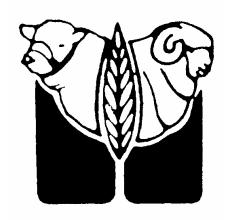
MINUTES



ORDINARY MEETING

HELD ON

THURSDAY, 17 FEBRUARY 2005

AT

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

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Suspension of Standing Orders

MOVED: Cr Downing SECONDED: Cr Oversby

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

CARRIED: 7/0

Cr Moir entered the Chambers, the time being 3.32pm.

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

1.1 Attendance

1

Cr J Mondy

Cr N Blackburn

Cr S Broadhurst

Cr R Downing

Cr P Marshall

Cr K Moir (entered 3.32pm)

Cr T Oversby

Cr S Purse

Mr W Pearce - Chief Executive Officer

Mr K Jones – Manager of Finance and Administration

Mr J Eddy - Manager of Works and Services

Mrs G Wallace – Secretary (departed 4.21pm)

1.2 Apologies

Cr Terry Ginnane – Shire President

2 PUBLIC QUESTION TIME

2.1 Response to Previous Public Questions Taken on Notice

Nil

2.2 <u>Public Question Time</u>

3 APPLICATIONS FOR LEAVE OF ABSENCE

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

4.1 Blackwood River Valley Marketing Association – Cr Broadhurst

The launch of the BRVMA Inland loop brochure will be at the Perth Caravan and Camping Show on the 10-14 March.

4.2 Meeting with South West Area Health – Cr Downing

Cr Downing and the CEO met with Linda Jackson and Anne Donaldson of the SWAHS. Linda Jackson will be the permanent manager of the Blackwood Area Health which includes Boyup Brook.

The lease for the Aged Persons Lodge is progressing due to the Health Department previously sending an inaccurate draft.

4.3 Representation of the Shire at the Mr S Diggins' Funeral

Cr Blackburn and Cr Downing represented the Shire at Mr S Diggins' funeral on the 15th February 2005.

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

5.1 Minutes of the Ordinary Meeting of the Council held on 16 December 2004.

MOVED: Cr Oversby SECONDED: Cr Purse

That the minutes of the previous Ordinary Meeting of the Council held on 16 December 2004 be confirmed as an accurate record subject to the following changes:-

Page 13: Item 7.2.4 that the movers and seconders for the amendment and the motion that was put and carried be:

MOVED: Cr Oversby SECONDED: Cr Blackburn

CARRIED 8/0

6 PRESIDENTIAL COMMUNICATIONS

7 REPORTS OF OFFICERS AND COMMITTEES

7.1 WORKS AND SERVICES

7.1.1 Townscape Advisory Committee Minutes

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: John Eddy

Date Report Written: 08 February 2005

Enabling Legislation: Local Government Act 1995

File: PA/37/001 Appendices: 1.1 - Minutes

BACKGROUND:

A Townscape Advisory Committee meeting was held on 02 February 2005.

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

MOVED: Cr Broadhurst SECONDED: Cr Purse

That the minutes of the Townscape Advisory Committee held on the 02 February 2005, be received.

CARRIED 8/0

MOVED: Cr Broadhurst SECONDED: Cr Purse

That Council approve the ordering of ten (10) Crepe Myrtle trees at two hundred and forty dollars (\$240.00) per tree to complete stage two of the Abel Street beautification.

CARRIED 6/2

7.1.2 Replacement of 14T Isuzu Truck

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: John Eddy

Date Rreport Written: 09 February 2005

Enabling Legislation: Local Government Act 1995

File: EQ/2/003

Appendices: -

BACKGROUND:

Isuzu 14t truck – TO-3 was severely damaged in an accident which occurred on Muir Road on the 11 November 2004.

Further to an assessment by the Council's insurance company the truck was written off to the value of sixty five thousand dollars (\$65,000).

DETAIL:

The Isuzu 14t truck TO-3 was programmed in the ten year replacement programme to be replaced in the 2006/2007 at a change over cost of fifty three thousand nine hundred dollars (\$53,900).

Purchase price of the Isuzu 14t truck is one hundred and nineteen thousand two hundred and thirty dollars (\$119,230), allowing the insurance settlement of sixty five thousand dollars (\$65,000) the changeover cost would be fifty four thousand two hundred and thirty dollars (\$54,230).

COMMENT:

The Manager of Works and Services is currently wet hiring trucks from PA Doust & Co in Bridgetown on an as needs basis during the works construction period.

As the hourly hire rate is similar to the Council's operating costs for a 14t truck, it is proposed to continue hiring the trucks on an as needs basis for the balance of the 2004/2005 financial year.

To enable the replacement of Isuzu 14t truck TO-3 in the 2005/2006 financial year, it is recommended that the Council:-

- 1. bring forward the amount of fifty four thousand dollars (\$54,000) programmed in the plant replacement program for 2006/2007 to the 2005/2006;
- 2. defers the allocation of forty thousand dollars (\$40,000) for replacement of the Transfer Station trailer from 2005/2006 in the plant replacement program to 2006/2007.

MOVED: Cr Purse SECONDED: Cr Oversby

That the Council:-

- 1. bring forward the amount of fifty four thousand dollars (\$54,000) programmed in the plant replacement program for 2006/2007 to the 2005/2006;
- 2. defers the allocation of forty thousand dollars (\$40,000) for replacement of the Transfer Station trailer from 2005/2006 in the plant replacement program to 2006/2007.

CARRIED 8/0

7.2 DEVELOPMENT AND COMMUNITY SERVICES

Cr Purse and Cr Marshall each declared a proximity interest in the following matter and departed the Chambers, the time being 4.08pm.

7.2.1 Lot 5 Jayes Road, Boyup Brook – Planning Application for a Farm Chalet

Proponent: R & R Platten

Location: Lot 4 Terry Road, Boyup Brook

Reporting Officer: Will Pearce
Date Report Written: 28 January 2005

Enabling Legislation: Town Planning Scheme No 2

File: AS9355 Appendices: 1.2 - Plans

BACKGROUND:

The proponent is seeking to establish a Farm Chalet on Lot 4 Terry Road, Boyup Brook.

