



# AGENDA

## COUNCIL MEETING

12 FEBRUARY 2015

Our Community Vision

“We are a thriving region which is safe, liveable and welcoming.

We value our quality of life and embrace our natural environment which affords us both economic and recreational pursuits.

Our industries are recognised for their resilience, quality and innovation and for their contribution to the state of Western Australia.”

**SHIRE OF MANJIMUP – COUNCIL MEETING AGENDA**

**12 FEBRUARY 2015**

**NOTICE TO ALL COUNCILLORS**

**An Ordinary Meeting of Council is called for Thursday 12 February 2015 commencing at 5:30pm in the .**



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**Andrew Campbell  
CHIEF EXECUTIVE OFFICER**

4 February 2015

**DISCLAIMER**

*The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reasons for seeking the advice or information and how it is proposed to be used.*

**IMPORTANT MATTERS AFFECTING THOSE ATTENDING THE MEETING AND THOSE AFFECTED BY A DECISION OF THE MEETING.**

1. Please note this meeting may be electronically recorded.
2. Decisions made in this meeting are unable to be acted upon by the person who has been granted the authorisation unless and until the decision is able to be implemented by the Chief Executive Officer and in any event not before the afternoon of the first business day following this meeting. If you are in any doubt about a decision please contact the Shire prior to making any commitments.

**SHIRE OF MANJIMUP**

**COUNCIL MEETING THURSDAY 12 FEBRUARY 2015**

**TO BE HELD  
IN THE**

**COMMENCING AT 5:30PM**

**AGENDA**

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:**

**2. ANNOUNCEMENTS BY THE PRESIDENT:**

**3. ATTENDANCE:**

- 3.1 Apologies:
- 3.2 Approved Leave of Absence:

**4. DECLARATIONS OF INTEREST:**

*[Part 5, Division 6 of the Local Government Act 1995 requires that a member must disclose the interest of the member and the nature of the interest in writing before the meeting or immediately before the matter is discussed.]*

**5. PUBLIC QUESTION TIME:**

- 5.1 Response to public questions taken on notice
- 5.2 Public Question Time

*[Under meeting procedure (Standing Orders) this is the only opportunity for members of the public to address or ask a question of Council (other than a matter in Item 6). There is no further opportunity to interject or question the Council or Staff during the meeting. Questions can be asked on any Shire matter, not just on issues included in the meeting agenda. Persons asking questions are entitled to a response. If a matter requires further investigation, that response may be in writing.]*

**6. PRESENTATIONS:**

- 6.1 Petitions
- 6.2 Presentations
- 6.3 Deputations
- 6.4 Delegates' reports
- 6.5 Conference Reports

7. **CONFIRMATION OF PREVIOUS MINUTES:**

\_\_\_\_\_ / \_\_\_\_\_

That the Minutes of the Ordinary Meeting of the Council held on 22 January 2015 be confirmed.

8. **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

9. **OFFICERS' REPORTS:**

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\_\_\_\_\_ / \_\_\_\_\_

“That Council adopt the recommendations contained in the Council Officers and Committee Reports on pages 1 – 47 of the Agenda with the exception of:

**ATTACHMENT****9.1.1 Proposed Policy 2.3.12 Fraud Management Policy**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	N/A
<b>WARD:</b>	All
<b>ZONE:</b>	All
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL 12
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	28/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

As part of the Local Government (Audit) Regulations 1996, Regulation 17 review conducted by AMD Chartered Accountants in December 2014, it was determined that the Shire of Manjimup had multiple measures in place to mitigate fraud however there was no single policy detailing a consolidated approach to dealing with fraud.

The purpose of this report is to present a Fraud Management Policy to Council for consideration.

**ATTACHMENT: 9.1.1(1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The objectives of the proposed policy in relation to fraud / misconduct are:

- Assignment of a zero tolerance to fraud / misconduct;
- Promotion of an open and transparent culture of communication;
- Encouragement to report suspected cases of fraud / misconduct; and
- Spread awareness and educate on the risks faced by the organisation.

The proposed policy further assigns responsibility to the Chief Executive Officer to receive complaints, investigate and facilitate appropriate criminal, statutory or other action where necessary and appropriate.

**STATUTORY ENVIRONMENT:**

The policy assigns responsibility and consolidates several statutory requirements in relation to fraud / misconduct in one policy.

**POLICY / STRATEGIC IMPLICATIONS:**

The management of fraud is considered extremely important as the Shire of Manjimup is entrusted with statutory responsibilities and public money where fraudulent behaviour is not acceptable.

**FINANCIAL IMPLICATIONS:**

Nil

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopt policy 2.3.12 Fraud Management Policy in accordance with Attachment: 9.1.1(1).**

**ATTACHMENTS**

- 1 Policy 2.3.12 Fraud Management Policy 2 Pages

**ATTACHMENT  
APPENDIX**

**9.1.2 Review of Policy 2.3.1 Staff Use of Council Vehicles**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	N/A
<b>WARD:</b>	N/A
<b>ZONE:</b>	N/A
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL 12
<b>LEGISLATION:</b>	N/A
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	28/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Policy 2.3.1 Staff Use of Council Vehicles has been in place since September 2002.

**APPENDIX: 9.1.2(A)**

The policy was scheduled for review in September 2006 and a review is the purpose of this report.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

Given that it has been a bit more than twelve years since Policy 2.3.1 Staff Use of Council Vehicles was reviewed, significant change in organisational practice has occurred. During the review a number of items were identified and modified to simply reflect current organisational practice. The significant changes are summarised by the following:

- The provision of the Chief Executive Officer's vehicle and usage agreement form part of the existing employment contract and need not be captured in detail by the policy;
- Changes to Directors titles and the introduction of the Director Community Services into the policy;
- Inclusion of the rental cost of the vehicles being determined by the Shire of Manjimup's Fees and Charges to reflect actual practice; and
- The change from "Council" to the "Shire of Manjimup" to reflect the entity being the asset owner.

Policy 2.3.1 Staff Use of Shire of Manjimup Vehicles is recommended to Council for adoption.

**ATTACHMENT: 9.1.2(1)**



**STATUTORY ENVIRONMENT:**

The Local Government Act 1995 enables local government to exist and function.

**POLICY / STRATEGIC IMPLICATIONS:**

This policy reflects current organisational practice.

**FINANCIAL IMPLICATIONS:**

No more than currently exists now.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopt revised Policy 2.3.1 Staff Use of Shire of Manjimup Vehicles in accordance with Attachment: 9.1.2(1).**

**ATTACHMENTS**

**1** Staff Use of Shire of Manjimup Vehicles 2 Pages

**Appendices**

**A** Staff Use of Council Vehicles 2 Pages

**APPENDIX****9.1.3 Proposed Rescission of Policy 2.3.3 Wildflower Picking**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>WARD:</b>	All
<b>ZONE:</b>	All
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL 12
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	29/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Since 12 September 2002, Policy 2.3.3 Wildflower Picking has been in place.

**APPENDIX: 9.1.3(A)**

The policy was scheduled for review in September 2006 and a review is the purpose of this report.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

It is unclear when the last time the Chief Executive Officer has had to apply delegation under this policy. A search of Council records has failed to find any evidence that the policy has been used since it was introduced in September 2002.

On the basis that the policy does not appear to have been used, it is recommended to Council that the policy is rescinded. If at any stage in the future an application is received to pick wildflowers from reserves managed by the Shire of Manjimup, a simple report to Council would suffice.

