



ORDINARY MINUTES

DATE: Tuesday, 21 July 2015

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 145/15 to 166/15

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:02pm 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 A Budrikis	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Councillor
Cr C Pavlovich	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Mr Dominic Le Cerf	Manager Works and Services
Ms Fiona Saurin	Manager Community Services
Ms Cobie MacLean	Administration Officer (Planning)

Apologies:

Nil

Members of the Public Present:

There were nil members of the public in attendance.

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

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

Mr Stewart then read aloud the following disclaimer:

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

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council /

Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

3 PUBLIC QUESTION TIME

Nil

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 B Bell

Item: 9.1.1
Type: Closely Associated Person (Section 5.62 LGA)
Nature: Closely associated person
Extent: Not applicable

Cr G Messmer

Item: 9.2.3
Type: Proximity (Section 5.60(B) LGA)
Nature: Adjoining land owner
Extent: Not applicable

6 APPLICATIONS FOR LEAVE OF ABSENCE

6.1 APPLICANT: CR C PAVLOVICH

Section 5.25 Local Government Act 1995

Cr C Pavlovich requested Leave of Absence for 5 to 28 September 2015 inclusive.

Moved Cr S Etherington, seconded Cr B Bell:

That Cr C Pavlovich be granted Leave of Absence for 5 to 28 September 2015 inclusive.

CARRIED (9/0)

NO. 145/15

7 CONFIRMATION OF MINUTES

Moved Cr L Handasyde, seconded Cr G Messmer:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 23 June 2015 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 146/15

Moved Cr J Moir, seconded Cr C Pavlovich:

That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 7 July 2015 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 147/15

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 131 ORMOND ROAD, MOUNT BARKER - GALLERY (ART WORKSHOP)

3:05pm Cr B Bell withdrew from the meeting.

Cr B Bell

Type: Closely Associated Person (Section 5.62 LGA)

Nature: Closely associated person

Extent: Not applicable

File Ref: N34204

Attachments: [Location Plan](#)
[Site Plan](#)
[Floor Plan and Elevations](#)

Responsible Officer: Peter Duncan
Manager Development Services

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 21 July 2015

Applicant: George Corke

PURPOSE

The purpose of this report is to consider an application for a gallery (art workshop) at Lot 131 Ormond Road, Mount Barker.

BACKGROUND

Council records show the registered owners of Lot 131 are G and S Corke.

The Council at its meeting held on 7 February 2012 resolved at Resolution No. 7/12:

'That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the proposed outbuildings at Lot 131 Ormond Road, Mount Barker be approved which will mean a cumulative area of all outbuildings being 436.35m² which is in excess of the 150m² stated in Town Planning Scheme Policy No. 16.1 (Outbuildings) subject to the studio not being used for residential purposes.'

The studio and outbuilding extension were constructed in accordance with the planning consent granted by the Council on 7 February 2012.

The proponent is a retired business person who has been creating art as a hobby since 1996 and is now pursuing a career in sculpture and design art. The proponent has participated in local art exhibitions and received two awards in 2015.

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 existing outbuilding with an area of 290.4m².

The proposal was advertised for public comment and one submission was received from an adjoining landowner that raised no objection to the application.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

- Special Provisions include:

‘3.0 (b) The following uses may be permitted at the discretion of the Council (“AA”):

- *Other incidental or non defined activities considered appropriate by Council which are consistent with the objective of the zone.’*

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 and sale of art falls within the definition of a Gallery/Restaurant which is an appropriate use and is consistent with the objective of the Rural Residential (Area 3) zone. The proponent has no intention of establishing a restaurant.

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 under the Scheme, to the purpose for which land in the locality is used, and 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.’

Environmental Protection (Noise) Regulations 1997 – regulates prescribed standards for noise emissions.

EXTERNAL CONSULTATION

The proposal has been advertised for public comment for a 21 day period closing on 19 June 2015. Advertising included letters to five adjoining property owners and 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 one submission was received. The owners of Lot 266 Ormond Road corner Martin Street raised no objection to the application.

FINANCIAL IMPLICATIONS

The application fee of \$ 147.00 and a bond of \$500.00 for advertising costs have been paid.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute vibrancy and diversity in the community) the following Strategy:

Strategy 1.8.4:

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

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

Lot 131 is 2.63ha in area and is located in a Rural Residential zone. The current development on the lot consists of a house and four outbuildings (garage, hobby studio, storage and workshop) with a cumulative floor area of 436.35m².

The proposed gallery will be carried out in one existing outbuilding that is 290.4m² in area. The gallery will involve an area for the storage of art material such as wood and steel, a workshop area for art creation and a 74.4m² display and sale area. This proposal excludes a restaurant however, if one was proposed at some stage in the future, a further application for Planning Consent would be required then.

The outbuilding location is approximately 170m from the house at adjoining Lot 262 Ingoldby Street to the north, approximately 260m from the house at adjoining Lot 266 Ormond Road corner Martin Street to the west. The outbuilding location is also approximately 270m from the house at Lot 268 Martin Street and approximately 150m from the house at Lot 128 Ormond Road. During the time period the proponent created art as a hobby, the Council has received no complaints from nearby or adjoining landowners.

Two existing crossovers provide access from Lot 131 to Ormond Road. One crossover provides access from the house driveway to Ormond Road and the second crossover provides access from the art workshop driveway to Ormond Road. The proposal also includes a visitors car parking area located south of the art workshop.

The proposed art workshop is not considered to have any significant adverse effect on the amenity of the locality or neighbouring properties. The proposal is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr G Messmer:

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, Planning Consent be granted for a gallery involving the creation of art, storage of art material and display and sale of art at Lot 131 Ormond Road, Mount Barker subject to:

1. Development being in accordance with the plans dated 23 April 2015.
2. The provision of four visitor car parking bays adjacent to the gallery.

Advice Note:

Should the proponent in future wish to incorporate restaurant facilities, then a further application for Planning Consent will need to be made to the Council.

CARRIED (8/0)

NO. 148/15

3:06pm Cr B Bell returned to the meeting.

9.1.2 LOT 150 BEVERLEY AND CHAUVEL ROADS KENDENUP - FORMATION OF AGRICULTURAL GROUNDS WORKING GROUP

File Ref:	N34583
Attachments:	Location Plan Kendenup Agricultural Grounds Integrated Master Plan – Draft June 2015
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to recommend the creation of the Kendenup Agricultural Grounds Working Group to guide the planning for the agricultural grounds at Lot 150 Beverley and Chauvel Road, Kendenup.

BACKGROUND

Lot 150 Beverley and Chauvel Roads, Kendenup and is owned freehold by the Council and was previously Lots 15 and 16 Chauvel Road. Both lots have been amalgamated to form Lot 150.

Councillors have discussed the future development/redevelopment of the Kendenup Agricultural Grounds recently at two workshops held on 26 May 2015 and 23 June 2015. These workshops were generally discussing the option of renovating the existing Agricultural Hall building and establishing a low key nature based camping facility nearby.

