



# ORDINARY MINUTES

**DATE:** Tuesday, 25 June 2013

**TIME:** 3:00pm

**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.*

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:04pm 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 A Budrikis	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor (Left the Chambers at 3:17pm, returned at 3:22pm)
Cr C Pavlovich	Councillor

### In Attendance:

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

There was one member of the public present.

### Previously Approved Leave of Absence:

Cr G Messmer – 30 July 2013

### Emergency Evacuation Procedures/Disclaimer:

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

Mr Stewart then read aloud the following disclaimer:

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

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

fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

### **3 PUBLIC QUESTION TIME**

#### **3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

#### **3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995**

Nil

### **4 PETITIONS / DEPUTATIONS / PRESENTATIONS**

#### **4.1 MR STEVE SMITH – MOUNT BARKER CARAVAN PARK – ITEM 9.5.4 – MOUNT BARKER CARAVAN PARK – PURCHASE OF ENCROACHING LAND AND LICENCE FOR WATER USE**

Mr Smith gave the following presentation:

I am here to ask the Councillors to support the officer recommendation as shown in today's agenda. 9.5.4 Mount Barker Caravan Park – Purchase of encroaching land and licence for water use.

I would also like to inform you that 3000 kilolitres will not be sufficient for a long summer and ask that if there is enough water in the dam that I be allowed to extract up to 4000 kilolitres as a rate of .65c/kl?

My wife Shirley and I are keen to have a resolution for these issues.

However if the recommendations are not passed today may I ask on compassionate grounds for some extra time before replying again to the Council; I must attend to urgent family matters in Perth and so will be unable to attend the next two Council meetings.

Thank you for your time and considerations today on these matters.

## 5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Moir

A Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA) was disclosed in Item 9.1.2. Nature of interest – Adjoining landholder.

## 6 APPLICATIONS FOR LEAVE OF ABSENCE

### 6.1 APPLICANT: CR B BELL COUNCILLOR

Section 5.25 Local Government Act 1995

Councillor B Bell requested Leave of Absence from 23 July 2013 to 26 August 2013 inclusive.

**Moved Cr B Bell, seconded Cr M Skinner:**

**That Councillor B Bell be granted Leave of Absence from 23 July 2013 to 26 August 2013 inclusive.**

**CARRIED (9/0)**

**NO. 131/13**

### 6.2 APPLICANT: CR G MESSMER COUNCILLOR

Section 5.25 Local Government Act 1995

Councillor G Messmer requested Leave of Absence from 31 July 2013 to 20 August 2013 inclusive.

**Moved Cr G Messmer, seconded Cr A Budrikis:**

**That Councillor G Messmer be granted Leave of Absence from 31 July 2013 to 30 August 2013 inclusive.**

**CARRIED (9/0)**

**NO. 132/13**

### 6.3 APPLICANT: CR A BUDRIKIS COUNCILLOR

Councillor A Budrikis requested Leave of Absence for 9 July 2013.

**Moved Cr A Budrikis, seconded Cr B Bell:**

**That Councillor A Budrikis be granted Leave of Absence for 9 July 2013.**

**CARRIED (9/0)**

**NO. 133/13**



**7 CONFIRMATION OF MINUTES**

Moved Cr L Handasyde, seconded Cr S Etherington:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 May 2013 as circulated, be taken as read and adopted as a correct record.

**CARRIED (9/0)**

**NO. 134/13**

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President distributed notes separately.

## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 DEVELOPMENT SERVICES REPORTS

#### 9.1.1 LOT 2 SPENCER ROAD, NARRIKUP - CHALET

<b>File No:</b>	<b>N27013</b>
<b>Attachments:</b>	<a href="#">Location Plan</a> <a href="#">Site Plan</a> <a href="#">Floor Plan</a> <a href="#">Elevations</a>
<b>Responsible Officer:</b>	<b>Peter Duncan</b> <b>Manager Development Services</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>
<b>Applicant:</b>	<b>Alexander and Janet Taylor</b>

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#### **PURPOSE**

The purpose of this report is to consider an application for one chalet at Lot 2 Spencer Road, Narrikup.

#### **BACKGROUND**

Council records show the registered owners of Lot 2 are A and J Taylor.

Lot is 60.43ha in area and existing development at the lot comprise an olive grove, vineyard, cellar door and café, two houses and one outbuilding.

The cellar door and café uses were approved by the Council in June 2005. The building licence for the original house was issued in October 1999 and the building permit for the latest house was issued in March 2010.

The owners of the property are seeking approval to convert the original house to a chalet for holiday accommodation.

#### **STATUTORY ENVIRONMENT**

Planning and Development Act 2005.

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

Chalet is a discretionary 'SA' use under TPS3 meaning that the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with Clause 6.2.

#### **EXTERNAL CONSULTATION**

In accordance with Delegation LG035 the proposal was advertised for comment for a 21 day period closing on 7 June 2013. Letters were sent to the four adjoining land owners, notices were placed in the Plantagenet News, Albany Advertiser and the Council's notice board and a sign placed on site.

At the close of the advertising period no submissions had been received.

### **FINANCIAL IMPLICATIONS**

The application fee of \$139.00 and a bond of \$500.00 for advertising costs have been paid.

### **POLICY IMPLICATIONS**

Town Planning Scheme Policy No. 14 (TPS Policy No. 14) (Rural Tourist Accommodation and Additional Houses) contains a range of planning criteria to provide for tourist accommodation in the rural areas of the Shire in a manner that will not conflict with existing or potential agricultural or horticultural pursuits.

TPS Policy No. 14

Policy criteria 5 reads as follows:

*'Each tourist accommodation unit (such as a Chalet) will be a maximum of 2 bedrooms.'*

This proposal involves the conversion of the original three bedroom house to a chalet. The proposed chalet conforms to all other policy criterion. 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**

Shire of Plantagenet Strategic Plan 2003, Key Result Area 4 Development Services advocates:

*'Retain local business and encourage new businesses that will create long-term sustainable local employment. The Shire also seeks to plan a safe and healthy living environment.'*

### **OFFICER COMMENT**

The subject land is located approximately 16km west of Narrikup village on Spencer Road.

The 60.43ha property is rectangular in shape and is located in the Rural zone. The proposed chalet location is 410m from the boundary abutting Spencer Road and a minimum 240m away from all other property boundaries. The view of the proposed chalet is screened by vegetation located at Lot 2 and adjoining properties.

The proposed chalet location is approximately 65m from the olive grove and 240m from the nearest vineyard. Horticultural activities at the property will be managed by the landowners to ensure there are no adverse impacts on visitors to the holiday accommodation.

The proposal is in accordance with the requirements set out in TPS Policy No. 14 except for the chalet having one additional bedroom which is one more than the two required. No substantial increase of vehicular traffic is anticipated. The proposed use is not likely to affect the landscape, rural character or amenity of the area and the use is not expected to prejudice or displace viable agricultural land or production.

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Moir, seconded Cr B Bell:

That in accordance with clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, planning consent be granted for one chalet at Lot 2 Spencer Road, Narrikup which will mean Town Planning Scheme Policy 14 (Rural Tourist Accommodation and Additional Houses) be varied resulting in the chalet consisting of three bedrooms subject to:

1. Development being in accordance with the plans dated 24 April 2013.
2. Compliance with the relevant requirements of the Building Code of Australia.
3. The provision and maintenance of a Building Protection Zone for fire safety around the chalet to comply with the Council's annual firebreak and hazard reduction notice.
4. Appropriate fire fighting fittings being installed to all water tanks.

**CARRIED (9/0)**

**NO. 135/13**

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**9.1.2 LOTS 5702 AND 5991 ALBANY HIGHWAY, LOTS 1, 3, 2373, 4045, 4433, 4596 AND 4896 CARMENDALE ROAD AND LOTS 2208 AND 3666 WILLIAMS STREET, NARRIKUP – 11 LOT BOUNDARY REALIGNMENT**

A Financial/Indirect Financial (Section 5.60(A) and Section 5.61 LGA) Interest was disclosed by Cr J Moir. Nature and extent of interest – adjoining landholder.

3:17pm Cr J Moir withdrew from the meeting.

**File No:** N27173

**Attachments:** [Location Plan](#)  
[Subdivision Plan Sheet 1](#)  
[Subdivision Plan Sheet 2](#)  
[Deposited Plan Spencer Road-Albany Highway Junction](#)  
[Amended Subdivision Plan Sheet 1](#)  
[Amended Subdivision Plan Sheet 2](#)

**Responsible Officer:** Peter Duncan  
Manager Development Services

**Author:** Vincent Jenkins  
Planning Officer

**Proposed Meeting Date:** 25 June 2013

**Applicant:** John Kinnear and Associates

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**PURPOSE**

The purpose of this report is to consider a proposal for an 11 lot boundary realignment at Lots 5702 and 5991 Albany Highway, Lots 1, 3, 2373, 4045, 4433, 4596 and 4896 Carmendale Road and Lots 2208 and 3666 Williams Street, Narrikup and respond to the Western Australian Planning Commission (WAPC).

**BACKGROUND**

Shire records indicate the owner of all of the subject land is Carmendale Pastoral Pty Ltd.

The subject land consists of 11 lots located in the Rural zone. Two lots are located north of the Narrikup village on Albany Highway, Spencer Road and Red Hill Road. Nine other lots are located south of the Narrikup village on Albany Highway, Carmendale Road and Williams Street. The cumulative lot area for the 11 lots is 530.17ha.

Existing lot sizes for the 11 lots range from 3972m<sup>2</sup> to 195.5ha. This subdivision proposes to realign the lot boundaries of all 11 lots to create new lot sizes ranging from 20.1ha to 76.4ha with no additional lots being created.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005

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

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## EXTERNAL CONSULTATION

The landowners have met with the Chief Executive Officer (CEO), the Manager Development Services (MDS) and the Planning Officer to discuss their proposal.

## FINANCIAL IMPLICATIONS

Lots 1, 3, 2373, 4045, 4433, 4596 and 4896 front partly constructed Carmendale Road. This road has been gated by the adjoining landowner Carmendale Pastoral Pty Ltd without the necessary permit for numerous years. The sale of these lots will result in increased vehicular traffic resulting in additional road maintenance expenditure by the Shire.

## 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 and the portions of rural planning units P8 and P11 west of Albany Highway 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.'*

TPS Policy 18 (Planning Vision) shows the subject lots as a part of Planning Unit P8 – South Kokonup-Narrakup and identifies all 11 lots as ‘General Agriculture’. Subdivision and Development Guidelines for Planning Unit P8 support possible subdivision down to 40ha on land west of Albany Highway for intensive food production. It also supports farm restructuring and boundary realignments.

This support for the 40ha lot size 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. In

this instance the proposal involves boundary realignments and as such the agronomist and hydrologist reports were not required.

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**

Shire of Plantagenet Strategic Community Plan 2012-2022 at Outcome 2.1 Strategy 2.1.5:

*'Encourage and promote the use of good agricultural land for food production.'*

## **OFFICER COMMENT**

Lot 1 Carmendale Road is 3972m<sup>2</sup> in area and existing development at Lot 1 consists of a farmhouse, garage and one outbuilding. This existing lot is considered a homestead lot and the area for this lot will increase to 20.1ha as proposed Lot D. The increased lot area will provide improved setbacks to farming operations on surrounding farmland.

Lot 2373 Carmendale Road is 3.08ha in area and existing development at the lot consists of a farmhouse and various outbuildings. Lot 2373 will be amalgamated with Lot 3 and a portion of Lot 4045 Carmendale Road creating proposed Lot A with an area of 53.6ha. Existing development at the remaining lots involve infrastructure and equipment to facilitate cattle and sheep grazing operations.

The CEO and MDS met with the applicants and discussed improving lot sizes and it was suggested the proposal could be altered to amalgamate proposed Lot F with Lot E and Lot H with Lot I. The applicants have now submitted amended plans increasing the lot area for Lot F from 19.4ha to 22.1ha and increasing the lot area for Lot H from 25.0ha to 40.4ha.

Except for proposed Lot D Carmendale Road (homestead lot) and Lot F Carmendale Road in the amended realignment proposal, all the other proposed lot areas conform to the minimum 40ha lot area requirement set out in TPS Policy 18. As stated above, as this proposal is a boundary realignment the 40ha requirements are not required.

