



ORDINARY MINUTES

DATE: Tuesday, 15 September 2015

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 179/15 to 194/15

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:01pm The Presiding Member declared the meeting open.

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

Members Present:

Cr K Clements	Shire President
Cr B Bell	Councillor
Cr A Budrikis	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Ms Fiona Saurin	Manager Community Services
Mrs Linda Sounness	Executive Secretary

Leave of Absence

Cr C Pavlovich

Apologies:

Nil

Members of the Public Present:

There was one member of the public present.

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

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

Moved Cr J Moir, seconded Cr S Etherington:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 18 August 2015 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 179/15

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

Vale

The Shire President acknowledged the passing of Sergeant Allan Spicer who served as Officer in Charge at Mount Barker between August 2007 and July 2010.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

Nil

9.2 WORKS AND SERVICES REPORTS

9.2.1 CONFERENCE ATTENDANCE - 2015 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

File Ref:	N35202
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to recommend the attendance of Cr Jon Oldfield at the 2015 National Local Roads and Transport Congress. The event is scheduled to be held in Ballarat, Victoria from 17 to 19 November 2015.

BACKGROUND

Cr Oldfield is a committee member of the Heavy Plant Review Committee.

Organised by the Australian Local Government Association (ALGA), the National Local Roads and Transport Congress is held annually. The Shire of Plantagenet sent representatives to Hobart in 2012 and Cr Clements and Cr Pavlovich attended the event last year on behalf of the Council.

FINANCIAL IMPLICATIONS

Registration to attend the conference is \$890.00 per person which includes a ticket to the Welcome Reception and the Congress Dinner. Flights, accommodation, transport and meal costs will be in the vicinity of \$1,500.00 per person, with costs being charged to account Members of Council – Councillor Conferences, Training and Accommodation.

POLICY IMPLICATIONS

Council Policy CE/CS/1 – Elected Members Expenses to be Reimbursed, states that elected members can receive reimbursement of expenses whilst attending, *‘Conferences and training sessions specifically authorised by the Council’*.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.5:

‘Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.’

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

OFFICER COMMENT

Organised by ALGA, this year's National Local Roads and Transport Congress is being held in Ballarat at the Ballarat Lodge and Convention Centre.

Conference organisers state the 2015 Congress program has a strong focus on collaboration – between towns, cities, regions and jurisdictions. The theme 'Connecting Communities: Building the Nation' is intended to '*highlight the reality that our national prosperity relies on building networks between communities and linking local roads with regional and national routes*'.

The Congress will feature national and international speakers including the Deputy Prime Minister, the Hon Warren Truss MP and the Shadow Minister for Infrastructure and Transport, the Hon Anthony Albanese MP.

The Shire of Plantagenet has sent delegates to this conference over the past eleven years and feedback has been positive regarding road funding policies and direction.

The Manager Works and Services has registered interest in attending the 2015 National Local Roads and Transport Congress.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

That:

1. **Authority be granted to Cr Jon Oldfield to attend the 2015 National Local Roads and Transport Congress in Ballarat from 17 to 19 November 2015.**
2. **All expenses including flights, accommodation, transport, meals and registration costs be met from account Members of Council – Councillor Conferences Training and Accommodation pursuant to Council Policy CE/CS/1 – Elected Members Expenses to be reimbursed.**

CARRIED (8/0)

NO. 180/15

9.3 COMMUNITY SERVICES REPORTS

9.3.1 POLICY REVIEW - SWIMMING CARNIVALS

File Ref:	N35097
Responsible Officer:	Fiona Saurin Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to review Policy CS/SP/1 – Swimming Carnivals.

BACKGROUND

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

STATUTORY ENVIRONMENT

The Department of Health 'Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities' is silent on matters relating to Swimming Carnivals.

FINANCIAL IMPLICATIONS

The policy provides for the exclusion of members of the public during swimming carnivals. This may cause a decrease in revenue; however this is compensated by paying attendees and spectators at swimming carnivals.