**STATUTORY ENVIRONMENT:**

The Local Government Act 1995 enables local government to exist and function.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council rescind Policy 2.3.3 Wildflower Picking in accordance with Appendix: 9.1.3(A).**

**Appendices**

**A Policy 2.3.3 Wildflower Picking    1 Page**

**ATTACHMENT  
APPENDIX**

**9.1.4 Review of Policy 2.3.7 Vandalism - Council Property**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>WARD:</b>	All
<b>ZONE:</b>	All
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL12
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	29 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Policy 2.3.7 Vandalism - Council Property has been in place since February 1993 and was last reviewed in October 2003.

**APPENDIX: 9.1.4(A)**

The policy was scheduled for review in October 2007 and a review is the purpose of this report.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

Whilst the reward has been rarely used over the years it does provide the CEO with some leverage to potentially elicit information leading to the conviction of perpetrators causing damage to Shire of Manjimup property.

The only change proposed is to add words owned / managed to the title and rename some words in the policy from "Council" to the "Shire of Manjimup" to reflect the entity being the asset owner.

It is recommended that Council adopt the Policy 2.3.7 Vandalism – Shire of Manjimup Property as proposed.

**ATTACHMENT: 9.1.4(1)**

**STATUTORY ENVIRONMENT:**

The Local Government Act 1995 enables local government to exist and function.

**POLICY / STRATEGIC IMPLICATIONS:**

A reward may not act as a deterrent to people damaging Council property however it may be sufficient incentive to attract information that may lead to a conviction.

**FINANCIAL IMPLICATIONS:**

The implication of this policy is that it may cost the Shire of Manjimup \$1,000 as a reward for information about property damage that leads to a conviction.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopt Policy 2.3.7 Vandalism – Shire of Manjimup Owned or Managed Property as per Attachment: 9.1.4(1).**

**ATTACHMENTS**

<b>1</b>	<b>Policy 2.3.7 Vandalism - Shire of Manjimup Owned or Managed Property</b>	<b>1 Page</b>
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**Appendices**

<b>A</b>	<b>Existing Policy 2.3.7 Vandalism - Council Property</b>	<b>1 Page</b>
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**ATTACHMENT  
APPENDIX**

**9.1.5 Review of Policy 2.3.9 Disposal of Council Property**

<b>PROPONENT OWNER</b>	Shire of Manjimup
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>WARD:</b>	N/A
<b>ZONE:</b>	N/A
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL12
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	29/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Policy 2.3.9 Disposal of Council Property has been in place since August 2006 and has not been reviewed since.

**APPENDIX: 9.1.5(A)**

The policy was scheduled for review in August 2010 and a review is the purpose of this report.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The policy is still relevant and in particular is used wherever Shire of Manjimup assets under \$20,000 are disposed of. The only change proposed is to rename some words in the policy from "Council" to the "Shire of Manjimup" to reflect the entity being the asset owner.

It is recommended that Council adopt the Policy 2.3.9 Disposal of Shire of Manjimup Property as proposed.

**ATTACHMENT: 9.1.5(1)**

**STATUTORY ENVIRONMENT:**

The Local Government Act 1995 enables local government to exist and function. Specific sections of the Act determine the disposal of certain types and value of local government assets.

**POLICY / STRATEGIC IMPLICATIONS:**

The policy is designed to be an efficient means of asset disposal.

**FINANCIAL IMPLICATIONS:**

Nil

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopt Policy 2.3.9 Disposal of Shire of Manjimup Property in accordance with Attachment: 9.1.5(1).**

**ATTACHMENTS**

**1** Policy 2.3.0 Disposal of Shire of Manjimup Property 2 Pages

**Appendices**

**A** Policy 2.3.9 Disposal of Council Property 2 Pages

**ATTACHMENT  
APPENDIX**

**9.3.1 Request for Extension of Planning Approval for  
Redevelopment of Karri Valley Resort, Beedelup**

<b>PROPONENT</b>	RPS Group
<b>OWNER</b>	Sime Darby Resorts Pty Ltd
<b>LOCATION / ADDRESS:</b>	Lots 3, 4 & 19 Vasse Highway, Beedelup
<b>WARD:</b>	West
<b>ZONE:</b>	Tourist Enterprise 3
<b>DIRECTORATE:</b>	Statutory and Corporate Services
<b>FILE REFERENCE:</b>	P54488
<b>LEGISLATION:</b>	Planning and Development Act 2005
<b>AUTHOR:</b>	Roy Winslow
<b>DATE OF REPORT:</b>	16 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

On 3 March 2011, Council granted a 4 year planning approval to the redevelopment of the Karri Valley Resort in Beedelup. A copy of the Officer Report and resolution is appended.

**APPENDIX: 9.3.1 (A)**

The approval includes the demolition of all existing buildings and replacement with modern facilities as follows:

- 32 strata title single bedroom waterfront chalets;
- 39 strata title self-contained 3 bedroom forest chalets with ability to convert to 78 'twin-key' units of 1 or 2 bedrooms each;
- Waterfront reception / function centre including restaurant;
- Activity centre with pool and spa facilities;
- Day spa facility with 6 treatment rooms and associated relaxation spaces; and
- Amenities / maintenance building.

The intent is to significantly improve the standard of accommodation and facilities at this iconic destination to reflect current tourism expectations. If the development proceeds, it will re-establish the resort as a major tourism draw card in the Southern Forests region.

Due to market considerations, the redevelopment has not proceeded at this point in time. The current approval will lapse on 3 March 2015, unless it is extended by Council. The Proponent has requested a 4 year extension in time to enable the redevelopment to proceed in accordance with the existing conditions of approval. A copy of the request is attached.

**ATTACHMENT: 9.3.1(1)**



The purpose of this report is for Council to consider a request from the Proponent for a 4 year extension of time in which to substantially commence the development. The matter is tabled for Council consideration as the length of time requested exceeds the 1 year extension able to be granted under delegated authority.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

**COMMENT (Includes Options):**

Clause 10.5.1 of Shire of Manjimup Local Planning Scheme No.4 (the Scheme), provides for an automatic 2 year term of planning approval. This term can be changed to another period specified within a given approval. In the case of the Karri Valley Resort redevelopment, a 4 year approval period was requested by the Proponent and subsequently specified in the approval granted by Council in 2011.

Clause 10.5.2 of the Scheme allows for a Proponent to make a written request for an extension of time at any point prior to the expiry of the approval. The Scheme is silent on how long an extension can be granted for. It is at the discretion of Council to approve or refuse the request. Council is also able to determine the period of time an extension will be valid for.

In the case of the Karri Valley Resort, the Proponent has requested a 4 year extension to effectively double the validity period of the 2011 approval. The Scheme provides for Council to agree, as the request was made prior to the expiry of the initial period on 3 March 2015.

In determining whether to agree to the extension in time, it is recommended Council considers whether the regulatory framework in which the initial decision was made has changed sufficiently to warrant a fresh consideration of the complete proposal. For instance, if a development had been approved under a previous planning scheme, it may be prudent to not extend the existing approval but make a fresh determination based on the current zoning and policy requirements.

Shire staff have reviewed the 26 conditions of approval and are satisfied that similar conditions of approval would be placed on a fresh approval without significant change. Whilst there has been some change in the policy requirements surrounding bush fire management, the existing conditions requiring compliance with AS 3959 *Buildings in Bush Fire Prone Areas* and the preparation and implementation of a Fire Management Plan are still relevant and will simply reflect the requirements at the time the development proceeds.

Given the regulatory environment affecting the proposal has not significantly changed, Shire staff recommend extension of the approval period for a further 4 years as requested by the Proponent.

**STATUTORY ENVIRONMENT:**

Planning and Development Act 2005 and Shire of Manjimup Local Planning Scheme No.4

**POLICY / STRATEGIC IMPLICATIONS:**

Nil.

