or the district. Attendance at conferences and seminar, etc is to be determined by the Shire President in consultation with the Chief Executive Officer. All Councillors are to be given the opportunity to attend conferences and seminars etc when they are available.

It is Council policy that all reasonable and direct expenses incurred by delegates and partners attending conferences, seminars, etc are to be met by the Shire.

Funds are to be listed annually for Budget consideration to enable the Shire President together with up to 50% of Councillors to attend Local Government Week.

Where possible, attendance at Conferences is to be on a rotation basis.

BUDGET/FINANCIAL IMPLICATIONS

Expenditure will be incurred in 2010/11 and would be budgeted accordingly.

STRATEGIC IMPLICATIONS

The Convention program will enable delegates to gain information that will benefit local government in Boyup Brook, as will interaction with elected members from throughout Western Australia.

SUSTAINABILITY ISSUES

- **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

MOVED: Cr Walker

SECONDED: Cr Kaltenrieder

That:-

- 1 Cr Oversby, Cr Aird & Cr Moir attend the 2012 Local Government convention and exhibition and expenses incurred be paid by the Shire, as per Council Policy M.01.**

CARRIED 7/0

Res 064/12

MOVED: Cr Walker

SECONDED: Cr Kaltenrieder

- 2 Cr Moir & Cr Oversby be appointed as voting delegates for the Western Australian Local Government Association Annual General Meeting.**

CARRIED 7/0

Res 065/12

ITEM 8.3.2 WITHDRAWN BY THE CEO

Reason: Further clarification required on Vegetation Clearing and Bush Fire Management.

8.3.2 Amendment No 14 – Rural Small Holdings Zone

Location: N/A
Applicant: Council
File:
Disclosure of Officer Interest: None
Date: 9th May 2012
Author: Geoffrey Lush (Council Consultant)
Authorizing Officer: A Lamb
Attachments: 1 Clause 5.3 Provisions

8.3.3 Blackwood Basin Group – Funding Assistance

Location: N/A
Applicant: Blackwood Basin Group
File: CR/31/004
Disclosure of Officer Interest: None
Date: 9 May 2012
Author: Alan lamb
Authorizing Officer: Not applicable
Attachments: Nil

SUMMARY

The purpose of this report is to put before Council the Blackwood Basin Group's (BBG) request for funding assistance with a recommendation that the request be considered as part of the 2012/13 budget deliberations.

BACKGROUND

The BBG was formed with assistance of the Department of Agriculture some years ago as part of the emerging land care group proliferation spurred on with State and Commonwealth funding. The funding opportunities dried up considerably a few years ago and a number of groups have folded.

The BBG was housed at the portion of the Railway Station leased by Council along with the Department of Agriculture office. The latter closed its office in Boyup Brook in 2008. In 2011 Council negotiated with the BBG to relocate to commercial premises in town so that the Railway land lease could be relinquished. In February 2011 Council resolved as follows:

Commit to providing an annual contribution of \$6,000 to the Blackwood Basin Group till 30 June 2012 provided it relocates to a commercial building in the town of Boyup Brook.

The BBG did relocate and Council did make a contribution of \$6,000 in 2011/12.

COMMENT

The BBG has set up and is operating from premises in Bridge Street and, apart from any of its valuable activities, it occupies a shop that was empty for some time and might be empty for some time again if the BBG were not there. It is understood that a contribution from Council would be of significant benefit.

CONSULTATION

The author has spoken with the BBG Executive Officer.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil for the current budget but could have an impact on the 2012/13 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

OFFICER RECOMMENDATION

That Council consider a contribution to the Blackwood Basin Group to assist it with the rental of commercial premises in Boyup Brook as part of its 2012/13 Budget deliberations.

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Biddle

That Council consider a contribution to the Blackwood Basin Group to assist it with the rental of commercial premises in Boyup Brook as part of its 2012/13 Budget deliberations and that the CEO seek further information on the matter to make a determination.

CARRIED 7/0

Res 066/12

8.3.4 Blackwood Basin Group – Management Committee Vacancies

<i>Location:</i>	<i>N/a</i>
<i>Applicant:</i>	<i>Blackwood Basin Group</i>
<i>File:</i>	<i>CR/31/004</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>9 May 2012</i>
<i>Author:</i>	<i>Alan Lamb</i>
<i>Authorizing Officer:</i>	<i>Not applicable</i>
<i>Attachments:</i>	<i>BBG Letter</i>

SUMMARY

The purpose of this report is to put before Council the Blackwood Basin Group's (BBG) call for nominations for two positions on its management committee with the recommendation that support the nomination of the two retiring members.

