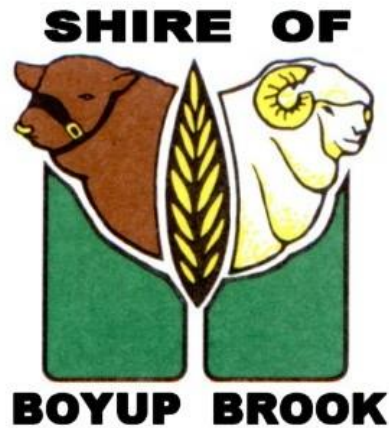


# Minutes



**SPECIAL MEETING**

held

**TUESDAY 7 July 2020**  
**Commenced AT 5:15PM**

**SHIRE OF BOYUP BROOK**  
**CHAMBERS**  
**ABEL STREET-BOYUP BROOK**

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

**1.1 Attendance**

Cr R Walker - Shire President  
Cr S Alexander  
Cr P Kaltenrieder  
Cr H O'Connell  
Cr T Oversby  
Cr A Price  
Cr E Rear

STAFF: Mr P Dittrich (A/CEO)  
Ms V Crispe (Coordinator Works, Projects, and Assets)  
Mrs M Lane (Executive Assistant)

**1.2 Apologies**

Cr Moir

**1.3 Leave of Absence**

**2 DISCLOSURE OF INTEREST**

Cr Rear declared an impartiality interest in item 4.1

**3. MANAGER WORKS & SERVICES**

**3.1 Emergency Repairs Bridge 3306 Jayes Road**

<b>Location:</b>	<i>Bridge 3306 Jayes Road</i>
<b>Applicant:</b>	<i>MRWA</i>
<b>File:</b>	<i>Bridge</i>
<b>Disclosure of Officer Interest:</b>	<i>None</i>
<b>Date:</b>	<i>3 July 2020</i>
<b>Author:</b>	<i>Vanessa Crispe – Coordinator Works, Projects and Asset.</i>
<b>Authorizing Officer:</b>	<i>Peter Dittrich – Acting Chief Executive Officer</i>
<b>Attachments:</b>	<i>none</i>

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**SUMMARY**

Bridge 3306 Jayes Road has been closed since 18 May 2020 to undertake emergency repairs. These repairs have now identified several further emergency repairs required to be undertaken or if not addressed will deem the bridge unfit for purpose thus being closed permanently.

MRWA is unable to directly engage Jonor Construction to undertake the repairs due to the limitation on the magnitude of variations allowed in the current

contract. MRWA are proposing that the Shire of Boyup Brook engage Jonor Construction to undertake these emergency repairs.

On completion of the emergency repairs, Jonor Construction would invoice the Shire of Boyup Brook. The Shire of Boyup Brook would then invoice MRWA for the total emergency repair costs.

If Jonor Construction can be engaged without delay, these additional emergency repairs could commence early July 2020 as Jonor Construction are currently on site working on existing emergency repairs with a new proposed completion date of approx. 22 July 2020. This new completion date would only be for VSR rate vehicles only, whereas extra mass vehicle would still not be allowed to cross the bridge.

## **BACKGROUND**

### **Scheduled Repairs for the 2019/2020 financial period**

Based on the 2016 Detailed Inspection Report, structural repairs were scoped and funded for 2019/2020. These repairs included Pier 5 Pile 3, there were also extensive waler replacements in Pier 4 to 11 inclusive. Enviro Infrastructure Private Limited was engaged by MRWA to undertake these repairs. Work commenced on 10 February 2020 and were completed on 26 April 2020, during the waler replacements, it was reported by the contractor and the MRWA surveillance staff that there were several pier piles in poor condition. Based on the visual inspection, these piles required immediate repair to enable the bridge to be opened **(Emergency Repairs A)**.

