



ORDINARY MINUTES

DATE: Tuesday, 14 August 2012

TIME: 2:45pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

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This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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MEMBERSHIP – Quorum (5)

Membership:

Cr K Clements – Shire President
Cr M Skinner – Deputy Shire President
Cr S Etherington JP
Cr B Bell
Cr C Pavlovich
Cr J Moir
Cr A Budrikis
Cr G Messmer
Cr L Handasyde

Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute the Council's decision until considered by the Council.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:45pm The Presiding Member declared the meeting open.

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

Members Present:

Cr K Clements	Shire President (Left Chambers at 2:58pm, returned 3:06pm)
Cr M Skinner	Deputy Shire President (Left Chamber at 4:07pm, returned 4:09pm)
Cr B Bell	Councillor
Cr A Budrikis	Councillor (Left Chambers at 3:31pm, returned 3:39pm)
Cr S Etherington	Councillor (Left Chambers at 3:39pm, returned 4:04pm)
Cr L Handasyde	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr C Pavlovich	Councillor (Left Chambers at 2:58pm, returned 3:06pm)

In Attendance:

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

Previously Approved Leave of Absence:

Cr M Skinner – 1 to 10 September 2012 (inclusive)

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 and staff present in the Council Chambers.

Mr Stewart then read aloud the following disclaimer:

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3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr A Budrikis

Disclosed a Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest in Item 9.5.1 – Relation and business partner of owner of adjacent land to railway buildings.

Disclosed a Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest in Item 9.5.2 – Relation and business partner of owner of adjacent land to railway buildings.

Cr K Clements

Disclosed a Proximity (Section 5.60 (B) LGA) Interest in Item 9.2.1 – Live opposite the reserve.

Cr S Etherington

Disclosed a Closely Associated Person (Section 5.62 LGA) Interest in Item 9.5.3 – Started the Speedster Group.

Cr J Moir

Disclosed a Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest in Item 9.4.1 – Cattle Farmer.

Disclosed a Code of Conduct (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct) Interest in Item 12.1.2 – Currently working on my property, and play gold with proponent.

Cr C Pavlovich

Disclosed a Proximity (Section 5.60 (B) LGA) Interest in Item 9.2.1 – adjacent landowner.

Cr M Skinner

Disclosed a Financial/Indirect Financial Interest (Section 5.60 (A) and Section 5.61 LGA) Interest in Item 9.4.1 – Farming 400 head of cattle.

Disclosed a Financial/Indirect Financial Interest (Section 5.60 (A) and Section 5.61 LGA) Interest in Item 12.1.2 – neighbour and bulldozing work.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

7 CONFIRMATION OF MINUTES

Moved Cr G Messmer, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 24 July 2012 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 154/12

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

Cr Bell thanked Councillors for the opportunity to attend the Australian Livestock Market Association Conference in Bowral NSW on 24 July 2012, the Conference was extremely valuable and a report was presented at the Great Southern Regional Cattle Saleyards Committee Meeting.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 3 BEATTIE ROAD, KENDENUP - GALLERY (ART WORKSHOP)

File No:	N23654
Attachments:	Location Plan Site Plan Floor Plan Elevations
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	14 August 2012

PURPOSE

The purpose of this report is to consider an application for a gallery (art workshop) at Lot 3 Beattie Road, Kendenup.

BACKGROUND

Council Records show the registered owners of Lot 3 Beattie Road are AE and DL Molan.

On 22 June 2012 building permit was issued for the construction of a 153m² (9m x 17m) outbuilding including a 36m² (4m x 9m) carport at Lot 3 Beattie Road.

The proponent designs and makes solid wood fine furniture and creates art pieces featuring Australian and rare exotic woods. The items are made on a 'one only' basis, are seen as collectors pieces and are primarily for private commissions.

The proposal is for a gallery for the purpose of an art workshop including the display and sale of furniture and art. The art workshop will be established in an outbuilding that is currently under construction and will involve a workshop and storage area of 117m² (9m x 13m).

This proposal was advertised for comment and no submissions had been received.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Schedule 1 – Interpretations reads:

'Gallery/Restaurant – means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art

gallery and the manufacture, creation of art or craft pieces together with the incorporation of a restaurant for the sale of food and beverages in conjunction with the operation of the centre.'

The manufacture or creation of art falls within the definition of a Gallery/Restaurant which is a discretionary 'SA' use under TPS3 meaning that the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with Clause 6.2 (advertising of applications).

Clause 6.3.2 of TPS3 states:

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

EXTERNAL CONSULTATION

The proposal has been advertised for comment for a 21 day period closing on 31 July 2012. Advertising included letters to five adjoining and nearby property owners, notices were placed in the Albany Advertiser, Plantagenet News, the Council's noticeboard and a sign placed on site.

At the close of the advertising period no submissions had been received.

FINANCIAL IMPLICATIONS

The application fee of \$139.00 and a bond of \$500.00 for advertising costs have been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 19 – Kendenup Rural Surrounds, Lot 3 Beattie Road is located within the 'Future Rural Smallholding Areas'. The Gallery/Restaurant use in this area may be permitted subject to the consent of the Council once it has been advertised for public comment.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy 1.8.4:

'Include arts and cultural considerations in all aspects of urban and social planning.'

OFFICER COMMENT

The subject land is located approximately 12.5km north of Mount Barker and 4.3km from Albany Highway on Beattie Road.

Lot 3 is 11.25ha in area and existing development on the property consist of a house, water tank, garage and partly constructed outbuilding which will be the workshop. The proposed workshop location will be 128m from Beattie Road and

90.5m from the property boundary with Lot 2 Beattie Road to the west. The workshop location will also be 90.5m from the property with Lot 4 Beattie Road to the east and 400m from the rear property boundary with Lot 50 Jutland Road to the south. There are two houses approximately 180m and 370m from the workshop. The houses are located on adjoining Lot 2 to the west and Lot 4 to the east.

The gallery proposal is limited to an art workshop including the display and sale of art (wood pieces) and does not include a restaurant in this instance. The fabrication of furniture artwork will be performed with hand tools and professional machinery. The roof and walls of the workshop will be insulated to reduce machinery noise and it should be a requirement of the planning consent that machinery is only to be operated daily from 8:00am to 5:00pm. The nature of the art to be fabricated and the machinery to be used do not lend itself to industrial production. The proposed workshop is not likely to adversely affect the amenity of the locality.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr S Etherington, seconded Cr B Bell:

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the gallery (artist workshop/display and sale of furniture and art) at Lot 3 Beattie Road, Kendenup be approved subject to:

- 1. Development being in accordance with the plans dated 11 June 2012.**
- 2. Machinery being operated daily between 8:00am and 5:00pm only.**
- 3. The provision of four car parking bays adjacent to the gallery.**

AMENDMENT

Moved Cr M Skinner, seconded Cr A Budrikis:

That part 2 be deleted and the motion be recast accordingly.

CARRIED (9/0)

NO. 155/12

COUNCIL DECISION

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the gallery (artist workshop/display and sale of furniture and art) at Lot 3 Beattie Road, Kendenup be approved subject to:

1. Development being in accordance with the plans dated 11 June 2012.
2. The provision of four car parking bays adjacent to the gallery.

CARRIED (9/0)

NO. 156/12

**9.1.2 MARTAGALLUP ROAD CORNER ALBANY HIGHWAY, KENDENUP -
TELECOMMUNICATIONS INFRASTRUCTURE**

File No:	N23629
Attachments:	Location Plan Site Plan Floor Plan Elevation
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	14 August 2012
Applicant:	Planning Solutions on behalf of the Service Stream Mobile Communications

PURPOSE

The purpose of this report is to consider a proposal for telecommunication infrastructure within a portion of the road reserve at Martagallup Road corner Albany Highway, Kendenup.

BACKGROUND

Service Stream Mobile Communications will be responsible for the installation of the telecommunications infrastructure on behalf of Telstra.

