



ORDINARY MINUTES

DATE: Tuesday, 19 October 2010

TIME: 2:45pm

VENUE: Council Chambers, Lowood
Road, Mount Barker WA 6324

Rob Stewart
CHIEF EXECUTIVE OFFICER

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:50pm The Presiding Member declared the meeting open.

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

Members Present:

Cr K Clements	Shire President
Cr M Skinner	Deputy Shire President
Cr B Bell	Councillor
Cr A Budrikis	Councillor
Cr S Etherington	Councillor
Cr S Grylls	Councillor
Cr L Handasyde	Councillor
Cr G Messmer	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Ms Nicole Selesnew	Manager Community Services
Mr Peter Duncan	Manager Development Services
Mr Dominic Le Cerf	Manager Works and Services
Mr Vincent Jenkins	Planning Officer
Mrs Linda Sounness	Executive Secretary

Apologies

Cr J Moir

Previously Approved Leave of Absence:

Cr G Messmer – 11 to 23 December 2010

There were three (3) members of the public present

Emergency Evacuation Procedures/Disclaimer:

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.'

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1.1 IAN HOWARD – H&H ARCHITECTS REPRESENTING PLANTAGENET VILLAGE HOMES INC

Mr Howard presented an overview of the development project being undertaken by Plantagenet Village Homes Inc and being considered by the Council in Item 11.1.1. Mr Howard clarified issues relating to the design driveways and, sought the Council's consideration to modify the Officer Recommendation in light of this at points 12 and 13.

4.1.2 CATHY DAVIS – KENDENUP COUNTRY CLUB

Mrs Davis gave a background of the Kendenup Country Club and its work over many years and spoke affirmatively for a grant application to the Department of Sport and Recreation being considered by the Council in Item 11.3.1.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr Ken Clements disclosed a Closely Associated Person Interest (Section 5.62 LGA) – wife works for Plantagenet Sheds and Steel – in Item 14.1.1.

Cr Gert Messmer disclosed a Closely Associated Person Interest (Section 5.62 LGA) – wife is Chairman of Plantagenet Village Homes Inc – in Item 11.1.1.

Mrs Linda Sounness voluntarily disclosed a Financial/Indirect Financial Interest (Section 5.70 LGA) – a board member of Plantagenet Village Homes Inc – in Item 11.1.1.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Cr Clements requested leave of absence for 10 to 15 November 2010 inclusive.

Moved Cr L Handasyde, seconded Cr S Etherington:

That Cr Ken Clements be granted leave of absence for 10 to 15 November 2010 inclusive.

CARRIED (8/0)

NO. 247/10

7 CONFIRMATION OF MINUTES

Moved Cr M Skinner, seconded Cr G Messmer:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 September 2010 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 248/10

8 COMMITTEE MINUTES

Moved Cr S Etherington, seconded Cr B Bell:

That the Minutes of:

Townscape Review Steering Committee Meeting - Minutes - 6 October 2010

be received.

CARRIED (8/0)

NO. 248/10

9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 5 October 2010 – Mr Stewart and I met with the Minister for Local Government's Chief of Staff, Gary Brennan to discuss Local Government Reform.
- 8 October 2010 – Mr Fathers, myself and our wives attended the Qantas Mount Barker Wine Show Exhibitors Luncheon where we, on behalf of the Shire, were presented with the 2010 Ian Tyrer Award.
- 10 October 2010 – Cr Handasyde and I attended the Opening of the Forest Hill Fire Brigade Shed.
- 13 October 2010 – Cr Handasyde, Mr Le Cerf and I attended the State Roads Forum in Bunbury and the National Timber Councils Taskforce AGM.
- 14 and 15 October 2010 – Cr Handasyde, Mr Le Cerf and I attended the National Local Roads and Transport Congress 2010 in Bunbury.

10 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION

Cr M Skinner

- 19 October 2010 – attended the Great Southern Regional Cattle Saleyards Advisory Committee Meeting held at the cattle saleyards.

Cr B Bell

- 19 October 2010 – attended the Great Southern Regional Cattle Saleyards Advisory Committee Meeting held at the cattle saleyards.

Cr L Handasyde

- 10 October 2010 – attended the Opening of the Forest Hill Fire Brigade Shed with Cr Clements.
- 13 October 2010 – attended the State Roads Forum and National Timber Councils Taskforce AGM in Bunbury with Cr Clements and Mr Le Cerf.
- 14 and 15 October 2010 – attended the National Local Roads and Transport Congress 2010 in Bunbury with Cr Clements and Mr Le Cerf.
- 19 October 2010 – attended the Great Southern Regional Cattle Saleyards Advisory Committee Meeting held at the cattle saleyards.

11 REPORTS OF COMMITTEES AND OFFICERS

11.1 DEVELOPMENT SERVICES REPORTS

11.1.1 LOT 98 MONTEM STREET, MOUNT BARKER - 16 GROUPED DWELLINGS

A Closely Associated Person Interest (Section 5.62 LGA) was disclosed by Cr G Messmer. Nature of interest – wife is Chairman of Plantagenet Village Homes Inc.

A Financial/Indirect Financial Interest (Section 5.70 LGA) was disclosed by Mrs Linda Sounness. Nature of interest – is a board member of Plantagenet Village Homes Inc.

3:03pm Cr G Messmer withdrew from the meeting.

File No: N16185

Attachments: [Location Plan](#)
[Site Plan](#)
[3 Bedroom Unit Floor Plan](#)
[3 Bedroom Elevations](#)
[2 Bedroom Unit Floor Plan](#)
[2 Bedroom Elevations](#)
[Central Facility Floor Plan](#)
[Central Facility Elevations](#)

Responsible Officer: Peter Duncan
Manager Development Services

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 19 October 2010

Applicant: Plantagenet Village Homes Incorporated

PURPOSE

The purpose of this report is to consider an application for 16 grouped dwellings at Lot 98 Montem Street, Mount Barker.

BACKGROUND

Council records show the registered owner of Lot 98 Montem is Plantagenet Village Homes Incorporated.

The subject land is 14,371m² in area and located between Montem and Marion Streets. The existing development on Lot 98 consists of 10 units for senior persons' accommodation (Lions Venture Village). This existing development is located on Montem Street and occupies 3,085m² of Lot 98. Plantagenet Village Homes wishes to establish a village style retirement development providing accommodation to retirees on the remainder of Lot 98.

The proposed development consists of four, three bedroom dwellings (119.0m² floor area) and 12, two bedroom dwellings (100.3m² floor area). In addition a 100.3m² central facility will be constructed consisting of two administration offices, a kitchen facility and a multifunction room for residents' meetings and functions. This Plantagenet Village Homes development proposal is not designed to meet the requirements for aged persons in accordance with the Residential Design Codes. The proposed development will operate independently from the existing retirement village (Lions Venture Village) located on Montem Street.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Zoned Residential R10/20 – Grouped Dwelling is a discretionary 'SA' use under TPS3.

