



ORDINARY MINUTES

DATE: Tuesday, 27 March 2018

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 50/18 to 68/18

MEMBERSHIP – Quorum (5)

Membership:

Cr C Pavlovich Shire President
Cr B Bell
Cr K Clements
Cr S Etherington JP
Cr L Handasyde
Cr B Lang
Cr J Moir
Cr M O’Dea
Cr J Oldfield Deputy Shire President

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

3:00pm The Presiding Member declared the meeting open.

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

Members Present:

| | |
|------------------|------------------------|
| Cr C Pavlovich | Shire President |
| Cr B Bell | Councillor |
| Cr K Clements | Councillor |
| Cr S Etherington | Councillor |
| Cr L Handasyde | Councillor |
| Cr B Lang | Councillor |
| Cr J Moir | Councillor |
| Cr M O'Dea | Councillor |
| Cr J Oldfield | Deputy Shire President |

In Attendance:

| | |
|-----------------|--------------------------------|
| Mr Rob Stewart | Chief Executive Officer |
| Mr John Fathers | Deputy Chief Executive Officer |
| Mr Peter Duncan | Manager Development Services |
| Mr David Lynch | Manager Works and Services |
| Ms Fiona Pengel | Manager Community Services |
| Ms Nolene Wake | Executive Officer |

Apologies:

Nil

Members of the Public Present:

There were 2 members of the public present.

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

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

ITEM 3.2.1 - 27 FEBRUARY 2018 – MOUNT BARKER TURF CLUB INC

Mr Stephen Carter President Mount Barker Turf Club asked 'Is the Shire able to amend its by-laws relating to the management plan for Frost Park to enable the gates to be locked on mornings when horse training is in progress on the racetrack?' The CEO confirmed a letter of response was sent (copy attached) to Mr Carter on 14 March 2018.

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 MR NIGEL ROWE PRESIDENT MOUNT BARKER BULLS JUNIOR FOOTBALL CLUB AND MR RYAN WADDINGTON

Mr Rowe addressed the Council seeking permission to use the main oval at Sounness Park for junior football home games. Copy of presentation attached.

Mr Nigel Rowe and Mr Ryan Waddington left the meeting at 3.15pm.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr Chris Pavlovich

Item: 9.2.1

Type: Financial

Extent: Beneficiary of Trust Controlling the Omrah Property

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Cr S Etherington requested leave of absence from 3 April 2018 to 8 May 2018 inclusive.

Cr C Pavlovich requested leave of absence from 31 May 2018 to 9 June 2018 inclusive.

Moved Cr K Clements, seconded Cr L Handasyde:

That:

- 1. Cr S Etherington be granted leave of absence from 3 April to 8 May 2018 inclusive; and**
- 2. Cr C Pavlovich be granted leave of absence from 31 May 2018 to 9 June 2018 inclusive.**

CARRIED (9/0)

NO. 50/18

7 CONFIRMATION OF MINUTES

Moved Cr B Bell, seconded Cr M O'Dea:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 27 February 2018 as circulated, be taken as read and adopted as a correct record subject to Resolution No. 41/18 being amended by:

- 1. Deleting the name 'chapple' and inserting the name 'Chapple'; and**
- 2. Deleting the word 'the' after the word 'advised' and inserting 'that'.**

CARRIED (9/0)

NO. 51/18

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately. The Shire President offered congratulations to the Plantagenet Historical Society (Inc.) on the success of the 150th commemoration of the opening of the original Mt Barker Police Station Museum which was held on 3 March 2018. He noted there were some 1500 in attendance.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 215 HAMBLEY STREET MOUNT BARKER - OVERSIZE AND OVER HEIGHT OUTBUILDING

| | |
|-------------------------------|--|
| File Ref: | N44496 |
| Attachments: | Location plan Site plan Floor plan Elevations |
| Responsible Officer: | Peter Duncan Manager Development Services |
| Author: | Cobie MacLean Administration Officer (Planning) |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to consider a proposal for an additional outbuilding with a reduced side boundary setback at Lot 215 Hambley Street, Mount Barker. This additional outbuilding, combined with the existing outbuilding, means the cumulative floor area set by Council policy is exceeded.

BACKGROUND

Council records show the registered owners of Lot 215 Hambley Street, Mount Barker are Paul and Leodegaria McManus.

This proposal is for an additional outbuilding of 200.0m² (20.0m x 10.0m) with a wall height of 3.8m. The existing outbuilding (located in front of the dwelling) has floor area of 51.0m² and a maximum 2.4m wall height. The cumulative floor area of the outbuildings (including the outbuilding addition) will total 251.0m². This 251.0m² cumulative floor area exceeds the 100m² floor area set by Council policy for the Residential zone. In addition, the 3.8m outbuilding wall height exceeds the 3.0m wall height set by Council policy for the Residential zone.

The side boundary setback according to the Residential Design Codes (R-Codes) for the Residential zone (R2) is 10.0m. The applicant is applying for a 2.0m setback to allow for easier access into the shed and to reflect the 2.5m setback of the neighbouring oversize outbuilding.

The reason provided by the proponent for the oversize outbuilding is for storage of a caravan, assorted camping and prospecting equipment, spare vehicles and a hobby workshop.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R2).

Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 deemed provisions.

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 outbuilding requirements are in part 5 of the R-Codes.

EXTERNAL CONSULTATION

The applicant has provided a letter of support from the adjoining affected neighbour of Lot 218 Morpeth Street, Mount Barker.

FINANCIAL IMPLICATIONS

The application fee of \$147.00 has been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100.0m² for Residential zones. The combined floor area of the existing and proposed outbuildings is 251.0m² with a wall height of 3.8m. 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

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

‘Ensure quality, consistent and responsive development and building assessment approval processes and enforcement’

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

Further, the Council’s Corporate Plan, Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.2 *‘Appropriate development which is diverse in*

nature and protects local heritage'. The Key Performance Indicator (KPI) is *'Percentage of Council planning decisions in line with the Planning Vision'*.

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

Lot 215 Hambley Street is 1.18ha in area and located in the Residential (R2) zone. The proposed outbuilding is setback 2.0m from the north property boundary and 71.0m from the west (front) property boundary.

The proposed outbuilding will be finished in Surf Mist (walls and roof) and Deep Ocean (doors and gutters) Colorbond®. The cumulative floor area of the outbuilding and proposed outbuilding will total 251.0m². The wall height of the proposed outbuilding will be 3.8m.

The side boundary setback according to the Residential Design Codes (R-Codes) for the Residential zone (R2) is 10.0m. The applicant is applying for a 2.0m setback to allow for easier access into the shed and to reflect the 2.5m setback of the neighbouring oversize outbuilding to the north.

No difficulties are seen with the reduced setback, the maximum cumulative floor area of the outbuilding being 251.0m² and the wall height of the outbuilding being 3.8m given the size of the lot being 1.18ha.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Lang:

That in accordance with clause 5.2 of the Shire of Plantagenet Town Planning Scheme No. 3 and clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 the proposed outbuilding addition at Lot 215 Hambley Street, Mount Barker be approved which will mean a maximum floor area for the additional outbuilding being 200.0m² and a wall height of 3.8m which is in excess of the 100.0m² and 3.0m wall height stated in Town Planning Scheme Policy 16.3 (Outbuildings), subject to the development being in accordance with plans dated 15 February 2018.

CARRIED (9/0)

NO. 52/18

9.2 WORKS AND SERVICES REPORTS

9.2.1 OMRAH ROAD - REQUEST TO UPGRADE A ROAD

Cr Chris Pavlovich

Item: 9.2.1

Type: Financial

Extent: Beneficiary of Trust Controlling the Omrah Property

3.20pm Cr C Pavlovich withdrew from the meeting.
Cr J Oldfield took the Chair as Presiding Member

File Ref: N44758
Attachments: [Location Maps](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: David Lynch
Manager Works and Services
Proposed Meeting Date: 27 March 2018
Applicant: Penris Pty Ltd

PURPOSE

The purpose of this report is to consider a request from Penris Pty Ltd for the upgrade and possible sealing of Omrah Road, Mount Barker.

BACKGROUND

Omrah Road is a formed road approximately 510m long which runs from Mount Barker Road to the entrance to Lot 21 Mount Barker Road, Mount Barker (see Attachment One and Two).