The proposed telecommunications infrastructure forms part of the Western Australian State Government Regional Mobile Communications Project (RMCP) network. The RMCP network has been established to deliver terrestrial mobile, voice and high speed wireless data broadband to improve highway and town to town coverage in regional, rural and remote Western Australian communities. This project is being administered by the Department of Commerce in consultation with the Department of Regional Development and Lands.

The facility proposed involves the installation of a 60.45m high guyed mast, ancillary radio transmission equipment and one equipment shelter at ground level. It is proposed to accommodate three panel antennae mounted on the proposed guyed mast, with provision for Police and Emergency Services communications infrastructure to be co-located on the facility.

The proposed telecommunication infrastructure location at the Martagallup Road road reserve near the corner with Albany Highway is considered to be a suitable location based on radio frequency objectives, planning, environmental issues, community sensitive uses and engineering criteria.

The site has recently been developed with the gravel road surface for the previously Council approved Co-operative Bulk Handling Ltd (CBH) mobile grain sampler site. The location of the mast and its guy wires must be such that it will not interfere with the mobile grain sampler site.

STATUTORY ENVIRONMENT

Planning and Development Act 2005.

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – The subject site is contained within an area covered by TPS3 and is currently unzoned as a road reserve.

Clause 2.2 of TPS3 states:

‘Where an application for planning consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purpose intended for the reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its consent.’

It is open to the Council to exercise its discretion and grant Planning Consent for the proposed infrastructure.

Main Roads WA Western Australian Road Hierarchy – This road reserve is reserved as ‘Regional Distributor’ and under this road hierarchy ‘Regional Distributor’ is defined as:

‘Roads that are not Primary Distributors, but which link significant destinations and are designed for efficient movement of people and goods within and beyond regional areas;

and

They are managed by local government’

The proposed infrastructure is considered to be consistent with the ultimate purpose intended for the reserve.

Local Government (Miscellaneous Provisions) Act 1960 – A building permit is required to be issued for the mast and guy-wire footings by the Principal Building Surveyor under delegated authority.

Telecommunications Act 1997 – The Act, among other things, establishes the criteria for ‘low impact’ telecommunication facilities. The proposed facility is not considered to be ‘low impact’ under the conditions contained in the Commonwealth legislation. Planning consent is required for the proposed telecommunications facility.

Radio Communications Act 1992 - The Act is to provide for management of the radiofrequency spectrum.

Land Administration Act 1997 – Section 57 requires the necessary tenure to be agreed to by the Department of Regional Development and Lands.

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008 – Part 6 Division 1 – Activities in Thoroughfares and Public Places – The cause of any obstruction to a vehicle or a person using a thoroughfare as a

thoroughfare requires the issue of a permit. This permit will need to be renewed on an annual basis.

EXTERNAL CONSULTATION

Letters were sent to nine adjoining and nearby landowners located within a 1.0km radius from the proposed telecommunication infrastructure. One submission raising no objection to the proposal has been received.

FINANCIAL IMPLICATIONS

The application fee of \$480.00 has been paid.

A building licence fee will be required to be paid.

POLICY IMPLICATIONS

WAPC State Planning Policy 5.2 – Telecommunications Infrastructure.

This policy provides the framework for the preparation, assessment and determination of applications for planning approval of telecommunications infrastructure within the context of the Western Australian planning system. The proposal is consistent with this policy.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy 3.5.3:

‘Advocate for improved telecommunications infrastructure in the region.’

OFFICER COMMENT

The telecommunications facility location is in a rural area approximately 4km west of Kendenup Townsite abutting the south west junction of Martagallup Road and Albany Highway.

The proposed telecommunication site is located within a road reserve area created by an earlier realignment of Martagallup Road at its junction with Albany Highway. The surrounding land is zoned Rural and the predominant land uses in the locality are broadscale and intensive agricultural activities. The nearest house is located approximately 410m (Lot 411 Albany Highway) to the south.

The proposed facility location is approximately 160m from Albany Highway to the east, 50m from Martagallup Road to the north and 10m from the property boundary with Lot 411 Albany Highway to the south. A proposed constructed gravel driveway will provide access from the facility to Martagallup Road. Given the proximity of the designated Main Roads roadside rest area and the site for the CBH mobile grain sampler, it should be a requirement of the planning consent that the proposed facility location is to be to the satisfaction of the Manager Works and Services. The Manager Works and Services will ensure the location does not adversely impact on other existing uses and road safety at the road reserve.

The facility proposed involves the installation of a 60.45m high guyed mast, ancillary radio transmission equipment, one equipment shelter at ground level and secure compounds for the guyed mast and three guy wire anchor block foundations. The proposed guyed mast will feature three panel antennae. The equipment shelter will be finished in Stone Beige Colorbond® colour to blend into the surrounding landscape. The tower will be unpainted (being dull galvanised finish), which will reduce reflection and be a similar colour to the sky.

Pursuant to the Telecommunications Act 1997 and the Radio Communications Act 1992, the Australian Communications and Media Authority (ACMA) sets standards that limit human exposure to electro magnetic emissions. The Radio Communications (Electromagnetic Radiation - Human Exposure) Standard 2003 adopted by the ACMA sets the mandatory standards that base stations are to conform to. This telecommunication facility will operate within the required standard.

The facility is compatible with the existing Western Australian Road Hierarchy 'Regional Distributor' reserve and will not adversely affect the long-term agricultural use of the surrounding area.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr A Budrikis:

That:

- 1. In accordance with clause 2.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the proposed telecommunication infrastructure at the road reserve Martagallup Road corner Albany Highway, Kendenup be approved subject to:**
 - a. The development being in accordance with the plans dated 18 June 2012.**
 - b. The telecommunications infrastructure location being to the satisfaction of the Manager Works and Services to ensure it does not adversely impact on the approved CBH mobile grain sampler site.**
- 2. The applicant is to seek the necessary tenure to locate the facility in the road reserve from the Department of Regional Development and Lands.**

ADVICE NOTE

- (i) The applicant is advised that in accordance with the Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008, permit application is required to be submitted for the telecommunications infrastructure.**

- (ii) The applicant is advised that in accordance with the Building Code of Australia, certified building permit application is required to be submitted for the anchor blocks for the mast and guy wires.

CARRIED (9/0)

NO. 157/12

9.2 WORKS AND SERVICES REPORTS

9.2.1 MONDURUP RESERVE MANAGEMENT PLAN ADOPTION AND FORMATION OF A MONDURUP RESERVE CONSULTATIVE COMMITTEE

A Proximity Interest was disclosed by Cr K Clements. Nature and extent of interest – adjacent landowner.

A Proximity Interest was disclosed by Cr C Pavlovich. Nature and extent of interest – adjacent landowner.

2:58pm Cr K Clements and Cr C Pavlovich withdrew from the meeting.

Cr M Skinner assumed the Chair.

File No:	N23636
Attachment:	Mondurup Reserve Draft Management Plan
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Megan Beech Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	14 August 2012

PURPOSE

The purpose of this report is to adopt the Mondurup Reserve Draft Management Plan July 2012, as attached, and to recommend the formation of a Mondurup Reserve Consultative Committee.

BACKGROUND

The Mondurup Reserve is located on the western boundary of the Mount Barker town site and is approximately 270ha in size. The Reserve comprises six parcels of land:

1. Reserve 35352 – C Class Reserve managed by the Main Roads WA for the purpose of Gravel;
 2. Reserve 27183 – A Class Reserve managed by the Shire of Plantagenet for the purpose of Conservation and Propagation of Timber;
 3. Reserve 27185 – A Class Reserve managed by the Shire of Plantagenet for the purpose of Green Belt;
 4. Reserve 17394 – C Class Reserve – unmanaged reserve for the purpose of Gravel;
 5. Reserve 24584 – C Class Reserve managed by the Minister for Water Resources for the purpose of Water; and
 6. Unallocated Crown Land.
-

The Friends of the Mondurup Reserve (FoMR) is a community group which comprises members of the public with a keen interest in the preservation of the Mondurup Reserve. Mr Kevin Collins, representing the FoMR, attended the Council meeting held on 5 July 2011 to encourage the Council to adopt a Management Plan for Mondurup Reserve which would include:

- Fire Management Regime;
- Fire Break Tracks and Maintenance;
- Access to the Reserve;
- Reserve Signage;
- Liaison with the Shire;
- Dieback Mapping;
- Flora Surveys;
- Ongoing Weed and Rubbish Removal; and
- Funding and Ongoing Works.