Proposed Lot H (40.4ha) consists of two parcels located north and south of Spencer Road. Proposed Lot H parcel located north of Spencer Road is approximately 39.8ha in area and is currently developed with pasture. Proposed Lot H parcel located south of Spencer Road is approximately 6,000m<sup>2</sup> in area and consists of a drainage dam constructed by the Shire as part of the realignment of Spencer Road. It is proposed this lot parcel located south of Spencer Road be amalgamated with the Spencer Road road reserve and used for stormwater management purposes as a condition of approval.

The applicant recently advised he is willing to sell this 6,000m<sup>2</sup> portion of land to the Council. As this boundary realignment has been applied for, the subject portion of land can be requested to be ceded to the Crown free of cost as a condition of approval of the subdivision.

It is possible to sell the existing 11 lots in their current lot configuration. However, the amended lot configuration will be a better result on the ground.



There are presently 11 lots and the amended realignment proposal will result in 11 lots configured to follow existing fence lines. The amended realignment proposal is supported.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Cr S Etherington, seconded Cr C Pavlovich:**

**That:**

- 1. The Western Australian Planning Commission be advised that the proposed 11 lot boundary realignment as shown on amended subdivision plan sheets 1 and 2 at Lots 5702 and 5991 Albany Highway, Lots 1, 3, 2373, 4045, 4433, 4596 and 4896 Carmendale Road and Lots 2208 and 3666 Williams Street, Narrikup (WAPC 147902) is supported subject to:**
  - a) Lot H lot parcel located south of Spencer Road being incorporated into the Spencer Road road reserve and transferred to the Crown free of cost.**
  - b) Truncations being provided at the junction of Carmendale Road and Hannan Way.**
  - c) Carmendale Road being constructed and drained up to Lot A to the satisfaction of the Manager Works and Services.**
  - d) All farming infrastructure and equipment being removed from the Carmendale Road road reserve to the satisfaction of the Manager Works and Services.**
  - e) All stormwater being disposed of to the satisfaction of the Manager Works and Services.**
  - f) Crossovers for Lots A, B, C, D, E, F and G being constructed and drained to the satisfaction of the Manager Works and Services.**
- 2. If required as a result of a Western Australian Planning Commission condition of approval, authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to a Notification under Section 70A of the Transfer of Land Act 1893 (as amended) and/or Section 165 of the Planning and Development Act 2005 (as amended).**

**AMENDMENT**

Moved Cr L Handasyde, seconded Cr C Pavlovich:

That a part 1 (g) be added as follows:

‘The existing emergency access in an east west direction along the proposed boundary between lots J and K being maintained.’

CARRIED (8/0)

NO. 136/13

**COUNCIL DECISION**

That:

1. The Western Australian Planning Commission be advised that the proposed 11 lot boundary realignment as shown on amended subdivision plan sheets 1 and 2 at Lots 5702 and 5991 Albany Highway, Lots 1, 3, 2373, 4045, 4433, 4596 and 4896 Carmendale Road and Lots 2208 and 3666 Williams Street, Narrikup (WAPC 147902) is supported subject to:
  - a) Lot H lot parcel located south of Spencer Road being incorporated into the Spencer Road road reserve and transferred to the Crown free of cost.
  - b) Truncations being provided at the junction of Carmendale Road and Hannan Way.
  - c) Carmendale Road being constructed and drained up to Lot A to the satisfaction of the Manager Works and Services.
  - d) All farming infrastructure and equipment being removed from the Carmendale Road road reserve to the satisfaction of the Manager Works and Services.
  - e) All stormwater being disposed of to the satisfaction of the Manager Works and Services.
  - f) Crossovers for Lots A, B, C, D, E, F and G being constructed and drained to the satisfaction of the Manager Works and Services.
  - g) The existing emergency access in an east west direction along the proposed boundary between lots J and K being maintained.

2. If required as a result of a Western Australian Planning Commission condition of approval, authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to a Notification under Section 70A of the Transfer of Land Act 1893 (as amended) and/or Section 165 of the Planning and Development Act 2005 (as amended).

**CARRIED (8/0)**

**NO. 137/13**

3:22pm Cr J Moir returned to the meeting.

## 9.2 WORKS AND SERVICES REPORTS

Nil

## 9.3 COMMUNITY SERVICES REPORTS

### 9.3.1 RECREATION CENTRE - NAME CHANGE

**File No:** N27227  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Nicole Selesnew  
Manager Community Services  
**Proposed Meeting Date:** 25 June 2013

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#### **PURPOSE**

The purpose of this report is to consider renaming the Mount Barker School Community Recreation Centre (the Centre) to 'Plantagenet Fitness'.

#### **BACKGROUND**

On 13 September 2012 a Memorandum was distributed to all Councillors advising of a proposal to rename the Centre.

The Centre staff have been having issues with members of the public confusing the Centre with the Mount Barker Community Resource Centre (CRC).

An example is an afternoon program which was cancelled at the CRC being confused with an afternoon program actively occurring at the Centre. Some parents withdrew their children from the Centre believing the program had been cancelled.

Deliveries and phone calls are regularly confused between the Centres.

The re-naming of the Centre also provided an opportunity to streamline the existing, cumbersome name.

#### **STATUTORY ENVIRONMENT**

The Shire of Plantagenet has a licence agreement with the Department of Education to operate the Mount Barker School Community Recreation Centre. The licence agreement details the functions of the Centre, access times and cost sharing agreements.

#### **EXTERNAL CONSULTATION**

Discussions have been held with the Mount Barker Community College regarding a potential name change for the Centre. The College is supportive of the change and agree that a new name should embody fun, socialisation, health and fitness to help attract people to the Centre.

**FINANCIAL IMPLICATIONS**

Estimate cost of signage alterations will be in the vicinity of \$1,000.00. This can be accommodated in the draft budget.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following strategies:

*Strategy 1.5.2: Promote sporting, recreation and leisure facilities and programs in the District; and*

*Strategy 1.5.5: Improve and promote Recreation Centre services and programs to encourage increased patronage.'*

**OFFICER COMMENT**

The Centre staff held a 'Name the Recreation Centre' competition and a common theme was 'Plantagenet Fitness'. The staff discussed the potential name and agreed that it was pertinent, short, encompassed all the services and programs on offer and it referred to the whole district, rather than the Mount Barker townsite.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**Moved Cr G Messmer, seconded Cr L Handasyde:**

**That the Mount Barker School Community Recreation Centre be re-named 'Plantagenet Fitness'.**

**PROCEDURAL MOTION**

**Moved Cr S Etherington, seconded Cr C Pavlovich:**

**That the question be adjourned until the meeting of 27 August 2013 to allow for the Recreation Advisory Committee to review the proposed name change.**

**CARRIED (9/0)**

**NO. 138/13**

**9.3.2 PLANTAGENET PLAYERS - PROPOSAL TO LEASE AND RENOVATE  
THE PLANTAGENET DISTRICT HALL**

<b>File No:</b>	<b>N27226</b>
<b>Attachments:</b>	<a href="#">Floor Plans, Cost Estimate and Seating Platform</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Nicole Selesnew</b> <b>Manager Community Services</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to present a scenario to the Council regarding the leasing and refurbishment of the Plantagenet District Hall.

**BACKGROUND**

A Council workshop was held on Tuesday 26 February 2013 to discuss a proposal from the Plantagenet Players Incorporated (the Players) to lease and refurbish the Plantagenet District Hall.

The Players' proposal was initiated after discussions with Lotterywest. The Players had approached Lotterywest for some funding to build public toilets and a store room at their existing premises at Lot 221 Marmion Street, Mount Barker. Lotterywest suggested that rather than spend money extending a building that appeared structurally unsound and required substantial renovations, that the Players consider co-locating to the Hall.

Lotterywest suggested that a grant towards improving the use of a community facility such as the Hall, rather than a single use premises, would be preferred by their Board.

The Players were enthusiastic about the potential to relocate their theatre to the Hall. Refurbishments would be required to accommodate the theatre including installation of disabled toilets, a 'bio box' (sound/lighting box), an acoustic ceiling, seating and amendments to the stage, changerooms and airflow within the Hall.

During the Council workshop the Council agreed to fund up to 50% of the cost of architectural services to determine the necessary refurbishments to the Hall to accommodate the Players. The Council also indicated that any lease of the premises would need to ensure appropriate public access to the building for events such as the Returned and Services League Anzac and Remembrance Day memorials, Annual Art Exhibition and Prize and the Wildflower Photo Competition.

The refurbishment plans and a cost estimate have been completed for the District Hall (copies attached).

## **STATUTORY ENVIRONMENT**

Local Government Act 1995. – Section 3.58 relates to a disposition of local government property.

Local Government (Functions and General) Regulations 1996 - Regulations 30 and 31 govern the disposal of land.

Under the regulations ‘a disposition of land is an exempt disposition, and is excluded from the application of section 3.58, if the land is disposed of to a body, whether incorporated or not the objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or like nature; and the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions’.

Given the above, the disposal of this land is exempt from the requirements of section 3.58 of the Act.

Councillors are also advised that recent legal advice indicates that when the Council leases Council property that the land which is the subject to the lease should be rated. Whether the Council subsequently donates those rates back to the organisation is a matter for Council consideration.

## **FINANCIAL IMPLICATIONS**

The Players have indicated a willingness to engage in a ‘peppercorn’ lease for the Hall, in return for maintaining the facility.

The cost of refurbishments to the Hall would be sourced from grant funding. There is no intention from the Players to approach the Council for funds to assist with this process, however if grant funding is unobtainable then an approach may be made.

The estimated renovation cost, as indicated on the attached cost estimate, amounts to \$486,000.00.

## **POLICY IMPLICATIONS**

Council Policy A/PA/17 – ‘Community Halls and Buildings’ clarifies the Council’s position with regard to Community Halls. The Policy states that wherever possible, community halls within the District should be operated by an appropriate incorporated community body. ‘Operated’ includes leasing or ownership.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategies:

*‘Strategy 1.8.3: Support the provision of appropriate, accessible arts facilities and activities to encourage artistic and cultural expression;*

*Strategy 1.8.4: Include arts and cultural considerations in all aspects of urban and social planning; and*

*Strategy 1.8.5: Promote and support community and cultural events.’*

**OFFICER COMMENT**

The Players' suggestions to refurbish and increase utilisation of the Plantagenet District Hall were supported by the Council at the workshop held on 26 February 2013. Following the workshop, the Players engaged John Maxwell of Maxwell Designs to prepare a refurbishment concept plan (copy attached). The refurbishment plans were prepared with considerable input from the Players' committee and discussions with theatre groups to ensure the design meets all necessary standards.

Some of the design features include:

- the construction of a 'bio box' (theatre technical box that controls lighting, sound, music, noise effects etc);
- demolition of the existing stage and the construction of a lower, flatter stage;
- new changeroom and storeroom areas at the rear of the stage;
- refurbishments to the public toilets including the installation of disabled toilets;
- retractable tiered seating;
- stage equipment;
- acoustic ceiling and wall treatment to the hall; and
- painting.

The Players are enthusiastic about the opportunity of including groups such as KAOS (kids theatre company), dance lessons and performing arts events within their Hall plans, while continuing to accommodate existing users such as the Returned and Services League and the Plantagenet Arts Council.

It was important to both the Council and the Players that the Hall continues to be a District community facility.

A number of issues need to be discussed in regards to a lease for the Hall, including:

- Lease payments;
- Maintenance;
- Access by members of the public;
- Access by other community groups;
- Term of lease; and
- Hall rental fees.

The Players are seeking a minimum lease term of ten years to justify the refurbishment costs to grant bodies and, potentially, their own members if they are required to invest some of their own funds.

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr G Messmer, seconded Cr C Pavlovich:

That:

1. The concept plans for the refurbishment of the Plantagenet District Hall dated May 2013, as attached, be noted.
2. The concept of a lease between the Shire of Plantagenet and the Plantagenet Players Incorporated for the Plantagenet District Hall be endorsed subject to:
  - a) The ability of other community groups and members of the public to utilise the Plantagenet District Hall not being impeded;
  - b) The lease term being for a minimum period of ten years;
  - c) The lease fees being based on a 'peppercorn' payment in return for the lessee carrying out operational maintenance of the building; and
  - d) The lessee being able to charge a fee for the hire of the Plantagenet District Hall, in line with the Council's adopted Fees and Charges for the hire of other halls within the District.