**FINANCIAL IMPLICATIONS:**

Nil.

**SUSTAINABILITY:**

Environmental: There are no additional environmental impacts cause by extension of the planning approval period over and above those considered at the time the development was initially approved.

Economic: Granting an extension of time for the current approval rather than considering a fresh application increases financial certainty for the proposal and may in part act as a stimulus for the development to proceed.

Social: The initial application was subject to consultation with nearby landowners, with several conditions placed that will manage amenity impacts during and after construction. Should Council grant an extension to the current approval, all nearby landowners will be informed of the decision.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council in accordance with clause 10.5 of Shire of Manjimup Local Planning Scheme No.4 extends the term of planning approval until 3 March 2019 for the redevelopment of the Tourist Resort at Lots 3, 4 and 19 Vasse Highway, Beedelup (Karri Valley Resort), subject to the conditions contained in the initial approval granted on 3 March 2011.**

**ATTACHMENTS**

1 Request for Extension of Approval Period    1 Page

**Appendices**

A Officer Report on Proposal and Minutes of Meeting of 3 March 2011                      72 Pages

**ATTACHMENT  
APPENDIX**

**9.3.2 Consideration of Preliminary Submissions on Kearnan College Development Concept**

<b>PROPONENT OWNER</b>	Able Planning and Project Management Roman Catholic Bishop of Bunbury and State of Western Australia
<b>LOCATION / ADDRESS:</b>	St Joseph's Church, Kearnan College and adjoining section of Lemman Street Road Reserve, Manjimup
<b>WARD:</b>	Central
<b>ZONE:</b>	Clubs and Institutions and Road Reserve
<b>DIVISION:</b>	Statutory and Corporate Services
<b>FILE REFERENCE:</b>	P54235
<b>LEGISLATION:</b>	Planning and Development Act 2005 Land Administration Act 1997
<b>AUTHOR:</b>	Roy Winslow; Paul Bawden
<b>DATE OF REPORT:</b>	5 January 2015
<b>DECLARATION OF INTEREST:</b>	It is noted for the record that the authors of this report are nearby residents to the site subject of this proposal.
<b>SIGNATURE:</b>	

**BACKGROUND:**

*This item was deferred at the Ordinary Meeting held on 22 January 2015. The following report is a reproduction of the item considered at the previous meeting and has not been altered. The proponent was advised of the deferral and has not to date provided any new information.*

At its Ordinary Meeting held on 5 June 2014, Council considered a request lodged on behalf of Kearnan Catholic College, Manjimup for Shire support of a number of proposals associated with the tenure, zoning and site expansion of the School. A copy of this request is appended.

**APPENDIX: 9.3.2(A)**

There are four key proposals put to the Shire for its consideration pending preparation of a formal Scheme Amendment as follows:

1. Portion of Lemman Street between Moore and Somerville Streets be closed and purchased by the school;
2. That Lots 209 and 210, which are currently leased by the School from the State Government, be purchased by the School;
3. That the adjoining portion of Lemman Street be closed and Lot 317 (former laneway) within the School be reclassified from Local Roads Reserve to Clubs and Institutions Zone in Shire of Manjimup Local Planning Scheme No.4 (the Scheme); and

4. Following purchase of Leman Street and Lots 209 and 210 from the State, all land comprising the School and church being amalgamated into a single title.

At the Meeting it was resolved as follows:

**That Council:**

1. Requests Kearnan Catholic College to prepare a plan to illustrate its intended development outcome for the College site for the purposes of preliminary consultation with the community;
2. Instructs the Chief Executive Officer to, upon receipt of the plan referred to in Resolution 1 above, write to the owners of property in the area bounded by Rutherford, Lintott, Ipsen and Somerville Streets, and all properties on Ipsen and Moore Streets located opposite Kearnan Catholic College, informing of the College proposal and seeking preliminary comment; and
3. Upon completion of a minimum 21-day consultation period, reconsiders the Kearnan Catholic College request in the light of any submissions received.

A copy of the Outline Development Plan provided in response to Resolution 1 above is attached.

**ATTACHMENT: 9.3.2(1)**

This plan, together with the background information considered by Council on 5 June 2014 was advertised in accordance with Resolutions 2 and 3 above during September and October 2014.

The purpose of this report is to consider the submissions received on the request, any further information needed at this stage and determine an approach to provide to the College.

**PUBLIC CONSULTATION UNDERTAKEN:**

Preliminary consultation took place between 24 September 2014 and 17 October 2014. A total of 246 properties within the consultation area were advised by letter.

At the close of the consultation period, a total of 14 submissions were received. The submissions have been summarised in the attached Schedule of Submissions.

**ATTACHMENT: 9.3.2(2)**

Of the 14 submissions received:

- 7 have been identified as full objections or raising substantial concerns that would prevent support, in particular to the closure of Leman Street;
- 2 have been identified as partial objections (i.e. either objecting or raising significant concerns with certain elements of the proposal); and
- 5 have been identified as being supportive or raising no objection to any elements of the proposal.

The content of the Outline Development Plan and submissions will be summarised in the Comment section below.

**COMMENT (Includes Options):**Outline Development Plan

The approach of preparing an Outline Development Plan by Kearnan Catholic College and seeking early comments is considered a positive initiative. The challenge in this situation is the limited off-site information that was provided. It principally addresses the procedural aspects of the four proposals, i.e. management of utility infrastructure, provision of a gate to secure the proposal in the short term and staging of statutory approvals. The documentation significantly is silent on such aspects as:

- Traffic management: School buses - currently up to 6 can be parked on the section of Leman Street to be closed while drop-off and car parking occupies the opposite side of the street. The most likely outcome appears to be increased utilisation of Ipsen Street (a busier road) or increased access to the Manjimup Recreation Grounds for school-related traffic;
- Local Traffic Impacts: While no assessment has been undertaken, the closure would likely impact on pedestrians and cyclists travelling between the Leman Street area and Brockman Street precinct in the town centre, unless alternate tracks were constructed through the Recreations Grounds;
- Impacts on Manjimup Recreation Grounds: Parking of school-related vehicles currently occurs close to the intersection of Leman and Moore Streets and could be expected to increase. The road closure would also likely impact on the current access to the Recreation Grounds;
- Future planning of College: Understanding future school enrolments over time as the town grows will assist in appreciating the on-site and off-site impacts of the College expanding on an already congested site.

These observations should not be construed as a lack of recognition of the contribution of the College to the local community, nor a view that further intensification of the site cannot be progressed. However, the limited operational detail is likely to have contributed to the low response to the recent consultation.

Level of feedback

Of the 246 properties advised of the proposal, the return of 14 written submissions provides a response rate of some 6%. This level of response is a concern having regard to the potential impacts (positive and negative).

Concern with closure of Leman Street

Expectedly, the proposed closure of Leman Street was the focus of all objections received. Whilst the reasons behind objecting to the closure were varied, the main areas of concern relate to the impact on traffic flows, increased traffic in surrounding roads and objecting to the sale of public land to a private party.

Concern was raised on how matters such as access to the adjacent Recreation Grounds and bus parking were to be dealt with. Unfortunately, many of these issues remain unresolved given the preliminary nature of the

proposal. The concerns raised in relation to operational issues will need to be adequately addressed either through further preliminary consultation or a formal Scheme Amendment and road closure process.

#### General support for the other proposal elements

The other three more procedural-based aspects of the proposal relating to rezoning and land rationalisation had broad support from most of the submissions. Given these proposals do not affect the community and in effect 'tidy up' the College's tenure and zoning arrangements, broad community support was expected on these elements.