Councillors and staff attended a site visit to the Mondurup Reserve on Tuesday 26 July 2011 with Mr Collins and Ms Lynn Heppell of the Wilson Inlet Catchment Committee (WICC) to view the areas of the reserve being damaged by the illegal removal of wood, spread of dieback, weed invasion and rubbish dumping.

Ms Heppell was engaged by the Shire in October 2011 to prepare a Draft Mondurup Reserve Management Plan (MRMP) which would guide and prioritise work occurring in the Reserve. The MRMP was to include a dieback survey to provide an insight into the extent of the disease and some recommendations about the best way to manage any further spread. Great Southern Bio Logic did the Phytophthora Dieback Assessment, identifying 148ha of contaminated area within the Reserve and providing recommendations to reduce the spread of disease.

A public meeting was held on Wednesday 30 May 2012 to present the MRMP and identify any further considerations for the Reserve. Twenty one people attended the meeting and identified some key concerns, these being:

- Balancing fire management and conservation;
- Access points throughout the reserve;
- Lack of promotional and educational signage;
- Feral animal control;
- Whether the Local Government valued the Reserve;
- Minimising the spread of dieback;
- Maintaining the value of the flora and fauna throughout the Reserve as these provide a broad range of positive benefits for the community; and
- A consultative group be formed to discuss components of the MRMP such as access, fire management, positioning of gates, appropriate signs and other issues as required.

At its Ordinary Meeting held on 12 June 2012, the Council resolved:

That

1. *A Mondurup Reserve Consultative Group be formed with a view to discussing items and issues relating to the draft Mondurup Reserve Management Plan, prior to its consideration by the Council.*
2. *The Group referred to in 1) above be made up of:*
 - a) *Friends of Mondurup Reserve – 2 members;*
 - b) *Middle Ward Bush Fire Brigade – 2 members;*
 - c) *The Manager Works and Services and the Manager Community Services;*
 - d) *Cr Handasyde (Chair);*
 - e) *Cr Etherington (Deputy); and*
 - f) *Adjacent landholder – 1 member*
3. *A further report be presented to the Council at its meeting to be held on 14 August 2012.'*

The Mondurup Reserve Consultative Group (MRCG) met twice and during these meetings resolved:

- A defined area over which the MRMP was applicable;
- The placement and management of gates to control access into the Reserve;
- Strategic firebreak routes and the management of the firebreaks;
- Buffer zones on which regular fire hazard reduction would occur;
- Dieback management throughout the Reserve;
- Sections throughout the reserve in which burns would occur on a rotation basis;
- Design and placement of promotional signage; and
- Methods for on-going communication between the FoMR, Shire, WICC and the community.

Ms Heppell has revised the MRMP to reflect the outcomes from the MRCG meetings (attached).

STATUTORY ENVIRONMENT

Sections 5.8, 5.9 and 5.10 of the Local Government Act 1995 refer to the establishment, type and appointment to committees. However, it is not recommended that the consultative group become an appointed committee pursuant to the Local Government Act. Rather, it can remain an *ad hoc* group meeting as needed.

EXTERNAL CONSULTATION

Consultation has occurred with the MRCG, comprising the FoMR, WICC and the Middle Ward Bush Fire Brigade.

The Public Meeting held on 30 May 2012 was attended by 21 community members.

FINANCIAL IMPLICATIONS

There is no allocation in the 2012 / 2013 Annual Budget for work to occur in Mondurup Reserve. Budget allocations may be considered in future years.

The MRMP provides an estimated work plan and budget for yearly periods. This budget includes contributions by the WICC, FoMR (in-kind), State Natural Resource Management and the Shire of Plantagenet.

The WICC has been successful in obtaining \$7,500.00 grant funding towards installation of gates for the reserve.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012 – 2022 provides at Outcome 2.7 (Protection of the natural environment) the following Strategies:

'Strategy 2.7.1 – Provide effective management and maintenance of the Council's land and reserves; and

Strategy 2.7.4 – Promote and support community based environmental initiatives and protections.'

OFFICER COMMENT

The Mondurup Reserve is easily accessed by the public including pedestrian access, vehicle and motorcycle tracks which has resulted in some illegal activities such as wood cutting, dumped rubbish, campfires and motorcycle riding. As a result, there are areas of weed invasion, toxins caused by rubbish and the spread of dieback occurring throughout the Reserve.

Management strategies should be implemented to protect the Reserve. The MRMP provides a guide to reduce threatening activities and to identify ways to protect flora and fauna, manage fire risk etc.

Through the adoption of a Management Plan for the Reserve, groups such as FoMR will be able to fundraise, seek grant funding or provide in-kind contributions such as labour to carry out activities in accordance with a clear action plan. The Plan also suggests discretionary Council expenditure relating to the Reserve, depending on the Council's priorities.

The attached Plan has been prepared by the WICC with contributions from the MRCG. The MRCG is supportive of the plan outcomes, in particular:

- Confirmation that the Plan is relevant to the Shire managed areas of the Reserve located south of Langton Road;
- Reserves managed by other agencies such as Main Roads Western Australia or the Water Corporation will be encouraged to adopt the Management Plan recommendations;
- Access gate placement and the agreement that gates will be locked during the Winter months to help prevent the spread of dieback, but remain un-

locked during the fire season for ease of access for Brigades. During High and Catastrophic Fire Danger days the gates may be left open;

- Location of strategic firebreak routes and firebreak maintenance methods;
- The maintenance of a Buffer Zone which will be a low fuel zone against the townsite boundary;
- Recognition that the main dieback protection area will occur in Reserve 27185 which will be separated by a firebreak;
- A mosaic burning pattern across seven 'cells';
- Design and placement of promotional signage; and
- An on-going consultative group which would meet six monthly, or as required, to discuss Mondurup Reserve activities and priorities.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That:

1. The attached Mondurup Reserve Draft Management Plan July 2012 be adopted.
2. An *ad hoc* Mondurup Reserve Consultative Group be formed to liaise with the Shire in relation to the Mondurup Reserve Management Plan, which will meet six monthly or as required.
3. The Group shall comprise:
 - a) The Manager Works and Services, Manager Community Services and the Community Emergency Services Manager;
 - b) Friends of Mondurup Reserve – 2 members;
 - c) Middle Ward Bush Fire Brigade – 2 members; and
 - d) Environmental Representative – 1 member
4. An amount of \$10,000.00 be recommended for inclusion during budget consideration for the 2013/2014 financial year for year one implementation works in accordance with the Management Plan.
5. The Manager Works and Services shall provide an annual report detailing activities occurring in the Mondurup Reserve and an outline of priority projects planned for the following 12 months.
6. The Group shall dissolve on 18 October 2013.

CARRIED (7/0)

NO. 158/12

3:06pm Cr K Clements and Cr C Pavlovich returned to the meeting.

Cr K Clements assumed the Chair.

9.2.2 POLICY REVIEW - GATE PERMITS

File No:	N23560
Attachments:	Policy RS/G/1 – Gate Permits (existing) Policy RS/G/1 – Gate Permits (with proposed amendments)
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Megan Beech Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	14 August 2012

PURPOSE

The purpose of this report is to review Council Policy RS/G/1 – Gate Permits.

BACKGROUND

This policy was last reviewed by the Council at its meeting held 22 May 2012 (as attached).

STATUTORY ENVIRONMENT

Local Government Act 1995

Schedule 9.1 cl.5 refers to 'Gates across public thoroughfares'.

Local Government (Uniform Local Provisions) Regulations 1996

Regulation 9 refers to 'Permission to have gate across public thoroughfare'.

Regulation 10 refers to 'Gates across thoroughfare not to be left open'.

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

FINANCIAL IMPLICATIONS

The policy provides that all maintenance and associated expenses relating to a gate shall be the responsibility of the applicant.

