



ORDINARY MINUTES

ORDINARY Meeting
of the Council held:

DATE: Tuesday, 16 December 2008

TIME: 2.45pm

VENUE: Council Chambers

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.51 PM The Presiding Member declared the meeting open.

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors, staff and members of the public present in the Council Chambers.

Mr Stewart then read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff.

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

2 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Members Present:

Cr K Forbes AM
Cr A Budrikis
Cr K Clements
Cr S Grylls
Cr J Mark
Cr J Moir
Cr D Nye-Chart
Cr M Skinner

In Attendance:

Mr R Stewart	Chief Executive Officer
Mr J Fathers	Deputy Chief Executive Officer
Ms N Selesnew	Manager Community Services
Mr P Duncan	Manager Development Services
Mr I Bartlett	Manager Works and Services
Mrs C MacLean	Administration Officer – Planning
Mrs K Skinner	Executive Secretary

There was one (1) member(s) of the public in attendance.
There were nil (0) member(s) of the media in attendance.

Previously Approved Leave of Absence:

Cr B Hollingworth	9 December 2008 to 21 December 2008 (inclusive)
Cr A Budrikis	19 December 2008 to 21 December 2008 (inclusive)
Cr K Forbes AM	1 February 2009 to 25 February 2009 (inclusive)

4 PUBLIC QUESTION TIME

Section 5.24 Local Government Act 1995

Nil

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

Footpaths in Kendenup Townsite – Mr Tony Smith

Following discussions with concerned citizens in Kendenup, four salient items were highlighted for submission to this Council meeting. The items were associated with the proposed construction of footpaths.

The four items were:

- a) footpath material;
- b) route of the footpath;
- c) feedback to the community; and
- d) time-frame of the construction.

In telephone conversations with Mr Ian Bartlett, Manager Works and Services, three of these items have been clearly answered.

The proposed material is concrete.

The proposed route to be taken, although not strictly as suggested in the petition submitted, has nevertheless been specifically defined.

Feedback to the community has now been established through the Manager Works and Services and it is intended to make this information available progressively on the public notice board at the Kendenup Store.

Construction time-frame is the remaining item yet to be established. Mr Bartlett has indicated that a commencement date depends on available finance of grants thereof, particularly through the Royalties For Regions funding. We would therefore look to the Shire to advise us of progress in this domain.

In conclusion, and on behalf of the community of Kendenup, 'Thanks to the Shire for several works in progress in our town and projected for the near future. We do appreciate your concern.'

Cr Forbes AM stated that he has spoken with Ms Hall, Principal of Kendenup Primary School and after this consultation it was agreed to move the footpath from Fifth Avenue to Seventh Avenue. Funding has been confirmed and there will be an announcement of this. The Shire will keep the community informed of the progress.

Central Park Site Petition – Kendenup Community Development Association Incorporated

The Chief Executive Officer tabled the following petition:

'We as rate payers, parents and community members of Kendenup strongly urge the Shire Council to commit to approving the Railway Reserve (east side) site for our central park (skate park, BMX, playground, court and community picnic area).

As our children, young people, family and community members' health, safety and well being are a priority, we agree this is the only available and appropriate site that is central and safe.'

The petition was signed by 182 residents.

COUNCIL DECISION

Moved Cr J Mark, seconded Cr D Nye-Chart:

That the petition from ratepayers, parents and community members of Kendenup, strongly urging the Shire to commit to approving the Railway Reserve (part) in Kendenup (east side) as the site for a central park to include skate park and other facilities be received and directed to the Recreation Advisory Committee for consideration and recommendation to the Council.

CARRIED (8/0)

NO. 286/08

6 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Nil

7 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

8 CONFIRMATION OF MINUTES

Moved Cr D Nye Chart, seconded Cr S Grylls:

THAT the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 25 November 2008 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 287/08

9 COMMITTEE MINUTES**COUNCIL DECISION**

Moved Cr M Skinner, seconded Cr J Mark:

That the Minutes of:

Local Emergency Management Committee - 4 November 2008.

Bush Fire Advisory Committee - 5 November 2008.

Great Southern Regional Cattle Saleyards Advisory Committee – 25 November 2008.

be received.

CARRIED (8/0)

NO. 288/08

10 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 26 November 2008 – Met with Minister Redman regarding the State Saleyard Strategy and regional saleyards.
- 27 November 2008 – Voluntary Regional Organisation of Councils (VROC) meeting in Tambellup. It was a very proactive meeting. Cr Burgess of the Shire of Cranbrook became the chair of the Southern Link VROC.

- 1 December 2008 – Shire of Capel visited to inspect our Council Administration building.
- 2 December 2008 – With Cr Budrikis and Mr Bartlett visited Kendenup Primary School and met with the Principal Ms Fiona Hall to discuss footpaths in Kendenup.
- 3 December 2008 – Western Australian Local Government Association (WALGA) State Council meeting and Christmas function.
- 4 December 2008 – WALGA State Councillors met with State politicians over breakfast. This was very successful with about two (2) politicians for every Councillor present.
- 13 December 2008 – Councillors Dinner at Gilberts – was enjoyed by all who attended.
- 16 December 2008 – Mount Barker Community College Speech night.
- 17 December 2008 – Annual General Meeting of Electors – please attend.
- 19 December 2008 – Shire Christmas party – Town Hall 4.00 pm.

11 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION

Cr S Grylls

- Timber 2020 meeting.

Cr A Budrikis

- With Cr Forbes AM and Mr Bartlett visited Kendenup Primary School and met with the Principal Ms Fiona Hall to discuss footpaths in Kendenup.

Cr J Mark

- Mount Barker Community College Council meeting – discussed plans for the future – considering further specialisation, i.e. horses.
- Mount Barker Community College Speech night.

12 REPORTS OF COMMITTEES AND OFFICERS

12.1 DEVELOPMENT SERVICES REPORTS

12.1.1 LOCATION 4391 FILMER ROAD, KENDENUP - EXTRACTIVE INDUSTRY - RENEWAL OF APPROVAL

File No:	RV/182/4650
Attachments:	Location Plan Site Plan Shed Layout Survey of Mined Area 'A' Plan of Operations M70/1159
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	16 December 2008
Applicant:	L Trott and C Michaelas for Opal Base Nominees Pty Ltd

PURPOSE

The purpose of this report is to consider a request to renew the approval of an extractive industry (Spongelite) at Location 4391 Filmer Road, Kendenup.

BACKGROUND

At its meeting on 16 December 2003 the Council resolved at Resolution 439/03:

'That:

- (1) The application for the development of Extractive Industry (Spongelite Mine) at Lot 4391 Filmer Road, Kendenup be advertised as an SA use in accordance with Clause 6.2.3 parts (a) and (b) of the Shire of Plantagenet Town Planning Scheme No 3 stating that submissions may be made to the Council within 21 days of the notice.*
- (2) At the conclusion of the advertising period a further report shall be prepared for the consideration of the Council.'*

A report on the matter was considered by the Council at its meeting held 24 February 2004 where it was resolved at Resolution 22/04:

'That this item be adjourned until the next ordinary meeting of the Council to be held on 9 March 2004.'

When the application was considered by the Council at its meeting held on 9 March 2004 it was resolved at Resolution 39/04:

'That planning consent be granted in respect of Application No. 38/03 for portion Location 4391 Filmer Road, Kendenup to be developed for the purpose of Extractive Industry (Spongelite Mine) in accordance with the plans of operations M70/1159 dated 3 March 2004 subject to the following conditions:

- (1) Payment of a \$2,000 bond to the Shire of Plantagenet as security for restoration and reinstatement of the site.*
- (2) The activity to be managed so as to not result in any nutrient export from the site or detriment to the environment.*
- (3) Adequate measures being taken to minimise and control/manage any dust or noise associated with the mining, crushing and transport of spongelite.*
- (4) Appropriate management of stormwater runoff.*
- (5) The crossover is to be upgraded and the adjacent sections of road pavement in Red Gum Pass Road are to be widened to allow road train manoeuvres at the applicants expense.*
- (6) The crossover and access ways are to be maintained by the developer.*
- (7) A separate transport plan is to be submitted to the Council.*
- (8) The applicant will be responsible for any undue damage to local roads caused by vehicle movements and transportation associated with the Extractive Industry.*
- (9) Installation of fire breaks and other suitable fire risk minimisation measures being carried out on the site*
- (10) Any on site advertising signage shall comply with Town Planning Scheme No 3.*
- (11) No on-site stockpiles of fine dust unless all material is stored within the shed.*
- (12) The proponent to provide details of the source, storage and backup supply to ensure adequate water is available for the extraction and processing.*
- (13) Establishment and maintenance of a vegetation buffer, not less than 50m in width, around the mine site, Such vegetation shall be installed prior to commencement of the extractive industry and be maintained for the duration of the activity.*
- (14) All conditions not of an ongoing nature to be complied with within 6 months of the date of this approval.*

ADVICE NOTES

This approval is valid for a period of 12 months and is subject to annual renewal by the Shire of Plantagenet.

No further expansion or intensification of the activity shall be permitted without the prior approval of the Council.

If the development, the subject of this approval, is not substantially commenced within a period of 12 months, the approval shall lapse and be of no further effect. Where the approval has lapsed, no development shall be carried out without further approval of Council having first been sought and obtained.

The applicant is advised that there is an obligation to comply with relevant statutes applicable to the development including:

Environmental Protection Act 1986, particularly Section 49 wherein it is an offence to cause pollution or unreasonable emissions.

Environmental Protection Regulations 1987

Health Act

Building Code of Australia 1996

Fire and Emergency Services Authority

Dangerous Goods Legislation.

Mines Safety and Inspection Act 1994

Mines Safety and Inspection Regulations 1995

Mining Act 1978

Department of Conservation and Land Management - Declared Rare Flora'

In accordance with that Resolution a Notice of Approval of Planning Consent was issued. The \$2,000.00 bond was paid by the proponent and the approval licence of the Department of Industry and Resources (DOIR) was obtained. The operation is subject to inspections by that Department.

The above Council resolution contained fourteen (14) conditions and four (4) advice notes. The first advice note referred to an approval period of twelve (12) months and being subject to annual renewal by the Council. The operation has been the subject of inspections by the DOIR as part of its licence requirements. The renewal by the Council was not followed up by either the proponent or the Council.

The proponents are keen to ensure they have a current Council approval and have submitted this request for the renewal of the approval.

STATUTORY ENVIRONMENT

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3):

- zoned Rural
- an Extractive Industry is a SA (discretionary) use.

Shire of Plantagenet Extractive Industries Local Law 2008 – does not apply as Spongelite is a mineral under the Mining Act 1978.

Mining Act 1978 – classifies Spongelite as a mineral and a mining tenement under that Act is required for exploration and mining purposes.

Mines Safety and Inspection Act 1994.

Mines Safety and Inspection Regulations 1995.

CONSULTATION

As an Extractive Industry is a discretionary ('SA') use under TPS3 formal advertising was undertaken in accordance with Council Resolution 439/03.

A notice was published in the Albany Advertiser on 23 December 2003 and letters were sent to seven (7) adjoining land owners inviting comment on the proposal. The notice period was extended from 16 January 2004 until 6 February 2004 to allow for a submission from an adjoining land owner who was not included in the initial round of advertising. Two (2) submissions were received, objecting to the proposal.

There has been consultation with the applicant to clarify details of the activity.

Consultation occurred with representatives from the DOIR, the then Department of Conservation and Land Management and the then Department of Environment in 2004.

The matter has recently been discussed with officers of the DOIR. The Manager Development Services and the Manager Works and Services inspected the mine operation on 3 December 2008.

FINANCIAL IMPLICATIONS

The application fee of \$123.00 has been paid.

The \$2,000.00 bond was paid in 2004.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The proposal is consistent with the Shire of Plantagenet Strategic Plan, in particular the aim to 'Retain local business and encourage new businesses that will create sustainable local employment.'

OFFICER COMMENT

In 2004 the owner of an adjoining property had concerns over traffic, dust and noise pollution. A submission was received opposing the 2004 application on the basis that it did not comply with the Shire of Plantagenet Extractive Industries Local Law. The provisions of the Local Law do not apply to the extraction of minerals under the Mining Act 1978. In the submission it was argued that the proposed Spongelite extraction should operate under the Mining Act, and not the Extractive Industries Local Law.

The matter was determined by the Council as a planning consent application under TPS3 as Spongelite is a mineral under the Mining Act 1978. The Local Law does not apply in this instance.

A mining tenement issued by the DOIR is current over this site.

The proponent advises the process involves removing rock using a front end loader and on-site crushing to 6 mm or smaller. Components of the operation and storage is within a shed. Sprinklers are used to keep dust down in summer months. The DOIR regularly inspects the operation for safety, environmental and dust control compliance. Access to the site is from Red Gum Pass Road. The product is exported from the site in one (1) truck movement each week on average over a twelve (12) month period. The vehicle consists of a six (6) wheeler and a four (4) wheeler dog trailer. The operation is not fully used in the winter months due to site conditions.

It was considered in 2004 that any impacts could be addressed through conditions of planning consent and payment of a bond.

In a recent discussion with an officer from the environmental division of the DOIR revealed that the Department is satisfied with the operation. It was inspected by DOIR in September 2008 and all is being carried out in accordance with the approval. The small operation includes crushing of the Spongelite and also cutting blocks for wall construction.

It is normal practice when issuing a notice of approval of planning consent to issue it for a two (2) year period. Once the development has been substantially commenced then the planning consent is deemed to have been acted on. The Council can impose approval times other than the two (2) years if it considered it appropriate depending upon the individual proposal.

In this particular case an advice note was added to the 2004 approval to limit the approval period to twelve (12) months and included reference to annual renewal. If the approval time is to be limited it must be done by way of a specific condition, not an advice note. The advice note for annual renewal is a matter contained in the Extractive Industries Local Law and as stated above, that Local Law does not apply to a mining operation under the Mining Act 1978.

Due to the uncertainty of the earlier approval of 2004 it is considered appropriate to issue a fresh approval of planning consent hence the recent application by the proponent the subject of this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr A Budrikis:

That planning consent be granted for an extractive industry (Spongelite mine) at Location 4391 Filmer Road, Kendenup in accordance with the plans dated 2 December 2008 and the plan of operation M70/1159 dated 5 November 2008 subject to the following conditions:

- 1. The retention by the Council of the previously paid \$2,000.00 bond as security for restoration and reinstatement of the site.**
- 2. The activity to be managed so as to not result in any nutrient export from the site or detriment to the environment.**
- 3. Adequate measures being taken to minimise and control/manage any dust or noise associated with the mining, crushing and transport of Spongelite.**
- 4. Appropriate management of stormwater runoff.**
- 5. The crossover and the adjacent sections of road pavement in Red Gum Pass Road are to be maintained by the applicant to allow road train manoeuvres at the applicant's expense to the satisfaction of the Manager Works and Services.**
- 6. Any on-site advertising signage shall comply with the requirements of Town Planning Scheme No 3.**
- 7. No external stockpiles of fine dust and all material is to be stored within the shed.**
- 8. The proponent shall ensure adequate water is available for the extraction and processing.**

9. The maintenance of a vegetation buffer, not less than 50m in width, around the mine site for the duration of the activity.

CARRIED (8/0)

NO. 289/08

12.1.2 POLICY REVIEW - CONTROL OF SIGNS WITHIN THE SHIRE OF PLANTAGENET AND NEW DRAFT POLICY - DIRECTIONAL, SERVICE AND TOURISM SIGNAGE

File No: RO/120/3

Attachments: (1) [Directional, Service and Tourism Signage - Policy](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Peter Duncan
Manager Development Services

Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to consider the proposed Draft Policy: 'Directional, Service and Tourism Signage Policy' following workshops with the tourism industry to discuss policy drafts. When the draft policy is finalised then existing Policy TD/SDC/2 (Control of Signs within the Shire of Plantagenet) will need to be revoked. A delegation will need to be adopted for the efficient operation of the policy.

BACKGROUND

On 29 August 2006 a workshop was held with Councillors to discuss draft proposals for this policy. The draft was prepared in consultation with Main Roads Western Australia (MRWA) and Tourism Western Australia (TWA).

The need for a co-ordinated approach to the management and control of signs on public land and particularly with road reserves is recognised. There are a number of redundant, unauthorised and derelict signs throughout the Shire. Directional Signs are signs erected on roads or public places to indicate the direction to places, services and tourist destinations.