BACKGROUND

BBG is a natural resource management group based in Boyup Brook.

Two members of its management committee terms of office expire 30 June 2012. Nominations for the two positions close 14 June 2012 and the two retiring members (Mr Nick Dobson and Mr Clark Ward) have/are renominating.

COMMENT

It is recommended that Council support the nomination of Mr Dobson and Mr Ward.

CONSULTATION

The author spoke with the BBG Executive Officer.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

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

OFFICER RECOMMENDATION

That Council support the nominations of Mr Nick Dobson and Mr Clark Ward for another term of officer with the Blackwood Basin Group's management committee.

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council resolve to make no nomination to the Blackwood Basin Group's management committee.

CARRIED 7/0

Res 067/12

NOTE

It was noted that there was no requirement for Council to make a nomination.

8.3.5 Boyup Brook District Council of Churches – Donation Request - Hall Hire

Location:	<i>Boyup Brook Town hall</i>
Applicant:	Boyup Brook District Council of Churches
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>9 May 2012</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 donation request with a recommendation that it be agreed to.

BACKGROUND

The Boyup Brook District Council of Churches BBDCC has booked the Town Hall for a religious education seminar for secondary students from Boyup Brook on 22 May. The BBDCC has conducted this activity in the past and Council has waived the hall hire fees.

The BBDCC exists to provide weekly scripture classes for primary students and a seminar every term for secondary students. BBDCC has been conducting these community services for many years (it is understood to be in the order of 40 years). In more recent times one of the annual seminars involves the use of large multimedia gear that cannot be accommodated in the school campus facilities so the BBDCC has used the town hall once per year for around four years. The seminar scheduled for this month will involve the use of large equipment and so the town hall is needed.

The seminar is entitled “iRisk” and will be presented by Youth For Christ who have done presentations here previously which were very well received.

BBDCC is funded by donations from the churches in Boyup Brook and the students pay a voluntary levy.

COMMENT

It is suggested that the BBDCC continues to provide the community with a valuable and valued service with its scripture classes and seminars. Also that not providing the requested donation would impose a significant burden.

CONSULTATION

The author has spoken with a representative of BBDCC

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Council's Donations policy applies.

BUDGET/FINANCIAL IMPLICATIONS

The hall hire fee in question amounts to \$242.00

The budget for hall hire income was estimated based on previous year's actuals and so did not include anticipated income from this group.

Council has made the practice of making a donation and charging for hall hire so that hall income and donations are shown correctly in the Shires accounts. It is recommended that this be done via a journal entry rather than the drawing of a cheque and receiving payment. The journal entries would be Debit E041070 Donations and Credit I11005 Boyup Brook Hall Hire Fees.

Whilst there is no net cash cost the additional expenditure of the donation is not included in the budget and so an absolute majority decision is required to approve the expenditure.

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

Absolute majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Walker

SECONDED: Cr Biddle

That Council donate \$242.00 to the Boyup Brook District Council of Churches for Boyup Brook Town Hall hire fees associated with their use in the hall in May 2012 and that the budget be amended accordingly.

CARRIED 6/1 BY ABSOLUTE MAJORITY

Res 068/12

Cr Aird requested the votes be recorded.

FOR	AGAINST
Cr Giles	Cr Aird
Cr Moir	
Cr Kaltenrieder	
Cr Biddle	
Cr Oversby	
Cr Walker	

8.3.6 Donation Request – Heated Multi Purpose Therapeutic Pool Committee

Location:	N/A
Applicant:	Heated Multi Purpose Therapeutic Pool Committee
File:	CP/59/001
Disclosure of Officer Interest:	None
Date:	9 May 2012
Author:	Alan Lamb
Authorizing Officer:	Not applicable
Attachments:	Letter of request

SUMMARY

The purpose of this report is to put before Council the Heated Multi Purpose Therapeutic Pool Committee's request for the donation of hall hire costs with the recommendation that it be agreed to.