POLICY IMPLICATIONS

This policy was reviewed by the Council (as part of the ongoing Council policy review cycle) in May 2012 however additional changes are considered necessary further to that review.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Community Strategic Plan 2012-2022 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy 2.4.1:

'Maintain and further develop roads and pathways at appropriate standards.'

OFFICER COMMENT

Minor grammatical changes are recommended to the current policy. Reference to stock grids has been removed from the policy as the Local Government (Uniform Local Provisions) Regulations 1996 only refer to gates.

Further to the review of the policy in May 2012, it is considered that given the extended permit period (from three to five years) some formal record of the permit should be added to the electronic rates database, referenced to the applicant's property. A procedure should be put in place to ensure that new property owners are aware of the permit on purchasing the property and can promptly decide on its continued status. In the past, gate permits have more than likely not been transferred between property owners when the sale of a property has occurred. This has led to some confusion about the validity of permits.

A paragraph has also been added to the policy to ensure that if a permit is not renewed by the applicant, then the gate shall be required to be removed by the applicant.

A copy of the proposed policy with amendments is attached. For assistance, deleted words are struck through and additional words are italicised.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Council Policy RS/G/1 – Gate Permits as follows:

OBJECTIVE:

To provide clear guidelines to the Council, its staff and residents of the Shire of Plantagenet regarding gate permits within the Shire.

POLICY:

1. That the erection of gates across road reserves will be considered on unconstructed roads and in alignment with property boundaries only.
2. On applying for a gate permit, written consent from affected landowners shall be provided by the applicant.
3. Renewal of each gate permit shall be required every five years and be subject to a common expiry date commencing from October 2012, with any fees being applied on a pro-rata basis.
4. The Council Register required pursuant to Local Government (Uniform Local Provisions) Regulations 1996 shall be maintained in accordance with those regulations.
5. Gates, the subject of this policy, shall not be locked at any time.

6. All maintenance and associated expenses relating to a gate shall be the responsibility of the applicant.
7. Any clearing of the road reserve beyond the gate by any party other than the Council or Government Agencies is prohibited.
8. In accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, clearing of no more than 1.5m outside of boundary fences is permitted.
9. The Shire of Plantagenet reserves the right to carry out random inspections of gates and to revoke permits if conditions are not met.
10. All gates, the subject of expired or revoked permits, shall be removed by the applicant.
11. Current permits shall be noted on the Shire of Plantagenet's electronic rates database, referenced to the assessment number of the applicant.'

be endorsed.

ALTERNATIVE MOTION

Moved Cr J Moir, seconded Cr B Bell:

That amended Council Policy RS/G/1 – Gate Permits as follows:

OBJECTIVE:

To provide clear guidelines to the Council, its staff and residents of the Shire of Plantagenet regarding gate permits within the Shire.

POLICY:

1. **That the erection of gates across road reserves will be considered on unconstructed roads and in alignment with property boundaries only.**
2. **On applying for a gate permit, written consent from affected landowners shall be provided by the applicant.**
3. **Renewal of each gate permit shall be required every five years and be subject to a common expiry date, the first such expiry date being 31 October 2017 with any fees being applied on a pro-rata basis.**
4. **The Council Register required pursuant to Local Government (Uniform Local Provisions) Regulations 1996 shall be maintained in accordance with those regulations.**
5. **Gates, the subject of this policy, shall not be locked at any time.**
6. **All maintenance and associated expenses relating to a gate shall be the responsibility of the applicant.**

7. Any clearing of the road reserve beyond the gate by any party other than the Council or Government Agencies is prohibited.
8. In accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, clearing of no more than 1.5m outside of boundary fences is permitted.
9. The Shire of Plantagenet reserves the right to carry out random inspections of gates and to revoke permits if conditions are not met.
10. All gates, the subject of expired or revoked permits, shall be removed by the applicant.
11. Current permits shall be noted on the Shire of Plantagenet's electronic rates database, referenced to the assessment number of the applicant.'

be endorsed.

Reason for Change

The alternative motion provided wording in part 3 clarifying the renewal period.

AMENDMENT

Moved Cr A Budrikis, seconded Cr B Bell:

That a point 12 be added with the words 'Gate permits may be revoked by the Council at any time.'

CARRIED (9/0)

NO. 159/12

COUNCIL DECISION

That amended Council Policy RS/G/1 – Gate Permits as follows:

OBJECTIVE:

To provide clear guidelines to the Council, its staff and residents of the Shire of Plantagenet regarding gate permits within the Shire.

POLICY:

1. That the erection of gates across road reserves will be considered on unconstructed roads and in alignment with property boundaries only.
2. On applying for a gate permit, written consent from affected landowners shall be provided by the applicant.
3. Renewal of each gate permit shall be required every five years and be subject to a common expiry date, the first such expiry date being 31 October 2017 with any fees being applied on a pro-rata basis.

4. The Council Register required pursuant to Local Government (Uniform Local Provisions) Regulations 1996 shall be maintained in accordance with those regulations.
 5. Gates, the subject of this policy, shall not be locked at any time.
 6. All maintenance and associated expenses relating to a gate shall be the responsibility of the applicant.
 7. Any clearing of the road reserve beyond the gate by any party other than the Council or Government Agencies is prohibited.
 8. In accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, clearing of no more than 1.5m outside of boundary fences is permitted.
 9. The Shire of Plantagenet reserves the right to carry out random inspections of gates and to revoke permits if conditions are not met.
 10. All gates, the subject of expired or revoked permits, shall be removed by the applicant.
 11. Current permits shall be noted on the Shire of Plantagenet's electronic rates database, referenced to the assessment number of the applicant.
 12. Gate permits may be revoked by the Council at any time.'
- be endorsed.

CARRIED (9/0)

NO. 160/12

**9.2.3 ST WERBURGHS ROAD / MITCHELL STREET INTERSECTION
REALIGNMENT - RESERVE 460 - ROAD DEDICATION**

File No: N23533
Attachments: [Land reclaim and clearing drawing](#)
Responsible Officer: Dominic Le Cerf
Manager Works and Services
Author: Megan Beech
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to obtain the Council's support for the dedication of a portion of land (proposed for road construction to realign the intersection of St Werburghs Road and Mitchell Street) which runs through C Class Reserve 460 (Lot 7930) as road reserve.

BACKGROUND

During investigations relating to an application for State Black Spot funding at the intersection of St Werburghs Road and Mitchell Street, Council officers became aware that the eastern most portion of St Werburghs Road, intersecting with Mitchell Street, runs through Reserve 460 and is not contained within a dedicated road reserve.

Ordinarily, a report would be prepared to the Council seeking support to dedicate the current portion of constructed St Werburghs Road. However, given the approved Black Spot funding application for realignment of the intersection, it is proposed to dedicate that portion of the reserve to be constructed as road.

Existing gravel from the previously constructed road will be utilised for the new alignment. The previously constructed road will also be formally closed once construction of the realignment section is completed. This land will then be reinstated and planted with local native seeds.

STATUTORY ENVIRONMENT

Land Administration Act 1997

The Department of Regional Development and Lands is the responsible agency. The Shire has been issued a management order over Reserve 460, for the purpose of 'Gravel Pit'.

Native Title Act 1993

As this is Crown Land the Department of Regional Development and Lands will need to determine whether there are any Native Title implications.

Environmental Protection Act 1986

A clearing permit from the Department of Environment and Conservation (DEC) is required in order to progress with construction of the realignment section. An application has been forwarded to DEC and is pending further information (Flora Survey) to be provided in approximately October 2012. It is anticipated that an outcome regarding the clearing permit will be known by approximately November 2012.

EXTERNAL CONSULTATION

This matter has been discussed with officers from State Land Services.

Opus International Consultants, in conjunction with 35 Degrees South, has prepared the attached preliminary drawings indicating the land required for dedication and the amount of vegetation required to be cleared.

FINANCIAL IMPLICATIONS

All costs associated with dedication of the subject land as road will be the responsibility of the Shire.