A workshop was held with the Council on 28 February 2017 following a request from Penris Pty Ltd, owner of Lot 21 Mount Barker Road, Mount Barker to have the road upgraded from a 'C' class to a 'B' class road as classified in the Council Policy I/R/16 – Rural Road Hierarchy. Councillors at the workshop agreed that the requested works would not be included in the 2018/19 budget.

A second request was received from Penris Pty Ltd on 12 January 2018 asking the road be upgraded. In this request, the specifications were expanded to review the option to seal the road.

The applicant has also offered to construct a parking area for visitors to Mondurup Reserve on the gravel reserve near the owner's front gate.

Provided Council approval is received, the owners of Lot 21 Mount Barker Road, Mount Barker have stated they are prepared to upgrade the road at no expense to the Council.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Part 5, Section 55 – 'Property in roads etc'

Local Government Act 1995, Section 3.53 (2) – 'Control of certain unvested facilities'

EXTERNAL CONSULTATION

Consultation has taken place with Mr Chris Pavlovich as part owner of the applicant company Penris Pty Ltd. It should be noted that Mr Pavlovich, as the Shire President has declared an interest in Lots 5262 and 1367 Omrah Road and Lots 21, 1611 and 2063 Mount Barker Road, Mount Barker respectively.

FINANCIAL IMPLICATIONS

There are no financial implications for this report as the applicant has stated costs to upgrade the road will be paid for by them.

POLICY IMPLICATIONS

Councillors should note this offer is outside existing Council Policy but is in essence similar to the intent of Council Policy I/R/R roads – Unconstructed Roads, where applicants are required to pay for upgrades to an unconstructed road.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017 - 2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.1:

'Maintain and further develop Shire roads, drainage and pathways at appropriate standards and continue to seek to maximise grant funding to support this aim.'

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.1.6:

'Construct and maintain Shire roads and associated infrastructure to the standard adopted by the Council and in accordance with requirements of State agencies.'

Accordingly the recommended outcome for this report aligns with the Corporate Business Plan.

OFFICER COMMENT

Omrah Road is 510m long from the intersection with Mount Barker Road to the end of the road reserve at the property boundary of Lot 21 (see Attachment One and Two). The current running width varies between 4.7m and 5.2m and is generally only covered in a very thin veneer of gravel with much of the surface being sand or clay. At some point in the next few years the road would require gravel re-sheeting.

Traffic counts taken in March 2017 indicate an average of 21 vehicles per day use Omrah Road. The applicant has stated some heavy machinery and trucks are stored on the property and it is expected that in the future the number of timber trucks hauling from Lot 21 will increase.

In normal circumstances a road with such low traffic volumes would not merit the upgrade requested as the current conditions and maintenance are considered to be adequate for a C Class road (Council Policy I/R/16 – Rural Road Hierarchy). However, the applicant's offer to upgrade the road removes construction costs from the Council, noting that if the road is only constructed to gravel standard then it would require at least one to two maintenance grades per year.

Omrah Road is of such a shape and alignment that the current centreline and vertical alignments are satisfactory for the proposed upgrade and would require minimal alteration. The same applies to drainage which currently sheds moderately well into the adjacent vegetation. Raising the road surface and removing spoil from the edges will assist in removing water from the pavement.

The road width could be increased to 6.0m by grading in the sides without clearing any vegetation but clearing would be required if pullover bays or extra width is needed or warranted. The state of the existing vegetation is sufficiently mature to possibly preclude any further clearing. Whether or not a clearing application would be successful is hard to judge until a full assessment is made. Such assessments take one and a half to two days of time by the Shire's Environmental Officer, and in this case it is likely that it would require referral to the Department of Water and Environmental Regulation (DWER).

Additionally the roadside vegetation needs to be trimmed to normal standards (edge of back slope at 6.0m high).

The applicant has high quality gravel material on the property and the machinery and experience to construct the road to the required standard meaning minimal supervision costs would be incurred by the Council.

The applicant has also offered to construct a parking area for people visiting the Mondurup Reserve which cannot be actioned in the short term as the land on the north side of Omrah Road (Lot 573, Reserve 17394) is not vested or controlled by the Shire (see Attachment Two)

This leaves the applicant with two options as follows:

Option A

Trim vegetation adjacent to the road, leave the road at its current width and clean excess material from edges and re-sheet with gravel.

This option is the cheapest and quickest method of bringing the road up to the standard the applicant needs.

Option B

A clearing permit is applied for by the Shire and if successful, clearing works by the Shire are undertaken prior to re-sheeting. This cost would be met by the applicant.

There is a moderate to high probability that the clearing permit application may be rejected. In any case it would likely be a three to five month delay before a response was received from DWER.

The applicant has also offered to review the option of sealing the 510m road once constructed. The Manager Works and Services has no objection to this proposal but notes that it is not required for the daily traffic volume.

Councillors should note the first 80m or so of Omrah Road from its intersection with Mount Barker Road to the first rise should be sealed as part of the Option B upgrade.

Sealing of this section of Omrah Road would prevent gravel washing out onto Mount Barker Road during heavy or sustained rainfall.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr J Moir, seconded Cr B Bell:

That:

1. The Chief Executive Officer be authorised to negotiate with the applicant, Penris Pty Ltd for the payment of the full cost to upgrade the full length of Omrah Road (510m) with the following minimum conditions:
 - a) Roadside vegetation to be trimmed to the edge of the back slope and to a height of 6m;
 - b) Any spoil to be removed from the edges of the road;
 - c) Re-sheet with gravel to a minimum compacted thickness of 150mm;
 - d) Construct such drainage improvements as are deemed necessary by the Manager Works and Services to prevent the uncontrolled flow of water onto Mount Barker Road; and
 - e) Seal the intersection of Omrah Road and Mount Barker Road to a minimum distance of 20m.
2. These works to upgrade the full length of Omrah Road (510m) are to be completed to the satisfaction of the Manager Works and Services.

CARRIED (8/0)

NO. 53/18

AMENDMENT

Moved Cr L Handasyde, seconded Cr M O'Dea:

That:

1. After the numerals '20m' in part 1 (e) of the motion add the words 'if option B to seal the whole length is the method of upgrade'; and
2. Delete all words in part 2 of the motion and replace with the following: 'All works to upgrade the full length of Omrah Road (510m), whether sealed or unsealed, are to be completed to the satisfaction of the CEO.'

CARRIED (8/0)

NO. 54/18

COUNCIL DECISION

That:

1. The Chief Executive Officer be authorised to negotiate with the applicant, Penris Pty Ltd for the payment of the full cost to upgrade the full length of Omrah Road (510m) with the following minimum conditions:
 - a) Roadside vegetation to be trimmed to the edge of the back slope and to a height of 6m;
 - b) Any spoil to be removed from the edges of the road;
 - c) Re-sheet with gravel to a minimum compacted thickness of 150mm;
 - d) Construct such drainage improvements as are deemed necessary by the Manager of Works and Services to prevent the uncontrolled flow of water onto Mount Barker Road; and
 - e) Seal the intersection of Omrah Road and Mount Barker Road to a minimum distance of 20m if Option B to seal the whole length is the method of the upgrade.
2. All works to upgrade the full length of Omrah Road (510m), whether sealed or unsealed, are to be completed to the satisfaction of the CEO.

CARRIED (8/0)

NO. 55/18

3.23pm Cr C Pavlovich returned to the meeting and resumed the Chair.

9.2.2 POLICY REVIEW - FUTURE STREET AND RESERVE NAMES

| | |
|-------------------------------|--|
| File Ref: | N42871 |
| Attachments: | <u>Future Street and Reserve Names Policy with Changes</u> |
| Responsible Officer: | David Lynch Manager Works and Services |
| Author: | Amy Chadbourne Senior Administration/Project Officer Works and Services |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to review Council Policy I/RR/1 – Future Street and Reserve Names.

BACKGROUND

The inaugural policy was adopted by the Council at its meeting held on 14 December 2004. Since that time it has undergone a number of changes, which are summarised below:

- a) 24 October 2006 – addition of information regarding guidelines and procedures, removal of the list of road names to a separate register;
- b) 10 March 2009 – amalgamation of I/R/1 - Road Renaming with this policy;
- c) 4 May 2010 – policy underwent additional review as a result of concerns raised over the names included in the register; additional names were included on the register; and the register of names became part of the policy;
- d) 8 February 2011 – some names removed from register following advice from Landgate that they would not be approved for use due to not meeting the guidelines; and
- e) 26 March 2013 – addition of one name to the register.

