



ORDINARY MINUTES

DATE: Tuesday, 20 March 2012

TIME: 2:45pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

MEMBERSHIP – Quorum (5)

Membership:

Cr K Clements – Shire President
Cr M Skinner – Deputy Shire President
Cr S Etherington JP
Cr B Bell
Cr C Pavlovich
Cr J Moir
Cr A Budrikis
Cr G Messmer
Cr L Handasyde

Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute the Council's decision until considered by the Council.

TABLE OF CONTENTS

| ITEM | SUBJECT | PAGE NO |
|-------|--------------------------------------------------------------------------------------------------------------------|---------|
| 1 | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS..... | 1 |
| 2 | RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)..... | 1 |
| 3 | PUBLIC QUESTION TIME..... | 2 |
| 3.1 | RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE..... | 2 |
| 3.2 | PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995..... | 2 |
| 4 | PETITIONS / DEPUTATIONS / PRESENTATIONS..... | 2 |
| 5 | DISCLOSURE OF INTEREST | 2 |
| 6 | APPLICATIONS FOR LEAVE OF ABSENCE | 2 |
| 7 | CONFIRMATION OF MINUTES..... | 2 |
| 8 | ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION | 3 |
| 9 | REPORTS OF COMMITTEES AND OFFICERS..... | 4 |
| 9.1 | DEVELOPMENT SERVICES REPORTS..... | 4 |
| 9.1.1 | LOT 77 WEBSTER STREET, MOUNT BARKER - OUTBUILDINGS EXCEEDING MAXIMUM CUMULATIVE FLOOR AREA REQUIREMENT | 4 |
| 9.1.2 | LOTS 41 AND 88 DENMARK-MOUNT BARKER ROAD, DENBARKER - THREE LOT RURAL SUBDIVISION..... | 7 |
| 9.2 | WORKS AND SERVICES REPORTS..... | 11 |
| 9.2.1 | SPEED ZONE REDUCTION - OATLANDS ROAD, MOUNT BARKER..... | 11 |
| 9.3 | COMMUNITY SERVICES REPORTS | 13 |
| 9.4 | CORPORATE SERVICES REPORTS | 13 |
| 9.4.1 | FINANCIAL STATEMENTS – FEBRUARY 2012 | 13 |
| 9.4.2 | LIST OF ACCOUNTS - FEBRUARY 2012 | 15 |

- 9.5 EXECUTIVE SERVICES REPORTS..... 17**
- 9.5.1 ELECTED MEMBER TRAINING – WORKSHOP ATTENDANCE
- PROFESSIONALLY SPEAKING..... 17
- 9.5.2 STAFF ESTABLISHMENT - PROPOSED AMENDMENTS..... 20
- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 23**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING..... 23**
- 12 CONFIDENTIAL..... 23**
- 13 CLOSURE OF MEETING..... 23**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2.45pm 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 M Skinner | Deputy Shire President |
| Cr B Bell | Councillor |
| Cr S Etherington | Councillor (Left the Chambers at 2:47pm, returned 2:48pm) |
| Cr L Handasyde | Councillor |
| Cr G Messmer | Councillor |
| Cr J Moir | Councillor |
| Cr C Pavlovich | Councillor |

In Attendance:

| | |
|--------------------|--------------------------------|
| Mr Rob Stewart | Chief Executive Officer |
| Mr John Fathers | Deputy Chief Executive Officer |
| Mr Peter Duncan | Manager Development Services |
| Mr Dominic Le Cerf | Manager Works and Services |
| Mrs Linda Sounness | Executive Secretary |
| Mr Vincent Jenkins | Planning Officer |

There were no members of the public present.

Apologies

Cr A Budrikis

Previously Approved Leave of Absence:

Cr G Messmer – 1 May 2012 to 22 May 2012 inclusive

Emergency Evacuation Procedures/Disclaimer:

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

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr S Etherington

Disclosed a Closely Associated Person (Section 5.62 LGA) Interest – The applicant is the son of my partner – in Item 9.1.1.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

7 CONFIRMATION OF MINUTES

Moved Cr B Bell, seconded Cr L Handasyde:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 February 2012 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 32/12

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

Cr Chris Pavlovich asked that it be recorded that the Mount Barker Speedway Club has completed the construction of its clubhouse facility and wish to thank the Council for its Financial Assistance Grant of \$3,000.00.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 77 WEBSTER STREET, MOUNT BARKER - OUTBUILDINGS EXCEEDING MAXIMUM CUMULATIVE FLOOR AREA REQUIREMENT

A Closely Associated Person (Section 5.62 LGA) was declared by Cr S Etherington. Nature and extent of interest – Applicant is son of partner.