The proposed policy provides that the Council will allow and erect a direction sign, which indicates the nature of a business or activity that may be located by following the direction indicated by the sign.

Existing policy TP/SDC/2 (Control of Signs within the Shire of Plantagenet) reads as follows:

'POLICY:

CONTROL OF ADVERTISEMENTS

Council's objective in the control of advertising is to secure the orderly and proper planning and the amenity of the Scheme Area through the control of advertisements by the examination and determination of advertising signs in the light of:

- * *The impact of new advertisements upon residential, rural and recreational areas;*
- * *The potential of any proposed advertisement to enhance or detract from the visual amenity and character of an area; and*

- * *The potential for the rationalisation, consolidation or removal of existing advertisements where amenity is already impaired by poor, excessive or derelict advertising.*

Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed including its historic or landscape significance and traffic safety, and the amenity of adjacent areas, which may be affected.

With the above in mind a policy dealing with advertising signs, a temporary sign, guide signs and signs in general has been drafted.

Focus will be for tourist passing through the town, which requires services from a tourist establishment.

DEFINITIONS

Tourist establishment – a commercially operated establishment catering for tourists, and for which a charge may or may not be made, (museum, fauna park, historical home, tourist farms, winery, craft centre, pottery, overnight accommodation, caravan park etc)

GUIDE SIGNS

To inform and advise road users of directions, routes, distances, destinations, the location of services for road users and points of interest. Not to be in the form of advertising.

All guide sign along main roads are subject to MRWA Approval.

A PROPOSED ADVERTISING SIGN MUST SATISFY THE FOLLOWING

Sign to be within 2 km of the business or within 2kms of a townsite to which the business is situated;

Tourist establishment only;

Permission granted from property owners;

Not to be placed in the Road reserve;

All signs in the vicinity of a main road must comply with the Main Roads (Control of Advertisements) Regulations;

Professionally written by a commercial sign writer; and

Maximum of two signs with the position of the signs to Councils satisfaction.

SIGNS – GENERAL

That all signs are required to have all wording professionally written, by a commercial signwriter and must be in accordance with the Shire of Plantagenet Town Planning Scheme.

Display of unofficial and non-essential information signs should not be permitted.

COMMERCIAL BUSINESS

An advertising sign for a commercial/business will not be permitted on the vicinity of roads unless in compliance with the Town Planning Scheme (e.g. Home Occupation advertising on own property maximum area of sign 0.2m² and industrial landuse permitted a maximum 4 signs but with conditions)

TOURIST ESTABLISHMENT

Be permitted to locate one guide sign indicating name and distance of the establishment using standard terms (e.g. B & B 15km).

TEMPORARY ROADSIDE SIGNS

That Council permit, non-business community groups to advertise community functions, to be held on a "one-off" event only.

Signs subject to –

The maximum size to be 1.0m²;

The sign is to be non-offensive;

Council has the right to remove any sign at any time for reasonable cause and fee as set by Council each year and included in its Schedule of Fees and Charges will be charge for its return.

All signs must be located a minimum of 1.5m from the nearest vehicle carriageway.

The sign is to be removed within one (1) day after the advertising event.

Placement of signs to be maximum of ten (10) days before event.'

The existing policy was last reviewed on 27 January 1998 and was considered by the Council at its meeting held on 13 March 2007 where at Resolution 103/07 it was resolved:

'That the question be adjourned to allow a further review of the Control of Signs Policy and that a further report be presented to the Council at its meeting to be held 11 September 2007.'

At its meeting held on 11 September 2007, the Council at Resolution 322/07 resolved:

'That a workshop be held with the tourism/business industry to discuss the attached draft Council policy on Directional, Service and Tourism Signage by end of November 2007.'

On 20 November 2007 the Chief Executive Officer (CEO) and the Manager Development Services (MDS) attended a gathering with some tourism industry representatives at the Banksia Farm to informally discuss the draft policy. On 27 November 2007 a workshop with Councillors and the tourism industry was held to discuss the draft in detail. Following that workshop the policy was redrafted by January 2008 and a trial sign stack was erected at the corner of Mount Barker Road and Mondurup Street in August 2008.

On 11 November 2008 a workshop with Councillors and the tourism industry was held to discuss the revised draft. Apart from some minor editorial work there was general support for the current draft of the policy.

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Clause 5.6 sets standards for the control of advertisements

CONSULTATION

Extensive consultation with MRWA and TWA has occurred. Councillors have been involved in workshops with the tourism industry discussed in the background above.

FINANCIAL IMPLICATIONS

The Council in adopting its budget for 2008/2009 agreed to set fees for applications for this form of signage (\$400.00) and a fee for annual renewals (\$40.00).

Directional signage will be erected by Works and Services. The signs will be designed and manufactured to the Council's specifications at the business owner's cost.

Planning and budgeting for the new signs will be required to ensure implementation within the time frame of two (2) years for upgrading existing signs.

POLICY IMPLICATIONS

Policy No. TP/SDC/2 Control of Signs within the Shire of Plantagenet – this Policy will need to be revoked should this proposed policy be adopted. The existing policy is difficult to administer as it covers road side and other signs in an unclear way.

The proposed policy provides clear and precise standards for directional signage. A delegation to the proposed will ensure that compliant signage proposals that meet this policy can be considered in a timely manner. It is proposed that the CEO will on delegate this to staff for operational efficiency.

STRATEGIC IMPLICATIONS

This proposed policy if adopted will lead to the preparation of a comprehensive policy to address all forms of advertising signage on private property.

OFFICER COMMENT

The draft policy presented here is the result of a composite of material taken from previous reports and amplified and edited where necessary and includes the comments taken on at workshops held with the tourism industry.

At the most recent workshop held with the tourism industry there was general support for the Policy.

The TWA Manager Brand WA, Corporate Identity, Tourism Signage Policy, Mr Eugene Stankevicius in an email on 11 November 2008 when apologising for not being able to attend the workshop provided some editorial comments on the policy but advised:

'Well done on the policy – it's looking really good.'

Following the workshop on 11 November 2008, final editorial work was carried out on the policy as follows:

2.1.2	Road Name Signs	Lettering to be dark green and Shire logo to be incorporated.
2.1.5	Sign Stack Diagram	Road name panel to include logo and dark green letters
2.1.6	Warning Directional Sign	Road name lettering to be dark green.

2.1.7	Second sentence to include after 'supported' 'unless MRWA determines otherwise'.	
2.1.7	Diagram	Road name panel to include logo and dark green letters.
2.2.2	Add a sentence	'If considered safe by the Manager Works and Services more than six (6) fingerboards may be allowed.'
4.1	Change compliance time from 'five (5)' years to 'two (2)' years.	
Introduce a new 4.2	'Where the Council is to install a sign stack at a street junction following a request from a business owner(s), all other various fingerboard signs existing at that junction will need to be made and incorporated into that new sign stack.' This will need to occur within the two (2) year time frame at 4.1 or earlier if the other business owners are willing to pay the application fee.	
Appendix 1	Form	add new boxes for 'Other-Specify' under 'camping facility' and 'Heritage'. This will allow for the other types of service or tourism signs.'

The existing information bay area to the north of Mount Barker on the east side of Albany Highway provides a carparking area and up until recently somewhat outdated tourist information on perspex covered boards under a small roofed area. One matter for consideration is to install a new map advertising the district and its tourist operators at a prominent location at the visitor centre. The information bay area which is the responsibility of Main Roads WA could be retained as a carpark rest area but would include a sign directing tourists to the visitor centre for information. The new sign at the visitor centre could be located to the exterior of the complex (but under a roof) and be lit so that it is useable outside visitor centre hours by the travelling public. This option is one which could be considered with the tourism industry representatives and Rotary and it would provide more certainty that tourists would actually stop in town and as a flow on effect could patronise shops and businesses whilst they have stopped.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr D Nye-Chart, seconded Cr J Mark:

That:

- New Council Policy No. I/R/19 Directional, Service and Tourism Signage Policy as follows:**

'OBJECTIVE:

To ensure the provision of directional, service and tourism signage, is effectively integrated into the urban and rural landscape and the amenity of the locality is maintained and protected.

POLICY:**1. INTRODUCTION**

- 1.1 The Council is concerned at the proliferation of directional signs for service and tourism activities being used as an advertising medium. Advertising and providing direction to businesses should be through the Visitor Centre and commercial advertising mediums.
- 1.2 A reduction and limiting of the proliferation of road signs can preserve or enhance the aesthetic values of the landscape and environment. The use of Australian Standards and internationally recognised symbols on signs wherever possible can ensure simple, concise and consistent messages are conveyed to motorists and travellers.
- 1.3 Directional signs are signs erected in roads or public places to indicate the direction to places, services and tourist destinations within the Shire but do not include signs erected by the Council or the Commissioner of Main Roads.
- 1.4 Directional signs not on a road name sign structure but standing alone will not be supported.
- 1.5 Directional signs are not permitted for home occupation or home business uses.

2. POLICY CRITERIA

In considering any application for approval for Service and Tourism directional signage, the Council will have regard to the criteria below before a decision is made.

2.1 SIGN FORMAT

2.1.1 A 'sign' in this context relates to a rectangular 'fingerboard' sign.

2.1.2 The sign hierarchy when mounted as a sign stack is:

1.	Road Name Sign	Dark Green on White (to incorporate Shire logo)
2.	Settlement Sign	White on Green
3.	Service (Community) Directional Sign	White on Blue
4.	Tourism Directional Sign	White on Brown

2.1.3 Permitted directional signs within road reserves, are to be fingerboard signs as follows:

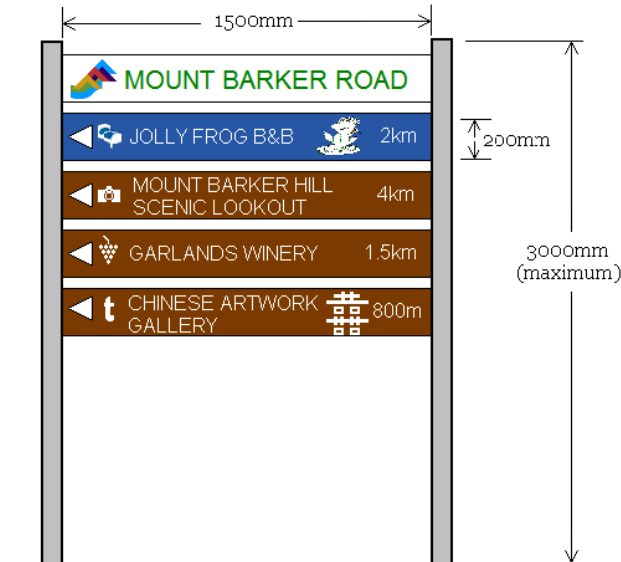
Settlement Sign:	(White on Green) signs that inform the road users of direction and distance to destinations.
Service Sign:	(White on Blue) signs relating to community or not-for-profit facilities or accommodation businesses that are directly related to servicing visitors/tourists and locals.
Tourism Sign:	(White on Brown) signs providing information on businesses, tourist attractions and historic sites.

2.1.4 Examples of Directional Signs are:

SETTLEMENT	SERVICE	TOURISM
White on Green	White on Blue	White on Brown
ALBANY 50KM PORONGURUP ROCKY GULLY NARRIKUP KENDENUP TOWN CENTRE	<p><u>Community Facilities</u></p> <ul style="list-style-type: none"> • Hospital • Police Station • Religious buildings • Halls, civic centres • Post Office • Sporting & recreational grounds or facilities <p><u>Tourist Facilities / Business</u></p> <ul style="list-style-type: none"> • Accommodation (including Caravan Parks & Camping Grounds) • Visitor Information Centres 	<ul style="list-style-type: none"> • National Parks • Historic Buildings, Sites & Towns • State or Local Tourist/ Scenic drives • Scenic Look-outs • Commercial Tourist Attractions (e.g. Wineries with cellar door sales, animal farms etc)

2.1.5 Where more than one such directional sign is required for a particular street junction, then they shall be incorporated into a sign stack structure which will be erected by the Council to meet the following standards:

- Each individual sign can incorporate the business name/logo/hours of opening and the direction to proceed.
- Each individual sign shall be a maximum width of 200mm and a maximum length of 1500mm. All signs in the one stack will be the same length.
- Located to the satisfaction of the Council to ensure traffic safety.
- The overall structure shall be in the following form:

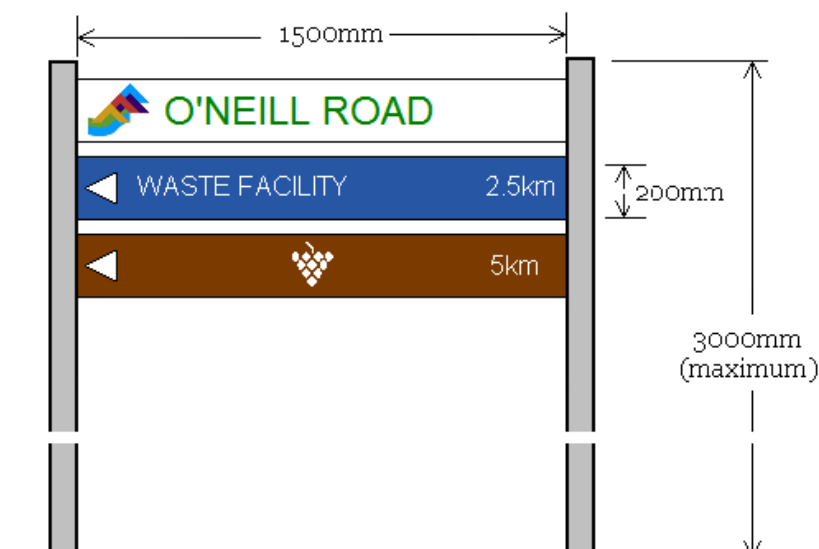


2.1.6 Where the sign stack is proposed in the rural districts and the Council feels it appropriate from a traffic safety perspective, a warning direction sign shall be located in advance of the street junction. Such a warning sign shall again be a composite form as follows:



The Council will have the sign prepared and erected.

2.1.7 Where Service and Tourism directional fingerboard signs are proposed for Main Roads WA (MRWA) controlled roads (see 3.2), then they are to incorporate generic terms and/or symbols only. Explicit signs specific to a private business or enterprise will not be supported unless MRWA determines otherwise. The overall structure shall be in the following form:



- 2.1.8 The Council will maintain the fingerboard signs for a period of five (5) years by which time a replacement is likely to be required due to deterioration of the signs reflectivity. The replacement will be at the business owners cost for the application fee set in the annual budget at the time.

2.2 SIGN STANDARDS AND REQUIREMENTS

- 2.2.1 Settlement, Service and Tourism directional fingerboard signs are to be in accordance with AS 1742.5 (Manual of uniform traffic control devices – Street name and community facility name signs).
- All signs are to have distance noted.
 - All signs are to be a maximum of 200mm in height and in one of 3 lengths (900mm, 1200mm and a maximum of 1500mm in length). All signs in one sign stack will be the same length.
- 2.2.2 In any one sign stack the maximum number of fingerboards is six (6), not inclusive of the road name sign(s) at the top. If considered safe by the Manager Works and Services, more than six (6) fingerboards may be allowed.
- 2.2.3 All road names will in due course be mounted on two poles and form the basis of a potential sign stack.
- 2.2.4 Should the Council propose to remove explicit names of businesses, to enable the addition of more businesses within the same and/or another generic group, the Council will advise the affected business owner and will remove the sign and replace it within six (6) weeks of receiving an application for a new sign for that stack.

- 2.2.5 Where the Council feels it appropriate from a traffic safety perspective in rural districts, one position sign may be erected opposite the entrance to a business.
- 2.2.6 No private advertising signs may be erected permanently on public land unless with good cause and in specific circumstances as agreed by the Council.
- 2.2.7 No temporary private advertising signs may be erected on public land without the approval of the Council.
- 2.2.8 All signs within a road reserve are governed by the Council and the Council reserves the right to remove unapproved signs without notice. The Council also reserves the right to modify, relocate or remove signage where necessary with or without notice.
- 2.2.9 The Council will replace stolen, damaged or dangerous signage with or without notice.