POLICY IMPLICATIONS

The review of this policy is presented to the Council as part of the ongoing Council Police review cycle.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:

Strategy 1.5.6:

'Maintain a safe pool facility and enhance aquatic programs to encourage increased patronage.'

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

OFFICER COMMENT

The Mount Barker Swimming Pool holds an average of three to five swimming carnivals per year with participation of local and regional schools. The pool staff

advertise carnival dates at the pool so pool users are generally aware of pool closures.

It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

That Council Policy No. CS/SP/1 – Swimming Carnivals:

‘OBJECTIVE

To assist the Pool Manager in making suitable arrangements during Swimming Carnivals.

POLICY

That school and other similar type swimming carnival are permitted at the Mount Barker Swimming Pool, subject to:

- 1. The host organisation holding appropriate and adequate insurance for the event;**
- 2. The host organisation providing adequate supervision for the event; and**
- 3. Exclusion of members of the public from the main pool during such events.’**

be endorsed.

CARRIED (8/0)

NO. 181/15

9.3.2 POLICY REVIEW - ARSON REWARD

File Ref: N35096
Responsible Officer: Fiona Saurin
Manager Community Services
Author: Isabelle Draffehn
Community Development Officer
Proposed Meeting Date: 15 September 2015

PURPOSE

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

BACKGROUND

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

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 32 defines an act of arson.
Local Government Act 1995

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

An allocation of \$3,000.00 is provided in the 2015/2016 Annual Budget under Security and Vandalism and is used to repair damage caused by vandalism. The funds are also allocated for the payment of rewards to community members providing information that results in the conviction of a person committing acts of arson or vandalism.

POLICY IMPLICATIONS

The review of this policy is presented to the Council as part of the ongoing Council Policy review cycle.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.2:

‘Support the community in emergency and fire management planning, preparedness, response and recovery.’

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

OFFICER COMMENT

This policy has been utilised once since its implementation in 2006. A payment of \$500.00 was made to a person that provided information to the police in relation to arson, which led to the conviction of two offenders.

It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Oldfield:

That Council Policy No. RS/A/2 – Arson Reward:

‘OBJECTIVE

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

POLICY

That:

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

be endorsed.

CARRIED (8/0)

NO. 182/15

9.3.3 CLUB DEVELOPMENT OFFICER SCHEME - DEPARTMENT OF SPORT AND RECREATION - GRANT AGREEMENT

File Ref:	N35072
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Fiona Saurin Manager Community Services
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to recommend the renewal of the grant agreement between the Department of Sport and Recreation (DSR) and the Shire of Plantagenet for the Club Development Officer (CDO) Scheme, Financial Year 2015/16.

BACKGROUND

The CDO Scheme was introduced in 2006. The Shire of Plantagenet has been sharing a CDO with the Shires of Denmark and Cranbrook since 2008.

The CDO's role is to support sport and recreation clubs to become sustainable organisations that deliver diverse opportunities for people to participate in physical activity in their local community, in a safe and welcoming environment. The scheme is a partnership with the DSR and local governments. Agreements are reviewed and renewed on an annual basis.

The aim, through the Club Development Framework is to create a collaborative approach to club development by connecting State Sporting Associations, Regional Sport Associations, Local Government and community organisations to provide leadership, education and training.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

External consultation has occurred with the DSR, the Shire of Denmark and the Shire of Cranbrook.

FINANCIAL IMPLICATIONS

The DSR provides a total of \$25,000.00 for this project. Each Shire (Plantagenet, Denmark and Cranbrook) will contribute \$6,333.00 towards the program for the 2015/16 Financial Year.

STRATEGIC IMPLICATIONS

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

Strategy 1.3.4:

'Actively promote and assist community groups and clubs.'

Further, at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:

Strategy 1.5.2

'Promote sporting, recreation and leisure facilities and programs in the District.'

