



ORDINARY MINUTES

DATE: Tuesday, 26 May 2015

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 102/15 to 113/15

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

Members Present:

Cr K Clements	Shire President
Cr B Bell	Councillor
Cr A Budrikis	Councillor
Cr S Etherington	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Councillor
Cr C Pavlovich	Councillor (Left the Chambers at 3:17pm, returned at 3:18pm)

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
Mrs Linda Sounness	Executive Secretary
Ms Alison Kendrick	Senior Administration Officer Finance

Apologies:

Cr L Handasyde

Members of the Public Present:

There were two members of the public present.

Previously Approved Leave of Absence:

Cr L Handasyde

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

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 MR ROBERT BUNCH REPRESENTING THE PORONGURUP PROMOTIONS ASSOCIATION AND FRIENDS OF PORONGURUP RANGE

Mr Bunch sought the Council's consideration and support for an entry statements and signage project in the Porongurup locality. The proposed signage includes a 'linear drive' sign and is not just isolated to the Porongurup Village.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr C Pavlovich

Item: 9.3.1

Type: Proximity (Section 5.60 (B) LGA)

Nature: Proximity

Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

Moved Cr B Bell, seconded Cr A Budrikis:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 April 2015 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 102/15

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 413 ALBANY HIGHWAY CORNER GOUGH ROAD, KENDENUP - FUNCTION CENTRE

File Ref:	N34001
Attachments:	Location Plan Site Plan Floor Plan Elevations 1 Elevations 2
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	26 May 2015
Applicant:	Maxwell Designs

PURPOSE

The purpose of this report is to consider an application for a 'use not listed' (function centre) in the Shire of Plantagenet Town Planning Scheme No. 3 and to support its advertisement for public comment before a decision is made.

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.

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.'*

There is no use class of 'function centre' and the proposed use does not fall within the ambit of any of the definitions in TPS3.

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 will need to determine by absolute majority if the use is consistent with the objectives and purpose of the Scheme and if so, advertise the application for public comment before making a decision. The Scheme objectives are as follows:

1.6 SCHEME OBJECTIVES

- 1.6.1 *To encourage and control orderly development in the Scheme Area in such a way that will promote and safeguard the health, safety, convenience, and economic and general welfare of its' inhabitants and the amenities of the area.*
- 1.6.2 *To promote the development of Kendenup, Narrikup, Rocky Gully and Mount Barker town sites and all Plantagenet rural areas.*
- 1.6.3 *To protect and retain the existing rural amenity around the Stirling and Porongurup National Parks.*
- 1.6.4 *To promote growth of the grape and industry and to encourage and control efficient Animal Husbandry.*
- 1.6.5 *To rationalise the small allotment subdivision in and around the Kendenup Townsite.'*

In terms of this current proposal, it is consistent with the objectives 1.6.1 and 1.6.2.

In respect to details of the development, should the Council agree to advertise the use not listed, then detailed development conditions can 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.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr C Pavlovich:

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.**

CARRIED (8/0)

NO. 103/15

Absolute Majority

**9.1.2 LOTS 15 AND 16 CHAUVEL AND BEVERLEY ROADS, KENDENUP -
AMALGAMATION - AFFIX COMMON SEAL**

File Ref:	N34098
Attachments:	Location Plan Application for New Title Deposited Plan
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to obtain approval for the Common Seal of the Council to be applied to a Transfer of Land Act form for the creation of a new Certificate of Title. The land involved is now Lot 150 which was formerly Lots 15 and 16 Chauvel and Beverley Roads, Kendenup, occupied by the Kendenup Agricultural Hall, playgroup building, cricket oval and tennis courts.

BACKGROUND

The present tennis courts and cricket oval straddle the common boundary between Lots 15 and 16.

John Kinnear and Associates (consulting Surveyors) were engaged in July 2014 to prepare the necessary application to amalgamate the two lots into one to remove the boundary anomaly.

The amalgamation application was approved by the Western Australian Planning Commission in a letter dated 24 September 2014. One condition, for the supply of one underground electricity supply was imposed by the Commission. John Kinnear and Associates then prepared the Deposited Plan (showing the new Lot 150) and lodged it with Landgate (Titles Office). A copy of the Deposited Plan (Number 404123) is attached. The power supply condition has now been satisfied and Western Power has cleared the condition.

The Commission endorsed the Deposited Plan on 22 April 2015 and as such it was 'in order for dealings'. This means the Council must apply to Landgate for the issue of the new Certificate of Title for Lot 150. The application must be made within a two year period.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 – subdivision and amalgamation of land

Shire of Plantagenet Town Planning Scheme No. 3 – Lot 150 is zoned Recreation Scheme Reserve

Transfer of Land Act 1893 – creation of new Certificates of Title

Local Government Act 1995 – Application of Common Seal

FINANCIAL IMPLICATIONS

The preparation of the application through to the preparation of the Deposited Plan by John Kinnear and Associates cost \$6,249.00. The provision of underground power connection to the satisfaction of Western Power cost \$9,640.00.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The lodgement of an Application for a new Certificate of Title is the final step in the amalgamation process for Lot 150 Chauvel and Beverley Roads, Kendenup.

