Minutes



ORDINARY MEETING held

THURSDAY 15 September 2016 Commenced AT 5.03PM

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 G Aird – Deputy Shire President

Cr N Blackburn

Cr J Imrie

Cr P Kaltenrieder

Cr K Moir

Cr E Muncey

Cr E Rear

STAFF: Mr Stephen Carstairs (Director Corporate Services)

Mr Rob Staniforth-Smith (Director of Works & Services)

Ms Kerry Fisher (Manager of Finance) Mrs Maria Lane (Executive Assistant)

1.2 Apologies

Mr Alan Lamb

1.3 <u>Leave of Absence</u>

Cr T Oversby

2 PUBLIC QUESTION TIME

Nil

2.1 Response to Previous Public Questions Taken on Notice

3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

4 PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Cr Imrie informed Council that a shed has been erected at the Museum

Cr Imrie informed Council that the Museum held a raffle for Fathers Day and \$5000.00 was raised.

Cr Imrie attended the Sandakan service held on 13th September.

Cr Aird attended morning tea on 1st September at the Community Resource Centre where Minister for Regional Development, Hon Terry Redman MLA made a Royalties for Regions funding announcement regarding CRC's.

Cr Aird attended the Southwest Regional Waste Group meeting held on 2nd September with Director Corporate Services. The City of Busselton delivered a presentation on the background information of the Strategy document and the Site Investigation undertaken and provided a brief overview and major findings, recommendations and outcomes of each of those studies.

Cr Kaltenrieder attended the Community Resource Centre on 1st September regarding Terry Redman's announcement.

Cr Kaltenrieder attended the Community Resource Centre meeting.

Cr Kaltenrieder attended the dinner at the Bridgetown Hotel on 12th September 2016.

Cr Kaltenrieder attended the Sandakan service and congratulated Staff for assisting with the service.

Cr Blackburn informed Council that nominations are available at the Office for Australia Day Awards and to get the message out.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council - Thursday 25 August 2016

COUNCIL DECISION & OFFICER RECOMMENDATION - Item 5.1

MOVED: Cr Kaltenrieder SECONDED: Cr Muncey

That the minutes of the Ordinary Meeting of Council held on Thursday 25 August 2016 be confirmed as an accurate record.

CARRIED 8/0 Res 108/16

6 PRESIDENTIAL COMMUNICATIONS

Attended the dinner at the Bridgetown Hotel on 12th September 2016 with Councillors and the Sandakan visitors.

Attended the Civic Reception and Sandakan service on 13th September 2016.

Cr Giles thanked Cr Aird for attending the various meetings in his absence.

Attended the Regional Road Group meeting in Bunbury on 29th August in Bunbury.

7 COUNCILLORS QUESTIONS ON NOTICE

Nil

8 REPORTS OF OFFICERS

8.1 MANAGER WORKS & SERVICES

8.1.1 Tender No 016-003 – Supply of Asphalt and Bitumen – 12 month contract

Location: N/A

Applicant:

File:

Disclosure of Officer Interest: None

Date:12th of September, 2016Author:Rob Staniforth-Smith

Authorizing Officer: Alan Lamb

Attachments: Qualitative Criteria Assessment, rate

Comparison and 'tendered rates' in "Confidential Attachment (commercially

sensitive)"

SUMMARY

The 2016/2017 Construction budget and programme has in excess of \$300,000 worth of bitumen and asphalt placement works.

Prices were requested for these works for a 12 month period based on a schedule of rates using WALGA's E Quotes system

This report recommends that the Council approve the quotation as shown in the commercial sensitive attachments to Fulton Hogan Industries.

BACKGROUND

The Council's purchasing policy, F03, requires that for prices over \$150,000 that Council goes to public tender. WALGA's preferred supplier list allows for the tender process to be waived in lieu of seeking quotations from suppliers on WALGA's 'preferred supplier list'.