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

OFFICER COMMENT

The current CDO has been in the position since January 2015 and is employed on a contract basis for 20 hours per week, subject to funding being available. The CDO spends time between each of the three contributing Shires and much of this time is worked out of normal office hours.

The CDO's performance is measured against a work plan that is developed annually, between DSR and the Shires of Cranbrook, Denmark and Plantagenet. Consultation with the Shires of Denmark and Cranbrook resulted in the recommendation to continue with the program.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr A Budrikis:

That the Chief Executive Officer be authorised to sign the grant agreement between the Department of Sport and Recreation and the Shire of Plantagenet for the Club Development Officer Scheme, Financial Year 2015/16.

CARRIED (8/0)

NO. 183/15

MEETING ADJOURNMENT

3:12pm The Shire President adjourned the meeting for 10 minutes to receive Jo Burton, President Great Southern Football League and Darrell Panizza Director Claremont Football Club.

Mr Panizza presented a framed Claremont jumper in recognition of the outstanding oval, clubhouse and changeroom facilities development at Sounness Park and for successfully hosting the WAFL Match held at Sounness Park on Saturday 9 May 2015 between Claremont Football club and Swan Districts Football Club.

RESUMPTION

3.22pm The meeting resumed.

Members Present:

Cr K Clements	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
Cr J Oldfield	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Ms Fiona Saurin	Manager Community Services
Mrs Linda Sounness	Executive Secretary

9.4 CORPORATE SERVICES REPORTS**9.4.1 CORPORATE BUSINESS PLAN - ANNUAL REVIEW**

File Ref:	N34902
Attachments:	Corporate Business Plan
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to review the Corporate Business Plan for the Shire of Plantagenet.

BACKGROUND

At its meeting held on 19 August 2014, the Council resolved to adopt a Corporate Business Plan for the Shire of Plantagenet for the period 2014/15 – 2018/19. It is a requirement to review the Corporate Business Plan every year.

STATUTORY ENVIRONMENT

Local Government Act 1995 (Section 5.56) 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;*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business 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.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 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.'

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

OFFICER COMMENT

This is the Council's principal statement that sets strategic direction and identified 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 Integrated Planning and Reporting Framework recognise 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 sub-plans:

- Asset Management Plan (Stage 1);
- Long Term Financial Plan 2014-2015 – 2023/2024; and
- Workplace Plan 2014/15 – 2018/2019.

The Corporate Business Plan has been reviewed in line with adjustment to long term priorities identified in the 2015/2016 budget process. The plan has been modified by the deletion of 2014/2015 items and addition of 2019/2020 items. There have been no modifications to the plan at a strategy or action level, nor have there been any changes to any of the above mentioned sub-plans.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr B Bell:

That:

- 1. The annual review of the Shire of Plantagenet Corporate Business Plan be endorsed; and**
- 2. The Shire of Plantagenet Corporate Business Plan 2015/2016 to 2019/2020 as attached, be adopted.**

CARRIED (8/0)

NO. 184/15

Absolute Majority

9.4.2 FINANCIAL STATEMENTS - AUGUST 2015

File Ref:	N35233
Attachment:	Financial Statements (separate attachment)
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 August 2015.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr G Messmer:

That the Financial Statement for the period ending 31 August 2015 be received.

CARRIED (8/0)

NO. 185/15

9.4.3 LIST OF ACCOUNTS - AUGUST 2015

File Ref:	N35257
Attachment:	List of Accounts - August 2015
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of August 2015.

STATUTORY ENVIRONMENT

Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments (23 June 2015). 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 S Etherington, seconded Cr L Handasyde:

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 31 August 2015 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$828,816.75;**
- 2. Municipal Cheques 45310 – 45314 and 45316 - 45335 totalling \$26,218.16; and**
- 3. Cancelled Cheque 45315.**

CARRIED (8/0)

NO. 186/15

9.4.4 POLICY REVIEW - INSURANCE OF BUILDINGS ON COUNCIL CONTROLLED LAND

File Ref:	N35229
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to review Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 27 August 2013.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.5 (Council buildings and facilities that meet community needs) the following Strategy:

Strategy 2.5.1:

‘Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard.