State Black Spot funding of \$47,025.00 has been approved for construction of the realignment during the 2012/2013 financial year. These funds do not include a provision for costs associated with the dedication of the subject land.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 2.4 (Safe and reliable transport infrastructure), the following Strategy 2.4.1:

'Maintain and further develop roads and pathways at appropriate standards.'

Further, Strategy 2.4.4 provides the following:

'Investigate and respond to road safety and traffic issues throughout the District.'

OFFICER COMMENT

It is appropriate to seek to resolve this issue from a land use and insurance perspective.

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

The attached Intersection Realignment Plan indicates the portion of land required from Reserve 460, to be dedicated as road. The attached Clearing Plan indicates the land required to be cleared to construct the realignment. The existing section of St Werburghs Road which runs through Reserve 460 is also illustrated on this plan and will eventually be closed.

It is recommended that the Council support the dedication to enable construction of the realignment of the St Werburghs Road / Mitchell Street intersection to progress.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

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 Realignment Plan dated 17 July 2012 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 be reasonably incurred by the Minister in considering and granting the request to dedicate the land as a road.

CARRIED (9/0)

NO. 161/12

9.3 COMMUNITY SERVICES REPORTS

9.3.1 LOT 105 FIRST AVENUE, KENDENUP – TRANSFER OF LEASE

File No:	N23613
Attachment:	Letter – Kendenup Fundraisers Inc Letter – Kendenup Mortigallup Bushfire Brigade Letter – St John Ambulance – Great Southern Draft Lease
Responsible Officer:	Nicole Selesnew Manager Community Services
Author:	Donna McDonald Senior Administration/Human Resources Officer
Proposed Meeting Date:	14 August 2012

PURPOSE

The purpose of this report is to consider an application from the Kendenup Fundraisers Incorporated (Fundraisers) to transfer the lease agreement for part of Lot 105 First Avenue, Kendenup to St John Ambulance, an Incorporated not-for-profit organisation.

The Shire of Plantagenet owns Lot 105 First Avenue, Kendenup, freehold.

BACKGROUND

The Fundraisers is a group of volunteers that raises funds on behalf on the Kendenup First Responders. The Kendenup First Responders provide a First Aid service for Kendenup residents until such a time as an ambulance is available or other medial assistance is sought. The First Responders are qualified in First Aid and use equipment purchased by the Fundraisers.

The Fundraisers sought a lease from the Council for part of Lot 105 First Avenue, Kendenup, so they could construct a shed and house the First Aid equipment used by the First Responders.

At its meeting held on 12 May 2009 the Council resolved:

‘That the Chief Executive Officer be authorised to finalise the terms of a lease for part of Lot 105 First Avenue, Kendenup with the Kendenup Fund Raisers Incorporated, once the group has achieved Incorporation. The lease terms to include:

- a) *a period of 10 years;*
- b) *rent will be \$1 per annum;*
- c) *all outgoings will be the responsibility of the Kendenup Fund Raisers Group;*

- d) *the Fund Raisers Group be responsible for all building and grounds maintenance over the area applicable to the lease;*
- e) *the Shire of Plantagenet to conduct an annual audit of the building and grounds to ensure the area is safe and has been kept in a well maintained state;*
- f) *for the purpose of housing the emergency response vehicles, first aid equipment and training; and*
- g) *access of the non-leased portion of the Lot to be maintained for parking purposes'.*

Subsequent to the lease agreement being finalised, the Fundraisers successfully raised the funds (including a Financial Assistance Grant from the Shire) to constructed a two bay shed which is used for equipment storage and training activities.

The First Responders respond to a number of callouts each month including heart attacks, car accidents and allergic reactions and have an average response time of 7 minutes. Their activities have, in the past, been sanctioned by St John Ambulance and they have received assistance in the way of oxygen cylinder exchanges and the replacement of trauma bags. Many officers of the First Responders' also contribute volunteer hours at the Mount Barker St John Ambulance sub-station.

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act 1995 'Disposing of Property' applies to the disposition of property, including leasing. Under Functions and General Regulations, a disposition of land is an exempt disposition and is excluded from the application of section 3.58, if:

'the land is disposed of to a body, whether incorporated or not – the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and the members of which are not entitled or permitted to receive an pecuniary profit from the body's transactions.'

The lease to St John Ambulance would be an exempt disposition.

CONSULTATION

Consultation has occurred with Cathy Davis, representative from the First Responders and Fundraisers groups and David Schober, Regional Manager St John Ambulance Great Southern Country Ambulance Service.

FINANCIAL IMPLICATIONS

Lot 105 First Avenue, Kendenup is leased to the Fundraisers for one dollar per annum. It is proposed that the same rental will apply to any lease entered into with St John Ambulance.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 1.1 (Health and family support services that are accessible and meet the need of our community) the following Strategy 1.1.1:

'Advocate for medical and hospital services within the region.'

OFFICER COMMENT

With population growth in the Kendenup area, St John Ambulance has identified a demonstrated need for a dedicated ambulance to be placed in the community and the decision has been made for Kendenup to become a branch of St John Ambulance.

A team of St John Ambulance volunteers from the Kendenup community will maintain an emergency response service. The Fundraisers have recommended that the Kendenup Volunteer Training Centre (Lot 105 First Avenue) is the best site to house an ambulance. With an ambulance situated full time in Kendenup, the First Responder vehicle will no longer be required.

In order for an ambulance to be situated at Kendenup, St John Ambulance requires that the lease agreement currently held with the Fundraisers for Lot 105 First Avenue be determined and a new lease be prepared for St John Ambulance. This is supported by the Kendenup First Responders as shown in the attached letter.

This proposal is supported by the Kendenup Mortigallup Bushfire Brigade, neighbours to Lot 105 First Avenue. The Brigade has asked that there be a stipulation in the lease that the 'Volunteer Training Centre' continue to be accessible to the Fire Brigade where appropriate notice of its requirements is provided to the Mount Barker St John Ambulance sub centre. St John Ambulance has been consulted in relation to this request and they are willing to provide access at appropriate times. Please refer to the attached letters of support from St John Ambulance and the Bush Fire Brigade.

The existing lease also allows for parts of Lot 105 First Avenue not subject to the leased area to be used for parking if required. This parking area has been used by the Brigade at the few occasions that they have required overflow parking from their Brigade shed site.

Conditions of new lease agreement with St John Ambulance will remain largely unchanged from the existing lease agreement with the Fundraisers, with all outgoings and maintenance the responsibility of the lessee. Equipment used by the volunteers will be insured and maintained by St John Ambulance. The Shire of Plantagenet will retain the right to inspect the facilities and ensure the building and surroundings are safe and well maintained.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That:

1. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease between the Shire of Plantagenet and St John Ambulance Incorporated (as attached) for the purpose of housing an ambulance and first aid equipment and conducting training, the lease terms including:
 - a) a lease period of 10 years;
 - b) rent to be \$1.00 per annum;
 - c) all outgoings to be the responsibility of the lessee;
 - d) the lessee will be responsible for all building and grounds maintenance over the area applicable to the lease;
 - e) the Shire of Plantagenet to conduct an annual audit of the building and grounds to ensure the area is safe and has been kept in a well maintained state;
 - f) access to the building for the Kendenup Mortigallup Bush Fire Brigade where appropriate notice of its requirements is provided to the Mount Barker St John Ambulance sub centre; and
 - g) access to the non-leased portion of the lot be maintained for parking purposes, including parking by the adjoining Bush Fire Brigade if so required.
2. The existing lease for part of Lot 105 First Avenue Kendenup with the Kendenup Fundraisers Incorporated be determined.

CARRIED (9/0)

NO. 162/12

9.4 CORPORATE SERVICES REPORTS

9.4.1 BUDGET REVIEW – AUGUST 2012

A Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest was disclosed by Cr J Moir. Nature and extent of interest – Cattle Farmer.

A Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest was disclosed by Cr M Skinner. Nature and extent of interest – Farming 400 head of cattle.

Authority to participate pursuant to Section 5.69(3)(b) of the Local Government Act 1995.