In this case WALGA's preferred Supplier list was used to seek quotations from 4 suitably qualified contractors, being:

- Fulton Hogan Industries
- Malatesta Road paving
- Boral Resources
- Colas West Australia

The tendered rates were then put into Councils "approximate" 2016/2017 Works Programme volumes and then these were used to evaluate tenders in the "cost

rating" portion of the 'tender matrix". Demonstrated Experience and Capability were accessed from documentation provided and previous experience with the contractors.

COMMENT

On assessment of the 'tender assessment matrix', Councils Officers recommends Fulton Hogan Industries be awarded the tender as they have the highest "matrix" score, primarily due to them being cheaper on their pricing of Councils works.

CONSULTATION

CEO Alan lamb, Technical Officer, Ceri Hurley

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Purchasing Policy F03

BUDGET/FINANCIAL IMPLICATIONS

Allowed for in the budget in the separate construction projects.

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 Moir SECONDED: Cr Rear

That the quotation submitted by Fulton Hogan Industries be approved by Council for the supply and placement of asphalt and bituminous services for the 12 month period, 01/10/2016 to 30/09/2017.

CARRIED 8/0 Res 109/16

COUNCIL DECISION

MOVED: Cr Moir SECONDED: Cr Rear

That the Council adopts enbloc 8.2.1, 8.2.2 and 8.2.3.

CARRIED 8/0 Res 110/16

8.2 **FINANCE**

8.2.1 List of Accounts Paid in August 2016

Location: Not applicable Applicant: Not applicable

Disclosure of Officer Interest: None

Date: 05 September 2016

Author: Stephen Carstairs – Acting CEO **Authorizing Officer:** Stephen Carstairs – Acting CEO Attachments:

Yes - List of Accounts Paid in August

2016

SUMMARY

In accordance with the Local Government (Financial Management) Regulations 1996 the list of accounts paid in August 2016 are presented to Council.

BACKGROUND

This report presents vouchers (e.g. accounts and invoices) received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 August 2016.

COMMENT

The attached listing represents vouchers (e.g. accounts and invoices) the shire paid by cheque or electronic means during the period 01 to 31 August 2016.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

- 12. Payments from municipal fund or trust fund
 - (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.
- 13. Lists of accounts
- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
 - (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS

Council's *Authority to Make Payments Policy* has application.

BUDGET/FINANCIAL IMPLICATIONS

Account payments accorded with the 2016-17 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.1

That at its September 2016 ordinary meeting Council receive as presented the list of accounts paid in August 2016, totalling \$502,033.00 and as represented by:

Municipal Cheques	19988-19997	\$75,574.64
Municipal Electronic Payments	4404-4478	\$254,029.89
Municipal Direct Payments	2548-2585 131038	\$172,428.47
Trust Fund Cheques	NIL	NIL

CARRIED BY ENBLOC

Res 111/16

8.2.2 31 July 2016 Statement of Financial Activity

Location: Not applicable

Applicant: Not applicable

Disclosure of Officer Interest: None

Date: 05 September 2016

Author:Stephen Carstairs – Acting CEOAuthorizing Officer:Stephen Carstairs – Acting CEOAttachments:Yes – July 2016 Financial Reports

SUMMARY

This report recommends that Council receive the Statement of Financial Activity and Net Current Assets for the month ended 31 July 2016.

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 *Statement of Financial Activity*.

The regulations also prescribe the content of the reports, and that details of items of Material Variances shall also listed.

COMMENT

It is a statutory requirement that the statement of financial activity be prepared each month (Regulation 34.(1A)), and that it be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates (Regulation 34.(4)(a)).

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 34.(1A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(4)(a)

POLICY IMPLICATIONS

Council's F.07 *Material Variance in Financial Activity Statement Reporting* policy has application.

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.2

That having regard for any material variances, Council receive the 31 July 2016 Statement of Financial Activity and Statement of Net Current Assets, as presented.