The proponent has forwarded all of the relevant details to support the application as required by the Shire's Town Planning Scheme No 2.

Floor, site and elevation plans are attached – see appendices 1.2.

DETAIL:

Lot 4 Terry Road, Boyup Brook is a property with a gross area of 17 hectares and zoned "Rural".

It is proposed to convert to build a farm chalet, having an area of 47.5 m².

The proponent has submitted a separate building application for a new residential dwelling.

The building is constructed of weatherboard walls and zincalume roofing. It is self-contained with a kitchen and living area and ablution and laundry facilities.

The Scheme states that a single 'holiday cottage' is an "AA" use, being a use that.... means a detached dwelling on one lot for holiday purposes, which may not be occupied by the same tenant for a continuous period of more than four months."

General requirements under the Scheme included:-

- Carparking the application does not nominate any carparking spaces for the proposed chalets. It is suggested that a minimum of two bays are provided.
- Access the proponent will need to construct a 3 metre wide gravel road.
- Landscaping the Scheme states that... "landscaping shall be undertaken and maintained to Council's satisfaction for all development unless, in the opinion of the Council, such landscaping is considered unnecessary". It is considered unnecessary to require landscaping on a rural lot.
- Vehicle crossover compliance with the Council's "Crossover" policy will be required.
- Stormwater disposal compliance with the Council's "Building Stormwater Drainage" policy will be required.
- Policy the Council's 'Farm Chalet" policy provides for water supply volumes and firefighting protection.

COMMENT:

Overall, it is considered that the proposed development is acceptable and appropriate for approval. If the proposal is realised as presented, the farm chalet will be a welcome addition to the district creating additional holiday and short term accommodation for visitors.

It is suggested that the Council approves the planning application for a Farm Chalet to be located at Lot 4 Terry Road, Boyup Brook, subject to the following conditions:-

- 1. the proponent complies with Town Planning Scheme No 2;
- 2. two carparking spaces being provided and constructed and properly drained to the satisfaction of the Manager of Works and Services;
- 3. a 3.0 metre gravel access being approved by the Manager of Works and Services and crossovers constructed to the Council's design specifications and levels;
- 4. the proposal complies with the Council's "Farm Chalet" policy.

The Development Services Committee considered this issue at its meeting held on 07 February 2005 and concurred with the Chief Executive Officer's recommendation.

MOVED: Cr Blackburn SECONDED: Cr Downing

That the Council approves the planning application for a Farm Chalet to be located at Lot 4 Terry Road, Boyup Brook, subject to the following conditions:-

- 1. the proponent complies with Town Planning Scheme No 2;
- 2. two carparking spaces being provided and constructed and properly drained to the satisfaction of the Manager of Works and Services;
- 3. a 3.0 metre gravel access being approved by the Manager of Works and Services and crossovers constructed to the Council's design specifications and levels;
- 4. the proposal complies with the Council's "Farm Chalet" policy.

CARRIED 6/0

Cr Purse and Cr Marshall returned to the Chambers, the time being 4.10pm.

7.2.2 Nelson Locations 1779, 1938, 3982, 6106, 6107, 6141, Pt 3981 and Pt 6674
Minninup Road and 2262 Foley Road – Planning Application for a Plantation

Proponent: Great Southern Property Managers (Owner:

Superfine Investments)

Location: Nelson Locations 1779, 1938, 3982, 6106, 6107, 6141,

Pt 3981 and Pt 6674 Minninup Road and 2262 Foley

Road

Reporting Officer: Will Pearce
Date Report Written: 28 January 2005

Enabling Legislation: Town Planning Scheme No 2

File: AS7090

Appendices: -

BACKGROUND:

The proponent is seeking approval to establish a plantation on Nelson Locations Nelson Locations 1779, 1938, 3982, 6106, 6107, 6141, Pt 3981 and Pt 6674 Minninup Road and 2262 Foley Road located approximately 60km south of Boyup Brook.

The proponent has forwarded relevant details to support the application as required by the Shire's Town Planning Scheme No. 2. A detailed plan is laid on the table.

DETAIL:

The property has a gross land area is 1280ha and is zoned 'Rural' and as such the Scheme allows 'plantations' at the discretion of the Council ('AA' use).

As required under the Scheme, the proponent has submitted a fire management plan and plantation management plan. The proponent is required to comply with the following (as per the Scheme): -

- 1 Code of Practice for Timber Plantations in WA;
- 2 Shire of Boyup Brook Firebreak Order;
- 3 Guidelines for Plantation Fire Protection.

The proponent has submitted supporting information that is summarised as follows: -

- 1 establishment of 665.4ha of plantations will occur in the year 2004;
- 2 planting density will be 1238 stems per hectare;
- 3 the Guidelines for Plantation Fire Protection states:-

"Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards (for this size plantation a medium attack unit is require) or by contributing to community-based equipment through an agreement with the Local Government."

The proponent's fire management plan indicates that the company does not have any firefighting units in the vicinity of the plantation.

It is suggested that the company provide the appropriate equipment or reach an agreement in writing with an owner of such equipment located in the area to be available for this plantation.

4 all remnant vegetation will be left in accordance with Agriculture Western Australia guidelines.

COMMENT:

It is suggested that the Council approve the proposal as reflected in the recommendation.

The Development Services Committee considered this issue at its meeting held on 07 February 2005 and concurred with the Chief Executive Officer's recommendation.

