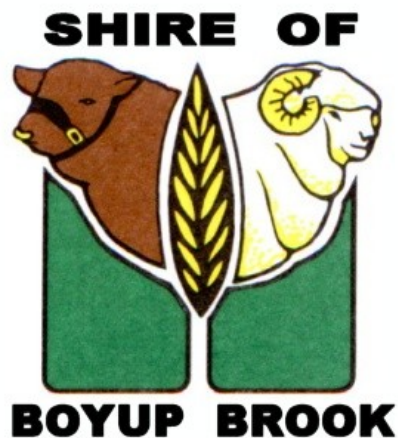


MINUTES



ORDINARY MEETING

HELD

THURSDAY 9 FEBRUARY 2012

COMMENCED AT 3.30PM

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 – Shire President
Cr K Moir – Deputy Shire President
Cr G Aird
Cr E Biddle
Cr T Doust
Cr P Kaltenrieder
Cr B O’Hare
Cr T Oversby
Cr R Walker arrived at 3.50pm

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

PUBLIC: John Walsh arrived at 3.30pm.

1.2 Apologies

1.3 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

Nil

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

4.1 Petition regarding Lodge and Farleigh Roads

Council's Standing Orders Local Law provides as follows:

9. **PETITIONS**

9.1 ***Petitions and Memorials - Petitions to be in Writing***

Any petition to be submitted to the Council shall be in writing or typewritten, and be authenticated by the signature of the member of the Council presenting it.

9.2 ***Presentation of Petitions***

A member of the Council presenting a petition shall be limited to a statement of the parties from whom it comes, of the number of the signatures attached to it, the material issues contained in it, and to the reading of the prayer.

9.3 ***Responsibility of Member Presenting Petition***

It shall be incumbent on a member of the Council presenting a petition to be familiar with the nature and contents of the petition, and to ascertain that it does not contain language disrespectful to the Council.

9.4 ***Procedure of Petitions***

The only question which shall be considered by the Council on the presentation of any petition shall be:

- (a) That the petition shall be accepted; or*
- (b) That the petition not be accepted; or*
- (c) That the petition be accepted and referred to a committee for consideration and report; or*
- (d) That the petition be accepted and be dealt with by the full Council.*

CEO Comment

A copy of the petition is attached. It will be noted that the prayer is not separated from the body of the request but it is suggested that the prayer is (using the words contained in the petition) as follows:

“We the undersigned request the council take action to improve the condition of these roads in 2012.”

It is suggested that the balance of the petition is background information and is as follows:

“RE: LODGE AND FAIRLEIGH ROADS

We would like to bring your attention to the quality of the above named roads.

Nothing has been done to upgrade these roads which are in very poor condition and causing damage to vehicles.

These roads now support 19 properties of which 15 are permanent or part time residences. Most of these properties are also leased which increases the volume of traffic.

The roads are not wide enough for two cars to pass let alone over width farm machinery and trucks.

Lodge Road is on the bus route which is a severe safety issue.

Most of Lodge Road and the top half of Farleigh Road (a winding sand track) are lower than the verges. In winter these roads become rivers causing deep wash outs, large pot holes and flooding.

We hope to here in the near future the council's plan of action”
Councillor O'Hare presents a petition, dated 12 November 2011 is signed by 13 residents, and asks Council to up grade Lodge and Farleigh Roads in 2012.

In accordance with Standing Orders Councillor O'Hare will move the following resolution at the Council meeting:

COUNCIL DECISION

MOVED: Cr O'Hare

SECONDED: Cr Doust

That the petition be accepted and referred to the Forward Planning Committee for consideration and report.

CARRIED 8/0

Res 001/12

COMMENT

The intention is that the matter be referred to the Forward Planning Committee for consideration along with long term planning it will be working on as part of the integrated planning process.

4.2 Australia Day

Cr Biddle reported on the Australia Day breakfast and award ceremony noting that the attendance was encouraging but the number of nominations received was disappointing.

Cr Biddle expressed thanks for the work done by Daly Winter in organising the Australia Day function and the Depot Staff for the neat, clean and attractive condition of Sandakan Park and for their efforts in the set-up and take-down of the equipment used at Australia Day celebrations.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 15 December 2011

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Kaltenrieder

SECONDED: Cr Moir

That the minutes of the Ordinary Meeting of Council held on Thursday 15 December 2011 be confirmed as an accurate record with the following amendments:-

Page 11 – Item 8.3.1 – spelling to be amended – Cr Kaltenrieder.

