



## **ORDINARY MINUTES**

**DATE:** Tuesday, 8 February 2011

**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

3:00pm 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
Cr J Moir	Councillor

### In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr Dominic Le Cerf	Manager Works and Services
Ms Nicole Selesnew	Manager Community Services
Mr Peter Duncan	Manager Development Services
Mr Brendan Webb	Accountant
Mrs Linda Sounness	Executive Secretary

### Previously Approved Leave of Absence:

#### 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**

#### **3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995**

Nil

### **4 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

### **5 DISCLOSURE OF INTEREST**

Nil

### **6 APPLICATIONS FOR LEAVE OF ABSENCE**

Councillor Budrikis requested leave of absence for the Council meeting to be held 1 March 2011.

Councillor Messmer requested leave of absence for the Council meeting to be held 5 July 2011.

**Moved Cr L Handasyde, seconded Cr J Moir:**

**That Councillor Budrikis be granted leave of absence for 1 March 2011 and Councillor Messmer be granted leave of absence for 5 July 2011.**

**CARRIED (9/0)**

**NO. 21/11**

### **7 CONFIRMATION OF MINUTES**

**Moved Cr B Bell, seconded Cr G Messmer:**

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 18 January 2011 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (9/0)**

**NO. 22/11**

## 8 COMMITTEE MINUTES

Moved Cr L Handasyde, seconded Cr G Messmer:

That the Minutes of RoadWise Steering Committee Meeting - 20 January 2011 be received.

CARRIED (9/0)

NO. 23/11

## 9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 20 January 2011 – Cr Handasyde, Mr Le Cerf and I attended a meeting of the TIRES Group.
- 26 January 2011 – Along with most of the Councillors, attended the Rotary Australia Day ceremony followed by a Councillor barbeque.
- 1 February 2011 – Cr Handasyde, Mr Stewart and I attended the full VROC meeting at Kojonup.
- 4 February 2011 – Mr Stewart and I attended a meeting with Hon Terry Redman MLA and representatives of the Shire of Cranbrook.
- 8 February 2011 – Attended the Regional Strategic Planning Workshop hosted by the Department of Local Government here at the Council Chambers.

## 10 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION

### Cr M Skinner

- 26 January 2011 – Attended the Australia Day Ceremonies and Narrikup and Mount Barker and the Councillor barbeque.
- 8 February 2011 – Attended the Regional Strategic Planning Workshop.

### Cr S Etherington

- 26 January 2011 – Attended the Australia Day Ceremony at Mount Barker and Councillor barbeque.
- 1 February 2011 – Attended a LEMC meeting.

### Cr B Bell

- 26 January 2011 – Attended the Australia Day Ceremony at Mount Barker and Councillor barbeque.
- 2 February 2011 – Attended the Bush Fire Advisory Committee Meeting.
- 8 February 2011 – Attended the Regional Strategic Planning Meeting.

Cr S Grylls

- 2 February 2011 – Attended the Bush Fire Advisory Committee Meeting.

Cr G Messmer

- 20 January 2011 – Attended the Roadwise Committee Meeting.
- 26 January 2011 – Attended the Australia Day Ceremony and Councillor barbeque.
- 2 February 2011 – Attended the Townscape Committee Meeting.
- 8 February 2011 – Attended the Regional Strategic Planning Meeting.

Cr L Handasyde

- 20 January 2011 – Attended the Roadwise Committee Meeting.
- 26 January 2011 – Attended the Australia Day Ceremony and Councillor barbeque.
- 1 February 2011 – Attended the full VROC meeting in Kojonup.
- 2 February 2011 – Attended the Bush Fire Advisory Committee Meeting.
- 8 February 2011 – Attended the Regional Strategic Planning Meeting.

## 11 REPORTS OF COMMITTEES AND OFFICERS

### 11.1 DEVELOPMENT SERVICES REPORTS

#### 11.1.1 POLICY REVIEW - SCHEME AMENDMENT REQUESTS

File No:	N17345
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	8 February 2011

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#### **PURPOSE**

The purpose of this report is to review Council Policy No. TP/SDC/6 – ‘Scheme Amendment Requests’ (SAR).

#### **BACKGROUND**

Council Policy No. TP/SDC/6 – Scheme Amendment Requests reads as follows:

#### **‘OBJECTIVE:**

*To allow proponents to gain an indication of support or otherwise from the Council prior to preparing formal and detailed Town Planning Scheme Amendment documents.*

#### **POLICY:**

*This process is used to determine if there are any specific issues that will need addressing in the formal Amendment documentation and whether the Council will entertain such a proposal.*

#### 1. Initial Enquiry

*Once a written enquiry is received, a letter will be forwarded to the enquirer advising whether or not the proponent should prepare a Scheme Amendment Request report and what the request should contain / address.*

#### 2. Scheme Amendment Request (SAR)

*The SAR document is to be a maximum of six (6) A4 pages and address specifically strategic issues and not detailed site analysis. The following are to be addressed in the SAR:*

- a) *existing and proposed zonings;*
- b) *impacts of structure plans and strategic documents on site and proposed zoning;*



- c) *the proposed method of integration of development on the site with adjoining lots;*
- d) *any precedent set by the proposed zoning;*
- e) *services available to the lot(s);*
- f) *any special outcomes proposed to be introduced through the rezoning process.*
- g) *Four (4) copies plus a digital version are to be supplied to the Council.*

*A fee is payable prior to the SAR being assessed. Such a fee will be set in the Schedule of Fees and Charges in the Council's Annual Budget.*

3. *Referral of SAR to DPI, DEC and DoW*

*Once received, the SAR will be referred to the Department for Planning and Infrastructure (DPI), the Department of Environment and Conservation (DEC) and the Department of Water (DoW) for comments. The Departments will provide their responses on the SAR within twenty-eight (28) days.*

4. *SAR Submitted to the Council*

*The SAR is to be submitted with an officer's report and recommendation to the Council for consideration. Potential outcomes are:*

- a) *The Council decides to seek community feedback on the SAR if the application warrants it.*
- b) *The Council agrees to the SAR to allow further detailed documentation of the proposal and a subsequent assessment process to initiate the Scheme Amendment. (Note: detailed documentation may identify unresolved issues not known on initial SAR and as such the Amendment may not be initiated.)*
- c) *The Council considers the proposal to be unacceptable and advises the proponent that it would be unlikely to support a request to initiate a Scheme Amendment.*
- d) *The Council may acknowledge there is potential for the land to be rezoned but advise the applicant that the proposal is premature until the Council has agreed to and the Western Australian Planning Commission has endorsed, a suitable structure plan or planning strategy for the locality to co-ordinate and integrate development in accordance with adopted strategic documents.*

*Note: Applicants who proceed after being advised as above do so at their own risk and cost.*

5. *Community Feedback*

*A decision of the Council under 4a) above to seek community feedback on the SAR shall be in the form of a letter to adjoining landowners, and relevant agencies, a sign on site, plus an advertisement in the local press, asking for feedback on the SAR. The feedback period shall be forty-two (42) days.*

*Submissions received during this process shall be summarised and forwarded to the Council for further consideration.*

6. Response to Applicant if SAR Agreed to by the Council

*A decision to allow the applicant to proceed with further documentation under 4b) above will be transmitted in a letter from the Council and will detail such matters as:*

- a) policy issues to be addressed in the amending report;*
- b) environmental issues;*
- c) servicing issues (eg: full testing of groundwater tables prior to document lodgement) and the provision of a fire management plan;*
- d) design requirements on subsequent development;*
- e) developer commitments required by the Council from Scheme Amendment process;*
- f) mechanisms for cost sharing of common cost items such as public open space, drainage, roads, footpaths, etc; and*
- g) any other matters considered relevant to the Council.*

7. Scheme Amending Documents

*The required number of draft Scheme Amending documents (including a digital version) will be submitted with the appropriate fees and a formal request to initiate a Scheme Amendment. The format of the documents must meet the standards set in the Town Planning Regulations.*

*The Council staff shall review the draft Scheme Amending documents and make recommendations on potential changes / modifications. Staff shall prepare a report to the Council on the Scheme Amendment.*

*The Council may decide to initiate, decline to initiate, or require modifications prior to initiating the Amendment.*

*The procedures for Scheme Amendments as laid down in the Town Planning Regulations will be followed.'*

This policy was last reviewed on 11 November 2008.

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Town Planning Regulations 1967

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

## **FINANCIAL IMPLICATIONS**

The Council's current Schedule of Fees and Charges includes a fee of \$660.00 for the lodgement of such a Scheme Amendment Request.

## **POLICY IMPLICATIONS**

This policy forms part of the Council's Policy Manual.

## **STRATEGIC IMPLICATIONS**

The policy on Scheme Amendment Requests means a more efficient method of processing preliminary planning proposals potentially involving zoning changes.

