



# ORDINARY MINUTES

**DATE:** Tuesday, 22 July 2014

**TIME:** 3:00pm

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

**Rob Stewart**  
**CHIEF EXECUTIVE OFFICER**

Resolution numbers: 151/14 to 173/14

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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 B Bell  
Cr A Budrikis  
Cr S Etherington JP  
Cr L Handasyde Deputy Shire President  
Cr G Messmer  
Cr J Moir  
Cr J Oldfield  
Cr C Pavlovich

*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

3:01pm 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 B Bell	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Councillor

### In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Mrs Fiona Saurin	Manager Community 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 A Budrikis – 22 July 2014  
Cr L Handasyde – 22 July 2014  
Cr J Oldfield – 19 August 2014  
Cr C Pavlovich – 22 July 2014

### Apologies:

Cr S Etherington

There were no members of the public present.

### Emergency Evacuation Procedures/Disclaimer:

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors 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**

#### **4.1 PETITION – ROCKY GULLY TRANSFER STATION**

The Chief Executive Officer read aloud a hand delivered petition regarding the subject of which is to be dealt with in Item 9.2.2.

The petition stated:

'We the undersigned, are concerned citizens who urge our leaders to act now to open the Rocky Gully refuse site twice weekly.'

**Moved Cr J Moir, seconded Cr J Oldfield:**

**That the petition regarding opening hours at the Rocky Gully Transfer Station be received.**

**CARRIED (5/0)**

**NO. 151/14**

**5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Section 5.25 Local Government Act 1995

Cr Moir requested Leave of Absence for the 19 August 2014.

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

**That Cr J Moir be granted Leave of Absence for 19 August 2014.**

**CARRIED (5/0)**

**NO. 152/14**

**7 CONFIRMATION OF MINUTES**

**Moved Cr J Oldfield, seconded Cr G Messmer:**

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 24 June 2014 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (5/0)**

**NO. 153/14**

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

**That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 8 July 2014 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (5/0)**

**NO. 154/14**

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President distributed notes separately.



## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 DEVELOPMENT SERVICES REPORTS

#### 9.1.1 LOT 205 MORPETH STREET MOUNT BARKER - RAINWATER TANK WITH REDUCED BOUNDARY SETBACK

<b>File No:</b>	<b>N31194</b>
<b>Attachments:</b>	<a href="#">Location Plan</a> <a href="#">Site Plan</a>
<b>Responsible Officer:</b>	<b>Peter Duncan</b> <b>Manager Development Services</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>22 July 2014</b>
<b>Applicant:</b>	<b>Graeme and Jennifer Barrett</b>

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#### **PURPOSE**

The purpose of this report is to consider an application for a rainwater tank with a reduced side boundary setback at Lot 205 Morpeth Street, Mount Barker.

#### **BACKGROUND**

Council records show the registered owners of Lot 205 Morpeth Street are G and J Barrett.

This proposal is for a rainwater tank with a reduced side boundary setback of 5.0m where a boundary setback of 10.0m is required by the Residential Design Codes (R-Codes).

#### **STATUTORY ENVIRONMENT**

Shire of Plantagenet Town Planning Scheme No 3 (TPS3) - Zoned Residential (R2).

Clause 6.3.2 of TPS3 states:

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

Residential Design Codes (R-Codes).

The R-Codes – discretion exists for the Council to vary standards at clause 2.5.2 as follows:

*'In making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:*

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- (a) *any relevant purpose, objectives and provisions of the scheme;*
- (b) *any relevant objectives and provisions of the R-Codes;*
- (c) *a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and*
- (d) *orderly and proper planning.'*

The variation required here relates to 2.5.2(b) above as lot boundary setback requirements are in part 5 of the RCodes.

*'Part 5 – Design elements for all single house(s) and grouped dwellings; multiple dwellings in areas coded less than R30*

#### *5.1 Context*

##### *Objectives*

- (a) *To ensure that residential development meets community expectations in regard to appearance, use and density.*
- (b) *To ensure that design responds to the key natural and built features of the area and respond to the local context in terms of bulk and scale, or in the case of precincts undergoing a transition development achieves the desired future character of the area identified in the local planning framework.*
- (c) *To ensure adequate provision of direct sun and ventilation for buildings and to ameliorate the impacts of building bulk, privacy and overshadowing on adjoining properties.*
- (d) *To ensure that open space (private and communal) is provided on site and:*
  - *landscaped to establish streetscapes;*
  - *provide a balanced setting and relationship to buildings; and*
  - *provide privacy, direct sun and recreational opportunities.*
- (e) *To ensure that development and design is appropriately scaled, particularly in respect to bulk and height, and is sympathetic to the scale of the street and surrounding buildings, or in precincts undergoing a transition development achieves the desired future character of the area identified in the local planning framework.'*

The proposed side boundary setback variation is consistent with the objectives and design principles of the R-Codes for Residential zoned land.

#### **EXTERNAL CONSULTATION**

The proponent as part of lodging this application sought comment from the landowners of adjoining Lot 203 Morpeth Street to the west. These landowners raised no objection to this proposal.

#### **FINANCIAL IMPLICATIONS**

The application fee of \$107.00 has been paid.

**POLICY IMPLICATIONS**

Town Planning Scheme Policy No. 21 (Water Efficiency in Residential Development) encourages new residential development to incorporate a rainwater tank that is plumbed into the house.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

Lot 205 Morpeth Street Road is 5,331m<sup>2</sup> in area and is zoned Residential (R2). The current development on the lot consists of a 162m<sup>2</sup> outbuilding and a house under construction.

The rainwater tank will be a polyurethane tank with a holding capacity of 26,000 litres. The tank will be a beige colour, 2.4m in height with a 3.8m diameter. The rainwater tank will be setback 5.0m from the property boundary with Lot 203 Morpeth Street to the west. A side boundary setback of 10.0m is required by the R-Codes.

The reason provided by the proponents for the tank is to harvest rainwater from the roof of their house for domestic and garden use. The landowners of adjoining Lot 203 raised no objection to the proposed reduced boundary setback for the rainwater tank.

The proposed rainwater tank will not cause overshadowing issues and is not considered to have any significant adverse effect on the amenity of the locality or neighbouring property. The 5.0m setback is supported.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr G Messmer, seconded Cr J Moir:

**That in accordance with Clause 2.5.2 of the Residential Design Codes and Clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the application for one rainwater tank with a reduced side boundary setback of 5.0m at Lot 205 Morpeth Street, Mount Barker be approved in accordance with the plan dated 4 June 2014.**

**CARRIED (5/0)**

**NO. 155/14**

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**9.1.2 LOT 23 HASSELL STREET, MOUNT BARKER - ADDITIONAL  
OUTBUILDING WITH REDUCED BOUNDARY SETBACK**

**File No:** N31225

**Attachments:** [Location Plan](#)  
[Site Plan](#)  
[Outbuilding Plan](#)

**Responsible Officer:** Peter Duncan  
Manager Development Services

**Author:** Vincent Jenkins  
Planning Officer

**Proposed Meeting Date:** 22 July 2014

**Applicants:** Lynette and Massimo Fabio and Rose Da  
Conceicao

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**PURPOSE**

The purpose of this report is to consider a proposal for an additional outbuilding at Lot 23 Hassell Street, Mount Barker.