Councillor Budrikis, at the Council meeting held on 23 June 2015, put forward a notice of motion in respect to the proposal for the Kendenup Agricultural Grounds. The Council at that meeting resolved:

‘That with regard to development proposals at the Kendenup Agricultural Grounds, the following issues be noted:

1. *Significant administration time is being allocated and some funds are being expended on consultants towards the development of plans for the:*
 - a) *Refurbishment of the Kendenup Agricultural Hall;*
 - b) *Development of a Nature Based Camping Ground; and*
 - c) *Potential rationalisation of other facilities in Kendenup.*
2. *The Council has been successful in attracting \$120,000.00 of external funding for the development of the Nature Based Camping Ground.*
3. *The Council has previously allocated \$125,000.00 towards the development of an ablution block, such funding being still available.*

4. *The KCRC (Kendenup Community Recreation Centre) has indicated they could put \$150,000.00 towards a suitable re-development at the Agricultural Grounds*
5. *That the creation of a working group involving three Councillors, two staff and one member each from the Agricultural Grounds Committee and the Kendenup Community Recreation Centre be endorsed.*
6. *That the amount of \$10,000.00 be recommended for planning of these projects at this stage.*
7. *The Chief Executive Officer be requested to prepare a report addressing:*
 - a) *the brief of the working group;*
 - b) *the membership of the working group; and*
 - c) *budget requirements for consideration of the Council.'*

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) - Recreation Local Scheme Reserve. The use of Lot 150 Beverley/Chauvel Roads for recreation purposes is in accordance with the Local Scheme Reserve.

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 member of which are not enlisted or permitted to receive a pecuniary profit from the body's transactions.'

Lot 150 is the subject of a lease to the Kendenup Community Grounds Committee Inc and that lease is an exempt disposition.

Local Government Act 1995 and Local Government (Functions and General) Regulations 2006.

All contracts above \$100,000.00 (ex GST) must be tendered for.

EXTERNAL CONSULTATION

The purpose of this report is to recommend the creation of the Kendenup Agricultural Grounds Working Group and it is proposed to include one representative from the Kendenup Community Grounds Committee Inc (KCGC) and one representative from the Kendenup Community Recreation Centre Inc (KCRC).

The KCGC President has agreed to be on the group. The KCRC President has also agreed to be on the group.

FINANCIAL IMPLICATIONS

The Council has \$125,000.00 in its 2015/2016 Annual Budget for works at the Kendenup Agricultural Grounds (funded from the Shire Development Reserve).

Tourism WA has recently agreed to provide \$120,000.00 towards works for a nature based camping facility at the Agricultural Grounds. That funding is to be used for ablutions and the camping area set out and design. That funding must be utilised by 30 June 2016 or it will need to be returned to Tourism WA.

The KCRC has accrued donated funding of in the order of \$150,000.00 which may possibly be put towards upgrades of the Agricultural Hall provided that group is supportive.

Some preliminary costings have been prepared for renovations to the Agricultural Hall and the camping area and it is likely the works will be required to be carried out in stages. This will ensure the Tourism WA funding is expended quickly and definitely before the end of June 2016.

The renovation works to the Agricultural Hall will be well in excess of \$100,000.00 and as such tenders will need to be called.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

As Lot 150 Beverley/Chauvel Roads is Council owned, all the building are the responsibility of the Council.

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 1.5.1

'Maintain and improve sporting and recreation facilities in the district based on catchment needs'

Further at Outcome 2.5 (Council building and facilities that meet community needs) the following Strategies:

Strategy 2.5.1

'Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard' and

Strategy 2.5.3

'Continue to investigate opportunities to rehabilitate or devolve obsolete buildings and other assets'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

The Council's decision made on 23 June 2015 at points 5 (formation of a working group), 6 (\$10,000.00 for planning of projects) and 7 (Chief Executive Officer to report to the Council) are addressed in this report.

The Working Group is to consist of three Councillors (who can be nominated in the Council resolution), one representative from the Kendenup Community Grounds Committee Inc (KCGC) (which has the lease over the Agricultural Grounds), one representative from the Kendenup Community Recreation Centre Inc (KCRC) and two Council officers. The officers suggested are the Manager Development Services and the Principal Building Surveyor.

It is considered appropriate that the persons to represent the KCGC and the KCRC should be the President of the respective groups. The membership of the Working Group will need to include those persons by their name, not their position. The President of the KCGC is Mr Murray Wallinger and the President of the KCRC is Mr Jim Kirkwood.

The \$10,000.00 for planning of projects is addressed in the Council's 2015/2016 Annual Budget in the area of planning professional services. Gerard Healy and Associates Pty Ltd have provided a quotation for \$9,350.00 to prepare an overall masterplan for the Agricultural Grounds and a purchase order for that work has been forwarded to Gerard Healy and Associates Pty Ltd.

The suggested brief of the working group is to be as follows:

'To provide guidance to the Council on the future development of the Kendenup Agricultural Grounds located at Lot 150 Beverley/Chauvel Roads, Kendenup. That development is to include:

- a) the refurbishment of the Agricultural Hall;*
- b) the development of a Nature Based Camping Area; and*
- c) the potential rationalisation of other Council facilities in Kendenup.'*

The Council's resolution of 23 June 2015 also required this report to address budget requirements and these are discussed under the heading of Financial Implications above.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr S Etherington, seconded Cr A Budrikis:

That:

1. The Kendenup Agricultural Grounds Working Group be established consisting of Councillor, Councillor, Councillor, the Manager Development Services, the Principal Building Surveyor, Mr Murray Wallinger from the Kendenup Community Grounds Committee Inc and Mr Jim Kirkwood from the Kendenup Community Recreation Centre Inc.
2. The brief of the Kendenup Agricultural Grounds Working Group is:
'To provide guidance to the Council on the future development of the Kendenup Agricultural Grounds located at Lot 150 Beverley/Chauvel Roads, Kendenup. That development is to include:
 - a) the refurbishment of the Agricultural Hall;
 - b) the development of a Nature Based Camping Area; and
 - c) the potential rationalisation of other Council facilities in Kendenup.'
3. The essential facilities for the Nature Based Camping Facility including the ablutions and the camping bay set out area are to be treated as an urgent priority to ensure Tourism WA funding is expended before 30 June 2016.

AMENDMENT

Moved Cr L Handasyde, seconded Cr J Oldfield:

That before the words 'the Manager Development Services' the following words be added:

'and Councillor to act as deputy for any other Councillor'.

CARRIED (9/0)

NO. 149/15

BALLOT

Nominations were called for the position of three Councillors and the deputy.

Nominations were received from Councillors J Oldfield, Councillor A Budrikis, Councillor C Pavlovich, Councillor S Etherington and Councillor K Clements.