The preparation and lodgement of the Application for a new Title form can be prepared in-house by staff and can be lodged with Landgate in Midland without the need to engage settlement agents or solicitors. The form needs to be signed by the Shire President and the Chief Executive Officer and the Common Seal of the Council must be affixed to the form. A resolution from the Council is required for the Seal to be affixed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr J Oldfield:

That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Application for new Title form required for the amalgamation of Lots 15 and 16 Chauvel and Beverley Roads, Kendenup.

CARRIED (8/0)

NO. 104/15

9.2 WORKS AND SERVICES REPORTS

9.2.1 POLICY REVIEW - FUTURE STREET AND RESERVE NAMES

File Ref:	N33306
Attachments:	Future Street and Reserve Names Policy
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Kaye Skinner Works Administration Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

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

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 26 March 2013.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Part 2, Division 3 provides instruction for naming roads within a local government area.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

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 4.1 (Effective governance and leadership) the following:

Strategy 4.1.6:

'Provide administrative support to the Shire for Governance functions'.

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

OFFICER COMMENT

Since the policy's previous review in 2013, there have been no new names assigned to roads within the Shire. The Geographic Names Committee's information booklet has been updated and the name changed to 'Geographic Names Committee – Policies and Standards for Geographical Naming in Western Australia' which is reflected in the policy.

Grammatical inconsistencies and some minor rewording are the only changes recommended to this policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Oldfield:

That reviewed Council Policy No. I/RR/1 - Future Street and Reserves Names as follows:

OBJECTIVE

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

POLICY

That:

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

10. Applicants are advised to have regard for the document 'Geographic Names Committee – Policies and Standards for Geographical Naming in Western Australia' when suggesting a road or reserve name.
11. The Chief Executive Officer is authorised to forward to the Geographical Names Committee road/reserve names from the Future Road Name and Reserves Register.
12. 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		
BEECH	First teacher in Narrikup later given charge of the school at Martigallup.	CE Nicholls	12 January 2011 Realignment of Spencer Road.
BOVELL	The Great War		
BOWLES	The Great War		
BURNELL	Freeman of the Shire and ex Councillor.	H Reeves	11 November 2008 Change Hockley Street to Burnell Street.
CHESTER	The Chester Family built the original abattoirs and were tremendous contributors to St John's and the Hospital.	H Reeves	10 February 2009 Construction of northern bypass. Formerly part of Taylor Road.
CLOTHIER	Old established family	H Reeves	
CROFTS	Old established family	H Reeves	14 July 2010 Subdivision in Porongurup.
CROSS	The Great War		
DOREY	The Great War		
DUFF (Kendenu)	In 1921, shortly after the DeGaris settlement	RA Kelly	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>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 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>		

ROAD NAME	RELEVANCE	REQUESTED BY	USED
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	
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	14 July 2010 Subdivision in Porongurup.
FALCK	The Great War		
FENTON	The Great War		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	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.</p> <p>Charlie developed this mostly bushland and lived in a timber hut for many years until he eventually built the first house on the</p>	K & L Forbes	29 January 2013 Subdivision - Wilson Road.

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>property.</p> <p>He was also a successful racing enthusiast, bred winning racehorses and with other Mount Barker identities regularly attended races in Perth. Charlie passed away on 15 February 1991.</p>		
MCCLURE	Councillor between 1951 to 1963 and 1965 to 1977.	CE Nicholls	
McQUAT	Vietnam		
MILLONS	The Great War		
NORTHEY	The Great War		
ORTIS	The Great War		
PESCOD	The Great War		
PHIPPS (Rocky Gully)	Mrs Gwen Phipps held the role of storekeeper, post mistress, money lender and organiser for the Rocky Gully community.	H Reeves	
PICKLES	Established family	H Reeves	
PULLEN	World War 2		
RAINBIRD	World War 2		
SQUIRE	The Squire brothers Frank, Wally, Cliff and Albert were local business men.	H Reeves	23 June 2010 Subdivision – West Beattie Road
WALLER	The Great War		
WILBY	The Great War		
WILKINS	World War 2		
WOOLMAN	The Great War		

ROAD NAME	RELEVANCE	REQUESTED BY	USED
WORTH	World War 2		

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

ROAD NAME	RELEVANCE	REQUESTED BY	USED
BAVIN	World War 2		
BAXTER	World War 2		
BOARD	World War 2		
BREEN	The Great War		
CARTER	The Great War		
CROUCH	World War 2		
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>	H Reeves	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<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 by Kingsley and Kathleen Faulkner and managed by their daughter Sharon and her husband Bill Bird.</p>		
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	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	Sid Reeves was a businessman. He was involved in the building of the original saleyards, introduction of regular	H Reeves	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>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>		
RYAN	World War 2		
SLATER	World War 2		
THORN	<p>Complied 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 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</p>	M Thorn	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>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.

CARRIED (8/0)

NO. 105/15

9.2.2 ROADWISE COMMITTEE – REPLACEMENT OF MEMBERS

File Ref:	N34102
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Amy Chadbourne Senior Works Administration Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to note the resignation of two members and two deputy members of the RoadWise Committee and to consider the appointment of replacement members.