The Future Road Names and Reserves Register forms part of this policy and was developed to capture potential road names which had been requested for inclusion by community members and Councillors. The names on the Register have been deemed appropriate by Landgate, with the stipulation that some names on the register will only be able to be used given sufficient distance from a similarly named road in an adjoining local government area.

The following names from the Register have been used within the Shire since 2008:

- Burnell - November 2008, change Hockley Street to Burnell Street;
 - Chester - February 2009, construction of northern bypass (formerly part of Taylor Road);
 - Hambley - March 2010, realignment of Lowood Road and Mondurup Street;
 - Hicks - October 2009, rationalisation of road reserve between Shire Office and Mount Barker Fire Station;
 - Squire - June 2010, subdivision – West Beattie Road;
-

- Crofts - July 2010, subdivision in Porongurup;
- Enright - July 2010, subdivision in Porongurup;
- Fenton - August 2010, subdivision – Williams Road;
- Beech - January 2011, realignment of Spencer Road;
- McLean - January 2013, subdivision - Wilson Road;
- Pickles - December 2016, subdivision – off Spencer Rd, Narrikup;
- Reeves - March 2017, subdivision – off Muir Highway;
- Bartlett – October 2017, private strata subdivision - off Muir Highway;
- Crouch – October 2017, private strata subdivision– off Muir Highway;
- Dufty – October 2017, private strata subdivision – off Muir Highway;
- Northey – October 2017, private strata subdivision – off Muir Highway;
- Rainbird – October 2017, private strata subdivision – off Muir Highway; and
- Worth – October 2017, private strata subdivision – off Muir Highway.

The name Speedway Lane, an access to the Mount Barker Speedway, was endorsed by the Council at its meeting held on 19 August 2014. This name was not from the Future Road and Reserve Names Register and hence required Council approval.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Section 26A – ‘New subdivision, names of roads and areas in;’

Council Delegation 7.3 – Crown Reserves and Street Names authorises the Chief Executive Officer (CEO) to forward recommendations of road names to the Geographic Names Committee, Western Australia.

EXTERNAL CONSULTATION

Consultation has occurred with the Geographic Names Team, Landgate.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

It should be noted that the Council has a fee for road renaming applications at \$250.00 per application plus actual costs. There is no fee for applications made for new road names.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.6:

‘Provide a community oriented organisation that delivers high quality services and delivers outcomes that are in the best interests of our ratepayers.’

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 4.1.6:

'Provide the Council and staff with policies that cover a range of issues that are not binding but provide a basis for determining individual applications or requests.'

And further at Action 4.1.6.3:

'Provide through delegation a mechanism to enable day to day business of the Council to be handled by the administration'.

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

OFFICER COMMENT

In July 2017, Landgate updated its Policies and Standards for Geographical Naming in Western Australia. Changes with implications for the Shire of Plantagenet are as follows:

1. The Discontinuation of the Reserve Road Name Register

Previously, a local government has been able to request road names for future use within their boundaries be reserved. The Shire of Plantagenet had done so by submitting the names listed on the Future Road Names and Reserves Register. The new Landgate policy states that a local government may no longer request road names be reserved for future use within their boundaries, and that any existing reserved road names will automatically lapse five years from original approval (note - all of the names on the Shire's Register fall into this category). Landgate recommends that a local government maintain their own register, using the policies and standards as a guide. Landgate also has an online form which can be used to assess suitability for potential names.

2. Changes to Commemorative Naming Proposals

All of the names on the Shire's Future Road Names and Reserves Register are those of individuals who have been deemed worthy of posthumous recognition by their nominator. The updated Landgate policies include specific criteria for the use of personal names. The approval of names will only be considered:

- Posthumously;
- With permission of the immediate family, or in the case of the person being deceased for more than ten years and the family cannot be contacted, appropriate consultation must be carried out;
- When a demonstrated record of achievement is shown;
- When there is demonstration of a direct and long-term association with the location, and of a significant contribution to the area;
- With evidence of broad community support for the proposal.

The above updates by Landgate have implications for the future use of road names on the Shire's register. Despite having receiving approval from Landgate in the past, there is no guarantee that the Geographic Names Committee will approve a request from the Register. A future request from the Shire using a name from the Register

may need to involve research from staff as any application to use personal names will require the conditions as described in point 2 to be met.

Despite the updates to Landgate's procedures, it is recommended that the policy and the Register be retained. The Register and the delegation ensures the CEO can authorise a road name and forward it through to Landgate in an efficient and timely manner. A new road name request will require Council approval.

Changes have been made to the policy to improve the clarity and flow of the document.

When new road names are requested to be placed on the register, further thought needs to be given to ensure that more consideration and regard is given to the history, natural environment, indigenous culture and character of the area and reflected in the range of names that are approved now and in the future.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr K Clements, seconded Cr B Lang:

That:

- 1. The amended Council Policy I/RR/1 – Future Street and Reserve Names as follows:**

'OBJECTIVE

To provide the Council, staff, the local community and developers with clear information on the requirements for the naming and renaming of roads and reserves within the Shire of Plantagenet.

This includes ensuring that road and reserve names comply with relevant legislation and requirements and that consideration and regard is given to the history, natural environment, indigenous culture and character of the area when determining road and reserve names.

POLICY

- 1. Scope**

This policy applies to roads and reserves under the care, control and management of the Shire of Plantagenet. It extends to new roads and reserves for which a name is required and to existing roads and reserves where a request is made for the name to be changed.

- 2. Legislation**

Land Administration Act 1997, Part 2, Division 3

- 3. Application of Policy**

3.1 A Future Road Names and Reserves Register will be maintained which contains Council approved names for future roads and reserves.

- 3.2 Additions to the Future Road Names and Reserves Register shall only be by Council decision provided the proposed name meets the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia. Deletions from the register shall also only be by Council Decision.
- 3.3 Applications for inclusion on the Future Road Names and Reserves Register shall be accompanied by appropriate supporting evidence from the applicant to meet the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia.
- 3.4 An applicant who is applying to have a road renamed is responsible for obtaining the necessary written support from the owners/residents, providing supporting evidence to meet the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia and paying the Road Renaming Application Fee as detailed in the Council's Annual Fees and Charges.
- 3.5 Roads and reserves will not be named or renamed for business or promotional purposes.
- 3.6 No road shall be named until it is constructed.
- 3.7 Developers of new subdivisions shall advise the Council of their preference of names for new roads within subdivisions prior to lodgement of clearance of subdivision.
- 3.8 Pursuant to Delegation 7.3 Crown Reserves and Street Names, the Chief Executive Officer is authorised to forward to the Geographic Names Committee road and reserve names from the Future Road Name and Reserves Register.
- 3.9 The Geographic Names Committee makes the final decision on road and reserve names from those listed on the Future Road Names and Reserves Register.

