



MINUTES

ORDINARY COUNCIL MEETING

TUESDAY 30 OCTOBER 2007

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1. DECLARATION OF OPENING/ANNOUNCEMENTS

Cr Dew declared the meeting open at 10.03am and welcomed all Councillors and Staff and gave a special welcome to the newly elected members. Cr Dew also extended thanks and appreciation to Mr Peter Borserio JP for attending to officiate in the swearing in ceremonies.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr N Dew	Shire President/Chairperson
Cr M Walmsley	Deputy Shire President
Cr C Germain	Councillor
Cr T Witney	Councillor
Cr L Snell	Councillor
Cr J Salerian	Councillor
Cr C Wright	Councillor
Cr L Scott	Councillor
Mr I Curley	Chief Executive Officer
Mr L Tilbrook	Deputy Chief Executive Officer/Director Corporate Services
Mr M Turner	Director Strategic Development
Mr S Cleaver	Director Community Services
Mr D Davey	Director Technical Services
Mr R Davidson	Manager Planning & Development Services
Mrs RH O'Mara	Executive Support Officer - Minute Taker

A. SWEARING IN OF COUNCILLORS

Mr Peter Borserio JP officiated at the Swearing-in of Councillors in the following order:

i.	Cr John Louis SALERIAN	Four Year Term
ii.	Cr John Michael Scott WALMSLEY	Four Year Term
iii.	Cr Laurie Jean SNELL	Four Year Term
iv.	Cr Craig Stephen WRIGHT	Four Year Term
v.	Cr Larry Russell SCOTT	Two Year Term

Mr Borserio congratulated each Councillor and wished the newly elected Council every success for its ensuing term.

B. ELECTION OF SHIRE PRESIDENT

Cr Dew stepped down as Chairperson and Mr Ian Curley assumed the Chair for the Election of Shire President.

The Chief Executive Officer called for written nominations to fill the Office of Shire President for the period 2007-2009.

Two (2) written nominations were received for the position of Shire President.

1. Cr Christine Germain; and
2. Cr Noel Dew

In accordance with the Local Government Act 1995 Schedule 2.3 a secret ballot was conducted and as a result the Chief Executive Officer declared Cr Noel Dew duly elected to the Office of Shire President for the period 2007-2009.

C. SWEARING IN OF SHIRE PRESIDENT

Mr Peter Borserio JP officiated the Swearing-in of Cr Dew as Shire President for the period 2007-2009.

The Shire President Cr Dew then assumed his position and presided over the remainder of the meeting.

Cr Dew thanked fellow Councillors for their support and he promised to continue to work hard with Councillors and Staff to make the best decisions for the whole of the Shire.

Mr Cleaver and Mr Davidson left the meeting and the room at this point the time being 10.28am

D. ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President called for written nominations for the Office of Deputy Shire President.

Three (3) written nominations were received for the position of Deputy Shire President.

1. Cr Mike Walmsley;
2. Cr Trish Witney; and
3. Cr Christine Germain

In accordance with the Local Government Act 1995 Schedule 2.3 a secret ballot was conducted and as a result the Shire President declared Cr Walmsley duly elected to the Office of Deputy Shire President for the period 2007-2009.

E. SWEARING IN OF DEPUTY SHIRE PRESIDENT

Mr Peter Borserio JP officiated the Swearing-in of Cr Walmsley as Deputy Shire President for the period 2007-2009.

Mr Turner left the room the time being 10.44am

Mr Turner returned to the room the time being 10.45am

The Chairperson thanked Mr Peter Borserio for his presence in assisting Council with the Swearing-in ceremonies and Mr Borserio left the meeting at 10.34am.

F. ELECTION OF COMMITTEE MEMBERS AND REPRESENTATIVES**Council Standing Committees (Members only)**

- a. Works & Services Committee (3 Members + proxy))

Crs: Dew, Wright Salerian; and Scott (Proxy)

- b. Senior Staff Appointment, Remuneration and Performance Review Committee (4 Members)

Crs: Dew; Walmsley; Germain; and Witney.

- c. Finance & Audit Committee (4 Members + proxy))

Crs: Dew; Walmsley; Germain; Witney; and Scott (Proxy)

- d. Recreation Advisory Committee (4 Members + proxy + 2 Community Members); Recreation Services Manager (RSM) and Director Community Services (DCS)

Crs: Wright; Germain; Scott; Witney; and Dew (Proxy)

Public nominations be invited for two (2) Community Members on the Committee.

- e. Waste Management Advisory Committee (4 Members + proxy))

Crs: Walmsley; Snell; Salerian; Wright; and Scott (Proxy) and Director Community Services (DCS)

- f. Waroona Health & Medical Committee

Crs: Snell; Germain; Witney; Scott; and Salerian

Other Council Committees/Groups

- a. Small Grants Committee (New)
Crs: Walmsley; Salerian; Snell; and Germain
- b. Occupational Safety & Health Committee (2 Members)
Crs: Germain; Walmsley (Proxy); and DCEO

Cr Scott left the room the time being 11.10am
Cr Scott returned to the room the time being 11.11am

- c. Preston Beach Townsite Strategy Steering Committee

Members: Z O'Reilly Carter; CEO; DSD; 3 Community Representatives; North Preston Land Owner Representative; South Preston Land Owner Representative; North Planning Consultants; South Planning Consultant; Department for Planning & Infrastructure Representative; Department of Environment/Conservation Representative.