#### Next steps

The consultation process was preliminary and inconclusive in nature. Based on the submissions and matters identified by officers, there are a number of options available to both Council to facilitate further community consultation or the College to prepare/lodge a formal proposal.

In either situation there would be a need for more effective community consultation. The approach of progressing a formal proposal would initially necessitate higher costs and preparation time for the College.

#### Options available to Council

There are three principle options available to progress the development concept as follows:

##### *Option 1:*

Invite the College to provide a more-detailed proposal addressing key operational matters. This option can be progressed if Council and the College recognise that further informal consultation can provide for a better appreciation of the potential impacts.

##### *Option 2:*

Provide advice/support to the College on the outcomes of the initial consultation and opportunity to lodge a Scheme Amendment. This option would involve the College addressing the areas of concern together with the statutory expectations of the WA planning legislation. These matters include:

- Provision for bus access to the school that does not adversely impact on the street network or nearby residences;
- Car parking for staff and parents that does not increase congestion in the street network or decrease road safety;
- Overall traffic impact assessment and the identification (and implementation) of road and pedestrian improvements to ensure safety in the modified road network;
- Vehicle access to the Manjimup Recreation Grounds to replace that affected by the road closure;
- Management agreement on the use of the Manjimup Recreation Grounds that ensures equitable access by all users;
- Clarification on the long-term uses of the Lemman Street road reserve and the impact this may have on underground services and access to the Manjimup Recreation Grounds;

- Further details on how the short-term gating of Leman Street will operate and whether this will allow pedestrian access by the general public; and
- Preparation of an ultimate development concept for the expanded College site that provides greater clarity to Council and the community on the long-term intention for the College, including its use of the Leman Street road reserve and interaction with the Manjimup Recreation Grounds.

*Option 3:*

Alternatively, Council can advise the College of its concerns based on community submissions and Shire staff advice and that it is not favourably disposed to the proposal as submitted. In this situation the College ought to be encouraged to liaise in the first instance with Shire staff to identify an alternative approach to provide for their education role to grow into the future.

Staff Recommendation

On balance, a planning approach based on collaborative working between the Shire and the College is favoured. In this case, there is considered merit in further addressing the operational implications with the College and/or its consultants and then undertaking a more structured form of consultation with the community and statutory authorities.

**STATUTORY ENVIRONMENT:**

The preliminary consultation and consideration of the proposal to date has been informal in nature. Should Council wish to proceed to formal processes, both a Scheme Amendment under the Planning and Development Act 2005 and a road closure under the Land Administration Act 1997 will be required.

**POLICY / STRATEGIC IMPLICATIONS:**

The possible closure of Leman Street and its inclusion into Kearnan College forms part of the Manjimup SuperTown Growth Plan, which has been adopted by Council as a Local Planning Policy.

**FINANCIAL IMPLICATIONS:**

All costs associated with a Scheme Amendment and road closure process would be borne by the applicant.

**SUSTAINABILITY:**

Environmental: The undertaking of preliminary public consultation does not have an environmental impact.

Economic: Preliminary public consultation has a negligible economic impact in that it generally utilises existing Shire resources.

Social: Promoting adequate community opportunity to have input into this proposal is considered prudent given the potential impact it will have on the locality.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council advises the Proponent that the preliminary submission has provided a valuable opportunity for the community and Shire staff to provide comment. Recognising a number of significant operational concerns have been raised, further dialogue and consultation is favoured before the College determine whether to progress with a formal Scheme Amendment and road closure application. This needs to be supported with initial documentation that addresses the following:

- a. Provision for bus access to the school that does not adversely impact on the street network or nearby residences;
- b. Car parking for staff and parents that does not increase congestion in the street network or decrease road safety;
- c. Overall traffic impact assessment and the identification (and implementation) of road and pedestrian improvements to ensure safety in the modified road network;
- d. Vehicle access to the Manjimup Recreation Grounds to replace that affected by the road closure;
- e. Management agreement on the use of the Manjimup Recreation Grounds for parking that ensures equitable access by all users;
- f. Clarification on the long-term uses of the Lemman Street road reserve and the impact this may have on underground services and access to the Manjimup Recreation Grounds;
- g. Further details on how the short-term gating of Lemman Street will operate and whether this will allow pedestrian access by the general public; and
- h. Preparation of an ultimate development concept for the expanded College site that provides greater clarity to Council and the community on the long-term intention for the College, including its use of the Lemman Street road reserve and interaction with the Manjimup Recreation Grounds.

**ATTACHMENTS**

- |   |  |         |
|---|--|---------|
| 1 | Draft Kearnan College Outline Development Plan | 1 Page  |
| 2 | Schedule of Submissions                        | 4 Pages |

**Appendices**

- |   |                                       |          |
|---|---------------------------------------|----------|
| A | Initial Submission on Kearnan College | 10 Pages |
|---|---------------------------------------|----------|



**ATTACHMENT**

**9.6.1 Pemberton Community Child Care Centre (Little Taddies)  
Lease Lot 203, Reserve 30376, Hepple Place, Pemberton and  
Inclusion of Lot 202 from Reserve 42817**

<b>PROPONENT</b>	Pemberton Community Child Care Centre Inc, Trading as Little Taddies Child Care Centre
<b>OWNER</b>	Crown (Management Order to Shire)
<b>LOCATION / ADDRESS:</b>	Lot 203 Hepple Place, Pemberton (Reserve 30376) Lot 202 Hepple Place, Pemberton (Part Reserve 42817)
<b>WARD:</b>	West
<b>ZONE:</b>	Public Purposes, Civic and Cultural
<b>DIVISION:</b>	Statutory and Corporate Services
<b>FILE REFERENCE:</b>	P54299, P56413
<b>LEGISLATION:</b>	Local Government Act 1995 Land Administration Act 1997
<b>AUTHOR:</b>	Jasmine Bamess
<b>DATE OF REPORT:</b>	28 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

The Shire of Manjimup holds the Management Order for Reserve 30376, being Lot 203 Hepple Place, Pemberton, for the purpose of 'Community Centre'.

Reserve 30376, originally comprising both Lots 203 and 202, was vested in the Shire of Manjimup on 5 June 1970. It operated as a kindergarten from 1977 to 1990, before informally being used for a playgroup and other like community groups until a child day care centre was established in 1994. Lot 202 was excluded from the reserve in 1993.

It is understood that the kindergarten building was constructed and funded from community donations. The location is shown on the attachment.

**ATTACHMENT: 9.6.1(1)**

Council granted a lease of Lot 203 to Mrs Tammy Turner for the purpose of a child day care centre, which commenced 1 February 1998 for a term of 17 years and expired on 31 January 2015. The lease was transferred to Pemberton Community Child Care Centre Inc (Little Taddies) effective 28 January 1999.

Little Taddies' constitution states that the association is to "act as a non-profit organisation whose purpose is to provide and maintain a quality Child Care Centre in Pemberton, operating as a Long Day Care Service in accordance with Government Regulations and Licensing rules covering these activities."

Little Taddies are currently licensed for up to 19 children at one time, between the ages of 2 months to 6 years. They offer various services, including long day care, before/after school care, vacation care and an early learning program, operating Monday – Friday, 7:30am – 5:30pm.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

Little Taddies have requested a new lease from the Shire of Manjimup. Their operations are well established and it is recommended to allow this to continue by granting a new lease. However, Council does need to be aware of the deteriorating condition of the building that will require a significant amount of expenditure over the next few years.

The existing lease was over Lot 203 only which contains the main building. However, their playground has been inadvertently constructed on the adjoining Lot 202, which is part of Reserve 42817 (with Lots 201 and 269) for the reserve purpose of 'Park'. It is recommended that Council request the Department of Lands include Lot 202 into Reserve 30376 for consistency and include it in the lease.