**BACKGROUND**

Council records show the registered owners of Lot 23 Hassell Street are Lynette Fabio and Rose Da Conceicao.

This proposal is for an additional outbuilding of 121.0m<sup>2</sup> (10.7m x 11.3m) with a wall height of 3.0m. One other existing outbuilding has a floor area of 216.0m<sup>2</sup>. The cumulative floor area of all outbuildings (including the additional outbuilding) will total 337.0m<sup>2</sup>.

Town Planning Scheme Policy No. 16.1 (Outbuildings) sets a maximum wall height of 3.0m and a maximum cumulative total floor area of 80m<sup>2</sup> for outbuildings in Residential zones.

The reason provided by the proponent for the additional outbuilding is cover the existing in ground swimming pool.

The proponents are also seeking approval for a reduced side boundary setback of 2.8m for the additional outbuilding to the property boundary with Lot 21 Mills Street and Lot 22 Mills Street corner Hassell Street where a boundary setback of 7.5m is required by the Residential Design Codes (R-Codes).

**STATUTORY ENVIRONMENT**

Shire of Plantagenet Town Planning Scheme No 3 (TPS3) - Zoned Residential (R2.5).

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*

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*the locality may refuse to approve any application for planning consent or may grant its' approval unconditionally or subject to such conditions as it thinks fit.'*

Residential Design Codes (R-Codes).

The R-Codes – discretion exists for the Council to vary standards at clause 2.5.2 as follows:

*'In making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:*

- a) any relevant purpose, objectives and provisions of the scheme;*
- b) any relevant objectives and provisions of the R-Codes;*
- c) a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and*
- d) orderly and proper planning.'*

The variation required here relates to 2.5.2(b) above as the outbuilding and boundary setback requirements are in part 5 of the R-Codes.

### **EXTERNAL CONSULTATION**

The proponents as part of lodging this application sought comment from the landowners of adjoining Lot 21 Mills Street and Lot 22 Mills Street corner Hassell Street. Neither landowner raised any objection to the proposal.

### **FINANCIAL IMPLICATIONS**

The application fee of \$147.00 has been paid.

### **POLICY IMPLICATIONS**

Town Planning Scheme Policy No. 16.1(Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 80m<sup>2</sup> for Residential zones. The cumulative floor area of all outbuildings on site including the additional outbuilding will total 337.0m<sup>2</sup>. The wall height of the proposed outbuilding is 3.0m. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

### **OFFICER COMMENT**

Lot 23 is 1.37ha in area and is zoned Residential (R2.5). The current development on the lot consists of a house, 216m<sup>2</sup> outbuilding and an in ground swimming pool approved by the Council on 20 January 2014.

The proponents now wish to cover the existing swimming pool with a 121.0m<sup>2</sup> outbuilding. The additional outbuilding dimensions will be 10.7m x 11.3m with a wall height of 3.0m. The outbuilding plan shows the outbuilding will be clad with zincalume sheets. Zincalume is a reflective material that reflects light and heat and to ensure there are no adverse visual impacts on the location, a condition of planning consent will require all external walls and trimmings to be finished in a cream colour. No difficulties are seen with the maximum cumulative floor area of outbuildings being

337.0m<sup>2</sup> and the wall height of the outbuilding being 3.0m given the size of the lot being 1.37ha.

The existing swimming pool is setback 7.5m from the property boundary with adjoining Lot 21 Mills Street and Lot 22 Mills Street corner Hassell Street. The additional outbuilding covering the swimming pool will be setback 2.8m from the adjoining property boundary with Lots 21 and 22. A side boundary setback of 7.5m is required by the R-Codes. The landowners of adjoining Lots 21 and 22 raised no objection to the proposed reduced boundary setback for the additional outbuilding.

The additional outbuilding will not cause overshadowing or privacy issues and is not considered to have any significant adverse effect on the amenity of the locality or neighbouring properties. The 2.8m setback is supported.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

**That in respect to the additional outbuilding as shown on the plans dated 28 April 2014 and 11 June 2014 at Lot 23 Hassell Street, Mount Barker:**

- 1. In accordance with Clause 2.5.2 of the Residential Design Codes, the additional outbuilding with a reduced side boundary setback of 2.8m be approved.**
- 2. In accordance with Clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, Town Planning Scheme Policy No. 16.1 (Outbuildings) be varied and the additional outbuilding be approved resulting in the cumulative area of all outbuildings being 337.0m<sup>2</sup>.**
- 3. The external walls and trimmings for the additional outbuilding being cream in colour to the satisfaction of the Manager Development Services.**

**CARRIED (5/0)**

**NO. 156/14**

**9.1.3 RV FRIENDLY TOWN STATUS FOR MOUNT BARKER**

**File No:** N31155

**Attachments:** [Memorandum from CEO – 21 October 2013](#)  
[Possible Sign Format](#)  
[Plan Showing Polocrosse Ground](#)

**Responsible Officer:** Peter Duncan  
Manager Development Services

**Author:** Peter Duncan  
Manager Development Services

**Proposed Meeting Date:** 22 July 2014

An interest was disclosed by the Manager Development Services Mr Peter Duncan. Nature and extent of Interest – Mr Duncan advised that he is the author of the Report and is a member of a caravan club which is affiliated with the WA Association of Caravan and Camping Inc.

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**PURPOSE**

The purpose of this report is to consider whether the Council should seek to have its RV Friendly Town status reinstated and to consider overflow and camping area(s) for special one off events.

**BACKGROUND**

Mount Barker became a RV Friendly Town in January 2012. The RV Friendly Town scheme is run by the Campervan and Motorhome Club of Australia Ltd (CMCA) and such towns are promoted to the club's 63,000 members through its website and magazine entitled 'The Wanderer'. RV Friendly Town signs were erected on the four main entry roads into Mount Barker.

In May 2012 the Council considered a 48 signature petition submitted which sought restrictions being placed on overnight parking by caravans and motorhomes in Mount Barker at the rear of the Council's administration building. Parking in that area was to be limited to 12 hour daytime parking only.

The Council at its meeting held on 22 May 2012 resolved:

*'That:*

- 1. 'No Overnight Camping or Parking' signs be installed on Lot 624 Mount Barker Road.*
- 2. The proprietors of the Mount Barker Caravan Park and Cabin Accommodation be advised in terms of part (1) above.'*

The owners of the Mount Barker Caravan Park were the sponsors of the petition. The land to the south of Hicks Close and the administration building is known as Lot 624 (Reserve 6454) and has occasionally been used by overnight parking of caravans and motorhomes.

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The caravan park owners also indicated concerns with overnight campers staying at Main Roads rest areas on Albany Highway. Main Roads have installed signage in its rest areas north of Mount Barker prohibiting camping. Main Roads do not police these areas.

The Council has erected a sign indicating that no camping is permitted at Lot 624. Mount Barker was withdrawn from the RV Friendly Town scheme in July 2012 by the CMCA.