An 'SA' use means that the Council may at its discretion, permit the use after notice of application has been given in accordance with Clause 6.2. The application has been advertised in accordance with Clause 6.2 and no submissions have been received.

Clause 6.3.2 of TPS3 states:

'The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.'

Residential Design Codes (RCodes).

Dividing Fences Act 1961

EXTERNAL CONSULTATION

The proposal was advertised for comment for a 21 day period closing on 24 September 2010. Letters were sent to 16 adjoining and nearby land owners, notices were placed in the Albany Advertiser, Plantagenet News, the Council's noticeboard, and two signs placed on site. At the close of the advertising period no submissions had been received.

FINANCIAL IMPLICATIONS

The application fee of \$8,750.00 and a bond of \$500.00 for advertising costs have been paid.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

Shire of Plantagenet Strategic Plan 2003, Key Result Area 4 Development Services advocates:

'Supporting sustainable and managed growth within existing urban settlements and encourage the development of a variety of housing opportunities. The Shire also seeks to plan a safe and healthy living environment.'

OFFICER COMMENT

All the proposed dwellings are single storey and complement houses in the locality. All dwellings will have access to private outdoor living areas, carports, outdoor storage facilities and communal outdoor areas. The subject land slopes 10.0m from the north-west to south-east corners. Each dwelling will be constructed on one level to ensure ease of movement.

All the proposed dwellings face the internal accessway which will be common property. Units 1 and 10 including their driveways should be reorientated to face Marion Street for a better streetscape appearance. Unit 16 including its driveway should be reoriented to face Montem Street. This will ensure that the development addresses the main streets.

The proposed internal accessway provides two access points to Marion Street and one access point to Montem Street. This will enable pedestrian and vehicular traffic connection between Marmion and Montem Streets. The proposed internal accessway and accompanying crossovers will be 6.0m wide where the development meets the public roads. The accessway will then decrease to 4.0m at a 10.0m distance from the property boundaries. The decrease in width to 4.0m meets the requirements of the RCodes for this development. 1.2m wide pedestrian paths will be located along one side of the internal accessway providing safe and comfortable access between the central facility, car parking areas, streets and individual dwellings. Trees will be required with a landscaping plan to formalise the street appearance. The proposed car parking bays are 5.0m in length, required car parking bay dimensions are 5.5mx2.7m with a 6.0m manoeuvring space.

The RCodes require a total of 36 onsite car parking bays consisting of 32 parking bays for dwellings and four visitor car parking bays for the proposed development. Two additional car parking bays should be provided for offices located at the proposed central facility. This means that a total of 38 car parking bays are required. The development exceeds the minimum parking requirement by providing 32 car parking bays for dwellings, nine car parking bays for visitors and two car parking bays for offices at the central facility, giving a total of 43 car parking bays. One car parking bay for disabled persons is provided at the central facility.

The proposal meets the majority standards required for this R20 development set by the RCodes with the exception of the street setbacks for two units on Marion Street. The required street setback is 6.0m and in this instance unit 1 is setback 5.24m and unit 7 is setback 5.40m. The Council can vary such a setback and in this instance it is supported.

Other areas which would need to be addressed are proposed as conditions of approval are:

1. A drainage management plan needs to be submitted and this may need to include the proposed pond and compensating basin to be established to constructed wetland standards;
2. Adequate signage to be provided to direct visitors to the visitor parking areas;
3. Dwellings to be constructed on site; and
4. A bin storage area for the central facility is to be conveniently located and screened.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with clause 2.5.2 of the Residential Design Codes and clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the application for 16 grouped dwellings at Lot 98 Montem Street, Mount Barker be approved subject to:

1. Development being in accordance with the plans dated 2 July 2010 and 20 August 2010.
2. A stormwater drainage plan being prepared to the satisfaction of the Manager Works and Services prior to the issue of a building licence and commencement of any site works. This may include the pond and compensating basin being established to constructed wetland standards.
3. Construction not being commenced until the Council has approved detailed engineering plans and specifications of works, including earthworks, roads and paths, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction. Stormwater being contained onsite, however, overflow can be directed to the district drainage system to the satisfaction of the Manager Works and Services.
4. The internal accessway being constructed, drained and sealed from Montem Street to Marion Street to the satisfaction of the Manager Works and Services.
5. Crossovers being constructed, sealed and drained to the satisfaction of the Manager Works and Services.
6. Car parking bays being a minimum 5.5mx2.7m with a 6.0m manoeuvring space, sealed and line marked to the satisfaction of the Manager Works and Services.
7. Installation of fire hydrants to Water Corporation specifications.
8. All dwellings being connected to reticulated sewer and water.
9. All dwellings being constructed onsite and not being transported in.
10. The submission and approval of a landscape plan for the total development and the establishment of the landscaping.
11. Dwellings not being occupied until landscaping has been completed to the satisfaction of the Manager Development Services.

12. Units 1 and 10 including their driveways being reoriented to face Marion Street. The driveways are not to be positioned adjacent to any main access to the development.
13. Unit 16 including its driveway being reoriented to face Montem Street. The driveway is not to be positioned adjacent to any main access to the development.
14. Fencing in front of the building setback line being a maximum of 1.2m in height.
15. Provision of adequate signage to direct visitors to the visitor parking areas.
16. External clothes drying facilities being provided for each dwelling in accordance with the RCodes.
17. Bin storage area for the central facility being constructed and screened to the satisfaction of the Manager Development Services.
18. Street trees being provided in accordance with the species list and specifications set out in the Mount Barker Townscape Review for Menston Street and the internal accessway.

ADVICE NOTES

- (i) The applicant is advised that there is an obligation to comply with relevant statutes applicable to the development including The Building Code of Australia.
- (ii) The developer is encouraged to landscape to a high standard.
- (iii) The applicant may wish to consider designing the dwellings in such a manner that they allow for disabled access.

COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Grylls:

That in accordance with clause 2.5.2 of the Residential Design Codes and clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the application for 16 grouped dwellings at Lot 98 Montem Street, Mount Barker be approved subject to:

- 1. Development being in accordance with the plans dated 2 July 2010 and 20 August 2010.**
- 2. A stormwater drainage plan being prepared to the satisfaction of the Manager Works and Services prior to the issue of a building licence and commencement of any site works. This may include the pond and compensating basin being established to constructed wetland standards.**
- 3. Construction not being commenced until the Council has approved detailed engineering plans and specifications of works, including earthworks, roads and paths, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction. Stormwater being contained onsite, however, overflow can be directed to the district drainage system to the satisfaction of the Manager Works and Services.**

4. The internal accessway being constructed, drained and sealed from Montem Street to Marion Street to the satisfaction of the Manager Works and Services.
5. Crossovers being constructed, sealed and drained to the satisfaction of the Manager Works and Services.
6. Car parking bays being a minimum 5.5mx2.7m with a 6.0m manoeuvring space, sealed and line marked to the satisfaction of the Manager Works and Services.
7. Installation of fire hydrants to Water Corporation specifications.
8. All dwellings being connected to reticulated sewer and water.
9. All dwellings being constructed onsite and not being transported in.
10. The submission and approval of a landscape plan for the total development and the establishment of the landscaping.
11. Dwellings not being occupied until landscaping has been completed to the satisfaction of the Manager Development Services.
12. Units 1 and 10 being oriented to face Marion Street.
13. Unit 16 being oriented to face Montem Street.
14. Fencing in front of the building setback line being a maximum of 1.2m in height.
15. Provision of adequate signage to direct visitors to the visitor parking areas.
16. External clothes drying facilities being provided for each dwelling in accordance with the RCodes.
17. Bin storage area for the central facility being constructed and screened to the satisfaction of the Manager Development Services.
18. Street trees being provided in accordance with the species list and specifications set out in the Mount Barker Townscape Review for Menston Street and the internal accessway.