3. APPLICATIONS

- 3.1 Applications for all Service and Tourism directional signs are required to be lodged with the Council on the appropriate form (Appendix 1) together with the necessary application fee (\$400.00 2008/09).
- 3.2 MRWA control specific roads within the Shire (Albany Highway, Muirs Highway, Mount Barker–Denmark Road and Chester Pass Road). All applications for signs on these roads will be referred by the Council to MRWA for comment before a decision is made.
- 3.3 All Tourism related signage will be referred to the Great Southern Regional Manager of Tourism WA to ensure the business meets the minimum essential criteria.
- 3.4 The Council will proceed to have the signs manufactured and installed only after obtaining any comments necessary from referral agencies and approval has been granted on the form (Appendix 1).
- 3.5 The Council will maintain all signage within the road reserve.
- 3.6 An annual renewal fee (\$40.00 2008/09) will apply for all Service and Tourism directional fingerboard signs. Where the annual renewal fee has not been paid, the Council will assume the businesses/attractions no longer operate or no longer require the sign(s) and will proceed to remove them.

4. IMPLEMENTATION

4.1 Existing Service and Tourism directional fingerboard signs in the Shire will be reviewed and those that do not comply with the standards and definitions of this Policy will be removed and replaced at the relevant business owner's cost by compliant signs within two (2) years of the date of adoption of this policy.

4.2 Where the Council is to install a sign stack at a street junction following a request from a business owner(s), all other various fingerboard signs existing at that junction will need to be remade and be incorporated into that new sign stack.

5. ADMINISTRATION:

The Manager Works & Services is responsible for the administration of this policy.'

be adopted.

2. Existing Council Policy TP/SDC/2 (Control of Signs within the Shire of Plantagenet) be revoked.

3. That the following Delegation LG 049:

Delegation Number	LG 049
Legislative Power	Local Government Act 1995 Section 5.4.2
Delegation Subject	Directional, Service and Tourism Signage Policy
Delegate	Chief Executive Officer

That authority be delegated to the Chief Executive Officer pursuant to Section 5.42 of the Local Government Act 1995 for the placement and removal of Directional, Service and Tourism Signage in accordance with the Council's Directional, Service and Tourism Signage Policy No. I/R/19.'

be adopted.

CARRIED (8/0)

NO. 290/08

(Absolute Majority)

FURTHER MOTION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr S Grylls:

That further to the adoption of the Council's Directional, Service and Tourism Signage Policy No. I/R/19, consideration be given to the use of alternative materials for the sign posts.

CARRIED (8/0)

NO. 291/08

12.1.3 LOT 50 JUTLAND/RYRIE ROADS, KENDENUP - PROPOSED SIX (6) LOT SUBDIVISION

File No:	LP/158/138916
Attachments:	Location Plan Pre 1996 lot configuration Original WAPC approval (98244) 1996 Diagram of Survey Approved WAPC August 1998 (107348) Revised plan supported by WAPC June 2001 Approved WAPC November 2001 (117251) Subdivision now proposed (138916) Subdivision overlaid on air photo
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	16 December 2008
Applicant:	John Kinnear and Associates on behalf of Mr F Mentha

PURPOSE

The purpose of this report is to provide comment to the Western Australian Planning Commission (WAPC) on a proposal to subdivide a 104.589 ha lot into six (6) lots ranging in size from 11.6361 ha to 31.9997 ha.

BACKGROUND

Lot 50 was created in 1996 as part of a subdivision that rearranged lot boundaries in the street block bounded by Beatty, Jutland, Ryrie and Halsey Roads. The Diagram of Survey for that 1996 subdivision showing smaller lots 1 to 6 on Beatty Road and the subject Lot 50 Jutland Road is attached. Also attached is a plan showing the pre 1996 subdivision lot configuration.

The original proposal (WAPC 98244) for the subdivision of lot 50 into six (6) lots in 1995 was approved by the WAPC with conditions. That approval expired and a fresh application (WAPC 107348) which involved six (6) lots serviced by a cul-de-sac and battleaxe legs was approved by the WAPC in August 1998 again subject to a range of conditions. A revised plan was submitted in November 2000 which showed a 10.0m road widening cul-de-sac and a series of four battleaxe lots. That revised plan was not favoured by the WAPC.

A further revised plan was submitted in March 2001 which showed a 10.0m widening involving a cul de sac and no battleaxe legs. The WAPC supported a further (third) revised plan on 18 June 2001 which showed a 10.0m widening the full length of Ryrie Road. Approval of WAPC 107348 expired in August 2001.

In August 2001 another subdivision application (WAPC 117251) was lodged which showed a similar lot configuration to that submitted now with 5.0m and 10.0m road widenings to Ryrie Road. That proposal was approved by the WAPC in November 2001 with a road widening condition and an advice that the 10.0m widening was to extend along the entire frontage of the land. That approval expired in November 2004.

During all of these earlier approvals the landowner was questioning the level and standard of road construction and drainage. In a letter dated 23 September 2002 the standards and requirements were conveyed to the landowner.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Zoned Rural

CONSULTATION

The Manager Development Services and the Manager Works and Services inspected the site on 3 December 2008.

FINANCIAL IMPLICATIONS

There are no financial implications in this report. If the subdivision is approved the subdivider will be required to construct Ryrie Road (presently unconstructed) to the Council's standards.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The proposal now put forward is to create six (6) lots ranging in size from 11.6361 ha to 31.997 ha with the lots fronting the unconstructed Ryrie Road. The proposal suggests a 5.0m widening of Ryrie Road for the first 261m from Jutland Road and a 10.0m widening for some 900m from the unconstructed Halsey Road to the east. The intention of these two areas of road widening is to provide an area for road construction to avoid the need to remove substantial vegetation in the Ryrie Road road reserve. The widening will mean the Ryrie Road road reserve will be 25m and 30m wide. For a central 644m section, the road reserve will remain at 20m wide.

It is recommended that the 5.0m widening should be increased to 10.0m for the full length of Ryrie Road to ensure there is adequate room to construct a gravel road with adequate drainage on either side. The road surface will be constructed in the road widening areas. The subdivider will be required as a condition of subdivision approval to construct the road to the Council's standards.

A creekline crosses proposed lot C and this will need to be fenced to preclude stock access. Adequate drainage will need to be installed under the to be constructed Ryrie Road.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Mark, seconded Cr A Budrikis:

That the proposal for a six (6) lot subdivision of Lot 50 Jutland Road and Ryrie Road, Kendenup be supported subject to:

1. Ryrie Road being widened by 10.0m along the total frontage of Lot 50 and that land being transferred to the Crown free of cost.
2. Ryrie Road being constructed and drained to the satisfaction of the Council at the subdivider's cost.
3. The creekline that crosses Ryrie Road being adequately drained under the new road to the satisfaction of the Council at the subdivider's cost.
4. Construction of the road is not to commence until detailed engineering plans and specifications of works including earthworks, roads, drainage, clearing, rehabilitation and soil stabilisation measures has been approved by the Manager Works and Services.
5. The creekline where it crosses lot C is to be fenced to preclude stock access.
6. The front property boundaries to the widened Ryrie Road to be fenced.
7. Crossovers are to be located and constructed to the satisfaction of the Manager Works and Services.
8. All stormwater is to be disposed of to the satisfaction of the Manager Works and Services.
9. All buildings and effluent disposal systems having the necessary clearance from lot boundaries.

CARRIED (8/0)

NO. 292/08

12.1.4 RESERVE 23435 ARBOUR STREET, ROCKY GULLY - CHANGE IN PURPOSE OF RESERVE

File No: PR/9/1, Reserve 23435

Attachments: [Plan showing DPI proposal](#)
[Suggested alternative to dividing line – October 2008](#)
[Aerial photo showing facilities](#)
[Existing zoning under TPS3](#)
[Possible smaller recreation area – December 2008](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Peter Duncan
Manager Development Services

Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to reconsider a request from the Department for Planning and Infrastructure (DPI) for comment on a proposal to subdivide Reserve 23435 Arbour Street to excise the area containing the school oval. The oval is planned to be set aside for 'Recreation' with management granted to the Council.

BACKGROUND

In April 1993 the Ministry of Education Nomenclature Committee advised that the Minister for Education had approved the naming of the oval as 'Higgins Oval'. In February 1994 the Department of Land Administration advised the purpose of Reserve 23435 had been changed from 'Schoolsite' to 'Schoolsite and Recreation'.

In 1994 the preparation of a Deed of Licence over the oval portion of Reserve 23435 between the State and the Council was commenced. That Deed of Licence was to be for the Council maintaining the oval and the public having the ability to use the oval out of school times.

The Primary School was closed at the end of 2003.

The future use of the buildings has been under consideration by the Department of Education and Training (DET) and the Council for many years. The most recent initiatives in this regard are contained in the Council's draft Local Planning Strategy. Earlier proposals for the buildings included industrial type zoning but no Amendments to the Town Planning Scheme were initiated formally.

The Council when it considered the request from DPI at its meeting held on 14 October 2008 resolved at Resolution 205/08:

'That the Council proceed to the next business.'

During the consideration of this matter at that meeting, the Council's Strategic Sport and Recreation Plan of July 2008 was discussed. That Plan when discussing infrastructure at Rocky Gully stated:

'Sport facilities in Rocky Gully over cater for the current population and amount of organised sport within the area.

The Department of Education and Training recently closed the local primary school in Rocky Gully. Continued maintenance of Higgins Park (located adjacent to the school and owned by the Department of Education and Training) is currently being negotiated between the Shire of Plantagenet and the Department of Education and Training. Higgins Park has extensive open space. An option could be to revegetate some area so as to cut down the amount of maintenance required.

The damaged shed located near Higgins Park Oval is a safety hazard and should be removed.'

The Plan included recommendations specific to Rocky Gully as follows:

'5.10.3 That the Council's resolution regarding the vesting of Higgin's (sic) Park (Rocky Gully oval) to the Shire of Plantagenet be reconsidered.

Or, alternatively,

That maintenance on Higgin's (sic) Park Oval, in Rocky Gully, and associated infrastructure be discontinued and that infrastructure be removed when deemed unsafe.

5.10.4 The maintenance on Rocky Gully's Tennis Courts and associated infrastructure be discontinued and that infrastructure be removed when deemed unsafe.'

These recommendations were made on the basis that according to: *'Infrastructure Benchmarks per capita, an active public open space or oval should be available for every 3,500 people and a tennis court should be available for every 1,000 people. Narrikup and Rocky Gully facilities are not within a population catchment area justifying such infrastructure.'*

The Recreation Advisory Committee has since met and agreed recommendation 5.10.3 and 5.10.4 be treated as a high priority.

STATUTORY ENVIRONMENT

Land Administration Act – Reserve 23435 is a Crown Reserve for 'Schoolsite and Recreation' with a Management Order with the Minister for Education.

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) - Local Scheme Reserve – Public Purpose. A Scheme Amendment will be required once the draft Local Planning Strategy is finalised.

CONSULTATION

The DPI staff have been liaising with Council staff on this matter for some time.

The Recreation Advisory Committee met and discussed this matter when considering the recommendations in the Strategic Sport and Recreation Plan.

FINANCIAL IMPLICATIONS

If the area of the oval has its purpose changed to 'Recreation', DPI will issue a Management Order in favour of the Shire and long term management and maintenance of the oval will become a Council responsibility. The Council presently does provide some basic maintenance in terms of occasional lawn mowing.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The proposal from DPI is generally in accordance with the Council's draft Local Planning Strategy (LPS) which is yet to be advertised for public comment. If the DPI proposal does not proceed then the LPS will need to be modified after advertising.

OFFICER COMMENT

The proposed boundary between the two reserves is shown on the attached DPI plan. The area to be retained by DET is a long rectangular site in the order of 1.3ha. This will leave approximately 3.5ha vested in the Council for the oval.

The proposed boundary put forward by the DPI differs from that contained in the draft Local Planning Strategy but that draft can be modified after the formal advertising once the Western Australian Planning Commission (WAPC) grants its approval to advertise the draft. The proposed boundary also impacts on existing shed structures forming part of the school buildings in Arbour Street. It would be preferable if the boundary was relocated some 20m to the west so that the sheds are retained with the school buildings.

The proposed DPI boundary is some 60m from the eastern boundary of the present reserve and this encroaches onto the edge of the oval. It would be preferable if the boundary was located 50m from the eastern boundary so as to not impact on the oval.

A proposed alternative boundary was put to the Council on 14 October 2008 and that is shown on the attached plan. That alternative boundary will marginally reduce the area to be retained by DET to approximately 1.25ha (1.3ha in current proposal).

The oval itself is in fair condition with football goal posts still in place at the southern end. From the oval extremities to the west and southern boundary of the reserve are areas of remnant vegetation. There is a concrete water tank on the west side of the oval and a badly damaged shed incorporating a water pump. Part of the shed roof and walls are missing. The pump is electrically powered but the source of the power supply is not evident from the power lines in Bateman Street hence the power may come from an underground line from the school buildings. Various pieces of reticulation equipment are evident near the tank and shed and these include a large impact sprinkler and a series of surface pipes.

The remnant of two old portable grandstands is evident on the west side of the oval. These are in a very bad condition and part of any handover must include the removal of these dangerous grandstands.

The Strategic Sport and Recreation Plan states the damaged shed should be removed, but as this contains the water pump, some form of protection for the pump (if it is to be retained) should be provided.

In the Council report considered on 14 October 2008 it was recommended the alternative boundary be agreed to subject to several conditions.

Recommended conditions of any handover were the replacement of the damaged shed containing the pump with a new larger shed of a suitable size to house a 25hp ride on mower and maintenance equipment as well as the pump. The electrical power to the pump must be from a completely independent source from the school. This will involve an underground cable from Bateman Street or Arbour Street with an independent meter. The water pump must also be serviced and if necessary repaired to be in full working order.

As the oval and its maintenance would have become a Council responsibility it was not considered unreasonable to also ask DET to provide a 25hp ride on lawn mower together with the above listed upgrades.

The Strategic Sport and Recreation Plan essentially stated that the option of the Council taking over the former School oval be not proceeded with as the population numbers do not justify such a large facility. The Plan did mention revegetating some area so as to cut down the amount of maintenance required. As stated above, the Recreation Advisory Committee considered the vesting in the Shire of the oval being reconsidered was a high priority.

Rocky Gully only has two areas of land zoned for Recreation under TPS3 (plan attached). The first is the area north of Muirs Highway in the vicinity of the truck rest bay. The other is Reserve 39558 in Westfield Street which is undeveloped and has a Crown purpose for 'Pony Club'. Westfield Street and the unnamed road to the east are unconstructed adjacent to this Reserve 39558.

If the concept of the oval transfer is not pursued, then Rocky Gully will not have any developed area available for recreation purposes. It is agreed the settlement is not large enough to justify the provision and maintenance of an oval. There is however, the option of retaining a smaller portion of the site as a recreational area for the community. This smaller portion could involve some of the grassed oval area, some remnant vegetation and the pump/water tank facilities. A plan attached shows a possible area of some 9,100m² which could be appropriate. It will provide a grassed area for limited active recreation and it will retain the pump, shed and water tank.

If this smaller 9,100m² area was agreed to then the remainder of the School site could be shown as the Rocky Gully Enterprise Zone in the draft LPS. The Government could then dispose of the remainder of the site.

The smaller area now suggested would not justify the provision of a new 25hp ride on lawn mower but other conditions recommended in October 2008 would still be relevant. An additional condition requiring a rural type fence being erected along the proposed new boundary would also be needed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Mark, seconded Cr A Budrikis:

That:

1. The proposal to subdivide Reserve 23435 Arbour Street, Rocky Gully with the oval being set aside for 'Recreation' with management granted to the Council is not supported.
2. An area consisting of approximately 9,100m² of Reserve 23435 Arbour Street, Rocky Gully being set aside for 'Recreation' with management to the Council as marked on the attached plan dated December 2008 be supported subject to:
 - a) The badly damaged shed housing the water pump being replaced with a new shed;
 - b) The reticulation pump and reticulation equipment being serviced and in good working order;
 - c) Underground power connection to the shed being provided from an independent metered source from either Bateman Street or Arbour Street;
 - d) The damaged portable grandstands being removed from the site and disposed of as they are in an unsafe condition; and
 - e) The smaller area being adequately fenced with rural type fencing to delineate the eastern and southern boundaries.