BACKGROUND

The RoadWise Committee was created with the following functions:

- (1) To provide a structured forum for stakeholders to consider and discuss road safety issues; and*
- (2) To discuss and make recommendation regarding the identification and appropriate counter measures to negative attitudinal, behavioural and environmental factors linked to enforcement, engineering, education, encouragement and evaluation of road safety initiatives.*

The following members and deputy members of the RoadWise Committee have advised of their resignations. Mrs Heather Adams represents the Mount Barker Community College Parents and Citizens Committee (MBCC P&C), Ms Mabelle Jeffrey represents the Department of Transport (DOT) with Ms Brenda Murphy as her deputy, and Mr Peter Stringer is the deputy member for Mr Andrew Duffield from Main Roads WA (MRWA).

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.8 'Establishment of committees'.

The RoadWise Committee was formed under Section 5.9(2)(c) which provides that a Committee is to comprise. '...council members, employees and other persons'. These appointments must be adopted by an Absolute Majority.

Sections 5.10 and 5.11 refer to 'Appointment of committee members' and 'Tenure of committee membership' respectively.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

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 2.4.4:

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

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

OFFICER COMMENT

Mrs Heather Adams, pursuant to Section 5.11 of the Local Government Act 1995 has vacated the office of RoadWise committee member.

In correspondence to the Shire received 23 April 2015, Ms Megan Ballard has been nominated by the MBCC P&C as the representative to replace Mrs Adams on the RoadWise Committee with Mr Andrew Fraser as her deputy.

Also pursuant to Section 5.11 of the Local Government Act 1995, Ms Machel Jeffrey from DOT has vacated the office of committee member.

Correspondence to the Shire from DOT received 26 March 2015 stated that following a minor restructure, the Department felt attendance at RoadWise Committee meetings by its members was 'not a forum where the Department can provide any valuable input and the Department does not benefit from being part of these committees.' Therefore, the RoadWise Committee will now be one position less, creating a quorum of five, down from six.

Whilst the loss of one member from the RoadWise Committee initially caused some concern, the appointment of deputy members in May 2014 was approved by the Council to ensure there should be enough committee members (or their deputy) present to meet the quorum of six.

Further, correspondence to the Shire received 14 April 2015, advised Mr Peter Stringer was vacating the position of deputy for Mr Andrew Duffield, MRWA. The new deputy representative nominated by MRWA is Mr Lindsay McCartin.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr G Messmer:

That:

- 1. The resignation of Mrs Heather Adams from the RoadWise Committee be accepted and Mrs Adams be thanked for her service.**
- 2. Ms Megan Ballard be appointed as a committee member on the RoadWise Committee representing the Mount Barker Community College Parents and Citizens Committee and Mr Andrew Fraser be appointed as deputy member.**
- 3. The resignation of Ms Machel Jeffrey as a committee member of the RoadWise Committee and her deputy Ms Brenda Murphy representing the Department of Transport be accepted and that both Ms Jeffrey and Ms Murphy be thanked for their service.**

4. Representation from the Department of Transport be deleted from the RoadWise Committee.
- 5 The resignation of Mr Peter Stringer from the RoadWise Committee be accepted and Mr Lindsay McCartin be appointed as deputy member on behalf of Mr Andrew Duffield from Main Roads WA.

CARRIED (8/0)

NO. 106/15

9.3 COMMUNITY SERVICES REPORTS

9.3.1 AFFIX COMMON SEAL - FUNDING AGREEMENT - COMMUNITY WATER SUPPLY PROGRAM FOR FROST PARK

Cr C Pavlovich

Type: Proximity (Section 5.60 (B) LGA)
Nature: Proximity
Extent: Not required

3:17pm Cr C Pavlovich withdrew from the meeting.

File Ref: N34142
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Fiona Saurin
Manager Community Services
Proposed Meeting Date: 26 May 2015

PURPOSE

The purpose of this report is to seek approval to affix the Common Seal of the Council to a Funding Agreement between the State of Western Australia (Department of Water) and the Shire of Plantagenet for the 2013-2015 Community Water Supply Program (CWSP) allocation.

BACKGROUND

Councillors supported the inclusion of \$20,000.00 in the 2014/2015 budget to increase the capacity of the training track dam at Frost Park.

The Shire must enter into a funding agreement with the State of Western Australia as a condition of the funding.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Consultation has taken place with the Mount Barker Turf Club in relation to the expansion of the training track dam.

FINANCIAL IMPLICATIONS

In signing this contract, the Shire of Plantagenet will be able to access the CWSP funding of \$59,663.60.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

The Frost Park facilities are maintained by the Shire. The expansion of the dams will not affect the current maintenance schedule.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.10 (Efficient use and management of water resources) the following Strategy:

Strategy 2.10.4:

'Support a coordinated approach to water resource management, including drainage'

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

OFFICER COMMENT

The 2014/2015 budget allocation for the expansion of the race track dam has been used as leverage for a much larger project.

The Shire has been successful in securing \$59,663.60 of funding to expand the project to include increasing the capacity of the Frost Park race track dam and improvements to water collection from Marmion Street and MacDonald Avenue through culvert and drainage installation. Linking of the two expanded dams is also a part of the project which will serve to facilitate flexible use of the collected water.