BACKGROUND

The Heated Multi Purpose Therapeutic Pool Committee is not an incorporated body and operates as a sub-committee of the Swimming Club. The Committee has been fund raising for some years to get a heated pool facility in Boyup Brook.

The Committee is putting on an antiques, collectables and craft fair in the Town Hall this month as a fundraising activity and asks for the hall hire fees to be waved.

COMMENT

The Committee's planned fair should be a significant attraction and, as they point out, bring a number of people to Boyup Brook. This will be the Committee's "big" event for the year and the hall hire fees would be an imposition on its fundraising aims.

CONSULTATION

Nil other than with other staff

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

The hall hire fee in question amounts to \$544.00

The budget for hall hire income was estimated based on previous year's actuals and so did not include anticipated income from this group.

Council has made the practice of making a donation and charging for hall hire so that hall income and donations are shown correctly in the Shires accounts. It is recommended that this be done via a journal entry rather than the drawing of a cheque and receiving payment. The journal entries would be Debit E041070 Donations and Credit I11005 Boyup Brook Hall Hire Fees.

Whilst there is no net cash cost the additional expenditure of the donation is not included in the budget and so an absolute majority decision is required to approve the expenditure.

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

Absolute majority

OFFICER RECOMMENDATION

That Council donate \$544.00 to the Heated Multi Purpose Therapeutic Pool Committee for Boyup Brook Town Hall hire fees associated with their use in the hall in May 2012 and that the budget be amended accordingly.

COUNCIL DECISION

MOVED: Cr Oversby

SECONDED: Cr Kaltenrieder

That Council donate \$444.00 and require the Heated Multi Purpose Therapeutic Pool Committee to pay \$100.00 towards the hire of Boyup Brook Town Hall hire fees associated with their use in the hall in May 2012 and that the budget be amended accordingly to pay \$100.00 towards it.

1/6 LOST

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Biddle

SECONDED: Cr Moir

That Council donate \$544.00 to the Heated Multi Purpose Therapeutic Pool Committee for Boyup Brook Town Hall hire fees associated with their use in the hall in May 2012 and that the budget be amended accordingly.

CARRIED BY ABSOLUTE MAJORITY 6/1

Res 069/12

8.3.7 SWDC – Local Government Representative

Location: N/A
Applicant: N/A
File:
Disclosure of Officer Interest: None
Date: 10 May 2012
Author: Alan lamb
Authorizing Officer: Not applicable
Attachments: Letter, application form and Board Member information package.

SUMMARY

The purpose of this report is to recommend that Council encourage and support the nomination of a Member for a position as Local Government representative on the South West Development Commission (SWDC) Board.

BACKGROUND

The SWDC's Board of Management has two Local Government representatives and the terms of office of both members expire 30 June 2012. Retiring members, Cr Wade De Campo from Manjimup and Cr Brad Day from Dardanup, are eligible to reapply.

COMMENT

It is recommended that Council encourage and support a Council Member to apply for one of the two Local Government representative positions on the SWDC Board.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

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

OFFICER RECOMMENDATION

That Council encourage and support a Council Member to apply for one of the two Local Government representative positions on the South West Development Commission Board.

COUNCIL DECISION

MOVED: Cr Walker

SECONDED: Cr Biddle

That Council encourage and support Cr Moir to apply for the Local Government representative position currently vacant on the South West Development Commission Board.

CARRIED 6/1

Res 070/12

8.3.8 Reserve 29177 Wilga Townsite – Excision of Portion of Land From Rail Corridor

<i>Location:</i>	<i>Reserve 29177</i>
<i>Applicant:</i>	<i>State Land Services</i>
<i>File:</i>	<i>RES 29177</i>
<i>Disclosure of Officer Interest:</i>	<i>None</i>
<i>Date:</i>	<i>9 May 2012</i>
<i>Author:</i>	<i>Alan lamb</i>
<i>Authorizing Officer:</i>	<i>Not applicable</i>
<i>Attachments:</i>	<i>Nil</i>

SUMMARY

The purpose of this report is to put before Council the proposed basis for a transfer of a portion of the rail corridor with the recommendation that agree to it.

BACKGROUND

In or around 2002 Council commenced dialogue to have the portion of the rail corridor, in Wilga, that adjoins Reserve 29177, relinquished by the Western Australian Government Railways Commission (now Public Transport Authority) handed back to DOLA (now State Land Services) to be included into Reserve 29177 (managed by the Shire).