Approval has been received from the Department of Local Government via a letter dated 9 January 2012 giving permission for Cr M Skinner and Cr J Moir to participate in matters relating to the Great Southern Regional Cattle Saleyards from 10 January 2012 to 31 December 2012.

Mr R Stewart read aloud the letter, a copy of which is attached to these minutes.

File No:	N23645
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	14 August 2012

PURPOSE

The purpose of this report is to review and adjust the adopted 2012/2013 Annual Budget to recognise variations in actual income and expenditure.

BACKGROUND

The 2012/2013 annual budget was adopted by the Council at its meeting on 3 July 2012. This is the first review of the 2012/2013 Annual Budget and is required due to differences between 'estimated actual' and 'actual' figures for 2011/2012 carried forward projects.

STATUTORY ENVIRONMENT

There is no specific section of the Local Government Act 1995 that deals with the re-allocation of funds however Section 6.2(1) of the Local Government Act 1995 governs budget requirements for local governments.

Local Government (Financial Management) Regulations 1996. Regulation 33A states:

(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.

- (2A) *The review of an annual budget for a financial year must -*
- (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- *Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.'*

FINANCIAL IMPLICATIONS

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended effect on the budget is a saving of \$3,904.00.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 4.6 (Effective and efficient corporate and administrative services) the following Strategy 4.6.1:

'Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements.'

OFFICER COMMENT

In terms of recent budget developments, indications are that the 2012/2013 federal financial assistance grant allocations will be significantly lower than previously indicated (possibly around \$60,000.00), due to lower population and CPI estimates for Western Australia. In addition, it is also expected that the projected balance carried forward may also be around \$80,000.00 less than budgeted, although more work is required to clarify this. It is considered that these budget shortfalls will be able to be made up during the year through operational savings, which will be subject to recommendations to be made as the year progresses. It is important that the savings to roadworks projects identified in this report are redirected to roadworks in order to maintain the required level of own source funding.

The following budget items had differences between budget carried forward and actual carried forward amounts:

Account	Description	Budget Est. Actual	2011/2012 Actual	Status
51431.0252	Refurbishment - Lot 337 Martin Street - Council Homes	(\$44,113)	(\$42,208)	Carry Over
51457.0253	Environmental Improvements - Saleyards	(\$41,840)	(\$47,650)	Carry Over
51275.0250	Spencer Road - SLK 0.0 to 4.5	(\$238,246)	(\$239,332)	Carry Over
51298.0250	Takalarup Road - SLK 2.80 to 8.84	(\$235,415)	(\$245,563)	Complete
51308.0250	Whitworth Road - Entire Length	(\$34,699)	(\$36,072)	Carry Over
51237.0250	Kwornicup Road - SLK 0.00 to 4.23	(\$71,265)	(\$78,218)	Complete
51238.0250	Williams Road - Resheet & Improve Drainage	(\$68,691)	(\$72,878)	Complete
51239.0250	Short Street - Townscape Improvement Works	(\$116,238)	(\$116,349)	Carry Over
51240.0250	Beverley Road - Entry Statements	(\$27,128)	(\$27,369)	Complete
51249.0250	Martagallup Road - Grain Pull-in Bay	(\$10,671)	(\$10,753)	Carry Over
51234.0250	Wilson Road - Craddock Rd to Carr Rd	(\$11,025)	(\$11,025)	Complete

These differences were due to invoices received after the end of the financial year but dated before 30 June 2012, final week wages allocations and end of year plant / overhead allocation adjustments. In addition, a number of these projects have now actually been completed, so therefore the balance of those items can be transferred to another project(s).

It is recommended that savings in roadworks projects of \$46,753.00 be re-allocated to road maintenance. The other savings of \$3,905.00 should be noted for now and until a more detailed budget review can be completed.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION**Moved Cr S Etherington, seconded Cr C Pavlovich:****That the 2012/2013 Annual Budget be amended as follows:**

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51431.0252	Refurbishment - Lot 337 Martin Street - Council Homes	(\$21,409)	(\$23,315)	(\$1,906)
51457.0253	Environmental Improvements - Saleyards	(\$13,160)	(\$7,350)	\$5,810
51275.0250	Spencer Road - SLK 0.0 to 4.5	(\$61,754)	(\$60,668)	\$1,087
51298.0250	Takalarup Road - SLK 2.80 to 8.84	(\$14,585)	\$0	\$14,585
51308.0250	Whitworth Road - Entire Length	(\$56,045)	(\$54,672)	\$1,373
51237.0250	Kwornicup Road - SLK 0.00 to 4.23	(\$13,735)	\$0	\$13,735
51238.0250	Williams Road - Resheet & Improve Drainage	(\$11,309)	\$0	\$11,309
51239.0250	Short Street - Townscape Improvement Works	(\$155,762)	(\$155,651)	\$111
51240.0250	Beverley Road - Entry Statements	(4,472)	\$0	\$4,472
51249.0250	Martagallup Road - Grain Pull-in Bay	(\$19,329)	(\$19,247)	\$82
20225.0126	Road Maintenance	\$0	(\$46,753)	(\$46,753)
TOTAL		(\$371,562)	(\$320,904)	\$3,904

CARRIED (9/0)**NO. 163/12****Absolute Majority**

9.4.2 POLICY REVIEW - HALL HIRE DONATIONS

File No: N23103
Attached: [Policy A/PA/4 – Hall Hire Donations](#)
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Donna McDonald
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to review Council Policy No. A/PA/4 – ‘Halls – Hall Hire Donations’.

BACKGROUND

Council Policy A/PA/4 ‘Halls – Hall Hire Donations’ is attached.

The policy was last reviewed by Council at its meeting held on 4 May 2010.

FINANCIAL IMPLICATIONS

This policy is recommended to maintain proper fiscal control of building hire activities.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr A Budrikis:

That Council Policy A/PA/4 Halls – Hall Hire Donations:

‘OBJECTIVE

To enable the Council to encourage use of Council venues, properly account for both hall and equipment hire charges and to protect assets from misuse or inadvertent damage.

POLICY:

1. That for any hire of a Council facility or Council owned equipment, the appropriate bond, as adopted by the Council shall be paid by the hirer.
2. As the Council has set hall hire fees at a rate designed to encourage greater use of such facilities the Council will not consider further donations of hall hire except during the budget grants process.’

be endorsed.

CARRIED (9/0)

NO. 164/12

9.4.3 POLICY REVIEW - HIRE OF COUNCIL CONTROLLED PROPERTY

File No: N23104
Attachment: [Policy A/PA/1 – Hire of Council Controlled Property](#)
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Donna McDonald
Senior Administration/Human Resources Officer
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to review Council Policy No. A/PA/1 – ‘Hire of Council Controlled Property’.

BACKGROUND

Council Policy A/PA/1 – ‘Hire of Council Controlled Property’ is attached.

The policy was last reviewed by the Council at its meeting held on 15 June 2010.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 2.5 (Council buildings and facilities that meet community needs) the following Strategy 2.5.1:

‘Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard.’

OFFICER COMMENT

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That Council Policy A/PA/1 – Hire of Council Controlled Property:

‘OBJECTIVE:

To establish a time limit on the hire of Council controlled property.

POLICY:

No function shall be continued after 1:00am on Council controlled property except by special permission of the Council.’

be endorsed.

CARRIED (9/0)

NO. 165/12

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 COMMUNITY AGRICULTURAL CENTRE

A Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest was disclosed by Cr A Budrikis. Nature and extent of interest – Relations and business partner of owner of land adjacent to railway buildings.

3:31pm Cr A Budrikis withdrew from the meeting.

File No: N23628
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 14 August 2012

PURPOSE

The Chief Executive Officer has been advised that the Department of Agriculture and Food (DAFWA) is intending to cease using the Mount Barker Railway Station for the purpose of a Community Agricultural Centre (CAC). As two community groups occupy the leased area in addition to the CAC, this report will recommend the continued use by these groups on the departure of DAFWA, expected by 30 September 2012.

BACKGROUND

The Shire of Plantagenet leases to DAFWA a portion of the Mount Barker Railway Station. This relationship has been in place since March 1997.