Page 17 – Item 8.3.3 – spelling to be amended in the resolution – “Abel”

Page 17 – Item 8.3.3 – add the words “Absolute Majority” after the resolution.

Page 21 – Item 8.3.4 – add the words “Absolute Majority” after the resolution.

Page 32 – Item 8.3.6 – add the words “Absolute Majority” after the resolution.

Page 53 – Item 11.1.1 - delete the letters “PK”

CARRIED 8/0

Res 002/12

6 PRESIDENTIAL COMMUNICATIONS

6 February 2012 – Met with the Bunbury Wellington Group.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1.1 MANAGER WORKS & SERVICES

No Report

8.2 SENIOR FINANCE OFFICER

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>3 February 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 December 2011 and January 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 Moir

SECONDED: Cr Biddle

That the payment of accounts for December 2011 and January 2012 as presented totalling \$969,699.02 and as represented by cheque voucher numbers 18815-18859 totalling \$71,435.80 and accounts paid by direct electronic payments through the Municipal Account totalling \$546,716.79 be endorsed.

CARRIED 8/0

Res 003/12

8.2.2 December 2011 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>3 February 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 December 2011 and Investment Schedule for the month ended 31 December 2011.

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

MOVED: Cr Oversby

SECONDED: Cr O'Hare

That the December 2011 Monthly Statements of Financial Activity as presented, be received.

CARRIED 8/0

Res 004/12

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Appointment of Committees and Delegates – Boyup Brook District High School Board

Location:	<i>N/A</i>
Applicant:	<i>Boyup Brook District High School Principal</i>
File:	
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>2 February 2012</i>
Author:	<i>Alan Lamb</i>
Authorizing Officer:	<i>Not applicable</i>
Attachments:	<i>Copy of letter</i>

SUMMARY

The purpose of this report is to put before Council the request that it delegate a Council Member to represent it on the Boyup Brook District High School Board with the recommendation that a Councillor be delegated.

BACKGROUND

Council forms its committees and appoints delegates every two years following the general elections. Where a need arises Council has appointed committees and appointed delegates at other times but the appointment term is to the next ordinary election where, if need be, the matter is dealt with as part of the normal process.

The Boyup Brook District High School wrote to the Shire President noting that the school had become an Independent Public School and inviting the Shire Council to nominate a Member to represent it on the School Board. The letter included notice that the school would like to address Council in April/May and at other times each year.

COMMENT

There are no known significant impacts on the triple bottom line reporting areas under Sustainability of the matter under consideration. However, both schools in Boyup Brook are major employers in the Shire and both they and their employees either consume or have the capacity to consume local goods and services, and so apart from their education rolls they have a significant impact on the local economy, the consumption of Shire services and the like. The schools are therefore, again apart from their extremely valuable education functions, significant entities within the community and Council may well wish to have some input and insight into the operation of the District High School through a position on its Board.

It is recommended that Council nominate a Councillor to represent it on the School Board as requested.

CONSULTATION

The author has spoken with the Shire President.

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

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.1

MOVED: Cr Oversby

SECONDED: Cr Aird

That Council appoint Cr Biddle as its representative on the Boyup Brook District High School Board and that the term of this appointment be until the first Council meeting following the ordinary Council elections in 2013.

CARRIED 8/0

Res 005/12

8.3.2 Repairs/Upgrade of 1 Rogers Avenue

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>N/A</i>
File:	<i>AS2261</i>
Disclosure of Interest:	<i>None</i>
Date:	<i>2 February 2010</i>
Author:	<i>Geoff Carberry Manager Administration & Assets</i>
Authorizing Officer:	<i>Alan Lamb – Chief Executive Officer</i>
Attachments:	<i>No</i>

SUMMARY

The lessee has reported water intrusion in to a linen press which appeared to be from the shower area of the adjoining main bathroom. GROH as part of the lease renewal process have asked that a bath be installed into the property as this is one of their requirements for their rental property agreements. Investigations have revealed the lack of water proofing under the shower tiles as was previously found in the ensuite. It is proposed to replace the shower with a bath and shower arrangement and the tile to 2m level on the walls thus completing the overall upgrade of the premise.