Councillors had a workshop on the matter of overnight parking of camperhomes on 29 October 2013. A memorandum from the Chief Executive Officer (CEO) for that workshop is attached.

The Council at its meeting held on 27 May 2014 considered a report on the possibility of reinstating the RV Friendly Town status. At that meeting the Council resolved:

*'That:*

1. *The Shire advise the Campervan and Motorhome Club of Australia what facilities for example camping grounds, dump site, tourist Bureau, toilets, the Shire has.*
2. *The Shire advise the Campervan and Motorhome Club of Australia that Frost Park would be made available for large club rallies and special occasions as now happens with Camp Drafting and other equine groups.*
3. *A workshop is to be held prior to the next Council meeting to discuss where the Council does not want overnight camping within the Shire.*
4. *The Campervan and Motorhome Club of Australia be advised once the decisions have been endorsed they will be notified.'*

Following that decision of the Council a workshop was held with Councillors on 24 June 2014. At that workshop representatives from the Mount Barker and Porongurup caravan parks were present along with Mr V Calleja. Mr Smith from the Mount Barker Caravan Park drew Councillors' attention to a mobile telephone application referred to as Wikicamps where the area at the rear of the Council's administration building was shown as available for 48 hour parking with a range of facilities available.

Mr Freddy Zicher from the Porongurup Range Tourist Park presented a petition opposed to free overnight camping in Mount Barker. That petition was signed by 43 persons and consisted of 20 from the Porongurup locality, four from Mount Barker and 19 from Perth, Albany and other localities.

Mr Vince Calleja representing the forthcoming Caravan and Motorhome Club of Australia Rally to be held in 2015. Mr Calleja circulated a presentation from the April 2014 Rally at Robinvale.

At that workshop there was general support for the grassed area at Frost Park (and the toilets and showers in the Sheep Pavilion) being used for overflow parking of self

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contained caravans and motorhomes for one off special events such as the ANZAC commemoration in October/November 2014 and the Albany Caravan and Motorhome Rally in October 2015. It has been established that there are horse events on Frost Park during this time which could cause conflict. The area now put forward for this one off event is Lot 577 (Reserve 27184) McDonald Avenue corner Marmion Street which is referred to as the polocrosse ground. That land is Crown land vested in the Council for vehicle parking and polocrosse ground. A plan showing Lot 577 is attached.

Also at the workshop there was general support for the concept of overnight (1 night only) parking of self contained caravans and motorhomes in the bitumen car park to the west of the District Hall in Memorial Road, Mount Barker. The feeling was that the CMCA 'RV Friendly Town' status did not need to be reinstated. The question of the use of lot 624 to the rear of the Council's administration building was discussed as an option for overnight parking for these vehicles. Councillors were opposed to this area being used due to the proximity of a children's playground.

It was felt there should be no charge for the one night stay in the area west of the District Hall and that the Ranger would need to monitor and move people on if necessary. Signage will also need to be installed here advising of the two caravan parks in the Shire.

## STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

Regulation 11 provides that:

*(1)A person may camp—*

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval;*
- (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;*
- (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;*
- (d) on any land which is—*
  - (i) held by a State instrumentality in freehold or leasehold; or*
  - (ii) dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality,**in accordance with the permission of that instrumentality; or*

- (e) *on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.*
- (2) *Written approval may be given for a person to camp on land referred to in subregulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;*
- (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
- (c) *despite paragraph (b), by the local government of the district where the land is situated —*
- (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
- (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a permit has effect in relation to the land.*

- (3) *In this regulation—*

**emergency** *means a situation where to move the caravan or other vehicle to a more suitable area would constitute an immediate and serious hazard due to the condition of the caravan or other vehicle, or a vehicle towing the caravan, or of the driver, or passengers, of any such vehicle;*

**permit** *means a building permit or a demolition permit as defined in the Building Act 2011 section 3;*

**road side rest area** *means an area designated by a traffic sign erected in accordance with a written law, as an area which may be used for 24 hours for —*

- (a) *resting;*
- (b) *stopping; or*
- (c) *camping,*  
*in a vehicle;'*

Councillors will be familiar with this legislation as it is used by the Council to approve temporary camping on land where houses are being constructed.

### Shire of Plantagenet Parking and Parking Facilities Local Law 2008

This Local Law applies to the parking of vehicles within the district of the Shire of Plantagenet. The area referred to in the petition (Fire Brigade training track) has been deliberately left uncontrolled by the Council to ensure that unrestricted parking was available subsequent to the development of the central business district and restricted parking times.

## EXTERNAL CONSULTATION

Several discussions were held with staff and the CMCA regarding details on the website to correct some anomalies. The CMCA withdrew the RV Friendly Town status of Mount Barker in July 2012. Discussions were also held with the Small Business Development Corporation which had been approached by the caravan park owners.

Staff have also had discussions in June 2013 with the Hon. Alyssa Hayden MLC (Parliamentary Secretary to the Deputy Premier; Minister for Health; Tourism) and Mr Bevan Martin of the CMCA and the caravan park owners.

The Manager Community Services has had discussions with the horse racing community regarding special events prior to the first race meeting on 16 November 2014. There are horse related events and training planned for the first week in November at Frost Park.

## FINANCIAL IMPLICATIONS

The four RV Friendly Town signs are stored at the Council depot. There will be the cost of Council workers to install the signs and remove the no camping signs south of Hicks Close, if the RV Friendly Town status is restored. If not, the signs will not be erected.

There will be the cost of having a sign prepared and erected at the District Hall site advising of the maximum length of stay as one night and of the location of the two caravan parks in the Shire.

## POLICY IMPLICATIONS

Policy No. CE/ED/1 Tourism applies.

## STRATEGIC IMPLICATIONS

Shire of Plantagenet Strategic Community Plan 2013-2023 at Outcome 2.4 (Safe and reliable transport infrastructure) provides the following:

Strategy 2.4.3 - *'Provide appropriate on-road and off-street car parking as well as parking control activities'*

Outcome 3.3 (A well-developed relationship with industry, commerce and government) provides the following:

Strategy 3.3.1 - *'Develop, maintain and strengthen relationships with local businesses'*

Outcome 3.4 (A strong tourism region) provides the following:

Strategy 3.4.1 - *'Promote and support local and regional tourism initiatives.'*

Strategy 3.4.2 - *'Provide infrastructure and services to support tourism.'*

Strategy 3.4.3 - *'Collaborate with tourism peak bodies to promote the region.'*

**OFFICER COMMENT**

The issues with regard to the parking of recreational vehicles commenced with the classification of Mount Barker as an 'RV Friendly' town by the CMCA. In November 2011 administrative staff sought approval for Mount Barker to become a RV friendly town and forwarded an application form to CMCA. To achieve RV friendly town status certain minimum facilities are necessary and the Council has been working towards these minimum facilities for a number of years including visitor information, signage, rest facilities and a dump point near the Visitor Centre. This list is not exhaustive. When a town is classified as RV Friendly, this fact is advertised through an industry website ([www.cmca.net.au](http://www.cmca.net.au)) and travellers can therefore expect a minimum level of facility when visiting. This is seen as a means of attracting visitors.