Future Road Name and Reserves Register

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

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|--|--------------------|--|
| BAESJOU | Long serving family in the Woogenellup area. | GP & SR Richardson | |
| BARNACLE | The Great War | | |
| BARTLETT | World War 2 | | Bartlett Close – October 2017 Valley Views Strata. |
| BEECH | First teacher in Narrikup later given charge of the school at Martigallup. | CE Nicholls | Beech Road - 12 January 2011 Realignment of Spencer Road. |
| BOVELL | The Great War | | |
| BOWLES | The Great War | | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|--------------------|--|--------------|---|
| BURNELL | Freeman of the Shire and ex Councillor. | H Reeves | Burnell Street - 11 November 2008 Was Hockley Street. |
| CHESTER | The Chester Family built the original abattoirs and were tremendous contributors to St John's and the Hospital. | H Reeves | Chester Road - 10 February 2009 Construction of northern bypass. Formerly part of Taylor Road. |
| CLOTHIER | Old established family | H Reeves | |
| CROFTS | Old established family | H Reeves | Crofts Rise - 14 July 2010 Subdivision in Porongurup. |
| CROSS | The Great War | | |
| DOREY | The Great War | | |
| DUFF (Kendenup) | <p>In 1921, shortly after the DeGaris settlement started, Mr Duff ran a general store on the Kendenup Estate at the Homestead.</p> <p>He built Kendenup Stores in 1922 from locally made bricks. Situated in the main street, Mr Duff ran the shop as a general store until his retirement in the 1950s.</p> <p>He extended large amounts of credit to early settlers until their newly cleared blocks could be planted with orchards and some income generated. Without his financial assistance many settlers would not have been able to stay on their farms after the collapse of the Kendenup Development Company in 1923 and later through the Depression.</p> <p>Mr Duff owned one of the</p> | RA Kelly | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|--|--------------|---|
| | few vehicles in the district (a one tonne truck) which was often lent to the community for transport to picnics, sporting events, shows etc. | | |
| DUFTY | <p>Councillor between 1971 to 1974.</p> <p>The Dufty family bought the land known as Mount Barker Hill in the mid-1960s and farmed it for over 20 years before it was subdivided.</p> <p>The Dufty family also built the Valley Views Motel and ran it along with Mr and Mrs Pickens for some 15 years. The Dufty family also built the BP Road House and ran it for a few years before selling.</p> | CE Nicholls | Dufty Place – October 2017 Valley Views Strata. |
| EBSARY | The Great War | | |
| ENRIGHT | <p>The Enright family has been in the district for 100 years (refer to the brochure 'Five Shillings for a Fox' in the local section of the Mount Barker Library).</p> <p>George Enright was a long time farmer and Road Board Member.</p> | H Reeves | Enright Way - 14 July 2010 Subdivision in Porongurup. |
| FALCK | The Great War | | |
| FENTON | The Great War | | Fenton Heights - 23 August 2010 Subdivision Williams Road. |
| GOODLET | The Great War | | |
| GRIBBLE | The Great War | | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|----------------|---|--------------|--|
| HAMBLEY | The Hambley family's association with the southern end of Lowood Road from Mondurup Street corner to Warburton Road started in the 1880s. Albert Hendy Hambley, an employee of the railways took up a parcel of land south of Mondurup Street which would cover the approximate area, Mondurup Street to Pugh Street and Lowood Road to Mitchell Street (originally Albany Highway) | Cr Clements | Hambley Street - 9 March 2010 Realignment of Lowood Road and Mondurup Street. |
| HARBUTT | The Great War | | |
| JENKINS | The Great War | | |
| LAWRIE | The Great War | | |
| LE FORT | The Great War | | |
| LIEBECK | World War 2 | | |
| MCLEAN | <p>Charlie McLean operated a small orchard of his own on the north side of Wilson Road. This area was believed to be the Albany Highway end of Wilson Road.</p> <p>At the end of the war, Charlie returned to Wilson Road and purchased 317 acres on the south side of the road. This property is the subject of the subdivision and road naming request. Charlie developed this mostly bushland and lived in a timber hut for many years until he eventually built the first house on the property.</p> <p>He was also a successful racing enthusiast, bred winning racehorses and</p> | K & L Forbes | McLean Close - 29 January 2013 Subdivision Wilson Road. |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|----------------------|--|--------------|--|
| | with other Mount Barker identities regularly attended races in Perth. Charlie passed away on 15 February 1991. | | |
| MCCLURE | Councillor between 1951 to 1963 and 1965 to 1977. | CE Nicholls | |
| McQUAT | Vietnam | | |
| MILLONS | The Great War | | |
| NORTHEY | The Great War | | Northey Retreat – October 2017 Valley Views Strata. |
| ORTIS | The Great War | | |
| PESCOD | The Great War | | |
| PHIPPS (Rocky Gully) | Mrs Gwen Phipps held the role of storekeeper, post mistress, money lender and organiser for the Rocky Gully community. | H Reeves | |
| PICKLES | Established family | H Reeves | Pickles Road – December 2016 Subdivision off Spencer Road |
| PULLEN | World War 2 | | |
| RAINBIRD | World War 2 | | Rainbird Rise – October 2017 Valley Views Strata. |
| SQUIRE | The Squire brothers Frank, Wally, Cliff and Albert were local business men. | H Reeves | Squire Court - 23 June 2010 Subdivision – West Beattie Road. |
| WALLER | The Great War | | |
| WILBY | The Great War | | |
| WILKINS | World War 2 | | |
| WOOLMAN | The Great War | | |
| WORTH | World War 2 | | Worth Court – October 2017 Valley Views Strata. |

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

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|-------------|--------------|------|
| BAVIN | World War 2 | | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|--------------------------|--|--------------|---|
| BAXTER | World War 2 | | |
| BOARD | World War 2 | | |
| BREEN | The Great War | | |
| CARTER | The Great War | | |
| CROUCH | World War 2 | | Crouch Court – October 2017 Valley Views Strata. |
| DAWSON | The Great War | | |
| FAULKNER (Porongurup) | <p>Bob Faulkner was a Shire Councillor between 1962 and 1982.</p> <p>The Faulkner family has owned Bolganup Homestead in the Porongurup for over a century. The following excerpt is taken from www.bolganup.com.au on 19 May 2015.</p> <p>Bolganup ‘... guest house was started by Lizzie and Gilbert Faulkner in the 1920s and buildings were added as demand grew. During the Second World War it closed as the sons enlisted and the daughters left. Plans were made for it to be taken over as a hospital in the event of an invasion.</p> <p>The guest house never re-opened after the war as Gilbert had died and Lizzie handed over to the eldest son Harry. Harry and Gwendoline brought up their family, Annette, Kingsley, Sharon and Russell here with Lizzie living in the Fernbrook and Burnley section until she died in 1955.’</p> <p>Bolganup is still owned</p> | H Reeves | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|--------------------|--|--------------|---|
| | by Kingsley and Kathleen Faulkner and managed by their daughter Sharon and her husband Bill Bird. | | |
| GLOVER | The Great War | | |
| HARDEN | The Great War | | |
| HERON | The Great War | | |
| HICKS | First blacksmith in Mount Barker. His shop was opposite the Police Station. | CE Nicholls | Hicks Close - 13 October 2009 Rationalisation of Reserve between Shire Office and FESA. |
| HOTCHIN (Perillup) | Early War Service Land Settlement – store and post office. | H Reeves | |
| LAMBERT | The Great War | | |
| MOIR | World War 2 | | |
| NICOL | The Great War | | |
| PRESTON | Lieutenant William Preston original owner of 'Preston Park' in January 1839. | H Reeves | |
| REEVES | <p>Sid Reeves was a businessman. He was involved in the building of the original saleyards, introduction of regular stock sales, the first fuel delivery service and was one of the very earliest school bus contractors.</p> <p>He was also a pioneer of the beef industry and has been acknowledged by the Australian Poll Hereford Society.</p> | H Reeves | |
| RYAN | World War 2 | | |
| SLATER | World War 2 | | |
| THORN | <p>Compiled by Millicent Thorn (daughter of Albert and Charlotte).</p> <p>'The Thorn family first moved to Mount Barker in 1943 and purchased a home and land in</p> | M Thorn | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|--|--------------|------|
| | <p>Inglesby (<i>sic</i>) Street. They lived there until after Mr Thorn's death in 1993.</p> <p>The family consisted of Albert William Thorn and his wife Charlotte, a son and four daughters. Bert Thorn worked as a cabinet maker for Duckett's Timber and Trading Co until his retirement.</p> <p>Albert was for many years active in several community groups, the two main ones being St John Ambulance where he was made a life member for his services, and the Methodist (now Uniting) Church. He was also a member of the Masonic Lodge and a leader of the Boy Scouts group. The large wooden table used by the Plantagenet Council was made by Bert while he was working at Ducketts and he employed his wood working skills in many other ways for the benefit of the district's organisations and individuals.</p> <p>Mrs Thorn was also an active church worker. She was secretary of the Aged Pensioner's League and a long time helper in the Red Cross Branch for which she was made a life member.'</p> | | |
| TIMBWELL | The Great War' | | |

be endorsed.

2. Public consultation be conducted in an attempt to expand the Future Road Name and Reserves Register to demonstrate more consideration and regard has been given to the history, natural environment, indigenous culture and character of the Plantagenet Shire area.
3. The results of the consultation to be reported back to the Council in a workshop on or before the Council Meeting date of 11 September 2018.

CARRIED (8/1)

Cr J Moir voted against the motion

NO. 56/18

AMENDMENT

Moved Cr J Moir, seconded Cr B Bell

That:

1. In part 1. of the motion, under the heading 'Objective' delete the word 'indigenous' in the second paragraph, line 3; and
2. In part 2. of the motion, delete the word 'indigenous'.

CARRIED (7/2)

Cr C Pavlovich and Cr J Oldfield voted against the motion

NO. 57/18

COUNCIL DECISION

That:

1. The amended Council Policy I/RR/1 – Future Street and Reserve Names as follows:

'OBJECTIVE

To provide the Council, staff, the local community and developers with clear information on the requirements for the naming and renaming of roads and reserves within the Shire of Plantagenet.