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act 1995 applies with regard to the disposition of property. As the existing lease is with a Government Department the disposition is an exempt disposition.

However, a disposition by means of lease to the groups also occupying the building would not be exempt. This does not necessarily mean that a lease cannot be negotiated though. The issue would need to be advertised regarding the intention of the Council. Further, any lease of the Railway Station will require the Public Transport Authority (PTA) to be a party to that lease.

EXTERNAL CONSULTATION

Consultation has taken place with DAFWA and a representative from the Wilson Inlet Catchment Committee (WICC).

FINANCIAL IMPLICATIONS

An amount of \$8,149.48 was received in the 2011/2012 financial year for the lease of this property.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 (SCP) provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy 2.2.6:

'Support the conservation and maintenance of heritage buildings, heritage items and places of interest.' (Generally it is agreed that heritage buildings are maintained to a higher level when occupied).

Further, the SCP provides at Outcome 4.1 (Effective governance and leadership) Strategy 4.1.1:

'Provide leadership for the community in sustainability issues....' and Strategy 4.1.4 *'Support strategic alliances, stakeholder forums and advisory committees that assist Shire in policy development and service planning.'*

The SCP also provides at Outcome 2.7 (Protection of natural environment) the following Strategies:

Strategy 2.7.1:

'Provide effective management and maintenance of the Council's land and reserves.'

Strategy 2.7.2:

'Support the management of feral animals.'

Strategy 2.7.3:

'Provide weed management on roadsides.'

Strategy 2.7.4:

'Promote and support community based environmental initiatives and protections.'

Strategies 2.7.1, 2.7.2, 2.7.3 and 2.7.4 relate to the Council's Memorandums of Understanding with WICC and the Oyster Harbour Catchment Group (OHCG).

OFFICER COMMENT

With the departure of DAFWA from the CAC in the Railway Station from 30 September 2012, it is understandable that the other Community Groups occupying that building (WICC and OHCG) are apprehensive about their accommodation future.

It should also be noted that the most recent lease with DAFWA expired in 2010 and has not been renewed. Therefore occupancy has been on a monthly basis.

It is recommended that consideration be given to allowing these groups to remain in the Railway Station, subject of course to suitable lease arrangements being made. Such a lease would most likely need to be with one or the other of the groups such that the lessee had the ability to sub-lease to other like-minded organisations. Such a lease should be at a peppercorn rental provided that cleaning and basic

maintenance was undertaken by the lessee. Any lease would need to include the PTA as well.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That the concept of leasing to either the Wilson Inlet Catchment Committee Inc or the Oyster Harbour Catchment Group Inc part of the Mount Barker Railway Station at a peppercorn rental be endorsed and the CEO be requested to prepare a further report for the consideration of the Council at its meeting to be held on 25 September 2012, such report to include a record of negotiations with the groups and a draft lease.

CARRIED (8/0)

NO. 166/12

9.5.2 ENTRY STATEMENT - ALBANY HIGHWAY (CHICKEN REPRESENTATION)

A Financial/Indirect Financial (Section 5.60 (A) and 5.61 LGA) Interest was disclosed by Cr A Budrikis. Nature and extent of interest – Relations and business partner of land adjacent to current location.

File No: N23635
Attachment: [Location Plan](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to consider the relocation of a 3 metre high steel representation of a chicken from its present location near the Tourist Bureau on Albany Highway to a position adjacent to the southern gazebo in Centenary Park.

BACKGROUND

At its meeting held on 12 June 2012 the Council resolved:

'That approval be given to Plantagenet Sheds and Steel to erect a 3m high, double sided, two dimensional entry statement in the shape of a chicken, adjacent to the Mount Barker Visitor Centre which is situated in the former Mount Barker Railway Station, subject to;

- 1. Engineering certification being obtained and provided to the Shire prior to installation;*
- 2. There being no capital cost to the Shire for the construction of the structure;*
- 3. All earth works and any restoration works at the site being the responsibility of Plantagenet Sheds and Steel;*
- 4. All future maintenance of the structure being the responsibility of the provider (Milne Feeds/Mount Barker Chicken);*
- 5. All necessary approvals being obtained prior to installation;*
- 6. In the opinion of the Council, if the structure is not being adequately maintained, it shall be removed at the cost of the provider; and*
- 7. The approval expiring in five years from the date of this meeting, subject to renewal of approval at the option of the Council.'*

The Chicken Representation Entry Statement was installed at the location marked on the attached plan as a position best fitting the Council's resolution and which did not come too close to private land and which did not interfere with the Main Roads Reserve over Albany Highway.

STATUTORY ENVIRONMENT

Building Act 2011 – A building licence is required to be issued by the Principal Building Surveyor under delegated authority for a class 10b structure. (Building Code of Australia)

A building licence has been issued.

EXTERNAL CONSULTATION

Consultation has occurred with Main Roads Western Australia (MRWA), Water Corporation, Western Power and Brookfield Rail.

Western Power and Water Corporation informed the Shire that they have no issues with the proposal.

At the time this report was prepared there was no correspondence received from MRWA and Brookfield Rail. However it should be noted that formal approval was not sought from MRWA to erect the Entry Statement in the Albany Highway Reserve.

FINANCIAL IMPLICATIONS

Relocation of the Entry Statement now would cost in the vicinity of \$2,000.00 to either re-lay the base or have it transported to a new location.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

Upon installation, the entry statement became the property of the Council.

It is estimated that the annual maintenance cost will be in the vicinity of \$650.00 per year. This is the responsibility of Milne Feed.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides under Goal 1, Community Pride and Wellbeing, at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy 1.8.3:

‘Support the provision of appropriate, accessible arts facilities and activities to encourage artistic and cultural expression.’

Further at Strategy 1.8.4:

‘Include arts and cultural considerations in all aspects of urban and social planning.’

Further, at Goal 2, Enhancing Natural and built Environment, at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy 2.3.2:

'Develop, maintain and enhance town streetscapes and public places.'

OFFICER COMMENT

The Entry Statement has been installed at what was considered to be the most visible and accessible area within the Council's resolution and direction of 12 June 2012.

Part of the thinking was for the representation to be visible from the Highway so that passing motorists may then be drawn in to stop and then notice the Visitor Centre, the Council's Visitor Notice Board and the township of Mount Barker.

It is apparent that the Entry Statement representation of a chicken is already creating discussion which is always to be expected and welcomed from the installation of public art point of view.

Since installation the Chief Executive Officer has been interviewed twice on radio and both of those interviews have been positive with regard to the impact on Mount Barker.

Shire President Councillor Ken Clements has requested this report be prepared for the consideration of the Council as some consider that the visibility of the representation is not sufficient to be seen by motorists and this visibility would be better achieved by relocating the representation to the mound adjacent to the southern gazebo in Centenary Park directly to the north east of the gazebo.

Councillor Clements believes this should be at Council cost.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr S Etherington, seconded Cr G Messmer:

That notwithstanding the Council's resolution of 12 June 2012 regarding the placement of a two dimensional entry statement in the shape of a chicken, the installed representation be relocated to the mound directly to the north east of the southern gazebo in Centenary Park and the cost of such relocation to a maximum of \$2,000.00 be charged to Budget Item Account No. 51480.0252 (Street Art).

MOTION TO ADJOURN THE QUESTION

Moved Cr M Skinner, seconded Cr S Etherington:

That the question be adjourned to allow the CEO to further investigate options for the location of the structure and prepare a further report to be presented to the Council prior to the 11 December 2012.

CARRIED (8/0)

NO. 167/12

3:39pm Cr A Budrikis returned to the meeting.

9.5.3 SENIORS' LUNCHEON - REQUEST FOR DONATION

A Closely Associated Person (section 5.62 LGA) Interest was disclosed by Cr S Etherington. Nature and extent of interest – Started the luncheons.

3:39pm Cr S Etherington withdrew from the meeting.

File No: N23637
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to seek the Council's consideration for the donation of the hire of Frost Pavilion on a monthly basis for the remainder of the financial year for the holding of seniors' luncheons.