The Ballot was conducted by the Chief Executive Officer.

Councillor A Budrikis, Councillor K Clements and Councillor J Oldfield were declared members.

Councillor C Pavlovich was declared deputy for all Councillors.

COUNCIL DECISION

That:

1. The Kendenup Agricultural Grounds Working Group be established consisting of Councillor A Budrikis, Councillor K Clements, Councillor J

Oldfield, and Councillor C Pavlovich to act as deputy for any other Councillor, the Manager Development Services, the Principal Building Surveyor, Mr Murray Wallinger from the Kendenup Community Grounds Committee Inc and Mr Jim Kirkwood from the Kendenup Community Recreation Centre Inc.

2. The brief of the Kendenup Agricultural Grounds Working Group is:
'To provide guidance to the Council on the future development of the Kendenup Agricultural Grounds located at Lot 150 Beverley/Chauvel Roads, Kendenup. That development is to include:
- a) the refurbishment of the Agricultural Hall;
 - b) the development of a Nature Based Camping Area; and
 - c) the potential rationalisation of other Council facilities in Kendenup.'
3. The essential facilities for the Nature Based Camping Facility including the ablutions and the camping bay set out area are to be treated as an urgent priority to ensure Tourism WA funding is expended before 30 June 2016.

CARRIED (9/0)

NO. 150/15

**9.1.3 LOT 413 ALBANY HIGHWAY CORNER GOUGH ROAD, KENDENUP -
FUNCTION CENTRE - SUBMISSIONS RECEIVED**

File Ref:	N34356
Attachments:	Location Plan Site Plan Floor Plan Elevations 1 Elevations 2 Summary of Submissions
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	21 July 2015
Applicant:	Maxwell Designs

PURPOSE

The purpose of this report is to consider submissions received on a proposal for a 'use not listed' in the Shire of Plantagenet Town Planning Scheme No. 3 (function centre).

BACKGROUND

Council records show the registered owners of Lot 413 Albany Highway corner Gough Road, Kendenup are E Henderson and M Hwang.

The landowners wish to hold functions that may include food and wine matching dinners, country style weddings, team building cook off and barbeque challenges, celebrity cooking classes and events such as the Taste Great Southern.

These functions will be carried out in a former sheep shearing outbuilding that will be converted for the proposed function centre use. The proposed conversion into a Class 9b 'Assembly' type building will be the appropriate classification for the function centre use.

The Council at its meeting held on 26 May 2015 resolved at Resolution No. 103/15:

'That:

- 1. The use of function centre at Lot 413 Albany Highway corner Gough Road, Kendenup is consistent with the objectives and purpose of the Rural zone.*
- 2. The development proposal for function centre at Lot 413 Albany Highway corner Gough Road, Kendenup be advertised for public comment for a period of 21 days in accordance with Clause 6.2.*
- 3. A further report be placed before the Council on the development proposal at 2. above after the close of the submission period at the meeting of the Council to be held at 21 July 2015.'*

That proposal was advertised for a period of 21 days closing on 24 June 2015.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Clause 3.2.5 of TPS3 states:

'If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

- (a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted; or*
- (b) determine by absolute majority that the proposed use is consistent with the objectives and purpose of the zone and thereafter follow the 'SA' procedure of Clause 6.2 in considering an Application for planning consent.'*

An absolute majority was required by 3.2.5(b) to determine the need to advertise the proposal. An absolute majority is not required at this post advertising stage.

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 under the Scheme, to the purpose for which land in the locality is used, and 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.'

Environmental Protection (Noise) Regulations 1997 – regulates prescribed standard for noise emissions.

EXTERNAL CONSULTATION

The proposal has been advertised for public comment for a 21 day period closing on 24 June 2015. Advertising included letters to five adjoining property owners and Main Roads WA. Notices were placed in the Albany Advertiser, Plantagenet News and the Council's noticeboard and a sign placed on site.

At the close of the advertising period two submissions were received and these are contained in the attached summary of submissions.

FINANCIAL IMPLICATIONS

The application fee of \$671.40 and the \$500.00 advertising bond have been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 19 – Kendenup Rural Surrounds, Lot 413 Albany Highway corner Gough Road is located within the 'Future Rural Small Holding Areas'.

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

'Ensure quality, consistent and responsive development and building assessment approval process and enforcement'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

Lot 413 is 23.3ha in area and located in the Rural zone. The existing development at the lot consists of one house, three outbuildings and various water tanks.

The proposed function centre location is approximately 320m from Albany Highway to the east, 190m from adjoining Lot 412 Albany Highway to the north, 250m from Lot 414 Gough Road to the west and 200m from Gough Road to the south.

The maximum number of persons at the function centre (including staff) will be limited to a maximum for 63 persons. This limitation is relevant to the size of the effluent disposal system approved by the Executive Director, Public Health for the proposed function centre.

Motor vehicle access from the proposed function centre will be at the existing crossover for Lot 413 on Albany Highway. The proposal also includes a car parking area south east of the proposed function centre location.

With this proposal being treated as a 'use not listed' in TPS3, the Council needed to determine by absolute majority if the use is consistent with the objectives and purpose of the Scheme. This was done at the Council's 26 May 2015 meeting.

In respect to details of the development, when the Council agreed to advertise the use not listed it was pointed out that detailed development conditions could be imposed on the proposal when the Council is considering the submissions. The kinds of conditions would include matters such as water supply, fire management, tree planting/screening, operating hours, carpark location and noise reduction measures.

The two submissions received are shown in the Summary of Submissions attached.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr G Messmer:

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, Planning Consent be granted for a function centre at Lot 413 Albany Highway corner Gough Road, Kendenup subject to:

1. Development being in accordance with the plans dated 5 January 2015.
2. The numbers of persons including patrons and staff being restricted to a maximum of 63.
3. The provision of 20 visitors car parking bays adjacent to the function centre. Visitors car parking bay being minimum 2.7m x 5.5m with a minimum 6.0m manoeuvring space and car parking area being constructed and drained to the satisfaction of the Manager Works and Services.
4. Potable water being provided to the satisfaction of the Manager Development Services.
5. Fire emergency exit on Gough Road being provided to the satisfaction of the Manager Works and Services.
6. Four fire emergency exit signs being provided and located to the satisfaction of the Manager Development Services.
7. Any change of use or upgrading of the driveway access to the property from Albany Highway must be approved by Main Roads, Great Southern.

AMENDMENT

That an Advice Note be added as follows:

'ADVICE NOTE:

The proponent be reminded that normal agricultural pursuits will occur on neighbouring properties.'