BACKGROUND

The property located at 1 Rogers Avenue was purchased for the sum of \$200,500 on 2 December 2005 as a provision for senior officer accommodation. The property was leased by the Government Employees' Housing Authority at the time of purchase. A continuance of lease was signed with the Government Employees' Housing Authority on 18th February 2005, with this lease ceasing in November 2009.

The building was built in 1989 by owner builder K. Miller. The building appears structurally sound in accordance with the report by Richard Wittenoom & Associates commissioned at the time of the council purchasing the property. One point raised in this report was the "Water leaking from the shower recess", it would appear that this fault was not properly investigated nor was a satisfactory repair made, hence the current requirement to totally refurbish the water damaged ensuite.

During the period of the lease, only minimal maintenance had been carried out. The floor coverings, window treatments and paint work are now showing their age. Currently the estimated market value after the work is completed is \$290,000 to \$300,000.

The above works were approved in March 2010 and carried out.

COMMENT

The bath room was not renovated during the last round improvement as there were no signs of leakage at that point in time. It appears that due to the unique construction materials used in the building no water proofing has been used in any of the wet areas.

By carrying out this work not only will the current situation be rectified but the standard of the house will also be improved which will be of benefit when attempting to attract staff in the future.

The works will also ensure GROH's continued lease of the property in the shorter term.

CONSULTATION

Darren Peck – BBG Plumbing
Garry Chambers - Builder
Gary Rose - Tiler

STATUTORY ENVIRONMENT

Building Code of Australia.
Local Government Laws and Regulations - Various

FINANCIAL IMPLICATIONS

No allowance for such works was made In the 2011/2012 budget therefore funds to the quoted value of the works being \$5085.00 will need to be approved.

STRATEGIC IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority is required

OFFICER RECOMMENDATION – Item 8.3.2

That the 2011/2012 budget be amended by increasing the provision for operating costs (E092035) for Councils property at 1 Rogers Avenue by \$5,085 and that Council approve the required works for refurbishment of the property. The funds to be drawn from the Building Maintenance Reserve (L01920)

COUNCIL DECISION

MOVED: Cr Doust

SECONDED: Cr Oversby

That the 2011/2012 budget be amended by increasing the provision for operating costs (E092035) for Councils property at 1 Rogers Avenue by \$5,085 and that Council approve the required works for refurbishment of the property with funds being drawn from unbudgeted expenditure.

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 006/12

NOTE

Council considered that the amount of funds in question did not warrant a transfer from the reserve fund at this time.

8.3.3 Tourist Centre Toilets Septic Upgrade

Location:	Shire of Boyup Brook
Applicant:	N/A
File:	
Disclosure of Interest:	None
Date:	2 February 2012
Author:	Geoff Carberry -Manager Administration & Assets
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	ATU Design Information

SUMMARY

Due to the ongoing inability of the current septic system to support the ablution facility, it is proposed to install an Aerobic Treatment Unit (ATU). This unit will in fact replace the current reticulation system in watering the lawn area and gardens by way of sub soil dripper system.

BACKGROUND

This problem appears to have been ongoing for some time in 2007/2008 the leach drain was replaced and extended. Whilst this initially assisted in meeting the demand of the facility it did not fully solve the problem. Regular pump outs were still required.

As demand on the facility has increased so has the effluent over flow.

During investigations several avenues were researched including trenching for streams, closing the facility and checking the fluid levels and investigating if storm water outlets were entering the system. All proved not to be contributing to the fluid levels.

COMMENT

Ongoing investigations have revealed the clay bound soil in the area of the Tourist Centre does not allow the volume of grey water produced to be dissipated. This result in saturation of the lawn area at the end of the leach drain to the extent of fluid laying on the surface not only is this unsightly and odorous the area also presents a public health risk.

To date \$3,286 has been expended on pump outs of the system with a further \$453 on investigation of external water sources, of which none were identified

Reticulation watering costs for the site are estimated to be \$800 per annum

The installation of the ATU will alleviate all of the above costs with the exception of the three monthly service fee, required by regulation, being currently \$125.00

CONSULTATION

Wayne Jolley - Health Officer
Darren Peck – BBG Plumbing

Damien Crane - Craneford Plumping (Licensed ATU installer)

STATUTORY ENVIRONMENT

Building Code of Australia.
Health Act 1911, as amended
Health (Treatment of Sewage and Disposal of Effluent and
Liquid Waste) Regulations 1974, as amended

FINANCIAL IMPLICATIONS

Quotes for the provision of the unit have only been received from one Licensed supplier, being \$14875 excl GST. Works not covered in the quote are estimated to be an additional \$5,000 no allowance for such works was made in the 2011/2012 budget therefore funds for the quoted value of the works totalling \$19 875.00 will need to be approved.