For the workshop held on 24 June 2014 Councillors were provided with the list of information provided to the CMCA in 2011 as part of the RV Friendly Town process.

As noted in the Council's Tourism Policy, the Council will provide infrastructure for the visiting public.

The RV Friendly Town status no longer applies to Mount Barker and there have been requests to have the status reinstated. As stated earlier the CMCA is holding an annual rally in Albany when up to 1,000 local and interstate recreational vehicles will visit the district for a weeklong event. The national rally will be held in October 2015 and will be based at Centennial Oval in Albany. Mr Calleja is the Albany rally coordinator and he has previously stressed the need for overflow caravan and motorhome facilities in the surrounding towns.

With the ANZAC events planned for later this year, there is also expected to be an influx of caravans and motorhomes to Albany where again there will be the need for overflow camping areas.

An area which could be used for overflow parking of caravans and motorhomes for these two large events could be the grassed area known as the polocrosse ground in McDonald Avenue. The sheep pavilion toilet and shower amenities could be used by the campers. A fee of \$10.00 per night should be charged for this area. The CEO has held discussions with the Mount Barker caravan park owners and offered them the chance of managing this overflow area.

The outcome of this matter at the workshop held on 24 June 2014 was that an area would need to be used for overflow parking of self contained caravans and motorhomes for special events such as the ANZAC event and the national Rally. The use of an area would only be required when the existing Mount Barker caravan park was in the order of 80% occupied by caravans and motorhomes. The land considered suitable for this is Lot 577 (Reserve 27184) McDonald Avenue corner Marmion Street known as the polocrosse ground.

Another area worthy of consideration for parking for fully self contained caravans and motorhomes is that of the parking area at the Kendenup Agricultural Grounds. That area consists of two Lots 15 and 16 with access off Beverley Road. There is an area which has been used informally for caravan parking to the north of the hall and the toilet and shower facilities. That area does not satisfy legislative requirements for a formal caravan park as it does not have an onsite caretaker and laundry facilities.

The Caravan Parks Legislation is under review and that area may qualify as a 'Nature Park' when the legislation as proposed is finalised. In the interim, an electrical contractor has ensured the power connections in the two power boxes are correct for caravans. This has involved removing the four double power points from each box and replacing them with two 15 amp power points for each box. This area could accommodate four caravans/motorhomes. It is considered this area could be used as an overflow parking area for special events such as the ANZAC event and the National Rally. The coordination of this area could be managed by the Kendenup Agricultural Grounds Committee Inc which has a lease on the grounds.

On the issue of overnight parking of self contained caravans and motorhomes throughout the year, the Councillors at the workshop held on 24 June 2014 agreed the car park to the west of the District Hall on Memorial Road was the preferred location. This area could be used for one overnight stay only and there would be no charge for that stay. The Ranger would then be in a position to move campers on from other unauthorised areas in Mount Barker and to ensure the overnight stay is only for one night. It would be appropriate to erect a sign at the authorised area which welcomes campers to Mount Barker, explains the one night stay only by self contained caravans and motorhomes, no tents will be allowed and advising of the location of the two caravan parks in the Shire should they want to stay longer. A possible sign format is attached.

There is no need for the Council to pursue the CMCA RV Friendly Town status.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr G Messmer, seconded Cr J Oldfield:**

**That:**

- 1. An overnight stay area for fully self-contained caravans and motorhomes be designated as the Council vested bitumen surfaced area to the west of the District Hall at Lot 250 Memorial Road, Mount Barker on the basis of one night only, no charge will be payable and a sign be erected detailing requirements and the location of the caravan parks.**
- 2. The grassed area at Lot 577 (Reserve 27184) McDonald Avenue corner Marmion Street, Mount Barker be designated as the area to be used as overflow parking of self contained caravans and motorhomes once the Mount Barker Caravan Park is 80% occupied by caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.**
- 3. The caravan area at Lots 15 and 16 Beverley Road Kendenup be designated as an area for overflow parking of four self contained caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.**
- 4. Apart from the Reserves noted in parts 1, 2 and 3 above, no other area in the Shire that is vested in or owned by the Shire of Plantagenet should be**

used for camping and overnight parking, without the express permission of the CEO.

5. Notwithstanding the provision of infrastructure and services mentioned above, the Council is of the opinion that there is no need to pursue Campervan and Motorhome Club of Australia RV Friendly Town Status.

LOST (0/5)

#### **FURTHER MOTION**

Moved Cr B Bell, seconded Cr G Messmer:

That

1. An overnight stay area for fully self-contained caravans and motorhomes be designated as the Council vested bitumen surfaced area to the west of the District Hall at Lot 250 Memorial Road, Mount Barker on the basis of one night only, no charge will be payable and a sign be erected detailing requirements and the location of the caravan parks.
2. The grassed area at Lot 577 (Reserve 27184) McDonald Avenue corner Marmion Street, Mount Barker be designated as the area to be used as overflow parking of self contained caravans and motorhomes once the Mount Barker Caravan Park is 80% occupied by caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.
3. The caravan area at Lots 15 and 16 Beverley Road Kendenup be designated as an area for overflow parking of four self contained caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.
4. Apart from the Reserves noted in parts 1, 2 and 3 above, no other area in the Shire that is vested in or owned by the Shire of Plantagenet should be used for camping and overnight parking, without the express permission of the CEO.
5. Notwithstanding the provision of infrastructure and services mentioned above, the Council is of the opinion that the Campervan and Motorhome Club of Australia RV Friendly Town status should be reinstated and that appropriate signage be erected.

CARRIED (5/0)

NO. 157/14

## 9.2 WORKS AND SERVICES REPORTS

### 9.2.1 WASTE AND RECYCLE CONFERENCE 2014

<b>File No:</b>	<b>N31293</b>
<b>Responsible Officer:</b>	<b>Dominic Le Cerf Manager Works and Services</b>
<b>Author:</b>	<b>Amy Chadbourne Senior Administration/Project Officer Works and Services</b>
<b>Proposed Meeting Date:</b>	<b>22 July 2014</b>

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#### **PURPOSE**

The purpose of this report is to recommend Councillor representation at the Waste and Recycle Conference 2014. This event is scheduled to be held at the Esplanade Hotel in Fremantle from 23 to 26 September 2014.

#### **BACKGROUND**

The Council, at its meeting held on 28 May 2013, resolved:

*'That authority be granted to Cr Etherington, Cr Messmer and Cr Handasyde to attend the Waste and Recycle Conference 2013 to be held at the Esplanade Hotel in Fremantle from 10 to 13 September 2013 inclusive, and accommodation, transport and meal costs be met from account 'Councillor Conferences Training and Accommodation' pursuant to Council Policy CE/CS/1.'*

The Manager Works and Services has registered his interest in attending the 2014 Waste and Recycle Conference.

#### **FINANCIAL IMPLICATIONS**

The cost of an early bird registration for this conference is \$1,375.00 per person. The standard registration cost is \$1,550.00. Accommodation, transport and meal costs will be in the vicinity of \$1,500.00 per person, with costs being charged to account Members of Council – Councillor Conferences, Training and Accommodation.