Current Committee Members be re-endorsed with an invitation extended to Zita O'Reilly Carter to continue on the Committee.

- d. Administration Centre Working Group
Crs: Dew; Walmsley; Germain; CEO; D/CEO; DSD; DCS; DTS
- e. Industrial Land Working Group
Crs: Walmsley; Snell; and Scott; CEO; and DSD
- f. Waroona Visitor Centre Working Group
Crs: Snell; Witney; and Germain; DCEO

COUNCIL DECISION

OCM07/173

MOVED: Cr Germain

SECONDED: Cr Wright

That the appointment of Councillors to the Council Standing Committees and Other Council Committee/Groups as per the Local Government Act 1995 for the 2007-2009 period as listed below be endorsed:

Council Standing Committees (Members only)

- a. **Works & Services Committee (3 Members + proxy)**
Crs: Dew, Wright Salerian; and Scott (Proxy)
- b. **Senior Staff Appointment, Remuneration and Performance Review Committee (4 Members)**
Crs: Dew; Walmsley; Germain; and Witney.
- c. **Finance & Audit Committee (4 Members + proxy)**
Crs: Dew; Walmsley; Germain; Witney; and Scott (Proxy)
- d. **Recreation Advisory Committee (4 Members + proxy + 2 Community Members); Recreation Services Manager (RSM) and Director Community Services (DCS)**
Crs: Wright; Germain; Scott; Witney; and Dew (Proxy)
Public nominations be invited for two (2) Community Members on the Committee.
- e. **Waste Management Advisory Committee (4 Members + proxy)**
Crs: Walmsley; Snell; Salerian; Wright; and Scott (Proxy) and Director Community Services (DCS)
- f. **Waroona Health & Medical Committee**
Crs: Snell; Germain; Witney; Scott; and Salerian

Other Council Committees/Groups

- a. **Small Grants Committee (New)**
Crs: Walmsley; Salerian; Snell; and Germain
- b. **Occupational Safety & Health Committee (2 Members)**
Crs: Germain; Walmsley (Proxy); and DCEO
- c. **Preston Beach Townsite Strategy Steering Committee**
Members: Z O'Reilly Carter; CEO; DSD; 3 Community Representatives; North Preston Land Owner Representative; South Preston Land Owner Representative; North Planning Consultants; South Planning Consultant; Department for Planning & Infrastructure Representative; Department of Environment/Conservation Representative.

Current Committee Members be re-endorsed with an invitation extended to Zita O'Reilly Carter to continue on the Committee.

- d. **Administration Centre Working Group**
Crs: Dew; Walmsley; Germain; CEO; DCEO; DSD; DCS; DTS
 - e. **Industrial Land Working Group**
Crs: Walmsley; Snell; and Scott; CEO; and DSD
 - f. **Waroona Visitor Centre Working Group**
Crs: Snell; Witney; and Germain; DCEO
- CARRIED BY ABSOLUTE MAJORITY 8-0**

Advisory Committee Representatives

- a. Bush Fire Advisory Committee

Cr Dew
- b. Local Emergency Management Committee

Crs: Germain; and Witney; DCS

Committees and Progress Association Representatives

- a. Preston Beach Progress Association

Cr Dew
- b. Hamel Hall Management Committee & Hamel Residents Association

Cr Salerian
- c. Lake Clifton/Herron Progress & Sports Association

Cr Snell
- d. Shire of Waroona Coastal Planning & Management Committee

Cr Snell; DSD; Town Planner (TP)

Delegates to Local Organisations

- a. Quambie Park (Inc.)

Cr Walmsley
- b. Wagerup Community Consultative Network

Cr Salerian

Delegates to Regional Bodies/Committees

- a. Peel Zone - Western Australian Local Government Association
Cr: Dew; and Walmsley; CEO
- b. Peel Region Planning Committee
Cr Dew
- c. Harvey River Land Conservation District Committee
Cr Snell
- d. Coolup Land Conservation District Committee
Mrs Maree Ellis - nominated Council Representative
- e. Landcare-Crossing the Boundaries Committee
Cr Walmsley; DCEO
- f. Contiguous Local Authorities Management Group (CLAG)
Cr: Vacant; Vacant (Proxy); DCS
- g. Regional Road (Sub) Group (South West)
Cr Dew; DTS
- h. COASTSWAP
Cr Snell; DSD; TP
- i. Peel Trails Group
Cr: vacant; vacant (Proxy); TP
- j. Peel Economic & Development Unit
Cr: Walmsley; Dew (Proxy); CEO
- k. Peel Inlet Management Council (PIMC)
Cr Snell
- l. Harvey River Task Force
Cr Walmsley

Special Purpose Committees and Groups

- a. Waroona Roadwise
Cr Wright
- b. Hamel Eco-Historic Precinct Working Group
Cr: Germain; Vacant (Proxy); CEO; DSD
- c. Waroona Interagency Committee
Cr Witney
- d. Waroona Historical Society
Cr: Vacant; CDO
- e. Long Term Residue Management Committee
Cr Salerian

Cr Walmsley left the room the time being 11.43am

Cr Walmsley returned to the room the time being 11.44am

- f. Murray Waroona Health Needs Study Group
Cr Germain; CEO

COUNCIL DECISION

OCM07/174

MOVED: Cr Snell

SECONDED: Cr Scott

That the appointment of Representatives and delegates to the Advisory Committees; Committees and Progress Associations; Local Organisations; Regional Bodies/Committees; and Special Purpose Committees and Groups for the 2007-2009 period as listed below be endorsed:

Advisory Committee Representatives

- a. **Bush Fire Advisory Committee**
Cr Dew
- b. **Local Emergency Management Committee**
Cr: Germain; and Witney; DCS

Committees and Progress Association Representatives

- a. **Preston Beach Progress Association**
Cr Dew
- b. **Hamel Hall Management Committee & Hamel Residents Association**
Cr Salerian

- c. **Lake Clifton/Herron Progress & Sports Association**
Cr Snell
- d. **Shire of Waroona Coastal Planning & Management Committee**
Cr Snell; DSD; Town Planner (TP)

Delegates to Local Organisations

- a. **Quambie Park (Inc.)**
Cr Walmsley
- b. **Wagerup Community Consultative Network**
Cr Salerian

Delegates to Regional Bodies/Committees

- a. **Peel Zone - Western Australian Local Government Association**
Cr: Dew; and Walmsley; CEO
- b. **Peel Region Planning Committee**
Cr Dew
- c. **Harvey River Land Conservation District Committee**
Cr Snell
- d. **Coolup Land Conservation District Committee**
Mrs Maree Ellis - nominated Council Representative
- e. **Landcare-Crossing the Boundaries Committee**
Cr Walmsley; DCEO
- f. **Contiguous Local Authorities Management Group (CLAG)**
Cr: Vacant; Vacant (Proxy); DCS
- g. **Regional Road (Sub) Group (South West)**
Cr Dew; DTS
- h. **COASTSWAP**
Cr Snell; DSD; TP
- i. **Peel Trails Group**
Cr: Vacant; Vacant (Proxy); TP
- j. **Peel Economic & Development Unit**
Cr: Walmsley; Dew (Proxy); CEO
- k. **Peel Inlet Management Council (PIMC)**
Cr Snell
- l. **Harvey River Task Force**
Cr Walmsley

Special Purpose Committees and Groups

- a. **Waroona Roadwise**
Cr Wright
- b. **Hamel Eco-Historic Precinct Working Group**
Cr: Germain; Vacant (Proxy); CEO; DSD
- c. **Waroona Interagency Committee**
Cr Witney
- d. **Waroona Historical Society**
Cr: Vacant; CDO
- e. **Long Term Residue Management Committee**
Cr Salerian
- f. **Murray Waroona Health Needs Study Group**
Cr Germain; CEO
- g. **Harvey River Task Force**
Cr Walmsley

CARRIED BY ABSOLUTE MAJORITY 8-0**ADJOURNMENT**

The Chairperson adjourned the meeting at this point the time being 11.45am

RECONVENED

All those present at the start of the Meeting were present in the room after the adjournment. The Meeting reconvened at 11.55am

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.1 PUBLIC QUESTION TIME

Nil

4.2 PUBLIC STATEMENTS

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DISCLOSURES OF MEMBERS' & OFFICERS' INTERESTS

(Disclosure of interest MUST ALSO be made by the member or officer immediately prior to a matter, for which an interest is being disclosed, is dealt with.)

6.1 The Director Strategic Development declared a proximity interest in Item 9.2.2

7. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 25.09.07

COUNCIL DECISION

OCM07/175

MOVED: Cr Germain

SECONDED: Cr Walmsley

That the Minutes of the Ordinary Council Meeting held 25 September 2007 be confirmed as being a true and correct record of proceedings.

CARRIED 8-0

8.2 SPECIAL COUNCIL MEETING – 15.10.07

COUNCIL DECISION

OCM07/176

MOVED: Cr Germain

SECONDED: Cr Witney

That the Minutes of the Special Council Meeting held 15 October 2007 be confirmed as being a true and correct record of proceedings.

CARRIED 8-0

9. **REPORTS OF OFFICERS AND COMMITTEES**

9.1 **DIRECTOR TECHNICAL SERVICES**

9.1.1 **TENDER NO.04 2007/2008 – SUPPLY AND DELIVER AGGREGATE**

Reporting Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Responsible Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 18 October 2007	File No: 142/1
Previous Reference:	Nil
Statutory/Policy Implications:	In compliance with Council Policies 3.3 and 3.4 and the Local Government Act 1995
Strategic Implications:	N/A
Financial Implications:	Provision provided for in the 2007/2008 Budget
Voting Requirements	Absolute Majority

Proposal

To consider tenders for sealing aggregate for the 2007/2008 road works program.

Background

Tenders were called in compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations 1996. Supply of goods and services.

Community Consultation

Nil

Officer's Comments

Tenders were received from the following providers:

1. WA Blue Metals
2. Carbone Bros Pty. Ltd.
3. Charles Hull Contracting Co. Pty. Ltd.
4. Hanson Construction Materials

Price Schedule:

- | | |
|---|-------------------------|
| 1. WA Bluemetal | \$32.10 per tonne + GST |
| 2. Carbone Bros Pty. Ltd. | \$31.00 per tonne +GST |
| 3. Charles Hull Contracting Co. Pty. Ltd. | \$30.00 per tonne + GST |
| 4. Hanson Construction Materials | \$27.43 per tonne + GST |

Tenders were evaluated on the following criteria:

Price	80%
Specification	10%
Tender compliance	<u>10%</u>
TOTAL	<u>100%</u>

Evaluation:

	Price 80%	Specification 10%	Tender Compliance 10%	Total 100%
WA Bluemetal	65%	10%	10%	85%
Carbone Bros Pty.Ltd.	70%	10%	10%	90%
Charles Hull Contracting Co. Pty. Ltd.	75%	10%	10%	95%
Hanson Construction Materials	80%	10%	10%	100%

OFFICER RECOMMENDATION

That Council resolve to accept the tender received from Hanson Construction Materials for the supply and delivery of aggregate at \$27.43 per tonne + GST.