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

OFFICER COMMENT

The matter of insurance relies on insurable interest. That means if the Council owns something, it has an insurable interest and may insure it. Conversely, if the Council does not own something, it has no legal right to insure it. This policy is therefore appropriate and can be endorsed without change.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr J Oldfield:

That Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land, as follows:

OBJECTIVE:

To clarify the Council's position on the responsibility for insurance costs of buildings erected on land owned by or under the care, control and management of the Council.

POLICY:

The Council will not accept responsibility for the cost of insurance of buildings erected by other organisations on land under Council control unless the Council has an insurable interest due to building ownership or legal agreement.'

be endorsed.

CARRIED (8/0)

NO. 187/15

9.4.5 POLICY REVIEW - NATURAL BURIALS

File Ref:	N35230
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to review Council Policy A/CA/1 – Natural Burials.

BACKGROUND

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

STATUTORY ENVIRONMENT

Cemeteries Act 1986
Local Government Act 1995
Shire of Plantagenet Cemeteries Local Law 2008

The Cemeteries Act 1986 provides that local governments perform the functions of a Cemetery Board.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

The review of this policy is presented to the Council as part of the ongoing Council Policy review cycle.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

Strategy 2.3.3:

'Provide appropriately maintained cemeteries for our community'

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

OFFICER COMMENT

The existing policy is considered appropriate and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

That Council Policy A/CA/1 - Natural Burials, as follows:

OBJECTIVE:

To provide natural burial opportunities that conserve and enhance local biological diversity, water resources and soil quality, and by doing so, maintain the ecological functions and integrity of the larger regional ecosystem.

POLICY:

1. To reduce the impact of conventional burial and cremations on the environment:
 - a) No embalming of the body will be permitted and the deceased must be conveyed in an approved casket or coffin, constructed of a biodegradable and untreated material derived from a sustainable resource; and
 - b) Burial sites will be planted with indigenous flora.
2. To maintain or enhance the quality of the natural environment:
 - a) Plots may be laid out in a similar way as a conventional cemetery but regeneration will be used in place of traditional memorial practices;
 - b) Additional flora may be grown around the plot to create a green or natural setting that will provide a haven for fauna in the future;
 - c) Natural burials shall only involve a single burial except where two burials are to occur simultaneously during the conduct of the same funeral, in which case a second burial will be permitted. This ensures that the newly created environment remains undisturbed; and
 - d) Plot locations will be surveyed and mapped. A defined survey mark will be placed nearby to indicate grave locations.
3. To achieve rapid and real return of the body to the earth:
 - a) Natural burial is defined as burial that conforms to the ordinary course of nature;
 - b) The aim is to return the body to the soil as quickly as would naturally occur;
 - c) The absence of embalming may assist this; and
 - d) The body is buried to a depth with an active layer of soil to maximise the rate of decomposition and the use of biodegradable coffins or caskets will further enhance this process.
4. To provide a more natural and sustainable alternative to conventional burial:
 - a) Natural burial aims to lower the environmental impact and carbon footprint of burial; and

- b) In the absence of embalming and through the use of coffins and caskets which are simpler and less ornate certain environmental components attributed to the conduct of conventional funerals may be reduced.
5. To ensure low ongoing sustainable maintenance requirements:
- a) Less maintenance will be carried out in a natural burial cemetery due to the reduced need for landscaping, plot manicuring, and headstone upkeep and memorabilia management; and
 - b) Natural cemeteries do not require regular mowing and only require minimal upkeep such as initial watering, tending of juvenile trees and weed control.
6. Cremated remains interred in the designated gravesite shall be contained in a biodegradable container that is non-retrievable. Alternatively, cremated remains may be placed directly into the earth.
7. No headstone or memorial, marker, stone, vase, tribute or any structure temporary or otherwise may be placed or erected at the gravesite.
8. Charges for natural earth burials be based on cost recovery.'
- be endorsed.