**CARRIED (9/0)**

**NO. 139/13**

## 9.4 CORPORATE SERVICES REPORTS

### 9.4.1 FINANCIAL STATEMENTS – MAY 2013

<b>File No:</b>	<b>N27255</b>
<b>Attachment:</b>	<a href="#">Financial Statement (separate attachment)</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Brendan Webb</b> <b>Accountant / Office Manager</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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#### **PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the month ending 31 May 2013.

#### **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

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**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr L Handasyde, seconded Cr M Skinner:**

**That the Financial Statements for the month ending 31 May 2013 be received.**

**CARRIED (9/0)**

**NO. 140/13**

**9.4.2 LIST OF ACCOUNTS - MAY 2013**

**File No:** N27186  
**Attachment:** [List of Accounts](#)  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Emma Gardner  
Accounts Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of May 2013.

**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 (12 May 2012). 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 J Moir, seconded Cr S Etherington:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended May 2013 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$1,559,394.66; and
2. Municipal Cheques 43754 - 43838 totalling \$234,751.07.

**CARRIED (9/0)**

**NO. 141/13**

**9.4.3 MATERIAL VARIANCE AMOUNT – 2013/2014**

**File No:** N27187  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to adopt reportable budget variance values for the 2013/2014 financial year.

**BACKGROUND**

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AASB 1031 (formerly AAS 5) to be used in the statements of financial activity for reporting material variances. According to AASB 1031:

*'materiality means, in relation to information, that information which if omitted, misstated or not disclosed has the potential to adversely affect decisions about the allocation of scarce resources made by users of the financial report or the discharge of accountability by the management or governing body of the entity.'*

The purpose of this report is to assist the Council in adopting the required annual percentage and minimum value over which budget variances would be considered material.

For several years, the material variances have been set at:

1. Expenditure in excess of 10% of (monthly) budget to a minimum of \$5,000.00.
2. Income less than 90% of (monthly) budget to a minimum of \$5,000.00.

**STATUTORY ENVIRONMENT**

Regulation 34 of the Local Government (Financial Management) Regulations requires local governments to report on a monthly basis. The Financial Management Regulations require local governments to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question and must include - material variances i.e.: material variances between the comparable amounts in year to date budget and year to date actual. The relevant parts of that Regulation are detailed below:

*'34. Financial activity statement report — s. 6.4*

*(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —...*

*(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*

...

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.”*

### **FINANCIAL IMPLICATIONS**

There are no actual budget implications from adopting these materiality figures as they are there to assist and guide management and the Council. Adoption of this recommendation should assist the Council in making sound financial management decisions.

### **POLICY IMPLICATIONS**

There are no policy implications for this report.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

### **OFFICER COMMENT**

The current material variances utilised by the Council appear to be working well and meet legal and practical requirements.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Moir, seconded Cr S Etherington:**

**That material financial variances for the 2013/2014 financial year be set at:**

- 1. Expenditure in excess of 10% of (monthly) budget to a minimum of \$5,000.00.**
- 2. Income less than 90% of (monthly) budget to a minimum of \$5,000.00.**

**CARRIED (9/0)**

**NO. 142/13**

**9.4.4 POLICY REVIEW - SIGNIFICANT ACCOUNTING POLICIES - BUDGETS**

**File No:** N27208  
**Attachment:** [Policy No. F/FM/9](#)  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 28 June 2013

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**PURPOSE**

The purpose of this report is to review Council Policy No. F/FM/9 – Significant Accounting Policies – Budgets.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 18 January 2011.

**STATUTORY ENVIRONMENT**

Budgets are prepared in accordance with applicable Australian Accounting Standards, Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

Accounting firm UHY Haines Norton provides model significant accounting policies for local government, which are updated on an annual basis. In the past, the Council has adopted its model. Some amendments have been recommended in the UHY Haines Norton guidelines for preparation of budgets, as a result of ongoing updates to accounting conventions.

In view of the complex and technical nature of this policy and the fact that a number of amendments are required to this policy on an annual basis, it is suggested that this policy be withdrawn from the normal policy review process and that the policy be adopted in conjunction with the adoption of the annual budget.

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr L Handasyde, seconded Cr J Moir:**

**That F/FM/9 – Significant Accounting Policies – Budgets be reviewed on an annual basis in conjunction with the adoption of the annual budget, rather than being included in the Council’s normal policy review process.**

**CARRIED (9/0)**

**NO. 143/13**

**9.4.5 POLICY REVIEW - SIGNIFICANT ACCOUNTING POLICIES – FINANCIAL STATEMENTS**

**File No:** N27210  
**Attachment:** [Policy No. F/FM/8](#)  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 28 June 2013

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**PURPOSE**

The purpose of this report is to review Council Policy No. F/FM/8 – Significant Accounting Policies – Financial Statements.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 18 January 2011.

**STATUTORY ENVIRONMENT**

Budgets are prepared in accordance with applicable Australian Accounting Standards, Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

Accounting firm UHY Haines Norton provides model significant accounting policies for local government, which are updated on an annual basis. In the past, the Council has adopted its model. Some amendments have been recommended in the UHY Haines Norton guidelines for preparation of financial statements, as a result of ongoing updates to accounting conventions.

In view of the complex and technical nature of this policy and the fact that a number of amendments are required to this policy on an annual basis, it is suggested that this policy be withdrawn from the normal policy review process and that the policy be adopted in conjunction with the adoption of the annual financial report.

**VOTING REQUIREMENTS**

Simple Majority

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**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Moir, seconded Cr L Handasyde:**

**That F/FM/8 – Significant Accounting Policies – Financial Statements be reviewed on an annual basis in conjunction with the adoption of the annual financial report, rather than being included in the Council’s normal policy review process.**

**CARRIED (9/0)**

**NO. 144/13**

**9.4.6 RESERVE ACCOUNTS - REVIEW**

**File No:** N27244  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to review existing Council reserve accounts.

**BACKGROUND**

As part of recent workshops to consider the Long Term Financial Plan and the draft 2013/2014 budget, councillors discussed some possible changes to the purpose of reserve accounts.

It is good financial practice to regularly review reserve accounts to ensure that they are current and still meeting the Council's original intended purpose.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Section 6.11 applies:

- '(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) Subject to subsection(3), before a local government —*
- (a) changes\* the purpose of a reserve account; or*
  - (b) uses\* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.*
- \* Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2)—*
- (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or*
  - (b) in such other circumstances as are prescribed.*
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.*
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.'*
-

## FINANCIAL IMPLICATIONS

There are no financial implications for this report.

## POLICY IMPLICATIONS

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.6 (Effective and efficient corporate and administrative services) the following Strategy:

*'Strategy 4.6.1 – Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements.'*

## OFFICER COMMENT

The aim of reserve funds can be to set money aside for one of the following types of expenditure:

- Specific known or anticipated projects to be undertaken in the future;
- Payments which can reasonably be expected will occur at some future time, but which are not necessarily able to be budgeted for with any certainty; or
- Smooth out fluctuations in known capital expenditure programs.

The Council holds the following reserve accounts which are for specific projects or purposes identified by the Council. The current guidelines for the establishment and management of reserves need to be reviewed to ensure that they are at an appropriate level for their purpose. The amounts specified to be transferred to reserve funds each year can be treated as the initial budget position, but could be changed during the budget process depending on other commitments.

- **Employee Entitlements Reserve** - Purpose - To fund sick, annual and long service leave entitlements for former staff called upon by other local governments. This reserve was thought to be sufficient at \$10,000.00. Recently, the amount of the Council's current provision for annual leave and long service leave (approximately \$700,000.00) has highlighted that it would be prudent to change the purpose of this reserve to include unplanned payments of annual leave and long service leave liabilities. It is considered that the level of this reserve should be gradually increased to \$100,000.00.
- **Plant Replacement Reserve** - Purpose - For the purchase of works vehicles, plant and machinery. A sum at least equivalent to the depreciation on plant and machinery should be placed into this reserve each year. This reserve should largely be used to smooth out fluctuations in the 12 year plant replacement program.
- **Town Drainage Reserve** - Purpose - To fund the planning and construction of major townsite drainage works. The Council has been placing a sum of \$20,000.00 in the reserve for drainage construction work in recent years, but townsite drainage works have been well funded in the annual budget as well, reducing the need for a reserve. This reserve could be retained for other drainage works, but could also be used for water management projects that will need to be investigated and implemented for the likes of Frost and Sounness

Parks. It is suggested that the purpose be changed to fund the planning and construction of drainage and water management projects.

- **Land Rehabilitation Reserve** - Purpose - For the rehabilitation of the old saleyards site on Woogenellup Road. This reserve was initially set up to fund the rehabilitation of the old saleyards site on Woogenellup Road. It is anticipated that part of the return from the sale of Menston Street lots will be put back into that Reserve to enable the original intention to be fulfilled.
- **New Waste Disposal Site Reserve** - Purpose - For the construction of a new waste disposal site for the Shire of Plantagenet. It was thought that this reserve will be used at some time in the future to assist in funding a new waste disposal site. A sum of \$180,000.00 was placed into this reserve, which came from the Shire of Plantagenet's share of funds from the sale of land on Chillinup Road, previously purchased by five local governments for a possible waste disposal site. Given that the focus has changed from a new waste site to extended use of O'Neill Road, it is suggested that the name be changed to the Waste Management Reserve and the purpose be changed to fund waste management infrastructure and major items of associated plant / equipment.
- **Computer Software and Hardware Upgrade Reserve** - Purpose - For the upgrade business system hardware and software with additional functionality. The Civica Authority hardware, software and platform will need to be continually upgraded with additional functionality such as e-services, GIS integration, web portal, Customer Request Management System and Online Applications.
- **Shire Development and Building Improvements Reserve** - Purpose - To fund planned major projects and developments and planned major building improvements and refurbishments as decided by the Council. This reserve is the main reserve fund used to fund major planned development projects or take advantage of unexpected opportunities. Income from any sale of properties or other capital income sources would generally be placed here, unless they are sold for another purpose.

The Asset Management improvement program has identified that it would be prudent to cater for expected major building refurbishments in future years and in particular a focus should be on renewal of existing assets. This has not yet been quantified, however the purpose of this reserve should be amended to include building renewals.

- **Outstanding Land Resumptions Reserve** - Purpose - To fund old/outstanding obligations for land resumptions associated with road realignments and similar. This was set up to fund possible land resumptions that may be required which have not been pre-budgeted. It is considered that \$5,000.00 to \$10,000.00 per year be placed into the Reserve to build it up to a value of \$25,000.00. This should be sufficient for unexpected payments in any one year.
- **Natural Disaster Reserve** - Purpose - To fund the Council's proportion of natural disaster events in the Shire of Plantagenet. Assistance is available under the WA Natural Disaster Relief Recovery Arrangements (WANDRRA) for the restoration/replacement of essential public assets owned by a local government to the extent necessary to restore the asset to the equivalent of its pre-disaster standard. WANDRRA may provide a minimum of 75% of the cost of restoration or replacement (including approved betterment) works of essential public assets, subject to a contribution cap. The Shire's 2012/2013

cap is \$133,100.00. Recently, it has been the intention to place \$40,000.00 per year into the Reserve, with a view to it building up to a level of \$200,000.00, to cover this cap, plus a buffer. It is recommended that a lower maximum amount of \$160,000.00 would be sufficient, although the cap needs to be reviewed annually.