#### **POLICY IMPLICATIONS**

Council Policy CE/CS/1 – Elected Members Expenses to be Reimbursed, states that elected members can receive reimbursement of expenses whilst attending, 'Conferences and training sessions specifically authorised by the Council.'

#### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy 4.1.5:

*'Strengthen the governance roles of Councillors by informing, resourcing, skilling and supporting their role.'*

## **OFFICER COMMENT**

Hosted by the Department of Environment Regulation (DER), Waste Management Association of Australia (WMAA) and Western Australian Local Government Association (WALGA), the Waste & Recycle Conference is an annual event. Organisers advertise delegates will have the opportunity to hear papers and keynote presentations, attend site tours and participate in interactive workshops.

This year's theme for the conference is 'Changing the Drivers' and will focus on information about the latest international and local waste and recycling methods.

The Council's annual budget for waste management is \$847,833.00. This figure equates to the second largest operation expenditure (behind roads) each year in the Council's annual budget.

Staff and Councillors have attended the conference in the past and advise the event provides valuable information, ideas and networking opportunities. However, the CEO has previously expressed his concerns that the initiatives presented at this conference are more applicable for larger populations (technology and efficiencies) and that Plantagenet's waste disposal will continue to revolve around landfill and recycling. Nevertheless, it is therefore recommended that a Councillor attend the conference.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

**Moved Cr J Oldfield, seconded Cr G Messmer:**

**That:**

- 1. Authority be granted to Cr Bell and Cr Messmer to attend the 2014 Waste and Recycle Conference in Fremantle from 23 to 26 September 2014;**
- 2. All costs including accommodation, transport, meals and registration costs be met from account Members of Council - Councillor Conferences Training and Accommodation pursuant to Council Policy CE/CS1 - Elected Members Expenses to be Reimbursed.**

## **AMENDMENT**

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

**That in part 1 the words 'to Cr Bell and Cr Messmer' be deleted and replaced with the words 'for one Councillor'.**

**CARRIED (5/0)**

**NO. 158/14**

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**COUNCIL DECISION**

**That:**

- 1. Authority be granted for one Councillor to attend the 2014 Waste and Recycle Conference in Fremantle from 23 to 26 September 2014;**
- 2. All costs including accommodation, transport, meals and registration costs be met from account Members of Council - Councillor Conferences Training and Accommodation pursuant to Council Policy CE/CS1 - Elected Members Expenses to be Reimbursed.**

**CARRIED (5/0)**

**NO. 159/14**

**FURTHER MOTION**

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

**That authority be granted for Cr Messmer to attend the 2014 Waste and Recycle Conference in Fremantle from 23 to 26 September 2014.**

**CARRIED (5/0)**

**NO. 160/14**

**9.2.2 WASTE MANAGEMENT - REVIEW OF OPENING HOURS - ROCKY GULLY TRANSFER STATION**

**File No:** N31289  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Amy Chadbourne  
Senior Administration/Project Officer Works  
and Services  
**Proposed Meeting Date:** 22 July 2014

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**PURPOSE**

The purpose of this report is to recommend the opening hours of the Rocky Gully Transfer Station be reviewed in response to requests from members of the community and that weekly opening hours be increased from three hours a week to four.

**BACKGROUND**

The Council at its meeting held on 4 March 2014, resolved that:

*'The Rocky Gully Transfer Station become a staffed waste facility and that it be open on Sunday from 8.00am to 11.00am excepting Christmas Day.'*

Following this meeting, the Chief Executive Officer received several letters from members of the Rocky Gully community requesting the newly classified Rocky Gully Transfer Station opening hours be reviewed. The residents requested that an additional half day at least, be considered. Works and Services staff also answered telephone requests for the transfer station hours to be reviewed. It is understood that Councillors have also received similar requests.

**STATUTORY ENVIRONMENT**

The Shire of Plantagenet Landfill and Transfer Station Facilities Local Law 2004 states at Clause 12:

*'The Council may from time to time set and amend by resolution the hours of operation of the facility and such hours will be displayed for public information.'*

**EXTERNAL CONSULTATION**

Correspondence (both verbal and written) has been received from Rocky Gully community members.

It is also understood that a petition is circulating in Rocky Gully seeking an extension to the Rocky Gully Transfer Station operating hours.

## FINANCIAL IMPLICATIONS

The cost to staff the Rocky Gully Transfer Station for an extra hour per week would increase. The initial calculation in the report to Council on 4 March 2014, based on the site opening for three hours a week on a Sunday was \$6,700.20 a year.

The proposal recommended in this report would see the transfer station open two hours on a week day and two hours on a Sunday.

Tip operator hourly rates for 2014/15 are as follows:

	Wednesday	Sunday
Hourly rate for tip operator	\$25.79	\$38.68
Adverse conditions allowance	\$0.90	\$0.90
9.5% superannuation	\$2.45	\$3.67
	-----	-----
Total	\$29.14	\$43.25
	=====	=====

The annual staff operating costs would be:

Wednesday – 2 hours @ \$29.14	\$58.28			
Sunday – 2 hours @ \$43.25	\$86.50			
	-----			
	\$144.78	@	52	weeks =
\$7,528.56				
	=====			

Therefore, annual costs to staff the Rocky Gully Transfer Station for two hours on a Wednesday and two hours on a Sunday would be \$7,528.56. On a yearly basis, opening 52 weeks a year, the difference in costs would be \$828.36.

Minor costs associated with advertising and signage for the amended operating hours of the transfer station will also be incurred.

## POLICY IMPLICATIONS

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-23 provides at Outcome 2.9 (Integrated waste management) the following strategy:

Strategy 2.9.2 - *'Manage existing waste disposal sites and transfer stations in accordance with legislative requirements.'*

## OFFICER COMMENT

At the Council Meeting on 4 March 2014, it was resolved Rocky Gully would become a staffed waste facility and that it would open on Sunday mornings.

Since this Council Meeting, the Chief Executive Officer has received correspondence from Rocky Gully community members requesting the opening hours be reviewed.

Councillors should note the requests objected to the limited opening hours, not the staffing of the waste facility.

Community members argued that the opening hours of the transfer station needed to be increased as they felt businesses should be able to access the facility during the week, church goers would be disadvantaged due to church attendance and the nearby Frankland River Waste Facility (which has also recently become a staffed site) was offering better service to residents being open four half days a week.