By improving the collection and distribution of water collected from Marmion Street and MacDonald Avenue, Frost Park should become self-sufficient in its water requirements. This will reduce the pressure on the Government Dam and potentially eliminate the requirement to use the Bolganup Dam water supply for watering of Sounness Park.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr G Messmer:

That the Shire President and Chief Executive Officer be authorised to affix the Common Seal of the Council to the Funding Agreement document with the State of Western Australia, in relation to the Department of Water Community Water Supply Program 2013-2015 allocation of \$59,663.60 for the expansion of water collection facilities at Frost Park.

CARRIED (7/0)

NO. 107/15

3:18pm Cr C Pavlovich returned to the meeting.

9.4 CORPORATE SERVICES REPORTS

9.4.1 BUDGET REVIEW – APRIL 2015

File Ref:	N34079
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to review and adjust the adopted 2014/2015 Annual Budget to recognise variations in actual income and expenditure.

BACKGROUND

The 2014/2015 annual budget was adopted by the Council at its meeting held on 8 July 2014. This review is the third quarterly review of the 2014/2015 Annual Budget.

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications for this report.

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 4.6.1:

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

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

OFFICER COMMENT

In terms of operating result, operating income is currently 1.6% above (year to date) budget and operating expenditure is 4.7% below (year to date) budget.

The capital works program is currently 20.5% under (year to date) budget. Sounness Park (Stages 2 and 3) is continuing. A number of road construction projects are still to be finalised before June. Heavy plant purchases may now be carried forward.

A number of issues are worthy of a budget amendment and the following action is recommended:

- Budget Item General Rate GRV - Rates is \$4,587.00 above budget and this sum can be made available for reallocation.
- A sum of \$40,000.00 has been budgeted for rates recovery costs. It is expected that a further \$20,000.00 will be required in order to take the necessary actions to the end of the financial year. These costs are fully recoverable and adjustments have been made to the expenditure and income accounts accordingly.
- Actual Federal Grants Commission grants will be \$9,300.00 above budget and this sum can be made available for reallocation.
- A total of \$10,000.00 was provided in Budget Item – Governance – Local Government Convention. A sum of \$9,000.00 will not be required and can be made available for reallocation.
- Some additional printing requirements have been encountered this year which has caused the Administration – Printing and Stationery budget above the predicted levels. An extra \$5,000.00 is sought.
- A total of \$1,004,468.00 was provided in Budget Item – Administration – Salaries. A sum of \$55,323.00 will not be required and can be made available for reallocation. This is due to one staff member being on extended leave

without pay and another staff member having resigned and not replaced for some months. Savings of \$5,000.00 have also been made in the associated superannuation account.

- A total of \$18,000.00 was provided in Budget Item – Administration – Vehicle Running Costs. A sum of \$7,000.00 will not be required and can be made available for reallocation.
- The book value of fire trucks that have been received this year for the Porongurup and Perillup brigades were different to those predicted. The adjustments have been recommended are a non-cash value.
- A total of \$129,305.00 was provided in Budget Item – Rec.Centre Salaries. A sum of \$9,800.00 will not be required and can be made available for reallocation, as a full staffing complement has not been in place.
- A sum of \$1,000.00 was provided in Budget Item CCTV Camera Maintenance. An additional \$6,000.00 will be required due to necessary maintenance on the network.
- The \$10,000.00 allocation for the Place of Learning Project has not required any spend this year, so this sum can be made available for reallocation.
- A total of \$15,000.00 was provided in Budget Item Health - Relief Salaries. A sum of \$4,000.00 will not be required and can be made available for reallocation.
- The Council allocated \$40,000.00 for bin covers at the Waste Disposal Sites. An additional cover was required and therefore the allocation has been overspent by \$6,909.00, which is sought from savings in this review.
- The Council allocated \$329,366.00 for Waste Facilities Grounds Maintenance in the budget. A number of works have been carried out which has incurred additional expenditure, including carting extra spoil for cover material. All major works required have been completed. An overspend of approximately \$40,000.00 is expected, which is sought from savings in this review.
- A total of \$10,000.00 was provided in Budget Item Town Planning – Professional Services. A sum of \$4,000.00 will not be required and can be made available for reallocation.
- A sum of \$9,000.00 was provided in Budget Item Town Planning - Advertising. An additional \$3,000.00 will be required.
- A total of \$5,000.00 was provided in Budget Item Mount Barker Cemetery - Pavillion Guttering. A sum of \$1,000.00 will not be required and can be made available for reallocation.
- A total of \$6,000.00 was provided in Budget Item Porongurup Hall - Ramps. A sum of \$1,000.00 will not be required and can be made available for reallocation.
- The Council allocated \$15,000.00 for Rec.Centre building operating expenses in the budget. Higher (more accurate) utilities are now being charged by the school, which has been verified by Shire staff. An extra \$15,000.00 is sought from savings in this review.
- Additional funds of approximately \$46,000.00 are required for maintenance and operating costs for Sounness Park. While a proportion of this expenditure

relates to getting the facility ready for the recent WAFL game, there has been a significant amount of work in the development and ongoing maintenance of the ground prior to this. In addition, the budgeted revenue for Souness Park needs to be reduced from \$8,000.00 as no fees have been charged.