This includes ensuring that road and reserve names comply with relevant legislation and requirements and that consideration and regard is given to the history, natural environment, culture and character of the area when determining road and reserve names.

POLICY

1. Scope

This policy applies to roads and reserves under the care, control and management of the Shire of Plantagenet. It extends to new roads and reserves for which a name is required and to existing roads and reserves where a request is made for the name to be changed.

2. Legislation

Land Administration Act 1997, Part 2, Division 3

3. Application of Policy

- 3.1 A Future Road Names and Reserves Register will be maintained which contains Council approved names for future roads and reserves.
- 3.2 Additions to the Future Road Names and Reserves Register shall only be by Council decision provided the proposed name meets the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia. Deletions from the register shall also only be by Council Decision.
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- 3.8 Pursuant to Delegation 7.3 Crown Reserves and Street Names, the Chief Executive Officer is authorised to forward to the Geographic Names Committee road and reserve names from the Future Road Name and Reserves Register.
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Future Road Name and Reserves Register

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|-----------|--|--------------------|---|
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| BARNACLE | The Great War | | |
| BARTLETT | World War 2 | | Bartlett Close – October 2017 Valley Views |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|------------------------|--|--------------|---|
| | | | Strata. |
| BEECH | First teacher in Narrikup later given charge of the school at Martigallup. | CE Nicholls | Beech Road - 12 January 2011 Realignment of Spencer Road. |
| BOVELL | The Great War | | |
| BOWLES | The Great War | | |
| BURNELL | Freeman of the Shire and ex Councillor. | H Reeves | Burnell Street - 11 November 2008 Was Hockley Street. |
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| DOREY | The Great War | | |
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| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|--|--------------|---|
| | <p>to stay on their farms after the collapse of the Kendenup Development Company in 1923 and later through the Depression.</p> <p>Mr Duff owned one of the few vehicles in the district (a one tonne truck) which was often lent to the community for transport to picnics, sporting events, shows etc.</p> | | |
| DUFTY | <p>Councillor between 1971 to 1974.</p> <p>The Dufty family bought the land known as Mount Barker Hill in the mid-1960s and farmed it for over 20 years before it was subdivided.</p> <p>The Dufty family also built the Valley Views Motel and ran it along with Mr and Mrs Pickens for some 15 years. The Dufty family also built the BP Road House and ran it for a few years before selling.</p> | CE Nicholls | Dufty Place – October 2017 Valley Views Strata. |
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| JENKINS | The Great War | | |
| LAWRIE | The Great War | | |
| LE FORT | The Great War | | |
| LIEBECK | World War 2 | | |
| MCLEAN | <p>Charlie McLean operated a small orchard of his own on the north side of Wilson Road. This area was believed to be the Albany Highway end of Wilson Road.</p> <p>At the end of the war, Charlie returned to Wilson Road and purchased 317 acres on the south side of the road. This property is the subject of the subdivision and road naming request. Charlie developed this mostly bushland and lived in a timber hut for many years until he eventually built the first house on the property.</p> <p>He was also a successful racing enthusiast, bred winning racehorses and</p> | K & L Forbes | McLean Close - 29 January 2013 Subdivision Wilson Road. |

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| | with other Mount Barker identities regularly attended races in Perth. Charlie passed away on 15 February 1991. | | |
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| McQUAT | Vietnam | | |
| MILLONS | The Great War | | |
| NORTHEY | The Great War | | Northey Retreat – October 2017 Valley Views Strata. |
| ORTIS | The Great War | | |
| PESCOD | The Great War | | |
| PHIPPS (Rocky Gully) | Mrs Gwen Phipps held the role of storekeeper, post mistress, money lender and organiser for the Rocky Gully community. | H Reeves | |
| PICKLES | Established family | H Reeves | Pickles Road – December 2016 Subdivision off Spencer Road |
| PULLEN | World War 2 | | |
| RAINBIRD | World War 2 | | Rainbird Rise – October 2017 Valley Views Strata. |
| SQUIRE | The Squire brothers Frank, Wally, Cliff and Albert were local business men. | H Reeves | Squire Court - 23 June 2010 Subdivision – West Beattie Road. |
| WALLER | The Great War | | |
| WILBY | The Great War | | |
| WILKINS | World War 2 | | |
| WOOLMAN | The Great War | | |
| WORTH | World War 2 | | Worth Court – October 2017 Valley Views Strata. |

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

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|-------------|--------------|------|
| BAVIN | World War 2 | | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|--------------------------|--|--------------|---|
| BAXTER | World War 2 | | |
| BOARD | World War 2 | | |
| BREEN | The Great War | | |
| CARTER | The Great War | | |
| CROUCH | World War 2 | | Crouch Court – October 2017 Valley Views Strata. |
| DAWSON | The Great War | | |
| FAULKNER (Porongurup) | <p>Bob Faulkner was a Shire Councillor between 1962 and 1982.</p> <p>The Faulkner family has owned Bolganup Homestead in the Porongurup for over a century. The following excerpt is taken from www.bolganup.com.au on 19 May 2015.</p> <p>Bolganup ‘... guest house was started by Lizzie and Gilbert Faulkner in the 1920s and buildings were added as demand grew. During the Second World War it closed as the sons enlisted and the daughters left. Plans were made for it to be taken over as a hospital in the event of an invasion.</p> <p>The guest house never re-opened after the war as Gilbert had died and Lizzie handed over to the eldest son Harry. Harry and Gwendoline brought up their family, Annette, Kingsley, Sharon and Russell here with Lizzie living in the Fernbrook and Burnley section until she died in 1955.’</p> <p>Bolganup is still owned</p> | H Reeves | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|--------------------|--|--------------|---|
| | by Kingsley and Kathleen Faulkner and managed by their daughter Sharon and her husband Bill Bird. | | |
| GLOVER | The Great War | | |
| HARDEN | The Great War | | |
| HERON | The Great War | | |
| HICKS | First blacksmith in Mount Barker. His shop was opposite the Police Station. | CE Nicholls | Hicks Close - 13 October 2009 Rationalisation of Reserve between Shire Office and FESA. |
| HOTCHIN (Perillup) | Early War Service Land Settlement – store and post office. | H Reeves | |
| LAMBERT | The Great War | | |
| MOIR | World War 2 | | |
| NICOL | The Great War | | |
| PRESTON | Lieutenant William Preston original owner of 'Preston Park' in January 1839. | H Reeves | |
| REEVES | <p>Sid Reeves was a businessman. He was involved in the building of the original saleyards, introduction of regular stock sales, the first fuel delivery service and was one of the very earliest school bus contractors.</p> <p>He was also a pioneer of the beef industry and has been acknowledged by the Australian Poll Hereford Society.</p> | H Reeves | |
| RYAN | World War 2 | | |
| SLATER | World War 2 | | |
| THORN | <p>Compiled by Millicent Thorn (daughter of Albert and Charlotte).</p> <p>'The Thorn family first moved to Mount Barker in 1943 and purchased a home and land in</p> | M Thorn | |

| ROAD NAME | RELEVANCE | REQUESTED BY | USED |
|-----------|--|--------------|------|
| | <p>Inglesby (<i>sic</i>) Street. They lived there until after Mr Thorn's death in 1993.</p> <p>The family consisted of Albert William Thorn and his wife Charlotte, a son and four daughters. Bert Thorn worked as a cabinet maker for Duckett's Timber and Trading Co until his retirement.</p> <p>Albert was for many years active in several community groups, the two main ones being St John Ambulance where he was made a life member for his services, and the Methodist (now Uniting) Church. He was also a member of the Masonic Lodge and a leader of the Boy Scouts group. The large wooden table used by the Plantagenet Council was made by Bert while he was working at Ducketts and he employed his wood working skills in many other ways for the benefit of the district's organisations and individuals.</p> <p>Mrs Thorn was also an active church worker. She was secretary of the Aged Pensioner's League and a long time helper in the Red Cross Branch for which she was made a life member.'</p> | | |
| TIMBWELL | The Great War' | | |

be endorsed.

2. **Public consultation be conducted in an attempt to expand the Future Road Name and Reserves Register to demonstrate more consideration and regard has been given to the history, natural environment, culture and character of the Plantagenet Shire area.**
3. **The results of the consultation to be reported back to the Council in a workshop on or before the Council Meeting date of 11 September 2018.**

CARRIED (7/2)

Cr C Pavlovich and Cr J Oldfield voted against the motion

NO. 58/18

Request to include comment

Cr Moir requested that the following comment be recorded:

'Many cultures have contributed to the development of Plantagenet.'