CARRIED (9/0)

NO. 151/15

COUNCIL DECISION

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, Planning Consent be granted for a function centre at Lot 413 Albany Highway corner Gough Road, Kendenup subject to:

1. Development being in accordance with the plans dated 5 January 2015.
 2. The numbers of persons including patrons and staff being restricted to a maximum of 63.
 3. The provision of 20 visitors car parking bays adjacent to the function centre. Visitors car parking bay being minimum 2.7m x 5.5m with a minimum 6.0m manoeuvring space and car parking area being constructed and drained to the satisfaction of the Manager Works and Services.
 4. Potable water being provided to the satisfaction of the Manager Development Services.
 5. Fire emergency exit on Gough Road being provided to the satisfaction of the Manager Works and Services.
 6. Four fire emergency exit signs being provided and located to the satisfaction of the Manager Development Services.
-

7. Any change of use or upgrading of the driveway access to the property from Albany Highway must be approved by Main Roads, Great Southern.

ADVICE NOTE:

The proponent be reminded that normal agricultural pursuits will occur on neighbouring properties.

CARRIED (9/0)

NO. 152/15

9.1.4 LOT 530 (RESERVE 49690) MARMION STREET CORNER LANGTON ROAD, MOUNT BARKER - PROPOSED SIGNAGE

File Ref:	N34616
Attachments:	Location Plan Aerial Photograph Site Plan Signage Locations Signage Artwork
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	21 July 2015
Applicant:	Plantagenet Medical

PURPOSE

The purpose of this report is to consider a request from Plantagenet Medical for approval to erect additional signage at the Dr Christopher Bourke Building (Medical Centre) located at Lot 530 (Reserve 49690) Marmion Street corner Langton Road, Mount Barker.

BACKGROUND

The medical centre was opened several years ago and the proposal put forward now is to erect additional signage which is of a directional nature rather than advertising.

STATUTORY ENVIRONMENT

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Lot 530 (Reserve 49690) is within a Public Purpose Local Scheme Reserve.

Land Administration Act 1997

Transfer of Land Act 1893 – Lot 530 (Reserve 49690) is a Crown Reserve with a Management Order in favour of the Council for the purpose of 'Medical Centre' with power to lease for up to 21 years.

FINANCIAL IMPLICATIONS

The planning consent fee of \$57.00 has been paid. The signage and its erection will be paid for by Plantagenet Medical.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 22 (Advertising Signs) (TPS Policy 22) is relevant. There is a total of five signs proposed. One is an emergency assembly point sign which is an OSH requirement. Two other signs are internal signs referring to the name of the practice and when payment is required. Two signs are external ones which require planning consent. These two signs are a projecting sign and a panel sign.

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.’

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

The first sign which requires planning consent is a projecting sign located under the roof of the eastern façade of the building (over the entry area) and refers to ‘Plantagenet Medical’. TPS Policy 22 limits a projecting sign to a maximum length of 2.4m and a maximum height of 600mm. This proposed projecting sign is to be 2.0m long and 486mm high and is satisfactory in respect to the policy.

The second sign which requires planning consent is a panel sign located at the eastern property boundary near the carpark entry. That sign will refer to Plantagenet Medical, Western Diagnostic Pathology, Plantagenet Physiotherapy and the direction to patient parking. TPS Policy 22 limits a panel sign to a maximum height of 1.5m and a maximum area of 4.0m². This proposed panel sign is to be 2.0m high and 2.4m² in area. The additional height of 0.5m is not considered a problem in terms of the overall development on the site and the need to make identification of facilities simple. The Council must have regard to a Town Planning Scheme Policy but it may vary it if it is considered appropriate. In this case such a variation is supported.

As the signage is to be erected on a Council reserve, the signage will become the property of the Council. However, Plantagenet Medical as the tenants will be responsible for the ongoing maintenance of the signage.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr J Moir:

That in respect to the proposed signage at Lot 530 (Reserve 49690) Marmion Street corner Langton Road, Mount Barker:

- 1. In accordance with Clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, Town Planning Scheme Policy No. 22 (Advertising Signage) be varied and the signage being approved in accordance with the plans dated 6 July 2015.**
- 2. The panel sign at the eastern carpark entry being located with Lot 530 to the satisfaction of the Manager Works and Services to ensure driver vision is not obstructed.**

3. **Plantagenet Medical acknowledging the signage will become the property of the Council.**
4. **Plantagenet Medical will retain all maintenance responsibilities for the signage.**
5. **Plantagenet Medical being responsible for any insurance excess in the event that an insurance claim relating to the signage is necessary.**
6. **Plantagenet Medical acknowledging that the Council may at its discretion require the signage to be removed and disposed of at no cost to the Council to the satisfaction of the Manager Works and Services.**

CARRIED (9/0)

NO. 153/15

9.2 WORKS AND SERVICES REPORTS

9.2.1 POLICY REVIEW - VEHICLE CROSSOVERS

File Ref:	N33816
Attachments:	I-R-13 - Vehicle Crossovers Policy
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Kaye Skinner Works Administration Officer
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to review Council Policy No. I/R/13 - Vehicle Crossovers.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 28 May 2013.

STATUTORY ENVIRONMENT

Local Government Act 1995 - Schedule 9.1 Clause 7.

Local Government (Uniform Local Provisions) Regulations 1996 - landowners must make application to the Council for approval to construct a crossover.

FINANCIAL IMPLICATIONS

An amount of \$3,000.00 has been included in the 2015/2016 Council budget for the Council's costs associated with contributions to vehicle crossovers.

POLICY IMPLICATIONS

The review of this policy 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 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.1:

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

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

Crossovers must be constructed to appropriate standards as established by the Council.

This policy is considered relevant and should be retained.

The only change to this policy is at point six which clarifies that maintenance of crossovers within rural areas as well as townsites is the responsibility of the property owner.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That amended Council Policy No. I/R/13 - Vehicle Crossovers:

OBJECTIVE

To ensure a uniform approach for the construction of vehicle crossovers in line with the Council guidelines.

POLICY

1. **Specification for the Construction of Vehicle Crossovers as adopted by the Council from time to time form part of this policy.**
2. **Within townsites, sealed crossings of concrete, brick paving, asphalt or other acceptable surface to the satisfaction of the Manager of Works and Services are required where the crossing adjoins a sealed road.**
3. **All other crossovers shall contain gravel consisting of a minimum thickness of 200mm.**
4. **The Council contributions will not apply where the crossing is constructed as a result of subdivisional and development consent.**
5. **The Council will contribute half the cost of a standard crossover (one crossover to a property) subject to the crossover being deemed to conform to the specifications.**
6. **Once constructed, crossovers within townsites and rural areas are to be maintained at the expense of the property owner, who shall ensure that the Council's property including the adjacent road pavement, its kerbing, footpaths, landscaping or irrigation services are neither damaged nor reduced in serviceability by the installation of the crossover.**
7. **The Council may issue a notice in writing pursuant to the Local Government (Uniform Local Provisions) Regulations 1996 to the owner or occupier of private land requiring the person to repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. If the person fails to comply with the notice, the Council may repair the crossing as the notice required, and recover 50% of the cost of doing so as a debt due from the person.'**

be endorsed.