Little Taddies undertook alterations and additions to the building in 2003, including extensions to the front office area and patio. However, the older portion of the building is now in a poor condition, requiring restumping, refurbishment of the bathroom and other various works. It is anticipated that \$60,000 will need to be expended in the next two years, although a complete cost estimate has not yet been undertaken. Council will need to consider this in upcoming budgets. The original approval for the child care centre to commence operations was subject to any building maintenance and improvements required to operate for that purpose to be provided by the proponent. However, consistent with other similar community groups it is proposed that the maintenance responsibilities are accepted by Council.

Community consultation is being undertaken to rationalise and collocate community buildings in Pemberton such as the community resource centre and library. However, due to the intensity of use it is not anticipated that Little Taddies be included in this initiative. Therefore it is proposed to proceed with a new lease and maintenance responsibility resting with Council.

**STATUTORY ENVIRONMENT:**

Section 3.58 of the Local Government Act 1995 deals with the requirements for leasing Council land; however Section 30(b) of the Local Government (Functions and General) Regulations 1996 exempts from these requirements leases to charitable, benevolent, educational, recreational, sporting or other like bodies, provided the members are not entitled to receive any pecuniary profit. The lease to Little Taddies complies with this exemption.

Approval from the Minister for Lands is required under Section 18 of the Land Administration Act 1997.

**POLICY / STRATEGIC IMPLICATIONS:**

Continuing an existing lease arrangement in accord with Property Leasing Policy 4.2.8.

**FINANCIAL IMPLICATIONS:**

Property Leasing Policy 4.2.8 outlines that the lease fee for community groups with minimal income earning capacity is to be \$10 per annum and those who have a licensed premises with potential to earn income is to be \$200 per annum, where the building is owned by Council. Little Taddies do not specifically fit either of these policy measures. The current lease fee as set at the commencement of the existing lease is \$100 per annum and this is proposed to remain the same.

Maintenance of the building is -proposed in accordance with the maintenance responsibilities schedule of Policy 4.2.8.

The building insurance premium is recouped annually from Little Taddies.

As above, it is anticipated that \$60,000 will need to be expended by Council on the building in the next two years.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Asset work would need to be undertaken.

Social: Little Taddies provide a valuable child care service to the Pemberton Community.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council with regard to Pemberton Community Child Care Centre, Hepple Place, Pemberton:**

- 1. Request the Department of Lands transfer Lot 202 from Reserve 42817 into Reserve 30376;**
- 2. Lease current Reserve 30376, Lot 203 and Reserve 42817, Lot 202 Hepple Place, Pemberton, to Pemberton Child Care Centre Inc for a term of five years with a renewal option of a further five years at a rental of \$100 per annum; subject to approval of the Minister for Lands; and**
- 3. Consider in the budget process the expenditure of funds for maintenance to the building.**

**ATTACHMENTS**

- 1 Little Taddies - Lots 203 and 202 Hepple Place, Pemberton 1 Page**

## ATTACHMENT

## 9.6.2 Council Financial Payments December 2014

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	N/A
<b>LOCATION / ADDRESS:</b>	Whole of Shire
<b>WARD:</b>	All
<b>ZONE:</b>	Whole of Shire
<b>DIVISION:</b>	Statutory and Corporate Services
<b>FILE REFERENCE:</b>	FNC9
<b>LEGISLATION:</b>	Local Government (Financial Management) Regulations 1996
<b>AUTHOR:</b>	Kaylee Blee
<b>DATE OF REPORT:</b>	22 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

It is a statutory requirement for a list of payments from the Municipal and Trust Funds to be presented to Council and included in the minutes.

**CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The accounts for payment totalling \$1,325,750.56 for the month of December 2014 are itemised in the attachment.

**ATTACHMENT: 9.6.2(1)**

Vouchers for the expenditure are available for inspection at the Council Meeting of 12 February 2015.

<b>Fund</b>	<b>Vouchers</b>	<b>Amount</b>
Municipal	85544 - 85789	\$960,859.13
Trust Fund	2915 - 2925	\$2,870.00
<b>Total Cheques for Month of December 2014</b>		<b>\$963,729.13</b>

EFT expenditure batch reports are available for inspection at the Council Meeting of 12 February 2015.

<b>Fund</b>	<b>Batch</b>	<b>Amount</b>
Municipal	14 - 20	\$357,189.99
<b>Total EFT for Month of December 2014</b>		<b>\$357,189.99</b>

**Corporate Credit Card December 2014 – Municipal Account**

20245.198.52	Commerce Building Comm Cannington WA Alterations & Adds Workshop – Peter Krispyn	\$60.00
20245.198.52	Commerce Building Comm Cannington WA Alterations & Adds Workshop – Jamie Jones	\$60.00
20049.197.57	Qantas Airways Ltd Mascot Flight to Canberra – Richard Harris (recouped inv #11289)	\$1,401.05
20026.81.58	Qantas Airways Ltd Mascot Flight to Canberra – Shire President	\$1,401.05
20026.81.58	Lighthouse Beach Resort Bunbury Accommodation & Breakfast – Shire President	\$190.00
20049.197.57	Corporate Travel Manag Brisbane Flight to Canberra – Richard Harris (recouped inv #11289)	\$45.10
20026.81.58	Corporate Travel Manag Brisbane Flight to Canberra – Shire President	\$45.10
20049.197.57	Top Notch Café Manjimup SMT Meeting ST:5	\$99.40
86.4999.6405.50	Adobe Systems Software CS7 Adobe Suite Design Shire Docs by Pro	\$51.48
87.4999.7337.57	Woolworths Manjimup 4x Customer Service Awards	\$600.00
700.6207.7369.57	Booktopia Pty Ltd Lane Cove Various books on Bee Keeping & Apple Growing	\$281.75
20219.29.52	Gull Settlers Roadhouse Myalup	\$11.20
20148.198.52	Age Friendly Forum DCS & MHACC	\$11.20
20219.29.52	Benny's Bar & Café Fremantle	\$20.00
20148.198.52	Age Friendly Forum DCS & MHACC	\$20.00
20219.29.52	Admetus Nominees Pty Fremantle	\$10.00
20148.198.52	2x nights Parking at Casa Rialto	\$10.00
20219.29.52	Cicerellos Fremantle	\$16.65
20148.198.52	Age Friendly Forum DCS & MHACC	\$16.65
20219.29.52	Breaks Fremantle	\$12.50
20148.198.52	Age Friendly Forum DCS & MHACC	\$12.50
20074.197.57	The New Esplanade Perth Emergency Services Award Collection	\$32.00

1012WA2.6.57	DOT Manjimup Plate Remake 1012WA	\$108.95
20026.82.57	The Movember Group Richmond Donation	\$100.00
85.4220.7328.57	Wright Express Austral Camberwell (Coles) Groceries for MRAC Cafe	\$23.50
20033.197.57	Nitro PDF AUD Nitro PDF for Front Counter	\$167.04
20276.7.58	Card Fee - DSCS	\$12.16
20276.7.58	Card Fee - MFBS	\$12.16
Total Credit Card Payments		<b>\$4,831.44</b>
<b>Total Payments for the month December 2014</b>		<b>\$1,325,750.56</b>

**STATUTORY ENVIRONMENT:**

Local Government (Financial Management) Regulations 1996, Regulations (12) and (13).