MOVED: Cr Blackburn SECONDED: Cr Moir

That the:-

- Council approves the planning application for a plantation to be located at Nelson Locations Nelson Locations 1779, 1938, 3982, 6106, 6107, 6141, Pt 3981 and Pt 6674 Minninup Road and 2262 Foley Road, Boyup Brook subject to the following conditions:
 - (a) compliance with the Shire of Boyup Brook Town Planning Scheme No 2;
 - (b) compliance with the terms and conditions of the Code of Practice for Timber Plantations in Western Australia as amended from time to time with a harvesting management plan provided to the Shire, to the satisfaction of the Shire, two years prior to the harvesting event;
 - (c) provision of a minimum of a manned Medium duty Firefighting Unit of a standard complying with the Guidelines for Plantation Fire on a strategically located plantation property within twenty (20) minutes response time of this plantation prior to the commencement of the 2005/2006 Fire Season and that this arrangement is confirmed in writing;
 - (d) installation of a 15 metre boundary firebreak is required to comply with the firebreak order:
 - (e) entering into an agreement with the Shire providing for the reimbursement of costs from the repair of damage of roads under the Shire's control, where such damage arises from the use of such roads by heavy vehicles used in conjunction with the plantation;
- 2 Manager of Works and Services undertakes an assessment at the time of harvesting of the condition of the anticipated proposed local road haulage route.

CARRIED 8/0

7.2.3 Industrial Land Subdivision

Proponent: Shire of Boyup Brook
Location: Boyup Brook Industrial Area

Reporting Officer: Will Pearce
Date Report Written: 31 January2005

Enabling Legislation: Town Planning Scheme No 2

File: LN/55/001

Appendices: 1.3 – plans and report

BACKGROUND:

In its 2003/04 budget, the Council allocated \$10,000 towards an industrial land study to pursue developing up to ten (10) new industrial lots adjacent to the existing industrial area in the Boyup Brook townsite.

The subject area is currently crown land and identified as lot 372 Abel Street.

At its December 2003 meeting, the Council resolved:-

That Thompson McRobert Edgeloe (TME) carry out a feasibility study for developing further industrial land to the west of the existing industrial area in Boyup Brook incorporating lot 372 Forbes Street, Boyup Brook.

TME have presented a progress report requiring Council consideration.

DETAIL:

Extending the existing industrial area in the townsite is generally seen as a measure to have industrial land available for the next five to ten years.

There would be significant savings to Council in developing this area compared to the industrial park proposal.

An expression of interest was submitted to Landcorp, the land development arm of the state government, in March 2003 requesting the development of Unallocated Crown Land (UCL) Lot 372 Forbes Street, Boyup Brook as industrial land.

The lot is located adjacent to the existing industrial area and will be a natural extension of the existing industrial zone.

Landcorp advised that it required the Council to provide a 'guided development plan' for such a proposal before they would consider the development future.

TME was engaged in August 2003 to provide concept plans for developing this area.

Two options were options were provided in December 2003 following a site inspection by the consultant, CEO, Manager of Works and Community and Economic Development Officer.

TME has since developed two further options, known as 3 and 4, being the basis for the attached progress report.

COMMENT:

TME's Geoffrey Lush will be attending the committee to discuss issues raised in the progress report and future direction in addressing the industrial land shortage in Boyup Brook.

Please note that the Council's Economic Development Committee has been seeking ways to have new industrial lots created by way of subdividing existing large lots as a short-term measure.

For example, lot 199 Abel Street (the 'Stagline' block) could potentially subdivided equally to create an additional lot. Other large lots are being considered in the same vein. However, as these lots are in the main under private ownership, these ideas have taken some time to progress.

The committee is requested to make a recommendation to the Council following the update from TME.

The Development Services Committee at it's meeting held on 07 February 2004 recommended that:-

That Council requests the South West Zone of WALGA to rigorously pursue the unacceptably high infrastructure costs associated with industrial land developments in rural communities rendering such proposals financially unviable with WALGA and South West Development Commission.

MOVED: Cr Marshall SECONDED: Cr Broadhurst

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

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Moir

That the Council close committee.

CARRIED 8/0

MOVED: Cr Downing SECONDED: Cr Oversby

That Council requests the South West Zone of WALGA to rigorously pursue with WALGA and South West Development Commission the unacceptably high infrastructure costs associated with industrial land developments in rural communities rendering such proposals financially unviable.

CARRIED 8/0

7.2.4 Youth Advisory Committee Minutes

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Keith Jones

Date Report Written: 08 February 2005

Enabling Legislation: Local Government Act 1995

File: IM/37/004 Appendices: 1.4 - Minutes

BACKGROUND:

A Meeting of the Youth Advisory Committee was held on the 01 February 2005.

Minutes of the meetings are laid on the table and circulated (refer to appendix 1.4).

MOVED: Cr Purse SECONDED: Cr Broadhurst

That the minutes of the Youth Advisory Committee on 01 February 2005 be received.

CARRIED 8/0

7.2.5 <u>Economic Development Committee Minutes</u>

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Will Pearce
Date Report Written: 11 February2005

Enabling Legislation: Local Government Act 1995

File: GO/37/005 Appendices: 1.5 Minutes

BACKGROUND:

A Meeting of the Economic Development Committee was held on the 09 February 2005.

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

MOVED: Cr Blackburn SECONDED: Cr Purse

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

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Broadhurst

That the Council's Community and Economic Development Officer investigate Lot 360 Forbes Street and 1 Short Street for development as industrial lots. Investigation to include costings for power and water.

CARRIED 8/0

7.2.6 Bushfire Advisory Committee Minutes

Proponent: Shire of Boy up Brook

Location: -

Reporting Officer: Keith Jones
Date Report Written: 25 February 2005

Enabling Legislation: Local Government Act 1995

File: RS/37/001 Appendices: 1.6 Minutes

BACKGROUND:

A Bushfire Advisory Committee meeting was held on 8 February 2005.

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

MOVED: Cr Oversby SECONDED: Cr Blackburn

That the minutes of the Bushfire Advisory Committee Meeting held on 8 February 2005, be received.

CARRIED 8/0

7.2.7 <u>Recreation & Leisure Advisory Committee Minutes</u>

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Keith Jones
Date Report Written: 15 October 2004

Enabling Legislation: Local Government Act 1995

File: RE/37/001 Appendices: 1.7 Minutes

BACKGROUND:

A meeting of the Recreation & Leisure Advisory Committee was held on the 02 February 2005.