CARRIED BY ENBLOC

Res 112/16

8.2.3 31 August 2016 Statement of Financial Activity

Location:Not applicableApplicant:Not applicable

Disclosure of Officer Interest: None

Date: 05 September 2016

Author:Stephen Carstairs – Acting CEOAuthorizing Officer:Stephen Carstairs – Acting CEO

Attachments: No

SUMMARY

This report recommends that Council defer to the October 2016 ordinary meeting of Council the receiving of the Statement of Financial Activities and the Net Current Assets for the month ended 31 August 2016.

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 *Statement of Financial Activity*.

The regulations also prescribe the content of the reports. Details of items of Material Variances are also listed.

COMMENT

It is a statutory requirement that the statement of financial activity be prepared each month (Regulation 34.(1A)), and that it be presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates (Regulation 34.(4)(a)).

As Corporate Services staff are currently finalizing the shire's 2015-16 Annual Statements for a 30 September deadline, and because of staffing shortfall in late August and early September 2016, it is proposed that the 31 August 2016 Statement of Financial Activity be deferred to the October 2016 ordinary meeting.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulation 33(A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(1A)

Local Government (Financial Management) Regulations 1996, Regulation 34.(4)(a)

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 8.2.3

That receipt by Council of the shire's 31 August 2016 Statement of Financial Activity and Statement of Net Current Assets be deferred to Council's October 2016 ordinary meeting.

CARRIED BY ENBLOC

Res 113/16

8.3 CHIEF EXECUTIVE OFFICER

8.3.1 Subdivision Application (WAPC Ref 154076) – Lots 112, 1858 and 7866 Ritson Road, Mayanup

Lots 112, 1858 and 7866 Ritson Road,

Nil

Mayanup.

Applicant: P Reid

Owner: R & E Ritson

File: A4473

Disclosure of Officer Interest:

Date: September 2016

Author: A. Nicoll, Town Planner

Authorizing Officer: Alan Lamb, Chief Executive Officer

Attachments: Nil

SUMMARY

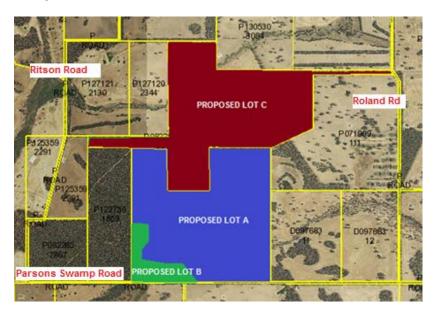
Council is requested to agree to advise the WAPC to support the proposed 'Rural' subdivision, for Lots 112, 1858 and 7866 Ritson Road, Mayanup.



The following map indicates the current location and configuration of the subject lots.



The subdivision proposes to retain the number of lots (3 lots) in a different configuration as follows:



BACKGROUND

The Western Australian Planning Commission received an application requesting approval to subdivide Lots 112, 1858 and 7866 Ritson Road, Mayanup.

The Western Australian Planning Commission forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions pertinent to the application by the 27 September 2016.

CONSULTATION

Staff at the Shire consulted with the applicant to ascertain reasons for the proposed subdivision. As explained by the applicant, the purpose of the subdivision is to transfer ownership of the proposed Lot A, whilst maintaining dwelling and lot entitlements at proposed Lots B and C and remnant vegetation within proposed Lot C.

COMMENT

The subdivision is proposing to maintain the same number of lots (3 lots).

The proposed boundary realignments are founded on the natural and built characteristics of the land. The boundary for proposed Lot C has been aligned to capture areas of remnant vegetation. The boundary for proposed Lot B has been aligned to capture an existing dwelling and follows an alignment between vegetation and cleared land.

Under the current lot configuration, Lot 7866 is land-locked. Access to the Lot 7866 is maintained via an easement over an adjacent property. The revised layout enables legal road frontage to all the proposed lots.

The proposed subdivision is not expected to impact on farming practices.



STATUTORY OBLIGATIONS

Shire Local Planning Scheme 2

The subject properties are zoned 'Rural' in accordance with the Shire of Boyup Brook *Local Planning Scheme 2*.