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

As stated.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the accounts paid during December 2014 totalling \$1,325,750.56 as detailed in Attachment: 9.6.2(1).**

**ATTACHMENTS**

1 Cheque Listing December 2014 26 Pages

**ATTACHMENT****9.6.3 Monthly Financial Activity Statement - December 2014**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	Whole Shire
<b>LOCATION / ADDRESS:</b>	Whole Shire
<b>WARD:</b>	Whole Shire
<b>ZONE:</b>	N/A
<b>DIVISION:</b>	Statutory Services
<b>FILE REFERENCE:</b>	FNC3/3
<b>LEGISLATION:</b>	Local Government Act 1995; Local Government (Financial Management ) Regulations 1996
<b>AUTHOR:</b>	Greg Lockwood
<b>DATE OF REPORT:</b>	29 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

The Financial Management Regulations require monthly Financial Activity Statement reports to be prepared and presented to Council, containing the following information;

- ✓ Annual budget estimates
- ✓ Estimates to end of month
- ✓ Actual expenditure
- ✓ Actual income
- ✓ Material variances
- ✓ Net current assets

The Financial Activity Statement report for the period to 31 December 2014 is attached. The report is summarised by Function/Activity and Department with detailed reports by Department.

**ATTACHMENT: 9.6.3(1)**

**CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The Financial Activity Statement serves as a review, commenting on Council's cash, loans, debtors and overall performance for the six month period.

Following is the general comments made as part of the review.

The financial performance for the Shire of Manjimup to the 31 December 2014 is a projected loss of \$35,256.

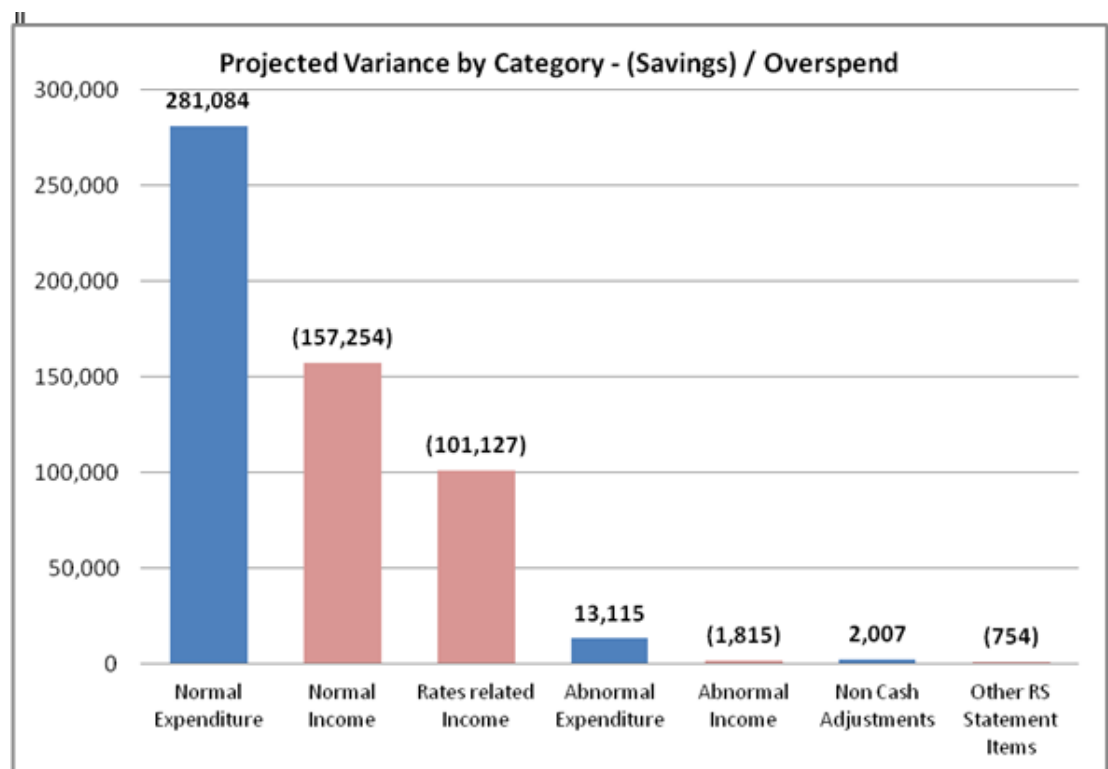
The \$35,256 loss is a projection based on a conservative approach highlighting possible issues as they occur, which in most cases can be

rectified or offset with under expenditure in other areas as we progress through the financial year.

In brief the projected figures in most cases, assume that the expenditure to 31 December 2014 continue at the same rate to 30 June 2015. Where an asterix appears in the "Adj" column in the Management Reports, the formula has been changed to reflect the irregular purchase, or seasonal nature of that particular account. It should be noted that where a projected under expenditure might occur, the budgeted figure is still maintained.

For the first six months of the 2014/2015 financial year, there have been no significant issues to report. The \$35,256 projection has been caused by a series of low to moderate expenditure matters including but not limited to, an extra \$15,000 for legal costs for the Planning area, to a \$20,000 projected over expenditure in Parks salaries due to payout of departing staff. These projections have been offset by savings in the area of Insurance for \$31,217 and extra income from Interim Rates of \$15,495.

The Graph below indicates which areas of Council's income and expenditure is contributing to the projected loss. For more detail please refer to the Rate Setting Statement in the attached report on page 7, and for further information refer to the operating comments on pages 9 to 14.



Areas that will need to be monitored going forward and have been mentioned in previous Monthly Financial Activity Statements are;

- Storm Damage - 78.66% expended;
- Manjimup Regional AquaCentre – projected to be on budget but can change very quickly with high salary and utility budgets; and



- Road Maintenance – 56.91% expended to date.

For more detail regarding individual budgets please view the operating comments section of this report as well as the individual department budgets attached.

In summary, other than those items listed above, no major discrepancies have come to light in the first six months after adopting the 2014/2015 budget, and with sound financial management going forward by all departments, Council should be in a neutral or minor surplus position at the 30<sup>th</sup> June 2015.

**STATUTORY ENVIRONMENT:**

Section 6.8 local Government Act and Financial Management Regulation 34.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

As described in above summary.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the Financial Activity Statement Report to the end of December 2014 as per Attachment: 9.6.3 (1).**

**ATTACHMENTS**

- 1 Monthly Financial Activity Statement - December 2014 97 Pages

**ATTACHMENT****9.6.4 Budget Review Adjustments - December 2014**

<b>PROPONENT:</b>	Shire of Manjimup
<b>OWNER:</b>	
<b>LOCATION / ADDRESS:</b>	
<b>WARD:</b>	All
<b>ZONE:</b>	N/A
<b>DIVISION:</b>	Statutory and Corporate Services
<b>FILE REFERENCE:</b>	FNC3/3
<b>LEGISLATION:</b>	Section 6.8 Local Government Act 1995,
<b>AUTHOR:</b>	Greg Lockwood
<b>DATE OF REPORT:</b>	29 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Following a review of the Monthly accounts to 31 December 2014 a budget adjustment sheet has been prepared to reflect variations to expenditure and revenue compared to that contemplated in the 2014/2015 Annual Budget.

**ATTACHMENT: 9.6.4(1)**

**CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The December 2014 Monthly Financial Statement Report has been completed and is the subject of a separate agenda item providing a full explanation of "actual" compared to "budget" for the six months of operation to 31 December 2014.

Adjustments required to the 2014/2015 adopted budget, already approved by Council by way of specific agenda items, are:

- Northcliffe Recreation Centre Floor \$8,000 – Allocation of funds to carry out reseal;
- DSR Grant \$48,700 – Recognise funding received for Club Development Officer;
- Pipe Clay Gully Road \$100,000 – Interim reallocation of Infrastructure budget from Graphite Rd Reseal to repair Pipe Clay Gully Rd after dam failure;
- DSR Grant \$30,000 – Recognise grant funding for the Pool Revitalisation Program;
- Manjimup Art Deco Painting Project \$10,000 – Funded from the Heritage Reserve, this item went to Council on 6 March 2014 but was missed as part of the carry forward projects.