## **OFFICER COMMENT**

This policy sets a procedure for a proponent to seek early comment from the Council in regard to a Scheme Amendment to rezone land. The only formal procedure set is for the preparation of full Scheme Amendment documents which can be an expensive exercise for a landowner with no indication of likely success or failure of the Amendment.

Since original adoption of the policy in October 2006 a total of seven SAR's have been prepared by consultants on behalf of developers/landowners.

Some minor grammatical changes are proposed to the Policy for example to refer to the now Department of Planning rather than its predecessor.

Part 4d) is to be altered to remove reference to the Western Australian Planning Commission endorsement of a structure plan or planning strategy as this is a step not necessary in terms of a non statutory SAR process and as the Council is aware could lead to unacceptable delays.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr S Etherington:

That amended Council Policy No. TP/SDC/6 'Scheme Amendment Requests' as follows:

### **'OBJECTIVE:**

To allow proponents to gain an indication of support or otherwise from the Council prior to preparing formal and detailed Town Planning Scheme Amendment documents.

### **POLICY:**

This process is used to determine if there are any specific issues that will need addressing in the formal Amendment documentation and whether the Council will entertain such a proposal.

#### **1. Initial Enquiry**

Once a written enquiry is received, a letter will be forwarded to the enquirer advising whether or not the proponent should prepare a Scheme Amendment Request report and what the request should contain/address.

#### **2. Scheme Amendment Request (SAR)**

The SAR document is to be a maximum of six A4 pages and address specifically strategic issues and not detailed site analysis. The following are to be addressed in the SAR:

- a) existing and proposed zonings;
- b) impacts of structure plans and strategic documents on site and proposed zoning;
- c) the proposed method of integration of development on the site with adjoining lots;
- d) any precedent set by the proposed zoning;
- e) services available to the lot(s);
- f) any special outcomes proposed to be introduced through the rezoning process; and
- g) Four copies plus a digital version are to be supplied to the Council.

A fee is payable prior to the SAR being assessed. Such a fee will be set in the Schedule of Fees and Charges in the Council's Annual Budget.

3. **Referral of SAR to DOP, DEC and DOW**

Once received, the SAR will be referred to the Department of Planning (DOP), the Department of Environment and Conservation (DEC) and the Department of Water (DOW) for comments. The Departments will provide their responses on the SAR within 28 days.

4. **SAR Submitted to the Council**

The SAR is to be submitted with an officer's report and recommendation to the Council for consideration. Potential outcomes are:

- a) The Council decides to seek community feedback on the SAR if the application warrants it.
- b) The Council agrees to the SAR to allow further detailed documentation of the proposal and a subsequent assessment process to initiate the Scheme Amendment. (Note: detailed documentation may identify unresolved issues not known on initial SAR and as such the Amendment may not be initiated.)
- c) The Council considers the proposal to be unacceptable and advises the proponent that it would be unlikely to support a request to initiate a Scheme Amendment.
- d) The Council may acknowledge there is potential for the land to be rezoned but advise the applicant that the proposal is premature until the Council has agreed to a suitable structure plan or planning strategy for the locality to co-ordinate and integrate development in accordance with adopted strategic documents.

Note: Applicants who proceed after being advised as above do so at their own risk and cost.

5. **Community Feedback**

A decision of the Council under 4a) above to seek community feedback on the SAR shall be in the form of a letter to adjoining landowners, and

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relevant agencies, a sign on site, plus an advertisement in the local press, asking for feedback on the SAR. The feedback period shall be 42 days.

Submissions received during this process shall be summarised and forwarded to the Council for further consideration.

**6. Response to Applicant if SAR Agreed to by the Council**

A decision to allow the applicant to proceed with further documentation under 4b) above will be transmitted in a letter from the Council and will detail such matters as:

- a) policy issues to be addressed in the amending report;
- b) environmental issues;
- c) servicing issues (e.g.: full testing of groundwater tables prior to document lodgement) and the provision of a fire management plan;
- d) design requirements on subsequent development;
- e) developer commitments required by the Council from Scheme Amendment process;
- f) mechanisms for cost sharing of common cost items such as public open space, drainage, roads, footpaths, etc; and
- g) any other matters considered relevant to the Council.

**7. Scheme Amending Documents**

The required number of draft Scheme Amending documents (including a digital version) will be submitted with the appropriate fees and a formal request to initiate a Scheme Amendment. The format of the documents must meet the standards set in the Town Planning Regulations.

The Council staff shall review the draft Scheme Amending documents and make recommendations on potential changes/modifications. Staff shall prepare a report to the Council on the Scheme Amendment.

The Council may decide to initiate, decline to initiate, or require modifications prior to initiating the Amendment.

The procedures for Scheme Amendments as laid down in the Town Planning Regulations will be followed.'

be endorsed.

**CARRIED (9/0)**

**NO. 24/11**

**11.1.2 POLICY REVIEW - STATE ADMINISTRATIVE TRIBUNAL - COUNCILLOR REPRESENTATION**

**File No:** N17348  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Peter Duncan  
Manager Development Services  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to review Council Policy No. TP/SDC/7 – ‘State Administrative Tribunal – Councillor Representation’.

**BACKGROUND**

Council Policy No. TP/SDC/7 – ‘State Administrative Tribunal – Councillor Representation’ reads as follows:

**OBJECTIVE:**

*To provide guidance as to which Councillors may attend a State Administrative Tribunal (SAT) hearing when invited to do so.*

**POLICY:**

- 1. When the SAT invites or requests the Council to nominate a Councillor to attend a mediation hearing, compulsory conference or final hearing in respect to an application for a review lodged against a Council decision, then that Council representative shall be the Shire President or the Deputy Shire President.*
- 2. As mediation hearings and compulsory conferences of the SAT are confidential and private, any consideration of a matter in respect to these must remain confidential and be considered behind closed doors by the Council where the SAT has asked the Council for further consideration of the matter at hand.’*

This policy was adopted by the Council at its meeting held on 27 August 2008.

Council delegation LG035 contains the following delegation in respect to town planning decisions and SAT:

- ’15 Provide responses to the State Administrative Tribunal in respect to applications for a review (former “appeal”) lodged against a refusal of planning consent, unacceptable conditions imposed on an approval of planning consent or supporting statements for the Western Australian Planning Commission in respect to a subdivision application decision made by the Commission. This also includes advising the Tribunal if mediation is an option to consider for the appeal process.’*

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005 – Part 14 (Applications for Review) details how applicants may apply for a review (former ‘appeal’) in respect to a planning decision.

The Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Clause 7.5 reads as follows:

*‘An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under this Scheme may apply for a review in accordance with Part 14 of the Planning and Development Act 2005 and any rules and Regulations made pursuant to that Act’.*

State Administrative Tribunal Act 2004

State Administrative Tribunal Rules 2004

State Administrative Tribunal Regulations 2004

Local Government Act 1995

**FINANCIAL IMPLICATIONS**

There are no financial implications in this report other than the need for travel and accommodation should a hearing of SAT be held in Perth.

**POLICY IMPLICATIONS**

This policy is part of the Council’s Policy Manual.

**STRATEGIC IMPLICATIONS**

This policy provides clear guidance which Councillor may attend SAT hearings and provide evidence on behalf of the Council.

**OFFICER COMMENT**

The policy is not a formal Town Planning Scheme Policy adopted under TPS3 as it deals with a procedural matter hence its inclusion in the Council’s main Policy Manual.

As part of the SAT process, the Council may be represented by a Council officer, an agent (e.g. planning consultant) and/or a lawyer. In some cases hearings are held in regional centres or by telephone conferences but in some instances they are held in Perth.

Mediation hearings, compulsory conferences and full hearings are confidential and private. If a matter from any of these needs to be referred back to the Council for consideration it must remain confidential and be considered ‘behind closed doors’.

The Shire President may be invited to attend and/or nominate a Councillor and/or the CEO to attend a mediation or compulsory conference to assist or provide communication back to the Council.

It is appropriate to have a policy to provide clear guidance as to which Councillor may attend SAT hearings when invited by SAT to do so. There are no changes proposed to the policy.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr G Messmer, seconded Cr S Etherington:

That Council Policy No. TP/SDC/7 – ‘State Administrative Tribunal – Councillor Representation’ as follows:

#### **‘OBJECTIVE:**

To provide guidance as to which Councillors may attend a State Administrative Tribunal (SAT) hearing when invited to do so.

#### **POLICY:**

1. When the SAT invites or requests the Council to nominate a Councillor to attend a mediation hearing, compulsory conference or final hearing in respect to an application for a review lodged against a Council decision, then that Council representative shall be the Shire President or the Deputy Shire President.
2. As mediation hearings and compulsory conferences of the SAT are confidential and private, any consideration of a matter in respect to these must remain confidential and be considered behind closed doors by the Council where the SAT has asked the Council for further consideration of the matter at hand.’

be endorsed.