BACKGROUND

Councillor Sue Etherington and a number of other members of the community recently organised a seniors' luncheon which was held at Frost Pavilion on Thursday 26 July 2012.

The seniors' luncheon was attended by approximately 60 seniors and \$5.00 was charged per head for a meal of fish and chips. Raffles and entertainment were also provided.

All organisers donated their time freely and only some materials were purchased from the meal charge and other donations. No person or organisation involved takes any profit from the event.

The Chief Executive Officer under delegated authority granted the use of the Pavilion at no charge (Delegation LG 005 granted by the Council on 22/05/2012).

The luncheon was held in response to a need seen in the community to provide more social outlets for our seniors.

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 provides at sub section 4(c) that the Council's Budget is to include the fees and charges proposed to be imposed by the Local Government.

Fees have been imposed by the Council for the use of Frost Pavilion, however the Chief Executive Officer is of the opinion that the granting of continued free use of the Frost Pavilion for the financial year would be outside the intent of his delegation (LG 005).

EXTERNAL CONSULTATION

The request for the donation by the Council has come from Councillor Etherington.

FINANCIAL IMPLICATIONS

The hire of Frost Pavilion for a full day (more than four hours) is \$100.00. Although \$100.00 is below the CEO's delegation, the cost of 10 hires would be \$1,000.00 which is outside that delegation.

POLICY IMPLICATIONS

Policy A/PA/4 is relevant, as this policy states donations of hall hire will only be considered during the grants process. This policy reads:

1. *That for any hire of a Council facility or Council owned equipment, the appropriate bond, as adopted by the Council shall be paid by the hirer.*
2. *As the Council has set hall hire fees at a rate designed to encourage greater use of such facilities the Council will not consider further donations of hall hire except during the budget grants process.'*

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 1.6 (Quality of life for the aged) the following Strategy 1.6.1:

'Provide and promote services and facilities that meet the needs of the aged.'

Further provides at Strategy 1.6.3:

'Support the provision of active ageing activities for seniors.'

OFFICER COMMENT

The initial seniors' lunch was undoubtedly a great success and provided a welcome outlet for around 60 seniors in our community. The seniors themselves asked for a regular monthly luncheon such as was organised and the donation of the pavilion hire is therefore recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That notwithstanding the application before the Council was not considered during the 2012/2013 Budget Grants process, a donation equivalent to 10 full day hires of the Pavilion at Frost Oval be granted for the purposes of seniors' luncheons provided that:

- a. The appropriate bond for the hire is paid;
- b. The luncheons are not provided for profit making purposes.

ALTERNATIVE MOTION

Moved Cr J Moir, seconded Cr B Bell:

That notwithstanding the application before the Council was not considered during the 2012/2013 Budget Grants process, a donation equivalent to 10 full day hires of the Pavilion at Frost Oval be granted, and charged to account 20150.0255 (Aged & Disabled – Other Expenses – Donations) for the purposes of seniors' luncheons provided that:

- a. The appropriate bond for the hire is paid;
- b. The luncheons are not provided for profit making purposes.

Reason for Change

Councillors believed that the account (Aged & Disabled – Other Expenses – Donations) was the appropriate source for this expenditure.

AMENDMENT

Moved Cr A Budrikis, seconded Cr M Skinner:

That a part 2 be added to the motion:

'A letter be prepared for consideration by the Hon Minister for Health setting out the Council's concerns that the social needs of seniors in Plantagenet are not being adequately catered for requiring community groups to seek alternative locations to provide for these needs'

and the motion be recast accordingly.

CARRIED (8/0)

NO. 168/12

COUNCIL DECISION

That notwithstanding the application before the Council was not considered during the 2012/2013 Budget Grants process, a donation equivalent to 10 full day hires of the Pavilion at Frost Oval be granted, and charged to account 20150.0255 (Aged & Disabled – Other Expenses – Donations) for the purposes of seniors' luncheons provided that:

1.
 - a. The appropriate bond for the hire is paid;
 - b. The luncheons are not provided for profit making purposes.
2. A letter be prepared for consideration by the Hon Minister for Health setting out the Council's concerns that the social needs of seniors in Plantagenet are not being adequately catered for requiring community groups to seek alternative locations to provide for these needs.

CARRIED (8/0)

NO. 169/12

4:04pm Cr S Etherington returned to the meeting.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING**

Nil

12 CONFIDENTIAL

12.1 WORKS AND SERVICES REPORTS

12.1.1 LOT 2002 WRAGG ROAD, MOUNT BARKER – LAND ACQUISITION

File No: N18695
Attachments: [Location Plan Lot 2002 Wragg Road](#)
Responsible Officer: Dominic Le Cerf
Manager Works and Services
Author: Megan Beech
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to consider the acquisition of approximately 1.53ha of land from Lot 2002 Wragg Road, Mount Barker for inclusion into the existing road reserve of Wragg Road.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr L Handasyde, seconded Cr A Budrikis:

4:04pm That the meeting be closed to members of the public pursuant to Section 5.23 (c) of the Local Government Act 1995 as the matter to be considered relates to a contract being entered into, or which may be entered into.

CARRIED (9/0)

NO. 170/12

MOTION TO PROCEED IN PUBLIC

Moved Cr L Handasyde, seconded Cr G Messmer:

4:06pm That the meeting proceed in public.

CARRIED (9/0)

NO. 171/12

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr B Bell:

That the Chief Executive Officer be authorised to negotiate purchase of approximately 1.53ha of Lot 2002 Wragg Road, Mount Barker to be incorporated into the existing road reserve of Wragg Road, to a maximum value of that shown in the valuation dated 25 July 2012.

CARRIED (9/0)

NO. 172/12

12.1.2 TENDER C01-1213 GRAVEL PUSHING AND GENERAL BULLDOZING HIRE

A Financial/Indirect Financial (Section 5.60 (A) and Section 5.61LGA) Interest was disclosed by Cr M Skinner. Nature and extent of interest – Neighbour and bulldozing work.

A Code of Conduct Disclosure (S5103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of conduct) was disclosed by Cr J Moir. Nature and extent of interest – Working on my property and play golf with proponent.

4:07pm Cr M Skinner withdrew from the meeting.

File No: N23599
Responsible Officer: Dominic Le Cerf
Manager Works and Services
Author: Megan Beech
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 14 August 2012

PURPOSE

The purpose of this report is to consider submissions from the advertising of Tender C01-1213 Gravel Pushing and General Bulldozing Hire.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr L Handasyde, seconded Cr A Budrikis:

4:07pm That the meeting be closed to members of the public pursuant to Section 5.23 (c) of the Local Government act 1995 as the matter to be considered relates to a contract being entered into, or which may be entered into.

CARRIED (8/0)

NO. 173/12

MOTION TO PROCEED IN PUBLIC

Moved Cr L Handasyde, seconded Cr B Bell:

4:08pm That the meeting proceed in public.

CARRIED (8/0)

NO. 174/12

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr C Pavlovich:

That:

- The tender submitted by GT & JF Couper for the supply of gravel pushing and general bulldozing hire to the Shire of Plantagenet for various projects for a period of two years, in accordance with the following pricing schedule, be accepted:

Supplier	Contract Rates	
	Gravel Pushing (inc Mobilisation) \$/loose cubic units - ex GST	Extra Ripping & Track Rolling \$/loose cubic units- ex GST
GT & JF Couper	\$0.90	p/Hr

Day Work Hire Rates		
Machine		Cost \$/hr - ex GST
Make	Model	
Komatsu	D155-6 354 HP	\$290.00
Komatsu	D155-5 310 HP	\$260.00
Komatsu	D85-15 264 HP	\$220.00
Mobilisation		\$200.00

- The Chief Executive Officer be authorised to extend the contract for a further two year period at the conclusion of the initial two year period, subject to the satisfactory performance, in the opinion of the Manager Works and Services, of GT & JF Couper.

CARRIED (8/0)

NO. 175/12

4:09pm Cr M Skinner returned to the meeting.

13 CLOSURE OF MEETING

4:09pm The Presiding Member declared the meeting closed.

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