CARRIED (5/3)

NO. 293/08

12.2 WORKS AND SERVICES REPORTS

12.2.1 POLICY REVIEW - STOCK ON LOCAL ROADS

File No: RO/120/5
Responsible Officer: Ian Bartlett
Manager Works and Services
Author: Megan Sounness
Administration Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to review Council Policy No. I/R/18 – Stock on Local Roads.

BACKGROUND

Council Policy No. I/R/18 – Stock on Local Roads reads as follows:

OBJECTIVE:

The purpose of this Policy is to provide reasonable precautions that should be taken when moving stock on local roads, and to outline the Council's requirements for provision of stock underpasses on local roads.

POLICY:

1. POLICY STATEMENT

Main Roads will provide guidance on reasonable precautions that should be taken when driving stock across or along a state road and will also permit stock underpasses under state roads subject to the underpass meeting Main Roads requirements.

The Council will provide guidance on reasonable precautions that should be taken when driving stock across or along a local road and will also permit stock underpasses under local roads subject to the underpass meeting Main Roads requirements.

These guidelines do not address the issue of straying stock in unfenced pastoral areas.

2. APPLICATION & APPROVAL GUIDELINES

2.1. Definitions

Unless otherwise indicated in the text of this Guideline:

AS means Australian Standards.

Local road means a road under the control of a Local Government.

Main Roads means the Main Roads of Western Australia.

RTC 2000 means The Road Traffic Code 2000.

State road means a road under the control of Main Roads

Traffic signs mean a sign as recognised in the Australian Standards or Main Roads Signs Index.

2.2. Background

The purpose of this Policy is to provide reasonable precautions that should be taken when moving stock on local roads, and to outline the Council's requirements for provision of stock underpasses on local roads.

The person in charge of moving stock across or along a road does not need formal permission from the Council except for the following statutory requirements:

- *For roads with declared Control of Access the consent of Main Roads is required; (Main Roads Act 1930, Section 28A (4)); and*
- *For roads within a town the permission of the Director General is required. (RTC 2000 Regulation 277).*

A person droving stock on roads shall:

- *not leave stock unattended (RTC 2000 Regulation 275); and*
- *provide reasonable warning and not cause unreasonable delay to approaching traffic (RTC 2000 Regulations 276)*

The RTC 2000 allows the person in charge of moving stock on a road to install temporary road warning signs (Regulations 297 & 276), and to display an orange flashing warning light on a vehicle (Regulation 289).

2.3 APPLICATION

2.3.1. Precautions for Taking Stock onto a Local Road

2.3.1.1 General

The RTC 2000 requires the person in charge of stock on a road to:

- *Take all reasonable precautions to warn approaching traffic of the presence of the stock; and*
- *Arrange the moving of the stock at such times, and in such numbers, and establishes such control of the stock on the road, as is likely to prevent it causing unreasonable delay to the passage of other traffic.*

2.3.1.2 Reasonable Warning

Reasonable precautions to warn approaching traffic with warning signs and devices is provided in the Technical Guideline (Section 3).

2.3.1.3 Unreasonable Delay

The following circumstances are considered to be cause for unreasonable delay:

- *The duration of road closure is greater than 5 minutes; and for multiple crossing movements, all queued vehicles are not cleared before the commencement of the next crossing movement;*
- *The stock movement is on a dual carriageway road;*
- *The crossing is closer than 1 km to a stock underpass servicing the same landowner; or*
- *The road's annual average daily traffic volume is greater than 500 vehicles per day.*

2.3.1.4 Costs

The person in charge of the stock is responsible of the supply, installation and removal of the road traffic signs and devices associated with the stock movement on a road.

2.3.1.5 Roads with High Traffic Volumes

Where a road's annual average daily traffic volume is greater than 500 vehicles per day, a stock underpass is the preferred method of moving stock across the road.

2.3.2. Stock Underpasses under Local Roads

2.3.2.1 General

A stockowner may install an underpass under a local road subject to compliance with the requirements of these guidelines. There are conditions on the design, construction, and maintenance.

2.3.2.2 Costs

There is no fee for the Council to process an application. The applicant shall be responsible for all costs associated with the design, construction and maintenance of the underpass structure.

2.3.2.3 Design and Construction

For sections of the underpass that are within and at the boundary of the road reserve, the design shall be approved by the Council and the construction shall be undertaken by the Council or Council approved consultants and / or contractors.

2.3.2.4 Maintenance

The applicant shall maintain the underpass. The maintenance of the underpass by the applicant includes removal of fouling and repair of any damage to the road infrastructure within the road reserve.

2.4. APPROVAL - STOCK UNDERPASSES

2.4.1. Applications

A person wishing to install a stock underpass must submit an application to the Council.

2.4.2. Approval

Approval of an application shall include a condition that a Stock Underpass Agreement be signed by both the applicant and the Council before commencement of any work in the road reserve and shall indicate the extent, if any, of the Council's contribution to funding the underpass.

3. TECHNICAL GUIDELINES

3.1. General

The removal or covering of stock crossing signs when not in use is mandatory. Signs that are displayed while not in use may bring all signing into disrepute and may result in motorists disregarding important warnings. Signs should be covered such that they are not visible in all light conditions.

3.2. STOCK CROSSINGS

3.2.1. Stock Crossings with Sight Distance Greater Than 300 Metres

Where a stock crossing is located such that approaching motorists can see the stock crossing point from more than 300m away, signing should be as per Figure 1.

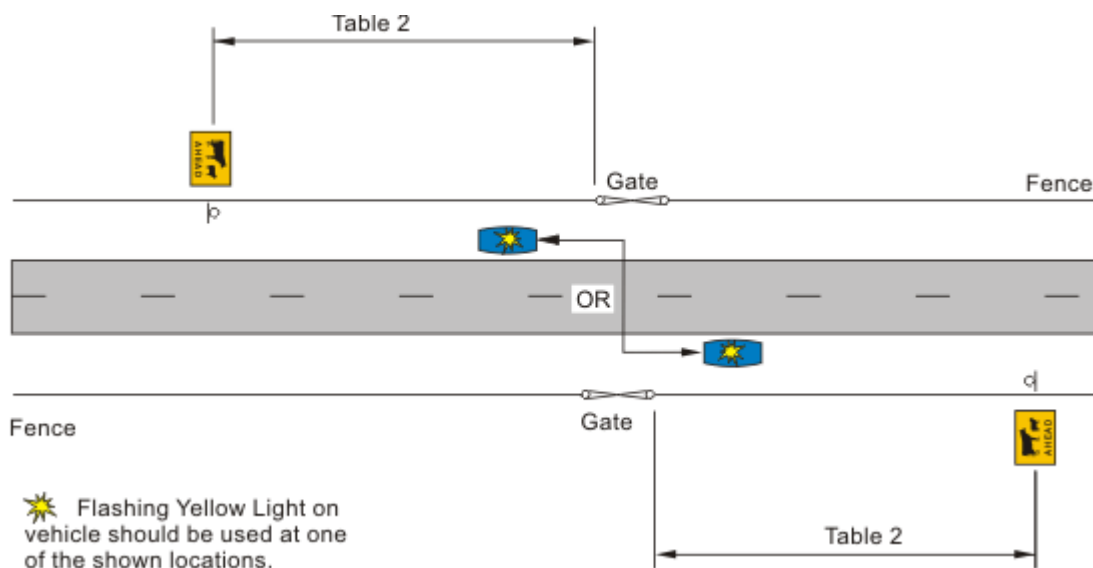


FIGURE 1 - Typical Stock Crossing Site – for bitumen roads.

NOTE: Gravel roads – there is no requirement for orange flashing lights

The crossing should desirably not be used when sun glare will interfere with drivers' view of the traffic signs or stock on the road.

Where stock movements are adjacent to or encompass an intersection, STOCK AHEAD and ON SIDE ROAD signs should be used on the side roads, to alert motorists entering the road that there is stock on the road. The location of the STOCK AHEAD sign should be based on a distance from the stock crossing as shown in Table 2.

POSTED SPEED LIMIT KM/HR	MINIMUM SPACING DISTANCE METRES
60	120
70	140
80	160
90	180
100	200
110 / STATE LIMIT	220

Table 2 – Placement of STOCK AHEAD Signs

3.2.2. Stock Crossings with Sight Distance Less Than 300 Metres

If the stock crossing site is positioned such that approaching motorists cannot see the stock crossing point from at least a minimum of 300m away during the day, then signage should be as shown in figure 2.

The REDUCE SPEED and the STOCK AHEAD signs should be visible at the same time to the approaching motorist.

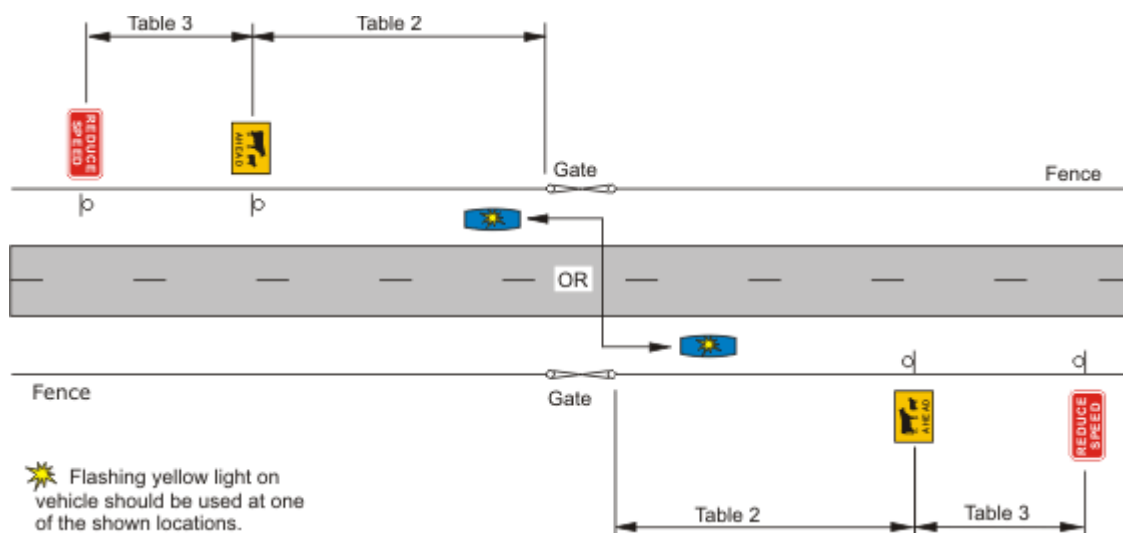


FIGURE 2 - Signing at stock crossings with sight distance less than 300m

POSTED SPEED LIMIT KM / HR	MINIMUM SPACING DISTANCE
60	30
70	35
80	40
90	45
100	50
110 / State Limit	55

TABLE 3 - Placement of REDUCE SPEED Signs

3.2.3. Use of Stock Crossings during Night-Time, Periods of Poor Visibility or Hazardous Locations

Daylight use of stock crossings is preferred. Where the stock crossing is proposed to be used during nighttime, periods of poor visibility or in a hazardous location, the following actions should be taken:

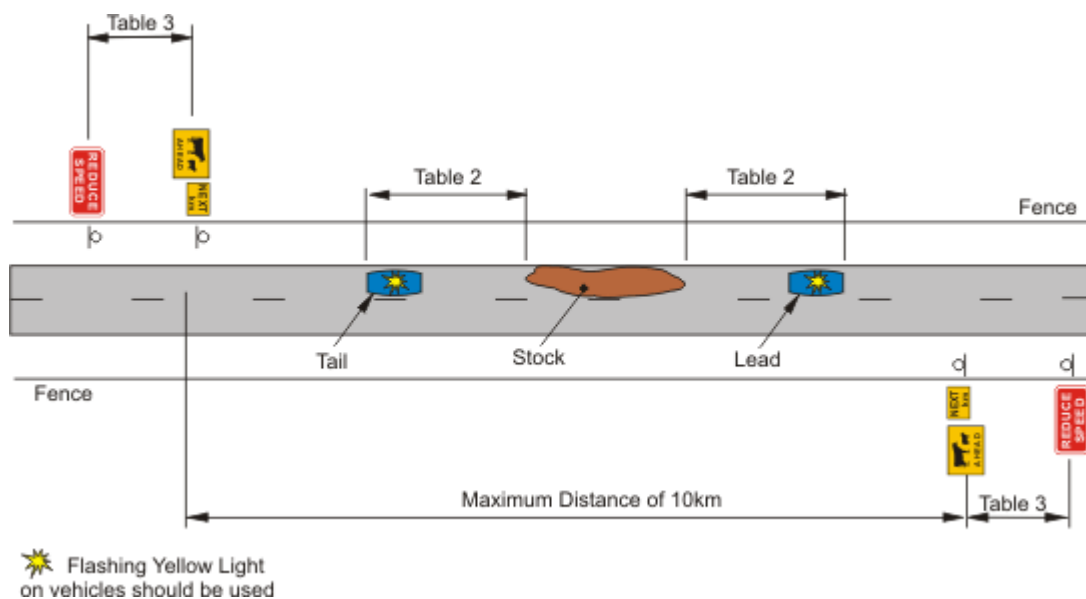
- Signing and flashing rotating orange light should be carried out in accordance with Figure 1 (See also Sections 3.4 and 3.5),
- Any person standing on or adjacent to the road for the purposes of controlling stock should wear clothing with reflective strips,
- Floodlighting shall be provided at the crossing point. The lighting should be sufficient to clearly illuminate stock on the road formation in the vicinity of the crossing point. If the road reserve is wider than 30m then floodlights should be placed on both sides of the road reserve, and
- The Council sign STOCK AHEAD PREPARE TO STOP (MR-WAW-6) should be considered for use. With reference to Figure 1, the STOCK AHEAD PREPARE TO STOP sign should be positioned in place of the STOCK AHEAD sign.

3.3. DROVING OF STOCK ALONG A ROAD

Where it is necessary to move stock more than 100m along a road reserve, signs should be erected along the road shoulder in accordance with Figure 3. In addition, a lead vehicle and / or a tail vehicle should be placed in front and/or at the rear of the stock to warn approaching motorists. The vehicles should be located at a distance from the stock as shown in Table 2.

NOTE: On gravel roads no orange flashing light is required.

FIGURE 3 - Signing for droving of stock



NOTE: Where stock can be moved along the road reserve without stock or vehicles traveling on the carriageway, it remains necessary to adhere to the signage shown in Figure 3.

3.4. SIGNS

The conditions of the following publications have been described in this guideline:

- Main Roads Signs Index and relevant guidelines;
- Occupational Safety and Health Regulations 1996 Act; and
- Relevant Australian Standards.

This guideline provides sufficient guidance for a person wanting to take stock onto a road to comply with the necessary standards. If required, further information can be obtained by contacting Main Roads.

Signs should be erected in accordance with these guidelines and Main Roads Standard

Drawings 9548 - 0106 and 8720 -0762. All signs shall be rigid. The class of retro reflective material used shall be Class 1.

Signing should be displayed prior to and during the stock movement. Signs and flashing orange warning lights should be positioned and erected so that:

- they are properly displayed and firmly secured so as to prevent them being blown over by the wind or passing traffic; and
- Signs may be placed on the roadside or road shoulder and should be at least 1m clear of the road lanes.

The signs and any flashing orange lights should be displayed or installed immediately prior to the stock being driven on to the road reserve and folded over or removed as soon as the stock are no longer in the road reserve, as per Section 3.1 .

Signs are a specified treatment in this guideline, and typical signs are listed in Table 4.






<p>'STOCK AHEAD' AS 1742.2 Designation T1-19B Sign Size: 1200 x 900mm (sealed roads) OR 900 x 600mm (unsealed roads)</p>	
<p>'REDUCE SPEED' AS 1742.2 Designation G9-9A Sign Size: 1500 x 750mm</p>	
<p>'NEXT ... KM' AS 1742.2 Designation W8-17-1B Sign Size: 750 x 450mm</p>	
<p>'ON SIDE ROAD' AS 1742.2 Designation W8-3B Sign Size: 750 x 500mm</p>	
<p>'STOCK AHEAD PREPARE TO STOP' (With Flashing Yellow) Main Roads Designation MR-WAW-6B (See Section 2.3) Sign Size: 1100 x 1600mm Sign Dimensions Sign Post Dimensions</p>	

TABLE 4 - List of typical signs for Stock Crossings and Droving of Stock

3.5. VEHICLE MOUNTED WARNING DEVICE

The flashing orange warning light shall comply with the equipment described in the Road Traffic (Vehicle Standards) Regulations 2002. Vehicle indicator lights do not constitute a flashing orange warning light.