ADVICE NOTES

- (i) The applicant is advised that there is an obligation to comply with relevant statutes applicable to the development including The Building Code of Australia.
- (ii) The developer is encouraged to landscape to a high standard.
- (iii) The applicant may wish to consider designing the dwellings in such a manner that they allow for disabled access.

CARRIED (7/0)

NO. 249/10

Reason for Change

The explanation and clarification received from Plantagenet Village Homes during Public Presentation time regarding Points 12 and 13 of the Officer's Recommendation was accepted and therefore these points were amended to delete reference to driveways.

3:07pm Cr G Messmer returned to the meeting.

11.1.2 LOT 2 BEATTIE ROAD, KENDENUP - APPLICATION FOR TEMPORARY ACCOMMODATION

File No: N16189
Attachments: [Site plan](#)
[Location plan](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Eric Howard
Environmental Health Officer
Proposed Meeting Date: 19 October 2010
Owner/Applicant: M and J Whitting

PURPOSE

The purpose of this report is to consider an application for temporary accommodation at Lot 2 Beattie Road, Kendenup.

BACKGROUND

An application has been received from the owner of Lot 2 Beattie Road, Kendenup seeking approval to occupy a caravan located within an approved outbuilding on the lot for a period of 12 months during the construction of a Class 1a dwelling on the lot.

STATUTORY ENVIRONMENT

Caravan Parks and Camping Ground Regulations 1997 Section (11)(2) states as follows:

- (2) *Written approval may be given for a person to camp on land referred to in sub regulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.'*
-

FINANCIAL IMPLICATIONS

The applicant has paid the \$100.00 application fee.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The applicant wishes to reside on site during the construction of a dwelling to maintain site security and to expedite the building project. It is expected that the dwelling will be constructed to a habitable standard within 12 months and therefore temporary accommodation will be required for a period of up to 12 months.

Ablution facilities are provided within the outbuilding located adjacent to the proposed dwelling site. Sewage and wastewater from the ablution facilities within the outbuilding is connected to a septic system approved and installed for connection to the proposed dwelling when constructed.

The applicant has advised that building plans and application for a building licence for the construction of the dwelling are currently with an architect and anticipates a building licence application will be submitted for approval within two months.

The Council may revoke the temporary accommodation approval at any time during this approval period.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr G Messmer:

That the application for temporary accommodation at Lot 2 Beattie Road, Kendenup be approved for a period of 12 months from 19 October 2010 subject to:

- 1. A building licence being issued for the construction of a Class 1a dwelling on the lot.**
- 2. Inspection and certification by the Council's Environmental Health Officer that the temporary accommodation facility meets all relevant health and safety standards.**
- 3. Satisfactory progress being achieved with the construction of the Class 1a dwelling.**

CARRIED (8/0)

NO. 250/10

**11.1.3 LOT 306 TOWER ROAD, MOUNT BARKER - APPLICATION FOR
TEMPORARY ACCOMMODATION**

File No: N16191
Attachments: [Site plan](#)
[Location plan](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Eric Howard
Environmental Health Officer
Proposed Meeting Date: 19 October 2010
Owner/Applicant: M Tester

PURPOSE

The purpose of this report is to consider an application for temporary accommodation at Lot 306 Tower Road, Mount Barker.

BACKGROUND

An application has been received from the owner of Lot 306 Tower Road, Mount Barker seeking approval to occupy a caravan located within an approved outbuilding on the lot for a period of 12 months to enable the completion of construction of a Class 1a dwelling, also located on the lot.

STATUTORY ENVIRONMENT

Caravan Parks and Camping Ground Regulations 1997 Section (11)(2) states as follows:

- (2) *Written approval may be given for a person to camp on land referred to in sub regulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.'*

FINANCIAL IMPLICATIONS

The applicant has paid the \$100.00 application fee.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The dwelling is nearing completion and the applicant requests approval to camp on the lot in a caravan located within the existing outbuilding to expedite the final stages of construction fit-out. The applicant anticipates that a period of three months temporary accommodation approval may be required to enable occupation of the dwelling. A 12 month approval period will be adequate.

Ablution facilities are provided within an existing outbuilding and connected to an approved on site septic system also connected to the dwelling under construction.

The Council may revoke the temporary accommodation approval at any time during this approval period.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr B Bell:

That the application for temporary accommodation at Lot 306 Tower Road, Mount Barker be approved for a period of 12 months from 19 October 2010 subject to:

- 1. Inspection and certification by the Council's Environmental Health Officer that the temporary accommodation facility meets all relevant health and safety standards.**
- 2. Satisfactory progress being achieved with the construction of the dwelling.**

CARRIED (8/0)

NO. 251/10

11.2 WORKS AND SERVICES REPORTS

11.2.1 FORWARD CAPITAL WORKS PLAN 2010/2011 TO 2014/2015

File No:	N16240
Attachment	Draft Shire of Plantagenet Forward Capital Works Plan 2010/2011 to 2014/2015
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Dominic Le Cerf Manager Works and Services
Proposed Meeting Date:	19 October 2010

PURPOSE

The purpose of this report is to seek endorsement of the Shire of Plantagenet's Forward Capital Works Plan (FCWP) 2010/2011 to 2014/2015 in accordance with the requirements of the Department of Regional Development and Lands (the Department).

BACKGROUND

The provision of an adequate capital works plan is a prerequisite to access individual local government allocations from the Royalties for Regions Country Local Government Fund (CLGF).

The primary objective of the CLGF is to address infrastructure backlogs across Western Australian country local government. However, one of the primary intentions of the CLGF in 2009/2010 is to improve the quality of asset management planning in country local governments.

A FCWP workshop was facilitated by Mr Bret Howson on 28 September 2010. Informal comments have been received by staff from councillors. The Shire President queried the absence of inclusion of plans to concentrate on gravel re-sheeting for the financial years 2011/12 and 2012/13. No firm plans have been adopted by the Council regarding this initiative.