AMENDMENT

That Part 5 of the Policy will be amended with the addition of the following words after 'standard crossover':

'to a maximum as set out in the Council's adopted fees and charges'.

CARRIED (9/0)

NO. 154/15

COUNCIL DECISION

That amended Council Policy No. I/R/13 - Vehicle Crossovers:

OBJECTIVE

To ensure a uniform approach for the construction of vehicle crossovers in line with the Council guidelines.

POLICY

1. Specification for the Construction of Vehicle Crossovers as adopted by the Council from time to time form part of this policy.
2. Within townsites, sealed crossings of concrete, brick paving, asphalt or other acceptable surface to the satisfaction of the Manager of Works and Services are required where the crossing adjoins a sealed road.
3. All other crossovers shall contain gravel consisting of a minimum thickness of 200mm.
4. The Council contributions will not apply where the crossing is constructed as a result of subdivisional and development consent.
5. The Council will contribute half the cost of a standard crossover to a maximum as set out in the Council's adopted fees and charges (one crossover to a property) subject to the crossover being deemed to conform to the specifications.
6. Once constructed, crossovers within townsites and rural areas are to be maintained at the expense of the property owner, who shall ensure that the Council's property including the adjacent road pavement, its kerbing, footpaths, landscaping or irrigation services are neither damaged nor reduced in serviceability by the installation of the crossover.

7. The Council may issue a notice in writing pursuant to the Local Government (Uniform Local Provisions) Regulations 1996 to the owner or occupier of private land requiring the person to repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land. If the person fails to comply with the notice, the Council may repair the crossing as the notice required, and recover 50% of the cost of doing so as a debt due from the person.'

be endorsed.

CARRIED (9/0)

NO. 155/15

9.2.2 POLICY REVIEW - PLAYGROUND MAINTENANCE AND IMPROVEMENT

File Ref:	N33814
Attachments:	<u>I-PRP-1 - Playground Maintenance and Improvement</u>
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Kaye Skinner Works Administration Officer
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to review Council Policy No. I/PRP/1 - Playground Maintenance and Improvement.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 30 April 2013.

STATUTORY ENVIRONMENT

Australian Standards 4685.1-2014 - Playground equipment and surfacing - general safety requirements and test methods.

FINANCIAL IMPLICATIONS

There are no financial implications for this report, however, it is worth noting that the 2015/2016 Council budget has an allowance for playground audits to be undertaken.

POLICY IMPLICATIONS

The review of this policy 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 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

Strategy 2.3.1:

'Manage and maintain the Council's parks, gardens and open space at appropriate standards.'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

This policy is considered relevant and should be retained.

Playgrounds within the Shire of Plantagenet are scheduled to be inspected one week prior to all school holidays.

Minor grammatical changes have been made to the policy and at point two, responsibility for maintenance identified during playground inspections has been specified.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr G Messmer:

That amended Council Policy I/PRP/1 - Playground Maintenance and Improvement:

'OBJECTIVE

To ensure the safety and serviceability of all public playground equipment throughout the Shire of Plantagenet is maintained to a high standard.

POLICY

- 1. The Manager Works and Services or a suitably qualified person nominated by the Manager Works and Services shall carry out a safety inspection of all public playground equipment on a regular basis to determine compliance with relevant Australian Standards for playground equipment.**
- 2. A register shall be maintained recording the date of inspection, the person carrying out the inspection and any maintenance required. General comments indicating maintenance required shall be promptly attended to by the Supervisor Parks and Gardens.**
- 3. If any item of equipment is found to be dangerous, it shall be deemed unsafe and made inoperative until such time as repairs are carried out. If it cannot be repaired in sufficient time, it shall be removed.'**

be endorsed.

CARRIED (9/0)

NO. 156/15

9.2.3 PROPOSED ROAD RESERVE CLOSURES AND AMALGAMATIONS - LOTS 103, 108, 702 AND 703 MUIR HIGHWAY, MOUNT BARKER

3:45pm Cr G Messmer withdrew from the meeting.

Cr G Messmer

Type: Proximity (Section 5.60(B) LGA)

Nature: Adjoining land owner

Extent: Not applicable

File Ref: N34631

Attachments: [Proposed Road Reserve Closures and Amalgamations](#)

Responsible Officer: Dominic Le Cerf
Manager Works and Services

Author: Amy Chadbourne
Senior Administration/Project Officer Works and Services

Proposed Meeting Date: 21 July 2015

PURPOSE

The purpose of this report is to consider submissions received following the advertising of the proposal to permanently close a portion of three unused road reserves and their amalgamation into four adjoining lots (see Attachment One).

BACKGROUND

Main Roads WA (MRWA) contacted the Shire in January 2015 with a request to rationalise tenure and close redundant roads that were created as a result of the realignment of sections of Muir Highway in 2009.

The Council, at its meeting held on 28 April 2015 resolved:

'That:

1. *Pursuant to Section 58 of the Land Administration Act 1997, local public notice be given of the proposal to permanently close portions of road reserves as follows and shown at Attachment 1:*
 - a) *A portion of road reserve formerly Denmark Mount Barker Road intersection with Muir Highway adjacent to Lot 103 Muir Highway – amalgamation into adjoining Lot 103 Muir Highway – (labelled 'A');*
 - b) *A portion of road reserve formerly St Werburghs Road intersection with Muir Highway adjacent to Lot 108 Muir Highway – amalgamation into Lot 108 Muir Highway – (labelled 'B');*
 - c) *A portion of road reserve formerly Muir Highway between Jones Road and Quangellup Road – adjacent to Lots 703 and 704 Muir Highway – amalgamation into Lot 703 Muir Highway (labelled 'C');* and
 - d) *A portion of road reserve formerly part of Muir Highway between Jones Road and Quangellup Road and adjacent to Lots 702 and 704 Muir Highway – amalgamation into Lot 702 Muir Highway (labelled 'D').*
-

2. *At the conclusion of advertising a further report be prepared for the Council's consideration no later than the Ordinary Meeting of the Council scheduled for 21 July 2015.'*

STATUTORY ENVIRONMENT

Land Administration Act 1997 – Section 58 relates to the permanent closure of roads.

EXTERNAL CONSULTATION

As required by Section 58 of the Land Administration Act 1997, public notice of the proposal was placed in the Albany Advertiser on 28 May 2015. No submissions to the proposal were received from members of the public prior to the submission end date.

Written notice of the proposal inviting submissions to be forwarded to the Shire in writing by 3 July 2015 was provided to various parties as detailed in Section 58 of the Land Administration Act 1997. Responses were received from Telstra, Western Power and ATCO Gas each of which raised no objections to the proposal.

The Department of Planning also had no objection but requested that it be noted the St Werburghs Road intersection with Muir Highway has an Aboriginal Site (WA) relating to Infant Burial.