- **Great Southern Regional Cattle Saleyards Reserve** - Purpose - To fund required capital improvements to the Saleyards. It was planned to set aside an annual amount based on cattle throughput. Given that the Council has required this trading undertaking to be self funding, it is recommended that the reserve be amended to include the purpose to require the Saleyards to operate in a self sufficient manner by funding capital works and retaining operating surpluses and/or funding operating deficits (excluding non-cash items). Also, the name of the reserve should be changed to reflect the new name of the facility, being Mount Barker Regional Saleyards.
- **Plantagenet Medical Centre Reserve** - The monthly rental payments received from the Plantagenet Medical Centre are higher than the repayments required on the \$200,000.00 loan to Plantagenet Community Financial Services Ltd (Bendigo Community Bank). The original Long Term Financial Planning Working Group recommended that the difference, being \$42,400.00 (\$62,400.00 annual rental income, \$20,000.00 annual loan repayment), be put into a new reserve account to cover future refurbishments and improvements to that building. Recently, the community bank has asked the Council if it would be prepared to fund an early payout of the interest free loan. As a gesture of good faith, this is considered warranted and could largely be funded from this reserve. The purpose of the reserve should be changed accordingly and from then on, the annual input could be the annual rental amount.
- **Recycling Bin Reserve** – In 2010/2011, this reserve was established to enable funds to be set aside for the implementation of a recycling service. The recycle bin rollout has now been completed and Budget Item Purchase of Domestic Recycling Bins has been underspent by approximately \$30,000.00. In the budget review considered by the Council on 26 March 2013, it was agreed that this sum be transferred to the Waste Management Reserve fund. It is recommended that this reserve fund be cancelled.
- **Spring Road Roadworks Reserve** – In 2011/2012, a sum of \$48,436.00 was received from the developer of Lot 2150 Spring Road Porongurup (Westcross Pty Ltd) for improvements to that road. The improvements are for minor widening and pull off bays which will encompass drainage and gravel sheeting. These works will not commence until further subdivisions occur along that road, so that all of the works can be carried out together.

## VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr L Handasyde, seconded Cr M Skinner:

That subject to adoption in the 2013/14 Budget:

1. The following reserve accounts be renamed:
    - a) from Town Drainage Reserve to Drainage and Water Management Reserve;
    - b) from New Waste Disposal Site Reserve to Waste Management Reserve; and
    - c) from Great Southern Regional Cattle Saleyards Reserve to Mount Barker Regional Saleyards Reserve;
  2. The following reserve accounts be maintained, with initial draft budgets being prepared to reflect the annual allocations:
    - a) **Name:** Employee Entitlements Reserve  
**Purpose:** To fund sick, annual and long service leave entitlements for former staff called upon by other local governments and unplanned payments of annual leave and long service leave liabilities  
**Target:** \$100,000.00  
**Annual Allocation:** \$25,000.00
    - b) **Name:** Plant Replacement Reserve  
**Purpose:** To fund the purchase of works vehicles, plant and machinery  
**Target:** N/A  
**Annual Allocation:** Equivalent to annual works vehicles, plant and machinery depreciation allocation
    - c) **Name:** Drainage and Water Management Reserve  
**Purpose:** To fund the planning and construction of drainage and water management projects  
**Target:** \$250,000.00  
**Annual Allocation:** \$20,000.00
    - d) **Name:** Land Rehabilitation Reserve  
**Purpose:** To fund the rehabilitation of the old saleyards site on Woogenellup Road  
**Target:** \$100,000.00  
**Annual Allocation:** N/A (To be replenished using funds from the sale of Menston Street depot lots)
    - e) **Name:** Waste Management Reserve  
**Purpose:** To fund waste management infrastructure and major items of associated plant and equipment
-



- 
- Target: \$250,000.00**  
**Annual Allocation: \$20,000.00**
- f) **Name: Computer Software and Hardware Upgrade Reserve**  
**Purpose: To upgrade business system hardware and software with additional functionality**
- Target: \$100,000.00**  
**Annual Allocation: \$20,000.00**
- g) **Name: Shire Development and Building Improvements Reserve**  
**Purpose: To fund planned major projects and developments and planned major building renewal, improvements and refurbishments as decided by the Council**
- Target: \$500,000.00**  
**Annual Allocation: \$50,000.00**
- h) **Name: Outstanding Land Resumptions Reserve**  
**Purpose: To fund old/outstanding obligations for land resumptions associated with road realignments and the like**
- Target: \$25,000.00**  
**Annual Allocation: \$5,000.00**
- i) **Name: Natural Disaster Reserve**  
**Purpose: To fund the Council's proportion of natural disaster events in the Shire of Plantagenet**
- Target: \$160,000.00**  
**Annual Allocation: \$20,000.00**
- j) **Name: Mount Barker Regional Saleyards Reserve**  
**Purpose: To require the Saleyards to operate in a self sufficient manner by funding capital works and retaining operating surpluses and/or funding operating deficits (excluding non-cash items).**
- Target: N/A**  
**Annual Allocation: The annual cash surplus of the Mount Barker Regional Saleyards trading undertaking**
- k) **Name: Plantagenet Medical Centre Reserve**  
**Purpose: To fund renewal, refurbishments and improvements to the Plantagenet Medical Centre and return part of interest free loan principal to Plantagenet Community Financial Services (Bendigo Community Bank)**
- Target: N/A**  
**Annual Allocation: \$62,400.00**
-

- l) **Name:** Spring Road Roadworks Reserve  
**Purpose:** To fund roadworks in Spring Road, Porongurup as required by the relevant subdivision condition  
**Target:** N/A  
**Annual Allocation:** N/A

3. The Recycling Bin Reserve be cancelled.

#### **AMENDMENT**

Moved Cr J Moir, seconded Cr B Bell:

That in part 2 (g) of the motion the figure '\$500,000.00' be deleted and replaced with the figure '\$250,000.00' and the figure '\$50,000.00' be deleted and replaced with the figure '\$25,000.00'.

LOST (3/6)

#### **COUNCIL DECISION**

The motion was put.

CARRIED (9/0)

NO. 145/13

**9.4.7 WRITE OFF OF OUTSTANDING DEBTS**

**File No:** N27184  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Emma Gardner  
Accounts Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to write off bad debts that have been outstanding for an excessive period of time and are considered unrecoverable.

**BACKGROUND**

A Schedule of sundry debts proposed to be written off is detailed below.

1. Mount Barker Panel Beaters - \$75.00  
Outstanding since January 2011. This debt relates to waste disposal fees at the Mount Barker Landfill Site. The business has now changed ownership and all attempts to forward statements to a forwarding address provided have been unsuccessful.
2. Peter O'Neill (O'Neill Contracting) - \$63.07  
Outstanding since September 2012. This debt relates to water usage at the Kendenup Standpipe. All correspondence has been returned to sender and Mr O'Neill's mobile phone number has been disconnected. The standpipe card has been disconnected and all attempts to locate Mr O'Neill have been unsuccessful.
3. Chan Young - \$200.00  
Outstanding since January 2010. This debt relates to damage caused to the Northern Bypass Roundabout. The original debt of \$1,035.00 was referred for legal action and \$835.00 was recovered, however all attempts to recover the remaining debt have been unsuccessful.
4. Tony Duvey - \$106.12  
Outstanding since March 2011. This debt relates to water usage at the Kendenup Standpipe. All correspondence has been returned to sender. The standpipe card has been disconnected and all attempts to locate Mr Duvey have been unsuccessful.
5. Amber Goddard - \$70.00  
Outstanding since March 2012. This debt relates to a dog impoundment fee. All correspondence is being returned to sender and all attempts to contact Ms Goddard have been unsuccessful.
6. Library Books and DVDs  
The debts listed below relate to fees for outstanding library books and DVDs borrowed in 2009 and 2010 from the Mount Barker Public Library. Both the Librarian and Accounts Officer have been unsuccessful in recovering the debts. The Librarian has now adopted a new process when new members join the Library including

completing a membership form and members are now required to supply an alternative contact to help minimise the occurrence of unrecoverable library items.

<b>Name</b>	<b>Amount</b>
Natalie Chivers	\$30.12
Eve McMiven	\$45.10
Cheryle Dunham	\$97.00
Scott Vulich	\$86.50
Christine Anderson	\$142.80
Annette Signal	\$68.90
Christina Dowdell	\$76.95
Jolene Jetta	\$87.95
Samantha Krakouer	\$61.20
Deborah Ovens	\$128.75
Darlene Ugle	\$100.00
Sophia Munroe	\$56.85
Daniel Jago	\$85.25
Deanne Lister	\$40.00
Leanne Winmar	\$61.95
Lynette Ramsay	\$174.55
	<b>\$1,343.87</b>

### **STATUTORY ENVIRONMENT**

Section 6.12(1) (c) of the Local Government Act states:

*'(1) Subject to subsection (2) and any other written law, a local government may –  
(c) Write off any amount of money, which is owed to the local government.'*

### **FINANCIAL IMPLICATIONS**

A provision for doubtful debts of \$2,090.65 was allocated for the 2012/13 financial year. It is suggested a total of \$1,910.94 be written off in the 2012/13 year to provide an accurate reflection of the Council's receivables.

### **POLICY IMPLICATIONS**

There are no policy implications for this report.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

### **OFFICER COMMENT**

Significant attempts have been made to recover all of these outstanding debts. Such attempts include contact both written and verbal (and use of a debt collection agency for Mr Young). Despite these repeated attempts, there has been no success and as such, they are considered unrecoverable and if not written off, will misrepresent the true financial position of the Council.

### **VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION****Moved Cr A Budrikis, seconded Cr B Bell:****That the following sundry debtors totalling \$1,858.06 be written off:**

1. Mount Barker Panel Beaters - \$75.00
2. Peter O'Neill - \$63.07
3. Chan Young - \$200.00
4. Tony Duvey - \$106.12
5. Amber Goddard - \$70.00
6. Natalie Chivers - \$30.12
7. Eve McMiven - \$45.10
8. Cheryle Dunham - \$97.00
9. Scott Vulich - \$86.50
10. Christine Anderson - \$142.80
11. Annette Signal - \$68.90
12. Christina Dowdell - \$76.95
13. Jolene Jetta - \$87.95
14. Samantha Krakouer - \$61.20
15. Deborah Ovens - \$128.75
16. Darlene Ugle - \$100.00
17. Sophia Munroe - \$56.85
18. Daniel Jago - \$85.25
19. Deanne Lister - \$40.00
20. Leanne Winmar - \$61.95
21. Lynette Ramsay - \$174.55

**CARRIED (7/2)****NO. 146/13****(Absolute Majority)**

**9.4.8 STRATEGIC COMMUNITY PLAN 2013 – 2023 - ADOPTION**

<b>File No:</b>	<b>N27217</b>
<b>Attachments:</b>	<a href="#">Shire of Plantagenet Strategic Plan 2013-2023</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to adopt a new Strategic Community Plan for the Shire of Plantagenet for the period 2013 - 2023.

**BACKGROUND**

All local governments are currently required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995 (the Act). Regulations were made under S5.56 (2) of the Act in August 2011 which changed the minimum requirements to achieve this.

Councils have been advised that by 1 July 2013, they will need to deliver the following outcomes as part of the new strategic planning framework:

- A long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

At its meeting held on 12 June 2012, the Council adopted a Strategic Community Plan for the period 2012 – 2022, which followed an extensive public consultation process.

Changes were sought to the Council's adopted Strategic Community Plan by the Department of Local Government and therefore a new version of the Plan starting from 2013/2014 has been developed.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Section 5.56 of the Act states:

- '(1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.'*

Local Government (Administration) Regulations 1996

Section 19C of the Regulations state:

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- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
  - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
  - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
  - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*

- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.'*

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

*'Strategy 4.4.1 – Develop, implement and maintain a Strategic Community Plan and Corporate Business Plan.'*

**OFFICER COMMENT**

After feedback from the Department of Local Government, information has now been included on resource capacity and performance measurement. Also, after further work on corporate business planning, changes are recommended to some of the strategies, so that the plan better aligns with the various actions contained within the Shire's Corporate Business Plan. Adopting a document which starts in 2013/2014 will also better align with the Corporate Business Plan, Long Term Financial Plan and Workforce Plan.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr L Handasyde:**

**That the revised Shire of Plantagenet Strategic Community Plan for the period 2013 – 2023, as attached, be adopted.**

**CARRIED (9/0)**

**NO. 147/13**

**(Absolute Majority)**



**9.4.9 CORPORATE BUSINESS PLAN 2013/14 – 2017/18 - ADOPTION**

<b>File No:</b>	<b>N27217</b>
<b>Attachments:</b>	<a href="#">Corporate Business Plan 2013/14-2017/18</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to adopt a Corporate Business Plan for the Shire of Plantagenet for the period 2013/14 – 2017/18.