Cr Budrikis queried the absence of the proposal by the Kendenup Community Recreation Centre Committee to construct a community facility in Kendenup. The Council has not formally considered this proposal. Cr Budrikis also queried the inclusion of photovoltaic cells for the administration centre as a renewable energy project.

Cr Skinner noted that not all roads within the Shire have current road vehicle counts.

Cr Bell commented that ratepayers in the Kendenup townsite generally purchased unserviced lots at minimal cost. Their current level of rates should maintain the infrastructure at those pre-existing levels. The ratepayers in Kendenup wish to have the infrastructure upgraded, such as footpaths and drainage, then a mechanism should be developed so that they be rated accordingly.

STATUTORY ENVIRONMENT

Forward Capital Works Plans are not a statutory requirement at this stage. However it is good practice to improve the process of planning for the future of the district, which is a requirement under the Local Government Act 1995, Section 5.56(1).

FINANCIAL IMPLICATIONS

There are significant financial implications with the adoption of this report. Many projects listed will require additional Council funds or matching funds from 'other' sources. The Council has adopted a procedure to examine funding as part of the long term financial plan review. The projects listed in the FCWP have been previously identified but not necessarily funded. These decisions are properly left for the budget process.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

Key Result Area 5 (Strategic Planning) aims to coordinate long term planning for sustainable environmental, economic and social development of the Shire of Plantagenet.

Specifically, the Council will develop long-term financial projections for providing the facilities and services required by the Plantagenet community.

OFFICER COMMENT

In accordance with the Department's guidelines, the Shire of Plantagenet's FCWP addresses:

- Infrastructure items only, not plant and equipment;
- Infrastructure that is owned by the Council;
- Expenditure for five years, commencing in 2010/2011;
- Council approval for the FCWP; and
- Information on capital works expenditure by Council in 2009/2010.

The FCWP lists the capital projects and allocates time and funds to the activities and tasks associated with each project. These projects have been determined by the Council and senior staff in accordance with the broader objectives of a Future Plan to attempt to achieve the Council's Strategic planning vision.

This document satisfies the requirements for forward capital works planning as stipulated by the Department, however the plan is also intended to provide the Shire with a sound planning document for funding, community consultation and strategic direction over the next five years.

Clearly there is a significant funding gap within the plan, however it is stressed that this is not a blueprint for the future as it is subject to a number of external funding sources, few of which can be guaranteed. However, the development of this plan should improve the Council's ability to attract such funding.

It is intended that the outcomes of the FCWP will feed into the long term financial planning process, which is intended to be updated annually. During the annual budget process, final decisions will be made on project delivery based on many factors, particularly availability of grant funding.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M Skinner:

That the Shire of Plantagenet Forward Capital Works Plan 2010/2011 to 2014/2015, as attached, be endorsed and the Shire President and Chief Executive Officer be authorised to execute the document.

CARRIED (8/0)

NO. 252/10

11.2.2 ROAD NAMING - RENAMING PORTION OF SPENCER ROAD

File No: N16115
Responsible Officer: Dominic Le Cerf
Manager Works and Services
Author: Sharon Lynch
Senior Administration/Project Officer (Works
and Services)
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to consider submissions received in relation to the advertising of the renaming proposal of a portion of Spencer Road from Hannan Way to the Narrikup bypass.

BACKGROUND

The Council at its meeting held on 17 August 2010 resolved:

'That:

- 1. The proposal to rename the portion of Spencer Road from Hannan Way to the Narrikup bypass as Beech Road be advertised for public comment.*
- 2. The proposal to name the newly constructed Narrikup bypass from Spencer Road to Albany Highway, Spencer Road be advertised for public comment.*
- 3. All affected land holders on the portion of Spencer Road from Hannan Way to the Narrikup bypass be informed of the name change proposal.*
- 4. Subject to no objections being received during the advertising period the road name changes be forwarded to the Geographic Names Committee for endorsement.'*

The name Beech was selected from the Council's Future Street and Reserve names Register as it recognises the first teacher in Narrikup who was later given charge of the school at Martigallup.

STATUTORY ENVIRONMENT

The Land Administration Act 1997 governs the road naming process.

EXTERNAL CONSULTATION

The road renaming proposal was advertised in the Albany Advertiser on 2 September 2010 and the Plantagenet News on 1 September 2010.

Written notice of the proposal was sent to all affected land holders on the portion of Spencer Road from Hannan Way to the Narrikup bypass.

At the conclusion of the advertising period two submissions were received in opposition to the suggested name 'Beech' and two submissions queried the symbolic relevance of the name to Narrikup.

The two submissions in opposition to the name Beech requested the Council reconsider the name Steel.

Consultation has occurred with the Geographic Names Committee.

FINANCIAL IMPLICATIONS

All costs associated with the advertising and signage will be the responsibility of the Shire. It is estimated that this will cost approximately \$500.00.

POLICY IMPLICATIONS

Council Policy I/RR/1 – Future Street and Reserve Names provides a list of Council approved names. Steel is not listed on the register.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

Prior to the advertising of the name 'Beech' a letter and response sheet was sent out to all land owners on the portion of Spencer Road from Hannan Way to the Narrikup bypass. Land owners were given the opportunity to suggest a new name. As a result of the letters, three submissions were received in support of renaming the portion of road after John and Glenys Steel.

The Geographic Names Committee does not encourage the use of names of living individuals. Exceptions may be authorised but are subject to a more rigorous selection process therefore it was suggested the name Steel not be used.

The 'Geographic Names Committee W.A. Principles, Guidelines and Procedures' sets out the guidelines that need to be followed when the renaming of a road occurs. An extract from the guidelines are as follows:

'Suitable Names – Preferred sources of names include names from Aboriginal languages currently or formerly identified with the general area, pioneers of the State or area, citizens who have made a significant community contribution, war casualty lists and thematic names (eg nautical, sporting etc). Ethnic and gender diversity is encouraged. Given/first and surname combinations are suitable only if the surname alone cannot be used because of duplication. All name proposals must clearly identify the origin of the name and provide relevant references to allow for the verification of the name.'

Consultation has occurred with a representative from the Geographic Names Committee who has advised that the portion of road could be named after John's parents Phillip and Charlotte Steel. Philip and Charlotte Steel purchased property in the Narrikup area in 1968 however they never lived on the property or within the Shire of Plantagenet. It is suggested the portion of road not be renamed after Philip

and Charlotte Steel as they never lived or made a significant community contribution to the Narrikup community or the Shire of Plantagenet.

The Geographic Names Committee discourages the renaming of roads unless there are good reasons for a change of name. In addition, for regional roads the change of name should have broad community support, and for local roads, majority support from affected residents.

Given that only two submissions were received in opposition to the proposed name Beech Road it is recommended the name be forwarded to the Geographic Names Committee for endorsement.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr G Messmer:

That the proposal to rename the portion of Spencer Road from Hannan Way to the Narrikup bypass as Beech Road be forwarded to the Geographic Names Committee for endorsement.