**CARRIED (9/0)**

**NO. 25/11**



## 11.2 WORKS AND SERVICES REPORTS

### 11.2.1 ENGINEERING DEVELOPMENT GUIDELINES / STANDARDS

<b>File No:</b>	<b>N17400</b>
<b>Attachments:</b>	<a href="#">Guidelines</a> (separate attachment)
<b>Responsible Officer:</b>	<b>Dominic Le Cerf</b> <b>Manager Works and Services</b>
<b>Author:</b>	<b>Sharon Lynch</b> <b>Senior Administration/Project Officer (Works and Services)</b>
<b>Proposed Meeting Date:</b>	<b>8 February 2011</b>

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#### **PURPOSE**

The purpose of this report is to consider the Shire of Plantagenet Engineering Development Guidelines / Standards.

#### **BACKGROUND**

The Engineering Development Guidelines / Standards have been prepared to inform Developers and Subdividers of the Councils requirements for engineering works associated with the subdivision and development of land within the Shire of Plantagenet.

A workshop with Councillors was held on 18 January 2011 where the draft Engineering Development Guidelines / Standards were discussed.

The existing guidelines of March 1997 utilised by Council staff have not previously been endorsed by the Council.

#### **STATUTORY ENVIRONMENT**

Local Government (Miscellaneous Provisions) Act 1960

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **POLICY IMPLICATIONS**

Council Policy No. I/R/13 – Vehicle Crossovers applies. This policy provides guidelines for the construction of vehicle crossovers within the Shire of Plantagenet.

#### **STRATEGIC IMPLICATIONS**

Shire of Plantagenet Strategic Plan, under Key Result Area 2 – Infrastructure, aims to:

*‘Maximise the benefit to the community, in an equitable manner, by effectively and efficiently developing and maintaining the road network and buildings infrastructure within the financial resources of the Shire.’*

The Strategic Plan Key Results Area 4 – Development Services also aims to:

*‘Support sustainable and managed growth within existing urban settlements in the Shire and encourage the development of a variety of housing opportunities.’*

#### **OFFICER COMMENT**

The guidelines are consistent with legislation and the objectives of the Council for engineering works within the Shire. The document will also ensure that consistent advice is given to Developers and Subdividers.

It is recommended that the Engineering Development Guidelines / Standards are endorsed.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr L Handasyde:**

**That the Shire of Plantagenet Engineering Development Guidelines / Standards January 2011, as attached, be endorsed.**

**CARRIED (9/0)**

**NO. 26/11**

**11.2.2 POLICY REVIEW - FUTURE STREET AND RESERVE NAMES**

**File No:** N17352  
**Responsible Officer:** Dominic Le Cerf  
Manager Works and Services  
**Author:** Sharon Lynch  
Senior Administration/Project Officer (Works  
and Services)  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to review Council Policy No. I/RR/1 Future Street and Reserve Names.

**BACKGROUND**

This policy was last reviewed by the Council on 4 May 2010.

**STATUTORY ENVIRONMENT**

Part 2, Division 3 of the Land Administration Act 1997.

**EXTERNAL CONSULTATION**

Consultation has occurred with the Geographic Names Committee.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

The review of this Policy has occurred outside the normal review framework because of advice received from the Geographic Names Committee about the list of road names included in the Register for future use in the Shire.

**STRATEGIC IMPLICATIONS**

The Council's Strategic Plan Key Results Area 1, New Initiative 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**

The Future Street and Reserve Names Policy was sent to the Geographic Names Committee following its adoption at the Council meeting held 4 May 2010. The Committee was requested to review this policy and notify the Council of any names

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that would not receive Committee endorsement should they be presented for approval.

The Committee has also advised that the number of potential names in this listing is at the upper limit of what is preferred. It is suggested that when this policy is reviewed in 2013 that a workshop be held prior to consideration. This workshop may look at the inclusion of names of flora and fauna and indigenous words.

The Committee has advised the following names would not receive endorsement if they were presented for approval for reasons such as overuse within Western Australia or proximity with neighbouring Councils:

ROAD NAME	RELEVANCE	REQUESTED BY	USED
ALLAN	The Great War 1914-19		
COOPER	World War 2		
DOUGLAS (Kendenup)	Son of local couple Eddie and Kate Douglas. Ron Douglas joined the Shell Company in Albany from school, just before WW2 when he entered the RAAF rising to squadron leader and winning the DFC. After the war he returned to the Shell Company where he became the Manager of the company's Singapore operations and served two terms as Agent General for WA in London.	H Reeves	
GORMAN	World War 2		
GREEN	The Great War 1914-19		
HARRIS (Narrikup)	Established family	CE Nicholls	
HERBERT	Established family.	H Reeves	
HICKLING	The Great War 1914-19		
IFFLA	H.A.H (Stan) Iffla member of the Historical Society.	H Reeves	
KEARSLEY	The Great War 1914-19		
LORDING	The Great War 1914-19		
OSBURNE	The Great War 1914-19		
PAGE	The Great War 1914-19		
PEARSE (Reserve/Park)	Mrs Allie Pearse carried on the family business A.H. Pearse and Co after the death of her husband and was one of the first female owned businesses in the community. The business became famous all over the	H Reeves	

	south coast as 'the place to find impossible parts' and still trades under its original name. Mrs Pearse was a huge contributor to the introduction of the Kindergarten and the Plantagenet Players.		
RENDELL	The Great War 1914-19		
RILEY	World War 2		
ROBERTS	Professor Huw Roberts was an international pioneer and world authority on adult education.	H Reeves	
ROGERS	World War 2		
SMITH	The Great War 1914-19		
SPENCE	The Great War 1914-19		
WALL	The Great War 1914-19		
WEST	The Great War 1914-19		
WILKS	The Great War 1914-19		
WOOD	The Great War 1914-19		
WRIGHT	The Great War 1914-19		

It is proposed these names are removed from the Future Street and Reserve Names Register as they would not receive endorsement.

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 regarding name duplication is as follows:

*'...Name Duplication – Name duplication within local governments or adjoining local governments shall be avoided. When a duplicated name is proposed elsewhere, it must not be duplicated more than 5 times in the metropolitan region, must be at least 10km from the existing duplication and must have a different road type. These exclusions apply to similar sounding or written names, and also apply to those within similar sounding suburbs even if more than 10km away. In rural areas the distance should be at least 50km away.'*

The Committee has identified names in the Register that have been used in neighbouring shires, but could be used in the Shire of Plantagenet if sufficiently distanced from the used name. It is proposed these names are included in the Register with an advice note explaining the names need to be sufficiently distanced from the name used in a neighbouring shire.

## VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Grylls, seconded Cr M Skinner:

That amended Council Policy No I/RR/I – Future Street and Reserve Names as follows:

**OBJECTIVE:**

1. To provide the Council, staff, the local community and developers with clear information on the requirements for the naming and renaming of roads and reserves.
2. To ensure that road names comply with relevant legislation and requirements.
3. To ensure consideration and regard to the history, natural environment, indigenous culture and character of the area is duly given when determining road and reserve names.

**POLICY:**

That:

1. A Road and Reserve Register be maintained which shall be maintained as a record of names for future roads and reserves.
2. Additions to and deletions from the Road and Reserve Register shall only be by Council decision.
3. Applications for inclusion on the register shall be accompanied by sufficient information from the applicant to include that name on the register, in addition to any further information being required by the Geographic Names Committee.
4. The Geographic Names Committee makes the final decision from those listed on the Road and Reserve Register.
5. No road shall be named until it is constructed, except where construction by Main Roads WA is scheduled and the State Government has requested such naming and the project involves the extension of existing, named roads.
6. Roads and reserves will not be named or renamed for business or promotional purposes.
7. Developers of new subdivisions shall advise the Council of their preference on names for new roads within subdivisions prior to lodgement of clearance of subdivision.
8. Proposed road and reserve names should be appropriate to the history, natural environment, indigenous culture and/or character of the area.