2.47pm Cr S Etherington withdrew from the meeting.

File No: N21940

Attachments: [Location Plan](#)
[Site Plan](#)
[Floor Plan](#)
[Elevation 1](#)
[Elevation 2](#)
[Letter from Applicant](#)

Responsible Officer: Peter Duncan
Manager Development Services

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 20 March 2012

Applicant: Michael Pearce

PURPOSE

The purpose of this report is to consider a proposal for an additional outbuilding at Lot 77 Webster Street, Mount Barker. This outbuilding combined with two others means the cumulative floor area set by Council Policy is exceeded.

BACKGROUND

Council Records show the registered owner of Lot 77 is MT Pearce.

The proposal is for an additional outbuilding of 54m² (6m x 9m) with a wall height of 2.7m and combined with various other existing outbuildings of 77.7m². The cumulative area of 131.7 m² exceeds the 80m² area set by Council policy for this residential area.

Town Planning Scheme Policy No. 16.1 (Outbuildings) sets a maximum wall height of 3m and a maximum cumulative total floor area of 80m² for outbuildings in Residential zones.

The proponent has submitted a letter (copy attached) explaining the request to construct an additional outbuilding. The reasons given were to provide for a home workshop and for security purposes. In addition, the proponent intends to store and repair a car he owns and races at the Mount Barker Speedway.

STATUTORY ENVIRONMENT

Shire of Plantagenet Town Planning Scheme No 3 (TPS3) - Zoned Residential (R10/20).

Clause 6.3.2 of TPS3 states:

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

Residential Design Codes (RCodes).

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

'Discretion shall be exercised having regard to the following considerations:

- a) the stated purpose and aims of the scheme;*
- b) the provisions of parts 1-7 of the codes, as appropriate;*
- c) the performance criterion or criteria in the context of the coding for the locality that corresponds to the relevant provision;*
- d) the explanatory guidelines of the codes that correspond to the relevant provisions;*
- e) any local planning strategy incorporated into the scheme;*
- f) a provision of a local planning policy pursuant to this policy and complying with clause 2.5.3; and*
- g) orderly and proper planning.'*

The variation required here relates to 2.5.2(b) above as the outbuilding requirements are in part 6 of the RCodes.

EXTERNAL CONSULTATION

As part of lodging this application, the proponent sought comment from landowners of adjoining Lot 75 Webster Street to the east, Lot 201 Webster Street to the west and Lot 80 Ormond Road to the north. Letters were sent to these adjoining landowners by registered mail on 2 February 2012. The landowners of Lot 201 Webster Street and Lot 80 Ormond Road have not responded to the registered mail document to date. The landowner of Lot 75 raised no objection to the proposed additional outbuilding. However, this landowner is concerned the outbuilding may be used for business purposes in future. The Council's Planning Officer advised pursuant to TPS3 any proposed business activity in the Residential zone will require the Council's approval prior to being carried out.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 16.1 (Outbuildings) limits outbuildings to a maximum wall height of 3m and a maximum cumulative floor area of 80m² for Residential zones. The cumulative floor area of all outbuildings on site including the new outbuilding will total 131.7m². The wall height of the proposed outbuilding is 2.7m. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

Lot 77 is 1,576m² in area and is zoned Residential (R10/20). The proposed outbuilding is setback 15.5m from the north rear boundary abutting Lot 80 Ormond Road, 7.7m from the east side boundary abutting Lot 75 Webster Street and 12.3m from the west boundary abutting Lot 201 Webster Street . The proposed outbuilding location meets the setback requirements of the RCodes.

The proposed outbuilding will be 54m² (6m x 9m) in area and be constructed in Trimdeck Colorbond®. The external walls and roof will be finished in wilderness green colour.

The cumulative floor area of all outbuildings on the property including the new outbuilding will total 131.7m². The wall height of the proposed outbuilding is within the limit set by the policy. No difficulties are seen with the maximum cumulative floor area of outbuildings being 131.7m² given the size of the lot being 1,576m².