CARRIED (8/0)

NO. 253/10

11.3 COMMUNITY SERVICES REPORTS

11.3.1 COMMUNITY SPORT AND RECREATION FACILITIES FUND (CSRFF) GRANT PRIORITISATION - KENDENUP COUNTRY CLUB

File No:	N16194
Attachments:	Kendenup Country Club Toilet and Washroom Photos.pdf
Responsible Officer:	Nicole Selesnew Manager Community Services
Author:	Deborah de Jonge Club Development Officer / Grants Officer
Proposed Meeting Date:	19 October 2010

PURPOSE

The purpose of this report is to seek support for the submission of an application to the Department of Sport and Recreation's 2010/2011 Community Sport and Recreation Facilities Fund (CSRFF).

BACKGROUND

The CSRFF grant scheme is advertised annually by the Department of Sport and Recreation (DSR) and provides grant funding for facility and infrastructure provision/upgrades to incorporated community sport and recreation clubs and local governments.

The CSRFF grant scheme generally funds projects on a basis of one third of the total project cost. Applications are required to be submitted to local governments by 30 September annually. All applications are then assessed by the local government, identified as being supported or otherwise and ranked in priority order. The Regional DSR Office then assesses each project and ranks them on a regional priority which is presented to the Great Southern Regional Recreation Advisory Group for endorsement or amendment. The applications and regional priorities are then submitted to the DSR Central Office for final determination.

This year one application has been submitted by the Kendenup Country Club Inc (KCC) for the development of a new toilet block and modernisation of their kitchen facility.

The KCC building is located on Reserve 41498 (Lot 7675). The site is leased from the Shire for 20 years (expiring in 2013) with an annual rental of one dollar.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Consultation has taken place with various Kendenup sporting clubs which would benefit from the building alterations. These groups have written letters of support for the application. The KCC has also consulted with the Recreation Advisory

Committee (RAC) and Department of Sport and Recreation in the planning of their application.

FINANCIAL IMPLICATIONS

The anticipated cost of developing a new toilet block and improving the kitchen is \$161,844.77. The KCC is planning to contribute \$73,139.17 of their own funds plus \$14,757.60 worth of in-kind contributions to the project.

The application to the CSRFF program is seeking \$53,948.00 towards the development which represents a third of the total project cost.

The KCC has not requested any financial support from the Council.

The remainder of the funding may be sought from State and Federal Government programs including Lotterywest and the Small Communities Grant Program from the Foundation for Rural and Regional Renewal.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The adopted Kendenup Precinct Development Plan reference to the Kendenup Country Club site is '*Country Club and other users to have option of relocating activities to the new Community Recreation Centre facility as desired*'. This reference has been debated at length with the RAC at its meeting held on 11 May 2010, with the Committee making the following recommendation to the Council:

'That:

1. *A financial contribution to the Kendenup Country Club, through the Financial Assistance Grant process, not be supported.*
2. *The Kendenup Country Club be advised that development of the Kendenup Country Club building located at Reserve 41498 (Lot 7675) Kendenup, would be at the Club's own cost, subject to normal Council approvals and must be in line with the adopted Kendenup Precinct Development Plan.*
3. *Consideration will be given to the construction of an appropriately cited community recreation facility after comprehensive planning has occurred (including management plans, concept plans and asset management plans), these plans have been adopted by the Council and the development of the new facility will result in the removal of some existing infrastructure in the Kendenup area.*
4. *If a financial investment from the Council is required for the construction of a community / recreation facility, then development will only be considered at a time that the Council can reasonably afford to make such an investment.'*

This committee recommendation has not previously been considered by the Council.

This recommendation followed a site visit to the KCC and adjoining Kendenup Agricultural Grounds with representatives from DSR. DSR recommended supporting the construction of a new toilet block and kitchen refurbishment at the KCC to ensure the building could remain operational until such a time as the Council was in a situation to support other recreation collocation developments in Kendenup.

If another community / recreation facility was constructed in Kendenup and the KCC relocated to the new building, then the investment in the existing KCC toilet block and kitchen would remain viable as these facilities would stay at the KCC site and service the needs of golf club members/users.

OFFICER COMMENT

The KCC was founded in 1951 and fulfils the role as a golfing and social sporting club. The KCC building is owned by the Council and leased by the KCC. They have not requested significant financial assistance from the Council towards the facilities in the past. The ablution area is now in a critical state and kitchen refurbishments are required. Plans for building re-cladding and extensions are also proposed.

Members of the KCC met with both the RAC and Shire Officers to discuss their proposals. Based on the RAC recommendation and advice from the DSR representatives, Shire Officers suggested that support may be given to bring the Club's toilets, washroom facilities and kitchen up to standard as these are basic amenities which would remain at the KCC site, regardless of any future community / recreation developments in Kendenup.

At present, the toilets, washroom facilities and kitchen are in poor condition (please refer to the attached photographs). It is proposed to demolish and construct new toilets and washrooms with better access to the clubhouse and the fairways.

The kitchen upgrades will ensure the facility complies with Australian Food Preparation Standards and will enable the Club to prepare meals for their profile events.

Shire Officers also recommended that if the KCC wanted to pursue other building improvements such as re-cladding, painting and building extensions, then this would be at their own cost.

The basic improvements to the KCC building will ensure the Country Club meets public health standards. If the Club was to also pursue their building refurbishment and extension plans, the site would become more appealing to users enabling them potentially attract more local groups and sporting clubs to use the clubhouse.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr A Budrikis:

That:

1. The proposal by the Kendenup Country Club Inc to renew and expand the toilet and washroom facilities and modernise the kitchen at Reserve 41498 (Lot 7675) Beverley Road be endorsed;
2. The Council looks forward to receiving a detailed proposal regarding further proposed extensions and alterations to the remainder of the Kendenup Country Club building; and
3. The application submitted for the 2010/11 round of Community Sport and Recreation Facilities Funds as follows:

Applicant: Kendenup Country Club Inc;
Project: Renew and expand the toilet and washroom facilities and modernise the kitchen;
Total cost: \$161,844.77;

be supported.

CARRIED (8/0)

NO. 254/10

11.4 CORPORATE SERVICES REPORTS

11.4.1 FINANCIAL STATEMENTS - SEPTEMBER 2010

File No:	N16237
Attachment:	Financial Statement (separate attachment)
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	19 October 2010

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending September 2010.

STATUTORY ENVIRONMENT

Regulation 34 of the Financial Management Regulations 1996 requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- a) annual budget estimates;
- b) budget estimates to the end of the month;
- c) actual amount of expenditure and revenue;
- d) material variances between comparable amounts in b) and c) above; and
- e) the net current assets at the end of the month to which the statement relates ie: surplus/deficit position.

The Statement is to be accompanied by:

- a) explanation of the composition of net current assets, less committed assets and restricted assets;
- b) explanation of the material variances; and
- c) such other information considered relevant by the local government.

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Bell:

That the Financial Statements for the period ending September 2010 be received.