9. An applicant who is applying to have a road renamed is responsible for obtaining the necessary written support from the owners/residents.
10. Applicants are advised to have regard for the document 'Geographical Names Committee W.A. – Principles, Guidelines and Procedures' when suggesting a road or reserve name.
11. The Chief Executive Officer is authorised to forward to the Geographical Names Committee road/reserve names from the future road name and reserve register.
12. Future Road Name and Reserve Register:

The following names can be used anywhere in the Shire of Plantagenet:

ROAD NAME	RELEVANCE	REQUESTED BY	USED
BAESJOU	Long serving family in the Woogenellup area.	GP & SR Richardson	
BARNACLE	The Great War		
BARTLETT	World War 2		
BEECH	First teacher in Narrikup later given charge of the school at Martigallup.	CE Nicholls	12 January 2011 Realignment of Spencer Road
BOVELL	The Great War		
BOWLES	The Great War		
BURNELL	Freeman of the Shire and ex Councillor	H Reeves	11 November 2008 Change Hockley Street to Burnell Street
CHESTER	The Chester Family built the original abattoirs, tremendous contributors to St John's and the Hospital	H Reeves	10 February 2009 Construction of northern bypass. Formerly part of Taylor Road.
CLOTHIER	Old established family	H Reeves	
CROFTS	Old established family	H Reeves	14 July 2010 - Subdivision - Porongurup
CROSS	The Great War		
DOREY	The Great War		

<b>DUFF (Kendenu)</b>	Mr Duff ran a general store on the Kendenu Estate at the Homestead, in 1921 as the DeGaris settlement started. In 1922 as soon as the locally made bricks were available he built Kendenu Stores in the main street and ran this as a general store until his retirement in the 1950s. He extended large sums on credit to early settlers until their newly cleared blocks could be planted with orchards and some income generated. Without his financial assistance many settlers would not have been able to stay on their farms after the collapse of the Kendenu Development Co in 1923 and later through the Depression. Mr Duff owned one of the few vehicles (a one ton truck) in the district which was often lent to the community for transport to picnics, sporting events, shows etc.	RA Kelly	
<b>DUFTY</b>	Councillor between 1971-74 The Dufty family bought the land (known as Mount Barker Hill) in mid 1960's and farmed it for over 20 years before it was subdivided. The Dufty family also built the Valley Views Motel and ran it along with Mr and Mrs Pickens for some 15 years. The Dufty family also built the BP Road House and ran it for a few years before selling.	CE Nicholls	
<b>EBSARY</b>	The Great War		
<b>ENRIGHT</b>	The Enright family has	H Reeves	14 July 2010 -



	been in the District for 100 years (refer to brochure "Five Shillings for a Fox" in the local section of the Library). George Enright was a long time farmer and Road Board Member.		Subdivision – Porongurup
FALCK	The Great War		
FENTON	The Great War		23 August 2010 - Subdivision – Williams Road
GOODLET	The Great War		
GRIBBLE	The Great War		
HAMBLEY	Hambley Family's association with the southern end of Lowood Road from Mondurup Street corner to Warburton Road started in the 1880s when Albert Hendy Hambley, an employee of the railways took up a parcel of land south of Mondurup Street which would cover the approximate area, Mondurup Street to Pugh Street and Lowood Road to Mitchell Street (originally Albany Highway)	Cr Clements	9 March 2010 Realignment of Lowood Road/Mondurup Street
HARBUTT	The Great War		
JENKINS	The Great War		
LAWRIE	The Great War		
LE FORT	The Great War		
LIEBECK	World War 2		
MCCLURE	Councillor between 1951-63 and 1965-77.	CE Nicholls	
McQUAT	Vietnam		
MILLONS	The Great War		
NORTHEY	The Great War		
ORTIS	The Great War		
PESCOD	The Great War		
PHIPPS (Rocky Gully)	Mrs Gwen Phipps held the role of storekeeper, post mistress, money lender and organiser for the Rocky Gully community.	H Reeves	
PICKLES	Established family.	H Reeves	

<b>PULLEN</b>	World War 2		
<b>RAINBIRD</b>	World War 2		
<b>SQUIRE</b>	The Squire brothers, Frank, Wally, Cliff and Albert were local business men.	H Reeves	23 June 2010 - Subdivision – West Beattie Road
<b>WALLER</b>	The Great War		
<b>WILBY</b>	The Great War		
<b>WILKINS</b>	World War 2		
<b>WOOLMAN</b>	The Great War		
<b>WORTH</b>	World War 2		

The following names have been used in neighbouring shires, but could be used in the Shire of Plantagenet if sufficiently distanced from the used name:

<b>ROAD NAME</b>	<b>RELEVANCE</b>	<b>REQUESTED BY</b>	<b>USED</b>
<b>BAVIN</b>	World War 2		
<b>BAXTER</b>	World War 2		
<b>BOARD</b>	World War 2		
<b>BREEN</b>	The Great War		
<b>CARTER</b>	The Great War		
<b>CROUCH</b>	World War 2		
<b>DAWSON</b>	The Great War		
<b>FAULKNER (Porongurup)</b>	The Faulkner family has owned Bolganup Homestead in the Porongurup for over a century. The following exert is taken from <a href="http://www.bolganuphomestead.iinet.net.au">www.bolganuphomestead.iinet.net.au</a> on 10 April 2008. Bolganup ...'guest house was started by Lizzie and Gilbert Faulkner in the 1920s and buildings were added as demand grew. During the second world war it closed as the sons enlisted and the daughters left. Plans were made for it to be taken over as a hospital in the event of an evasion. The guest house never re-opened after the war as Gilbert had died and Lizzie handed over to the	H Reeves	

	<p>eldest son Harry. Harry and Gwendoline brought up their family, Annette, Kingsley, Sharon and Russell here with Lizzie living in the Fernbrook and Burnley section until she died in 1955.' Bolganup is owned by Kingsley and Kathleen Faulkner and managed by their daughter Sharon. Bob Faulkner was also a Shire Councillor between 1962 and 1982.</p>		
<b>GLOVER</b>	<b>The Great War</b>		
<b>HARDEN</b>	<b>The Great War</b>		
<b>HERON</b>	<b>The Great War</b>		
<b>HICKS</b>	1 <sup>st</sup> black smith in Mount Barker. His shop was opposite the Police Station.	<b>CE Nicholls</b>	<b>13 October 2009 Rationalisation of Reserve between Shire Office and FESA</b>
<b>HOTCHIN (Perillup)</b>	<b>Early War Service Land Settlement – store and post office</b>	<b>H Reeves</b>	
<b>LAMBERT</b>	<b>The Great War</b>		
<b>MOIR</b>	<b>World War 2</b>		
<b>NICOL</b>	<b>The Great War</b>		
<b>PRESTON</b>	<b>Lieutenant William Preston original owner of 'Preston Park' in January 1839.</b>	<b>H Reeves</b>	

<b>REEVES</b>	Sid Reeves was a businessman. He was involved in the building of the original saleyards, introduction of regular stock sales, the first fuel delivery service and one of the very earliest school bus contractors. He was also a pioneer of the beef industry and has been acknowledged by the Australian Poll Hereford Society.	H Reeves	
<b>RYAN</b>	World War 2		
<b>SLATER</b>	World War 2		
<b>THORN</b>	Compiled by Millicent Thorn (Daughter of Albert and Charlotte). 'The Thorn family first moved to Mount Barker in 1943 and purchased a home and land in Inglesby ( <i>sic</i> ) Street. They lived there until after Mr Thorn's death in 1993. The family consisted of Albert William Thorn and his wife Charlotte, a son and four daughters. Bert Thorn worked as a cabinet maker for Duckett's Timber and Trading Co until his retirement. He was for many years, active in several community affairs, the two main ones being St John Ambulance where he was made a life member for his services, and the Methodist (now Uniting) Church. He was also a member of the Masonic Lodge and a leader on the Boy Scouts group. The large wooden table used by the Plantagenet Council was made by Bert while he	M Thorn	

	was working at Ducketts and he employed his wood working skills in many other ways for the benefit of the district organisations and individuals. Mrs Thorn was also an active church worker. She was secretary of the Age Pensioner's League and a long time helper in the Red Cross Branch for which she was made a life member.'		
TIMBWELL	The Great War '		

be endorsed.

CARRIED (9/0)

NO. 27/11

**11.2.3 RESERVE 460 - ST WERBURGHS ROAD - ROAD DEDICATION**

**File No:** N17354  
**Attachments:** [Location Plan](#)  
**Responsible Officer:** Dominic Le Cerf  
Manager Works and Services  
**Author:** Sharon Lynch  
Senior Administration/Project Officer (Works  
and Services)  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to obtain the Council's support for the dedication of the land that runs through C Class Reserve 460 as road reserve.

**BACKGROUND**

The eastern end of St Werburghs Road runs through C Class Reserve 460 for approximately 290 metres. It has come to the Council's attention that this section of St Werburghs Road is not contained within a dedicated road reserve and therefore has no legal status as a road.

**STATUTORY ENVIRONMENT**

Land Administration Act 1997

Lot 460 – 'C' Class Reserve – Management Order in favour of the Council.

The purpose of the reserve is gravel.

Native Title Act 1993.

**EXTERNAL CONSULTATION**

This matter has been discussed with an officer from the Department of Regional Development and Lands.

**FINANCIAL IMPLICATIONS**

The Council currently undertakes maintenance of St Werburghs Road. All costs associated with the dedication of the subject land as road will be the responsibility of the Shire. It is estimated that this will cost approximately \$500.00 and can be funded from budget item 20261.0312.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet's Strategic Plan, Key Result Area 2 Infrastructure provides the following as one of its aims:

*'Maximise the benefit to the community, in an equitable manner, by effectively and efficiently developing and maintaining the road network and buildings infrastructure within the financial resources of the Shire.'*

### **OFFICER COMMENT**

The land running through reserve 460 is used by the public as a road and is under the care, control and management of the Council.

It is a requirement of the Land Administration Act 1997 to request the dedication of Crown Land to become a public road reserve.