- A total of \$7,000.00 was provided in Budget Item Visitor Centre - Alter Security Grills Over Windows. A sum of \$5,500.00 will not be required and can be made available for reallocation.
- A total of \$2,000.00 was budgeted in Budget Item – Reimbursements Building Salaries. An additional sum of \$6,400.00 has been received which can be made available for reallocation.
- A number of other minor changes are included in the schedule.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The Council adopted a 10% and a \$5,000.00 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Oldfield:

That the budget review for the period 1 July 2014 to 30 April 2015 be adopted and the 2014/2015 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
10001.0414	General Rate GRV - Rates	\$1,906,282	\$1,910,869	\$4,587
20009.0071	Other Expenses - Rate Recovery / Legal Costs	(\$40,000)	(\$60,000)	(\$20,000)
10004.0069	Rates Penalties & Fees - Legal Costs Reimbursed	\$35,000	\$55,000	\$20,000
10007.0212	Grants Commission Grant - Equalisation - Untied	\$693,463	\$696,963	\$3,500
10008.0211	Grants Commission Grant - Road Maintenance - Untied	\$831,694	\$837,494	\$5,800
20026.0032	Governance - Local Government Convention	(\$10,000)	(\$1,000)	\$9,000
20048.0103	Office Expenses - Printing & Stationery	(\$35,000)	(\$40,000)	(\$5,000)
20047.0130	Administration - Salaries	(\$1,004,468)	(\$949,145)	\$55,323
20047.0141	Administration - Superannuation	(\$136,020)	(\$131,020)	\$5,000
20413.0182	Administration - Vehicle Running Costs	(\$18,000)	(\$11,000)	\$7,000
50518.0006	Fire Truck - Refurbished - Perillup BFB (Non Cash)	(\$58,000)	(\$319,686)	\$0
50523.0006	Fire Truck - New - Porongurup BFB (Non Cash)	(\$254,100)	(\$239,148)	\$0
10511.0533	Grant Income (Non Cash) - Perillup BFB Fire Truck	\$58,000	\$239,148	\$0
10511.0502	Grant Income (Non Cash) - Porongurup BFB Fire Truck	\$254,100	\$319,686	\$0
21100.0130	Rec.Centre Salaries	(\$129,305)	(\$119,505)	\$9,800
20086.0376	CCTV Camera Maintenance	(\$1,000)	(\$7,000)	(\$6,000)
20111.0264	Health - Relief Salaries	(\$15,000)	(\$11,000)	\$4,000
20112.0144	Health - Telephone	(\$500)	(\$1,000)	(\$500)
20122.0011	Preventive Services - Building Operating	(\$10,000)	(\$11,500)	(\$1,500)
20131.0011	Preschool - Building Operating	(\$5,000)	(\$3,500)	\$1,500
20134.0298	Other Expenses - Place of Learning Project	(\$10,000)	\$0	\$10,000

51569.0252	Waste Disposal Sites - Bin Covers	(\$40,000)	(\$46,909)	(\$6,909)
20165.0052	Waste Facilities Grounds Maintenance	(\$329,366)	(\$369,366)	(\$40,000)
20172.0003	Town Planning - Advertising	(\$9,000)	(\$12,000)	(\$3,000)
20173.0030	Town Planning - Professional Services	(\$10,000)	(\$6,000)	\$4,000
51572.0252	Mount Barker Cemetery - Pavillion Guttering	(\$5,000)	(\$4,000)	\$1,000
21020.0052	Caravan Waste Dump Point - Maintenance	(\$1,300)	(\$2,500)	(\$1,200)
51574.0252	Porongurup Hall - Ramps	(\$6,000)	(\$5,000)	\$1,000
21104.0011	Rec.Centre - Building Operating	(\$15,000)	(\$30,000)	(\$15,000)
20212.0047	Parks and Recreation Grounds - Facilities Maintenance	(\$380,000)	(\$421,363)	(\$41,363)
20212.0048	Parks and Recreation Grounds - Facilities Operating	(\$25,000)	(\$29,998)	(\$4,998)
10120.0427	Other Revenue - Sounness Park	\$8,000	\$60	(\$7,940)
51319.0252	Visitor Centre - Alter 7 Security Grills Over Windows	(\$7,000)	(\$1,500)	\$5,500
10153.0219	Reimbursements - Building Control Salaries	\$2,000	\$8,400	\$6,400
20264.0035	Non Cash Expenses - Depreciation - Land & Buildings	(\$42,080)	(\$67,153)	\$0
20264.0036	Non Cash Expenses - Dep'n - Plant, Machinery & Equip	(\$82,592)	(\$95,635)	\$0
Total		\$1,109,808	\$1,071,692	(\$0)

CARRIED (8/0)

NO. 108/15

Absolute Majority

9.4.2 FINANCIAL STATEMENTS - APRIL 2015

File Ref:	N34075
Attachment:	Financial Statements (separate attachment)
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 30 April 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 (i.e.: 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 G Messmer, seconded Cr B Bell:

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

CARRIED (8/0)

NO. 109/15

9.4.3 LIST OF ACCOUNTS - APRIL 2015

File Ref:	N34078
Attachments:	<u>List of Accounts</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of April 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 (27 May 2014). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Council Policy F/FM/7 – Purchasing and Tender Guide applies.