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr G Messmer:

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the proposed outbuilding at Lot 77 Webster Street, Mount Barker be approved which will mean a cumulative area of all outbuildings being 131.7m² which is in excess of the 80m² stated in Town Planning Scheme Policy No. 16.1 (Outbuildings) subject to the development being in accordance with the plans dated 16 January 2012.

CARRIED (7/0)

NO. 33/12

2:48pm Cr S Etherington returned to the meeting.

**9.1.2 LOTS 41 AND 88 DENMARK-MOUNT BARKER ROAD, DENBARKER -
THREE LOT RURAL SUBDIVISION**

File No: N21666

Attachments: [Location Plan](#)
[Site Plan](#)
[Proposed Subdivision](#)

Responsible Officer: Peter Duncan
Manager Development Services

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 20 March 2012

Applicant: John Kinnear and Associates

PURPOSE

The purpose of this report is to consider a proposal for a three lot subdivision of Lots 41 and 88 Denmark-Mount Barker Road, Denbarker and respond to the Western Australian Planning Commission (WAPC).

BACKGROUND

Shire records indicate the owner of Lot 41 is JW Dennis and the owner of Lot 88 is BJ Dennis.

The Shire of Plantagenet Local Planning Strategy (LPS2011) adopted by the Council on 8 November 2011 and the Shire of Plantagenet Town Planning Scheme Policy No. 18 (Planning Vision) (TPS Policy No.18) adopted in November 2010 show the subject lots as a part of Planning Unit P6 – Upper Hay Catchment. Both the LPS2011 and TPS Policy No.18 identify Lot 41 as ‘*General Agriculture*’ and Lot 88 as ‘*Priority Agriculture*’.

Both Lots 41 and 88 are located within the Rural Zone. Lot 41 is 40.51ha in area and is located south of the Denmark-Mount Barker Road. Lot 88 is 39.08ha in area consisting of two lot parcels. The first lot parcel is 19.57ha in area and is located north of the Denmark-Mount Barker Road. The second lot parcel is 19.51ha in area and is located south of the Denmark-Mount Barker Road.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

WAPC State Planning Policy 2.5 - Agricultural and rural land use planning

WAPC Development Control Policy 1.1 - General principles for the subdivision of land

WAPC Development Control Policy 3.4 - Subdivision of Rural Land

Shire of Plantagenet of Plantagenet Town Planning Scheme Policy No. 18 – Planning Vision. Section 3.1.4 - Contains requirements for Subdivision and Development Standards for Priority Agriculture and General Agriculture including the following:

3.1.4.1 Subdivision – General

1. *In Priority Agriculture and General Agriculture areas, there shall be a presumption against the subdivision of land unless the Council is satisfied:*
 - (iii) *the adjustment of lot boundaries where the application, if approved, will not result in the creation of additional lots;*
 - (vii) *that the subdivision is necessary to enable the carrying out of an intensive agricultural pursuit and is in accordance with this TPS Policy 18; and*
 - (viii) *the balance of title also meets agreed objectives, standards and development controls.*
2. *The Council will not support subdivision which in its opinion will have the potential to adversely affect the rural landscape or be prejudicial to the agricultural use of the land of the locality...*
5. (i) *The Council wishes to ensure limited parts of the rural lands are protected for intensive agricultural and horticultural operations. With this in mind, rural planning unit P6 will be considered for lots down to 40ha subject to detailed justification. That justification requires reports to be signed off as acceptable by the Department of Agriculture and Food and the Department of Water (where appropriate) prior to the submission of a subdivision application to the WAPC.*
- (ii) *The 40ha lot size (which differs from the WAPC state wide figure of 80ha) has been selected by the Council as an appropriate size for an intensive activity to establish, but soils and water analysis will determine the actual lot size. It also means that persons wishing to establish a new intensive activity will be more likely to be in a financial position to purchase such a landholding and commence the activity.*

3.1.4.2 Subdivision for Agricultural Purposes

1. *In order to protect the productive capacity of agricultural land and the basis of State, regional and local economies, there is a general presumption against the further subdivision of land in Priority Agriculture and General Agriculture, except where it can be clearly demonstrated that the subdivision will be beneficial to viable and sustainable agricultural production and land management on the subject land and will not be prejudicial to similar production and management on adjoining lands. Subdivision supported by the*

Council under this criteria shall have minimum lot sizes as set out for each planning unit described in Appendix 6. (Note: The WAPC has not supported this.)