STRATEGIC IMPLICATIONS

Environmental

- Over flow of untreated effluent poses health issues

VOTING REQUIREMENTS

Absolute Majority is required

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.3.3

MOVED: Cr Biddle

SECONDED: Cr Kaltenrieder

That the 2011/2012 budget be amended by increasing the provision for operating costs (E0107020) for Councils facility at lot 59 Abel Street by \$19,875 and that Council approve the required works for refurbishment of the property. The funds to be drawn from the Building Maintenance Reserve (L01920)

CARRIED BY ABSOLUTE MAJORITY 8/0

Res 007/12

9.1 COMMITTEE REPORTS

9.1.1 Minutes of the Annual Electors Meeting

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Officer Interest:	Nil
Date:	15 December 2011
Author:	N/A
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Minutes

BACKGROUND:

An Annual Electors meeting was held on 15th December 2011. Minutes of the meeting are laid on the table and circulated.

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Aird

SECONDED: Cr Oversby

That the minutes of Annual Electors meeting held on 15th December 2011 be received.

CARRIED 8/0

Res 008/12

9.1.2 Minutes Boyup Brook Town Planning Scheme Review and Townsite Strategy Steering Committee

Location:	N/A
Applicant:	N/A
File:	
Disclosure of Officer Interest:	Nil
Date:	15 December 2011
Author:	N/A
Authorizing Officer:	Alan Lamb – Chief Executive Officer
Attachments:	Yes – Minutes

BACKGROUND:

A Boyup Brook Shire Council Town Planning Scheme Review and Townsite Strategy Steering Committee meeting was held on 15th December 2011. Minutes of the meeting are laid on the table and circulated.

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 9.1.2

MOVED: Cr Moir

Seconded: Cr O’Hare

That the minutes of Town Planning Scheme Review & Townsite Strategy Steering Committee meeting held on 15th December 2011 be received.

CARRIED 8/0

Res 009/12

10.1 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

3.50pm – Cr Walker arrived.

Notice of motion – Cr O’Hare – 01/12

10.1.1 Flax Mill

That Item 7.3.3 from the September meeting be raised from the table and that Council approve the replacement of the roof of building 7 at the Flax Mill (baling room) and approve the unbudgeted expenditure to cover this up to \$24,000.

COUNCIL DECISION

MOVED: Cr O’Hare

SECONDED: Cr Oversby

That the motion from item 7.3.3 September 2011 meeting be raised from the table.

CARRIED 9/0

Res 010/12

MOTION

That Council approve the demolition of building 7 (Baling Room) as indicated on the Flax Mill Plan and approve the unbudgeted expenditure up to \$15,000.

AMENDMENT

MOVED: Cr Doust

SECONDED: Cr O’Hare

That as the membership of Council has changed since this matter was debated no action be taken on the original motion moved by Cr Marshall and seconded by Cr Giles and the matter of the future of the Baling Room be reconsidered at the next meeting of the Council.

CARRIED 9/0

Res 011/12

Note: That the intent is to ensure new Councillors have the opportunity to consider the background information before dealing with the matter.

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

The President approved the two late items (11.1.1 and 11.1.2)

11.1.1 Website Advisory Committee
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Note: Resolution 269/11 of the 15th December 2011 appointed the Website Advisory Committee and now the two Councillors appointed to that Committee wish to nominate the two community members.

COUNCIL DECISION

MOVED: Cr Biddle

SECONDED: Cr Moir

That Council appoint Fleur Mead and Lynda Coote as the two community members to sit on the Website Advisory Committee.

CARRIED 9/0

Res 012/12

11.1.2 Ladies Day – Rylington Park

COUNCIL DECISION

MOVED: Cr Aird

SECONDED: Cr Doust

That Council sponsor \$500 towards the Ladies day at Rylington Park and Councils contribution be recognised.

CARRIED BY ABSOLUTE MAJORITY 9/0

Res 013/12

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 4.37pm.