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

MOVED: Cr Downing SECONDED: Cr Blackburn

That the minutes of the Recreation & Leisure Advisory Committee held on 02 February 2005, be received.

CARRIED 8/0

MOVED: Cr Downing SECONDED: Cr Purse

That the CEDO investigates the leasehold potential of Skeleton Bridge and the associated liabilities.

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Oversby

That the CEDO make a grant application for a walk trail in the reserve 11497.

CARRIED 8/0

<u>Adjournment</u>

MOVED: Cr Moir SECONDED: Cr Broadhurst

That the meeting be adjourned for an afternoon tea break, the time being 4.20pm.

CARRIED 8/0

Resumption

MOVED: Cr Broadhurst SECONDED: Cr Moir

That the meeting resume, the time being 4.49pm.

CARRIED 8/0

The meeting resumed with the following persons in attendance.

Cr J Mondy

Cr S Broadhurst

Cr R Downing

Cr P Marshall

Cr K Moir

Cr T Oversby

Cr S Purse

Mr W Pearce - Chief Executive Officer

Mr K Jones – Manager of Finance and Administration Mr J Eddy – Manager of Works and Services

Cr Blackburn entered the Chambers, the time being 4.50pm

7.2.8 Simcock Road – Request to Change Road name

Proponent: Department of Land Administration

Location:

Reporting Officer: Will Pearce

Date Report Written: 03 February 2005

Enabling Legislation: Local Government Act 1995

File: RD072 Appendices: 1.8 - Letter

BACKGROUND:

The Department of Land Information's (DOLI) 'Geographic Names Committee' has again forwarded correspondence regarding the above - see appendix 1.8.

At its May 2004 meeting the Council resolved:-

'That the request to rename Simcock Road be declined.'

DETAILS:

Prior to the May 2004 meeting Mr D Simcock had provided verbal comment objecting to the road name change.

The Chief Executive Officer has again written to Mr D Simcock seeking comment on the request to change the name of Simcock Road following this further letter from DOLI. Mr Simcock was requested to reply by 5 November 2004 – no reply meant that he does not agree with the name change.

No reply was forwarded.

COMMENTS:

Road name changes are always sensitive issues within the community. This would appear to be no exception.

The name 'Simcock' would appear to be ceremonious to both the Shires of Boyup Brook and Manjimup. Simcock Road in Boyup Brook appears to provide access to more properties than the one in Manjimup.

Should the Council wish to consider changing the name, then it may wish to refer to its "Road Naming' policy offering the following names-

Fuller, Gregory, Kaufmann, Lloyd, Moore, Moulton, Smith, Sinnott, Wade, Wauchope

It is suggested that the request to rename Simcock Road again be declined.

Cr Marshall foreshadowed the motion that 'Simcock Road' be renamed 'Wauchope Road".

MOVED: Cr Broadhurst SECONDED: Cr Moir

That the request to rename Simcock Road be declined.

CARRIED 5/3

7.2.9 Donnybrook – Kojonup Road - Request to Rename Section of Road

Proponent: Shire of Kojonup

Location: -

Reporting Officer: Will Pearce

Date Report Written: 03 February 2005

Enabling Legislation: Local Government Act 1995

File: RD114

Appendices: -

BACKGROUND:

A letter was received by the Shire of Kojonup requesting that the Shire consider changing the 'Donnybrook – Kojonup' Road name.

DETAILS:

The Shire of Kojonup wrote:-

'As you may be aware the section of road between Kojonup and your Shire is known by several names. We have been requested by the geographic names committee to contact your Shire with the objective of negotiating a suitable common name for the entire length of road that will be acceptable to both our Councils.

To this end I seek your comments on the alternative names listed below and I have shown bolded the name that the Shire of Kojonup favours.

Naming Options

- Blackwood Road
- Donnybrook-Kojonup Road
- Boyup Brook Kojonup Road'

COMMENTS:

It might be prudent to accurately identify the location of this road for visitors as the 'Boyup Brook – Kojonup Road'.

It is suggested that the request to rename the portion of the Donnybrook – Kojonup Road from Boyup Brook to Kojonup be considered.

MOVED: Cr Purse SECONDED: Cr Downing

That the preferred name of the portion of the Donnybrook – Kojonup Road from Boyup Brook to Kojonup be known as the 'Boyup Brook – Kojonup Road'.

CARRIED 8/0

7.3 CORPORATE SERVICES

7.3.1 Register of Sealed Documents

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Will Pearce

Date Report Written: 08 February 2005

Enabling Legislation: Local Government Act 1995

File: CM/51/001

Appendices: -

BACKGROUND:

The documents referred to in the recommendation have been sealed since the 21 October 2004 Council Meeting.

MOVED: Cr Oversby SECONDED: Cr Broadhurst

That the following documents sealed since 21 October 2004 Ordinary Council meeting be noted:-

DATE PARTICULARS

08/02/05 Transfer of Land – Sale of Lot 13 Upper Blackwood Road, Dinninup

CARRIED 8/0

7.3.2 Warren Blackwood Economic Alliance Minutes

Proponent: Warren Blackwood Economic Alliance

Location: -

Reporting Officer: Will Pearce
Date Report Written: 10 January 2005

Enabling Legislation:

File: GR/31/006 Appendices: 1.9 - Minutes

BACKGROUND:

Meeting of the Warren Blackwood Economic Alliance were held on 23 November 2004 & 25 January 2005.

Minutes of the meetings are laid on the table and circulated (refer to appendix 1.9).

MOVED: Cr Moir SECONDED: Cr Purse

That the minutes of the Warren Blackwood Economic Alliance held on 23 Novembers 2004 and 25 January 2005 be received.