The proposal to realign the property boundaries has regard to:

- The need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy (Scheme clause 5.2.1i);
- The need to protect the area from uses which will reduce the amount of land available for agriculture (Scheme clause 5.2.1ii); and
- The need to preserve the rural character and rural appearance of the area (Scheme clause 5.2.1iii).

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 SEPTEMBER 2016

POLICY IMPLICATIONS

There are no policy implications relating to this item. The proposal complies with the Western Australian Planning Commission's Development Control Policy 3.4 as

follows:

Subdivision to realign lot boundaries with no increase in the number of lots

and where the resultant lots will not adversely affect rural land uses (DC

Policy 3.4 – Provision 6a).

BUDGET/FINANCIAL IMPLICATIONS

There are no Budget or Financial implications relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

CONCLUSION

The proposed subdivision of Lots 112, 1858 and 7866 Ritson Road, Mayanup, complies with the Shires Local Planning Scheme 2 and the Commissions

Development Control Policy 3.4, (provision – 6a) on the following grounds:

Subdivision to realign lot boundaries with no increase in the number of lots

and where the resultant lots will not adversely affect rural land uses.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 8.3.1

MOVED: Cr Aird

SECONDED: Cr Blackburn

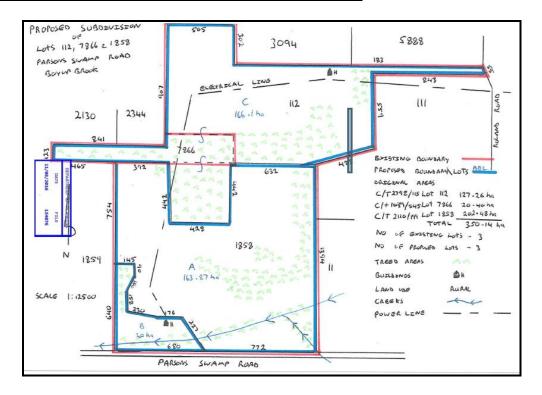
That Council

Agree to advise the Western Australian Planning Commission to support

the proposed 'Rural' subdivision/boundary realignment, with no conditions.

Proposed Subdivision

18



CARRIED 8/0

Res 114/16

8.3.2 New and Reviewed Administration Policies

Location: Shire Boyup Brook

Applicant: N/A

File: CM/43/001

Disclosure of Officer Interest: None

Date: 07 September 2016

Author:Stephen Carstairs – Acting CEOAuthorizing Officer:Stephen Carstairs – Acting CEO

Attachments: Yes: Current Administration Policy A.01 and

Newly Proposed Administration Policies

A.01 and A.19

SUMMARY

Council is requested to consider and adopt reviewed or newly drafted Administration policies as follows:

- A.01 Senior Employees; and
- A.19 Equal Employment Opportunity, a proposed new policy.

Amendments to policy A.01 are proposed so as to align the policy with the shire's current organisation structure which now has the Manager of Finance (alternate title: Finance Manager) reporting to the Director of Corporate Services. When appointed, neither the Finance Manager nor the Director of Corporate Services were engaged as "senior employees".

BACKGROUND

Policy A.01 Senior Employees

Since the last variation date (21 December 2007) of policy A.01 Senior Employees, the shire's organisation structure has undergone a number of changes, including being serviced by: a Manager of Corporate Services and then Director of Corporate Services; to now being serviced by a Finance Manager (FM) reporting to the Director of Corporate Services (DCS). When appointed, neither the FM nor the DCS were engaged as "senior employees".

Proposed Policy A.19 Equal Employment Opportunity

Section 145 of the *Equal Opportunity Act 1984* (EO Act) requires public sector agencies to prepare and implement an equal employment opportunity (EEO) management plan. Public authorities must lodge their EEO management plans with the Director of Equal Opportunity in Public Employment (DEOPE).

Among other thing, the DEOPE must be satisfied that EEO management plans include initiatives to meet the following sections of the EO Act:

- Provision for policy and programme design and implementation (to meet the objects of Part IX of the EO Act) [s145(2)(a)];
- Strategies to communicate policies and programmes [s145(2)(b)]; and
- Collection and recording of diversity data [s145(2)(c)].