STRATEGIC IMPLICATIONS

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 4.6.1:

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

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr C Pavlovich:

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 of April 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 1,067,786.82; and**
- 2. Municipal Cheques 45154 to 45180 totalling \$47,932.06.**

CARRIED (8/0)

NO. 110/15

9.4.4 POLICY REVIEW - SELF SUPPORTING LOANS

File Ref:	N34074
Attachments:	Policy - Self Supporting Loans
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to review Council Policy No. F/FM/1 – Self Supporting Loans.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 11 December 2012.

STATUTORY ENVIRONMENT

The Local Government Act 1995 stipulates the requirements for a local authority when borrowing money. It does not differentiate between normal loans and self supporting loans.

FINANCIAL IMPLICATIONS

Self supporting loans are taken out in the Council's name, however all repayments relating to self supporting loans are met by the applicant and therefore there is no cost to the Council.

The purpose of this policy is to minimise the Council's exposure to inheriting a self supporting loan, by ensuring all applicants can financially meet the repayments of the loan.

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 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.4:

'Actively promote and assist community groups and clubs'

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

OFFICER COMMENT

It is considered that the current policy is sufficient and should be endorsed, subject to an amendment to refer to Policy No. F/FM/6 – Borrowing Program and Asset Financing.

The objective of that policy is to recognise the degree to which borrowing is acceptable, determine in what circumstances borrowing should and should not be utilised, consider funding strategies for major assets and categories of services and satisfy the Western Australian Treasury Corporation that any new borrowings will not place financial stress on the Council.

The policy has also been re-numbered for clarity.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That amended Council Policy No. F/FM/1 – Self Supporting Loans:

‘OBJECTIVE: To assist clubs and organisations in improving community based facilities.

POLICY:**1. Eligible Organisations**

1.1 Loans will only be considered for applicants that are incorporated bodies occupying land either owned by, or vested in the care, control and management of a community organisation.

1.2 Organisations are to provide:

- a) Three years audited financial statements.**
- b) A business plan for the proposed term of the loan that clearly demonstrates an ability to repay.**
- c) Their constitution.**
- d) Minute agreeing to borrow funds.**
- e) Whatever security or guarantees that the Council considers appropriate to ensure that the loan is repaid.**
- f) Any other information that the Council requires.**

2. Funding Details

2.1 Funds will only be provided for capital works on the subject land when ownership of all infrastructure ultimately vests in the community (notwithstanding established leasehold arrangements).

2.2 Loans will be provided at the State Treasury interest rate when drawing the loan and will be fixed for the duration of the loan. The term of the loan is not to exceed ten years. Loan repayments will be amortised and will generally be six monthly unless the applicant organisation requests otherwise.

3. Approval Process

3.1 The Council will consider the approval of the loan on the following basis:

- a) Demonstrated ability to repay.
- b) Maximum loan amount 50% project cost or 50% of value of completed structure (not to include land content).
- c) Stability, sound management, membership base, community accessibility and longevity of applicant organisation.
- d) Funds being used for capital improvements.
- e) Debenture security over assets (including lease) of organisation if considered appropriate.

3.2 Organisations will be required to:

- a) Enter into a Deed of Agreement for the period of the loan repayments.
- b) Pay all costs associated with the preparation of documents concerning the raising of the loan.
- c) Insure and keep insured premises where the premises are security over repayment of a loan.

3.3 Any proposal to lend to a community organisation that has not been included in the Council's annual budget must be advertised for one month in accordance with Section 6.20 (2) of the Local Government Act 1995.

4. Other

4.1 Funds will only be released after documentary proof of significant expenditure (or committed expenditure) is submitted.

4.2 The Council will seek any remedy available to it under law in terms of the recovery of delinquent instalments of loans.

4.3 The Council will consider the objectives of Policy No. F/FM/6 – Borrowing Program and Asset Financing in determining applications for self supporting loans.'

be endorsed.

CARRIED (8/0)

NO. 111/15

9.4.5 POLICY REVIEW - CEMETERY MEMORIALS

File Ref:	N33517
Attachments:	Policy – Cemetery Memorials
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 May 2015

PURPOSE

The purpose of this report is to review Council Policy No. A/CA/2 – Cemetery Memorials.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 28 May 2013. A councillor workshop was held on 3 March 2015 to discuss modifications to the policy.

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 and also to review subsequent Council direction.

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 2.3.3

‘Provide appropriately maintained cemeteries for our community’

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

OFFICER COMMENT

The current policy is considered to be working well, however some amendments are required in order to better reflect the differences between Section A (lawn section with ground level plaques) and Section E (above ground level headstones on a concrete plinth) in the Mount Barker Cemetery (West). Further amendments are required in order to better reflect the differences between Garden Niches (for placement of ashes) and Gardens of Remembrance (no ashes).