CARRIED 8/0

7.3.3 <u>Strategic Plan</u>

Proponent: Shire of Boyup Brook

Location:

Reporting Officer: Will Pearce

Date Report Written: 11 February 2005

Enabling Legislation: Local Government Act 1995

File: CM/42/002

Appendices: -

BACKGROUND:

The Council has been reviewing its 1999 – 2004 Strategic Plan over the past 24 months to ensure it remains relevant.

A draft 2003 - 2008 had been developed which is yet to be adopted.

DETAIL:

The state government recently introduced a numerous number of amendments to the Local Government Act 1995.

One of these changes that will be proclaimed in March 2005 will see the removal of the requirement for Councils to develop a 'Principal Activity Plan' with a "Strategic Plan'.

The act will provide for the making of regulations detailing the content and make-up of the plans.

These regulations are not due until later this year.

COMMENT:

It is suggested that the Council's strategic planning be put on hold until the new regulations are enacted to ensure that the new plan complies with the proposed regulations.

MOVED: Cr Downing SECONDED: Cr Purse

That the draft Shire of Boyup Brook Strategic Plan is reviewed on proclamation of Strategic Planning regulations under the Local Government Act 1995.

CARRIED 8/0

The CEO declares a financial interest in the following item.

7.3.4 Strategic & Finance Occasional Committee Minutes

Proponent: Shire of Boyup Brook

Location:

Reporting Officer: Will Pearce
Date Report Written: 11 October 2004

Enabling Legislation: Local Government Act 1995

File: GR/31/002

Appendices: 1.10 - Minutes

BACKGROUND:

A meeting of the Strategic and Finance Occasional Committee was held on 08 February 2005.

Minutes of the meeting are laid on the table and circulated (refer to appendix 1.10).

MOVED: Cr Downing SECONDED: Cr Broadhurst

That the minutes of the Strategic and Finance Occasional Committee held on 08 February 2005 be received.

CARRIED 8/0

MOVED: Cr Downing SECONDED: Cr Oversby

That clause 2.1 and 2.2 of the Chief Executive Officer's Employment Contract pertaining to William Edward Pearce be activated to expire on 22 April 2007.

CARRIED 8/0

MOVED: Cr Marshall SECONDED: Cr Purse

That the Council considers engaging WALGA's Industrial Relations unit to determine Key Performance Indicator's for the Chief Executive Officer's annual performance appraisal at an estimated cost of \$2,500.

MOVED: Cr Marshall SECONDED: Cr Purse

That this item be laid on the table.

CARRIED 8/0

MOVED: Cr Marshall SECONDED: Cr Purse

That the Chief Executive Officer distributes WALGA's 'CEO Performance Appraisal' methodology and quotation to Council.

CARRIED 8/0

7.3.5 Lease between Shire of Boyup Brook and Boyup Brook Telecentre

Proponent: Boyup Brook Telecentre

Location: Lot 63 Abel Street, Boyup Brook

Reporting Officer: Will Pearce
Date Report Written: 12 May 2004

Enabling Legislation: Local Government Act 1995

File: CP/51/002 Appendices: 1.11 – Letter

BACKGROUND:

The Telecentre has recently been successful in obtaining a Department of Local Government grant as a contribution to proposed building extensions to create a training and video conference room. Correspondence is attached – see appendix 1.11.

The department requires that commitment to a leasing arrangement between the shire and the Telecentre is made for at least a 10 year period.

DETAIL:

A lease between the Shire of Boyup Brook and the Boyup Brook Telecentre of Lot 63 Abel Street, Boyup Brook (a shire reserve) will create not only a formal arrangement but also security for this very well managed and important community facility.

In general, the conditions of the lease could include:-

- o rental of \$1 per annum
- o 10 year term with 1 year options thereafter
- public liability and contents insurance, utilities charges, except water responsibility of the lessee
- building insurance

The shire already provides in-kind support to the Telecentre by way of gardening/mowing and building maintenance and payment of water rates and building insurance.

COMMENT:

Should the lease proposal be favourable to the Council, it is considered that the current levels of shire support be continued.

It is suggested that the Council approves the above recommendation.

MOVED: Cr Purse SECONDED: Cr Oversby

That the Council approves the:-

- 1. Chief Executive Officer being delegated authority to liaise with the Boyup Brook Telecentre offering a "Deed of Lease" on the following terms and conditions:-
 - Lessee
 Boyup Brook Telecentre
 - <u>Description of Property</u>
 Lot 63 Abel Street, Boyup Brook
 - Term

10 (ten) years, commencing 01 July 2005 and terminating 30 June 2015 with one (1) year options

Rental

\$1 per year

General Lessor Covenant

To commit the lessee to peacefully and quietly enjoy the property for the term of the lease without any lawful interruption by the lessor

General Lessee Covenant

- To pay all other outgoings, except gardening, building maintenance, rubbish and water, building insurance, including costs of and incidental to the insurance of all shire and community owned contents and other improvements owned by the lessor of an insurable nature now or hereafter against fire and such other risks that the lessor considers reasonable
- To comply with and observe any acts of parliament and all local laws, by-laws and orders relating to the leased premises
- Hold public liability insurance cover of \$10M at its expense
- To keep all buildings and other improvements now or hereafter in good and tenantable and serviceable repair and condition (fair wear and tear excepted)
- Not to use the property for purposes other than that for Telecentre purposes
- Not without the written consent of the lessor, which consent shall not be unreasonably withheld:-
 - to remove or (structurally) alter any buildings, erections or fences or construct any buildings now or hereinafter
 - to assign, transfer or part with the possession of the property
 - · to grant any license or easement for the use of the land

To permit the Lessor or its agents access at all reasonable times to examine the state of repair

To make good all defects/repairs which the Lessor or its Agents determine necessary within a reasonable period of time

Not to do or permit on the property anything which may be or become a nuisance to adjoining owners and occupiers

Not knowingly to do or permit on the property anything which may render insurance voidable

That all buildings and other structural improvements will remain the property of the lessor.