TO BE CARRIED BY ABSOLUTE MAJORITY

COUNCIL DECISION

OCM07/177

MOVED: Cr Salerian

SECONDED: Cr Snell

Council resolved to accept the tender received from Charles Hull Contracting Co. Pty. Ltd. for the supply and delivery of aggregate at \$30 per tonne + GST.

CARRIED BY ABSOLUTE MAJORITY 8-0

Note:

Council resolved an alternate decision to reflect its preference for a local tender based on Council Policy 3.3 and that the overall supply tenders from the successful tenderer being financially advantageous to the Shire.

9.1.2 TENDER NO. 05 2007/2008 – SUPPLY AND DELIVER GRAVEL AND LIMESTONE

Reporting Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Responsible Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Proponent:	Shire of Waroona
Landowner:	N/A
Date of Report: 19 October 2007	File No: 142/1
Previous Reference:	Nil
Statutory/Policy Implications:	In compliance with Council Policies 3.3 and 3.4 and the Local Government Act 1995
Strategic Implications:	Nil
Financial Implications:	Provision provided for in the 2007/2008 budget
Voting Requirements	Absolute Majority

Proposal

To consider tenders for the supply and delivery of gravel and limestone to various constructions sites.

Background

Tenders were called in compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations 1996 – supply of goods and services.

Community Consultation

Nil

Officer's Comments

Quotations were received from the following providers:

1. Carbone Bros Pty. Ltd.
2. Charles Hull Contracting Co. Pty.Ltd.

Price Schedule:

Gravel

1. Carbone Bros Pty. Ltd. \$27.00m³ + GST
2. Charles Hull Contracting Co. Pty.Ltd. \$17.25m³ + GST

Limestone

1. Carbone Bros Pty. Ltd. \$19.00m³ + GST
2. Charles Hull Contracting Co. Pty.Ltd. \$14.00m³ + GST

Tenders were evaluated on the following criteria:

Price 90%
 Compliance 10%

TOTAL 100%

Company	Tender Compliance	Price	Total
Gravel	10%	90%	100%
Carbone Bros Pty. Ltd.	10%	50%	60%
Charles Hull Contracting Co. Pty.Ltd.	10%	90%	100%
Limestone			
Carbone Bros Pty. Ltd.	10%	60%	70%
Charles Hull Contracting Co. Pty.Ltd.	10%	90%	100%

COUNCIL DECISION
OCM07/178
MOVED: Cr Germain
SECONDED: Cr Witney

Council resolved to accept the tender received from Charles Hull Contracting Co. Pty.Ltd. for the supply and delivery of Gravel and Limestone.
CARRIED BY ABSOLUTE MAJORITY 8-0

9.1.3 TENDER NO. 06 2007/2008 – PLANT HIRE

Reporting Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Responsible Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Proponent:	Shire of Waroona
Landowner:	Nil
Date of Report: 18 October 2007	File No: 142/1
Previous Reference:	Nil
Statutory/Policy Implications:	In compliance with Council Policies 3.3 and 3.4 and the Local Government Act 1995
Strategic Implications:	N/A
Financial Implications:	Provision provided for in the 2007/2008 budget.
Voting Requirements	Absolute Majority

Proposal

To consider tenders for Plant Hire to assist with Council's 2007/2008 road works program.

Background

Tenders were called in compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations 1996 for the supply of goods and services.

Community Consultation

Nil

Officer's Comments

Tenders were received from the following providers:

1. Plant Man
2. Conplant
3. Charles Hull Contracting Co. Pty.Ltd.

Tenders received from Plantman and Conplant failed to comply with the tender specification for:

- Semi tippers
- Excavators
- Dozers
- Loaders
- Water Truck

Conplant complied with the smooth drum roller specification.

Price Schedule:

1. Charles Hull Contracting Co. Pty.Ltd.
 - Semi Tippers \$95.00 + GST
 - Excavator \$130.00 + GST
 - Dozer D10 \$225.00 + GST
 - Dozer D8N \$140.00 + GST
 - 6 Wheel Water Cart \$80.00 + GST
 - Loader 966 \$95.00 + GST
 - Dry Hire Roller \$250.00 per day + GST
2. Conplant
 - Dry Hire Roller \$285.00 per day + GST

Tenders were evaluated on the following criteria:

Price	90%
Compliance	<u>10%</u>
TOTAL	<u>100%</u>

Evaluation:

	Tender Compliance	Price	Total
Charles Hull Contract Co. Pty.Ltd.	10%	90%	100%
Conplant	10%	80%	90%

The tendered price from Charles Hull Contracting Co. Pty. Ltd. is an extremely competitive price.