In addition, there is an opportunity to review the policy as a consequence of new technology available for cemetery monuments. Shire staff are starting to receive enquiries about memorial tributes which are made using a printed layer laminated between two pieces of glass, incorporating personal photos and other images. Plaques made of vitreous enamelled stainless steel are also coming onto the market which is a very robust material.

Currently, the policy indicates that niche wall plaques are to be made of admiralty bronze and that monuments and headstones are to be made of bronze, granite, slate or marble. The policy is silent on the use of glass or enamelled stainless steel fascias.

No objections are raised to incorporating this technology into the policy. It is considered that the policy could be amended to specifically permit niche wall plaques and headstone fascias being made of these materials, as long as the other elements of the policy, particularly relating to memorial dimensions are retained.

However, it is not considered appropriate for lawn cemetery memorials to be made of anything other than admiralty bronze or enamelled stainless steel due to their susceptibility to damage from lawn mowing and whipper snipping.

It is recommended to remove reference to memorial seats at the Mount Barker Cemetery (West) at this stage. It is not proposed to install memorial seating, as there is ample seating available within the pavilion.

Other amendments to the policy are suggested in order to improve grammar, add numbering and clarify the materials used in various other memorials.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr B Bell:

That amended Council Policy No. A/CA/2 Cemetery Memorials, as follows:

‘OBJECTIVE:

To ensure that the memorials and monumental work in Shire of Plantagenet cemeteries conforms to certain standards, is constructed from materials and erected in a manner that:

- 1. Does not present a risk to members of the public and employees of the Shire of Plantagenet;**
- 2. Is acceptable to the environment; and**
- 3. Maintains appropriate aesthetic standards.**

POLICY:

- 1. Mount Barker (East), Kendenup and Rocky Gully Cemeteries**
 - 1.1 Niche Wall Memorial Plaques**
 - 1.1.1 All memorial plaques placed on a niche wall shall be supplied and installed by the Shire and shall –**
 - a) be made of admiralty bronze, granite or glass; and**

- b) be of dimensions 143mm x 117mm (single) or 280mm x 117mm (double).

1.2 Headstones

1.2.1 All monuments and headstones shall -

- a) be made of bronze, granite, slate or marble and may include a glass fascia;
- b) be placed on proper and substantial foundations;
- c) not display any trade names or marks of any manufacturers.
- d) comply with the following specifications –
 - i. All Graves:
 - A. The overall height of the monument above the original surface of the grave shall not exceed 1,550mm; and
 - B. The height of the base of the monument above the original surface of the grave shall not be less than 150mm nor more than 305mm;
 - ii. Single Graves:
 - A. The length of the base of the monument shall not exceed 2,500mm and the width shall not exceed 1,250mm; and
 - B. The length of the monument shall not exceed 1,120mm and the width shall not exceed 380mm;
 - iii. Double Graves:
 - A. The length of the base of the monument shall not exceed 2,500mm and the width shall not exceed 2,450mm; and
 - B. The length of the monument shall not exceed 1,120mm and the width not exceed 380mm;

1.2.2 No gravesites bigger than a double grave will be permitted.

2. Mount Barker Cemetery (West)

2.1 All memorials, except for monuments and headstones in Section E, shall be purchased from and installed by the Shire.

2.2 Section A – Burials in the Lawn with Ground Memorial Plaques

2.2.1 Memorial plaques in Lawn Section A –

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall have the number of the grave / site displayed;
- c) shall not exceed 20mm in thickness.
- d) shall be of the dimensions 380mm x 280mm; and
- e) shall be affixed to a substantial foundation, with no portion of the memorial above ground level.

2.3 Section E – Burials in the Lawn with Above Ground Level Headstones

2.3.1 All monuments and headstones shall -

- a) be made of bronze, granite, slate or marble and may include glass or vitreous enamelled stainless steel fascias;

-
- b) be placed on a concrete foundation provided by the Council. Such concrete beam footings shall be 330mm wide, to accommodate a line of single headstones.
 - c) comply with the following specifications –
 - i. All Graves-
 - A. The overall height above the original surface of the grave shall not exceed 1,050mm;
 - B. The length of the headstones shall not exceed 920mm and width not exceed 300mm; and
 - C. The height of the base of the monument above the surface of the concrete footing shall not be less than 150mm nor more than 305mm.
 - ii. Single Graves-
 - A. The length of the base of the monument shall not exceed 920mm and width not exceed 300mm; and
 - iii. Double Graves-
 - A. The length of the base of the monument shall not exceed 2,130mm and width not exceed 300mm; and
- 2.3.2 No gravesites bigger than a double grave will be permitted. An admiralty bronze memorial plaque may be attached to the concrete foundation, in lieu of a headstone.
- 2.4 Garden Niche (for placement of ashes)
- 2.4.1 Garden Niche plaques -
- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
 - b) shall have the number of the site displayed;
 - c) shall not exceed 20mm in thickness;
 - d) shall be of the dimensions 143mm x 117mm;
 - e) shall be aligned against the inside of the garden kerbing; and
 - f) shall be affixed to a substantial foundation.
- 2.5 Gardens of Remembrance (No ashes)
- 2.5.1 Plaques in Gardens of Remembrance–
- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
 - b) shall have the number of the site displayed;
 - c) shall not exceed 20mm in thickness;
 - d) shall be of the dimensions 136mm x 75mm;
 - e) shall be affixed to a garden kerb.
- 2.6 Memorial Shrubs and Trees
- 2.6.1 Plaques at Memorial Shrubs and Trees –
- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
 - b) shall have the number of the site displayed;
 - c) shall not exceed 20mm in thickness;
-

- d) shall be of the dimensions 229mm x 229mm or 143mm x 117mm;
- e) shall be placed in conjunction with an individual shrub or tree;
and
- f) shall be affixed to a substantial foundation.