**BACKGROUND**

All Councils in WA have been advised that by 1 July 2013, they will need to deliver the following outcomes as part of the new Integrated Planning Framework:

- A long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

This is the Council's principal statement that sets strategic direction and identifies priority areas informed by the Strategic Community Plan, external factors and internal capability analysis. The intent of this plan is to identify Council priorities over a shorter time frame to drive integrated planning within the local government. It also integrates community aspirations into the Shire's operations and service delivery.

The Shire received a grant of \$45,000.00 from the Department of Local Government to appoint consultants to assist with the development of a Strategic Community Plan and Corporate Plan. Consultants CAM Management Solutions (CAMMS) were engaged to carry out this work. In conjunction with this consultancy, the Shire endorsed an opportunity provided by CAMMS to purchase software to better utilise the strategic plan.

The software (proprietary name Interplan) will enable the Shire to monitor and track progress and performance of actions, projects and key performance indicators. This will assist the Shire to monitor and report on Corporate Plan Actions and tasks internally and also fulfil its obligations to report on progress in the Shire's Annual Reports.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Administration) Regulations 1996

Section 19DA of the Regulations states (in part) that:

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning;*

...

*\* Absolute Majority required.'*

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

*'Strategy 4.4.1 – Develop, implement and maintain a Strategic Community Plan and Corporate Business Plan.'*

## **OFFICER COMMENT**

The Corporate Business Plan activates the Shire's Strategic Community Plan by responding to:

- The Council's distillation and prioritisation of the community's short, medium and long term aspirations;
- Existing operational plans, priorities and external factors impacting on resourcing; and
- The assessment and integration of services and business area plans.

The integrated Planning and Reporting Framework recognises that, due to the integrated approach to its development, the Corporate Business Plan may be presented in a single document or as a number of separate documents. In this regard, this 'master document' includes a synopsis of the other plans, however the formal Corporate Business Plan incorporates the following:

- Asset Management Plan (Stage 1);
- Long Term Financial Plan 2013/14 – 2022/23; and

- Workforce Plan 2013/14 – 2017/18.

This plan will be subject to a major review every four years (to align with reviews of Strategic Community Plan) and minor reviews every two years following major reviews.

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr G Messmer:**

**That the Shire of Plantagenet Corporate Business Plan 2013/2014 to 2017/2018, as attached, be adopted.**

**CARRIED (9/0)**

**NO. 148/13**

**(Absolute Majority)**

**9.4.10 LONG TERM FINANCIAL PLAN 2013/14 – 2022/23 - ADOPTION**

<b>File No:</b>	<b>N27217</b>
<b>Attachments:</b>	<a href="#">Long Term Financial Plan 2013/14-2022/23</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to adopt a new Long Term Financial Plan for the Shire of Plantagenet for the period 2013/14 – 2022/23.

**BACKGROUND**

All Councils in WA have been advised that by 1 July 2013, they will need to deliver the following outcomes as part of the new Integrated Planning Framework:

- A long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

Long term Financial Planning is an informing strategy to the Integrated Planning Framework. The Department of Local Government has prepared guidelines that define what local governments should strive to develop.

The Department provided a grant of \$25,000.00 to the Shire to engage consultants to produce a Long Term Financial Plan. This plan has been developed by consultancy firm Core Business, with input from Shire staff.

At its meeting held on 11 June 2013, the Shire's Audit Committee resolved to recommend to the Council that the draft Shire of Plantagenet Long Term Financial Plan 2013/2014 to 2022/2023, be adopted.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Administration) Regulations 1996

Section 19DA of the Regulations states (in part) that:

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*

- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
- (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning;*

...

*\* Absolute Majority required.'*

## **EXTERNAL CONSULTATION**

Consultation has taken place with Bruce Lorimer from 'Core Business', the firm contracted to undertake the preparation of the Long Term Financial Plan.

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

## **POLICY IMPLICATIONS**

There are number of financial policies relevant to this report, which have been commented upon in the Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

*'Strategy 4.4.4 – Develop, implement and maintain Asset Management Plans and the Long Term Financial Plan.'*

## **OFFICER COMMENT**

The Shire of Plantagenet's Long Term Financial Plan (LTFP) details what the Council proposes to do over the next ten years as a means of ensuring the Shire's financial sustainability. The LTFP aligns with the other planning documents under the State Government's Integrated Planning and Reporting Framework for local government. This includes the Shire's Strategic Community Plan and Corporate Business Plan. Information contained in other informing strategies, including the Asset Management Plan and Workforce Plan, has informed the LTFP which will be the basis for preparation of the Shire's Annual Budgets.

The LTFP is a dynamic tool which analyses financial trends over a ten year period on a range of assumptions. It provides the Shire with information to assess resourcing requirements to achieve its strategic objectives and to assist the Shire to ensure its future financial sustainability.

The LTFP covers the period 2013-14 to 2022-23. There is considered to be a reasonable level of accuracy and detail in the first three years of the LTFP but this is underpinned by a number of assumptions. The remaining seven years of the LTFP are shown as an overview with estimates only.

The Council previously adopted an LTFP for 2009/2010 and beyond. The objectives of that financial plan were to maintain current service levels, achieve a capital works program that meets adequate asset renewal requirements, undertake an optimal plant replacement program and achieve a balanced budget. The new LTFP also includes an update to those objectives.

To ensure the Shire remains financially sustainable, it is important that sound financial strategies and principles are developed and continually reviewed in line with the changing economic and demographic outlook for the community. The policies that the Council has developed have also been referenced in the plan.

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr L Handasyde, seconded Cr M Skinner:**

**That the Shire of Plantagenet Long Term Financial Plan 2013/2014 to 2022/2023, as attached, be adopted.**

**CARRIED (9/0)**

**NO. 149/13**

**(Absolute Majority)**

**9.4.11 WORKFORCE PLAN 2013/14 – 2017/18 - ADOPTION**

<b>File No:</b>	<b>N27217</b>
<b>Attachments:</b>	<a href="#">Workforce Plan 2013/14-2017/18</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to adopt a Workforce Plan for the Shire of Plantagenet for the period 2013/14 – 2017/18.

**BACKGROUND**

All Councils in WA have been advised that by 1 July 2013, they will need to deliver the following outcomes as part of the new Integrated Planning Framework:

- A long term strategic plan that clearly links the community's aspirations with the Council's vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

Workforce Planning is an informing strategy to the Integrated Planning Framework. The Department of Local Government has prepared guidelines that define what local governments should strive to develop.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Administration) Regulations 1996

Section 19DA of the Regulations states (in part) that:

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*

- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning;*

...

*\* Absolute Majority required.'*

### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

### **POLICY IMPLICATIONS**

There are no policy implications for this report.

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

*'Strategy 4.4.3 – Develop, implement and maintain other plans required by the Integrated Planning process.'*

### **OFFICER COMMENT**

Strategic workforce planning is an important part of the long term planning for an organisation. Such a plan helps to ensure that there are sufficient people to carry out the organisation's purpose. It also helps to ensure that there are the right people in the right place at the right time to build a resilient, cohesive and sustainable organisation.

Workforce Planning helps to forecast future labour markets, but is also used to:

- Identify staffing problems;
- Monitor and contain workforce costs;
- Develop and highlight existing and new workforce skills; and
- Ensure that there is adequate service delivery into the future.

The Integrated Planning and Reporting Framework requires all Councils in WA to develop long term Strategic Community Plans and a corporate business plan. This Workforce Plan forms part of the Integrated Planning Framework.

The Shire of Plantagenet faces a number of long term challenges relating to its workforce. This plan focuses on the context of workforce planning, explores the regional and local challenges, and outlines the responses that the Shire of Plantagenet will take to support the implementation of its corporate business plan.

### **VOTING REQUIREMENTS**

Absolute Majority



**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr B Bell:**

**That the Shire of Plantagenet Workforce Plan 2013/2014 to 2017/2018, as attached, be adopted.**

**CARRIED (9/0)**

**NO. 150/13**

**(Absolute Majority)**

**9.4.12 MOUNT BARKER CEMETERY WEST – REVISED GRAVE LAYOUT**

**File No:** N26318  
**Attachments:** [Revised Cemetery Layout Plans](#)  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to consider and adopt revised layout plans for part of the Mount Barker Cemetery (West).

**BACKGROUND**

At its meeting held on 26 February 2013, the Council resolved that:

- ‘1. A redesign of the Mount Barker (west) Cemetery be undertaken to configure Section E to an east-west alignment and incorporating coloured concrete beams with single row head stones or bronze plaques.*
- 2. Burial charges to Section E be increased to cover any extra costs to the Council.*
- 3. A further report be presented to the Council detailing changes to Council Policy No. A/CA/2 Cemetery Memorials.’*

A councillor workshop was held on 30 April 2013 to discuss modifications to the cemetery layout and the Cemetery Memorials Policy. A revised policy was adopted by the Council on 28 May 2013.

**STATUTORY ENVIRONMENT**

Cemeteries Act 1986.

The Shire of Plantagenet Cemeteries Local Law 2008 (as amended) provides for the following:

*‘7.13 Setting Aside Other Sections*

*The Board may from time to time set aside any part of a cemetery as a lawn section, memorial plaque section or a natural earth burials section.’*

**FINANCIAL IMPLICATIONS**

Financial implications of a redesign were dealt with by the Council at its meeting held on 26 February 2013. Construction of proposed gravel tracks to the natural earth burials section can be accommodated at minimal cost within the maintenance budget.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

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**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

*‘Strategy 2.3.3 – Provide appropriately maintained cemeteries for our community’*

**OFFICER COMMENT**

As a result of a decision to change Section E of the new cemetery, revised plans have been prepared, as attached. Grave orientation is almost exactly east-west rather than perpendicular to the current alignment. The designer considers that this will result in a better visual outcome when viewed from the pavilion.

The design has also been amended to incorporate a natural earth burial section within the windrows on the southern boundary. In order for digging equipment to access that area, the plantings will be removed from one windrow. This will allow three rows of graves near the fence line.

Gravel tracks would be required so that a hearse can access that area (clear of future burial sections). The western track would only be required initially, as graves would start from the western side and gradually work back to the eastern end. Transporting bodies from hearse to grave can be by large wheeled trolley or carried by hand, hence the 50 metre limit for Occupational Health and Safety requirements.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr C Pavlovich, seconded Cr L Handasyde:**

**That the revised layout plans for the Mount Barker Cemetery (West), incorporating changes to Section E, the natural earth burials section and access paths, as attached, be adopted.**

**CARRIED (9/0)**

**NO. 151/13**

## 9.5 EXECUTIVE SERVICES REPORTS

### 9.5.1 COUNCIL MEETINGS - SCHEDULE RECONSIDERATION

**File No:** N27232  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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#### PURPOSE

The purpose of this report is to review, if thought appropriate, the schedule of meeting dates for the Council.

#### BACKGROUND

At its meeting held on 27 November 2012 the Council resolved:

*'That:*

1. *The ordinary meetings of the Council for January to November 2013 inclusive be held on the last Tuesday of each month as follows:*
  - a) *29 January 2013*
  - b) *26 February 2013*
  - c) *26 March 2013*
  - d) *30 April 2013*
  - e) *28 May 2013*
  - f) *25 June 2013*
  - g) *30 July 2013*
  - h) *27 August 2013*
  - i) *24 September 2013*
  - j) *29 October 2013*
  - k) *26 November 2013*
2. *The ordinary meeting for December be held on Tuesday 17 December 2013.*
3. *All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
4. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.'*

Prior to meeting on the last Tuesday of each of month the Council met every third Tuesday.

The matter is now brought before the Council for reconsideration due to a number of Councillors indicating that monthly Council meetings is creating a 'bottleneck' of items needing Council consideration due to meetings being held monthly.

## **STATUTORY ENVIRONMENT**

### Local Government Act 1995

Section 5.3 provides that a Council is to hold ordinary meetings and may hold special meetings.

Section 5.5 requires the CEO to convene ordinary meetings by giving each Council member at least 72 hours notice of a date, time and place of a meeting and an agenda for the meeting.