Other adjustments required but not yet considered by Council are:

- Department of Communities \$1,000 – Successful grant application for Volunteers Day;
- Dept of Health \$30,360 – Recognise successful growth funding application for HACC services. 50% growth funding applied for during 2014/2015;
- Motor Vehicle Costs \$11,000 – reallocation of vehicle costs after a change of vehicles internally.

**STATUTORY ENVIRONMENT:**

Section 6.8 (1) of the Local Government Act 1995 requires that expenditure not be incurred for an additional purpose unless authorised by Council.

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Details of the recommended budget adjustments are attached.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:**

**ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopts the December 2014 budget adjustment as contained in Attachment: 9.6.4(1).**

**ATTACHMENTS**

**1 Budget Adjustments - December 2014 1 Page**

### 9.8.1 Manjimup Recreation Ground Irrigation Pump Replacement Funding

<b>PROPONENT OWNER</b>	Shire of Manjimup Shire of Manjimup
<b>LOCATION / ADDRESS:</b>	
<b>WARD:</b>	Central
<b>ZONE:</b>	NA
<b>DIVISION:</b>	Works and Service
<b>FILE REFERENCE:</b>	WRK28
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Michael Leers
<b>DATE OF REPORT:</b>	27/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

#### **BACKGROUND:**

The Shire of Manjimup is responsible for the irrigation and maintenance of varied sites that make up its Public Open Space asset. This is including the active playing fields consisting of turfed sporting ovals. As the result of an inspection program of the Manjimup Recreation Ground, condition of the turf identified the irrigation pump had failed. The pump was more than twenty years old and could not be repaired. In order to avoid further deterioration of the turf condition, the irrigation pump required urgent replacement, ensuring continued use of the oval by several of the schools and sports clubs for sports events.

The cost to supply and install the new pump was \$5,500 with funds used from the Manjimup Recreation Ground maintenance account. The Officer requests these maintenance funds be reimbursed from the Recreation Ground Equipment Reserve Fund.

#### **PUBLIC CONSULTATION UNDERTAKEN:**

Nil

#### **COMMENT (Includes Options):**

The Shire of Manjimup is responsible for providing safe and usable playing fields on its sports grounds. As various sporting clubs hire the oval of the Manjimup Recreation Ground, the Shire must ensure its infrastructure is operational and ready to use for its lessees. Therefore, when part of the irrigation system fails it must be repaired or replaced promptly.

#### **STATUTORY ENVIRONMENT:**

To ensure all playing surfaces are safe and usable for the sporting community.

#### **POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

\$5,500 debited from the Recreation Ground Equipment Reserve funds

**SUSTAINABILITY:**

Environmental: Effective irrigation ensures continued use of Public Open Space asset.

Economic: By ensuring continual operation of irrigation equipment, the turf does not require total replacement, thereby avoiding greater costs.

Social: Healthy turf provides safe and operational playing surface for schools and sporting groups to play on.

**VOTING REQUIREMENTS:                      SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council:**

**Allocate \$5500.00 from the Recreation Ground Equipment Reserve Fund to recompense the Manjimup Recreation Ground Maintenance Account used to replace and install the new pump.**

Description	Current Budget	Amended Budget	Variation
<b>Manjimup Recreation Ground Maintenance Account</b>	<b>\$21,050</b>	<b>\$26, 550</b>	<b>\$5,500</b>
<b>Transfer from Recreation Ground Equipment Reserve Fund</b>	<b>\$7,930</b>	<b>\$2,430</b>	<b>(\$5,500)</b>
<b>Net Rate Funds</b>			<b>\$0</b>

**ATTACHMENT****9.10.1 Art Prize Funding Request - Pemberton Arts Group Inc**

<b>PROPONENT</b>	Pemberton Arts Group Inc
<b>OWNER</b>	Pemberton Arts Group Inc
<b>LOCATION / ADDRESS:</b>	Pemberton
<b>WARD:</b>	West; Whole of Shire
<b>ZONE:</b>	Nil
<b>DIVISION:</b>	Community
<b>FILE REFERENCE:</b>	WLF23
<b>LEGISLATION:</b>	Local Government Act (s6:11)
<b>AUTHOR:</b>	Gail Ipsen Cutts
<b>DATE OF REPORT:</b>	30/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

The Pemberton Arts Group Incorporated has made a formal request to Council to sponsor the inaugural art prize, open to Artists throughout the State for the 'Unearthed' festival in May in 2015.

**ATTACHMENT: 9.10.1(1)**

**ATTACHMENT: 9.10.1(2)**

Funds requested are for \$7,000. There is no allocation for these funds in the 2014/15 budget; as such the purpose of this report is to seek Council approval to allocate some funds from the Arts and Culture Reserve.

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

In May 2015 Pemberton will host the inaugural 'Unearthed' festival. A key focus for the festival will be the inaugural art prize and exhibition of both 2D and 3D works. This prize will be open to artists across the State and not restricted to the local area. Unearthed is a weeklong festival event which will also see artist studios across the Pemberton and Northcliffe area open to the public and supported by a number of interactive arts workshops.

The requested amount is a contribution of \$7000 to the overall art prize, with additional prize money being sourced from local corporate sponsors. Whilst the Pemberton Arts Group would prefer a cash prize they have advised that they are happy for Council to determine if the prize should be a cash prize or an art acquisition prize. Councils Arts and Cultural strategy acknowledges the need for the development of an 'Art Prize and Acquisition Policy' designed to grow the Shire's art collection; however this policy has yet to be established.

It is important to note that there are a couple of anomalies between the Unearthed Art Prize proposal and Councils adopted Arts and Cultural Plan

recommendation 1.6.2 being to 'Develop and Implement an Arts Prize and Acquisition Policy to Grow the Shire's Art collection (\$10,000 per annum for this purpose commencing 2015/16 financial year)'. Notably that the Unearthed Art Prize will be open to all individuals across the State and not limited to the Shire of Manjimup, and secondly that the prize has been initially proposed as a cash prize and not an art acquisition prize and as such will not contribute to the desire to grow the Shire's collection. In respect of the latter that Pemberton Arts Group have indicated that they would be happy to leave this decision to Council.

Despite the above, and in light of the fact that the Unearthed Festival is a new event which missed the Community Grants deadline for 2014/15 and Councils previously expressed desire to support an art prize to encourage growth and stimulate the local arts and cultural environment, officers recommend that Council consider the allocation of \$5,000 towards the art prize this year.

It is also recommended that prior to further commitment to an annual art prize that a draft Shire of Manjimup Art Prize and Arts Acquisition Policy be prepared for Council consideration.

Should Council's decision be an art acquisition prize, there does need to be future consideration as to how the art collection is suitably managed and housed and this issue should be addressed within the proposed policy.

#### **STATUTORY ENVIRONMENT:**

Local Government Act – Reserve accounts (Financial Management, 6.11)

#### **POLICY / STRATEGIC IMPLICATIONS:**

Shire of Manjimup Arts and Cultural Plan – 1.6.2 *Develop and Implement an Arts Prize and Acquisition Policy to Grow the Shire's Art collection (\$10,000 per annum for this purpose commencing 2015/16 financial year)*

Arts and Culture Reserve: *To foster and support the community at the local level by including the delivery of a diverse range of art and cultural opportunities, an increased awareness of artistic and cultural opportunities, the development of identified infrastructure to support the arts, and skill development and education in respect of the arts.*

#### **FINANCIAL IMPLICATIONS:**

It is likely that the "Unearthed Festival - Art Prize" will be an annual event. A one off request from the Reserve Fund may be acceptable, however it is not an appropriate source of prize funds for an annual prize. Consideration for a \$10,000 annual Art Prize fund, is part of the adopted Arts and Cultural Plan, as a Shire wide reserve.