<p><u>COUNCIL DECISION</u> OCM07/179 MOVED: Cr Witney SECONDED: Cr Germain</p> <p>Council resolved to accept the tender received from Charles Hull Contracting Co. Pty. Ltd. for Plant Hire to assist with Council’s 2007/2008 road works program.</p> <p style="text-align: right;"><u>CARRIED BY ABSOLUTE MAJORITY 8-0</u></p>

9.1.4 TENDER NO.07 2007/2008 – SUPPLY AND SPRAY HOT BITUMEN OR SUPPLY AND COVER

Reporting Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Responsible Officer / Officer's Interest:	Doug Davey – Director Technical Services / Nil
Proponent:	Shire of Waroona
Landowner:	Nil
Date of Report: 18 October 2007	File No: 142/1
Previous Reference:	Nil
Statutory/Policy Implications:	In compliance with Council Policies 3.3 and 3.4 and the Local Government Act 1995
Strategic Implications:	N/A
Financial Implications:	Provision provided for in the 2007/2008 budget
Voting Requirements	Absolute Majority

Proposal

To consider tenders to supply and spray hot bitumen and to supply spray and cover hot bitumen.

Background

Tenders were called in compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations 1996 supply of goods and services.

Community Consultation

Nil

Officer's Comments

Tenders were received from the following providers:

1. Malatesta
2. Boral Asphalt
3. Pioneer Road Services

Price Schedule:

Malatesta	90/10 Primer Seal	0.81 ^c PL + GST
	95/5 Hot	0.78 ^c PL + GST
	Spread & Roll	\$1.11m ² + GST
Boral Asphalt	90/10 Primer Seal	0.7050 ^c PL + GST
	95/5 Hot	0.6850 ^c PL + GST
	Spread & Roll	0.8700m ² +GST
Pioneer Road Services	90/0 Primer Seal	0.97 ^c PL + GST
		0.92 ^c PL + GST
	Spread & Roll	1.17m ² + GST

Evaluation:

The sole tender criteria was based on price.

COUNCIL DECISION

OCM07/180

MOVED: Cr Witney

SECONDED: Cr Salerian

That Council resolved to accept the tender received from Boral Asphalt for the supply and spray of hot bitumen for 90:10% at \$0.7050 (exc GST) and 95:5% at \$0.6850 (exc GST); and to supply spray and cover hot bitumen at \$0.8700 (exc GST).

CARRIED BY ABSOLUTE MAJORITY 8-0

9.2 **DIRECTOR COMMUNITY SERVICES**

9.2.1 **RELIEF RANGER SERVICES**

Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services / Nil	
Responsible Officer / Officer's Interest:	Steve Cleaver, Director Community Services / Nil	
Proponent:	Shire of Waroona	
Landowner:	Shire of Waroona	
Date of Report: 17 October 2007	File No:	125/1
Previous Reference:	Nil	
Statutory/Policy Implications:	Local Government Act 1995	
Strategic Implications:	Nil	
Financial Implications:	Nil	
Voting Requirements	Simple majority	

Proposal

To appoint Mr Robert Marlborough, Mr Kenneth Dempsey and Ms Sheryl Thomason as Shire Rangers for the period 30 October 2007 to 4 November 2007.

Background

The Shires Ranger and relief Ranger will both be on Annual Leave from 29 October 2007 to 4 November 2007. The Shire has made emergency arrangements with the Shire of Murray during this time.

Community Consultation

Nil

Officer's Comments

It is recommended that the Shire of Murray Rangers be appointed for this time should emergencies such as a Dog attack etc arise.

COUNCIL DECISION**OCM07/181****MOVED: Cr Witney****SECONDED: Cr Scott**

That Mr Robert Marlborough, Mr Kenneth Dempsey and Ms Sheryl Thomason be authorised for the period 29 October 2007 to 4 November 2007 under the following Acts:

- **Dog Act 1976 Authorised Officer**
- **Dangerous Dog Legislation**
- **Control of Vehicles (ORV) Act / Authorised Officer**
- **Bush Fires Act 1954**
- **Litter Act Authorised Officer**
- **Local Government Act 1995**
- **Local Government Act (Misc Provisions) 1960**
- **Dog Local Laws**
- **Local Government Property Laws**
- **Activities on Thoroughfares & Trading on Thoroughfares & Public Places Local Law**

CARRIED 8-09.2.2 **URGENT REPAIRS – POOL PLANT**

Reporting Officer / Officer's Interest:	Steve Cleaver, Director Community Services	
Responsible Officer / Officer's Interest:	Steve Cleaver, Director Community Services	
Proponent:	Shire of Waroona	
Landowner:	Shire of Waroona	
Date of Report:	22 October 2007	File No: 126/2
Previous Reference:	Nil	
Statutory/Policy Implications:	Nil	
Strategic Implications:	Nil	
Financial Implications:	\$19858	
Voting Requirements	Absolute Majority	

Proposal

To amend the 2007/08 Budget to allow for emergency repair of the sand filters at the Recreation and Aquatic Centre

Background

During the energy audit works at the Shire Aquatic Centre Council's contractors have noted that the filters are losing sand into the pools. Further investigations revealed that the pipe work or laterals inside one of the filters has failed requiring replacement. **Appendix 1.**



Community Consultation

Nil

Officer's Comments

Council contractors require removal of the filter media and replacement of the worn laterals. The Shire has not budgeted for this work and Councils approval is required for this expenditure. Should total failure of the filter be experienced then the pool would have to be closed as non filtration of the water would not be in compliance with the Health Act 1911.

The Director Corporate Services has advised that Council has budgeted \$15,000 transfer to the Recreation Centre Building Maintenance Reserve Account in 2007/2008. It is recommended that this transfer now not take place with those funds to be used for this emergency work. The remaining \$4,858 to be funded from account 7162 (Recreation Centre Building Maintenance).