CARRIED (8/0)

NO. 255/10

11.4.2 LIST OF ACCOUNTS - SEPTEMBER 2010

File No: N16112
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Emma Gardner
Accounts Officer
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of September 2010.

STATUTORY ENVIRONMENT

Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments. Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Council Policy F/FM/7 – Purchasing and Tender Guide applies.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended September 2010 be received and recorded in the minutes of the Council, the summary of which is as follows:

- a. Electronic Payments and Direct Debits totalling \$603,266.26; and
 - b. Municipal Cheques 41368 - 41436 totalling \$46,257.59
- be received.

CARRIED (8/0)

NO. 256/10

11.4.3 POLICY REVIEW - ASSET REGISTER

File No: N16069
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Donna Jo McDonald
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to review Council Policy No. F/AMR/1 – Asset Register.

BACKGROUND

At its meeting held on 28 October 2008, the Council resolved:

‘That Council Policy No. F/AMR/1 as follows:

‘OBJECTIVE: To provide systematic guidelines for the maintenance of the Council’s assets.

POLICY: The Council will not record assets with an acquisition value of less than one thousand dollars (\$1,000.00), excluding GST, on the Council’s asset register.’
be endorsed.’

STATUTORY ENVIRONMENT

Section 5 (1) (d) of the Local Government (Financial Management) Regulations (1996) which relates to Section 6.10 of the Local Government Act 1995 states:

‘5 (1) Efficient systems and procedures are to be established by the CEO of a local government –

(d) to ensure proper accounting for municipal or trust –

(i) revenue received or receivable;

(ii) expenses paid or payable; and

(iii) assets and liabilities.’

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

This policy is presented to the Council as part of its ongoing policy review cycle.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

There are some very practical reasons for establishing a minimum threshold amount. To avoid unnecessary detail in the balance sheet, a threshold sets the value under which an asset is considered immaterial and expensed in the year it is acquired.

Capitalisation threshold amounts are likely to vary between local governments due to their differences in financial capacity, however they should be reviewed regularly to ensure they remain effective in the face of inflation.

The Western Australian Local Government Association Accounting Manual states that the mid-point capitalisation level is now \$2,000.00. It is therefore recommended that this figure be chosen. It is also recommended that the objective of the policy be amended to better reflect the purpose of the policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr A Budrikis:

That amended Council Policy No. F/AMR/1 as follows:

‘OBJECTIVE: To provide a guideline for the entry of items onto the Council’s Asset Register.

POLICY: The Council will not record assets with an acquisition value of less than two thousand dollars (\$2,000.00), excluding GST, on the Council’s asset register.’

be adopted.

CARRIED (8/0)

NO. 257/10

**11.4.4 POLICY REVIEW - VEHICLE REGISTRATION PLATES PL.1 AND PL.2
ISSUE**

File No: N16155
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Donna Jo McDonald
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to review Council Policy No. A/PA/11 – Vehicle Registration Plates PL.1 and PL.2 Issue.

BACKGROUND

At its meeting held on 28 October 2008, the Council resolved:

‘That amended Council Policy No. A/PA/11 – Vehicle Registration Plates PL.1 and PL.2 Issue, as follows:

‘OBJECTIVE: To determine the allocation of Vehicle Registration Plates PL.1 and PL.2.

POLICY: That the Council will:

- 1) Issue to the Shire President of the day whilst that person occupies the office of Shire President Vehicle Registration Plate PL.1; and*
- 2) Issue to the Chief Executive Officer of the day whilst that person occupies the office of Chief Executive Officer Vehicle Registration Plate PL.2.’*
be endorsed.’

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

This policy is presented to the Council as part of its ongoing policy review cycle.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr M Skinner:

That Council Policy No. A/PA/11 – Vehicle Registration Plates PL.1 and PL.2 Issue, as follows:

‘OBJECTIVE: To determine the allocation of Vehicle Registration Plates PL.1 and PL.2.

POLICY: That the Council will:

1. Issue to the Shire President of the day whilst that person occupies the office of Shire President Vehicle Registration Plate PL.1; and
2. Issue to the Chief Executive Officer of the day whilst that person occupies the office of Chief Executive Officer Vehicle Registration Plate PL.2.’

be endorsed.

CARRIED (8/0)

NO. 258/10

11.4.5 POLICY REVIEW - VEHICLE REGISTRATION PLATES

File No: N16156
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Donna Jo McDonald
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to review Council Policy No. A/PA/12 – Vehicle Registration Plates.

BACKGROUND

At its meeting held on 28 October 2008, the Council resolved:

‘That amended Council Policy No. A/PA/12 - Vehicle Registration Plates, as follows:

‘OBJECTIVE: To apply restrictions to the allocation of Shire of Plantagenet (PL) vehicle registration plates.

POLICY: That with respect to the issue of vehicle registration plates Number.PL, the Council maintains a policy NOT to issue plates with a zero prefix.’

be endorsed.’

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

This policy is presented to the Council as part of its ongoing policy review cycle.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

Historically, it has been Council Policy not to issue the number plate PL-0 or any plate with PL-0 as a prefix. At the time of Mr Harvey Arnold retiring from the Presidency of the Council, and from Council entirely, it was agreed that an appropriate memento for him would be a special number plate, this being PL-01. It is understood that he still holds this number plate.

The policy relating to not issuing PL-0 related to standard plates and was also applied to the new range of number plates which were auctioned some years later

(approximately 12 years ago), resulting in 0-PL not being available, nor any others in a 0 prefix PL range.

At the time of that auction, members of the public believed that these were the only numbers being released and bid for low numbered plates accordingly. It is considered that to later release lower plates would not be fair to those who originally purchased the plates they believed to be the lowest numbers.

Up until approximately two years ago, there had been no further plates issued other than PL-01 with the '0' either prior to, or following the 'PL'. However, the Department of Transport released a small number of standard plates with zero prefixes around that time. The Department was questioned over this as it was contrary to the Council's policy, however it transpired that the Department could issue such plates regardless of the policy.

As a result of this, when this policy was last presented for review on 28 October 2008, the Council deleted reference to standard number plates. It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr G Messmer:

That Council Policy No. A/PA/12 - Vehicle Registration Plates, as follows:

'OBJECTIVE: To apply restrictions to the allocation of Shire of Plantagenet (PL) vehicle registration plates.

POLICY: That with respect to the issue of vehicle registration plates Number-PL, the Council maintains a policy not to issue plates with a zero prefix.'

be endorsed.

CARRIED (8/0)

NO. 259/10

11.5 EXECUTIVE SERVICES REPORTS

11.5.1 COUNCIL MEETINGS - SCHEDULE 2011

File No: N15137
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to consider the schedule of Council meeting dates, times and venues for February to December 2011.