It is recommended that the Council support the dedication to change the legal status of the road.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Moir, seconded Cr L Handasyde:**

**That:**

- 1. A request be made to the Minister for Lands to dedicate the land running through C Class Reserve 460 as shown on the attached plan dated 26 January 2011 as road under Section 56(1)(a) of the Land Administration Act 1997.**
- 2. The Minister for Lands and the Department of Regional Development and Lands be indemnified against any costs, including any claims for compensation and costs that may reasonably be incurred, by the Minister in considering and granting the request to dedicate the land as road.**

**CARRIED (9/0)**

**NO. 28/11**

**11.2.4 ROAD NAMING - RENAMING SOUTH SECTION OF MARMION STREET**

**File No:** N17353  
**Attachments:** [Location Plan](#)  
**Responsible Officer:** Dominic Le Cerf  
Manager Works and Services  
**Author:** Sharon Lynch  
Senior Administration/Project Officer (Works  
and Services)  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to consider renaming the southern sections of Marmion Street south of Mount Barker Road.

**BACKGROUND**

At its meeting held on 9 March 2010 the Council resolved at Resolution 53/10:

*'That:*

- 1. The question be adjourned to allow staff to recommend alternative street names to the Council at its meeting to be held on 25 May 2010.*
- 2. Prior to the Council Meeting to be held on 25 May 2010, Shire policy I/RR/1 – Future Street and Reserve Names – be presented to the Council for review.'*

The southern section of Marmion Street from Mount Barker Road was sealed in January 2010 and extended to connect to Braidwood Road. The attached map shows the road alignment.

The southern section of Marmion Street between Mount Barker Road and Braidwood Road is often referred to as 'South Marmion Road' however official records show this portion of road is in fact named Marmion Street. It is proposed that this section of Marmion Street between Mount Barker Road and Braidwood Road be renamed Braidwood Road.

The southern (largely unconstructed) section of Marmion Street south of Braidwood Road will also need to be renamed.

**STATUTORY ENVIRONMENT**

The Land Administration Act 1997 governs the road naming process.

**FINANCIAL IMPLICATIONS**

All costs associated with advertising and signage will be the responsibility of the Shire. It is estimated that this will cost approximately \$500.00 and can be funded from budget item 20261.0312.



**POLICY IMPLICATIONS**

Council Policy I/RR/1 – Future Street and Reserve Names provides a list of Council approved names.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

The renaming of the sealed section of Marmion Street from Mount Barker Road to Braidwood Road (shown as A on the attached map) as Braidwood Road, will reduce confusion. The southern gravel section from Braidwood Road (shown as B on the attached map) could be renamed Dorey Place. The name Dorey is on the Council's Future Road Name and Reserve Register and refers to service in the Great War.

Should the name 'Dorey Place' not be preferred by the Council then the following names from the Council's Road Name Register have also been selected:

- Falck – The Great War
- Gribble – The Great War
- Harden – The Great War
- Ortis – The Great War

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Bell, seconded Cr J Moir:

That:

1. The proposal to rename the:
  - a) southern portion of Marmion Street as 'Braidwood Road' southwards from the junction with Mount Barker Road to Braidwood Road; and
  - b) the portion of Marmion Street south of the junction with Braidwood Road to Dorey Placeas shown on the attached plan be advertised for public comment.
2. Subject to no objections being received during the advertising period the road name changes be forwarded to the Geographic Names Committee for endorsement.

**CARRIED (9/0)**

**NO. 29/11**

### 11.3 COMMUNITY SERVICES REPORTS

#### 11.3.1 LOT 81 MCDONALD AVENUE, MOUNT BARKER - CONSTRUCTION OF HORSE STABLES COMPLEX

<b>File No:</b>	<b>N17327</b>
<b>Attachment:</b>	<a href="#">Location Plan</a> , <a href="#">Back Elevation</a> <a href="#">Side Elevation</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Nicole Selesnew</b> <b>Manager Community Services</b>
<b>Proposed Meeting Date:</b>	<b>8 February 2011</b>

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#### **PURPOSE**

The purpose of this report is to consider a request by the Mount Barker Turf Club (MBTC) to construct a horse stable complex on Lot 81 McDonald Avenue, Mount Barker.

#### **BACKGROUND**

Council records indicate the owner of Lot 81 McDonald Avenue, Mount Barker is the Shire of Plantagenet.

The MBTC is seeking approval to construct a horse stable facility adjacent to the race course. The stables would be used by race horse trainers wishing to locate to the Great Southern region for the summer racing season.

Itinerant trainers travel to the northern areas of the state for the Winter Racing Season (such as Port Hedland, South Hedland and Broome) and the southern areas for the Summer Racing Season (including Mount Barker, Albany and clubs in the South West). The lack of stable facilities in the southern areas has restricted the number of trainers that relocate south. It is envisaged the stables now proposed would redress this and would also be available to trainers that travel for the Mount Barker races and wish to rest their horses overnight prior to returning.

#### **STATUTORY ENVIRONMENT**

Local Government (Miscellaneous Provisions) Act 1960. A building licence is required to be issued by the Principal Building Surveyor under delegated authority.

Shire of Plantagenet, Town Planning Scheme No. 3 – Zoned Rural. Horse stables are a permissible use in a Rural zoned area.

#### **EXTERNAL CONSULTATION**

External consultation has occurred with representatives from the MBTC.

**FINANCIAL IMPLICATIONS**

The MBTC will carry out the construction of the stable complex at no cost to the Council. The estimated cost to construct is \$88,250.00. An amount of \$50,000.00 has been granted to the MBTC through the Royalties for Regions program to assist with the development.

It is anticipated that power will be connected to the facility at the cost of the MBTC. The MBTC will be responsible for paying any utilities used at the stable site and all future maintenance and repairs.

The MBTC will manage the facility bookings and will receive the hire fees. The MBTC has drafted a Hire Agreement which facility users would be required to enter into prior to using the facility.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The proposed stable development at Lot 81 McDonald Avenue, Mount Barker is in accordance with the adopted Sounness and Frost Park Recreation Precinct Development Plan. The land is also part of a future equestrian themed rural residential precinct in the Council's Planning Vision.

**OFFICER COMMENT**

The proposed stable complex is steel framed with a Zinalume roof and Colorbond walls. The building consists of eight stables and one tack room and has a total floor area of 350m<sup>2</sup>.

As the building is erected on Council land, the stables would become the property of the Council. A licence will need to be entered into between the MBTC and the Council. The MBTC would be responsible for the ongoing maintenance and repairs to the complex. The MBTC will also be responsible for any insurance excess in the event of an insurance claim, relating solely to the stable building, being necessary.

The MBTC is enthusiastic about the proposal due to the benefits of an increase to the number of horses racing locally through:

- Increased training fee payments;
- Improved fields and consequent increases to on and off course betting turnover; and
- The growth of the local racing industry.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Moir, seconded Cr A Budrikis:

That:

1. The proposed horse stable complex on Council owned Lot 81 McDonald Avenue, Mount Barker, be approved subject to:
  - i) The development being in accordance with the plans submitted on 9 August 2010.
  - ii) The Mount Barker Turf Club being responsible for all costs associated with the construction of the horse stables.
  - iii) The Mount Barker Turf Club acknowledging the stable complex will become the property of the Council.
  - iv) The Mount Barker Turf Club retaining all maintenance and repair responsibilities for the stable complex.
  - v) The Mount Barker Turf Club being responsible for any insurance excess in the event that an insurance claim, relating solely to the stable complex, is necessary.
  - vi) If any services such as power and water are connected to the facility, installation and connection fees and ongoing utility bills relating to the complex, will be borne by the Mount Barker Turf Club.
  - vii) A suitable licence be entered into and endorsed by the Chief Executive Officer.

**CARRIED (9/0)**

**NO. 30/11**

**11.3.2 MOUNT BARKER COMMUNITY RESOURCE CENTRE - LOTTERYWEST  
BUILDING GRANT AGREEMENT**

**File No:** N17324  
**Attachments:** [Building Grant Agreement](#)  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Nicole Selesnew  
Manager Community Services  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to seek authority to affix the Common Seal of the Council to a Building Grant Agreement between Lotterywest and the Shire of Plantagenet.

**BACKGROUND**

On 31 March 2009 Lotterywest granted the Shire of Plantagenet \$750,000.00 for the construction of the Mount Barker Community Centre (now the Mount Barker Community Resource Centre). The Shire made the application on behalf of the Community Resource Centre Board.

The Shire must enter into a Building Grant Agreement with Lotterywest as a condition of the funding. A copy of the Agreement is attached.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

Consultation has taken place with representatives from Lotterywest, the Baptist Union of Western Australia and the Mount Barker Community Resource Centre Board.

**FINANCIAL IMPLICATIONS**

The Shire of Plantagenet is responsible for managing the Lotterywest funding for the building project. Funds are paid for construction work following endorsement of invoices by the Community Resource Centre Project Manager. Regular reimbursements are sought from Lotterywest.

The Lotterywest funds form part of the \$2.5 million project budget.