3. *The Council will not support the subdivision of land within Priority Agriculture and General Agriculture unless complying with one or more of the following criteria:*
 - (i) *one of the new lots is to be amalgamated with an adjoining property, or lot boundaries are to be relocated, and no additional lots are created;*
 - (iv) *the land is severed by a public facility or regional road, where this causes severe impost to agricultural production on the land;*
 - (v) *an established and producing horticultural activity of not less than 30ha in Priority Agriculture and General Agriculture is to be excised from the overall holding and the Council considers that the remaining land is suitable for continued agricultural production based on land capability, water availability, lot configuration and advice from any relevant government agency; and*
 - (vi) *the subdivision is consistent with the relevant Policies of the WAPC.*

STRATEGIC IMPLICATIONS

TPS Policy No.18 (Planning Vision) shows the subject lots as a part of Planning Unit P6 – Upper Hay Catchment. Subdivision and Development Guidelines for Planning Unit P6 support lot sizes down to 40ha for General and Priority Agriculture identified for intensive agricultural pursuits.

This support is subject to an agronomist's report demonstrating each new lot will have a minimum 30ha area of soil with a high capability rating for annual or perennial horticulture production. This support is further subject to a hydrologist's report demonstrating each new lot has the capacity to capture and store water of sufficient quantity and quality for the intensive agricultural production. Both the agronomist's report and the hydrologist's report need to be signed off by the Department of Agriculture and Food and the Department of Water respectively.

Given the application has not demonstrated the new lots will be capable of sustainable intensive agricultural production and creation of an additional lot, the application is not supported. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

OFFICER COMMENT

The existing development at Lot 41 consists of a farm house, garage and 2.19ha of riesling grapes.

Lot 88 lot parcel located north of the Denmark-Mount Barker Road is currently developed with pasture and remnant vegetation. Lot 88 lot parcel located south of the Denmark-Mount Barker Road is currently developed with three outbuildings and

three farm dams. This lot parcel is further developed with 4.07ha riesling grapes and 5.77ha chardonnay grapes. An existing crossover and driveway provides access over Lot 88 southern lot parcel from the Denmark-Mount Barker Road to Lot 41.

This application involves the subdivision of Lots 41 and Lot 88 into three lots. Proposed Lot A will only be 11.24ha in area and will include the existing driveway, two farm dams and the chardonnay grapes (5.77ha). Proposed Lot B will be 48.74ha in area and will include the existing house, garage, one farm dam and the riesling grapes (6.23ha). The remainder of Lot 88 located north of the Denmark-Mount Barker Road will be Lot C.

The applicant advised the rationale for this subdivision application is based on the interest of a prospective purchaser wanting to acquire chardonnay variety grapes only. Proposed Lot A will include all the chardonnay grapes and will be 11.24ha in area.

Both the LPS2011 and TPS Policy No.18 in this instance require supporting information to the application (agronomist's and hydrologist's reports or similar) to be signed off by the Department of Agriculture and Food and the Department of Water prior to the submission of a subdivision application to the WAPC. The LPS2011 and TPS Policy No.18 further require any applications for adjustment of lot boundaries not to result in the creation of additional lots. Given the application has not demonstrated the new lots will be capable of sustainable intensive agricultural production and creation of an additional lot the application is not supported.

The fact that the land is divided by the significant Denmark-Mount Barker Road is not considered adequate justification in this instance. The proposed Lots A (11.24ha) and C (19.51ha) are considered to be too small.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M Skinner:

That Western Australian Planning Commission be advised that the proposed three lot subdivision of Lots 41 and 88 Denmark-Mount Barker Road, Denbarker (WAPC 145615) is not supported as it does not satisfy the standards set in the Shire of Plantagenet Town Planning Scheme Policy No. 18 (Planning Vision).