There is a rather thick file of correspondence on the matter but it appears that whilst there was agreement little progress was made.

Council passed the following resolution March 2005

That the Public Transport Authority be advised that the Council will accept all costs associated with the expansion of Reserve 21977 to capture the Wilga dam locates in the adjacent railway corridor.

A letter from Council to PTA dated August 2007 noted that no reply had been received in response to Council's 2005 letter.

State Land Services took up the matter in earnest a year or so ago and PTA has advised that it is prepared to support the excision of a portion of the rail corridor and its subsequent inclusion in Reserve 29177 provided:

- The boundary of the proposed portion of land to be a minimum of 10M from the boundary of the existing railway line
- A 1.2M fence to be erected to separate the dam from the rail

That Land Services seeks conformation that the Shire will meet any costs associated with the excision (State lands will meet the cost of survey)

The Wilga Progress association is desirous of a lease over the dam that is on a portion of Reserve 29177 and the rail corridor (the majority being in the latter).

COMMENT

Looking at the 2005 resolution it is apparent that Council had previously agreed to meet relevant costs but that no real progress was made on the matter.

The way forward is for Council to again agree to meet fencing and excision costs (other than surveying). It is also recommended that Council seek power to lease for Reserve 29177 to save further delays later when, and if, the Reserve is expanded to cover the whole of the dam

CONSULTATION

The author has spoken with State Lands, PTA and Wilga Progress association representatives over a protracted period.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

It is expected that the cost of a fence and excision would not exceed \$2,000 and that expenditure would not be incurred until 2012/13 so it is recommended that provision be made in the 2012/13 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

MOVED: Cr Kaltenrieder

SECONDED: Cr Oversby

That

- 1. The Chief Executive Officer advise State Land Services that Council will meet costs associated with the excision of the portion of rail corridor that contains the dam at Wilga for inclusion in Reserve 29177 and fence the boundary of the expanded Reserve and the rail corridor.**
- 2. Provision be made in the 2012/13 Budget for expenditure of \$2,000 for excision and fencing costs associate with this matter.**

CARRIED 7/0

Res 071/12

8.3.9 Waste Management Group

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Officer Interest:	None
Date:	9 May 2012
Author:	Alan lamb
Authorizing Officer:	Not applicable
Attachments:	Nil

SUMMARY

The purpose of this report is to put before Council the proposal that it moves from working with the Warren Blackwood Group of Councils in relation to waste management planning to working with the Bunbury Wellington Group of Councils.

BACKGROUND

The following is taken from a report to Council's March 2009 meeting:
As a requirement of the new Waste Avoidance Resource Recovery Bill, which came into operation on the 1st July 2008, Councils are required to have a Waste Plan. Under section 40 (30) (i) the following are to be included in the plan.

- (a) Population and development profiles for the district;*
- (b) an assessment of significant sources and generators of waste received by the local government;*
- (c) an assessment of the quantities and classes of waste received by the local government;*
- (d) an assessment of the services, markets and facilities for waste received by the local government;*
- (e) an assessment of the options for reduction , management and disposal of waste received by the local government;*
- (f) proposed strategies and targets for managing and reducing waste received by the local government;*
- (g) proposed strategies and targets for the efficient disposal of waste that cannot be recovered, reused or recycled;*
- (h) an implementation program that identifies the required action, timeframes resources and responsibilities for achieving these strategies and targets;*
- (i) such other matters as may be prescribed by the regulations.*

When the Act was being drafted the Department of Environment and Conservation decided to develop a "Zero Waste Plan Management Plan" that was intended to assist local governments in aligning their activities with the State's vision of "Towards Zero Waste by 2020" and to assist Councils to meet their requirements under the new Act.

Councils had to complete an application online survey for Phase 1 of the Zero Waste Plan. Progression to the final Phase 2 could not be made unless the applicant (Council) had completed the online survey for phase 1.

In December 2005 the Waste Management Board proposed that organisations accessing funding from the Waste Management Recycling Fund (WMRA) should develop, maintain and implement an approved Zero Waste Plan (now called the Strategic Waste Management Plan - SWMP).