The Council's financial contribution to the project stands at \$65,000.00, allocated to the Library fit-out.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

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## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Plan, Community Services Aims are 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.'*

In order to achieve this, the Council will:

*'Evaluate different options for providing community services and facilities.'*

## OFFICER COMMENT

At an Ordinary Meeting of the Council held on 4 May 2010, the Council endorsed the signing of a 'Financial Assistance Agreement' document with the Department of Regional Development and Lands (RDL), for a grant of \$100,000.00 (GST exclusive) for the Mount Barker Community Resource Centre. There had been some level of concern prior to endorsing the Agreement that there were insufficient guarantees regarding financial securities. In particular, the Council was concerned that if the Mount Barker Community Resource Centre Board was to cease operating then the Council would be responsible for either paying back the grant to RDL or assuming the operation of the Centre for the period of the Agreement term (10 years).

To alleviate the Council's concern, the Business Manager from the Baptist Churches of Western Australia forwarded documentation to the Council confirming their commitment to the project, including taking over the operations of the Centre for the period of the Agreement if the local Board and / or Baptist Church were no longer able to continue.

The Lotterywest Building Grant Agreement lists a number of undertakings which need to occur over a 15 year period. These undertakings are less restrictive than the RDL Financial Agreement. In essence, the Council needs to ensure the building is maintained, kept in a condition consistent with the use of the building and all rates and taxes are paid. These conditions are also clearly outlined in the Shire's lease agreement and Memorandum of Understanding with the Mount Barker Community Centre Board and the Baptist Union of Western Australia, binding for a 55 year period.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

**That authority be granted to the Shire President to affix the Common Seal of the Council to the 'Building Grant Agreement' document with Lotterywest, in relation to the Lotterywest funding grant for \$750,000.00 (GST exclusive), for the Mount Barker Community Resource Centre.**

**CARRIED (9/0)**

**NO. 31/11**

## 11.4 CORPORATE SERVICES REPORTS

### 11.4.1 FINANCIAL STATEMENTS – JANUARY 2011

<b>File No:</b>	<b>N17102</b>
<b>Attachment:</b>	<a href="#">Financial Statement (separate attachment)</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 February 2011</b>

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#### **PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending January 2011.

#### **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

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**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr M Skinner, seconded Cr S Etherington:**

**That the Financial Statements for the period ending January 2011 be received.**

**CARRIED (9/0)**

**NO. 32/11**



**11.4.2 LIST OF ACCOUNTS - DECEMBER 2010**

**File No:** N17267  
**Attachment:** [List of Accounts](#)  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Emma Gardner  
Accounts Officer  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of December 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 (25 May 2010). 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 G Messmer, seconded Cr S Etherington:**

**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 December 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 \$1,002,178.93;**
- b. Municipal Cheques 41604 – 41647 and 41649 - 41710 totalling \$168,384.45;**
- c. Trust Cheque 308 for \$1,149.20; and**
- d. Cancelled Cheque 41648.**

**be received.**

**CARRIED (9/0)**

**NO. 33/11**

## 11.5 EXECUTIVE SERVICES REPORTS

### 11.5.1 MINUTES - GENERAL MEETING OF ELECTORS - 2009-2010

<b>File No:</b>	<b>N17418</b>
<b>Attachments:</b>	<a href="#">General Meeting of Elector Minutes</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Linda Sounness</b> <b>Executive Secretary</b>
<b>Proposed Meeting Date:</b>	<b>8 February 2011</b>

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#### **PURPOSE**

The purpose of this report is to receive the Minutes of the General Meeting of Electors held on 7 December 2010.

#### **BACKGROUND**

The General Meeting of Electors for the Shire of Plantagenet was held on 7 December 2010 for the purpose of receiving the Shire's 2009/2010 Annual Report and to consider any general business.

#### **STATUTORY ENVIRONMENT**

Pursuant to Section 5.27 of the Local Government Act (1995), a General Meeting of the electors of a district is to be held once every financial year.

Further, pursuant to Section 5.32 of the Act, copies of the Minutes are to be made available for inspection by members of the public before the Council Meeting at which decisions made at the electors meeting are first considered.

Further, pursuant to Section 5.33 of the Act all decisions made at an Electors Meeting are to be considered at the next Ordinary Meeting of the Council where practicable.

#### **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**

There were no decisions made at the Electors Meeting needing consideration by the Council.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr J Moir:**

**That the Minutes of the General Meeting of Electors of the Shire of Plantagenet held on 7 December 2010 be received.**

**CARRIED (9/0)**

**NO. 34/11**

**11.5.2 CLOSED CIRCUIT TELEVISION (CCTV) POLICY DEVELOPMENT**

<b>File No:</b>	<b>N16675</b>
<b>Attachment:</b>	<a href="#">Closed Circuit Television (CCTV) Management and Operations Manual (Separate Attachment)</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 February 2011</b>

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**PURPOSE**

The purpose of this report is to recommend to the Council the adoption of a Management and Operations Manual, prepared by the Office of Crime Prevention, for Closed Circuit Television (CCTV) in public areas.

**BACKGROUND**

Councillors are aware that with the assistance of the Mount Barker Cooperative and during the reconstruction of Lowood Road in the central business district of Mount Barker, conduit was laid for the installation of CCTV.

The installation of the equipment subsequently occurred such that six cameras are now fully operational 24 hours a day seven days a week as a deterrent for anti social activity.

Councillors would also be aware that since the installation of the cameras, Police have been able to take action against offenders.

Further, the vision created by the cameras is now directly linked with the Police Station through a microwave set up so that the Police also have live coverage as well as stored vision.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

This report will recommend the adoption of Policy.

**STRATEGIC IMPLICATIONS**

The Council's Strategic Plan at Key result area 2 (Infrastructure) provides that the Council will:

*'Manage public open space and natural resources to equitably meet the community's social and economic needs in an environmentally responsibly manner;'* and  
*'Perform regulatory services duties effectively in an assertive but respectful and educational manner to promote a safe and harmonious community.'*

Since installation of the surveillance devices, the Council has never received a complaint or question regarding invasion of privacy, although signs have recently been installed alerting members of the public that CCTV is in operation.

### **OFFICER COMMENT**

Attached to this report is a reduced version of the Office of Crime Prevention Manual relating to Closed Circuit Television Management which reflects the Council's responsibilities and also the fact that our CCTV System is comparatively small compared with others. The manual includes a pro forma Memorandum of Understanding.

It defines responsible officers, access to images, confidentiality, key performance indicators, Australian Standards and roles and responsibilities.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr J Moir:

That Policy CS/PP/1 – Closed Circuit Television (CCTV) Management and Operations as follows

#### **OBJECTIVE:**

To provide clear guidelines relating to the installation and use of Closed Circuit Television (CCTV) in public places in Plantagenet.

#### **POLICY:**

That the installation of operation of CCTV by the Shire of Plantagenet in public places will be based on the attached CCTV Management and Operations Manual/Policy as prepared by the Office of Crime Prevention in Western Australia and adapted by the Shire of Plantagenet.'

be endorsed.

**CARRIED (9/0)**

**NO. 35/11**

### 11.5.3 REGIONAL DEVELOPMENT COMMISSIONS - REVIEW OF FUNCTIONS AND RESPONSIBILITIES

**File No:** N17421  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 8 February 2011

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#### PURPOSE

The purpose of this report is to recommend the adoption of a position by the Council regarding the recent review of Regional Development Commissions (RDCs).

#### BACKGROUND

In May 2010, the State Government announced that it was reviewing the functions and responsibilities of its nine RDCs.

That review was '*noted*' by Cabinet on 13 December 2010 and public comment on the implementation of the review was opened until 1 February 2011.

Due to the short time frame for a response an extension until 15 February 2011 has been sought by the Chief Executive Officer.

The review committee considered the functions, responsibilities and structures of RDCs, having regard to:

- The effectiveness and cost efficiency of the RDCs in achieving their objects and functions specified in Section 23 of the Act;
- The effectiveness of the existing model in achieving the Liberal National Government's commitments to regional development, having regard to any overlap, duplication of effort and approaches in other jurisdictions;
- Any improvements in government service delivery for regional development considering governance arrangements, administrative operations, regional decision-making, regional accountability, avoidance of duplication and the roles and responsibilities of other agencies and organisations; and
- Legislative amendments that may be required.

#### FINANCIAL IMPLICATIONS

There are no financial implications for this report.

#### POLICY IMPLICATIONS

There are no policy implications for this report.

#### STRATEGIC IMPLICATIONS

The Council's Strategic Plan at Key Result Area 5 (Strategic Planning) notes that the Council will develop strategic partnerships and coordinate long term planning for

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sustainable environmental, economic and social development of the Shire and the Great Southern.