APPENDIX 1**COUNCIL DECISION****OCM07/182****MOVED: Cr Germain****SECONDED: Cr Witney****That Council resolved as follows:**

- 1. That Alinta Assist be authorised to carry out repairs to the Aquatic Centre Pool filters at a cost of Nineteen thousand eight hundred and fifty eight dollars (\$19,858);**
- 2. That the 2007/2008 adopted budget be amended as follows:**
 - a. Transfer reserve allocation of Fifteen thousand dollars (\$15,000) to the Recreation Centre Building Maintenance Account 7162.**

CARRIED BY ABSOLUTE MAJORITY 8-0

9.3 **DIRECTOR STRATEGIC DEVELOPMENT**

9.3.1 **PROPOSED CAR PARKING AND RECREATION AREA –FOURACRE STREET (OPPOSITE LOT 500), WAROONA**

Reporting Officer / Officer's Interest:	Mike Critch - Town Planner / Nil
Responsible Officer / Officer's Interest:	Matthew Turner – Director of Strategic Development / Nil
Proponent:	L & M Sgambelluri
Landowner:	Shire of Waroona
Date of Report: 22 nd October 2007	File No: TP1064
Previous Reference:	Sept 2007 SCM – SCM07/170 - TP1064
Statutory/Policy Implications:	See Heading in report
Strategic Implications:	See Heading in report
Financial Implications:	Nil
Voting Requirements	Simple majority

Proposal

Details for a car parking and recreation area along the western side of Fouracre Street (opposite Waroona IGA & Waroona Hotel) has been received by Council.

The details of the parking and realignment of Fouracre Street was required to be finalised by Council prior to lodging an application for Planning Consent under the Peel Region Scheme.

Background

An Application for Planning Consent for additions to the shopping centre at Lot 500 Fouracre Street, Waroona was approved by Council at its July 2007 Ordinary Council Meeting.

A parking area was proposed along the current Fouracre Street alignment. The existing road layout was proposed to be realigned to accommodate parking, pedestrian and goods access to the shopping complex. One hundred and two (102) parking bays are required in total along with 2 goods entry points to the supermarket and shops.

Details for the car parking and recreation area along Fouracre Street were discussed at the Special Council Meeting on 15th October 2007 where it was resolved:

“The amended plan at Appendix A for the proposed Car Parking and Recreation Area along Fouracre Street, Waroona be modified as follows:

1. *Fouracre Street to be continued north into the Car Park, with a raised pavement entry at that point;*
2. *Entry off Coronation Rd to the realigned Fouracre Street to be redesigned to avoid the power pole;*
3. *Extra Disabled Car Parking bays to be located near the Hotel and the Op Shop.;*
4. *Additional parallel Parking bays to be located on Coronation Road.*
5. *Mountable kerbing being installed along Fouracre Street adjacent to the Recreation Area to enable vehicle access to it.*

6. *The opportunity Shop to be shown on the plan as remaining.*

The modified plan to be presented back to Council, along with a Master Plan detailing the future location of the By-pass, railway and railway station. The proponent to be requested to consider reducing the number of loading docks for the development to only one.”

The amended plan showing these modifications is contained at **Appendix 2**

Community Consultation

Advertising was initially undertaken in accordance with Planning and Development Policy 1.0 – Community Consultation for the original proposal for extensions to the Shopping Complex.

Statutory/Policy Implications

Clause 4.7.6 of the Scheme deals specifically with vehicle parking in the zone and states that vehicle parking shall be provided on-site in accordance with the provisions of Clause 6.8, Table 2 of the Scheme. In accordance with Table 2, the number of parking spaces required for the development was 102.

Pursuant to Clause 6.8.2 of the Scheme, the applicant sought approval to make a cash-in-lieu payment since the Shopping Centre development application (TP1064) provided no on site parking. The applicant is required to make a cash-in-lieu contribution, which as per the Scheme provision is the full construction costs (eg. draining, sealing & line-marking, lighting and landscaping) plus the cost of the area of land needed to accommodate the required parking.

The land cost component has been determined by a licensed property valuer, which the Shire engaged.

The area proposed for car parking is reserved under the Peel Region Scheme as ‘Railway’. The proposed works for the car parking area is not for the purpose or in connection with the railway and as such requires approval under the Peel Region Scheme. The Shire of Waroona must apply to the Western Australian Planning Commission to use the land reserved for ‘Railway’ for the purpose of a car parking and recreation area.

Officer's Comments

The submitted plan demonstrates the realignment of Fouracre Street, developing a portion of Fouracre Street and area of Railway Reserve for car parking. The proposed parking and recreation area considers the primary objectives of the Town Centre Strategy, and facilitate a balance between car parking and recreation areas anticipated for the area. The proposed scenario provides the 102 bays required to support the Shopping Complex and surrounding uses and sets aside a good quantity of land for a recreation area.

The amendments requested by Council at the October Special Meeting have been addressed. Additional parallel parking has been provided along Coronation Road and disabled bays have been located within close proximity of the existing Opportunity Shop and the Waroona Hotel. A master plan has also been attached in **Appendix 3** to demonstrate how the area will be located in the context of its surrounds.

It is recommended that Council resolve to support the proposed car parking and recreation area layout and proceed with the submission of the application for approval of the Parking and Recreation area under the Peel Region Scheme.