- 2. "Deed of Lease" subject to acceptance by the Boyup Brook Telecentre, being executed by the Shire President and Chief Executive Officer;
- 3. Seal of the Shire of Boyup Brook being placed on the "Deed of Lease" subject to clause 3 above.

CARRIED 8/0

7.3.6 Tsunami Disaster In Asian Region

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Will Pearce
Date Report Written: 09 February2005

Enabling Legislation: Local Government Act 1995

File: FM/25/008

Appendices: -

BACKGROUND:

The world is aware of the Tsunami disaster which took place on the 26 December 2004 causing an unprecedented disaster within the Asian region.

Council is requested to consider donating cash funds towards the victims of this tragedy.

DETAIL:

Although there are many agencies worldwide supporting the victims, the Shire President and the Chief Executive Officer decided to contribute \$1,000 from Council funds immediately following the disaster to help with purchasing tents and health kits for the victims.

A total shire donation of \$5,000 to the UN is being mooted in this report. In other words, a further \$4,000 is being requested of Council to be donated to the disaster relief programme.

COMMENT:

It is suggested that the above recommendation be considered.

MOVED: Cr Marshall SECONDED: Cr Blackburn

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

CARRIED 8/0

MOVED: Cr Blackburn SECONDED: Cr Oversby

That the Council close committee.

CARRIED 8/0

MOVED: Cr Downing SECONDED: Cr Moir

That:-

- 1. a further \$4,000 be donated to the United Nations to support relief programs following the 26 December 2004 Asian Tsunami disaster;
- 2. the allocation of 'Other' funds Schedule 4 of \$7,500 be reduced by \$5,000 and new allocation 'Tsunami Donation' being created with an allocation of \$5,000 in Schedule 4 of the 2004/2005 budget.

CARRIED 4/4

Cr Mondy has the casting vote and the motion was carried.

Cr Broadhurst requested that the vote of all Councillors be recorded.

For Against
Cr Mondy Cr Broadhurst
Cr Moir Cr Marshall
Cr Purse Cr Downing Cr Oversby

7.3.7 Boyup Brook Medical Services – Expansion of Administrative Working Hours

Proponent: Shire of Boyup Brook

Location: Boyup Brook Medical Services

Reporting Officer: Will Pearce
Date Report Written: 09 February2005

Enabling Legislation: Local Government Act 1995

File: PH/46/001

Appendices: 1.12 - Letter from Dr M Mel

BACKGROUND:

Dr Mel of the Boyup Brook Medical Services is seeking additional hours for administrative support for the service.

An increase from the current 40 hours per week to 56.5 hours per week is being requested.

DETAIL:

Please see appendices 1.12 being correspondence from Dr Mel providing detailed information on the reasons for this request.

The request for an increase in hours from 40 to 56.5 hours per week would appear to be justified. Yvonne Robinson from the Peel/South West Division of GPs advises that most solo GP Practices requires approximately 1.5 times the number of hours for administrative and reception support in relation to consultation hours.

The number of consultation hours of the surgery per week is approximately 37 hours. Therefore the 56.5 hours is justified.

The medical service staff also request a further discretionary additional 1 hour per day for the times when the surgery is busy. These additional hours will certainly be paid for by the extra patient numbers.

Dr Mel has also requested that the Council engages a project officer on a casual basis to input into the Medical Software the data provided through a recent patient survey of the community. A casual employee will cost approximately \$20 per hour.

The officer will work within the Shire Office using existing computer equipment on a part-time basis until the work is completed. A maximum of \$3,500 should be more than adequate for this work to be completed.

COMMENT:

The GP Working Group met with Dr Mel and Ms L Daleboudt on 01 February 2005 to discuss these various issues.

The Group was comfortable with these requests. As the current income figures for the surgery being slightly higher than budgeted projections, the above increases in administrative hours and the one off project officers expenses would should be financially sustainable.

That:-

- 1. the Boyup Brook Medical Service reception and administrative hours be increased from 40 to 56.5 hours per week with a further discretionary additional number of hours of up to 1 hour per day (Public Holidays paid at 7.6 hours per day pro-rata) as at 17 January 2005;
- 2. a casual project officer be engaged to data input the details from a recent patient survey at a maximum cost of \$3,500.

MOVED: Cr Broadhurst SECONDED: Cr Oversby

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

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Downing

That the Council close committee.

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Broadhurst

That:-

- 1. the Boyup Brook Medical Service reception and administrative hours be increased from 40 to 56.5 hours per week with a further discretionary additional number of hours of up to 1 hour per day (Public Holidays paid at 7.6 hours per day pro-rata) as at 17 January 2005;
- 2. a casual project officer be engaged to data input the details from a recent Medical Service patient survey at a maximum cost of \$3,500;
- 3. a laptop computer installed with Genie medical software be purchased to the value of \$1,360.

CARRIED 8/0

7.3.8 <u>Local Laws Amendments</u>

Proponent: Shire of Boyup Brook

Location:

Reporting Officer: Will Pearce
Date Report Written: 10 February2005

Enabling Legislation: Local Government Act 1995

File: CM/29/003 Appendices: 1.13 – letters

BACKGROUND:

The Council's current local laws were gazetted on 3 February 2004.

Immediately following their gazettal, the Joint Standing Committee on Delegated Legislation advised the Council of a number of errors and deletions that are now required – refer to appendix 1.13.

WALGA also wrote to the Council advising of further amendments require action – refer to appendix 1.13.

It is now necessary to make these amendments.

DETAIL:

The correspondence details the action to be taken.

However, it is opportune to reconfirm the Council's 18 November 2004 meeting resolution where the Council resolved:-

'That the Chief Executive Officer give public notice under section 3.12 of the Local Government Act 1995 of the intention to amend local law on Standing Orders according to the following:-

1 Clause 4.2 – last statement to be replaced with-

Each set of minutes of the full Council meeting shall be signed and dated by the President or person presiding over the meeting as prescribed by the Act on the last page of the minutes.