3.6. STOCK UNDERPASSES

Stock underpasses generally consist of reinforced concrete box culverts of a size suitable to allow safe passage of the stock and the farmer. Sizes for these structures may, for example, be:

- 1200 x 1200 mm Sheep movements;
- 1500 x 1500 mm Sheep movements where the stock owner may access the underpass; or
- 1800 x 1800 mm Cattle movements and where the stock owner may utilise a vehicle in the underpass.

Fencing details for the underpass to prevent stock from entering the road is available from Main Roads.'

STATUTORY ENVIRONMENT

Road Traffic (Vehicle Standards) Regulations 2002.
Road Traffic Code 2000.

CONSULTATION

Consultation has occurred at the Technical Services Meeting of Works and Services Staff held Thursday 20 November 2008.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

The review of this policy is presented to the Council as part of the ongoing Council Policy review cycle.

STRATEGIC IMPLICATIONS

The Council's Strategic Plan Key Results Area 1, New Initiative 1.4 provides the following:

'1.4 Ensure the administrative systems and framework of the organisation efficiently and effectively permit the functions of the organisations to be undertaken.

To achieve this we will:

- Revise all policies, procedures and delegations to ensure internal consistency and convergence; and
- Promote and provide access to policies, standards and legislation.'

OFFICER COMMENT

It is considered that the current policy is adequate and does not require amending.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Moir:

That Council Policy I/R/18 – Stock on Local Roads as follows:

OBJECTIVE:

The purpose of this Policy is to provide reasonable precautions that should be taken when moving stock on local roads, and to outline the Council's requirements for provision of stock underpasses on local roads.

POLICY:**1. POLICY STATEMENT**

Main Roads will provide guidance on reasonable precautions that should be taken when droving stock across or along a state road and will also permit stock underpasses under state roads subject to the underpass meeting Main Roads requirements.

The Council will provide guidance on reasonable precautions that should be taken when droving stock across or along a local road and will also permit stock underpasses under local roads subject to the underpass meeting Main Roads requirements.

These guidelines do not address the issue of straying stock in unfenced pastoral areas.

2. APPLICATION & APPROVAL GUIDELINES**2.1. Definitions**

Unless otherwise indicated in the text of this Guideline:

AS means Australian Standards.

Local road means a road under the control of a Local Government.

Main Roads means the Main Roads of Western Australia.

RTC 2000 means The Road Traffic Code 2000.

State road means a road under the control of Main Roads

Traffic signs mean a sign as recognised in the Australian Standards or Main Roads Signs Index.

2.2. Background

The purpose of this Policy is to provide reasonable precautions that should be taken when moving stock on local roads, and to outline the Council's requirements for provision of stock underpasses on local roads.

The person in charge of moving stock across or along a road does not need formal permission from the Council except for the following statutory requirements:

- For roads with declared Control of Access the consent of Main Roads is required; (Main Roads Act 1930, Section 28A (4)); and
- For roads within a town the permission of the Director General is required. (RTC 2000 Regulation 277).

A person droving stock on roads shall:

- not leave stock unattended (RTC 2000 Regulation 275); and
- provide reasonable warning and not cause unreasonable delay to approaching traffic (RTC 2000 Regulations 276)

The RTC 2000 allows the person in charge of moving stock on a road to install temporary road warning signs (Regulations 297 & 276), and to display an orange flashing warning light on a vehicle (Regulation 289).

2.3 APPLICATION

2.3.1. Precautions for Taking Stock onto a Local Road

2.3.1.1 General

The RTC 2000 requires the person in charge of stock on a road to:

- Take all reasonable precautions to warn approaching traffic of the presence of the stock; and
- Arrange the moving of the stock at such times, and in such numbers, and establishes such control of the stock on the road, as is likely to prevent it causing unreasonable delay to the passage of other traffic.

2.3.1.2 Reasonable Warning

Reasonable precautions to warn approaching traffic with warning signs and devices is provided in the Technical Guideline (Section 3).

2.3.1.3 Unreasonable Delay

The following circumstances are considered to be cause for unreasonable delay:

- The duration of road closure is greater than 5 minutes; and for multiple crossing movements, all queued vehicles are not cleared before the commencement of the next crossing movement;
- The stock movement is on a dual carriageway road;
- The crossing is closer than 1 km to a stock underpass servicing the same landowner; or
- The road's annual average daily traffic volume is greater than 500 vehicles per day.

2.3.1.4 Costs

The person in charge of the stock is responsible of the supply, installation and removal of the road traffic signs and devices associated with the stock movement on a road.

2.3.1.5 Roads with High Traffic Volumes

Where a road's annual average daily traffic volume is greater than 500 vehicles per day, a stock underpass is the preferred method of moving stock across the road.

2.3.2. Stock Underpasses under Local Roads

2.3.2.1 General

A stockowner may install an underpass under a local road subject to compliance with the requirements of these guidelines. There are conditions on the design, construction, and maintenance.

2.3.2.2 Costs

There is no fee for the Council to process an application. The applicant shall be responsible for all costs associated with the design, construction and maintenance of the underpass structure.

2.3.2.3 Design and Construction

For sections of the underpass that are within and at the boundary of the road reserve, the design shall be approved by the Council and the construction shall be undertaken by the Council or Council approved consultants and / or contractors.

2.3.2.4 Maintenance

The applicant shall maintain the underpass. The maintenance of the underpass by the applicant includes removal of fouling and repair of any damage to the road infrastructure within the road reserve.

2.4. APPROVAL - STOCK UNDERPASSES

2.4.1. Applications

A person wishing to install a stock underpass must submit an application to the Council.

2.4.2. Approval

Approval of an application shall include a condition that a Stock Underpass Agreement be signed by both the applicant and the Council before commencement of any work in the road reserve and shall indicate the extent, if any, of the Council’s contribution to funding the underpass.

3. TECHNICAL GUIDELINES

3.1. General

The removal or covering of stock crossing signs when not in use is mandatory. Signs that are displayed while not in use may bring all signing into disrepute and may result in motorists disregarding important warnings. Signs should be covered such that they are not visible in all light conditions.

3.2. STOCK CROSSINGS

3.2.1. Stock Crossings with Sight Distance Greater Than 300 Metres

Where a stock crossing is located such that approaching motorists can see the stock crossing point from more than 300m away, signing should be as per Figure 1.

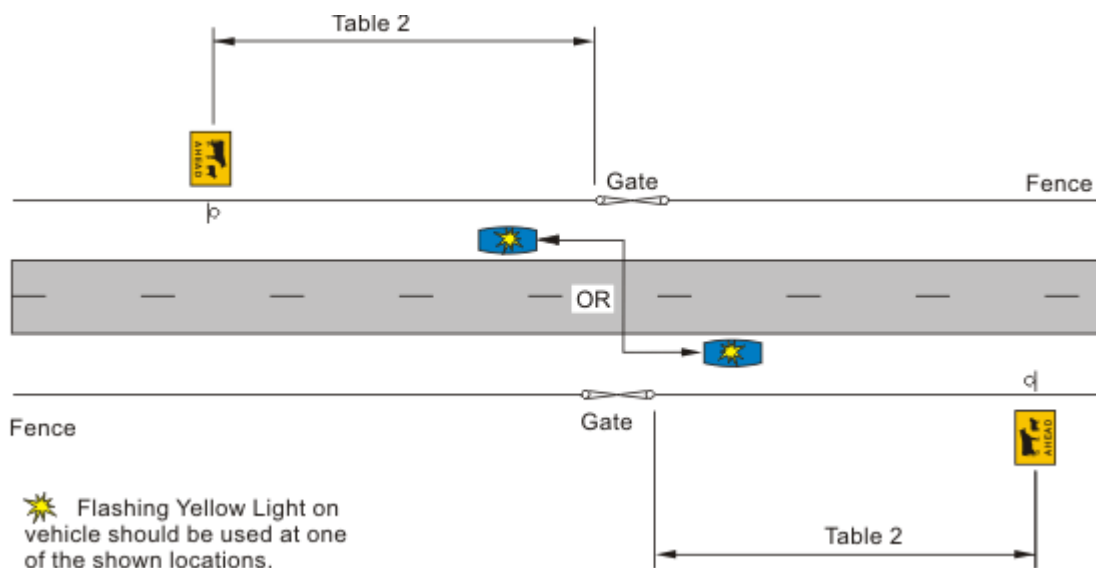


FIGURE 1 - Typical Stock Crossing Site – for bitumen roads.

NOTE: Gravel roads – there is no requirement for orange flashing lights

The crossing should desirably not be used when sun glare will interfere with drivers' view of the traffic signs or stock on the road.

Where stock movements are adjacent to or encompass an intersection, STOCK AHEAD and ON SIDE ROAD signs should be used on the side roads, to alert motorists entering the road that there is stock on the road. The location of the STOCK AHEAD sign should be based on a distance from the stock crossing as shown in Table 2.

POSTED SPEED LIMIT KM/HR	MINIMUM SPACING DISTANCE METRES
60	120
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110 / STATE LIMIT	220

Table 2 – Placement of STOCK AHEAD Signs

3.2.2. Stock Crossings with Sight Distance Less Than 300 Metres

If the stock crossing site is positioned such that approaching motorists cannot see the stock crossing point from at least a minimum of 300m away during the day, then signage should be as shown in figure 2.

The REDUCE SPEED and the STOCK AHEAD signs should be visible at the same time to the approaching motorist.

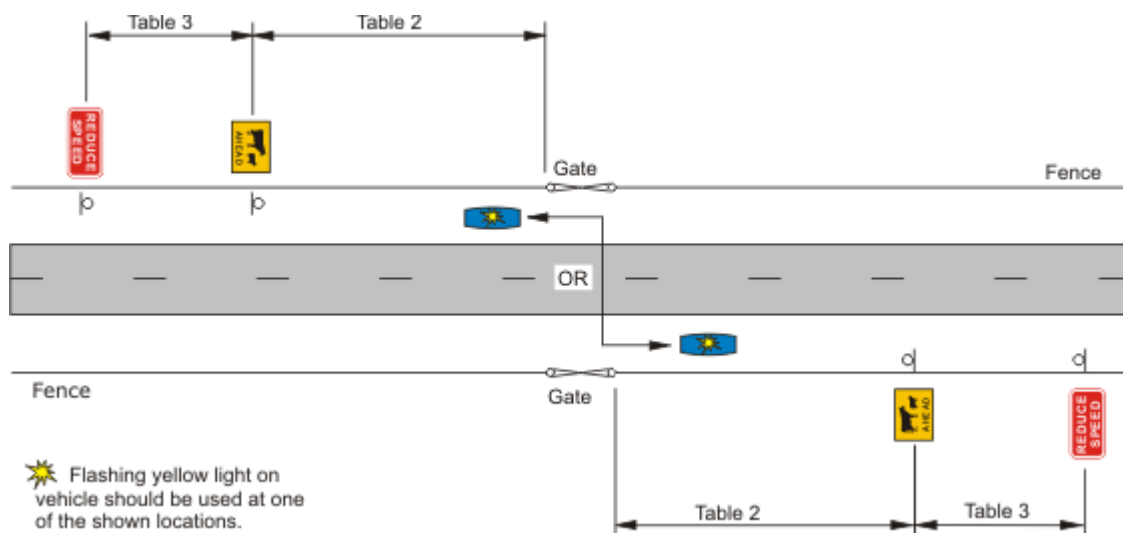


FIGURE 2 - Signage at stock crossings with sight distance less than 300m

POSTED SPEED LIMIT KM / HR	MINIMUM SPACING DISTANCE
60	30
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110 / State Limit	55
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TABLE 3 - Placement of REDUCE SPEED Signs

3.2.3. Use of Stock Crossings during Night-Time, Periods of Poor Visibility or Hazardous Locations

Daylight use of stock crossings is preferred. Where the stock crossing is proposed to be used during nighttime, periods of poor visibility or in a hazardous location, the following actions should be taken:

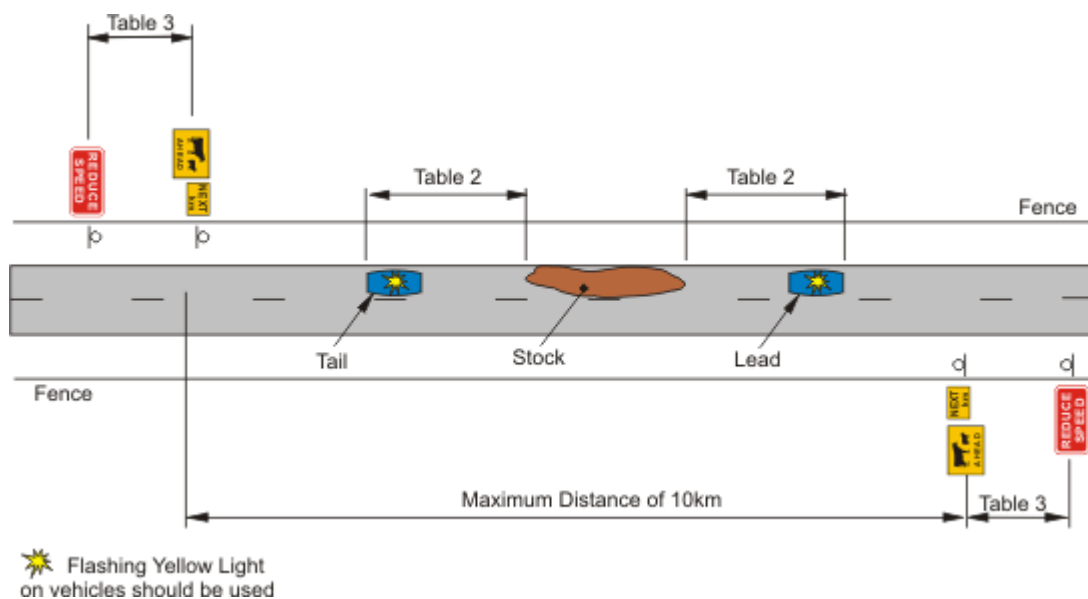
- Signing and flashing rotating orange light should be carried out in accordance with Figure 1 (See also Sections 3.4 and 3.5),
- Any person standing on or adjacent to the road for the purposes of controlling stock should wear clothing with reflective strips,
- Floodlighting shall be provided at the crossing point. The lighting should be sufficient to clearly illuminate stock on the road formation in the vicinity of the crossing point. If the road reserve is wider than 30m then floodlights should be placed on both sides of the road reserve, and
- The Council sign STOCK AHEAD PREPARE TO STOP (MR-WAW-6) should be considered for use. With reference to Figure 1, the STOCK AHEAD PREPARE TO STOP sign should be positioned in place of the STOCK AHEAD sign.

3.3. DROVING OF STOCK ALONG A ROAD

Where it is necessary to move stock more than 100m along a road reserve, signs should be erected along the road shoulder in accordance with Figure 3. In addition, a lead vehicle and / or a tail vehicle should be placed in front and/or at the rear of the stock to warn approaching motorists. The vehicles should be located at a distance from the stock as shown in Table 2.

NOTE: On gravel roads no orange flashing light is required.

FIGURE 3 - Signing for droving of stock



NOTE: Where stock can be moved along the road reserve without stock or vehicles traveling on the carriageway, it remains necessary to adhere to the signage shown in Figure 3.

3.4. SIGNS

The conditions of the following publications have been described in this guideline:

- Main Roads Signs Index and relevant guidelines;
- Occupational Safety and Health Regulations 1996 Act; and
- Relevant Australian Standards.

This guideline provides sufficient guidance for a person wanting to take stock onto a road to comply with the necessary standards. If required, further information can be obtained by contacting Main Roads.

Signs should be erected in accordance with these guidelines and Main Roads Standard





Drawings 9548 - 0106 and 8720 -0762. All signs shall be rigid. The class of retro reflective material used shall be Class 1.

Signing should be displayed prior to and during the stock movement. Signs and flashing orange warning lights should be positioned and erected so that:

- they are properly displayed and firmly secured so as to prevent them being blown over by the wind or passing traffic; and
- Signs may be placed on the roadside or road shoulder and should be at least 1m clear of the road lanes.