APPENDICES 2 & 3

COUNCIL DECISION

OCM07/183

MOVED: Cr Walmsley

SECONDED: Cr Wright

Council resolved the following:

- A. To adopt the plan at Appendix 2 as the basis for the proposed Car Parking and Recreation area along Fouracre Street, Waroona. The final construction to be to the satisfaction of the Chief Executive Officer and Director Strategic Development.**
- B. To submit an application for planning consent under the Peel Region Scheme for approval of the Car Parking and Recreation Area along Fouracre Street, Waroona.**

VOTE TIED 4-4

The Shire President exercised his casting Vote and voted for the Motion
CARRIED 5-4

ADJOURNMENT

The Chairperson adjourned the meeting at this point for lunch the time being 12.35pm

RECONVENED

All those present at the start of the Meeting were present in the room after the adjournment. The Meeting reconvened at 1.05pm



Mr Matthew Turner declared a proximity interest in the following Item 9.3.2 being a property owner adjacent to the area covered in the proposed structure plan and remained in the meeting.

9.3.2 PROPOSED STRUCTURE PLAN – LOTS 386 AND 9001 HILL STREET, WAROONA

Reporting Officer / Officer's Interest:	Ross Davidson Manager Planning and Development Services/Nil
Responsible Officer / Officer's Interest:	Ross Davidson Manager Planning and Development Services/Nil
Proponent:	TME Planning Consultants
Landowner:	G & L Martelli
Date of Report: 22 October 2007	File No: A3129
Previous Reference:	Nil
Statutory/Policy Implications:	See Heading in Report
Strategic Implications:	Requirement for an approved Structure Plan
Financial Implications:	Nil
Voting Requirements	Simple Majority

Proposal

An application has been received proposing a Structure Plan over Lots 386 and 9001 Hill Street, Waroona. A copy of the Structure Plan and documentation is provided as a separate document.

Background

The requirement for a Structure Plan over the subject properties arises from Scheme Amendment No. 16 to Shire of Waroona Town Planning Scheme No. 7. Amendment 16 is presently with the Minister for Planning for final adoption and this is expected to occur in the very near future.

Statutory/Policy Implications

Under the existing scheme the land is zoned 'Urban 4 – Residential' with a density code of R12.5/30 in accordance with the Residential Design Codes of Western Australia (R Codes).

Amendment 16 introduces into Town Planning Scheme No. 7 a new zone of 'Urban Development' and that subdivision and development shall be in accordance with an approved Structure Plan. The Amendment further introduces additional clauses to the scheme which lay out the matters that a structure plan is to consider.

The amendment also introduces a 'Special Control Area' to be shown on the Scheme Map and these are referred to as 'Development Areas'. The purpose of a 'development area' is to identify areas requiring comprehensive planning and to co-ordinate subdivision and development in those areas. This proposed structure plan is, or will shortly be, the first 'Special Control Area' (Development Area) to be created as a result of Amendment 16.

Community Consultation

Public advertising of a structure plan is an integral part of the process required by the Amendment through the introduction of new scheme provisions and has yet to be carried out.

Officer's Comments

The report submitted by the consultants has been prepared in accordance with the requirements for a Structure Plan as set out in Amendment 16.

Generally the objective was, on the extremities, to match the lot sizes of the existing residential lots on the western side of Hill Street and the larger existing Special Residential zoned lots to the east. Within the area between these existing lots a range of lot sizes was proposed to accommodate the diverse residential needs of landowners. Inspection of the Structure Plan itself indicates that the proposed density of subdivision and development ranges from R5 to R30 of the Residential Design Codes of Western Australia (R Codes). Council will note that this is not very different from the existing coding of R12.5/30 over the subject lots.

One major constraint to residential design was provided by the high tension power line that diagonally bisected the proposed subdivision. Discussion with Western Power over shifting the line was inconclusive because the cost was prohibitive and as a result alternative solutions were sought. The outcome of this is the proposed design shown on the Structure Plan itself. Because of the wide easement the corridor created by the power line can be used for roads, drainage and pedestrian permeability.

The placement of public open space along the Hill Street frontage was to enable the positioning of drainage basins at the lowest point of the land to accept and detain stormwater in accordance with Water Sensitive Urban Design principles. Because of the location within the open space areas it also provided an opportunity for landscaping (including nutrient stripping vegetation) that would enhance the Hill Street streetscape considerably.

There was a secondary consideration that a project carried out by Council staff last year identified the only part of Waroona Townsite outside a 400m 'pedshed' from open space was in this general area and by putting open space where proposed this issue is resolved.

An area adjacent to Council's Recreation Centre and ovals was identified as suitable for a 'Lifestyle Village' development that would not only support Council's recreational facilities, but also provide a residential opportunity in addition to the aged care facilities presently available within the townsite.

The consequence of Amendment 16 is the introduction of Scheme provisions that set out in more detail than at present the requirements for structure plans and the process that is to be followed. Importantly from Council's perspective is that following the public advertising period the proposal will be returned to Council for final adoption.

COUNCIL DECISION

OCM07/184

MOVED: Cr Germain

SECONDED: Cr Walmsley

Council resolved with respect to the proposed Structure Plan (dated October 2007) for Lots 386 and 9001 Hill Street, Waroona, to:

- 1. adopt the proposed Structure Plan for public advertising *subject to the plan being modified to show a road connection along the southern boundary of Lot 386 to the intersection of Hill and Millar Streets, including the construction of a roundabout at that intersection;***
- 2. forward a copy of the proposed Structure Plan to the Western Australian Planning Commission for comment; and**
- 3. return the proposal to Council at the conclusion of the public advertising period for final consideration.**

CARRIED 8-0

Note:

The Officer Recommendation was changed to include the text in italics.