### **OFFICER COMMENT**

The Review Committee has recommended:

- That a new statutory authority should be established named the Western Australian Regional Development Commission (WARDC), with the current Regional Development commissions (RDCs becoming regional offices of the WARDC (to be known as RDC – and then the name of region eg RDC – Pilbara). The WARDC will be the employing authority of its staff, and some existing RDC staff will be transferred to the Department of Regional Development and Lands (RDL) with the transfer of ancillary and support services;
- The membership of the Board of the WARDC be comprised of an executive chair, appointed by the Minister for Regional Development (the Minister), chairs of the regional offices board, and one non-voting ex-officio member: the Director General of RDL;
- Each regional office should retain its own board, guiding the functions and priorities of the regional office;
- That the WARDC should have its own chief executive officer and key staff;
- That the Department of Regional Development and Lands (RDL) should provide ancillary and support services;
- To ensure collaboration across departments and agencies, the WARDC should initially be located in the metropolitan area;
- That the Minister should define the roles and responsibilities for the WARDC and RDC – Regions; and
- Importantly, this should include RDC – Regions developing a pre-eminent regional development plan for the region.

The review document is 100 pages in length plus appendices. Any councillor wishing to read the report is encouraged to access it at [www.rdl.wa.gov.au/RDCreport](http://www.rdl.wa.gov.au/RDCreport). Otherwise, if necessary, a hard copy can be made available.

Although the report recommends the establishment of a new authority to be based in the metropolitan area of Perth, it also recommends that each regional office should retain its own board, guiding the functions and priorities of the regional office. It is important that the regional office continues to be resourced locally such that the continuing board has the ability to work for the Great Southern. Some concerns have been raised locally that with the centralisation in Perth a disproportionate percentage of available funds will flow to the northern regions of the State.

It is nevertheless recommended that the Shire of Plantagenet could conditionally endorse the recommendations of the Review Committee.

### **VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr G Messmer:

That the recommendations from the review of the functions and responsibilities of the Regional Development Commission dated November 2010 be endorsed noting the concerns of the Shire of Plantagenet that:

1. The centralisation of activities in Perth should not penalise availability of funds for the Great Southern; and
2. The local Board should continue to be adequately resourced from within the region.

**CARRIED (9/0)**

**NO. 36/11**

**11.5.4 COUNTRY LOCAL GOVERNMENT FUND - BUSINESS CASE  
APPLICATION - ARCHIVE REPOSITORY**

**File No:** N17459  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report to recommend the ratification/endorsement of the submission by the Southern Link Voluntary Regional Organisation of Councils (VROC) of the business case/grant submission to the Country Local Government Fund (CLGF) for the proposed shared Archive Repository in Broomehill.

**BACKGROUND**

This report and recommendation was considered and endorsed at the full VROC meeting held in Kojonup on 1 February 2011.

The member Councils of the VROC at a Special Meeting on 28 April 2010 adopted a Strategic Plan for the group that mapped the agreed direction that the VROC would take into the future. The plan identified regionally significant projects for the VROC that the member Councils prioritised for funding consideration as part of the Regional Group component of the CLGF. The 2010-2011 financial year sees 35% of the VROC members CLGF grant earmarked for the regional pool.

The VROC was successful in obtaining additional funding through the Great Southern Development Commission (GSDC) to undertake an Environmental Needs Assessment and Operational Plan for the proposed Archive Repository. These reports form part of the Business Case application to the CLGF.

The estimated cost for the Archive Repository project has come in at \$347,452.00. This is more than the original 'guesstimate' of \$250,000.00. The final costs for the Regional Waste project and the actual funds that will be received by the Southern Link VROC from the CLGF will determine if changes need to be made to the desired scope of the project.

If changes are required it is quite likely that it will not be detrimental to the project if the item for the installation of a 15kW photovoltaic solar system is removed from the project. The estimate for this is \$109,090.00.

The costs for the project are as follows

ITEM	Cost (est - ex GST)
Installation of 15kW photovoltaic solar system	\$109,090.00
Shelving (fixed)	\$100,000.00
Installation of VESDA smoke detection system	\$ 7,272.00
Installation of sprinkler system	\$ 90,909.00
Installation of security alarm system	\$ 3,636.00
Fumigation of building/sterilisation of records	\$ 14,545.00
Project Management	\$ 20,000.00
<b>Total - structural and environmental requirements</b>	<b>\$345,452.00</b>
Audit costs	\$ 2,000.00
<b>Total estimated project cost</b>	<b>\$347,452.00</b>

## STATUTORY ENVIRONMENT

Royalties for Regions Act 2009

## EXTERNAL CONSULTATION

Staff members of each VROC member council have been consulted regarding their needs for archival storage.

## FINANCIAL IMPLICATIONS

No additional contributions are proposed from any Shire is proposed and the balance of the regional funds is proposed for the regional waste transfer station project. Ongoing operating costs will vary depending on use by each member.

## POLICY IMPLICATIONS

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

The Council's Strategic Plan at Key Result Area 1 (Corporate Services) notes an aim of the Council is to:

- Provide effective financial information, records management, information technology to facilitate decision making.

At Key Result area 5 (Strategic Planning) aims of the council include:

- The development of strategic partnerships; and
- The fostering of regional cooperation.

## OFFICER COMMENT

As noted earlier, the endorsement of this project is necessary to access the regional component of the Royalties for Regions funding.

## VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Moir, seconded Cr L Handasyde:**

**That the Royalties for Regions grant application (regional component - Archive Repository Project) be endorsed.**

**CARRIED (9/0)**

**NO. 37/11**

**11.5.5 REGIONAL WASTE TRANSFER STATION PROJECT**

**File No:** N17458  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to update the Council on the costs of the Southern Link Voluntary Regional Organisation of Councils (VROC) Regional Recycling/Waste Project and seek endorsement for the grant submission.

**BACKGROUND**

This report and recommendation was considered and endorsed at the full VROC meeting held in Kojonup on 1 February 2011.

The VROC Strategic Planning process identified a list of priority regional projects for the Southern Link Region, endorsed on 28 April 2010. The Great Southern Development Commission (GSDC) provided \$40,000.00 to develop a business case for the Waste/ Recycling Project.

The business case is required so as to be eligible for consideration for the 35% regional component of the Country Local Government Fund (CLGF). The business case must be submitted by 28 February 2011.

The objective of the project is to provide standardised infrastructure for transfer stations within the VROC area to:

- Provide a public waste collection point if any landfill is closed in the future;
- Allow better control of waste and public safety at continuing landfills;
- Support better recycling and reduction of waste to landfill;
- Support standardised containers / bins to ensure competitive tendering between waste contractors;
- Facilitate regional waste services, where appropriate; and
- Ensure compliance with environmental regulations.

The transfer stations are proposed at the entrance of existing land fill sites to control access by the public, while still providing a waste disposal point for the community. It is up to each Council whether these are manned.

The basic infrastructure at each site will be an elevated ramp for vehicles with a concrete landing and retaining wall that accommodates one or two sea containers. There will also be cleared areas for separation and temporary stockpiling of green waste and metal, with drum muster and waste oil facilities where nominated by the Council.

OPUS engineers have provided a report on the engineering requirements of the project, including options for site plans. These plans have been assessed against the Department of Environment and Conservation (DEC) requirements for landfill facilities, and other regulations covering the clearing of natural vegetation.

The proposed sites and estimated cost of works are as follows:

- Frankland	\$170,000.00
- Cranbrook	\$120,000.00
- Broomehill	\$120,000.00
- Tambellup	\$110,000.00
- Porongurup	\$ 80,000.00
- Kamballup	\$ 80,000.00
- Kendenup	\$ 40,000.00
- Rocky Gully	\$ 20,000.00
- Kojonup	<u>\$ 35,000.00</u>
TOTAL	\$775,000.00

The estimates above vary due to the difference in existing infrastructure at each site, the volume of earthworks, and whether any work is proposed on top of previous trenches that require extra stabilisation. It should be noted that drainage areas have been included for each site.

DEC require 'post closure' plans to be developed for sites with existing landfills before considering works approvals for construction of transfer stations on registered sites. These post closure plans and any clearing permit applications will be done prior to the grant submission on 28 February 2011.

The grant application will be for \$775,000.00 of the estimated \$1,042,000.00 regional allocation for the Southern Link VROC Shires.

## **STATUTORY ENVIRONMENT**

Royalties for Regions Act 2009

## **EXTERNAL CONSULTATION**

Staff members of each VROC member council have been consulted regarding the needs at each site.

## **FINANCIAL IMPLICATIONS**

No additional contributions are proposed from each Shire and the balance of the regional funds is proposed for the regional records repository.

Ongoing operating costs will vary depending on whether sites stay manned or unmanned.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

The Council's Strategic Plan at Key Result Area 2 (Infrastructure) notes an aim of the Council is to:

- Protect the community's health by managing waste in a timely, effective, economic and environmentally safe manner.

At Key Result area 5 (Strategic Planning) aims of the Council include:

- The development of strategic partnerships; and
- The fostering of regional cooperation.

## OFFICER COMMENT

As noted earlier, the endorsement of this project is necessary to access the regional component of the Royalties for Regions funding.