### Local Government (Administration) Regulations 1996

Regulation 12 requires that ordinary council meetings to be held in the next 12 months shall be advertised.

Further, a local government is to give local public notice of any change to the date, time or place of the meeting.

## **EXTERNAL CONSULTATION**

Although there is no need for public consultation regarding this matter, as mentioned above, statutory advertising protocols apply.

## **FINANCIAL IMPLICATIONS**

There will possibly be some impact on catering costs depending on the timing and frequency of meetings.

## **POLICY IMPLICATIONS**

Policy No CE/CS/5 – Workshops – Attendance by Members of the Public and Policy No CE/CS/6 – Briefing Sessions for Councillors apply.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community 2012-2022 provides at Outcome 4.1 (Effective governance and leadership) the following strategy:

*'Strategy 4.1.3 Ensure the Council's decision making process is effective and transparent.'*

## **OFFICER COMMENT**

Monthly Council meetings have been working well for staff members. Reports are prepared during the month allowing ample time for review by all members of the senior management team and the Chief Executive Officer.

However, some Councillors have indicated that the number of reports needing to be assimilated, even though agendas are sent out earlier, requires a significant investment of time. Therefore some Councillors are of the opinion that more frequent meetings would spread this workload to become more manageable.

The three weekly cycle previously adopted by the Council was a reasonable 'middle ground' between monthly and meetings held on the second and fourth Tuesdays of each month.

When meetings were held on the second and fourth Tuesdays of each month the Council was advised that this resulted in officers being in 'agenda mode' constantly. As a result, amendments were made so that two members of the senior staff would report to each alternative meeting such that the 'agenda mode' problem was overcome.

With meetings being held on the second and fourth Tuesdays of each month some agendas had only very few reports, resulting in the three weekly cycle being introduced.

It has probably been unfortunate that the monthly cycle has coincided with a marked increase in workloads for Council staff as a result of issues such as structural reform, Sounness Park, budget deliberations and an unspecified increase in the number of reports requiring Council decisions.

Further, it is not expected that this workload will be reducing as there is no doubt that the nature of local government is changing such that workloads are increasing both for staff and Councillors.

It is for these reasons mentioned above that it is now recommended that the Council meeting schedule revert to every third Tuesday. This will mean that Council meeting duration is shorter, enabling Councillors to consider the matters presented for decision in greater depth.

There would probably be no need for a meeting in January and only one meeting in December.

Although some suggestions have been made that the Council reverts to two meetings per month in the 'busy' times of the year (say March to August) and revert to one Council meeting a month for the balance of the year, meeting every third Tuesday would make this unnecessary. In any case special Council meetings could be called pursuant to the Act if required.

In conclusion, should Councillors feel that the workload is becoming too great for Council meetings to be held monthly, a decision to revert to meetings on every third Tuesday would spread that workload.

## **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr M Skinner, seconded Cr L Handasyde:

That:

1. The ordinary meetings of the Council for July to November 2013 inclusive be held on every third Tuesday as follows:
  - a) 16 July 2013
  - b) 6 August 2013 and 27 August 2013
  - c) 17 September 2013
  - d) 8 October 2013 and 29 October
  - e) 19 November 2013
2. The ordinary meeting for December be held on Tuesday 10 December 2013.
3. All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chamber, Lowood Road Mount Barker.
4. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.
5. Briefing sessions and workshops be held on Council meeting days prior to the start of each ordinary Council meeting.
6. The Meeting Schedule for Council meetings be reviewed at the ordinary meeting scheduled for 19 November 2013.

**AMENDMENT**

Moved Cr A Budrikis, seconded Cr G Messmer:

That point 1 above be deleted and replaced with:

‘The ordinary meetings of the Council for September to November 2013 inclusive be held on every third Tuesday as follows:

- a) 17 September 2013
- b) 8 October 2013 and 29 October
- c) 19 November 2013’

**CARRIED (9/0)**

**NO. 152/13**

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**COUNCIL DECISION****That:**

- 1. The ordinary meetings of the Council for September to November 2013 inclusive be held on every third Tuesday as follows:**
  - a) 17 September 2013**
  - b) 8 October 2013 and 29 October**
  - c) 19 November 2013**
- 2. The ordinary meeting for December be held on Tuesday 10 December 2013.**
- 3. All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chamber, Lowood Road Mount Barker.**
- 4. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**
- 5. Briefing sessions and workshops be held on Council meeting days prior to the start of each ordinary Council meeting.**
- 6. The Meeting Schedule for Council meetings be reviewed at the ordinary meeting scheduled for 19 November 2013.**

**CARRIED (9/0)****NO. 153/13**



**9.5.2 DELEGATIONS - BUILDING ACT 2011**

**File No:** N27242  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to recommend to the Council that the Chief Executive Officer be delegated powers pursuant to the Building Act 2011.

**BACKGROUND**

Delegations are granted to the Chief Executive Officer (CEO) and other Officers in some instances, to assist in the efficient and effective running of the organisation so as to preclude many minor matters from coming before the Council and to maximise service to members of the public, residents and ratepayers.

The Council review of delegations was endorsed by the Council at its meeting held on 28 May 2013.

Unfortunately a delegation to the Chief Executive Officer pursuant to the Building Act 2011 was overlooked.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 - Section 5.42 provides for a Local Government to delegate to the CEO the exercise of any of its powers or the discharge of its duties (Absolute Majority required).

The Act also provides, at Section 5.43, a number of powers or duties that cannot be delegated. Furthermore, pursuant to Section 5.44 of the Act, the CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Act other than the power of delegation. Such delegation must be in writing (Section 5.46).

Importantly, Section 5.45 of the Act provides that a delegation has effect for the period of time specified in the delegation or, where no period has been specified, indefinitely.

Nevertheless, at least once every financial year, delegations are to be reviewed by the delegator. Therefore delegation granted by the Council to the CEO must be reviewed once every financial year.

Finally, a person to whom a power or duty is delegated under the Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Building Act 2011 - Section 96 (3) provides:

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*‘A local government may, by instrument in writing, designate a person employed by the local government under the Local Government Act 1995 section 5.36, as an authorised person for the purposes of this Act in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government.’*

Further, Section 127 (1):

*‘A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.’*

A recent amendment [Section 127 (6A)] also provides:

*‘(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —*

- (a) the CEO’s power under this subsection to delegate the exercise of that power or the discharge of that duty; and*
- (b) the exercise of that power or the discharge of that duty by the CEO’s delegate,*

*are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.’*

## **EXTERNAL CONSULTATION**

This matter was referred to the WA Local Government Association for advice relating to Section 127 (6A) of the Building Act 2011.

Notwithstanding the provisions of Section 96 (3) of the Building Act referred to above, this recent amendment to the Building Act [S127 (6A)] emphasises the ability of a CEO, under the Building Act, to delegate to an authorised person such as the Principal Building Surveyor.

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

*‘Strategy 4.1.6 - Provide administrative support to Shire for Governance functions’*

## **OFFICER COMMENT**

At its meeting held on 28 May 2013 the Council endorsed Delegation LG 004 as follows:

*‘The Chief Executive Officer is delegated authority to:*

- (1) Issue a notice pursuant to Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by*

- the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.*
- (2) Serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960.*
  - (3) Issue stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.*
  - (4) Withdraw stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.*
  - (5) Carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:*
    - Issue a certificate which states that the subject building is in a dangerous state.*
    - Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger.*
    - Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.*
  - (6) Issue licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960, provided the proposed activity will not create undue interference with the operation of the street, way or public place.'*

With the adoption of the Building Act 2011 Sections 377, 401, 401(A), 403, 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960 were repealed. These powers are now found within the Building Act 2011.

Accordingly, the delegation given pursuant to Delegation No LG 004 is 'without power' and a new delegation needs to be considered by the Council and delegation LG 004 revoked.

The Chief Executive Officer has already issued, with the promulgation of the Building Act 2011, an authority for the Principal Building Surveyor to act as an Authorised Person under the Building Act. The recent amendment to the Building Act 2011 reads:

Section 127 (6A)

*'(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —*

- (a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and*
- (b) the exercise of that power or the discharge of that duty by the CEO's delegate,*

*are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.'*

This section has been added due to apparent confusion relating to whether or not the Chief Executive Officer actually had the power to authorise a Principal Building Surveyor to act due simply to his or her appointment pursuant to Section 5.36 of the Local government Act and therefore 'authorised'. The advice at the time was in the affirmative but this subsequent amendment has been made to ensure the power is relevant. Accordingly, it is now recommended that Section 127 (6A) be utilised to delegate to the CEO the power to delegate in accordance with sub section 6A.

## **VOTING REQUIREMENTS**

Absolute Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr J Moir:

That:

### **1. Delegation LG 004 as follows:**

*'The Chief Executive Officer is delegated authority to:*

- (1) Issue a notice pursuant to Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.*
- (2) Serve upon the owners and occupiers of neglected and dilapidated buildings the written notices required by Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960.*
- (3) Issue stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant issue of a notice.*
- (4) Withdraw stop work notices pursuant to Section 401A of the Local Government Act (Miscellaneous Provisions) 1960 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.*
- (5) Carry out the following functions as provided in Section 403 of the Local Government (Miscellaneous Provisions) Act 1960:*
  - Issue a certificate which states that the subject building is in a dangerous state.*
  - Shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger.*
  - Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.*

*(6) Issue licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960, provided the proposed activity will not create undue interference with the operation of the street, way or public place.'*

be revoked.

2. Delegation LG 045

The Chief Executive Officer is designated as an authorised person for the purposes of the Building Act 2011 in relation to buildings and incidental structures located, or proposed to be located, in the District of the Shire of Plantagenet.

**CARRIED (9/0)**

**NO. 154/13**

**(Absolute Majority)**

**9.5.3 LOT 337 MARTIN STREET - EXCISION AND SALE OF WATER CORPORATION SEWER PUMP STATION**

<b>File No:</b>	<b>N27193</b>
<b>Attachments:</b>	<a href="#">Contract of Sale - Part Lot 337 Martin Street</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to finalise the offer from the Water Corporation to purchase the north east portion of Lot 337 Martin Street Mount Barker.

**BACKGROUND**

At its meeting held on 12 June 2012 the Council resolved the following:

*'That the offer of \$7,500.00 from the Water Corporation for that portion of Lot 337 Martin Street containing the Water Corporation's Mount Barker Waste Water Pumping Station No. 3, being approximately 600 square metres in area and as shown on the attached plan be accepted subject to:*

- 1. The site being fenced along the boundary of the resultant Lot by the Water Corporation.*
- 2. All statutory and administrative fees associated with the subdivision and the transfer of the land being met by the Water Corporation.'*

Further in November 2012 email correspondence received from the Great Southern Region Water Corporation, advised that the Water Corporation accepts the two conditions listed in the resolution.

The Water Corporation have now sent through a Contract for Sale (copy attached) for signing.

**STATUTORY ENVIRONMENT**

Section 3.58 of the Local Government Act 1995 refers to the disposition of property by a Local Government.

Further, the Local Government (Functions and General) Regulations 1996 provide that a disposition of land by a Local Government is an exempt disposition if it is being disposed of to a department, agency or instrumentality of the Crown in right of the State or Commonwealth.

This disposal is therefore an exempt disposal and no advertising/consultation is required.

**EXTERNAL CONSULTATION**

There has been no external consultation regarding this matter except with the potential purchasers, being the Water Corporation.

**FINANCIAL IMPLICATIONS**

An amount of \$7,500.00 has been offered for the land

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**ASSET MANAGEMENT IMPLICATIONS**

The proposal to sell a small portion of this land will simply formalise the existing infrastructure.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 3.5 '*Advocate for improved provision of utility services across the region*' and further at Outcome 2.10 '*Support the development of sustainable potable water infrastructure and promote effective water management practices.*'

**OFFICER COMMENT**

With all parties now in agreement of the conditions of the sale of Part of Lot 337 Martin Street Mount Barker it is recommended that the Contract of Sale is completed.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr J Moir:**

**That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to a Contract of Sale for the sale of Part Lot 337 Martin Street, Mount Barker to the Water Corporation.**

**CARRIED (9/0)**

**NO. 155/13**

**9.5.4 MOUNT BARKER CARAVAN PARK – PURCHASE OF ENCROACHING LAND AND LICENCE FOR WATER USE**

<b>File No:</b>	<b>N27231</b>
<b>Attachments:</b>	<a href="#">Mount Barker Caravan Park - Plan</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 June 2013</b>

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**PURPOSE**

The purpose of this report is to consider a number of matters relating to the Mount Barker Caravan Park, use of water by the Caravan Park from the Government Dam and boundary anomalies and encroachments between the Caravan Park and the Reserve immediately to the south (old Museum Police Station complex).