#### **SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social:

**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

That Council;

1. Allocate \$5,000 from the Arts and Culture Reserve for the purpose of an acquisition prize at the Unearthed Arts Prize in May 2015, and

Description	Original	New	Variation
Arts and Culture Reserve	\$15,861	\$10,861	\$5,000
Art Prize contribution -	\$0	\$5,000	(\$5,000)

2. Direct the Chief Executive Officer to prepare a draft Shire of Manjimup Art Prize and Arts Acquisition Policy for Council consideration prior to any further commitment of funds.

**ATTACHMENTS**

- 1 Pemberton Arts Group Inc Request for Art Prize funds 1 Page
- 2 Unearthed Festival Information 1 Page



**ATTACHMENT  
APPENDIX**

**9.13.1 Review of Community Services Policy 3.3.1 - Manjimup  
AquaCentre - Swimming Pool Hours - Alteration**

<b>PROPONENT OWNER</b>	Shire of Manjimup
<b>LOCATION / ADDRESS:</b>	Manjimup Regional AquaCentre, Rutherford Street, Manjimup
<b>WARD:</b>	N.A.
<b>ZONE:</b>	N.A.
<b>DIVISION:</b>	Recreation Services
<b>FILE REFERENCE:</b>	PRO 10/7
<b>LEGISLATION:</b>	Local Government Act
<b>AUTHOR:</b>	Evy Apeldoorn
<b>DATE OF REPORT:</b>	29 January 2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Policies are generally reviewed every four years, or where there is a trigger for a change. In the case of the 'Manjimup AquaCentre - Swimming Pool Hours - Alteration' policy, the policy is due for review and is required to be updated to reflect recent changes to the Council policy template.

The purpose of this report is to adopt an updated Policy 3.3.1 Manjimup Regional AquaCentre – Opening Hours Alteration. A copy of the current policy is included in the appendix.

**APPENDIX: 9.13.1(A)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The updated policy is attached. A commentary on the salient changes is contained below.

**ATTACHMENT: 9.13.1(1)**

Policy Objectives

To be able to alter the standard hours of operation of the Manjimup Regional AquaCentre in response to abnormal and/or emergency circumstances.

Proposed amendments to the Policy

The Policy was last reviewed in 2009 and its content remains relevant to relevant legislation and Council's aim to maximise the availability of this Shire's asset to the community but being able to respond to abnormal and/or unforeseen circumstances.

Proposed amendments are:

- To change the title of the Policy from 'Manjimup AquaCentre - Swimming Pool Hours – Alteration' to 'Manjimup Regional AquaCentre – Temporary Alterations of Operating Hours';
- To change the name of 'swimming pool' and 'AquaCentre' into 'Manjimup Regional AquaCentre';
- Besides 'closing' and 'extending', it may be necessary to temporary reduce the operating hours;
- Change of 'Manager Recreation Services' into 'Manager Community & Recreation' to reflect the current organisational structure of the Shire;
- Delete 'radio stations' and expand the means of advertising alterations in operating hours to reflect modern day marketing tools, such as social media; and
- Deletion of notifying local schools and replace by notifying known groups/individuals, as this will capture school bookings/events, swimming lessons, etc.

**STATUTORY ENVIRONMENT:**

- Local Government Act

**POLICY / STRATEGIC IMPLICATIONS:**

Shire of Manjimup Sport & Recreation Strategic Plan 2014-2024

**FINANCIAL IMPLICATIONS:**

Little; closure may have financial implications, due to reduced or additional user entry revenue, staffing costs, etc. However this Policy only deals with temporary and abnormal or unforeseen closures, and as such the financial implications are expected to be minor.

**SUSTAINABILITY:**

Environmental: Nil

Economic: Little, see Financial Implications.

Social: Availability of facilities and services of Manjimup Regional AquaCentre to the community.

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council adopts the amended Community Services Policy 3.3.1 - Manjimup Regional AquaCentre – Temporary Alterations of Operating Hours as per Attachment 9.13.1(1).**

**ATTACHMENTS**

- 1 Policy Manjimup Regional AquaCentre- Operating Hours Alterations

**Appendices**

**A Policy Swimming Pool Hours Alterations**

**ATTACHMENT****9.14.1 Northcliffe Forest Park Management Committee Meeting held  
14 January 2015**

<b>PROPONENT OWNER</b>	Shire of Manjimup
<b>LOCATION / ADDRESS:</b>	Shire of Manjimup Northcliffe Forest Park
<b>WARD:</b>	Coastal
<b>ZONE:</b>	NA
<b>DIVISION:</b>	Works and Services
<b>FILE REFERENCE:</b>	TPL 6/26
<b>LEGISLATION:</b>	<i>Local Government Act 1995</i>
<b>AUTHOR:</b>	Nicole Booth
<b>DATE OF REPORT:</b>	27/01/2015
<b>DECLARATION OF INTEREST:</b>	Nil
<b>SIGNATURE:</b>	

**BACKGROUND:**

Minutes of the Northcliffe Forest Park Management Committee Meeting, held 14 January 2015, are attached.

**ATTACHMENT: 9.14.1(1)**

**PUBLIC CONSULTATION UNDERTAKEN:**

Nil

**COMMENT (Includes Options):**

The minutes for the meeting held on 14 January 2015 contain no resolutions requiring Council approval.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

**POLICY / STRATEGIC IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**SUSTAINABILITY:**

Environmental: Nil

Economic: Nil

Social: Nil

**VOTING REQUIREMENTS:**

**SIMPLE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council receive the minutes of the Northcliffe Forest Park Management Committee for 14 January 2015 as included in Attachment: 9.14.1(1).**

**ATTACHMENTS**

- 1 Minutes of the Northcliffe Forest Park Management Committee meeting held 14 January 2015

**10. LATE REPORTS:**

**11. QUESTIONS FROM MEMBERS:**

- 11.1 Response to questions from members taken on notice.
- 11.2 Questions from members.

**12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING:**

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY  
DECISION OF THE MEETING:**

**14. MEETING CLOSED TO PUBLIC:**

14.1 Matters for which the meeting may be closed

**14.1.1 Minutes of the Chief Executive Officer Review Committee meeting - 22 January 2015**

<b>PROPONENT</b>	Shire of Manjimup
<b>OWNER</b>	
<b>LOCATION / ADDRESS:</b>	
<b>WARD:</b>	Whole of Shire
<b>ZONE:</b>	
<b>DIVISION:</b>	Office of the CEO
<b>FILE REFERENCE:</b>	CNL 21 & PSN 195
<b>LEGISLATION:</b>	Local Government Act 1995
<b>AUTHOR:</b>	Andrew Campbell
<b>DATE OF REPORT:</b>	28 January 2015
<b>DECLARATION OF INTEREST:</b>	The author is the subject of the report
<b>SIGNATURE:</b>	

**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

**OFFICER RECOMMENDATION:**

**That Council goes behind closed doors to consider:**

**Item 14.1.1 as under Section 5.23(2) (a) it deals with a matter affecting an employee or employees.**

14.2 Public reading of resolutions that may be made public.

**15. APPLICATIONS FOR LEAVE OF ABSENCE:**

**16. CLOSURE:**

**There being no further business to discuss the Shire President to thank those in attendance and close the meeting at.....pm.**