## VOTING REQUIREMENTS

Simple Majority

The Presiding member adjourned the meeting at 4.25pm to allow Councillors to view the maps relating to the Regional Waste Transfer Station Project.

## RESUMPTION

**4.30pm**      **The meeting resumed.**

### 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
Cr J Moir	Councillor

### In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr Dominic Le Cerf	Manager Works and Services
Ms Nicole Selesnew	Manager Community Services
Mr Peter Duncan	Manager Development Services
Mr Brendan Webb	Accountant
Mrs Linda Sounness	Executive Secretary

## OFFICER RECOMMENDATION/COUNCIL DECISION

**Moved Cr L Handasyde, seconded Cr G Messmer:**

**That the Royalties for Regions grant application (regional component - Regional Waste Transfer Station Project) be endorsed.**

**CARRIED (9/0)**

**NO. 38/11**

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**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 B Bell, seconded Cr G Messmer:

That new business of an urgent nature, namely:

**WALGA – Review of Structure and Effectiveness of State Council and Zones**

be introduced to the meeting.

**CARRIED (9/0)**

**NO. 39/11**

**13.1.1 WALGA - REVIEW OF STRUCTURE AND EFFECTIVENESS OF STATE COUNCIL AND ZONES**

**File No:** N17493  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 8 February 2011

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**PURPOSE**

The purpose of this report is to give the Council the opportunity to advise the WA Local Government Association (WALGA) regarding that organisation's review of its governance structure.

**BACKGROUND**

WALGA has prepared a discussion paper regarding its Structure and Effectiveness Review. This paper was distributed to all Councillors on 18 January 2011 for the purpose of discussing the issues.

On that day Councillors requested the CEO to put together a report summarising the Council's position.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

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**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The Councils Strategic Plan is silent with regard to its Peak Representative Body being WALGA.

**OFFICER COMMENT**

The need for a full review of the structure and governance arrangements of WALGA's State Council and Zones is contained in WALGA's Strategic Plan.

The Terms of Reference of the Review are:

'To consider the Association's representational structure including the composition and effectiveness of State council and the structure, effectiveness and purpose of zones.

In reviewing the Association's representational structure with regard to State Council the Working Group will consider:

- The current arrangements and structure of State council including the:
  - a) Number and make-up of the Board
  - b) Representational arrangements
- The effectiveness of State Council
- Alternative representative and structural models

In reviewing the Association's representational structure with regard to the Zones the Working Group will consider:

- The current arrangements and structure of Zones including the:
  - a) Purpose of Zones
  - b) Basis for formation of Zones – i.e. currently geographic
  - c) Number of Zones
  - d) Whether there is a commonality of interest within Zones
- The effectiveness of Zones
- Alternative models to the current Zone structure.'

The discussion paper notes that the current governance arrangements for WALGA include the State Council as the Association's Governing Board, consisting of elected members from Local Governments in Western Australia. The constitution of WALGA provides that the State Council shall consist of 12 Metropolitan elected members and 12 non Metropolitan elected members. These representatives are elected by the Zones.

The role of the Zones is to bring adjacent Councils together to progress regional issues and to provide direct input into policy development for the industry of local government via WALGA.

WALGA believes that Zones are fundamental to the structure of the Association. The WALGA Zone structure is:

**WALGA Zone Structure**

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Country	No of LGs	Metropolitan	No of LGs
Avon-Midland	11	Central Metropolitan	9
Central Country	16	East Metropolitan	6
Goldfields Esperance	10	North Metropolitan	3
Gascoyne	4	South Metropolitan	6
Great Eastern	16	South East Metropolitan	6
Great Southern	11		
Kimberley	5		
Murchison	6		
Northern Country	11		
Peel	4		
Pilbara	5		
South West	12		

Each zone elects a Zone Chair and Deputy Chair and this process is separate to the election of a State Councillor (or Councillors where applicable). It should be noted here that in some zones the State Councillor is the Zone Chair but this doesn't necessarily have to be the case.

Local Governments appoint Zone Delegates (elected members) to attend Zone meetings.

WALGA believes that the existing arrangements are working well but notes that input from Zones is crucial to the State Council decision making process.

However, WALGA notes that the size of State Council at 25 members is generally considered to be too large when compared with a Board of Directors.

WALGA notes that some criticism can also be levelled at State Council in that it is not a *'skills based'* board as the membership is drawn from democratically elected bodies being local Councils. WALGA notes that *'modern best practice governance literature dictates that a Board of Directors should contain a balance of Director skills and competencies.'*

WALGA also notes that the Zones are sometimes criticised for being under utilised.

When this governance structure was discussed by Councillors on 18 January 2011 a number of issues was raised that could be examined and brought to the attention of WALGA. These issues included:

- Do large country Councils (such as Albany, Bunbury, Geraldton and Kalgoorlie) share similar issues with their surrounding Councils?
- The concept of a smaller Executive for WALGA should be explored.
- The concept of the Annual Meeting Conference should be a policy setting event rather than a conference revolving around Keynote speakers.
- The question as to the role of the Zones and individual members of the Zones was raised with regard to the ability of members or zones being able to take issues to WALGA.
- Should a VROC or Regional Council be investigated as an alternative avenue for input to WALGA?
- Is WALGA top heavy?

- Should the role of Zones be only to elect representatives to State Council and have no further meetings?

With regard to the possibility of creating a smaller executive, the discussion paper talks about the possibility of creating a two tier governance structure. An example is given of the Local Government Association of Queensland which has a two tiered structure involving a Board and a Policy Executive.

To emulate such a move the existing State Council could become a Policy Executive and maintain responsibility for the policy determinations of the Association. State Council could then cede power for business decisions to a board.

This concept has merit. The creation of an Executive Committee could also be considered.

Given that the WALGA system is working reasonable well there should be no need for wholesale change. However, the creation of an Executive Committee or smaller Board separate from State Council has a good deal of merit should that Board or Committee be delegated the power to undertake business decisions on behalf of the Association while State Council remains in its present format. Although State Council would remain at 25 members, given the size of the industry in WA this would seem to be a reasonable number.

It would also be reasonable to advise WALGA that the retention of the current Zone system is an effective way of ensuring local representation to the State Council level. Possibly the requirement to make the Zone President also the State Council representative would have merit. When the Great Southern Zone had a State Council representative who was different from the Zone President, this did create some problems as the State Council representative was privy to more information and decision making influence than the Zone President.

The role of the Zones could also be strengthened by ensuring that matters of regional or state significance only came to the attention of WALGA through the Zones rather than individual Councils. Although this wouldn't stop individual Councils from liaising with WALGA, WALGA should ensure that matters were put back before the Zone for consideration at a regional level. Furthermore, it would seem reasonable that matters that came before the Annual General meeting should only come from Zones rather than from individual Councils.

Possibly this may also strengthen the Annual General Meeting to ensure that matters of only very local input were not considered.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

**Moved Cr J Moir, seconded Cr S Etherington:**

**That with regard to the Review of Structure and Effectiveness of State Council and Zones prepared by the WA Local Government Association, the Shire of Plantagenet advises:**

1. The formation of a smaller Executive has merit.
2. The ability for individual Councils to take matters before WALGA should be discouraged in favour of such matters always coming to WALGA via a Zone decision.
3. The Annual General Meeting should be a vehicle for policy making rather than responding to topical and/or local matters.

#### AMENDMENT

Moved Cr B Bell, seconded Cr L Handasyde:

That part 2. be deleted and replaced with a new part 2 as follows:

- '2. Encourage the use of Zones but individual councils should always have the ability to go direct to WALGA.'

CARRIED (9/0)

NO. 40/11

#### FURTHER AMENDMENT

Moved Cr M Skinner, seconded Cr A Budrikis:

That part 3 be renumbered part 4, and a new part 3 be added as follows:

- '3. Explore the use of VROCs and Regional Councils as legitimate vehicles for submissions to WALGA.'

CARRIED (9/0)

NO. 41/11

#### FURTHER AMENDMENT

Moved Cr L Handasyde, seconded Cr B Bell:

That a part 5 be added as follows:

- '5. Encourage the development of Zones to be more effective.'

CARRIED (9/0)

NO. 42/11

#### COUNCIL DECISION

That with regard to the Review of Structure and Effectiveness of State Council and Zones prepared by the WA Local Government Association, the Shire of Plantagenet advises:

1. The formation of a smaller Executive has merit.
2. Encourage the use of Zones but individual councils should always have the ability to go direct to WALGA.
3. Explore the use of VROCs and Regional Councils as legitimate vehicles for submissions to WALGA.

- 4. The Annual General Meeting should be a vehicle for policy making rather than responding to topical and/or local matters.
- 5. Encourage the development of Zones to be more effective.

CARRIED (9/0)

NO. 43/11

**14 CONFIDENTIAL**

**15 CLOSURE OF MEETING**

5:06pm The Presiding Member declared the meeting closed.

**CONFIRMED: CHAIRPERSON** \_\_\_\_\_ **DATE:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_