It is recommended that the Rocky Gully Transfer Station's opening hours be increased from three hours a week to four and that it be open for one session during the week. One hour would be removed from Sunday and an extra hour allocated to Wednesday afternoon bringing the total opening hours for the week to four.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

**That:**

- 1. Pursuant to Clause 12 of the Shire of Plantagenet Landfill and Transfer Station Facilities Local Law 2004, the opening hours of the Rocky Gully Transfer Station be amended to:
  - a) Wednesday 3.00pm to 5.00pm; and**
  - b) Sunday 8.30am to 10.30am**effective as of Sunday 3 August 2014.**
- 2. The decision to introduce opening hours to the Rocky Gully Transfer Station be communicated to residents of Rocky Gully and the Transfer Station signage be appropriately amended.**
- 3. The opening hours of the Rocky Gully Transfer Station not be altered for a period of two years to ensure a full review of their effectiveness can be undertaken.**

**CARRIED (5/0)**

**NO. 161/14**

### 9.2.3 CONFERENCE ATTENDANCE - 2014 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

**File No:** N31229  
**Responsible Officer:** Dominic Le Cerf  
Manager Works and Services  
**Author:** Amy Chadbourne  
Senior Administration/Project Officer Works  
and Services  
**Proposed Meeting Date:** 22 July 2014

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#### PURPOSE

The purpose of this report is to recommend the attendance of the Shire President Cr Ken Clements and Deputy Shire President Cr Len Handasyde at the 2014 National Local Roads and Transport Congress. The event is scheduled to be held in Tamworth New South Wales from 12 to 14 November 2014.

#### BACKGROUND

Cr Handasyde is a committee member of the Heavy Haulage Committee and the Heavy Plant Review Committee, Chairperson of the RoadWise Committee and is a member of the Regional Road Group. Cr Clements is the Council's deputy representative to the Regional Road Group.

The National Local Roads and Transport Congress is held every year. The Shire of Plantagenet sent representatives in 2012 to Hobart. The Shire President and Deputy Shire President attended that Congress on behalf of the Council.

The Chief Executive Officer and Manager Works and Services have registered their interest in attending the 2014 National Local Roads and Transport Congress.

#### FINANCIAL IMPLICATIONS

The cost of registration for this conference is \$860.00 per person which includes a ticket to the welcome reception and the Thursday night dinner. Flights, accommodation, transport and meal costs will be in the vicinity of \$2,625.00 per person, with costs being charged to account Members of Council - Councillor Conferences, Training and Accommodation.

#### POLICY IMPLICATIONS

Council Policy CE/CS/1 - Elected Members Expenses to be Reimbursed, states that elected members can receive reimbursement of expenses whilst attending, 'Conferences and training sessions specifically authorised by the Council'.

#### STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013 to 2023 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.5 - *'Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.'*

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**OFFICER COMMENT**

Organised by the Australian Local Government Association (ALGA), this year's National Local Roads and Transport Congress is being held in Tamworth at the Regional Entertainment and Conference Centre.

Conference organisers suggest one of the key aims of the event is to highlight the importance of issues such as Federal funding in overcoming road and infrastructure challenges and to reinforce the need for increased and permanent funding under the Roads to Recovery program beyond June 2019.

Speakers at the congress include The Hon John Anderson MP who will present on inland rail and the importance of R2R and Jack Short, former Secretary General of the International Transport Forum who will speak on European transport reform.

The Shire of Plantagenet has sent delegates to this conference over the past eleven years and feedback has been positive regarding road funding policies and direction.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That:

1. Authority be granted to Shire President Cr Clements and Deputy Shire President Cr Handasyde to attend the 2014 National Local Roads and Transport Congress in Tamworth from 12 to 14 November 2014.
2. All expenses including flights, accommodation, transport, meals and registration costs be met from account Members of Council - Councillor Conferences Training and Accommodation pursuant to Council Policy CE/CS/1 - Elected Members Expenses to be Reimbursed.

**COUNCIL DECISION**

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

That:

1. **Authority be granted for one Councillor to attend the 2014 National Local Roads and Transport Congress in Tamworth from 12 to 14 November 2014.**
2. **All expenses including flights, accommodation, transport, meals and registration costs be met from account Members of Council - Councillor Conferences Training and Accommodation pursuant to Council Policy CE/CS/1 - Elected Members Expenses to be Reimbursed.**

**CARRIED (5/0)**

**NO. 162/14**

**Reason for Change**

Councillors believed that it would be appropriate for one elected member to accompany staff to this congress.

**FURTHER MOTION**

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

**That authority be granted to Cr C Pavlovich to attend the 2014 National Local Roads and Transport Congress in Tamworth from 12 to 14 November 2014.**

**CARRIED (5/0)**

**NO. 163/14**

### 9.3 COMMUNITY SERVICES REPORTS

#### 9.3.1 SOUNNESS PARK STAGE 3 (HOCKEY FACILITY) – COUNTRY LOCAL GOVERNMENT FUND

<b>File No:</b>	<b>N31256</b>
<b>Attachments:</b>	<a href="#"><u>Financial Assistance Agreement</u></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>22 July 2014</b>

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#### **PURPOSE**

The purpose of this report is to seek approval to affix the Common Seal of the Council to a Financial Assistance Agreement (FAA) between the State of Western Australia (Department of Regional Development) and the Shire of Plantagenet for the 2012/2013 Country Local Government Fund (CLGF) allocation.

#### **BACKGROUND**

At its workshop held on 4 March 2014, Councillors gave a strong indication to progress Stages Two and Three of Sounness Park, depending on funding sources.

The Shire has been successful in securing \$1,454,300.00 of funding for Stages Two and Three via the Department of Infrastructure and Regional Development Community Development Grants program and the Department of Sport and Recreation Community Sport and Recreation Facilities Fund. This will result in the construction of a second playing oval (cricket and soccer) and a synthetic hockey facility, which will complete the recreation development.

As part of the State Government's Royalties for Regions program, the Shire's individual allocation of \$593,798.00 (GST exclusive) under the CLGF (2012/2013) has also been reinstated.

The Shire must enter into an FAA with the State of Western Australia as a condition of the funding. A copy of the Agreement from the Department of Regional Development is attached. It is proposed that the construction of the hockey facility be the subject of this allocation.

#### **STATUTORY ENVIRONMENT**

Royalties for Regions Act 2009.

#### **FINANCIAL IMPLICATIONS**

In signing this contract, the Shire of Plantagenet will be able to access the CLGF funding of \$593,798.00.

#### **POLICY IMPLICATIONS**

There are no policy implications for this report.

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**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013 – 2023 provides at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:

Strategy 1.5.3 – *‘Develop Sounness Park as the primary ball sports facility in the District.’*

**OFFICER COMMENT**

Planning for Stages Two and Three of the Sounness Park Community Recreation Development is underway with tenders having been called for the construction of the hockey facility. In order to progress with the development, the Shire must sign an agreement with Department of Regional Development in order to access this critical funding.

There are no particularly onerous conditions in the agreement. Milestone reports certified by the project manager and audited financial reports on completion are required. Funding body acknowledgment will also be required in any media releases and opening events.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

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

**That the Shire President and Chief Executive Officer be authorised to affix the Common Seal of the Council to the ‘Financial Assistance Agreement’ document with the State of Western Australia, in relation to the Royalties for Regions (Country Local Government Fund – 2012/2013) individual allocation of \$593,798.00 (GST exclusive) for the Sounness Park Recreation Plan (Hockey Facility).**

**MOTION TO ADJOURN THE QUESTION**

**Moved Cr J Moir**

That the question be adjourned and a workshop be held on 5 August 2014 be held to discuss operating costs; participation rates; support from Albany Association; fees and charges and a further report be prepared for the Ordinary meeting of the Council to be held on 19 August 2014.