FINANCIAL IMPLICATIONS

The fee of \$1,785.00 has been paid by Main Roads WA.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 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';

And at Outcome 2.6 (Assets and infrastructure managed over the long term to meet current and future needs) the following:

Strategy 2.6.1:

'Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure.'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

Following correspondence received from the Department of Planning advising of the location of the Aboriginal Site, the Department of Aboriginal Affairs (DAA) was contacted. The DAA advised that as the proposal is administrative and does not require any groundworks, there are no requirements for heritage approval. This information was forwarded to MRWA which advised that approvals had already been

obtained from the DAA prior to the construction works for the realignment of Muir Highway and intersections.

As there has been no objections to the proposal it is recommended that the Council resolve to request the Minister for Lands to permanently close a portion of three unused road reserves and their amalgamation into four adjoining lots as described in Attachment One.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr G Messmer:

That pursuant to Section 58 of the Land Administration Act 1997, the Minister for Lands be requested to permanently close a portion of three unused road reserves and their amalgamation into four adjoining lots shown at Attachment One:

- 1. A portion of road reserve formerly Denmark Mount Barker Road intersection with Muir Highway adjacent to Lot 103 Muir Highway – amalgamation into adjoining Lot 103 Muir Highway – (labelled ‘A’);**
- 2. A portion of road reserve formerly St Werburghs Road intersection with Muir Highway adjacent to Lot 108 Muir Highway – amalgamation into Lot 108 Muir Highway – (labelled ‘B’);**
- 3. A portion of road reserve formerly Muir Highway between Jones Road and Quangellup Road – adjacent to Lots 703 and 704 Muir Highway – amalgamation into Lot 703 Muir Highway (labelled ‘C’); and**
- 4. A portion of road reserve formerly part of Muir Highway between Jones Road and Quangellup Road and adjacent to Lots 702 and 704 Muir Highway – amalgamation into Lot 702 Muir Highway (labelled ‘D’).**

MOTION TO AJOURN THE QUESTION

Moved Cr A Budrikis, seconded Cr B Bell:

That the question be adjourned so further information can be received prior to a further report being presented to the Council no later than the meeting to be held on 18 August 2015.

CARRIED (7/1)

NO. 157/15

3:46pm Cr G Messmer returned to the meeting.

9.3 COMMUNITY SERVICES REPORTS

9.3.1 PARKING SIGNAGE - AMENDMENTS TO LOWOOD ROAD AND SHORT STREET

File Ref:	N34621
Attachments:	Parking Signage
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	Fiona Saurin Manager Community Services
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to assign time restrictions on car parking bays in Short Street and Lowood Road, between Marion and Langton Streets, in accordance with the Shire of Plantagenet Parking and Parking Facilities Local Laws 2008.

BACKGROUND

At its meeting on 14 November 2006, the Council approved five parking restriction plans for Lowood Road between Marion and Muir Streets, Short Street and the Council Office car park.

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Plantagenet - Parking and Parking Facilities Local Laws 2008 - Part 3.1 which states that the Council may, by resolution, determine and vary and indicate by signs the permitted time and conditions of parking.

FINANCIAL IMPLICATIONS

There are no financial implications beyond scheduled sign replacement as this report seeks to reflect the signage already in place.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

Parking signs are replaced every seven years.

STRATEGIC IMPLICATIONS

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

Strategy 2.4.3:

'Provide appropriate on-road and off-street parking as well as parking control; activities'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

In order to enforce parking infringements, parking restrictions are required to be adopted by the Council.

Of the five plans adopted on 14 November 2006, parking restrictions on two of those plans have since been amended. The amended plans for Short Street and Lowood Road between Langton Road and Marion Street reflect the parking restrictions currently in place and the correct layout of parking bays.

The layout of Short Street was changed during the revitalisation of that street in 2012. The attached plan reflects the changes made to the position of the disabled parking bay, reduced numbers of parking bays on the northern side of the street, and an extra nib constructed on the southern side.

The angle parking adjacent to the western end of the Shire Office in Lowood Road was last amended at the Council meeting held on 3 July 2012. At this meeting the Taxi Bay was reassigned as a 15 minute parking bay.

The configuration of the parking bays on the western side of Lowood Road opposite the Shire Office has also been altered from the original plan with a loading zone on the original plan being reassigned as a disabled parking bay to extend the adjacent disabled parking bay.

The proposed plans reflect the parking assignment and signage currently in force. The other three plans adopted on 14 November 2006 for the Shire Office and Lowood Road between Langton Road and Muir Street remain unaltered.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That pursuant to Clause 7(c) of the Shire of Plantagenet Parking and Parking Facilities Local Laws 1998, the permitted times and conditions of parking for Lowood Road and Short Street as shown on plans entitled:

- 1. Parking Restrictions – Lowood Road – Marion Street to Langton Road – July 2015.**
- 2. Parking Restrictions – Short Street – July 2015.**

attached to this report, be applied.

CARRIED (9/0)

NO. 158/15

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS - JUNE 2015

File Ref:	N34692
Attachment:	Financial Statements (separate attachment)
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to present the unaudited financial position of the Shire of Plantagenet for the period ending 30 June 2015.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr S Etherington:

That the Financial Statement for the period ending 30 June 2015 be received.

CARRIED (9/0)

NO. 159/15

9.4.2 LIST OF ACCOUNTS - JUNE 2015

File Ref:	N34632
Attachment:	List of Accounts
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of June 2015.

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 (23 June 2015). 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 S Etherington:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended June 2015 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$651,178.89; and
2. Municipal Cheques 45223 - 45255 totalling \$57,133.12.

CARRIED (9/0)

NO. 160/15

9.4.3 POLICY REVIEW - RATE INCENTIVE PRIZE

File Ref:	N34713
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	John Fathers Acting Chief Executive Officer
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to review Council Policy No A/PA/8 – Rate Incentive Prize.

BACKGROUND

Council Policy A/PA/8 was last reviewed by the Council at its meeting held on 26 February 2013.

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 4.6 (Effective and efficient corporate and administrative services) the following Strategy:

Strategy 4.6.3:

‘Maintain, develop and monitor rating and property strategies’.

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

This policy is considered appropriate and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr G Messmer, seconded Cr C Pavlovich:

That Council Policy A/PA/8 – Rate Incentive Prize:

‘OBJECTIVE:

To encourage ratepayers to pay the full amount of their assessed rates and charges by the due date.

POLICY:

1. An annual Rate Incentive Prize will be offered by the Council.
2. Prizes will be awarded to first, second (and third if applicable) entries drawn at random.
3. Only ratepayers with their rate account paid in full by the due date will be eligible.
4. One entry per assessment notice (not per ratepayer) is to be entered into the draw.
5. Rateable properties which any Councillor, senior member of staff or manager has an ownership interest in will be ineligible. The Shire of Plantagenet reserves the right to decide, in its absolute discretion whether or not the entry requirements have been fulfilled.
6. First prize will be a bank account/voucher with the Mount Barker Bendigo Community Bank. The Council will seek sponsorship from local organisations and a Perth hotel for the remaining Rate Incentive Prizes.’

be endorsed.