9.2.3 POLICY REVIEW - RURAL ROADS - WIDENING

| | |
|-------------------------------|--|
| File Ref: | N43262 |
| Responsible Officer: | David Lynch Manager Works and Services |
| Author: | Amy Chadbourne Senior Administration/Project Officer Works and Services |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to recommend that Council Policy I/R/9 Rural Roads – Widening be revoked.

BACKGROUND

The policy was initially adopted by the Council at its meeting held on 24 October 2006.

Since that time it has only been reviewed once. At that meeting of the Council (12 June 2007) Councillors agreed it was important to note that the preference when clearing vegetation was to clear only one (1) side of the road where possible.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following:

Strategy 2.4.1:

‘Maintain and further develop Shire roads, drainage and pathways at appropriate standards and continue to seek to maximise grant funding to support this aim.’

Further at Outcome 2.7 (Protection of Natural Environment) the following:

Strategy 2.7.1:

‘Provide effective environmental management and maintenance of the Council’s land and reserves.’

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.1.6:

‘Construct and maintain Shire roads and associated infrastructure to the standard adopted by the Council and in accordance with requirements of State agencies.’

And further at Action 2.7.1.9:

‘Ensure that drainage and road design does not adversely impact on the natural environment.’

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

OFFICER COMMENT

As mentioned in the previous review of this policy, Council Policy I/R/16 Rural Road Hierarchy provides guidelines for road construction depending on the road’s level of classification. These guidelines include road and shoulder width.

The intent of Council Policy I/RR/2 – Rural Road Verge Vegetation Management which was adopted by the Council at its meeting of 19 August 2014, is to recognise that the construction and maintenance of the road network is the Shire’s principal consideration and that all road works will occur in accordance with Environmental Protection legislation. Section 4.0 - Road Construction Operations, makes reference to the ‘preservation of roadside vegetation wherever possible by clearing only one side of the road’. Also, works should be planned to ensure there is ‘no damage to any vegetation outside the limits of clearing specified’.

Therefore, it is considered that the two policies mentioned above provide enough direction to staff when road construction is planned and that Council Policy I/R/9 Rural Roads – Widening is therefore redundant.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Clements:

That Council Policy I/R/9 Rural Roads – Widening as follows:

‘OBJECTIVE

To provide clear guidelines regarding the widening of rural roads within the Shire of Plantagenet.

POLICY

That rural road widening within the Shire of Plantagenet be carried out according to the specifications noted in Council Policy No. I/R/16 – Rural Road Hierarchy, but taking into consideration the preservation of roadside vegetation by, wherever possible, clearing only one (1) side of the road.’

be revoked.

CARRIED (9/0)

NO. 59/18

9.3 COMMUNITY SERVICES REPORTS

Agreement to amend order of consideration.

The Presiding Member directed that Item 9.3.2 be considered prior to consideration of Item 9.3.1 and that the items be re-numbered accordingly.

9.3.1 POLICY REVIEW - VANDALISM PREVENTION REWARD (formerly Item 9.3.2)

| | |
|-------------------------------|--|
| File Ref: | N44596 |
| Responsible Officer: | Fiona Pengel Manager Community Services |
| Author: | Isabelle Draffehn Community Development Officer |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to review Council Policy RS/V/1 – Vandalism Prevention Reward.

BACKGROUND

Council Policy RS/V/1 - Vandalism Prevention Reward was reviewed 3 February 2015.

STATUTORY ENVIRONMENT

Local Government Act 1995

In accordance with Section 5.42, the Chief Executive Officer has delegated authority to offer and approve payment of reward incentives in line with Council Policy RS/V/1.

FINANCIAL IMPLICATIONS

The 2017/2018 Annual Budget has an allocation of \$3,000.00 for Security and Vandalism in account 20515.0280. This is set aside for rectification of vandalism and payment of any rewards.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following Strategy:

Strategy 1.9.4:

'Promote and support planning and activities that encourage a safe and responsible community.'

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

OFFICER COMMENT

The Vandalism Prevention Reward Policy (RS/V/1) and the Arson Reward Policy (RS/A/2) are due for review as part of the Council's ongoing policy review cycle. The review process identified that the objectives of both policies are similar and a combined policy would be sufficient to cover both areas. It should also be noted that both rewards are paid from the same budget allocation. Therefore it is suggested that the Vandalism Prevention Policy be revoked and incorporated in the newly renamed Arson and Vandalism Reward Policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr L Handasyde:

That:

Council Policy RS/V/1 – Vandalism Prevention Reward:

'OBJECTIVE

To encourage the sharing of information relating to acts of vandalism and to enable conviction of persons committing vandalism.

POLICY

1. A reward be offered for information leading to the conviction of persons committing vandalism on any Council Property.
 2. An allocation be included annually in the budget.'
- be revoked.

CARRIED (9/0)

NO. 60/18

9.3.2 POLICY REVIEW - ARSON REWARD

(formerly Item 9.3.1)

| | |
|-------------------------------|--|
| File Ref: | N44599 |
| Attachments: | RS/A/2 - Arson Reward Policy |
| Responsible Officer: | Fiona Pengel Manager Community Services |
| Author: | Isabelle Draffehn Community Development Officer |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to review Council Policy RS/A/2 – Arson Reward.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 15 September 2015.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 32 defines an act of arson

Local Government Act 1995

In accordance with Section 5.42, the Chief Executive Officer has delegated authority to offer and approve payment of reward incentives in line with Council Policies RS/V/1 and RS/A/2.

FINANCIAL IMPLICATIONS

An allocation of \$3,000.00 is provided under the 2017/2018 Annual Budget under Security and Vandalism and is used to repair damage caused by vandalism. The funds are also allocated for the payment of rewards to community members providing information that results in the conviction of a person committing acts of arson or vandalism.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following Strategy:

Strategy 1.9.4:

‘Promote and support planning and activities that encourage a safe and responsible community.’

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

OFFICER COMMENT

The Arson Reward Policy (RS/A/2) and the Vandalism Prevention Reward Policy (RS/V/1) are due for review as part of the Council's ongoing policy review cycle. The review process identified that the objectives of both policies are similar and that a combined policy would be sufficient to cover both areas. It should also be noted that both rewards are paid from the same budget allocation. Therefore it is suggested that the Vandalism Prevention Policy be incorporated in the Arson Reward Policy and be renamed 'Arson and Vandalism Reward Policy'.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr K Clements, seconded Cr B Lang:

That Council Policy RS/A/2 – Arson and Vandalism Reward:

'OBJECTIVE

To encourage the sharing of information relating to acts of arson and vandalism to enable conviction of persons committing these offences.

POLICY

That:

1. A reward be offered, up to \$1,000.00, for information leading to the conviction of persons committing arson or vandalism within the Plantagenet district.
2. An allocation be included annually in the budget by the Council to cover rewards for information leading to the conviction of persons committing arson or vandalism.'

be endorsed.

AMENDMENT

Moved Cr S Etherington, seconded Cr Bell:

That in part 1 of the motion the figure of '\$1,000.00' be deleted and replaced with the figure '\$3,000.00'.

CARRIED (9/0)

NO. 61/18

COUNCIL DECISION

That Council Policy RS/A/2 – Arson and Vandalism Reward:

'OBJECTIVE

To encourage the sharing of information relating to acts of arson and vandalism to enable conviction of persons committing these offences.

POLICY

That:

1. A reward be offered, up to \$3,000.00, for information leading to the conviction of persons committing arson or vandalism within the Plantagenet district.
2. An allocation be included annually in the budget by the Council to cover rewards for information leading to the conviction of persons committing arson or vandalism.'

be endorsed.

CARRIED (9/0)

NO. 62/18

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS – FEBRUARY 2018

| | |
|-------------------------------|--|
| File Ref: | N44671 |
| Attachment: | Financial Statements |
| Responsible Officer: | John Fathers Deputy Chief Executive Officer |
| Author: | Alison Kendrick Senior Administration Officer - Finance |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 28 February 2018.

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

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M O'Dea:

That the Financial Statement for the period ending 28 February 2018 be received.

CARRIED (9/0)

NO. 63/18

9.4.2 LIST OF ACCOUNTS – FEBRUARY 2018

| | |
|-------------------------------|--|
| File Ref: | N44710 |
| Attachment: | List of Accounts - February 2018 |
| Responsible Officer: | John Fathers Deputy Chief Executive Officer |
| Author: | Vanessa Hillman Accounts Officer |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of February 2018.