CARRIED (8/0)

NO. 34/12

9.2 WORKS AND SERVICES REPORTS

9.2.1 SPEED ZONE REDUCTION - OATLANDS ROAD, MOUNT BARKER

File No: N21991
Responsible Officer: Dominic Le Cerf
Manager Works and Services
Author: Megan Beech
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 20 March 2012

PURPOSE

The purpose of this report is to seek approval from Main Roads WA for a proposed speed zone reduction on Oatlands Road in Mount Barker.

BACKGROUND

At the Roadwise Committee meeting held on 1 September 2011 speed zoning on Oatlands Road in Mount Barker was discussed. The Manager Works and Services advised that a number of complaints regarding vehicle speeds on Oatlands Road had been received.

As a part of investigations into the matter, the RoadWise Committee reviewed traffic count data along Oatlands Road at meetings held on 3 November 2011 and 19 January 2012.

The Manager Works and Services and Mr Andrew Duffield (Main Roads WA) conducted a site inspection on 27 January 2012. Mr Duffield noted that Oatlands Road is a local road which would therefore warrant a speed limit of 50km/h.

According to the Main Roads Restricted Access Vehicles Network, Oatlands Road is a Network Four Road (with conditions). This network classification enables prime mover, trailer combinations up to 27.5m in length to travel through the townsite between Albany Highway and Porongurup Road. The proposed reduction in speed would not hinder existing heavy haulage requirements in particular minimum lane widths of 3.5m currently in place.

At the RoadWise Committee meeting held on 3 March 2012, the Committee recommended that Main Roads be requested to consider reducing the 60km/h speed zone on Oatlands Road, Mount Barker to 50km/h.

STATUTORY ENVIRONMENT

There are no statutory implications relating to this report.

EXTERNAL CONSULTATION

Consultation has occurred between members of the RoadWise Committee.

FINANCIAL IMPLICATIONS

As speed zoning falls under the jurisdiction of Main Roads WA, no financial implications relating to a change of speed zone would be required to be met by the Council.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Council's Strategic Plan 2003, Key Results Area 2, Infrastructure provides the following as one of its aims:

'Maximise the benefit to the community, in an equitable manner, by effectively and efficiently developing and maintaining the road network and buildings infrastructure within the financial resources of the Shire.'

OFFICER COMMENT

It is considered that the RoadWise Committee's recommendation is appropriate, given Oatlands Road is a local road and according to Main Roads WA warrants a speed zone of 50km/h.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr C Pavlovich:

That Main Roads WA be requested to reduce the 60km/h speed zone on Oatlands Road, Mount Barker to 50km/h.

CARRIED (8/0)

NO. 35/12

9.3 COMMUNITY SERVICES REPORTS

Nil

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS – FEBRUARY 2012

| | |
|-------------------------------|--------------------------------------------------------------|
| File No: | N21586 |
| Attachment: | Financial Statement (separate attachment) |
| Responsible Officer: | John Fathers Deputy Chief Executive Officer |
| Author: | Brendan Webb Accountant / Office Manager |
| Proposed Meeting Date: | 20 March 2012 |

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the month ending 29 February 2012.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

POLICY IMPLICATIONS

There are no policy implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That the Financial Statements for the month ending 29 February 2012 be received.

CARRIED (8/0)

NO. 36/12

9.4.2 LIST OF ACCOUNTS - FEBRUARY 2012

File No: N21976
Attachment: [List of Accounts](#)
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Emma Gardner
Accounts Officer
Proposed Meeting Date: 20 March 2012

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of February 2012.

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 (10 May 2009). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M Skinner, seconded Cr B Bell:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended February 2012 be received and recorded in the minutes of the Council, the summary of which is as follows:

- a. Electronic Payments and Direct Debits totalling \$859,001.21;
- b. Municipal Cheques 42671 – 42705, 42707 – 42708 and 42710 – 42734 totalling \$44,651.57; and
- c. Cancelled cheques 42706 and 42709 be noted.

CARRIED (8/0)

NO. 37/12

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 ELECTED MEMBER TRAINING – WORKSHOP ATTENDANCE - PROFESSIONALLY SPEAKING

File No: N21398
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 20 March 2012

PURPOSE

The purpose of this report is to recommend the attendance by Councillor Brett Bell and other interested Councillors at a workshop being conducted by Western Australian Local Government Association titled 'Professionally Speaking'.