2 Clause 5.1 to be replaced with-

The order of business of an ordinary meeting of Council shall be:

- (a) Record of Attendance/Apologies/Leave of Absence Previously Approved;
- (b) Public Question Time from the public, limited to a total of fifteen minutes of duration, except by consent of the President. Each speaker will be limited to three minutes duration to speak, except by consent of the President;
 - (i) Response to previous public guestions taken on notice
 - (ii) Public Question Time
- (c) Applications for Leave of Absence;
- (d) Petitions/Deputations/Presentations/Reports;
- (e) Confirmation of the minutes of Previous Meeting & Special Meeting;
- (f) Presidential communications;
- (g) Reports of Officers and Committees;
- (h) Petitions and Memorials;
- (i) Motions of Which Previous Notice has been Given;
- (i) Urgent Business;

(k) Closure of Meeting.'

Clause 2.2 of the Standing Orders relating to calling of special or emergency meetings only allows notification options of either telephone of fax. It might be prudent to now allow the use of email as a means of communication.

COMMENT:

Under the Local Government Act 1995 a summary of the purpose and effect of the proposed local law is to be read aloud by the person presiding.

It is suggested that the above recommendation is considered.

MOVED: Cr Purse SECONDED: Cr Marshall

That the Chief Executive Officer gives public notice under section 3.12 of the Local Government Act 1995 of the intention to make an Amendment Local Law to include:-

Activities in Thoroughfares and Public Places and Trading Local Law, published in the *Government Gazette* of 3 February 2004

clause 2.1(a) reference to '6m' to read '6 metres", clause 10.1 reference to 'loc.l government' to read 'local government'

- Local Government Property Local Law, published in the *Government Gazette* of 3 February 2004

clause 8.4(2) be deleted, change clause '8.4(3)' to '8.4(2)'

- Local Laws Relating to Fencing, published in the *Government Gazette* of 3 February 2004

clause 4 'notice of breach' definition reference to 'clause 15(1)' to read 'clause 16(1)'

- Parking and Parking Facilities Local Law, published in the *Government Gazette* of 3 February 2004

clause 1.3 reference to '1742.11-1989' to read '1742.11-1999'

clause 3.7(2) be replaced with 'a person shall not remove a mark or deface or alter a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated'

clause 3.5(2) the opening words "a person shall not park a vehicle so that any portion of that vehicle is:" to be replaced with the words "Subject to any laws relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is:"

clause 8.2 - be deleted, change clause 8.3 to 8.2

- Bush Fire Brigades Local Laws, published in the *Government Gazette* of 3 February 2004

clause 3.6 of the main body to read 'Holding of annual general meeting - A bush fire brigade is to hold its annual general meeting during the month of March or April each year.'

- Standing Orders, published in the Government Gazette of 19 November 1997

clause 2.2 after the word 'facsimile' add the words 'or email' clauses 4.2 and 5.1 be amended as resolved at the Council's 18 November 2004 meeting

CARRIED 8/0

7.3.9 Accounts for Payment and Financial Status

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Keith Jones

Date Report Written: 09 December 2004

Enabling Legislation: Local Government Act 1995

File: FM/10/003

Appendices: 1.14 & 1.15 - Payments

BACKGROUND:

A monthly report is presented for consideration.

DETAIL:

The accounts for payment up to 31 December 2004 are attached (see appendix 1.14 & 1.15).

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

•	Salaries for the month of Dec 2004	\$ 100897.84
•	Lease of Photocopier	\$ 415.06
•	Lease of Roller	\$ 1,197.61
•	Internet Access Fee	\$ 40.00
•	FlexiRent Computer	\$ 2088.00
•	Rent MFA	\$ 240.00
•	A Hales –Contractor	\$ 1792.00

The accounts for payment up to 31 January 2005 are attached (see appendix 1.15).

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

•	Salaries for the month of Jan 2005	\$ 65878.00
•	Lease of Photocopier	\$ 415.06
•	Lease of Roller	\$ 1,197.61
•	Internet Access Fee	\$ 40.00
•	FlexiRent Computer	\$ 2088.00
•	Rent MFA	\$ 160.00
•	A Hales –Contractor	\$ 577.50
•	Fesa Levy	\$ 1546.60
•	Purchase of laptops	\$ 4400.00

The Account Balances for the various accounts as at 31 December 2004 are as follows:-

•	Municipal Account	\$ 351,237.04
•	Shire Clerk Advance	\$ 9048.33
•	Shire Medical Account	\$ 54143.61
•	Trust Account	\$ 37,977.59

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

•	Municipal Account	\$ 300957.56
•	Shire Clerk Advance	\$ 7481.33
•	Shire Medical Account	\$ 18166.98
•	Trust Account	\$ 32977.59

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

•	Reserves Account Term Deposit	\$ 646,358.63	@5.12%
•	Investment	\$ 600,000.00	@5.12%

As at 11 February 2005 the following amount of rates were outstanding:-

Boyup Brook Ward Benjinup Ward Dinninup Ward Scotts Brook Ward	\$ \$ \$	63689.30 47370.28 29121.72 28627.69
<u>TOTAL</u>	\$	168808.99
Sundry Debtors at 11 February 2005	\$	61360.17
Sundry Creditors at 11 February 2005	\$	NIL

(please note that cheques for payment of fees and travel expenses to Councillors will be presented at the meeting)

MOVED: Cr Downing SECONDED: Cr Oversby

That the accounts as:-

- 1 presented totalling \$304102.35 voucher numbers for payment; 12753-54, 12847-12851, 12863-12944, 1881-1888, 12853,12856,12861-62,12945-13014,
- 2 paid by direct payments through the Municipal Account, the Chief Executive Officer's Advance Account and Trust,

be endorsed for payment.

CARRIED 8/0

7.3.10 Quarterly Financial Report for December 2004

Proponent: Shire of Boyup Brook

Location: -

Reporting Officer: Keith Jones
Date Report Written: 8 February 2005

Enabling Legislation: Local Government Act 1995

File: FM/10/003

Appendices: 1.16 - Quarterly Figures

BACKGROUND:

The quarterly financial statements for the December 2004 period are laid on the table and circulated (refer to appendix 1.16).