This report will recommend that the boundary encroachment be rectified through purchase of the subject land and that any use of water from the Government Dam by the Caravan Park be effected through a negotiated licence.

This report will recommend that the subject land be purchased from the Caravan Park at a nominal price of \$1.00 (exclusive of GST) with all survey and subdivision costs to be met by the Council including the issue of new titles. In return for this, the report will further recommend that a ten year licence be entered into allowing the Caravan Park to take up to 3,000 kilolitres of water from the Government Dam (subject to availability) at 65 cents per kilolitre.

A plan attached shows the encroachment of approximately 500m<sup>2</sup>.

**BACKGROUND**

At the meeting of the Council held on 28 May 2013 the following officer recommendation was adjourned as a result of the Caravan Park Proprietor addressing the Council and offering to sell the encroaching land to the Council in return for a licence to continue to take water for the Caravan Park from the Government Dam:

*‘That the Plantagenet Historical Society and the owners of the Mount Barker Caravan Park be advised that it is the opinion of the Council that:*

- 1. The encroachment of the museum infrastructure as shown on the attached plan dated December 2010 onto Caravan Park land will need to be rectified through the relocation/demolition of such infrastructure from the encroaching land, and that a lease of this land from the Caravan Park is not an appropriate solution.*
- 2. A budget allocation will be considered for the 2013/2014 financial year to effect the necessary relocation/demolition works.’*



By way of further background:

The Mount Barker Caravan Park was formerly situated on land vested in the Council. In 1999 negotiations with the Council, State Government and the operator of the Caravan Park resulted in the vested land being transferred into Freehold title which the Council was then able to purchase and immediately on-sell.

Prior to the sale boundary encroachments were not an issue as all land was vested in the one authority, being the Council. Further, while the Caravan Park land was vested in the Council, issues regarding the use of water from the Government Dam did not arise. After the sale of the land by the Council to the then Caravan Park operator, the use of water continued on an ad-hoc basis. Upon subsequent re-sale, the use of water needed to be formalised.

The matter of water use by the Caravan Park was considered by the Council at its meeting held on 10 March 2009. At that meeting the Council granted a formal licence to the Caravan Park owners to access the water supply by Resolution 62/09 as follows:

*'That a licence be granted to the Mount Barker Caravan Park at Lot 584 Albany Highway, Mount Barker for the continued use of the Government Dam water supply for the reticulation of lawns within the caravan park expiring 30 August 2016, subject to:*

- a) the primary purpose of the water within the Government Dam being for municipal uses and if the consumption of that water impacts adversely upon the usual and actual quality and quantity of the Government Dam water source in the opinion of the Council's Environmental Health Officer, the water supply to the caravan park may be restricted at any time;*
- b) the installation of an approved water metering device capable of accurately measuring water supplied to the caravan park prior to 30 August 2011, at the licence holder's expense;*
- c) the payment by the licence holder for the supply of non-potable water at a rate set in the Annual Budget;*
- d) the licence shall be renewable and transferable to subsequent proprietors of the Caravan Park;*
- e) the licence may not necessarily be renewed by the Council at the expiry of the licence period in 2016; and*
- f) the licence holder is to investigate alternative means of water supply for the reticulation of the caravan park grounds prior to the licence expiry in 2016.'*

Further, on 14 June 2011 the Council resolved:

*'That:*

- 1. The proprietor/s of the Mount Barker Caravan Park be advised that the Council is willing to enter into a Lease for such land which forms portion of the Old Police Station Museum and which encroaches onto the Caravan Park site*

*and would be happy to set off any lease payments for a defined amount of water to be extracted from the Government Dam for use by the Caravan Park subject to water use figures being ascertained over the period 1 August 2011 to 31 July 2012; and*

2. *A draft lease be considered by the Council on or before its meeting to be held on 6 September 2011.'*

Prior to the most recent letter dated 28 May 2013 from the Caravan Park Proprietor Mr Steven Smith offering to sell the encroaching land to the Council, Mr Smith has offered to the Council the opportunity to enter into a Lease of that portion of Caravan Park land which is encroached by the Museum complex. Mr Smith had indicated that any Lease payments could act as a 'contra' against the use of water. Mr Smith has always been of the opinion that access to the water from the Government Dam is not only essential for the running of the Caravan Park but also enables him to keep the Caravan Park green and welcoming on a main entrance into Mount Barker. Further, there would be no need to demolish an existing museum shed partially situated on caravan park land and no need to re-fence.

At a Councillor Workshop held on 30 April 2013, Councillors were of the opinion that a lease as suggested was not an optimum outcome for the long term and that the encroachment of the Museum Reserve onto Caravan Park land should be rectified and that any water used by the Caravan Park from the Government Dam should be by way of a licence. The licence could be for a short term, renewable at the Council's discretion and require that appropriate charges be levied. The use of water by the Caravan Park could be stopped should there be insufficient water, the water was of insufficient quality or the water was needed for Council purposes. In fact this represents the present arrangements.

## **STATUTORY ENVIRONMENT**

Fees and Charges proposed by the Council must be adopted pursuant to Section 6.2(4) (c) of the Local Government Act. This relates to the water charges to be levied.

A Local Government has control of land vested in it pursuant to Section 3.54 of the Local Government Act. This relates to the vested museum land.

## **EXTERNAL CONSULTATION**

The Chief Executive Officer and the Manager Development Services met with Mr Smith at the Caravan Park on 10 March 2011 to discuss water usage and the encroachment issues.

The Chief Executive Officer also met with representatives of the Historical Society on 17 August 2012, indicating that the encroaching land may need to be reverted back to the Caravan Park and infrastructure on that land be removed or relocated.

The Manager Development Services has raised with the Department of Regional Development and Lands the issue of amalgamating the purchased land into the Museum Crown Reserve.

**FINANCIAL IMPLICATIONS**

The 2013/2014 Draft Budget includes an amount of \$2.25 per kilolitre to extract water from the Government Dam by the Caravan Park

A market valuation of the subject land was obtained through a licensed valuer in November 2012. That value was \$7,500.00.

Should water from the Government Dam be sold to the Caravan Park at 0.65c/kl this would yield \$1,950.00 per annum for the duration of any licence entered into. Subdivision costs and Title costs are likely to be in the vicinity of \$10,000.00.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**ASSET MANAGEMENT IMPLICATIONS**

As well as a licence to extract water from the Government Dam expiring in 2016, the Council also has a licence agreement with Mr Smith regarding the maintenance of pump infrastructure at Government Dam and the Caravan Park relating to sewer applications. This licence covers shared maintenance of joint sewer infrastructure.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2012-2022 provides at Outcome 2.10 (Efficient use and management of water resources) the following Strategy:

*'Strategy 2.10.3 - Promote effective water management practices'*

Further, at Outcome 3.3 (A well-developed relationship with industry, commerce and government) the following Strategy:

*'Strategy 3.3.2 - Develop, maintain and strengthen relationships with local businesses'*

Also at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

**OFFICER COMMENT**

The boundary issues and use of water at the Caravan Park are matters requiring a solution. The Caravan Park Proprietors, Mr and Mrs Smith, have been willing and cooperative but note that the cost of water will present a significant financial impost. It is understandable why the Smiths have previously preferred a lease and contra arrangement for the use of water.

It has been noted that the Caravan Park owners already have a licence with the Council to extract water from the Government Dam and a meter and billing mechanism is in place. It should be noted that no invoice has ever been issued to the Caravan Park owners.

Water use for the year 1 July 2011 to 30 June 2012 was 3,708 kilolitres. At an adopted charge out rate of \$2.15/kilolitre this water was valued at \$7,972.20.

It should also be noted that the Council is endeavouring to 'drought proof' Frost Oval and the Sounness Park Redevelopment through alternative water sources. Notwithstanding this, the Government Dam supply should be seen as the Council's primary supply and as a back up should other sources prove insufficient and large volumes of scheme water aren't available.

There is no doubt that purchase of the land by the Council (ignoring water supply issues to the Caravan Park for the moment) is the best outcome for the Council. The offer to sell the encroaching land to the Council is a most welcomed development after these long running negotiations.

However, Councillors need to be aware that in acquiring this land, it will need to be immediately included into the Museum Reserve, which is under the Council's care control and management, and will therefore be effectively gifted to the Government as Crown Land.

Further, Mr Smith makes a compelling argument regarding the use of water from the Government Dam. The Caravan Park, when it was in the ownership of the Council, utilised water from the Government Dam as an integral part of the Caravan Park's running. The price of 0.65c/kl, although a significant reduction on the charge proposed to be adopted in the 2013/2014 Budget recognises that the water is untreated and must be retrieved by Mr Smith.

It should be noted that the Council has suggested that a Water Management Plan be prepared for the Sounness Park/Frost Park area and this is being implemented.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Cr M Skinner, seconded Cr S Etherington:**

**That:**

- 1) Subject to Part Lot 60 Albany Highway Mount Barker as shown on the attached plan being purchased by the Council for the nominal sum of \$1.00, a licence be granted to the Mount Barker Caravan Park at Lot 584 Albany Highway, Mount Barker for the continued use of the Government Dam water supply for the reticulation of lawns within the caravan park expiring 30 June 2023 with the following conditions:**
  - a) the primary purpose of the water within the Government Dam being for municipal uses and if the consumption of that water impacts adversely upon the usual and actual quality and quantity of the Government Dam water source in the opinion of the Council's Environmental Health Officer, the water supply to the caravan park may be restricted at any time;**
  - b) the amount of water to be taken is limited to 3,000 kilolitres subject always to part (a) above in any 12 month period July to June;**
  - c) the payment by the licence holder for the supply of non-potable**

- water at a rate of .65c/kl;
- d) the licence shall be transferable to subsequent proprietors of the Caravan Park;
  - e) the licence may not necessarily be renewed by the Council at the expiry of the licence period on 30 June 2023; and
  - f) the licence holder should investigate alternative means of water supply for the reticulation of the caravan park grounds prior to the licence expiry in 2023 and in any case should the supply of water be restricted.
- 2) All survey, subdivision and land Title costs being borne by the Council.
  - 3) Part Lot 60, once acquired by the Council shall be amalgamated into the existing Old Police Station Reserve (Reserve No 29661).
  - 4) Authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to all documentation relating to the transfer of land and amalgamation into the Old Police Station Reserve.

#### **AMENDMENT**

Moved Cr B Bell, seconded Cr L Handasyde:

That in part 1(b) the figure '3000' be deleted and replaced with '4000'.

**CARRIED (9/0)**

**NO. 156/13**

#### **COUNCIL DECISION**

That:

- 1) Subject to Part Lot 60 Albany Highway Mount Barker as shown on the attached plan being purchased by the Council for the nominal sum of \$1.00, a licence be granted to the Mount Barker Caravan Park at Lot 584 Albany Highway, Mount Barker for the continued use of the Government Dam water supply for the reticulation of lawns within the caravan park expiring 30 June 2023 with the following conditions:
  - a) the primary purpose of the water within the Government Dam being for municipal uses and if the consumption of that water impacts adversely upon the usual and actual quality and quantity of the Government Dam water source in the opinion of the Council's Environmental Health Officer, the water supply to the caravan park may be restricted at any time;
  - b) the amount of water to be taken is limited to 4,000 kilolitres subject always to part (a) above in any 12 month period July to June;
  - c) the payment by the licence holder for the supply of non-potable

- water at a rate of .65c/kl;
- d) the licence shall be transferable to subsequent proprietors of the Caravan Park;
  - e) the licence may not necessarily be renewed by the Council at the expiry of the licence period on 30 June 2023; and
  - f) the licence holder should investigate alternative means of water supply for the reticulation of the caravan park grounds prior to the licence expiry in 2023 and in any case should the supply of water be restricted.
- 2) All survey, subdivision and land Title costs being borne by the Council.
  - 3) Part Lot 60, once acquired by the Council shall be amalgamated into the existing Old Police Station Reserve (Reserve No 29661).
  - 4) Authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to all documentation relating to the transfer of land and amalgamation into the Old Police Station Reserve.