2.7 Memorial Rocks (Either ashes in Memorial Garden or No ashes – in Garden of Remembrance)

2.7.1 Plaques on Memorial Rocks –

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall have the number of the site displayed;
- c) shall not exceed 20mm in thickness;
- d) shall be of the dimensions 229mm x 229mm; and
- e) shall be affixed to the memorial rock.'

be endorsed.

CARRIED (8/0)

NO. 112/15

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 PORONGURUP HALL – LOCATIONS 3569 AND 3570 (RESERVE 15133) PORONGURUP ROAD, PORONGURUP - PROPOSED LEASE TO PORONGURUP COMMUNITY ASSOCIATION INC.

File Ref: N34133
Attachments: [Draft Lease.](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Donna McDonald
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 26 May 2015

PURPOSE

The purpose of this report is to recommend to the Council the leasing of Locations 3569 and 3570 (Reserve 15133) Porongurup Road, Porongurup (Porongurup Hall) to the Porongurup Community Association Inc. (PCA).

BACKGROUND

At its meeting held on 6 July 2010 the Council considered a report regarding Council owned halls. At that meeting it was resolved:

'That:

1. *The Chief Executive Officer be authorised to undertake extensive community consultation including advertisements, information sheets and community meetings regarding the Council's plans to examine usage, revenue and expenditure for each Council controlled building that is available for hire with a view to either demolition, sale, leasing or retention and that a further report be presented to the Council at its meeting to be held on 15 February 2011.*
2. *the building and structures to be included in the above consultation include:*
 - a) *All buildings situated on the Kendenup Agricultural Grounds excluding those already leased;*
 - b) *Former Guides/Scout Hall*
 - c) *Kamballup Hall;*
 - d) *Kendenup Hall;*
 - e) *Narrakup Hall;*
 - f) *Plantagenet Arts Centre – Mitchell House;*
 - g) *Plantagenet District Hall;*

- h) *Porongurup Hall;*
- i) *Rocky Gully Hall;*
- j) *Woogenellup Hall; and*
- k) *Wilson Park Netball Kiosk'*

Subsequent to that meeting, lease agreements have been entered into for the Kendenup Agricultural Grounds, the former Guides/Scout Hall, Plantagenet Arts Centre and Woogenellup Hall.

STATUTORY ENVIRONMENT

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

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

As such a lease to the PCA is an exempt disposition.

EXTERNAL CONSULTATION

Consultation has occurred with Suzie Luscombe and Scott Drummond from the PCA. Also, other Progress Community Groups have been contacted.

FINANCIAL IMPLICATIONS

The Council would reimburse the PCA the cost of its public liability insurance. The cost to the Council would be approximately \$800.00 to \$1,000.00 per year.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.4:

'Actively promote and assist community groups and clubs.'

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

Strategy 2.2.6:

'Support the conservation and maintenance of heritage buildings, heritage items and places of interest.'

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

OFFICER COMMENT

Discussions have been held with a representative of the PCA with regard to maintenance required to be completed to the hall prior to a lease agreement being entered into and included the following items:

- Connection of kitchen sink outlet to septic system;
- Re-flashing of kitchen window to stop water leak;
- Replacement of balustrade to rear steps and landing;
- Additional length of downpipe to water tank overflow;
- Installation of two double power points to main hall area;
- Supply and fit of solid screen type door to side entrance; and
- Installation of additional bracing and struts to side entrance door wall and roof trusses.

Investigations into external funding options through both the Council and the PCA would take place in subsequent financial years for more substantial capital/structural matters.

A draft lease has been attached to this report. It is recommended that a lease be entered into with the PCA for a period of twenty one years on a peppercorn rental.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr G Messmer:

That authority be granted to the Shire President and the Chief Executive Officer to affix the common seal of the Council to the lease agreement between the Shire of Plantagenet and the Porongurup Community Association Inc. (as attached) for Locations 3569 and 3570 (Reserve 15133) Porongurup Road, Porongurup (Porongurup Hall) with the following provisions:

- 1. Rental amount to be \$1.00 per annum if and when demanded.**
- 2. The term of the lease to be twenty one years.**
- 3. The Lessee be responsible for contents insurance on fittings and fixtures not the property of the Council, building maintenance not of a structural nature, garden and ground maintenance and supply charges.**
- 4. The Lessee will, at the Lessee's expense, effect and keep current a policy covering public liability providing a minimum cover of ten million dollars (\$10,000,000.00) or such higher amount as the Lessor specifies,**

provided that the premium for such policy will be reimbursed to the Lessee by the Lessor annually.

CARRIED (8/0)

NO. 113/15

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

3:30pm The Presiding Member declared the meeting closed.

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