MOVED: Cr Purse SECONDED: Cr Oversby

That the Financial Statements for the December 2004 quarter be received.

CARRIED 8/0

7.3.11 Direct Electronic Payments

Proponent: Shire of Boyup Brook

Location:

Reporting Officer: Keith Jones
Date Report Written: 8 February 2005

Enabling Legislation: Local Government Act 1995

File: FM/01/002

Appendices: -

BACKGROUND:

Changes to the way modern accounting and banking is handled necessitates the need to review Council's current policy.

DETAIL:

The current policy is as follows:

'AUTHORITY TO INCUR DEBTS AND MAKE PAYMENTS

Objective

To provide a control mechanism and guidelines for:-

- 1 The process for the authorisation, approval and payment, of accounts for debts incurred on behalf of the Council;
- 2 a cheque advance system for the payment of selected expenses.

Statement

That the CEO ensures that appropriate procedures are in place for the authorisation, approval, and payment, of accounts for debts incurred on behalf of the Council.

In implementing such procedures:-

each payment of account is to be listed on a schedule compiled on a monthly basis and presented to the next ordinary Council meeting following the preparation of the schedule showing the payees name, amount, date, and information to identify the transaction;

- 2 payments made by cheque, excepting the CEO Advance Account, shall be signed jointly by the Shire President (or his Deputy), any one other Councillor and the CEO;
- 3 before payment of an account, a determination is made that:
 - the relevant debt was incurred only by persons authorised to do so by the CEO
 - the goods or services to which each account relates were provided in a satisfactory standard or condition
- 4 all payments are to be made in a manner which allows identification of:-
 - > The method of payment
 - > The authority for payment
 - > The identity of the person who made the payment
- an Advance Account of \$25,000 in a separate bank account may be operated on the impress system by the Chief Executive Officer's signature, or in his absence, the Manager of Finance and Administration's signature, for the use in the payment of:-
 - > Refunds of overpayment, deposits and bonds.
 - Postage.
 - > Salaries and wages.
 - Recoup of petty cash.
 - Payment of accounts where discount is applicable,
 - Essential payments on works previously authorised by Council, including contractual payments.
 - Payments of accounts previously authorised by Council.
 - > Nomination fees and expenses for delegations and deputation's, including authorised expenses.
 - > Shire vehicle licenses.
 - Loan repayments.
 - > Special emergency payments as authorised by the Shire President'

COMMENT:

The amendment is partly to update the current practice of making payments for monthly accounts through the direct debits system at the bank and to also take advantage of the electronic payment system.

The benefits to Council are:

1 Electronic payment allows for a cheaper method of paying the creditors,

- a quicker and more efficient payment system compared to the cheque printing process that is currently operating.
- Offering a better payment service to creditors. (An alternative for this would be to provide two cheque print runs per month.)

It is suggested that the Council Policy for "AUTHORITY TO INCUR DEBTS AND MAKE PAYMENTS" include at point 6:-

'Payments made by electronic transfer through the Shire bank accounts which include, Payroll, monthly leases and contracts, loan repayments and purchases made through suppliers that will only accept the payment by electronic transfer, shall be made jointly by the Shire President (or his Deputy) and the CEO (or in his absence, the Manager of Finance and Administration.'

MOVED: Cr Purse SECONDED: Cr Broadhurst

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

CARRIED 8/0

MOVED: Cr Purse SECONDED: Cr Oversby

That the Council close committee.

CARRIED 8/0

MOVED: Cr Blackburn SECONDED: Cr Downing

That the Council Policy for "AUTHORITY TO INCUR DEBTS AND MAKE PAYMENTS" include at point 6:-

'Payments made by electronic transfer through the Shire bank accounts shall require any two passwords which are held by designated persons for the purpose of:-

- goods and services equal to or above the value of \$5,500 (inclusive of GST)
 made through suppliers that are able to accept the payment by electronic
 transfer. Authorisation shall be made jointly by the Shire President (or in his
 absence any other Councillor) and the Chief Executive Officer (or in his absence,
 the Manager of Finance and Administration or the Manager of Works and
 Services);
- 2. goods and services below the value of \$5,500 (inclusive of GST) made through suppliers that are able to accept the payment by electronic transfer and payroll. Authorisation shall be made jointly by any two of the following CEO, Manager of Finance and Administration, Manager of Works and Services and the Shire President.

CARRIED 8/0

8 PETITIONS AND MEMORIALS

Nil

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

10.1 Music Park

MOVED: Cr Purse SECONDED: Cr Blackburn

That a sub-meter to monitor water consumption and a back-flow valve be installed in the new water line at the Music Park on Jackson Street at the Country Music Club's expense.

CARRIED 8/0

10.2 TIRES Funding

MOVED: Cr Moir SECONDED: Cr Purse

That the Council receives an unbudgeted TIRES grant to the value of \$192,500 subject to contributing one third of this amount in the 2005/06 budget for the purposes of upgrading identified plantation harvest roads.

CARRIED 8/0

10.3 Repairs to Flax Mill Shed

MOVED: Cr Blackburn SECONDED: Cr Downing

That quotes be obtained for both the repairing of the roof and the demolition of the Green Room shed at the Flax Mill.

CARRIED 7/1

10.4 <u>Cemetery Records</u>

MOVED: Cr Blackburn SECONDED: Cr Broadhurst

That the cost of placing the Cemetery Records on the Shire of Boyup Brook's website be investigated.

CARRIED 8/0

11 CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 6.05pm.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 17 FEBRU	JARY 2005
These Minutes and Schedule of Accounts were confirmed on the 17 March 2005.	by the Council at the Council Meeting held
These Minutes and Schedule of Accounts were confirmed on the 17 March 2005.	by the Council at the Council Meeting held Cr Terry Ginnane, Shire President
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