9.4 DEPUTY CEO/DIRECTOR CORPORATE SERVICES**9.4.1 ACCOUNTS FOR PAYMENT**

Reporting Officer / Officer's Interest:	Chris Smith – Senior Finance Officer / Nil	
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil	
Proponent:	N/A	
Landowner:	N/A	
Date of Report: 22 October 2007	File No:	1/3
Previous Reference:	N/A	
Statutory/Policy Implications:	N/A	
Strategic Implications:	N/A	
Financial Implications:	N/A	
Voting Requirements	Simple Majority	

APPENDIX 4**COUNCIL DECISION****OCM07/185****MOVED: Cr Witney****SECONDED: Cr Scott****That Vouchers numbered:**

<u>ACCOUNT</u>	<u>CHEQUE NOS.</u>	<u>AMOUNT \$</u>	<u>TOTAL \$</u>
Municipal	4948-4990	58,903.35	58,903.35
Trust	10866	40.00	40.00
Electronic Transfers	EFT 5815-5973	259,673.73	259,673.73
Direct Wages	26.09.07	55,768.60	
	10.10.07	56,860.20	
	112,628.80		

TOTAL: **\$431,245.88**
and attached at Appendix 4 be endorsed.

CARRIED 8-0

9.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD 1 JULY 2007 TO 30 SEPTEMBER 2007

Reporting Officer / Officer's Interest:	Chris Smith – Senior Finance Officer / Nil	
Responsible Officer / Officer's Interest	Laurie Tilbrook – Deputy CEO/Director Corporate Services / Nil	
Proponent:	N/A	
Landowner:	N/A	
Date of Report: 22 October 2007	File No: 1/1	
Previous Reference:	N/A	
Statutory/Policy Implications:	N/A	
Strategic Implications:	N/A	
Financial Implications:	N/A	
Voting Requirements	Simple Majority	

APPENDIX 5

COUNCIL DECISION

OCM07/186

MOVED: Cr Germain

SECONDED: Cr Wright

That the Monthly Statement of Financial Activity for the period 1 July 2007 to 30 September 2007 (Appendix 5) be received and noted.

CARRIED 8-0

9.4.3 ANNUAL AUDIT 2006/2007

Reporting Officer / Officer's Interest:	Laurie Tilbrook – Deputy Chief Executive Officer / Nil	
Responsible Officer / Officer's Interest:	Laurie Tilbrook – Deputy Chief Executive Officer / Nil	
Proponent:	Shire of Waroona	
Landowner:	N/A	
Date of Report: 23 October 2007	File No: 15/1	
Previous Reference:	Nil	
Statutory/Policy Implications:	Local Government Act 1995 and Audit Regulations	
Strategic Implications:	Nil	
Financial Implications:	Nil	
Voting Requirements	Simple Majority	

Proposal

The on-site component of the Council's Annual Audit was held September 20/21 2007. Subsequent to the visit a meeting has been held between the Council Auditor and the Shire President.

The Auditor has advised that in all areas a very successful outcome has been achieved, with no major statutory compliance concerns highlighted. Appendix 6.

Management issues including suggestions for improvements are addressed on an ongoing basis.

Following adoption of the official report the document will be presented to Electors together with detailed financial statements.

It is also a requirement that a copy of the Audit be forwarded to the Department of Local Government.

Background

The Council is required to prepare its Annual Accounts by September 30 each year. This is followed by formal acceptance of the Audit Report and subsequent incorporation of the Audit Report into the Annual Report which is to be presented to the Electors.

Community Consultation

In accordance with Statutory requirements of both the Local Government Act and Audit Regulations.

Officer's Comments

The Council is required to formalise arrangements to hold the Annual Meeting of Electors. By policy this would normally be the second Thursday of December at 7.30pm.

A date has therefore been set for Thursday 13 December 2007 at the Waroona Health & Community Resource Centre.

This date will require the “draft” Annual Report for 2006/07 to be tabled at the November Ordinary Council Meeting prior to a two (2) week public advertising period.

The Council’s Finance & Audit Committee be also required to meet with the Auditor on an annual basis.

APPENDIX 6

COUNCIL DECISION

OCM07/187

MOVED: Cr Germain

SECONDED: Cr Witney

- 1. That the Audit Report for the books of account for the Shire of Waroona for the 2006/07 financial year, as appended be received; and**
- 2. That the Annual Meeting of Electors for 2006/07 be held at the Waroona Health & Community Resource Centre on Thursday 13 December 2007 commencing at 7.30pm.**

CARRIED 8-0



9.5 CHIEF EXECUTIVE OFFICER

Nil

10. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN, OR FOR CONSIDERATION AT NEXT MEETING

Nil

11. NEW BUSINESS OF AN URGENT NATURE/REPORTS & INFORMATION

11.1 ELECTED MEMBERS

11.1.1 CHANGE OF ORDINARY COUNCIL MEETING TIME

COUNCIL DECISION

OCM07/188

MOVED: Cr Witney

SECONDED: Cr Wright

That the Ordinary Council Meeting time be changed to afternoons on the fourth (4th) Tuesday of the month. The commencement time to be determined by the Shire President.

CARRIED 8-0

11.2 OFFICERS

Nil

12. CLOSURE OF MEETING

There being no further business the Chairperson closed the meeting the time being 1.55pm