**CARRIED (9/0)**

**NO. 157/13**

## 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 10.1 RUBBISH COLLECTION – ROCKY GULLY TOWNSITE – REVOCATION OF RESOLUTION NO 102/13

Cr S Etherington has given notice to move the following motion:

That Resolution No 102/13, at the Council Meeting held on 28 May 2013 as follows:

*'That:*

1. *Rocky Gully townsite residents be provided with:*
  - a) *one 120L Blue Mobile Garbage Bin at a cost of \$66.00 (GST inc) payable over 2 years in two equal moieties; and*
  - b) *one 240L Green Mobile Recycling Bin at a cost of \$90.00 (GST inc) for each residential property in the Rocky Gully townsite.*
2. *The 2012/2013 Budget be amended as follows:*

<i>Account</i>	<i>Description</i>	<i>Original/Amended Budget</i>	<i>New Budget</i>	<i>Net Cash Amount</i>
<i>50850.0006</i>	<i>Purchase of Domestic Recycling Bins</i>	<i>\$ (60,000)</i>	<i>\$ (64,500)</i>	<i>\$ (4,500)</i>
<i>50301.0398</i>	<i>Transfer to Reserve Funds</i>	<i>\$ (622,823)</i>	<i>\$(618,323)</i>	<i>\$ 4,500</i>
	<i>Total</i>	<i>\$ (682,823)</i>	<i>\$(682,823)</i>	<i>\$ -</i>

*be revoked.'*

Cr B Bell and Cr M Skinner have indicated their support of the revocation motion.

### COUNCILLOR COMMENT

I will be proposing that the original officer's recommendation be carried by the Council. Rather than charge Rocky Gully residents for the bins, it would be advantageous to the Council to get immediate 100% take up of the service. This will generate less rubbish/recyclables going into the transfer station bin, resulting in less land fill at O'Neill Road and fewer trips for Council staff to pick up the hook-lift from Rocky Gully to Mount Barker. In fact one trip per fortnight could reduce to one trip each five weeks.

Further, some encouragement is needed for Rocky Gully residents to take up the service as they do not presently pay any rubbish charges at the Rocky Gully transfer

station as it is un-manned. If we charge for the bins, they will continue to utilise the free service at the transfer station, resulting in a slower take up, and land fill to Mount Barker. Also, if take up is slow, it will create bad public relations for the Council as a garbage charge is levied but no service would be provided as there is no bin.

Note from CEO:

Pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996 any motion to revoke a decision of the Council will require the support of  $\frac{1}{3}$  of the Councillors and must be carried by an Absolute Majority.

## COUNCIL DECISION

Moved Cr S Etherington, seconded Cr A Budrikis:

That Resolution No 102/13, at the Council Meeting held on 28 May 2013 as follows:

*'That:*

1. ***Rocky Gully townsite residents be provided with:***
  - a) ***one 120L Blue Mobile Garbage Bin at a cost of \$66.00 (GST inc) payable over 2 years in two equal moieties; and***
  - b) ***one 240L Green Mobile Recycling Bin at a cost of \$90.00 (GST inc) for each residential property in the Rocky Gully townsite.***
2. ***The 2012/2013 Budget be amended as follows:***

<i>Account</i>	<i>Description</i>	<i>Original/Amended Budget</i>	<i>New Budget</i>	<i>Net Cash Amount</i>
<i>50850.0006</i>	<i>Purchase of Domestic Recycling Bins</i>	<i>\$ (60,000)</i>	<i>\$(64,500)</i>	<i>\$(4,500)</i>
<i>50301.0398</i>	<i>Transfer to Reserve Funds</i>	<i>\$ (622,823)</i>	<i>\$(618,323)</i>	<i>\$ 4,500</i>
	<i>Total</i>	<i>\$ (682,823)</i>	<i>\$(682,823)</i>	<i>\$ -</i>

be revoked.'

**CARRIED (6/3)**

**Absolute Majority**

**NO. 158/13**



**10.2 RUBBISH COLLECTION – ROCKY GULLY TOWNSITE**

Cr S Etherington has given notice to move the following motion, should Resolution No. 102/13 be revoked:

That:

1. A domestic kerbside refuse and recycling collection be commenced for residents in the Rocky Gully townsite effective 1 July 2013.
2. Rocky Gully townsite residents be provided with one 120L Blue Mobile Garbage Bin and one 240L Green Mobile Recycling Bin for each residential property in the Rocky Gully townsite.
3. The 2012/2013 Budget be amended as follows:

Account	Description	Original/Amended Budget	New Budget	Net Cash Amount
50850.0006	Purchase of Domestic Recycling Bins	\$ (60,000)	\$ (64,500)	\$ (4,500)
50301.0398	Transfer to Reserve Funds	\$ (622,823)	\$(618,323)	\$ 4,500
	Total	\$ (682,823)	\$(682,823)	\$ -

**Moved Cr S Etherington, seconded Cr B Bell:**

That:

1. **A domestic kerbside refuse and recycling collection be commenced for residents in the Rocky Gully townsite effective 1 July 2013.**
2. **Rocky Gully townsite residents be provided with one 120L Blue Mobile Garbage Bin and one 240L Green Mobile Recycling Bin for each residential property in the Rocky Gully townsite.**
3. **The 2012/2013 Budget be amended as follows:**

Account	Description	Original/Amended Budget	New Budget	Net Cash Amount
50850.0006	Purchase of Domestic Recycling Bins	\$ (60,000)	\$ (64,500)	\$ (4,500)
50301.0398	Transfer to Reserve Funds	\$ (622,823)	\$(618,323)	\$ 4,500
	Total	\$ (682,823)	\$(682,823)	\$ -

**AMENDMENT**

Moved Cr M Skinner, seconded Cr S Etherington:

That after point 2 a new point 3 be added as follows:

- ‘3. The bin roll out referred to in part 2 above shall be a one off allocation for existing residences as at June 2013.’ and the motion be re-cast accordingly.

**CARRIED (9/0)**

**NO. 159/13**

**COUNCIL DECISION**

That:

1. A domestic kerbside refuse and recycling collection be commenced for residents in the Rocky Gully townsite effective 1 July 2013.
2. Rocky Gully townsite residents be provided with one 120L Blue Mobile Garbage Bin and one 240L Green Mobile Recycling Bin for each residential property in the Rocky Gully townsite.
3. The bin roll out referred to in part 2 above shall be a one off allocation for existing residences as at June 2013.
4. The 2012/2013 Budget be amended as follows:

Account	Description	Original/Amended Budget	New Budget	Net Cash Amount
50850.0006	Purchase of Domestic Recycling Bins	\$ (60,000)	\$ (64,500)	\$ (4,500)
50301.0398	Transfer to Reserve Funds	\$ (622,823)	\$(618,323)	\$ 4,500
	<b>Total</b>	<b>\$ (682,823)</b>	<b>\$(682,823)</b>	<b>\$ -</b>

**CARRIED (9/0)**

**NO. 160/13**

**(Absolute Majority)**

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

**Moved Cr L Handasyde, seconded Cr M Skinner:**

**That new business of an urgent nature, namely:**

**Chief Executive Officer's Annual Performance Review be introduced to  
the meeting as Confidential Item 12.3.1.**

**CARRIED (9/0)**

**NO. 161/13**

## 12 CONFIDENTIAL

### MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr L Handasyde, seconded Cr C Pavlovich:

5:16pm That the meeting be closed to members of the public pursuant to:

- (a) Section 5.23 (2) (a) of the Local Government Act 1995 as the matter to be considered relates to a matter affecting an employee; and
- (b) Section 5.23 (e) (iii) of the Local Government Act 1995 as the matter to be considered relates to information about the business, professional, commercial or financial affairs of a person.

CARRIED (9/0)

NO. 162/13

### 12.1 COMMUNITY SERVICES REPORTS

#### 12.1.1 LIBRARY SERVICES - REVIEW OF HOURS, STAFFING AND SERVICE LEVELS

**File No:** N27225  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Nicole Selesnew  
Manager Community Services  
**Proposed Meeting Date:** 25 June 2013

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#### PURPOSE

The purpose of this report is to review the delivery of Library services for the Shire of Plantagenet.

#### OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr C Pavlovich:

That:

1. From 5 August 2013, the Rocky Gully Public Library Service be closed.
  2. The Mount Barker Public Library hours be amended to:
    - Monday – closed
    - Tuesday – 10.00am – 5.00pm
    - Wednesday – 10.00am – 5.00pm
-

Thursday – 10.00am – 6.00pm

Friday – 10.00am – 5.00pm

Saturday – 9.00am – 12.00pm

3. The staff establishment for:

a) The Mount Barker Public Library be amended as follows:

	Existing Staff Resources	Proposed Staff Resources
Manager Library and Information Services	0.75FTE	0.75FTE
Library Officer	0.40FTE	0.40FTE
Library Officer	-	0.60FTE
	Total Staff FTE roles – 1.15	Total Staff FTE roles – 1.75

b) The Rocky Gully Library be amended as follows:

	Existing Staff Resources	Proposed Staff Resources
Library Officer	0.2FTE	0.0FTE
	Total FTE roles – 0.2	Total Staff FTE roles – 0

4. Total staff establishment for the Shire of Plantagenet be amended from 58.6 FTE to 59.0 FTE.

CARRIED (9/0)

NO. 163/13

**12.2 CORPORATE SERVICES REPORTS****12.2.1 LOTS 8, 9, AND 10 BOLGANUP ROAD AND LOCATION 5700  
PORONGURUP ROAD - GROUP RATING REQUEST**

**File No:** N27252  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Leanne Briggs  
Rates Officer  
**Proposed Meeting Date:** 25 June 2013

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**PURPOSE**

The purpose of this report is to consider a request to apply group rating to Lots 8, 9 and 10 Bolganup Road and Location 5700 Porongurup Road.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Moir, seconded Cr G Messmer:**

**That:**

- 1. Notwithstanding that Lots 8, 9 and 10 Bolganup Road and Location 5700 Porongurup Road are contiguous and utilised for similar rural pursuits, it is the opinion of the Council that the Valuer General's Office policy relating to group rating cannot be applied due to different ownerships and therefore the request to apply group rating to the above lots be declined.**
- 2. Separate values be applied from the 2013/14 financial year.**

**CARRIED (9/0)**

**NO. 164/13**

## **12.3 EXECUTIVE SERVICES**

### **12.3.1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW**

5:31pm All staff, with the exception of the Chief Executive Officer, withdrew from the meeting.

**File No:** N27336  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 25 June 2013

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#### **PURPOSE**

The purpose of this report is to present to the Council the recommendations resulting from the Chief Executive Officer's (CEO) review which was held on 12 June 2013.

#### **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr C Pavlovich:**

**That:**

- 1. The Chief Executive Officer's Performance Review for the 2012/2013 financial year be noted.**
- 2. Apart from key performance indicators already recorded in the Chief Executive Officer's Contract of Employment, the following matters be further developed:**
  - a. Cost consciousness;**
  - b. Succession Planning;**
  - c. Project Costings;**
  - d. Southern Link VROC;**
  - e. Area Promotion;**
  - f. Staff Productivity; and**
  - g. Regular Meetings with Local Member and Ministers.**
- 3. The Chief Executive Officer's reward package (cash component) be increased by 2.5% for the 2013/14 financial year.**
- 4. The Council's intention to renew the CEO's contract from 1 July 2014 to 30 June 2017 be noted, the new contract to be similar to his present**

contract with detailed points to be negotiated prior to 31 December 2013, but inclusive of a 2.5% increase to the cash component annually.

CARRIED (9/0)

NO. 165/13

**MOTION TO PROCEED IN PUBLIC**

Moved Cr L Handasyde, seconded Cr M Skinner:

5:34pm That the meeting proceed in public.

CARRIED (9/0)

NO. 166/13

**13 CLOSURE OF MEETING**

5:34pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_