CARRIED (9/0)

NO. 161/15

9.4.4 CONFERENCE ATTENDANCE - COUNCILLOR J MOIR - AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION INC AGM AND CONFERENCE

File Ref: N34600
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 21 July 2015

PURPOSE

The purpose of this report is to seek authority for Councillor Jeff Moir to attend the 2015 Australian Livestock Markets Association Inc (ALMA) Annual General Meeting (AGM) and Conference.

BACKGROUND

The 2015 ALMA Inc AGM and Conference are to be held in Sydney on 23 and 24 September 2015. The Saleyards Manager, Stewart Smith has also registered his interest to attend, which has been authorised by the Chief Executive Officer.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

The registration for the conference is \$500.00 and accommodation for four nights will be approximately \$1,000.00. Air fares to and from Sydney will be approximately \$500.00.

POLICY IMPLICATIONS

Council Policy No. CE/CS/1 applies. This policy notes that elected members shall receive reimbursement of expenses while attending 'Conferences and Training Sessions specifically authorised by the Council.'

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

The annual ALMA Conference is a key event on the livestock industry calendar. It provides a forum for the livestock industry across the nation to share ideas, knowledge and information.

A full conference program has not yet been released. However, previous attendees have benefitted and the knowledge gained from exposure to industry trends has resulted in improvements at Saleyards. Attendance by Councillor Moir is recommended. While at the conference and AGM, Cr Moir intends to discuss with ALMA representatives the benefits of making a nomination for the Board of ALMA.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That:

- 1. Councillor Jeff Moir be authorised to attend the Australian Livestock Markets Association Inc AGM and Conference to be held in Sydney from 23 to 24 September 2015.**
- 2. The expenditure be charged to Budget Item Saleyards – Conferences and Training – 21320.0029.**

CARRIED (9/0)

NO. 162/15

9.4.5 ROOF OVER THE NORTHERN DIRT PENS - MOUNT BARKER REGIONAL SALEYARDS

File Ref: N33172
Responsible Officer: John Fathers
Acting Chief Executive Officer
Author: John Fathers
Acting Chief Executive Officer
Proposed Meeting Date: 21 July 2015

PURPOSE

The purpose of this report is to consider a proposal to fund part of the costs associated with the construction of a roof over the northern dirt pens at the saleyards by way of a loan from the Western Australian Treasury Corporation.

BACKGROUND

The Shire has secured a grant of \$200,000.00 under the Great Southern Development Commission's 2014/2015 Royalties for Regions - Great Southern Regional Grants Scheme for the roof project. The estimated total project cost is \$600,500.00. The grant requires the Council to secure the additional funding required by the project by 31 July 2015.

Preliminary costings and a detailed design from designer John Maxwell have been developed.

The Saleyards Advisory Committee has supported the concept and is of the view that the Council should consider borrowing the whole sum to take advantage of the current low interest rates, thereby leaving some capital in reserve in case it is required for other purposes. Nevertheless, a further grant of \$300,000.00 is being pursued under the National Stronger Regions Fund Round Two.

At its meeting held on 3 March 2015, the Council resolved that:

1. The construction of a roof over the northern dirt pens at the saleyards be supported.
2. Detailed design plans and tender documentation for this project be progressed.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Functions and General) Regulations 2006.

All contracts above \$100,000.00 (ex GST) must be tendered for.

The Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 control borrowing by local governments.

Section 6.20 of the Act relates to borrowings by local authorities.

EXTERNAL CONSULTATION

Consultation has occurred with designer John Maxwell. George Corke has also been asked to provide advice in regard to the design.

FINANCIAL IMPLICATIONS

The Council's 2015/2016 budget includes provision for a loan of up to \$400,000.00 for this project.

The reserve funds established for the Saleyards act as a repository for surplus funds from that business unit, so that it is can operate as a self funding entity, with no impact on rates. A loan for Saleyards purposes could be seen as a self supporting loan to that business unit.

A loan of \$400,000.00 would currently attract an interest rate of approximately 3.45%. This would require annual repayments of an average of 49,120.00 over 10 years.

A number of savings are likely to be achieved as a result of the new roof, as summarised below:

- Cleaning out dirt pens - This currently needs to be done every six months. When covered, would only need to be done once every two years. Cost savings are expected to be around \$6,300.00 per year.
- Cleaning out water troughs in dirt pens - This currently needs to be done every month for 19 troughs. When covered, would only need to be done once every two months. Cost savings are expected to be around \$1,444.00 per year.
- Collection of storm water – A new roof area of 1,936m² is expected to collect water valued at \$10,389.00 per annum.
- An increase in throughput is likely which would likely achieve an increase in weigh and pen fees. If a 2.5% increase in throughput is achieved, everything else remaining equal, the increase in income of approximately \$12,000.00.

While the savings are not expected to fully meet the borrowing costs of the new roof, the forward financial plan for the Saleyards can accommodate the repayments. In the last two financial years, the Shire has budgeted approximately \$35,000.00 for sludge removal. This expense will not be required again for another 10 years.

POLICY IMPLICATIONS

Purchasing and Tender Guide Policy No F/FM/7 applies.

In addition, the Council's Borrowing and Asset Financing Policy is relevant to the proposed loan. It states as follows (in part):

- ‘4. *The Council may consider borrowing proposals on their merits from time to time and give favourable consideration to borrowing money for the acquisition or construction of an asset under the following circumstances:*
- a) *Where the asset to be acquired is a new addition to the Council's asset base and the project contributes to the achievement of an identified strategic objective; or*
 - b) *Where the asset replaces an existing asset and has a useful life of greater than 10 years; or*
 - c) *Where the asset is required urgently and unexpectedly or a significant community need for the asset has been identified; and*
 - d) *One of the following funding conditions exists:*

- i) *The project will reduce operating costs to an extent sufficient to cover the cost of the project and generate further savings to the Shire;*
- ii) *The borrowing cost could be supported by additional revenue over the effective life of the project;*
- iii) *All alternative options for undertaking the project without borrowing have been investigated and proven less advantageous to the Council;*
- iv) *The income stream from the asset to be acquired or constructed exceeds the cost of borrowing over the life of that asset;*
- v) *Repayments will be met by a third party such as self supporting loans and the financial stability of that party meets the criteria as set out in the Self Supporting Loans Policy;*
- vi) *To save for the acquisition or construction will result in the actual cost being greater than the cost of borrowing the money and acquiring it today; or*
- vii) *To delay a project would jeopardise it due to grant funding restrictions or opportunities.'*

It is considered that this loan funding proposal meets the policy guidelines.