BACKGROUND

At the Ordinary meeting of the Council held on 23 February 2010, the Council resolved:

'That:

- 1. Notwithstanding the Council resolution 351/09 which resolved, among other things the dates or ordinary meetings for 2010, Council Meetings for the months April to December 2010 shall be held on a three weekly cycle commencing on 13 April 2010 and then:*

*4 May
25 May
15 June
6 July
27 July
17 August
7 September
28 September
19 October
9 November
30 November
14 December.*

- 2. The first ordinary meeting of the Council to be held in 2011 shall be held on 18 January 2011 and the three weekly cycle commencing from that date.*
- 3. All Council Meetings to be held in the Council Chambers, Lowood Road, Mount Barker, commencing at 2.45pm.*
- 4. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.'*

STATUTORY ENVIRONMENT

Section 5.3 and Section 5.25(1)9g) of the Local Government Act 1995 and Regulation 12 of the Local Government (Administration) Regulations 1996 apply.

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

Although Tuesdays of Council meetings are generally busy due to workshops and meetings, the actual length of Council meetings has been decreasing for some time with the Council recognising its statutory obligations to move away from operational matters and concentrate more on strategic matters and those that are unable to be delegated to officers. Further, the use of workshops to develop direction for report preparation by officers is operating well.

The January meeting for 2012 will most likely be held on 17 January which is a four week cycle from when the three week cycle would recommence.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr M Skinner, seconded Cr B Bell:

That:

1. **Ordinary Meetings of the Council for 2011 be held as follows commencing at 2.45pm**
 - 8 February**
 - 1 and 22 March**
 - 12 April**
 - 3 and 24 May**
 - 14 June**
 - 5 and 26 July**
 - 16 August**
 - 6 and 27 September**
 - 18 October**
 - 8 and 29 November**
 - 20 December**
 2. **All Council meeting be held in the Council Chambers, Lowood Road, Mount Barker.**
 3. **All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**
-

PROCEDURAL MOTION

Motion to adjourn Question

Moved Cr B Bell, seconded Cr A Budrikis:

That the question be adjourned to enable the Chief Executive Officer to arrange a workshop to be held on 9 November 2010 to discuss the item and a report to be submitted to the next meeting of the Council to be held on 9 November 2010.

CARRIED (8/0)

NO. 260/10

11.5.2 CHRISTMAS CLOSURE 2010/2011

File No: N15167
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to seek approval to close the Shire's facilities that are open to the public between Christmas and New Year – December 2010/January 2011.

The specific facilities are:
Shire Administration Office
Mount Barker Library
Rocky Gully Library
Mount Barker Swimming Pool
Mount Barker Community Recreation Centre
Great Southern Regional Cattle Saleyards
Waste Management Facilities

BACKGROUND

The Council has authorised the closure of its facilities for the period between Christmas and New Year for a number of years and this has not caused any community disquiet or inconvenience.

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

The closure of the administration office is an opportunity for all members of the staff to utilise the former holidays enjoyed by officers in Local Government being Easter Tuesday and 2 January. Although these holidays were repealed some years ago, at arbitration they were retained to be taken at mutually convenient times and have been recognised in the negotiated Collective Agreement. The Chief Executive Officer has informed staff members that he would prefer these holidays to be taken between Christmas and New Year wherever possible to minimise disruption to office routine.

This year Christmas Day falls on a Saturday. The Council will be asked to close the Council's facilities from the close of business on Thursday 23 December 2010.

Friday 24 December 2010 is a Rostered Day Off (RDO) for most of the administration staff. If open, the office would only be partially staffed for the end of calendar year 'rush'. Closing the office on Thursday 23 December 2010 would ensure that a full contingent of staff will be available to assist with the end of calendar year business.

Closing on the 23 December 2010 will require all staff to take their RDO on the Friday 24 December 2010. Staff will take Wednesday 29 December 2010 from approved leave and the CEO will be encouraging such approved leave to be an accumulated RDO.

Normal service would resume on Tuesday 4 January 2011.

Closure days for the Administration office and Libraries would be:

- Friday 24 December 2010 (Rostered Day Off for applicable staff)
- Monday 27 December 2010 Public Holiday (Christmas Day)
- Tuesday 28 December 2010 Public Holiday (Boxing Day)
- Wednesday 29 December 2010 (Approved Annual leave Day or accumulated RDO)
- Thursday 30 December 2010 (LGA - Public Holiday formerly Easter Tuesday)
- Friday 31 December 2010 (LGA - Public Holiday day after New Years Day)
- Monday 3 January 2011 Public Holiday (New Years Day)

Closure days for Waste Management Facilities would be:

- Mount Barker Landfill Site – Saturday 25 December 2010
- Kendenup Transfer Station – Saturday 25 December 2010
- Porongurup Transfer Station – Saturday 25 December 2010

Open/Closure days for the Swimming Pool would be:

- Saturday 25 December 2010
- Sunday 26 December 2010 to Tuesday 28 December 2010 – open for Public Holiday hours (12pm – 6pm)
- Saturday 1 January 2011 to Monday 3 January 2011 – open for Public Holiday hours (12pm – 6pm)

Open/Closure days for the Community Recreation Centre would be:

- Friday 24 December 2010 to Monday 3 January 2011 (inclusive)
- Tuesday 4 January 2011 – Friday 7 January 2011 – open for evening hours only (3pm – 8pm)

The closure period for the Great Southern Regional Cattle Saleyards would be:

- No sales in the weeks ending: 24 December and 31 December 2010

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That:

1. The Shire of Plantagenet's Administration Office, Mount Barker Public Library and the Rocky Gully Library be closed from close of business on Thursday 23 December 2010 with the resumption of normal services Tuesday 4 January 2011.
2. The Mount Barker Community Recreation Centre be closed from close of business on Thursday 23 December 2010 with the commencement of interim services from Tuesday 4 January 2011 and normal services being resumed from Monday 10 January 2011.
3. The Waste Management Facilities at Mount Barker, Kendenup and Porongurup be closed on Saturday 25 December 2010.
4. The Mount Barker Swimming Pool be closed on Saturday 25 December 2010.
5. The Great Southern Regional Cattle Saleyards have no sale days in the weeks ending 24 December and 31 December 2010.
6. The closures inclusive of public holidays be advertised locally.

CARRIED (8/0)

NO. 261/10

11.5.3 OFFICE CLOSURE - CHRISTMAS CELEBRATION 2010

File No: N15177
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to seek the consent of the Council to close the Mount Barker Office of the Council to allow staff to attend a Christmas celebration. Also, donations to each social club are sought.

BACKGROUND

The Council's indoor staff social club has sought permission for the Mount Barker office to be closed on 17 December 2010 from 2:00pm to allow staff to attend a Christmas lunch.

The previous year was the first time that separate Christmas functions were held for the inside and outside staff. The reason for change was that over the years the combined function was experiencing declining numbers, making the cost difficult to justify. The result of last year's decision to separate functions proved to be a success with the majority of staff attending.

FINANCIAL IMPLICATIONS

A donation of \$500.00 for the inside and outside staff social club was approved in the previous year. A general donation to a social club does not attract Fringe Benefit Tax.