Motion lapsed for a want of a seconder.

The motion was then put.

**CARRIED (4/1)**

**NO. 164/14**

## 9.4 CORPORATE SERVICES REPORTS

### 9.4.1 FINANCIAL STATEMENTS (UNAUDITED) – JUNE 2014

<b>File No:</b>	<b>N31280</b>
<b>Attachment:</b>	<a href="#">Financial Statement (separate attachment)</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Brendan Webb</b> <b>Accountant / Office Manager</b>
<b>Proposed Meeting Date:</b>	<b>22 July 2014</b>

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#### **PURPOSE**

The purpose of this report is to present the unaudited financial position of the Shire of Plantagenet for the month ending 30 June 2014.

#### **STATUTORY ENVIRONMENT**

Financial Management Regulations 1996 Regulation 34 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 B Bell, seconded Cr G Messmer:**

**That the unaudited Financial Statements for the month ending 30 June 2014 be received.**

**CARRIED (5/0)**

**NO. 165/14**

**9.4.2 LIST OF ACCOUNTS - JUNE 2014**

**File No:** N31206  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Emma Gardner  
Accounts Officer  
**Proposed Meeting Date:** 22 July 2014

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of June 2014.

**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 (27 May 2014). 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 B Bell, seconded Cr J Moir:

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 June 2014 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$427,217.73; and
2. Municipal Cheques 44588- 44635 totalling \$80,071.65.

**CARRIED (5/0)**

**NO. 166/14**

**9.4.3 POLICY REVIEW - TELECOMMUNICATIONS - COUNCILLORS AND STAFF**

**File No:** N31281  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 22 July 2014

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**PURPOSE**

The purpose of this report is to review Council Policy F/FM/4 – Telecommunications – Councillors and Staff.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 12 June 2012.

**STATUTORY ENVIRONMENT**

The Local Government Act 1995 (section 5.98 to 5.102) and Local Government (Administration) Regulations 30 to 34 legislate the payment of expenses and allowances to elected members.

**FINANCIAL IMPLICATIONS**

The budget for Councillors' telecommunications and incidental expenses for 2014/2015 is \$13,500.00.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013 – 2023 provides at Outcome 4.1 (Effective governance and leadership) the following strategy:

*'Strategy 4.1.5 – Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.'*

**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 G Messmer, seconded Cr B Bell:

That Council Policy F/FM/4 – Telecommunications – Councillors and Staff, as follows:

**OBJECTIVE:**

To ensure that councillors and staff who are required to be contactable 24 hours a day are reimbursed adequately for their availability.

**POLICY:****Elected Members**

1. Elected members shall be paid an annual telecommunications allowance of \$1,000.00.
2. The annual allowance is to be paid monthly in arrears.
3. Reimbursement of member expenses in excess of the annual allowance made under this policy are required to be substantiated by the claimant through the production of receipts.
4. The Chief Executive Officer is authorised to reimburse member expenses in excess of the annual allowance in accordance with this policy.
5. That a mobile telephone be supplied to the Shire President by the Council with all related costs to be borne by the Council.

**Staff**

1. The Council will accept responsibility for the reimbursement of telephone costs as detailed below:
  - a) Works Supervisor: All Service and Equipment Rental Charges
  - b) Ranger: All Service and Equipment Rental Charges
2. Rental charges incurred by a designated staff member in relation to one telephone at his or her place of residence shall be reimbursed on submission of receipts.
3. The Chief Executive Officer may include telephone allowances and / or provision of mobile phones in employment contracts with senior staff.'

be endorsed.

CARRIED (5/0)

NO. 167/14

**9.4.4 POLICY REVIEW - COUNCIL OWNED BUILDINGS - CEILING INTERFERENCE**

**File No:** N30405  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Donna McDonald  
Senior Administration/Human Resources Officer  
**Proposed Meeting Date:** 27 May 2014

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**PURPOSE**

The purpose of this report is to review and revoke Council Policy A/PA/2 – Council Owned Buildings – Ceiling Interference.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 12 June 2012.

At its meeting held on 27 May 2014, the Council resolved that the question be adjourned to allow a further report to be presented at the meeting of the Council to be held on 24 June 2014 relating to safety in roof spaces.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013 – 2023 provides at Outcome 2.5 (Council buildings and facilities that meet community needs) the following strategy:

Strategy 2.5.1 – *‘Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard.’*

**OFFICER COMMENT**

At the Council meeting held on 27 May 2014, it was proposed that the policy be amended such that all power to Council buildings be turned off prior to any internal access above ceiling height. This raised a number of questions about the circumstances when approval might be granted for access to Council staff and contractors into ceiling spaces.

Following a review of the relevant internal procedures, it is considered that the current policy is sufficiently covered within the administration’s internal occupational

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health and safety procedures, which now include a requirement for a job safety analysis to be carried out. It is also intended to install appropriate signage on all manholes in Council buildings advising of the requirements. It is considered that this policy can be revoked.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr J Moir, seconded Cr G Messmer:**

**That Council Policy A/PA/2 – Council Owned Buildings – Ceiling Interference, as follows:**

#### **‘OBJECTIVE:**

**To clarify access restrictions to ceiling and roof spaces in Council owned buildings.**

#### **POLICY:**

- 1. That access to the ceiling / roof space in any of the buildings under the Council’s care and control be restricted to authorised repair contractors and staff only and that any entry by other persons is subject to:
  - a) The approval by the Chief Executive Officer; and**
  - b) The parties having appropriate public liability insurance to cover any event, which indemnifies the Council against any claim.****
- 2. All necessary documentation relating to the hire or use of Council buildings will be subject to the applicant having necessary public liability insurance to indemnify the Council against any claim from the set up and function, through to the clean up afterwards.’**

**be revoked.**

**CARRIED (5/0)**

**NO. 168/14**

**9.4.5 RENEWAL OF LEASE - PLANTAGENET HISTORICAL SOCIETY**

<b>File No:</b>	<b>N31308</b>
<b>Attachments:</b>	<a href="#">Lease 2014</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Donna McDonald</b> <b>Senior Administration/Human Resources Officer</b>
<b>Proposed Meeting Date:</b>	<b>22 July 2014</b>

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**PURPOSE**

The purpose of this report is to consider the renewal of the lease agreement for Reserve 36685, being Lot 601 and Reserve 29661, being Lot 604 Albany Highway, Mount Barker to the Plantagenet Historical Society for the management of the Old Police Station Museum.

**BACKGROUND**

At its meeting held on 22 September 2009, the Council resolved that:

*'The lease agreement between the Shire of Plantagenet and the Plantagenet Historical Society for Lot 601 and Lot 604 be extended for a period of five years from 30 June 2009, at a 'peppercorn' rental,...'*

**STATUTORY ENVIRONMENT**

Local Government Act 1995 – Section 3.58 applies to the disposition of property, including leasing. Under the Local Government (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 members of which are not enlisted or permitted to receive a pecuniary profit from the body's transactions.'*

As such a lease to the Plantagenet Historical Society is an exempt disposition.