BACKGROUND

This report was presented to the Council meeting held on 28 February 2012. At this meeting the Council resolved:

'That the question be adjourned until the meeting of the Council to be held 20 March 2012 and that matters relating to training be raised at the Great Southern Zone of WALGA Meeting to be held 2 March 2012.'

A memo to Councillors was included in the Councillor Bulletin dated 20 March 2012 relating to the matter being raised by the CEO at the WALGA Great Southern Zone meeting held on 2 March 2012 at Gnowangerup, with no particular response given by the WALGA representatives at the meeting.

Councillor Bell has sought authority to attend this workshop.

Professionally Speaking is an interactive workshop specifically designed to get participants 'battle-ready' and offers practical techniques for handling unfamiliar public speaking situations with confidence and aplomb.

While the focus of the session is on demystifying the media and getting the best result from every media opportunity, these skills can also be effectively used in other business settings.

Participants emerge with the skills and knowledge to handle a media interview/business or public meeting – especially those that are adversarial in nature.

Each participant receives individual assessment and feedback about their interview style.

The workshop is presented by Andrea Burns, an award winning journalist, accomplished presenter and course facilitator.

STATUTORY ENVIRONMENT

Although media training is valuable, Councillors are nevertheless reminded that Section 2.8 (1) (d) specifically authorises that the Shire President speaks on behalf of the Council.

FINANCIAL IMPLICATIONS

The full day workshop will be held in the WALGA Boardroom. The cost per participant is \$450.00. In addition to registration, travel, accommodation and meal costs would be in the vicinity of \$800.00 for each participant.

Council Governance Budget Item 20026.0029 (Conferences, Training and Accommodation) allocation is \$20,000.00 with 49 percent (\$9,800.00) committed.

This workshop can be provided in house for \$3,950.00 for a minimum of 5 people. The \$3,950.00 equates to sending three elected members to Perth for the workshop so therefore there are savings experienced with four or more members attending. The workshop would be advertised to neighbouring Councils.

A full day in house training course relating to the Diploma of Local Government is currently being investigated. The cost for this day would be \$3,950.00 plus \$225.00 per person for assessment.

POLICY IMPLICATIONS

Council Policy CE/CS/1 applies. This policy notes that elected members shall receive reimbursement of expenses while attending 'Conferences and Training Sessions specifically authorised by the Council.'

STRATEGIC IMPLICATIONS

No specific area of the Council's Strategic Plan relates to Councillor Training.

OFFICER COMMENT

The workshop is advertised as '*Professionally Speaking (or how to deal with communication minefields – everything from media interviews to public hostile meetings)*'. The content covers areas that relate to elected members.

Dates for this workshop in 2012 are as follows: 26 March, 6 June, 14 August, 7 November 2012. 4 August 2012 is also being offered on the Saturday after the Local Government Convention so that elected members may attend while they are in Perth.

Although Cr Bell has registered his interest, other Councillors may also be interested in attending. There would be an advantage to providing this training locally if there were at least four Councillors from the Shire of Plantagenet and others from neighbouring Councils.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

That:

1. Should more than three elected members wish to attend the workshop 'Professionally Speaking', the Council provide this training locally and offer to neighbouring Councils with expenses charged to budget item 20026.0029 (Conferences, Training & Accommodation).
2. Should three or less elected members wish to attend the workshop 'Professionally Speaking' they are authorised to attend and the expenses to be met in accordance with Council Policy No. CE/CS/1 and charged to budget item 20026.0029 (Conferences, Training & Accommodation).

CARRIED (8/0)

NO. 38/12

9.5.2 STAFF ESTABLISHMENT - PROPOSED AMENDMENTS

| | |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| File No: | N21970 |
| Attachments: | Staff Establishment Chart (Funded positions) 20.3.2012 JDF Assistant Principal Works Supervisor JDF Saleyards Assistant Manager JDF Executive Officer VROC |
| Responsible Officer: | Rob Stewart Chief Executive Officer |
| Author: | Rob Stewart Chief Executive Officer |
| Proposed Meeting Date: | 20 March 2012 |

PURPOSE

The purpose of this report is to examine proposed amendments to the existing staff establishment, including budget consideration for:

- a. Assistant Principal Works Supervisor – new position – (1.0 Full Time Equivalent (FTE));
- b. Saleyards Assistant Manager (increase from 0.5 FTE to 1.0 FTE);
- c. Executive Officer Southern Link Voluntary Regional Organisation of Council (VROC) – new position – (1.0 FTE – shared).