The Manager Works and Services with the acknowledgement of the Chief Executive Officer will grant permission to outside staff social club members to cease work early to hold their Christmas function at a date to be decided prior to Christmas.

POLICY IMPLICATIONS

There are no policy implications for this report.

OFFICER COMMENT

It is suggested that the office in Mount Barker be closed from 2:00pm on Friday 17 December 2010 to enable all staff working out of the office to attend a Christmas party being organised by the inside staff social club.

Advertising for the proposed closure will need to occur also.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr G Messmer:

That:

- 1. Authority be granted for the Shire of Plantagenet Mount Barker Administration Office to be closed on Friday 17 December 2010 from 2:00pm.**
- 2. A \$500.00 donation be made to each of the inside and outside staff social clubs, such expenditure being charged to budget line 20030.0083 Refreshments and Receptions.**
- 3. The closure of the office be advertised locally.**

CARRIED (8/0)

NO. 262/10

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr S Etherington, seconded Cr B Bell:

That new business of an urgent nature, namely:

- **Circus Royale – Request for Reduction in Rental Fees and change of venue**

be introduced to the meeting.

CARRIED (6/2)

NO. 263/10

13.1.1 CIRCUS ROYALE - REQUEST FOR REDUCTION IN RENTAL FEES AND CHANGE OF VENUE

File No: N16250
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to advise the Council of a request from the Circus Royale for a reduction in the adopted rental fee of \$2,000.00. Further, it will be recommended to vary the location of the circus to Sounness Park.

BACKGROUND

The Council reviewed Policy A/PA/10 – Use of a Circus Venue at its meeting held on 23 June 2009, which states, in part:

‘The Council will, with regard to a circus venue in Mount Barker, permit the use of Frost Park (north) for such purposes subject to:

- 1. All normal charges and bonds being paid in advance*
 - 2. Evidence of a Public Liability Insurance Cover to the sum of \$20 million being sighted to the satisfaction of the Chief Executive Officer*
 - 3. The circus performance not clashing with any other scheduled event at Frost Park.*
 - 4. Any damage to Frost Park being repaired by the circus operators at their expense.*
-

5. *Circus organisers obtaining all necessary permits and approvals prior to the event.'*

Circus Royale propose to stage two performances.

The proposed site use schedule is:

Monday October 25 - equipment arrival via road transport

Tuesday October 26 - erection of all equipment and 7.00pm performance

Wednesday October 27 – 6.00pm performance

Thursday October 28 – equipment departs – site clean and clear by 10am.

Adopted (2010/2011) charges include a \$2,000.00 fee plus \$300.00-\$600.00 bond (dependent upon whether just ground hire or ground and buildings). Circus Royale have advised that they are keen to visit Mount Barker after an absence of 15 years and state that they believe the proposed fee is excessive in comparison to other nearby WA Local Governments:

- Shire of Katanning - \$120.00 per day plus \$500.00 bond (on vacant grassed area, not sporting oval)
- Shire of Donnybrook-Balingup - \$190.00 per day plus \$500.00 bond (football oval)
- Shire of Manjimup - \$1,344.00 (5 days) plus \$1,000.00 bond (football oval)
- Shire of Collie - \$130.00 per day plus \$200.00 if using toilets (vacant grassed area)
- Shire of Bridgetown-Greenbushes - (Local Agricultural Society) – indicated fee of \$500.00 for visit.

The Council's Fee for the use of Frost Park (north) was increased from \$200.00 to \$2,000.00 in 2009/2010.

Circus Royale requests a reduction in fee to \$500.00 and offers to pay a \$1,500.00 bond. They also advise to be a responsible tenant, ensuring all local laws are complied with fully and that the site will be left clean and tidy.

EXTERNAL CONSULTATION

Apart from several telephone conversations with Damian Syred, owner and operator of Circus Royale, no consultation has taken place.

FINANCIAL IMPLICATIONS

This report will recommend a fee of \$500.00 for the use of Sounness Park, together with a bond of \$1,500.00.

POLICY IMPLICATIONS

Policy A/PA/10 – Use of Circus Venue applies.

OFFICER COMMENT

A circus has not visited Mount Barker for approximately 15 years.

Circus Royale is proposing to pay a higher bond than is currently required, which would reduce the risk to the Council if repairs were required.

Since the Policy for Use of a Circus Venue was developed and the venue of Frost Park (north) identified, substantial work has been done at Frost Park including reticulation on the race track. A circus event would likely cause more damage held at Frost Park than the oval at Sounness Park. In the current summer cricket season, cricket will not be played at Sounness Park and therefore there is no risk to turf or disruption of any sport.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr B Bell:

That:

1. The 2010/2011 adopted Council Budget (Fees and Charges) be amended by the inclusion, under 'Sounness Park' of:
 - a) Circus hire - \$500.00;
 - b) Bond (Circus) \$1,500.00; and
2. The circus venue be Sounness Park for the proposed use on 25 October to 28 October 2010.

CARRIED (8/0)

NO. 264/10

(Absolute Majority)

14 CONFIDENTIAL**14.1 COMMUNITY SERVICES REPORTS****14.1.1 TENDER C03-1011 - CONSTRUCTION OF A PUBLIC TOILET BLOCK,
CENTENARY AND WILSON PARKS, MOUNT BARKER**

A Closely Associated Person Interest (Section 5.62 LGA) was disclosed by Cr K Clements. Nature of interest – wife works for Plantagenet Sheds and Steel.

3:39pm Cr K Clements withdrew from the meeting

Cr M Skinner assumed the Chair

File No: N16200
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Nicole Selesnew
Manager Community Services
Proposed Meeting Date: 19 October 2010

PURPOSE

The purpose of this report is to consider the outcome of the tender process for the construction of public toilets in Centenary and Wilson Parks, Mount Barker.

OFFICER RECOMMENDATION/COUNCIL DECISION**MOTION TO PROCEED BEHIND CLOSED DOORS**

Moved Cr S Etherington, seconded Cr L Handasyde:

3:41pm That this matter be considered in the confidential component of this meeting due to a contract being entered into, or which may be entered into, by a local government and which relates to a matter to be discussed at the meeting.

CARRIED (7/0)

NO. 265/10

Moved Cr S Etherington, seconded Cr L Handasyde:

3:50pm That the meeting proceed in public.

CARRIED (7/0)

NO. 266/10

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That:

- 1. The Alternative Tender submitted by Plantagenet Sheds and Steel Pty Ltd for the construction of the public toilet block in Centenary and Wilson Park, Mount Barker, at a cost of \$99,545.45 (GST exclusive) be accepted.**
- 2. Authority be granted to the Chief Executive Officer to sign a Medium Works Contract 2007 with Plantagenet Sheds and Steel Pty Ltd for the construction of the public toilet block in Centenary and Wilson Park, Mount Barker.**

CARRIED (7/0)

NO. 267/10

3:51pm Cr Clements returned and resumed the Chair.

15 CLOSURE OF MEETING

3:55pm The Presiding member declared the meeting closed.

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