The signs and any flashing orange lights should be displayed or installed immediately prior to the stock being driven on to the road reserve and folded over or removed as soon as the stock are no longer in the road reserve, as per Section 3.1 .

Signs are a specified treatment in this guideline, and typical signs are listed in Table 4.

<p>'STOCK AHEAD' AS 1742.2 Designation T1-19B Sign Size: 1200 x 900mm (sealed roads) OR 900 x 600mm (unsealed roads)</p>	
<p>'REDUCE SPEED' AS 1742.2 Designation G9-9A Sign Size: 1500 x 750mm</p>	
<p>'NEXT ... KM' AS 1742.2 Designation W8-17-1B Sign Size: 750 x 450mm</p>	
<p>'ON SIDE ROAD' AS 1742.2 Designation W8-3B Sign Size: 750 x 500mm</p>	


<p>'STOCK AHEAD PREPARE TO STOP (With Flashing Yellow)'</p> <p>Main Roads Designation MR-WAW-6B (See Section 2.3)</p> <p>Sign Size: 1100 x 1600mm</p> <p>Sign Dimensions</p> <p>Sign Post Dimensions</p>	
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TABLE 4 - List of typical signs for Stock Crossings and Droving of Stock

3.5. VEHICLE MOUNTED WARNING DEVICE

The flashing orange warning light shall comply with the equipment described in the Road Traffic (Vehicle Standards) Regulations 2002. Vehicle indicator lights do not constitute a flashing orange warning light.

3.6. STOCK UNDERPASSES

Stock underpasses generally consist of reinforced concrete box culverts of a size suitable to allow safe passage of the stock and the farmer. Sizes for these structures may, for example, be:

- 1200 x 1200 mm Sheep movements;
- 1500 x 1500 mm Sheep movements where the stock owner may access the underpass; or
- 1800 x 1800 mm Cattle movements and where the stock owner may utilise a vehicle in the underpass.

Fencing details for the underpass to prevent stock from entering the road is available from Main Roads.'

be endorsed.

CARRIED (8/0)

NO. 294/08

FURTHER MOTION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr S Grylls:

That the policy be promoted through the Plantagenet News and farmer organisations i.e. Western Australian Farmers Federation and Pastoralists and Graziers Association.

CARRIED (8/0)

NO. 295/08

12.3 COMMUNITY SERVICES REPORTS

12.3.1 RECREATION PRECINCT PLAN FOR FROST PARK, SOUNNESS PARK AND THE KENDENUP DISTRICT - BUDGET AMENDMENT

File No:	RC/103/1
Attachments:	<u>Request for Quotation</u>
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Nicole Selesnew Manager Community Services
Proposed Meeting Date:	16 December 2008

PURPOSE

The purpose of this report is to seek the Council's endorsement for a budget amendment for the Recreation Advisory Committee's progress towards a Master Precinct Plan for Frost Park, Sounness Park and Kendenup District.

BACKGROUND

At the Ordinary Meeting of the Council held on 14 October 2008, the Council resolved to establish a Recreation Advisory Committee with the following brief:

- i) prepare a draft Shire of Plantagenet Recreation Strategic Plan for the consideration of the Council;*
- ii) utilise the July 2008 Plantagenet Sport and Recreation Needs Assessment and any other report considered pertinent by the Committee; and*
- iii) liaise as necessary with community groups Recreation Centre Advisory Group, the Department of Sport and Recreation and other bodies.'*

The Recreation Advisory Committee is comprised of Crs Hollingworth (Chair), Nye-Chart (Deputy Chair), Budrikis and Clements.

The Committee has met four times to discuss the preparation of a Recreation Strategic Plan, including a meeting with Mr Chris Thompson, Regional Manager from the Department of Sport and Recreation Great Southern Branch.

One of the key components of the Strategic Plan is the preparation of Precinct Plans which identify future recreation facility improvements and developments. Sounness Park, Frost Park and the Kendenup district Precinct Plans are high priority plans to be followed by other district plans.

STATUTORY ENVIRONMENT

The Recreation Advisory Committee has been established pursuant to Section 5.9 (2)(a) of the Local Government Act 1995.

Section 6.8(1)(b) of the Local Government Act 1995 states that a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution.

CONSULTATION

Consultation has occurred with members of the Recreation Advisory Committee, Council staff and the Department of Sport and Recreation.

FINANCIAL IMPLICATIONS

For the Recreation Advisory Committee to proceed with the Strategic Plan, Precinct Plans are required for Sounness Park, Frost Park and the Kendenup district. A consultant's brief to prepare these three plans has been prepared and distributed to three consultants with the closing date of 19 December 2008 (refer to the attached copy of the Brief).

The Committee is seeking the Council's endorsement to charge Budget Item 'Recreation Feasibility Study' (Account No. 20208-301), for up to \$50,000.00 for the preparation of the three Precinct Plans. It will be recommended that this over-expenditure be authorised by the Council (by an absolute majority), in accordance with Section 6.8(1)(b) of the Local Government Act 1995. The Council will be asked to formally adjust the budget at a future budget review, or when the Royalties for Regions funding allocations are determined.

Funding will also be sought from the Department of Sport and Recreation for a contribution to the Precinct Planning process. The Department will fund up to one third of the total cost, capped at \$20,000.00.

During the workshop held on 25 November 2008 to discuss spending the 'Royalties for Regions' money proposed by the State Government, \$100,000.00 was listed for planning Recreation developments. This amount should cover the Precinct Plans, Concept Plans and other planning activities required in the preparation of the Strategic Sport and Recreation Plan.

POLICY IMPLICATIONS

The preparation of the Precinct Plans and the Strategic Plan will provide the Council with a clear direction regarding future sport and recreation developments and facility rationalisation across the Shire.

STRATEGIC IMPLICATIONS

The Council lacks a clear guide for future sport and recreation developments. Ms Tricia Martin was engaged to prepare a Needs Analysis for Sport and Recreation across the Shire which listed forty three recommendations for facility improvements, developments, rationalisation and management systems.

The Recreation Advisory Committee is working on these recommendations to prepare the Strategic Plan. The Needs Analysis recommendations include the preparation of Precinct Plans for Frost Park, Sounness Park and Kendenup.

Once a Strategic Plan has been prepared and endorsed by the Council, the Council will have a clear guide for sport and recreation facility development, improvements and rationalisation for the next forty years.

OFFICER COMMENT

The Recreation Advisory Committee is keen to progress the preparation of Precinct Plans to align with funding timelines through programs such as the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund (CSRFF).

A brief to prepare Precinct Plans for Frost Park, Sounness Park and the Kendenup district has been forwarded to three consultants with a closing date of 19 December 2008. It is planned that the consultant would start the Precinct Planning process in late January and conclude by mid March 2009. This will allow time for the Council to adopt the Precinct Plans following which a concept plan will be developed providing detail such as building design, oval layout and requirements, lighting systems and water application systems. This level of details is required by funding bodies. The concept plans will require community and Council endorsement in time for the CSRFF application process and the Council's own budget process, seeking funding for the first staged development in 2010/2011.

The Precinct Planning process will include community workshops at which community representatives are asked to identify co-location opportunities, areas for development and to get a consensus on development priorities. This will provide the Council with a clear direction regarding future developments, rather than responding to interest group needs such as the Kendenup Skate Park.

Following the recently completed Needs Analysis there is also an expectation within the community that further sport and recreation planning and ultimately, developments, will occur.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr A Budrikis:

That:

- 1. In accordance with Section 6.8(1)(b) of the Local Government Act 1995, approval be granted to engage consultants to undertake precinct plans for Sounness Park, Frost Park and the Kendenup district, up to a total cost of \$50,000.00.**
- 2. The expenditure in Part 1 above be charged to Budget Item 'Recreation Feasibility Study' (Account No. 20208-301).**

CARRIED (8/0)

NO. 296/08

(Absolute Majority)

**12.3.2 LEASE OF PORTION OF LOCATION 5932 WOODLANDS ROAD,
PORONGURUP - SOUTH PORONGURUP BUSH FIRE BRIGADE**

File No: RV/182/103592
Attachments: [Lease - location plan](#)
[Lease](#)
Responsible Officer: Nicole Selesnew
Manager Community Services
Author: Rayona Evans
Administration Officer (Relief)
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to propose that the Council enter into an agreement to lease a portion of Location 5932 Woodlands Road, Porongurup from Mr Henry Matthews and Mrs Enid Matthews, for the purpose of the South Porongurup Bush Fire Brigade shed.

BACKGROUND

The leased land will be utilised by the South Porongurup Bush Fire Brigade to erect a shed to store their fire trucks and equipment.

Mr Matthews has agreed to lease the land to the Shire of Plantagenet for an annual rental of \$50.00. The lease will remain in place until such time as it is terminated by either party, with a two year notification period.

The proposed lease is attached.

CONSULTATION

Consultation has occurred with Mr Wayne Matthews, on behalf of Henry and Enid Matthews, and the South Porongurup Bush Fire Brigade.

FINANCIAL IMPLICATIONS

The cost of constructing, maintaining and insuring the Brigade shed and service connections will be funded through the Fire and Emergency Service Authority – Emergency Services Levy fund. There will be an annual rental of fifty dollars (\$50.00) payable by the Council.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The South Porongurup Bush Fire Brigade does not have a shed to house their fire truck and equipment. The fire truck is parked in Wayne Matthews's private shed on a temporary basis. The Brigade will be receiving a light duty unit in 2010/2011 which will also require housing. Location 5932 Woodlands Road is centrally located within the Brigade district and in close proximity to the Porongurup National Park and Mira Flores subdivision. A road reserve runs past the site therefore access is readily available. A power line is situated close to the site.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Grylls, seconded Cr D Nye-Chart:

That:

1. The Chief Executive Officer be authorised to finalise lease negotiations between the Shire of Plantagenet and Mrs Enid Matthews and Mr Henry Matthews relating to Portion of Location 5932 Woodlands Road, Porongurup for the purpose of the South Porongurup Bush Fire Brigade Shed.
2. Authority be granted for the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease referred to in part 1. above.

CARRIED (8/0)

NO. 297/08

12.4 CORPORATE SERVICES REPORTS

12.4.1 INVESTMENT POLICY REVIEW - GOVERNMENT GUARANTEE

Mr J Fathers – Deputy Chief Executive Officer discloses an interest (S 5.70 of the Local Government Act 1995) for this item due to his board membership of Plantagenet Community Financial Services Ltd.

File No: FM/120/6
Attachment: WALGA Infopage
Analysis of Interest Rates
Credit Ratings
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to consider the Council's current investment strategy given the recent global economic situation.

BACKGROUND

On 12 October 2008, the Australian Government announced guarantee arrangements for deposits and wholesale funding of eligible authorised deposit-taking institutions (ADIs).

The arrangements are designed to promote financial system stability in Australia, by supporting confidence and assisting ADIs to continue to access funding at a time of considerable turbulence. They are also designed to ensure that Australian institutions are not placed at a disadvantage compared to their international competitors that can access similar government guarantees on bank debt.

The Australian Government Guarantee Scheme for Large Deposits and Wholesale Funding (the Guarantee Scheme) formally commenced on 28 November 2008. Under the Guarantee Scheme, eligible ADIs can obtain guarantees for deposit balances totalling over \$1 million per customer and for wholesale funding liabilities. Access to the Guarantee Scheme is voluntary. Eligible institutions wanting to access the guarantee for their large deposit balances or wholesale funding from 28 November 2008 need to apply to the Scheme Administrator.

Separate arrangements apply for deposit balances totalling up to and including \$1 million per customer per institution. Such deposits are guaranteed by the Australian Government under the Financial Claims Scheme and this guarantee is free.

A recent Infopage from the Western Australian Local Government Association has confirmed that local governments are among the small number of depositors with large deposit balances who will need to make decisions regarding applying for the guarantee. The Government announcement indicates that the guarantee fee will initially be set at:

- 0.7% per annum for AA rated institutions;
- 1.0% per annum for A rated institutions;
- 1.5% per annum for BBB rated institutions.

STATUTORY ENVIRONMENT

The authority for a local government to invest surplus funds comes from Section 6.14 of the Local Government Act 1995. Section 18 of the Trustees Act 1962 also details investment powers of trustees.

Other recent legislation is covered in the Financial System Legislation Amendment (Financial Claims Scheme and Other Measures) Act 2008 and the Banking Amendment Regulations 2008 (No. 1).

CONSULTATION

Consultation has taken place with Mr Rob Stewart - Chief Executive Officer.

FINANCIAL IMPLICATIONS

This matter has a direct impact on the security of the Council's surplus funds and the revenue to be made from investment of those funds. The security issues are discussed in the Officer Comment section of this report.

With regard to income, in the current financial year, the amount available for investment purposes ranged from approximately \$2.0 million to approximately \$3.5 million (from municipal, reserve and loan funds). The Council's 2007 / 2008 budget provides for income from investment of \$185,000.00.

The interest rates on the Council's current term deposits range from 6.25% to 8.40%, with the interest rates having reduced significantly in recent months. Due to the current relationship with Bendigo Bank, the Shire's investments attract current market rate plus 0.15%. This equates to a bonus of approximately \$3,000.00 per year.

A recent analysis of interest rates being offered by a selection of other AA, A and BBB rated institutions is attached. The Bendigo Bank is currently offering very competitive rates. If the Council chose to invest in other financial institutions, this could enable it to diversify its investments so that it had less than \$1 million in each one, thereby qualifying for the free government guarantee on all investments.

For the sake of simplification, three scenarios have been considered, based on an average yearly investment of \$2.5 million at currently quoted interest rates:

Scenario 1 – The Council continues to invest all its surplus funds with Bendigo Bank and does not elect to pay the Government Guarantee. In this scenario the Council's return would be \$156,250.00.

Scenario 2 – The Council continues to invest all its surplus funds with Bendigo Bank and does elect to pay for the Government Guarantee. In this scenario the Council's return would be \$118,750.00, the cost of the Government Guarantee being quite significant (In this scenario \$37,500.00)

Scenario 3 – The Council spreads its investment pool among three (or more) banks. With total funds in each bank less than \$1 million, the free Government Guarantee applies. In this scenario the Council's return would be \$146,100.00. This reflects lower interest rates currently being offered by other major banks.

If a position like Scenario 3 was adopted, it is recommended that individual bank accounts continue to directly represent particular funds or pools of money (such as reserve funds, restricted funds, unspent loan funds etc).

The additional option would be to engage a broker to invest the Council's surplus funds in an even more diverse portfolio. There would be a cost associated with managing a more diversified investment strategy (in staff time or investment brokers), although this would be minimal if the Council chose to spread its investments around the banks with branches in Mount Barker and Albany. This option would provide only limited support to the community bank. However, there would be a safety net in place if any one of those banks went into financial difficulties.

POLICY IMPLICATIONS

This matter could result in amendments to the Council Policy No. F/RI/1 – Investments. At present, this policy (among other things) directs that all surplus funds be invested with the Bendigo Community Bank.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

A copy of the Council's current investment policy (reaffirmed by the Council at its meeting held on 27 May 2008) is reproduced below for information.

OBJECTIVE:

To document and provide the necessary information for the delegated officers to invest surplus funds.