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 (20 June 2017). 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 L Handasyde, seconded Cr M O'Dea:

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 28 February 2018 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$530,761.06;
2. Municipal Cheques 46165 to 46183 totalling \$395,427.65; and
3. Trust Cheques 454 to 456 totalling \$1,000.00.

CARRIED (9/0)

NO. 64/18

9.4.3 POLICY REVIEW - CLOSED CIRCUIT TELEVISION (CCTV) MANAGEMENT AND OPERATIONS

| | |
|-------------------------------|--|
| File Ref: | N44580 |
| Responsible Officer: | Rob Stewart Chief Executive Officer |
| Author: | John Fathers Deputy Chief Executive Officer |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to recommend revocation of Council Policy CS/PP/1 - Closed Circuit Television (CCTV) Management and Operations.

BACKGROUND

This policy was adopted by the Council at its meeting held on 8 February 2011. A recent review of the organisation structure has placed CCTV management and operations within the Corporate Services Department.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.6:

'Continue to develop CCTV coverage in Mount Barker'

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

OFFICER COMMENT

The operation of the CCTV network has been carried out in accordance with the policy since installation. However, the policy is considered to be administrative in nature and is better dealt with as an administrative guideline. It is therefore recommended that it be revoked.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M O'Dea:

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

‘OBJECTIVE:

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

POLICY:

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

be revoked.

CARRIED (9/0)

NO. 65/18

9.4.4 POLICY REVIEW - OCCUPATIONAL SAFETY AND HEALTH

File Ref: N43229

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: John Fathers
Deputy Chief Executive Officer

Proposed Meeting Date: 27 March 2018

PURPOSE

The purpose of this report is to review Council Policy No. OP/HRS/3 – Occupational Safety and Health.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 10 November 2015.

STATUTORY ENVIRONMENT

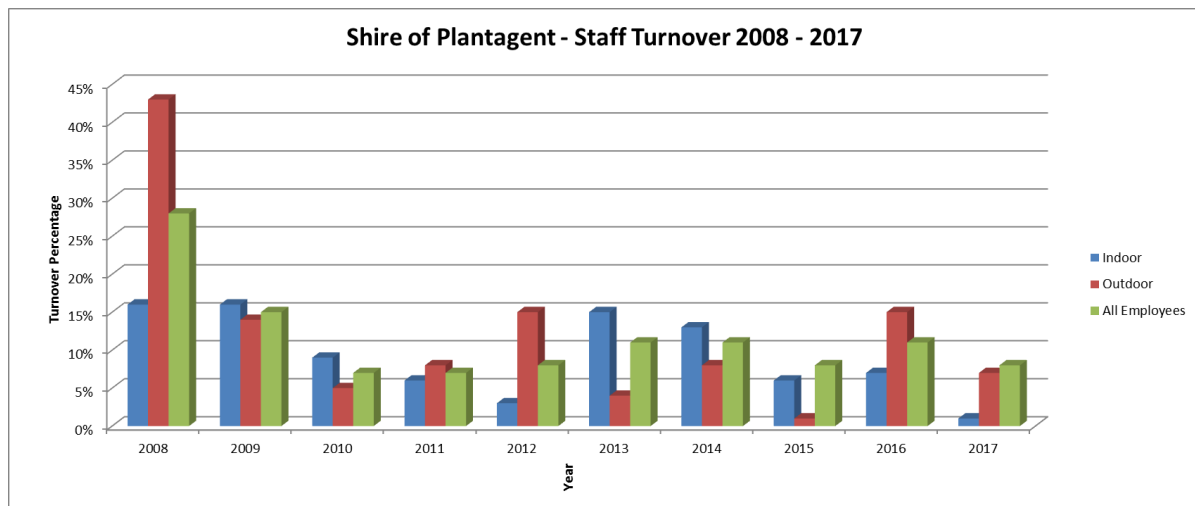
Occupational Safety and Health Act 1984
Occupational Safety and Health Regulations 1996

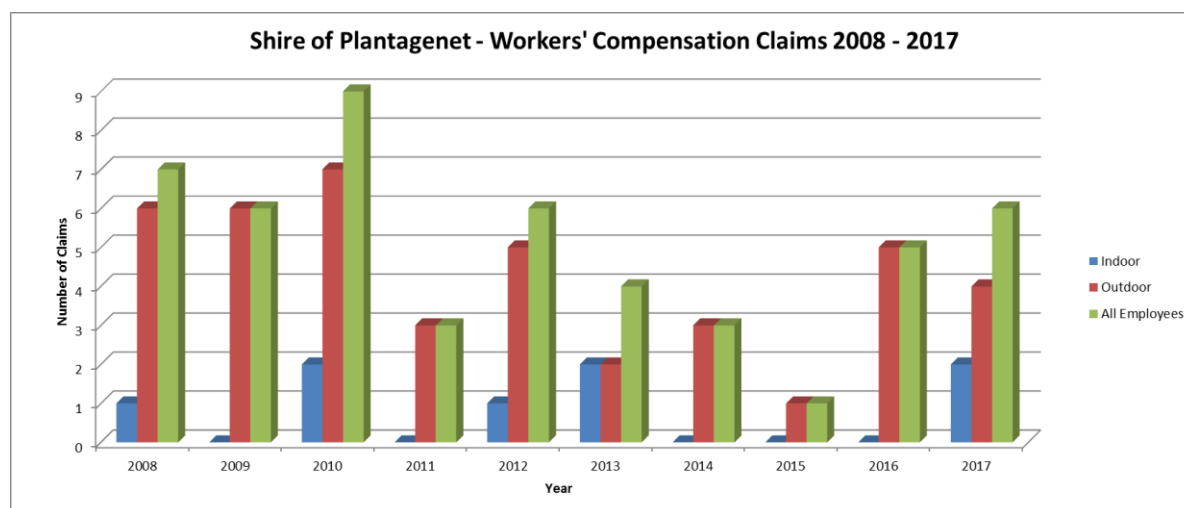
FINANCIAL IMPLICATIONS

There are no immediate financial implications for this report, however it is important to note the financial implications and benefits that a high level of Occupational Safety and Health continues to have on the Shire of Plantagenet.

Each year the Council pays a percentage of the total wages of all employees as an insurance premium to cover Workers' Compensation insurance. The percentage allocated by LGIS is determined by the volume of workers' compensation claims. Since 2007/2008 the Shire's premium has stood at 2.8%, the lowest premium offered by LGIS.

The staff turnover and workers' compensation claims for the past 10 years are shown graphed below.





POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.5 (Skilled, committed and professional staff in a supportive environment) the following Strategy:

Strategy 4.5.2:

'Ensure safe work practices through implementation of appropriate Occupational, Health, Safety and Welfare practices.'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan. Further, a program such as that set out in the policy should decrease staff turnover, thereby contributing to the achievement of Council Key Performance Indicator *'Decreasing staff turnover rates'* relating to the Outcome *'Skilled, committed and professional staff in a supportive environment'*.

OFFICER COMMENT

The policy was recently reviewed by the Shire's internal Occupational Health and Safety Committee, following advice from the Local Government Insurance Services (LGIS) Regional Risk Co-ordinator.

The policy has been completely re-worded in line with that advice. The new policy more accurately reflects the occupational health and safety and risk mitigation framework being used by LGIS. In addition, the previous policy did not import enough responsibility on employees, volunteers and contractors in regard to their obligations in this respect.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Lang:

That former Council Policy No. OP/HRS/3 – Occupational Safety and Health be replaced with new Council Policy OP/HRS/5 – Occupational Safety and Health, as follows:

‘OBJECTIVE:

This policy outlines the Shire of Plantagenet’s commitment to establish and continuously improve, through the establishment of measurable objectives and targets, an occupational safety and health management system intended to identify and control hazards with the goal of reducing illness and injury within our workplace.