**EXTERNAL CONSULTATION**

A copy of the draft lease was forwarded to the Plantagenet Historical Society and has been approved by the Management Committee and Members of the Historical Society.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

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**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013-2013 provides at Outcome 1.3 (A cohesive and supportive community) the following strategies:

*'Strategy 1.3.1 – Provide and support community cultural events; and*

*Strategy 1.3.2 - Promote and support the initiatives and achievements of our volunteers.'*

The Shire of Plantagenet Strategic Community Plan 2013-2023 also provides at Outcome 2.2: (Appropriate development which is diverse in nature and protects local heritage) the following strategy:

*'Strategy 2.2.6 - Support the conservation and maintenance of heritage buildings, heritage items and places of interest.'*

**OFFICER COMMENT**

As the Plantagenet Historical Society's current lease agreement provides for an option to renew, it is recommended that the lease agreement be renewed for a further five year term. The new lease agreement has been drawn up in line with the Shire's new standard lease, but under the same terms and conditions as the current agreement.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That**

- 1. The lease (as attached) to Plantagenet Historical Society for Lot 601 and Lot 604 Albany Highway, Mount Barker be renewed for a period of five years under the same terms and conditions as the current lease.**
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease agreement between the Shire of Plantagenet and Plantagenet Historical Society for Lot 601 and Lot 604 Albany Highway for the purpose of a museum.**

**CARRIED (5/0)**

**NO. 169/14**

## **9.5 EXECUTIVE SERVICES REPORTS**

### **9.5.1 LOWER GREAT SOUTHERN STRATEGY - WORKING GROUP APPOINTMENT**

<b>File No:</b>	<b>N31253</b>
<b>Responsible Officer:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Author:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>22 July 2014</b>

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#### **PURPOSE**

The purpose of this report is to recommend to the Council the appointment of the Chief Executive Officer to the Working Group reviewing the Lower Great Southern Strategy.

#### **BACKGROUND**

The Lower Great Southern Strategy was adopted by the Western Australian Planning Commission in 2007.

The document was put together with substantial consultation and addresses the major planning issues of:

- Protecting and conserving the terrestrial environment;
- Protecting and conserving the coastal and marine environment;
- Identifying mechanisms for the selection and protection of regional open space;
- Identifying and protecting land estate and regional agricultural significance;
- Protecting access to the Albany Port;
- Planning for the sustainable growth for settlements and community development;
- Identifying and securing access to long term water supplies;
- Planning for appropriately located strategic industrial sites;
- Allowing for the continued growth of tourism in the area;
- Identifying and securing access to basic raw materials and minerals; and
- Identifying regional transport and utility infrastructure requirements to cater for growth.

The review is being undertaken as a requirement of the Great Southern Planning and Infrastructure Framework which was released as a draft in March 2014.

#### **STATUTORY ENVIRONMENT**

The Lower Great Southern Strategy is reviewed as a requirement of the Great Southern Planning and Infrastructure Framework which is recognised as a Regional Planning Strategy under the State Planning Framework (State Planning Policy 1).

## **EXTERNAL CONSULTATION**

Significant consultation occurs with regard to planning documents generally through the Great Southern Development Commission and the Western Australian Planning Commission.

## **REGIONAL IMPLICATIONS**

The development of a Regional Framework as part of the State Planning Framework endeavours to ensure that major planning takes place at a regional level and that the various Local Governments within a Regional Planning Area are aware of, and can do their own planning for, that Regional Plan.

## **FINANCIAL IMPLICATIONS**

Although there are no financial implications regarding the subject of this report, there does appear to be a trend at a State Government policy level that grant funding at a local level may be dependent on local plans being convergent with Regional and State Planning Policies.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013-2023 at Goal 2 (Enhancing Natural and Built Environment) notes at Outcome 2.1 (Long Term Planning an development guided by the Planning Vision) the following Strategies:

- 2.1.2 – *‘Adopt a regional approach to planning and development issues’*; and
- 2.1.3 – *‘Collaborate with the State Government to ensure that local planning development and long term growth needs are met.’*

Further, Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) provides the following Strategy:

- 2.2.7 – *‘Support the development of a comprehensive long term regional planning strategy for the Great Southern Region prepared under the supervision of a regional planning committee.’*

## **OFFICER COMMENT**

By letter dated 24 June 2014 the Director General of the Department of Planning has requested that each Local Government in the Lower Great Southern appoint either an Elected member or Chief Executive Officer to the Working Group.

The letter also notes that a Consultation Group consisting of Technical Officers will also be appointed.

It is appropriate for any Elected Member to be appointed to this Working Group or the Chief Executive Officer.

The Chief Executive Officer has already sat on a number of Planning Working Groups and therefore it would be appropriate if he were to be appointed to this Working Group as well.

This is not absolutely necessary and should any Elected Member feel they would want to take on this role, this would be perfectly acceptable. Only one representative from each Local Government is being invited to the Working Group.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the Chief Executive Officer be appointed as the representative of the Shire of Plantagenet on the Lower Great Southern Strategy Working Group.**

**CARRIED (5/0)**

**NO. 170/14**

**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****12.1.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW AND CONTRACT NEGOTIATIONS**

**File No:** N31291  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 22 July 2014

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**PURPOSE**

The purpose of this report is to present to the Council the recommendations resulting from the Chief Executive Officer's (CEO) Review which was held on 12 June 2013, 24 June 2014 and 8 July 2014.

**MOTION TO PROCEED BEHIND CLOSED DOORS**

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

**4:25pm** That the meeting be closed to members of the public pursuant to Section 5.23 (2)(a) of the Local Government Act as the matter to be considered relates to a matter affecting an employee or employees.

**CARRIED (5/0)**

**NO. 171/14**

**MOTION TO PROCEED IN PUBLIC**

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

**4:26pm** That the meeting proceed in public.

**CARRIED (5/0)**

**NO. 172/14**



**COUNCIL DECISION**

Moved Cr G Messmer, seconded Cr J Moir:

That:

1. The Chief Executive Officer's Performance Review for the 2013-2014 Financial Year be noted.
2. Apart from the Key Performance Indicators already recorded in the Chief Executive Officer's Contract of Employment, the following matters be further developed:
  - a) Cost consciousness;
  - b) Succession Planning;
  - c) Project Costings;
  - d) Southern Link VROC;
  - e) Area Promotion;
  - f) Staff Productivity; and
  - g) Regular Meetings with Local Member and Ministers.
3. Further issues be developed by the Chief Executive Officer as set out in the Shire President's letter dated 26 June 2014, these issues being:
  - a) Preparation of an Economic Development Strategy;
  - b) Reduction and/or streamlining of bureaucracy and red tape;
  - c) Cooperation with other Local Governments;
  - d) Security and safety;
  - e) Community pride;
  - f) Recreation Facilities;
  - g) Older people;
  - h) Engagement with media;
  - i) Closer engagement with the community;
  - j) Capital funding; and
  - k) Delegation.
4. The Chief Executive Officer's Contract be renewed from 1 July 2014 to 30 June 2017.

**CARRIED (5/0)**

**NO. 173/14**

**13 CLOSURE OF MEETING**

4:26pm The Presiding Member declared the meeting closed.

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