POLICY:

1.0 Purpose of Policy

1.1 The purpose of this policy is to ensure that:

- The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);*
- At all times, the Council has in place a current set of policies and delegations for its Investments Officers; and*
- Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.*

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

2.0 Prudent Person Rule

2.1 *The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.*

2.2 *The main features of the prudent person rule include:*

- *Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and*
- *A duty to invest funds in investments that are not speculative or hazardous.*

2.3 *In exercising powers of investment, there are important matters for consideration:*

- *The purpose of the investment and the needs and circumstances;*
- *The desirability of diversifying investments and the nature of and risk associated with existing investments;*
- *The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation; The potential for capital appreciation;*
- *The likely income return and timing of the income return; The length of the term of the proposed investment;*
- *The liquidity and marketability of the proposed investment; The aggregate value of the investment;*
- *The effect of the proposed investment in relation to the tax liability (if any);*
- *The likelihood of inflation affecting the value of the proposed investment; and*
- *The costs of making the proposed investment; the results of a review of existing investments.*

3.0 Investment Objectives

3.1 *To add value through prudent investment of funds.*

3.2 *To support the local community bank without putting the Shire's surplus funds to any undue risk.*

3.3 *To have ready access to funds for day-to-day requirements, without penalty.*

4.0 Authority to Invest

4.1 *The Shire of Plantagenet's surplus funds are to be invested in term deposits or negotiable certificates of deposit with Bendigo Community Bank. Any proposal to invest funds in another institution, for whatever reason, is to be referred to the Council.*

4.2 *Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.*

4.3 *Funds may be invested for terms ranging from one (1) to six (6) months based on predicted cash flow requirements.*

- 4.4 *The Deputy Chief Executive Officer places, withdraws or re-invests sums up to \$500,000.00 jointly with the Accountant or Chief Executive Officer, in accordance with the Chief Executive Officer's delegation.*
- 4.5 *The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with the Deputy Chief Executive Officer or Accountant in accordance with the Chief Executive Officer's delegation.*
- 5.0 *Review and Reporting*
- 5.1 *A cash flow report is to be monitored by the Accountant at least weekly to ensure cash funds are available to meet commitments.*
- 5.2 *Investments will be managed actively as they mature with reviews by the Deputy Chief Executive Officer on a monthly basis.*
- 5.3 *Bendigo Bank's short term credit rating as defined by Standard and Poors is to be monitored on a monthly basis by the Deputy Chief Executive Officer. Any downgrading of the A-2 rating is to be reported to the Council.*
- 5.4 *For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'*

As outlined above, the current policy provides for surplus funds to be invested in term deposits or negotiable certificates of deposit (NCD) with Bendigo Community Bank and a special rate is applied by Bendigo Bank to all of the Council's funds on deposit. It has clearly been the intention to support the local community bank. It is considered prudent to review that policy in light of the current global economic situation.

A standard feature of most investment policies is the desire to achieve an adequate level of diversification to spread risk. The Council will recall that its previous Investment Policy (replaced in November 2006) required that no more than 70% of funds be invested with one organisation. The lack of diversification in the current policy could be seen to be relatively risky and the Council should decide whether it is happy to continue in that vein or whether it wants to adopt a more risk averse position.

Bendigo's 'Community Bank' is a branch banking model which involves local people in solving their own banking needs. Community Bank branches provide communities with an opportunity to enhance control over their community's capital, ensuring more money stays in the district for local investment.

It is considered desirable to support the local community bank, provided that other fiduciary responsibilities are complied with, although the Council should be conscious of the risk and put adequate controls in place to mitigate that risk. The Council has done this by defining a bottom level credit rating (A-2) and regularly monitoring Bendigo Bank's credit rating.

Standard and Poor's credit ratings relating to Bendigo Bank have not altered since the current policy was adopted. Their short term credit rating is currently A-2 and the long term credit rating is BBB+. It may be prudent to include both short and long ratings in the Council's policy.

During discussions with Bendigo Bank at the time of the adoption of the policy, it was advised that the bank is 148 years old and has never made a loss. It is a conservative organisation which is subject to very strong prudential requirements.

Funds invested with Bendigo Bank are put into a pool to spread the risk. The bank has the highest credit ratings it can achieve for its size.

The Shire's auditors have previously advised that the Council may choose to invest in one institution, subject to the recommended controls being in place.

From a purely risk aversion point of view, the Council should reconsider adopting a more diverse investment strategy. Also, it is considered appropriate to secure the Government Guarantee on funds, whether by paying for it or by diversification. It will therefore be recommended that the Council spreads its funds among local banks to achieve the Government Guarantee, whilst minimising its cost to the Council.

However, it is considered that the failure of any of the major Australian banks is so unlikely that the Council can still be confident in retaining its current position, if it wishes to continue to fully support the Community Bank. Nevertheless, given that this position is relatively risky from a diversification perspective, it would be prudent to elect to pay the Government Guarantee. If the Council agrees with this, the associated costs will be considered as part of the half yearly budget review. This position would continue to include the controls placed within the policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Council Policy F/RI/1 – Investments, as follows:

OBJECTIVE:

To document and provide the necessary information for the delegated officers to invest surplus funds.

POLICY:

1.0 Purpose of Policy

1.1 The purpose of this policy is to ensure that:

- The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);
- At all times, the Council has in place a current set of policies and delegations for its Investments Officers; and
- Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

2.0 Prudent Person Rule

2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.

2.2 The main features of the prudent person rule include:

- Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
- A duty to invest funds in investments that are not speculative or hazardous.

2.3 In exercising powers of investment, there are important matters for consideration:

- The purpose of the investment and the needs and circumstances;
- The desirability of diversifying investments and the nature of and risk associated with existing investments;
- The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation; The potential for capital appreciation;
- The likely income return and timing of the income return; The length of the term of the proposed investment;
- The liquidity and marketability of the proposed investment; The aggregate value of the investment;
- The effect of the proposed investment in relation to the tax liability (if any);
- The likelihood of inflation affecting the value of the proposed investment; and
- The costs of making the proposed investment; the results of a review of existing investments.

3.0 Investment Objectives

3.1 To add value through prudent investment of funds.

3.2 To support the local community bank without putting the Shire's surplus funds to any undue risk.

3.3 To have ready access to funds for day-to-day requirements, without penalty.

4.0 Authority to Invest

4.1 The Shire of Plantagenet's surplus funds are to be invested in term deposits or negotiable certificates of deposit with Bendigo Community Bank and other banks with branches in Mount Barker or Albany, subject to their Standard and Poor's long term credit rating being at least BBB+ and the short term rating being at least A-2. Any proposal to invest funds in another institution, for whatever reason, is to be referred to the Council.

4.2 Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.

- 4.3 Funds may be invested for terms ranging from one (1) to six (6) months based on predicted cash flow requirements.
 - 4.4 The Deputy Chief Executive Officer places, withdraws or re-invests sums up to \$500,000.00 jointly with the Accountant or Chief Executive Officer, in accordance with the Chief Executive Officer's delegation.
 - 4.5 The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with the Deputy Chief Executive Officer or Accountant in accordance with the Chief Executive Officer's delegation.
 - 4.6 Investments are to be diversified with the aim of retaining less than \$1 million with each bank, thereby eliminating the cost of the Federal Government Guarantee on funds.
- 5.0 Review and Reporting
- 5.1 A cash flow report is to be monitored by the Accountant at least weekly to ensure cash funds are available to meet commitments.
 - 5.2 Investments will be managed actively as they mature with reviews by the Deputy Chief Executive Officer on a monthly basis.
 - 5.3 Bendigo Bank's short term credit rating as defined by Standard and Poors is to be monitored on a monthly basis by the Deputy Chief Executive Officer. Any downgrading of the long term BBB+ or short term A-2 rating is to be reported to the Council.
 - 5.4 For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'

be adopted.

COUNCIL DECISION

Moved Cr M Skinner, seconded Cr J Moir:

That amended Council Policy F/RI/1 – Investments, as follows:

OBJECTIVE:

To document and provide the necessary information for the delegated officers to invest surplus funds.

POLICY:

1.0 Purpose of Policy

1.1 The purpose of this policy is to ensure that:

- **The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);**
- **At all times, the Council has in place a current set of policies and delegations for its Investments Officers; and**
- **Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.**

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

2.0 Prudent Person Rule

2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.

2.2 The main features of the prudent person rule include:

- Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
- A duty to invest funds in investments that are not speculative or hazardous.

2.3 In exercising powers of investment, there are important matters for consideration:

- The purpose of the investment and the needs and circumstances;
- The desirability of diversifying investments and the nature of and risk associated with existing investments;
- The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation; The potential for capital appreciation;
- The likely income return and timing of the income return; The length of the term of the proposed investment;
- The liquidity and marketability of the proposed investment; The aggregate value of the investment;
- The effect of the proposed investment in relation to the tax liability (if any);
- The likelihood of inflation affecting the value of the proposed investment; and
- The costs of making the proposed investment; the results of a review of existing investments.

3.0 Investment Objectives

3.1 To add value through prudent investment of funds.

3.2 To support the local community bank without putting the Shire's surplus funds to any undue risk.

3.3 To have ready access to funds for day-to-day requirements, without penalty.

4.0 Authority to Invest

4.1 The Shire of Plantagenet's surplus funds are to be invested in term deposits or negotiable certificates of deposit with Bendigo

Community Bank. Any proposal to invest funds in another institution, for whatever reason, is to be referred to the Council.

- 4.2 Investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct.
 - 4.3 Funds may be invested for terms ranging from one (1) to six (6) months based on predicted cash flow requirements.
 - 4.4 The Deputy Chief Executive Officer places, withdraws or re-invests sums up to \$500,000.00 jointly with the Accountant or Chief Executive Officer, in accordance with the Chief Executive Officer's delegation.
 - 4.5 The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with the Deputy Chief Executive Officer or Accountant in accordance with the Chief Executive Officer's delegation.
 - 4.6 The Council elects to pay for the cost of securing the Federal Government Guarantee on funds.
- 5.0 Review and Reporting
- 5.1 A cash flow report is to be monitored by the Accountant at least weekly to ensure cash funds are available to meet commitments.
 - 5.2 Investments will be managed actively as they mature with reviews by the Deputy Chief Executive Officer on a monthly basis.
 - 5.3 Bendigo Bank's short term credit rating as defined by Standard and Poors is to be monitored on a monthly basis by the Deputy Chief Executive Officer. Any downgrading of the long term BBB+ or short term A-2 rating is to be reported to the Council.
 - 5.4 For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'

be adopted.

CARRIED (6/2)

NO. 298/08

Reason for change

The Audit Committee considered the matter prior to the Council meeting and resolved in line with the Council motion.

12.4.2 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

File No: GR/97/10
Attachment: RLCIP Guidelines
Attachments: [RLCIP Guidelines](#)
[Regional and Local Community Infrastructure Program Cover Page](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to determine what project should be the subject of an application for grant funding totalling \$100,000.00 through the Commonwealth Government's Regional and Local Community Infrastructure Program (RLCIP).

BACKGROUND

The Rudd Government recently announced a \$300 million program to build local community infrastructure in all of Australia's 565 local council areas. The RLCIP is designed to boost local economic development and support jobs in communities around the country.

The RLCIP will have two components. The first component, known as the Regional and Local Community Infrastructure Program, will provide funding of \$250 million in 2008/2009 which will be distributed to all local councils on the basis of a methodology which includes relative need, population and growth. The Shire of Plantagenet is eligible to receive the minimum grant of \$100,000.00.

These funds will be available for additional and ready-to-proceed community infrastructure projects, and for additional stages of projects that are currently underway. Local governments will be required to enter into an agreement with the Commonwealth by 30 January 2009 to receive the payment. Funding must be expended by 30 September 2009.

The second component is known as the RLCIP – Strategic Projects. The Australian Government is making up to \$50 million available in 2008/2009 to local government on a nationally competitive basis. Under the RLCIP – Strategic Projects, funding will be available for large strategic projects seeking a minimum Commonwealth contribution of \$2 million.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

CONSULTATION

This matter has been discussed amongst senior staff and a Council workshop was held on 25 November 2008 to discuss this and the possible projects which may attract State Government Royalties for Regions funding.

FINANCIAL IMPLICATIONS

This is a one-off, tied grant for \$100,000.00. The money is to be spent on a community infrastructure project which is in addition to any project included in the Council's 2008/2009 budget. The time frame of the process is such that it needs to be one that the Council is ready to implement, as the grants must be acquitted by September 2009.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The guidelines for the RLCIP are attached. The recent Council workshop identified a number of important community infrastructure projects which may be eligible under the guidelines, including:

- New Mount Barker cemetery Stage 1;
- Wilson / Centenary Park Upgrade (toilets, landscaping, playground);
- Lowood Road townscape;
- Kendenup footpaths;
- Road verge pruning (TIRES funded roads);
- Recreation developments masterplan;
- Playgrounds (Kendenup, Porongurup, Rocky Gully and Narrikup);
- Skate Parks - Mount Barker and Kendenup;
- Signs (New sign policy);
- Rocky Gully Town Drainage Improvements;
- Library / Community Centre;
- Sounness Park (Detailed design for co-ordinated development).

The development of the Mount Barker cemetery is considered to be a high priority as the current Mount Barker cemetery is almost at full capacity and recent burials have been carried out in the lower lying areas, which are adversely affected by a high water table. This project is believed to fit with the guidelines and is ready to proceed, the plan having been endorsed at a Council workshop earlier in the year.

The Council allocated a sum of \$50,000.00 in the 2008/2009 budget. Latest costings indicate that design, earthworks, gravel pavement and drainage of stage 1 will cost approximately \$150,000.00.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Mark:

That:

- 1. A proposal be submitted to the Commonwealth Government's Regional and Local Community Infrastructure Program for a grant of \$100,000.00 towards the design, earthworks, gravel pavement and drainage of the new Mount Barker cemetery.**
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the agreement with the Commonwealth Government required as part of this proposal.**

CARRIED (8/0)

NO. 299/08

12.4.3 WRITE OFF - OUTSTANDING RATES

File No: RV/182/110007
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Vanessa Ward
Rates Officer
Proposed Meeting Date: 27 November 2008

PURPOSE

The purpose of this report is to seek approval for outstanding rates relating to 30 Westfield Street, Rocky Gully to be written off.

BACKGROUND

At its meeting held 22 April 2008, the Council resolved:

‘That the action of the Chief Executive Officer in commencing the sale of land actions against the landowners of the following assessments in accordance with Section 6.64 (1) (b) of the Local Government Act 1995 and pursuant to delegation LG022, be noted:

110007 30 Westfield Street, Rocky Gully;
112334 60 Ormond Road, Mount Barker;
137612 42 Seventh Avenue, Kendenup;
137695 48 Second Avenue, Kendenup;
138552 105 Hassell Avenue, Kendenup; and
138560 107 Hassell Avenue, Kendenup.’

A public auction was conducted by Ray White – Mount Barker on Saturday 18 October 2008 which resulted in the successful sale of 30 Westfield Street, Rocky Gully.

STATUTORY ENVIRONMENT

Sections 6.63 to 6.75 of the Local Government Act 1995 and Section 72 to 78 of the Local Government (Financial Management) Regulations govern the actions to be taken against landowners of rateable land to which rates have remained unpaid for more than three (3) years.

Section 6.12 of the Local Government Act 1995 gives a local government the power to write off any amount of money owed to it.

Land Transfer Act 1893.

CONSULTATION

Consultation has occurred with Cherie Delmage - Accountant and John Fathers - Deputy Chief Executive Officer

FINANCIAL IMPLICATIONS

30 Westfield Street, Rocky Gully sold for \$15,000.00. At the time of sale, the following debts were held against this property:

- \$8,569.44 – Water Corporation;
- \$15,457.16 – Rates Including Interest & Auction Costs;
- \$566.00 – Settlement Fee;
- \$2,570.00 – Commission.

As the Water Corporation is a state government department, any payments received must be forwarded to them before other parties. Once all payments were disbursed, and the Shire receipted its share of the proceeds (\$3,631.03), an amount of \$12,162.60 is still outstanding on Assessment No. 110007.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

In the Council's 2007/2008 balance sheet, an amount of \$15,652.17 was allowed for this property in the 'Provision For Doubtful Debts'.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M Skinner, seconded Cr J Mark:

That the rates and charges that remain outstanding on Rates Assessment 110007 (Lot 27, House No. 30 Westfield Street, Rocky Gully) totalling \$12,162.60 be written off.

CARRIED (8/0)

NO. 300/08

12.4.4 WASTE DISPOSAL FEES - CARDBOARD FROM COMMERCIAL PROPERTIES

File No: FM/64/5
Responsible Officer: Rob Stewart
 Chief Executive Officer
Author: John Fathers
 Deputy Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to seek approval to adopt fees for disposal of cardboard at the Council's waste disposal sites by business operators.