In May 2006 the Board endorsed a zero waste plan funding scheme, and on 16 May 2007 the Zero Waste Plan Development Scheme (the ZWPDS) officially commenced with the gazettal of Phase 1 Ministerial Conditions. This initial phase provided funding to assist local government authorities complete an on-line survey to establish baseline waste and recycling data across the State and to assist local governments identify where current data gaps exist. Ninety One percent (91%) of the State's local governments participated in Phase 1, the results from which were published in the 'Zero Waste Plan Development Scheme (Phase 1) 2006/07 Final Report' in March 2008. All four Councils in this region participated in the on-line survey.

On 12 September 2007 Phase 2 of the ZWPDS was announced by the Minister at the 2007 Waste and Recycle Conference in Fremantle. Ministerial Conditions for Phase 2 were gazetted on 28 September 2007. Phase 2 provided funding to assist local governments with the preparation of Strategic Waste Management Plans.

The Shires of Manjimup, Bridgetown-Greenbushes, Nannup and Boyup Brook have agreed to collaborate and engage in the formulation of individual local and the Regional Plan. A Memorandum of Understanding has been signed by the participating Councils to formalise and define the parameters and the participation of individual Councils in the regional plan.

There is no inference or intent that any Council participating in the Memorandum of Understanding is committed to a long term partnership association with fellow signatories in relation to waste management.

Strategic Waste Management Plans were due to be submitted by 30 September 2008. This due date was extended to 31 March 2009. Draft Boyup Brook and Warren Blackwood Regional Strategic Waste Plans were submitted prior to the original date for DEC comments.

At that meeting Council resolved to endorse the Boyup Brook and Regional Strategic Waste Management Plans.

In 2011 Council resolved to join the Bunbury Wellington Group of Councils and as part of the working of this group, the President and Chief Executive Officer attended the groups discussion regarding long term waste strategies that included the possible joint purchase of a waste disposal site and the formation of a Regional Council to operate it on behalf of the constituent Councils.

COMMENT

Whilst there have been no problems working with the Warren Blackwood group in relation to waste management the move to the Bunbury Wellington Group as a voluntary regional organisation of Councils (VROC), for the regional portion of the Country Local Government Fund and, whilst not formally as yet, regional waste management planning, suggests that there should now be a formal move from one group to the other for waste planning.

CONSULTATION

The author has spoken with the Bunbury Wellington Group Presidents and Mayor, and CEOs. Also the consultant/Council staff member assisting each of the groups. Council was briefed on at least two occasions on the potential move.

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil. It is expected that there will be no cost implications of making the change other than the opportunity at some point in time to participate in various waste management opportunities.

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

MOVED: Cr Walker

SECONDED: Cr Aird

That the Chief Executive Officer advises the consultant assisting the Warren Blackwood Waste Management Group that it will no longer participate with the group, and confirm with the City of Bunbury Staff member assisting the Bunbury Wellington Group for waste management that Boyup Brook will now work with that group.

CARRIED 7/0

Res 072/12

9.1 COMMITTEE REPORTS

9.1.1 Minutes of the WALGASW Zone - 24 February 2012

Location:	<i>Shire Dardanup</i>
Applicant:	<i>N/A</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>10 May 2012</i>
Author:	<i>WALGASW</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND:

A WALGASW Zone meeting was held on 27 April 2012
Minutes of the meeting are laid on the table and circulated.

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Moir

SECONDED: Cr Biddle

That the minutes of WALGASW Zone meeting held on 27 April 2012 be received.

CARRIED 7/0

Res 073/12

9.1.2 Minutes of the Blackwood River Valley Marketing Association

Location:	<i>Bridgetown Shire</i>
Applicant:	<i>N/A</i>
File:	
Disclosure of Officer Interest:	<i>Nil</i>
Date:	<i>10 May 2012</i>
Author:	<i>N/A</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>Yes – Minutes</i>

BACKGROUND:

A Blackwood River Valley Marketing Association meeting was held on 17 April 2012

Minutes of the meeting are laid on the table and circulated (*refer to appendix 9.1.2*)

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 9.1.2

MOVED: Cr Moir

SECONDED: Cr Biddle

That the minutes of the Blackwood River Valley Marketing Association meeting was held on 17 April 2012 be received.

CARRIED 7/0

Res 074/12

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 Shire President, Cr Giles thanked all for attending and declared the meeting closed at 5.15pm.