In addition, the Council's Policy on Borrowings (F/FM/6) recommends that the following financial ratios to be maintained:

	Council Policy	2014/15 Est. Actual	2014/15 plus \$400K
Debt Service Cover Ratio	>3	7.8	7.0
This ratio means:			
Annual operating surplus before interest and depreciation			
principal and interest			
Net Debt Ratio	<50%	16.6%	19.7%
This ratio means:			
Gross debt less cash and cash equivalents			
Available operating revenue			

These ratios are currently being met and will continue to be met, with a loan of \$400,000.00.

ASSET MANAGEMENT IMPLICATIONS

The design and materials specification of the new roof (combined with the local climate zone) is such that the facility additions will require minimal maintenance. Once constructed the expected asset life is over 60 years.

Consideration has been given to the predicted financial effect on operations once the project is complete. An allowance for preventative minor annual maintenance of \$3,000.00 per annum is expected. These costs are offset by predicted increased income.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013 - 2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

The Shire's Mount Barker Regional Saleyards Strategic Plan 2014 – 2023 states that *'The Shire has proposed major improvements to the Saleyards that consist of expansion to receivals areas and roofing over an area of dirt floored pens'*.

The Shire's Mount Barker Regional Saleyards Business Plan 2014 – 2023 states that *'There has been a long term aim to provide a roof over the northern dirt pens of the Saleyards. This project is seen as the main priority to develop and source grant funding.'*

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

The Shire has identified in its Business Plan (2014-2023) for the Saleyards that it is a strategic aim of the Council to ensure that animal welfare is a high priority. It was also noted that current rainfall and other (non-scheme) water sources are usually insufficient for requirements over summer. From 2007 to 2013 the average annual cost of scheme water was around \$20,000.00.

Consideration has been given to investigative work on alternative water strategies for the Saleyards and this project provides a method of water catchment and re-use.

By continually improving and upgrading the Saleyards' facilities in line with development priorities, the Saleyards can maintain its status as a state-of-the-art facility that values animal welfare and environmental best practices.

A survey was completed in November 2014 to determine the level of support from key stakeholders for the proposal to construct (subject to funding) a steel structured roof over the northern dirt pens with the following intended benefits:

- To improve the shelter and conditions of stock awaiting transport;
- To reduce stock pen waterlogging which would lead to efficiencies in Saleyard operations and water usage; and
- To increase water supply by harvesting the new roof's stormwater runoff. The additional retained water will reduce dependence on scheme supply and have two main uses:
 - a. stock drinking water; and
 - b. wash down water.

Surveys were distributed as widely as possible throughout the key stakeholders and users of the Saleyards with a total of 39 individual responses received. Of the 39 respondents, 13.33% use the MBRS just to buy cattle, 23.33% use the MBRS just to sell cattle and 63.34% use the MBRS for both buying and selling cattle.

Results of the survey indicate that there is a large portion of the key stakeholders and users of the facility that believe the importance of constructing the roof over the northern dirt pens is high or very high.

Key outcomes of the survey indicate a significant portion of key stakeholders and users of the facility believe that undertaking this project would:

- Increase the presentation of cattle leaving the saleyards;
- Increase the capacity to deliver operational efficiencies and quality services at the Mount Barker Regional Saleyards;
- Result in better conditions for animals which would influence their business positively; and
- Result in a sustainable approach to water catchment and re-use which would positively influence their decision to utilise the facility.

The local stock agents have also been consulted and have provided their support for the developments at the Saleyards.

The Council's support for a loan of up to \$400,000.00 for the construction of a roof over the northern dirt pens at the saleyards is sought. If the Council is successful in securing a further grant under the National Stronger Regions Fund, it is hoped that a significantly lower value loan will be required.

As detailed design plans have almost been completed, this will enable tender documentation for this project to be progressed. It is anticipated that a tender could be let towards the end of 2015, with a view to construction taking place from March 2016, at the conclusion of the Saleyards 'busy period'.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr G Messmer:

That authority be granted to the Chief Executive Officer to enter into a Debenture Agreement between the Shire of Plantagenet and the Western Australian Treasury Corporation relating to a loan of up to \$400,000.00 for the construction of a roof over the northern dirt pen at the Saleyards.

CARRIED (9/0)

NO. 163/15

Absolute Majority

9.4.6 SOUTH COAST NRM - GRANT AGREEMENT - FERAL PIG CONTROL

File Ref:	N34756
Attachment	Funding Agreement – South Coast NRM
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	John Fathers Acting Chief Executive Officer
Proposed Meeting Date:	21 July 2015

PURPOSE

The purpose of this report is to enter into a Grant Agreement (on behalf of the Lake Muir / Denbarker Feral Pig Eradication Group) with South Coast Natural Resource Management Inc (SCNRM) for a grant of \$15,000.00 towards feral pig control.

BACKGROUND

The Shire of Plantagenet auspices the Lake Muir / Denbarker Feral Pig Eradication Group by providing financial control, some administrative tasks and contracting with their various grant funders. The group has been successful in attracting grant funding of \$15,000.00 (ex GST) from SCNRM to carry out survey and monitoring of feral pig activity over 5,000ha of the Lake Muir/Unicup System and Byenup Wetlands, for each of the three years 2015 to 2018.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

The Lake Muir / Denbarker Feral Pig Control Group has endorsed this proposal.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. The Council auspices the feral pig control group and therefore the grant funds will be the responsibility of the group to spend and acquit in line with the agreement.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.7 (Protection of natural environment) the following Strategy:

Strategy 2.7.2:

‘Support the management of feral animals’

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan.

OFFICER COMMENT

The Lake Muir / Denbarker Feral Pig Eradication Group will undertake all of the relevant survey and monitoring activities together with the reporting and acquittal of this grant. The group has confirmed that it can undertake the relevant contractual obligations. Execution of the new document is therefore recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr S Etherington:

That authority be granted to the Chief Executive Officer to execute a Grant Agreement between the Shire of Plantagenet and South Coast Natural Resource Management Inc for a sum of \$15,000.00 (ex GST) towards feral pig survey and monitoring to be undertaken by the Lake Muir / Denbarker Feral Pig Eradication Group.

CARRIED (9/0)

NO. 164/15

9.5 EXECUTIVE SERVICES REPORTS

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr L Handasyde, seconded Cr A Budrikis:

That new business of an urgent nature, namely:

Strategic Regional Economic Development Plan between the Shire of Plantagenet, the City of Albany and the Shire of Denmark,

be introduced to the meeting.

CARRIED (9/0)

NO. 165/15

11.1 STRATEGIC REGIONAL ECONOMIC DEVELOPMENT PLAN**COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr G Messmer:

That the Shire President and the CEO be authorised to sign the Memorandum of Understanding dated July 2015 between the Shire of Plantagenet, the City of Albany and the Shire of Denmark relating to Regional Economic Development.

CARRIED (9/0)

NO. 166/15

12 CONFIDENTIAL**13 CLOSURE OF MEETING**

4:32pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____ / ____ / ____