### **Emergency Repairs A**

On completion of the scheduled 2019/2020 repairs by Enviro Infrastructure Private Limited, MRWA engaged Jonor Constructions to carry out the emergency repairs to the following piles:

- Pier 4 Pile 3
- Pier 5 Pile 1 & 2
- Pier 6 Pile 1, 2 & 3
- Pier 7 Pile 1, 2 & 3

Work commenced approx. 18 May 2020 and is currently planned for completion on 31 July 2020. To date 5 of the 9 pile repairs have been completed with 4 remaining. Since starting the repairs, the water levels in the Blackwood River have risen by approx. 1m resulting in a change of repair method being required. Previously shoring boxes were used around the pile with water being pumped out to facilitate the repair. After the increase in water levels, divers have been utilised to cut the timber piles off below the water line and place the steel replacement section, reinforcement and replace the formwork to the base. This change of repair method has resulted in a slower rate of progress and higher costs (note: this type of structural repairs is not normally carried out in winter in deep river systems)

Although the Shire has closed the bridge throughout the emergency repairs, it has been noted that unknown people have been removing the barriers and using the bridge. This is a very risky activity and could result in failure of the bridge. Accordingly, Jonor Construction were asked to place water filled barriers across

the road at both abutments. While these repairs have been in progress, the MRWA inspection crew carried out detailed inspection and drilling of the timber piles on 16 June 2020. This inspection has identified some additional piles that require emergency repair (**Emergency Repairs B**).

#### **Emergency Repairs B**

- The following three piles require emergency repairs:
  - Pier 3 Pile 1
  - Pier 10 Pile 1
  - Pier 11 Pile 3

MRWA has requested Jonor Contracting to provide a price to undertake these additional pile repairs, however, MRWA is unable to directly engage Jonor to undertake the repairs due to the limitation on the magnitude of variations allowed in the current contract. So that these repairs can be completed and while the current contractors are on site MRWA have proposed that the Shire engage Jonor Construction to undertake these emergency repairs. Main Roads has estimated that the work will be in the order of \$57,289.42. A quote has been requested, by Main Roads, from Jonor and will be provided if received prior to the meeting.

On completion, Jonor Construction would invoice the Shire, and the Shire would then invoice MRWA. If Jonor Construction can be engaged without delay, these additional emergency repairs could commence early July 2020 with a proposed completion date of approx. 22 July 2020. Once these repairs have been completed, it is expected that the bridge can be opened to traffic at VSR capacity only. VSR stands for Vehicle Standard Regulations and means that as-of-right vehicles can use the bridge whereas extra mass vehicle would not be allowed to cross the bridge.

#### **Emergency Repairs C**

MRWA are currently undertaking a load rating of the piles based on the detailed inspection undertaken on the 16 June 2020. The load rating is complex as it involves modelling the rot annulus in the centre of the piles as well as the segmentation caused by splitting in the piles. Once this assessment has been completed, there may be further pile repairs required to restore the bridge capacity from VSR to full capacity.

It is anticipated that these repairs would be undertaken in the summer of 2020/21 when the water levels have receded to allow the use of conventional pile repair methodology. Once the scope of these repairs are known, MRWA will liaise with the Shire regarding timing and costs.

#### **COMMENT**

Ideally all these repairs (scheduled and emergency) should have been included in the scope of the scheduled repairs for 2019/20. Notwithstanding the 4 years that have lapsed since the 2016 Detailed Inspection Report, the extent of pile deterioration was not fully identified until 2020.

Accordingly, MRWA has arranged the Emergency Repairs A and B at no direct cost to the Shire. Normally, the Shire is responsible for any emergency repairs. It has

been noted that the level of historical preventative maintenance carried out on this bridge is inadequate. The Shire is responsible to arrange preventative maintenance on its bridges.

Had full preventative maintenance been carried out on a 5-yearly basis, the level of deterioration would most likely have been significantly reduced. Preventative maintenance involves fungicide treatment, end grain sealing and fastener maintenance. These activities reduce the ingress of moisture and reduce the fungal activity in the timber elements.

**CONSULTATION**

Peter Newhouse Asset Manager Structures Main Roads WA

**STATUTORY OBLIGATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**BUDGET/FINANCIAL IMPLICATIONS**

MRWA is unable to directly engage Jonor Contracting to undertake the repairs due to the limitation on the magnitude of variations allowed in the contract. It is proposed that the Shire engage Jonor Construction to undertake these emergency repairs. On completion, Jonor Contracting would invoice the Shire. The Shire would then invoice MRWA \$57,289.42 being the total financial cost.

**STRATEGIC IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

- **Environmental**  
There are no known significant environmental issues.
- **Economic**  
There are no known significant economic issues.
- **Social**  
There are no known significant social issues.