POLICY:

1. The Shire is committed to managing occupational safety and health, including the development and implementation of an Occupational Safety and Health Management system that complies with legislative requirements.
 2. The Shire of Plantagenet will ensure that every employee works in an environment where every effort is made to prevent accidents, injury and disruption to employees’ health from foreseeable work hazards.
 3. The Shire acknowledges a duty of care to:
 - 3.1 Provide and maintain a safe working environment.
 - 3.2 Provide adequate training, instruction and supervision to enable employees to perform their work safely and effectively.
 - 3.3 Investigate all actual and potentially injurious occurrences in order to identify and control the cause to reduce the level of risk in the workplace.
 - 3.4 Comply with the Occupational Safety and Health Act 1984, the Occupational Safety and Health Regulations 1996, relevant Australian Standards including AS/NZS ISO 31000, 2009 and relevant Approved Codes of Practice.
 - 3.5 Engage and consult stakeholders and representatives (including volunteers and contracted service providers) in matters regarding occupational safety and health in the workplace.
 4. Employees have a duty of care to:
 - 4.1 Work with care for their own safety and that of other employees, contractors, volunteers and public who may be affected by their acts or omissions.
 - 4.2 Report hazards, accidents, incidents and near misses to their supervisor.
-

- 4.3 Co-operate positively in the fulfilment of the obligations placed on their employer.
- 4.4 Assist in the reporting and investigation of any accidents with the objective of introducing and reviewing controls to prevent recurrence.'

CARRIED (9/0)

NO. 66/18

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 NOTICES OF MOTION

| | |
|-------------------------------|--|
| File Ref: | N44897 |
| Responsible Officer: | Rob Stewart Chief Executive Officer |
| Author: | Rob Stewart Chief Executive Officer |
| Proposed Meeting Date: | 27 March 2018 |

PURPOSE

The purpose of this report is to reconsider the Council's resolution of 13 September 2016 regarding Notices of Motion.

BACKGROUND

The Council's resolution of 13 September 2016 regarding Notices of Motion reads:

'That any request by a Councillor for the CEO to conduct a study, audit or prepare a report:

- 1. Must be submitted to the CEO as a Notice of Motion in accordance with Standing Orders; and*
- 2. Must contain:*
 - a) The subject the CEO is to investigate;*
 - b) The reason for the report;*
 - c) The cost centre the report is to be charged to;*
 - d) An approximate costing;*
 - e) An approximate time the report is required; and*
 - f) How the subject of the report helps the Council achieve its Strategic Objectives as adopted in the strategic plan and the Corporate Plan.'*

This matter was discussed by Councillors at a workshop held on 30 January 2018.

The consensus at that meeting was that the CEO would prepare a report regarding any processes that should be followed by both Councillors and the administration when a Notice of Motion is received.

STATUTORY ENVIRONMENT

Local Government Act (1995)

Section 3.5 provides the legislative power for local governments to make local laws.

The Council's Standing Orders Local Law provides:

- '3.7 Motion of which Previous Notice has been given**
- (1) Unless the Act, Regulations or the Standing Orders otherwise provide, a member may raise at a meeting such business as he or*

- she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.*
- (2) *A notice of motion under sub-clause (1) is to be given at least five (5) clear working days before the meeting at which the motion is moved.*
 - (3) *A notice of motion is to relate to the good government of persons in the district.*
 - (4) *The CEO-*
 - (a) *With the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be out of order; or*
 - (b) *May on his or her own initiative make such amendments to the form but not the substance thereof as will bring the notice of motion into due form; and*
 - (c) *May under his or her name provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.*
 - (5) *A motion of which notice has been given is to lapse unless;*
 - (a) *The member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or*
 - (b) *The Council on a motion agrees to defer consideration of the motion to a later stage or date.*
 - (6) *If a notice of motion is given and lapses in the circumstances referred to in sub-clause (5), notice of motion in the same terms or the same effect is not to be given again for at least three (3) months from the date of such lapse.'*

EXTERNAL CONSULTATION

No external consultation has been undertaken with regard to this matter however, a workshop was held on 30 January 2018 with Councillors.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Although the Council does not have a policy with regard to this matter, the resolution of 13 September 2016 effectively created policy.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.3:

'Ensure the Council's decision making process is effective and transparent'

Strategy 4.1.5:

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

OFFICER COMMENT

The CEO's memo of 18 January 2018 suggested a draft direction for the Council along the following lines:

'Whenever a valid notice of motion comes before the Council for consideration and in the opinion of the CEO, will, if carried, require more than nominal expenditure or staff time, that Notice will be referred to the CEO for report, such report to be considered by the Council at the next Ordinary meeting.'

Should such a Policy be created it will ensure that all Councillors are presented with, as is the normal case for an officer's report, a full report giving a balanced view of the request.

The CEO is still of the opinion that this is a reasonable course of action.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Clements:

That new Council Policy No. A/AMM/1 – Notices of Motion:

OBJECTIVE:

To ensure that all Councillors are presented with, as is the normal case for an officer's report, information relating to, where applicable:
Statutory Environment, Regional Implications, Policy Implications, Asset Management Implications, Financial Implications, Strategic Implications and Officer Comment.

POLICY:

The Council will, whenever a valid notice of motion comes before the Council for consideration and, in the opinion of the CEO, will, if carried, require more than nominal expenditure or staff time, formally adjourn the question and refer the matter to the CEO for report, such report to be considered by the Council at its next Ordinary meeting.'

be adopted.

CARRIED (9/0)

NO. 67/18

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr B Bell has given notice of his intention to move the following motion at the next Ordinary Meeting of the Council pursuant to Clause 3.7 of Standing Orders

'That:

- 1) Expressions of Interest be sought relating to the potential disposal of the former Council depot land (lots 500, 411, 412, 413 and 414) and lot 40 Langton Road.
- 2) A further report be prepared for the Council's consideration on or before the Ordinary meeting of the Council to be held on 11 September 2018, in response to the advertising of expressions of interest for the disposal of the said site.

POLICY CONSIDERATION:

NIL

FINANCIAL CONSIDERATION:

Minimal costs to advertise for expressions of interest

STAFF IMPACT:

Minimal time required to draft 'Expression of Interest' and compile a report to Council on or before Councils full meeting in September.

COUNCILLOR COMMENT

1. The CEO made mention at a recent workshop that he has received mixed messages as to what Council wishes to do with this site. The above motion removes any confusion both for staff and councillors.
2. I believe it is prudent that any proposed disposal of land should be put forward as a formal motion of Council, rather than coming from general discussion of Council.
3. The Plantagenet Shire Council has undertaken full remediation of the said site. This has been at a considerable cost to ratepayers and Council has a duty to recover as much of these costs as possible.
4. The Plantagenet Shire Council is not in the business of property development and therefore should dispose of the property or enter into a joint venture with a suitably qualified developer or agent.
5. We have a responsibility to have this site bring benefits for the betterment of our community.
6. That the ultimate disposal and development of this site must conform with the Shire of Plantagenet's Strategic Plan.

COMMENTS BY CEO

Although the intent of the Notice of Motion is clear and is supported by the valuer's report obtained in 2016, it may be prudent to refer this matter to the CEO for further report.

Attached is a memo dated 12 February 2018 from the Manager Development Services intended for discussion at the May planning session.

Councillors are also reminded of Section 3.59 of the Local Government Act (1995). This section specifically mentions and defines 'land transaction' as any agreement, or several agreements for a common purpose, under which a local government is to – (a) acquire or dispose of an interest in land; or (b) develop land:

As Cr Bell's Notice mentions the possibility of a joint venture, the possibility of a 'land transaction' becoming a 'major land transaction' must be considered regarding the preparation of a business plan.

Accordingly, it is suggested that the matter be adjourned until the April 2018 meeting of the Council to allow the CEO to investigate the ramifications of Section 3.59 of the Act.

A possible adjournment Motion would read (after the Notice of Motion is moved and seconded): 'That the question be adjourned until the meeting of the Council scheduled for 24 April 2018 to allow the CEO to prepare a full report for the consideration of the Council, including the implications of Section 3.59 of the Local Government Act (1995) relating to land transactions and major land transactions as defined by that section.'

Moved Cr B Bell, seconded Cr B Lang:

That:

- 1) Expressions of Interest be sought relating to the potential disposal of the former Council depot land (lots 500, 411, 412, 413 and 414) and lot 40 Langton Road.**
- 2) A further report be prepared for the Council's consideration on or before the Ordinary meeting of the Council to be held on 11 September 2018, in response to the advertising of expressions of interest for the disposal of the said site.**

MOTION TO ADJOURN THE QUESTION

Moved Cr K Clements, seconded Cr M O'Dea:

That the question be adjourned until the meeting of the Council scheduled for 24 April 2018 to allow the CEO to prepare a full report for the consideration of the Council, including the implications of Section 3.59 of the Local Government Act (1995) relating to land transactions and major land transactions as defined by that section.

CARRIED (9/0)

NO. 68/18

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

Nil

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

3.52pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____/____/____