BACKGROUND

At its meeting held on 13 May 2008, the Council resolved that:

1. *A pre-paid tip pass and rural token system be adopted as the method for collecting fees and charges for the disposal of waste at the Council's various landfill and transfer station sites for the 2008 / 2009 financial year, as described in option 2 of this report except that four (4) tokens per month per domestic household be issued to rural properties who do not receive a Mobile Garbage Bin service.*
2. *The following fees and token values be included in the 2008/09 draft budget:*

Item	Tokens Required	Charge
1 x 120 litre or 240 litre Mobile Garbage Bin (and units of 240 litre there-after)	1	\$ 2.50
Car Boot Load	2	\$ 2.50
Stationwagon Boot Load	2	\$ 5.00
Van - Utility – Trailer (not exceeding 1.8m x 1.2m)	4	\$ 10.00
Small Truck (2-4 tonne)	12	\$ 30.00
Medium Truck (4-6 tonne)	16	\$ 40.00
Truck (6-8 tonne)	24	\$ 60.00
Truck (8 plus tonne single axle)	32	\$ 80.00
Truck (8 plus tonne dual axle)	40	\$100.00
Truck (semi trailer 20m ³ capacity)	80	\$200.00
Bulk Bin (3m ³ or less)	12	\$ 30.00
Bulk Bin (3m ³ - 6m ³)	16	\$ 40.00
Bulk Bin (6m ³ - 10m ³)	24	\$ 60.00
Bulk Bin (exceeding 10m ³)	40	\$100.00
Car Body (if placed in recyclable area)	Free	Free
Truck Body / Large Equipment (if recyclable)	Free	Free
White Goods	Free	Free
Asbestos (\$50/m ³ or part thereof)	20	\$ 50.00
Batteries (car, truck etc)	Free	Free
Uncontaminated, sorted scrap metal	Free	Free
Uncontaminated timber	Free	Free
Uncontaminated green waste	Free	Free
Clean fill	Free	Free
Septage (\$10/kl)	4	\$ 10.00

10 litre Waste Oil (to be deposited in the Oil Recycling Facility) (and units of 10 litre thereafter)	1	\$ 2.50
Carcases (small animal)	1	\$ 2.50
Carcases (large animal)	4	\$ 10.00
Separated Recyclables	Free	Free

On the basis that the Council is not charged for the disposal of separated recyclables, no fee has previously been imposed to domestic or commercial customers who dispose of paper products. However, the amount of cardboard being disposed of by commercial operators has resulted in a necessity to source additional bins at a significant cost.

The Shire has received numerous complaints and requests to place additional bins at the waste disposal sites as the amount of cardboard being deposited is causing the current bins to continually overflow. Also, as a result, a large proportion of rubbish entering the tip face is cardboard.

STATUTORY ENVIRONMENT

Section 6.19 of the Local Government Act 1995 states:

'If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.'*

CONSULTATION

Consultation has taken place with Rob Stewart - Chief Executive Officer, Ian Bartlett - Manager Works and Services and Eric Howard - Environmental Health Surveyor.

FINANCIAL IMPLICATIONS

The cost of providing additional bins for cardboard will cost approximately \$25,000.00 per year. It is proposed that fees be adopted for commercial customers which will aim at recovering these costs.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

There is considered to be three options to deal with the excess of cardboard currently being deposited at the tip sites.

Option 1 – The Council supplies a large bin for cardboard at each of the tip sites in accordance with the current demand, with co-mingled bins remaining for cans, bottles and plastics etc. It is considered that the cost for domestic customers should remain free, but that the main source of cardboard, being business operators be charged a fee in line with the cost of providing the additional service.

There is currently three 4.5m³ co-mingled bins at each of the O'Neill Road, Kendenup and Porongurup tip sites, with one at Kamballup. The bins are serviced fortnightly by Cleanaway at an annual cost of approximately \$2,170.00 per bin.

It is proposed to replace one of these bins at the O'Neill Road, Kendenup and Porongurup tip sites with a large recyclable bin suitable for cardboard. A 30m² bin is required for O'Neill Road and 15m² bins would be needed for both Kendenup and Porongurup. The annual cost for the fortnightly servicing and weekly rental of these new bins is approximately \$31,600.00. The net cost of the proposal would therefore be approximately \$25,090.00 if no additional income was sourced.

It will be recommended that this option be adopted, with a new fee for business operators based on the average cost per cubic metre of providing cardboard bins which equates to \$10.00 m³ (4 tokens).

Option 2 – The Council discontinues recycling cardboard and it is put into landfill. Cardboard would no longer be recyclable under the adopted fees and charges and it would attract the standard fee, which equates to \$10.00 m³ (4 tokens).

This option is not considered desirable as not only would it shorten the potential life of landfill sites, there is considered to be a community expectation that paper products should be recycled.

Option 3 – A longer term solution such as composting, mulching or installing cardboard compacting/baling equipment be considered. There are a number of processes that the Council could investigate, which would cost a significant amount to introduce, but which may be attractive and cost effective in the longer term.

It is recommended that these options be further investigated with a view to a longer term proposal being formulated and submitted for budgetary consideration. In the interim, option 1 is recommended as a viable short term measure. It is suggested that the fee be introduced from 1 February 2009 to enable time for local advertising.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr J Mark:

That:

- 1. A fee of \$10.00 per m³ for the disposal of cardboard by business operators at the Council's refuse disposal sites be established, effective from 1 February 2009.**
- 2. The amendment to the Council's schedule of fees and charges in Part (1) above be advertised in accordance with the provisions of Section 6.19 of the Local Government Act 1995.**

3. A further report investigating longer term proposals for the disposal of cardboard be submitted no later than 31 March 2009.

CARRIED (8/0)

NO. 301/08

12.5 EXECUTIVE SERVICES REPORTS

12.5.1 WOMEN IN LOCAL GOVERNMENT – NATIONAL FRAMEWORK

File No: GR/97/5
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to bring to the attention of the Council the Australian Local Government Women's Association Inc., the National President of which is specifically seeking a comment from the Council regarding the review of the National Framework for Women in Local Government.

BACKGROUND

One of the prime purposes of the Australian Local Government Women's Association Inc. is to build the capacity of women to become leaders not only in Local Government but also the Community. Its mandate is to ensure that women are well represented in local government across Australia. The Association is now concerned that even though a National Framework for Women in Local Government was published five (5) years ago insufficient progress has been made in that there have been no substantial increases in the number of women in decision making positions in Local Government at either the elected or senior management level.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

Key Result Area 1 (Corporate Services in the Council's Strategic Plan) notes the coordination of staff development reviews to ensure that all staff members are aware of their development potential within the organisation. Further the strategic plan recognises that one of the Council's main strengths is its staff.

OFFICER COMMENT

The review of the National Framework for Women in Local Government maintains that discrimination against women in the work place in local government still exists. It notes that the percentage of women elected representatives nationally in local government is around 29% and that 20% of women working in local government are in a professional capacity and this proportion has not changed since 1996. The report cites family pressures, bullying, 'boys clubs' and a general male to male bias.

It should be stressed that there is no evidence of these issues at the Shire of Plantagenet. Women have been encouraged to stand for the position of Councillor and no discrimination or bias exists in the employment of women at Plantagenet. The total staff members at Plantagenet, including part time and casual, are 61 total staff. Of this number, 29 are women being 48%.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr D Nye-Chart:

That the Australian Local Government Women's Association Inc. be advised that the Shire of Plantagenet will continue to encourage potential leaders to run for public office regardless of gender and that the Council will continue to appoint the best possible applicant for any appointed position regardless of gender.

CARRIED (8/0)

NO. 302/08

12.5.2 PLANTAGENET DISTRICT HOSPITAL - PRIMARY CARE EXEMPTION

File No: GR/97/32
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 10-Feb-2009

PURPOSE

The purpose of this report is to place before the Council a request from the Regional Director WA Country Health Service for the Council to endorse *'the Better Access to Primary Care Services in Rural Areas – Section 19 (2) Exemption Initiatives.'*

BACKGROUND

Normally, a Medicare benefit is not payable in respect of a professional service that has been rendered by, or on behalf of, or under an arrangement with:

- a) the Commonwealth;
- b) a State;
- c) a Local Governing body; or
- d) the Authority established by law of the Commonwealth, a law of the State or a law of an internal Territory.

This means that emergency services provided at the Plantagenet District Hospital by the Doctors in Mount Barker are not claimable under Medicare.

To overcome this issue, it is necessary for the Minister to exempt a specified locality, facility, or practitioner from this prohibition. This enables billing to Medicare for services that would not otherwise be eligible.

STATUTORY ENVIRONMENT

The Health Insurance Act 1973 and specifically Section 19(2) of the Health Insurance Act applies.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

Prior to giving consent for an exemption pursuant to the legislation, the Minister requires certain consultation to occur, including with the Local Authority. Prior to the Chief Executive Officer indicating that that consultation has occurred and prior to the Chief Executive Officer indicating that no objections are raised to the granting of the exemption, Council authority is necessary.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr D Nye-Chart, seconded Cr J Mark:

That pursuant to the Council of Australian Governments Initiative: Better Access to Primary Care Services in Rural Areas Initiative (the 19(2) Exemptions Initiative) authority be granted for the Chief Executive Officer to consent to the Western Australian Government to seek, from the Commonwealth, a Section 19(2) Health Insurance Act exemption in respect of the locality of Plantagenet, to enable normal Medicare billing at the Plantagenet District Hospital.

CARRIED (8/0)

NO. 303/08

12.5.3 RADIO COMMUNICATION TOWER - MOUNT BARROW - PLANTAGENET REPEATER INSTITUTE (INC)

File No: ET/9/2
Attachment: Memorandum of Understanding
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to recommend that the Council enter into an agreement with the Plantagenet Repeater Institute (Inc) for services at the Radio Communication Tower situated on Mount Barrow.

BACKGROUND

At its meeting held on 11 December 2007, the Council resolved:

'THAT:

- (1) The Chief Executive Officer be authorised to finalise the terms of the lease for a one hectare portion of Plantagenet Location 273 (as indicated on Diagram One), with Craven Lea Pty Ltd, for the purpose of constructing a radio communications tower.*
- (2) The Shire President and the Chief Executive Officer be given authority to affix the Shire of Plantagenet's Common Seal to the agreement referred to in Part One.'*

The lease referred to above has been effected and, as mentioned in the December 2007 report, the tower that was formerly on the site, which was the property of the Plantagenet Repeater Institute and which was utilised by the Shire for its own communication purposes, was unstable. This meant that not only did the Council need to erect a new tower but that it made sense for the Repeater Institute to hang its gear off the Council's tower.

CONSULTATION

Consultation has occurred with the lessor of the land (Mr Ross Pickles) and representatives of the Plantagenet Repeater Institute.

FINANCIAL IMPLICATIONS

Although the Shire leases the land from Mr Pickles, there is no intention to seek a payment from the Repeater Institute.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

Site meetings have been held with Repeater Institute members. The Institute is happy that their interests are being looked after and the Memorandum of Understanding (MOU) reflects this. The MOU acknowledges that only licensed technicians can access the tower and access to the equipment will only occur in the company of Council employees or contractors. In any case, apart from twice yearly maintenance inspections the equipment, which is now housed in a second-hand sea container, requires very little attention from year to year.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Mark:

That the Memorandum of Understanding between the Council and the Plantagenet Repeater Institute (Inc) to permit the Plantagenet Repeater Institute (Inc) to install communication equipment at the Council's communication facility situated on Mount Barrow be endorsed.

CARRIED (8/0)

NO. 304/08

12.5.4 SPEEDWAY - REQUEST FOR FURTHER ASSISTANCE

File No: FM/153/1
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 16 December 2008

PURPOSE

The purpose of this report is to place before the Council a request from the Mount Barker Speedway for additional assistance in excess of the financial assistance grant already included in the current budget. The Speedway seeks extra assistance due to the hosting of the 2008/2009 Western Australian State Titles of Junior Sedans in January 2009.

BACKGROUND

The Mount Barker Speedway Club Inc. leases from the Council portion of Reserve 16271 being Locations 3879, 7361 and Portion of Location 2207 on the Mount Barker-Porongurup Road. The lease expires in 2013. The rent is \$10.00 per annum.

At its meeting held on 11 November 2008 the Council resolved:

'That new Council Policy No. A/PA/14 'Sporting and Community Organisations Using Council and Vested Land - Rateability' as follows:

OBJECTIVE:

To ensure that all sporting and community associations leasing property owned by or vested in the Council are treated equitably with regard to rating and other charges.

POLICY:

Any sporting or community organisation leasing or renting land and / or facilities from the Council shall be non-rateable.'

STATUTORY ENVIRONMENT

The land is leased to the Speedway pursuant to Section 3.58 of the Local Government Act 1995.

FINANCIAL IMPLICATIONS

Although specific details of the weekend are still unavailable, it is understood that the event happens over three (3) days and that the grader will be required for approximately five hours on each of those days.

The Council's wet hire for a grader is \$138.00 per hour. This would mean a total donation of \$2,070.00 for grader hire.

The Council's Financial Assistance Grant to the Speedway for 2008/2009 was \$1,000.00 towards grader hire. The present request is extra to this \$1,000.00 donation.

Pursuant to the lease with the Council the Speedway pays rates on the property that they lease. For the 2008/2009 financial year these rates were \$1,353.61, which are paid.

POLICY IMPLICATIONS

There are no policy implications for this report.

However, Councillors are directed to Resolution 265/08 (See background above). It is not clear whether this policy is retrospective.

STRATEGIC IMPLICATIONS

The Council's Strategic Plan at Key Result Area 3 – Community Services notes that:

'an aim of the plan is to deliver, or facilitate the delivery of, a range of services which respond to, and reflect, the physical, social and cultural well being of the community.'

OFFICER COMMENT

Apart from the use of a Shire grader the Club also requests the reduction of vehicle speeds along the Porongurup Road for the event and permission to use Frost oval for camping and also permission to use the street banner poles. The Speedway Club advises that competing teams will stay within the district for three to five days and therefore there will be an economic benefit.

The reduction of speed along the Porongurup Road is recommended and can be handled under delegated authority in consultation with Main Roads (WA).

The use of street banner poles can also be handled under delegated authority.

Permission to utilise Frost oval can be granted subject to the Caravan Park being first utilised. With regard to the use of the Shire grader it is suggested that account 21311.0370 (District and Area Promotion) be utilised to the value of rates already paid.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr J Mark, seconded Cr K Clements:

That the Mount Barker Speedway (Inc) be advised that with regard to the holding of the 2008/2009 Western Australian State Titles of Junior Sedans over the weekend of 23, 24 and 25 January 2009 the Council will:

- 1. Provide the use of a Shire grader and operator over the event to a maximum value of \$1,400.00.**

2. **Approach Main Roads WA recommending speed reduction signage to be erected on the Mount Barker-Porongurup Road for the duration of the event.**
3. **Approve the use of Frost oval and facilities for camping, subject to:**
 - a) **no prior booking;**
 - b) **utility costs and normal bonds being paid; and**
 - c) **the Caravan Park being first utilised.**
4. **Note that the Chief Executive Officer has delegated authority for use of the street banner poles.**

AMENDMENT

Moved Cr J Moir, seconded Cr D Nye-Chart:

That in part 3.c) above the word 'Park' be deleted and replaced with the word 'Parks'.

CARRIED (8/0)

NO. 305/08

FURTHER AMENDMENT

Moved Cr D Nye-Chart, seconded Cr A Budrikis:

That in part 1 above the figure '\$1,400.00' be deleted and replaced with the figure '\$2,070.00'.

CARRIED (8/0)

NO. 306/08

FURTHER AMENDMENT

Moved Cr A Budrikis, seconded Cr D Nye-Chart:

That in part 3.b) the words 'by an organisation' be added after the word 'paid'.

CARRIED (8/0)

NO. 307/08

COUNCIL DECISION

That the Mount Barker Speedway (Inc) be advised that with regard to the holding of the 2008/2009 Western Australian State Titles of Junior Sedans over the weekend of 23, 24 and 25 January 2009 the Council will:

1. Provide the use of a Shire grader and operator over the event to a maximum value of \$2,070.00.
2. Approach Main Roads WA recommending speed reduction signage to be erected on the Mount Barker-Porongurup Road for the duration of the event.
3. Approve the use of Frost oval and facilities for camping, subject to:
 - a) no prior booking;
 - b) utility costs and normal bonds being paid by an organisation; and
 - c) the Caravan Parks being first utilised.
4. Note that the Chief Executive Officer has delegated authority for use of the street banner poles.

CARRIED (8/0)

NO. 308/08

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

15 CONFIDENTIAL

Nil

16 CLOSURE OF MEETING

4:06 PM The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ **DATE:** ____ / ____ / ____