COMMENT

Policy A.01 has been revised so as to align it with the shire's current organisation structure. Policy A.19, on the other hand, has been drafted so as to accord with Section 145 of the EO Act.

CONSULTATION

Chief Executive Officer

STATUTORY OBLIGATIONS

Both Section 5.37 of the *Local Government Act 1995* and Section 145 of the *Equal Opportunity Act 1984* have application to this report.

5.37. Senior employees

(1) A local government may designate employees or persons belonging to a class of employee to be senior employees.

POLICY IMPLICATIONS

This item impacts no other policies.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

The new and reviewed policies presented here seek to provide officers with guidance on employee relations management.

SUSTAINABILITY IMPLICATIONS

- > Environmental Nil
- ➤ Economic Nil
- ➤ Social Nil

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 8.3.2

MOVED: Cr Muncey SECONDED: Cr Kaltenrieder

That Council adopts amended and newly drafted administration policies as follows:

- A.01 Senior Employees (amended); and
- F.04 Equal Employment Opportunity (newly drafted),

as presented.

CARRIED 8/0 Res 115/16

9 COMMITTEE MINUTES

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

The President noted the following late items to the meeting and, without dissent, agreed to deal with them.

11.1.1. Urgent Business – Heavy Haulage Route Assessment Network 3 to Network 4

Location: N/A

Applicant:

File:

Disclosure of Officer Interest: None

Date:15h of September, 2016Author:Rob Staniforth-Smith

Authorizing Officer: Alan Lamb

Attachments: Letter from Main Roads – "2016 Grain

Harvest RAV Route Assessments"

Current RAV 4 roads in the Shire of Boyup

brook

Prime Mover trailer combinations and

heavy vehicle mass charts.

SUMMARY

This report recommends that Council advises Main Roads Western Australia to review Councils RAV Network 2 and 3 roads and where suitable upgrade them to RAV Network 4.

BACKGROUND

The States road system is categorised into 10 category's that allow different vehicle combinations to use these roads if they comply – see attachment.

Typically bulk freight is carted in either B Doubles (network 2) or a pocket road train with a tandem dolly under the front of the rear trailer (network 3) vehicles.

Increasingly operators and farmers are requesting that our roads be increased to Network 4 roads or are operating Network 4 vehicles on our Network 3 roads without authority.

Increasing a road network from a RAV 3 to a RAV 4 allows the use of a "tri axle" dolly in lieu of the network 3 "tandem dolly". The pros for this are:

- Increased Maximum permissible mass of 87.5 tonnes from 84 tonnes thus decreasing number of vehicles
- Decreased maximum permissible mass per single axle loading on the dolly
 20 tonne over 3 axles (6.7 tonnes per axle) compared to 16.5 tonne over
 2 axles (8.25tonnes per axle)

The cons against this are

 The additional axle will cause additional "scuffing" to the road surface when turning

COMMENT

Transport operators and farmers are continually looking for cheaper forms of carting ever increasing farming inputs and outputs – this is usually in the form of managing their vehicles such that they can carry the maximum permissible legal load allowed – in his case by increasing the road network to a network and obtaining an extra 3.5 tonnes capacity.

The addition of the RAV network 2 and 3 roads to the RAV network 4 will help form a connected RAV 4 network, connecting the existing network 4 roads to each other and the highways – see attachment of existing RAV Network 4 roads.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Nil

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Environmental

Nil

Economic

Nil

Social

There are no known significant social issues.

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION

MOVED: Cr Moir SECONDED: Cr Kaltenrieder

That Council Officers request Main Roads, WA to undertake reviewing and updating all current RAV network 2 and 3 roads to RAV 4 roads in the Shire of Boyup Brook.

CARRIED 8/0 Res 116/16

12 CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

Nil

13 CLOSURE OF MEETING.

There be no further business the Shire President, Cr Giles thanked all for attending and declared the meeting closed at 5.26pm.