BACKGROUND

The Staff Establishment was last amended by the Council on 25 May 2010. At that meeting the Council's funded positions were increased by:

- a. 0.4 FTE Grants Officer, such position to be integrated into that of the Club Development Officer while funding for that position is in place;
- b. One position of Recreation Services Coordinator be increased from 0.5 FTE to 1.0 FTE;
- c. One position of Recreation Services Coordinator be increased from 0.5 FTE to 0.75 FTE.

This brought the Council's funded FTE to 54.5.

Since 25 May 2010 and prior to this meeting of 20 March 2012, the Staff Establishment was also increased by:

- a. 0.6 FTE Club Development Officer; and
- b. 1.0 FTE Telephonist (approved in 2011/12 Budget)

This brought the Council's funded FTE to 56.1.

Other minor changes have been made to the organisation chart with regard to a reshuffle of some positions however this has not impacted on the FTE.

STATUTORY ENVIRONMENT

Pursuant to Section 5.36 of the Local Government Act 1995 a Local Government is to employ (other than a Chief Executive Officer):

- '...such other persons as the Council believes are necessary to enable the functions of the Local Government and the functions of the Council to be performed.'

Further, Section 5.41 of the Act provides that the Chief Executive Officer's functions are to (among other things):

- '...be responsible for the employment, management, supervision, direction and dismissal of other employees'.

Therefore, once the Council has amended the Staff Establishment, the Chief Executive Officer becomes responsible for all other matters relating to those employees.

FINANCIAL IMPLICATIONS

For the positions recommended in this report the position at the saleyards would increase from 0.5 FTE to 1.0 FTE. (Increase in cash component - \$21,410.00)

The Executive Officer for the VROC would be shared evenly across the four member Councils. (Net increase in cash component - \$57,343.00 pro rata)

The position of Assistant Principal Works Supervisor would be temporary for an undisclosed period of time. (Increase in cash component - \$59,023.00)

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Council's Strategic Plan recognises our staff as a strength.

OFFICER COMMENT

Assistant Principal Works Supervisor

The position of Assistant Principal Works Supervisor should be created for essential succession planning.

Assistant Saleyards Manager

The position of Assistant Saleyards Manager is only classified as 0.5 FTE at present. However, for a number of years this position has worked in a full time capacity and it is therefore considered that the situation should be remedied by creating the full time position. As the position has already been funded in a full time capacity there will be

no net impact on the Council's Budget. This position could be increased from 0.5 FTE to 1.0 FTE immediately as sufficient funding is in the current budget.

Executive Officer Southern Link VROC

The position of Executive Officer for the VROC was discussed at the VROC Councillors' Day held in Kojonup on 6 March 2012. There appeared to be general consensus that the lack of an Executive Officer to assist the VROC in its endeavours is effectively holding back the ability of the VROC to develop further.

As was discussed at the VROC Councillors' Forum, it would be necessary for one of the member Councils to employ the Officer as the VROC is unable to employ staff. It would be necessary to have a funding agreement with each of the other member Councils which would need to be in existence for the duration of the Officer's Contract.

It is recommended that the VROC Executive Officer be provided with a Motor Vehicle. It is suggested that this would most likely be a leased vehicle with the opportunity for the incumbent, with the agreement of the Council, to take out a Novated Lease. Again all costs would be shared by the VROC Members.

The position of the VROC Executive Officer should not be funded until the new financial year. Although each Council makes a contribution of \$17,500.00 annually towards the operation of the VROC, it is understood that the Shire of Cranbrook has reallocated those funds and no further funding would be available until the new financial year.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr B Bell:

That:

- 1. The attached Organisation Staff Establishment Chart (Funded positions) dated 20 March 2012 be adopted noting the addition of:**
 - a. 1.0 Full Time Equivalent Assistant Principal Works Supervisor;**
 - b. 0.5 Full Time Equivalent Saleyards Assistant Manager; and**
 - c. 1.0 Full Time Equivalent Executive Officer VROC.**
- 2. The total of the Staff Establishment Funded Positions be set at 58.6 FTE.**

CARRIED (8/0)

NO. 39/12

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

3:11pm The Presiding Member declared the meeting closed.

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