**VOTING REQUIREMENTS**

Absolute majority

**COUNCIL DECISION & OFFICER RECOMMENDATION - ITEM 3.1**

**MOVED:** Cr Oversby  
That Council;

**SECONDED:** Cr O'Connell

- 1. Approve the engagement Jonor Construction to undertake the emergency repair based on the quotation arranged by MRWA;**
- 2. Approve that, on completion of the works, Jonor Contracting invoice the Shire who in turn will invoice MRWA the total financial cost of \$57,289.42 inclusive of GST.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

**Res 107/20**

**Impartiality Interest**

Cr Rear declared an impartiality interest in item 4.1

**4 REPORTS**

**4.1 Biosecurity**

<b><i>Location:</i></b>	<i>N/A</i>
<b><i>Applicant:</i></b>	<i>N/A</i>
<b><i>File:</i></b>	<i>EN/45/002</i>
<b><i>Disclosure of Officer Interest:</i></b>	<i>None</i>
<b><i>Date:</i></b>	<i>6 July 2020</i>
<b><i>Author:</i></b>	<i>Peter Dittrich – Acting Chief Executive Officer</i>
<b><i>Authorizing Officer:</i></b>	<i>Peter Dittrich – Acting Chief Executive Officer</i>
<b><i>Attachments:</i></b>	<i>Response to FOI Request</i>

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**SUMMARY**

That Council receive the current Status of the Freedom of Information Request in relation to the Biosecurity Rate and provide further direction to Shire staff in relation to Council’s position on the matter.

**BACKGROUND**

The Shire has previously opposed the imposition of a Rate imposed under the Biosecurity and Agricultural Management Act of 2007 (BAM Act).

At a public meeting held on 10<sup>th</sup> December 2019 which voiced strong opposition to the imposition of the rate.

A Freedom of Information application was made in relation to the imposition of the rate and the appointment of the RBG Blackwood Biosecurity Inc. As at the date of this report the provision of documents and information had not been completed by the department of Primary Industries and Regional Development.

The Department of Finance has since issued “Notice of Overdue Assessment” to ratepayers of the Shire, in which they state that “Legal costs may substantially increase the amount payable.”. To minimize the impact on ratepayer the Shire issued a notice suggesting that the rate be paid by the due date but that a letter be written to the Minister and the RBG protesting the rate and the lack of consultation.

Mr Batty of WALGA has advised that the Minister has agreed to a review of the BAM Act and he is available to address Council at its ordinary Council Meeting in July.

Council is requested to consider its position on the matter and to provide direction as to future actions that it would like to pursue in relation to the BAM Act rate.

**CONSULTATION**

Mark Batty - WALGA

**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 4.1**

**MOVED: Cr Alexander**

**SECONDED: Cr Price**

**That Council;**

- 1. Provide the following guidance in relation to the Biosecurity Rate to our ratepayers:**

**Encourage those affected, after taking into account their own circumstances, to contact as many of the state representatives as they can irrespective of their decision to comply with the assessment notice.**

**CARRIED 7/0**

**Res 108/20**

**Behind Closed Doors**

**MOVED: Cr Alexander**

**SECONDED: Cr O'Connell**

**That in accordance with Section 5.23 (2) (b) of the Local Government Act 1995 the next part of the meeting be closed to members of the public to allow the Council to consider a matter dealing with the personal affairs of a person and the Council go into committee to allow members free discussion on the matter, the time being 6.11pm.**

**CARRIED 7/0**

Vanessa Crispe left the Chambers at 6.11pm.

**Moved out from behind closed doors**

**MOVED: Cr O'Connell**

**SECONDED: Cr Price**

**In accordance with Section 5.23 (2) of the Local Government Act 1995 the next part of the meeting is open to the members of the public and the Council come out of committee, the time being 6.38pm.**

**CARRIED 7/0**

**5 CONFIDENTIAL MATTERS - BEHIND CLOSED DOORS**

**5.1 Appointment of CEO Recruitment Agency**

**DEFER ITEM 5.1**

**MOVED: Cr Rear**

**SECONDED: Cr O'Connell**

**To be given further consideration and will be brought back to the Ordinary Council meeting held on 16 July 2020.**

**CARRIED 7/0**

**Res 109/20**

**5.2 Staff Matters**

**COUNCIL DECISION & OFFICER RECOMMENDATION – Item 5.2**

**MOVED: Cr Kaltenrieder**

**SECONDED: Cr O’Connell**

**That Council resolve the matter as per the attached confidential schedule.**

**CARRIED 7/0**

**Res 110/20**

**6 CLOSURE OF MEETING**

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at 6.38pm.