CARRIED (8/0)

NO. 188/15

**9.4.6 ROOF OVER THE NORTHERN DIRT PENS – MOUNT BARKER
REGIONAL SALEYARDS - DESIGN**

File Ref:	N34124
Attachment:	Detailed Design Plans
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to seek endorsement of the detailed plans for a roof over the northern dirt pens at the Mount Barker Regional Saleyards.

BACKGROUND

The Shire has secured a grant of \$200,000.00 under the Great Southern Development Commission's 2014/2015 Royalties for Regions - Great Southern Regional Grants Scheme for the roof project. The estimated total project cost is \$600,500.00.

The Saleyards Advisory Committee has supported the concept and is of the view that the Council should consider borrowing the net sum needed to take advantage of the current low interest rates, thereby leaving some capital in reserve in case it is required for other purposes. Nevertheless, a further grant of \$300,000.00 is being pursued under the National Stronger Regions Fund Round Two. Concept and preliminary costings from designer John Maxwell have been developed.

At its meeting held on 3 March 2015, the Council resolved that:

- '1. The construction of a roof over the northern dirt pens at the saleyards be supported.*
- 2. Detailed design plans and tender documentation for this project be progressed.'*

At its meeting held on 21 July 2015, the Council resolved that authority be granted to the Chief Executive Officer to enter into a Debenture Agreement between the Shire of Plantagenet and the Western Australian Treasury Corporation relating to a loan of up to \$400,000.00 for the construction of a roof over the northern dirt pen at the Saleyards.

Mr Maxwell has now prepared working drawings, which have been endorsed by the Saleyards Advisory Committee.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Functions and General) Regulations 2006.

All contracts above \$100,000.00 (ex GST) must be tendered for.

EXTERNAL CONSULTATION

Consultation has occurred with designer John Maxwell who attended the meeting of the Committee held on 18 August 2015. The Saleyards Advisory Committee

requested that an opinion also be sought from a suitably qualified and experienced person, on whether there may be anything missed on the plans or any issues that may cause unforeseen issues during construction. This advice was sought from local builder George Corke.

FINANCIAL IMPLICATIONS

The Council's 2015/2016 budget includes provision for a loan of up to \$400,000.00 for this project.

The reserve funds established for the Saleyards act as a repository for surplus funds from that business unit, so that it can operate as a self funding entity, with no impact on rates. A loan for Saleyards purposes could be seen as a self supporting loan to that business unit.

A loan of \$400,000.00 would currently attract an interest rate of approximately 3.45%. This would require annual repayments of an average of \$49,120.00 over 10 years.

Savings are likely to be achieved as a result of the new roof, as summarised below:

- Cleaning out dirt pens - This currently needs to be done every six months. When covered, would only need to be done once every two years. Cost savings are expected to be around \$6,300.00 per year.
- Cleaning out water troughs in dirt pens - This currently needs to be done every month for 19 troughs. When covered, would only need to be done once every two months. Cost savings are expected to be around \$1,444.00 per year.
- Collection of storm water – A new roof area of 1,936m² is expected to collect water valued at \$10,389.00 per annum.
- An increase in throughput is likely which would likely achieve an increase in weigh and pen fees. If a 2.5% increase in throughput is achieved, everything else remaining equal, the increase in income would be approximately \$12,000.00.

While the savings are not expected to fully meet the borrowing costs of the new roof, the forward financial plan for the Saleyards can accommodate the repayments. In the last two financial years, the Shire has budgeted approximately \$35,000.00 for sludge removal. This expense will not be required again for another 10 years.

POLICY IMPLICATIONS

Purchasing and Tender Guide Policy No F/FM/7 applies.

ASSET MANAGEMENT IMPLICATIONS

The design and materials specification of the new roof (combined with the local climate zone) is such that the facility additions will require minimal maintenance. Once constructed the expected asset life is over 60 years.

Consideration has been given to the predicted financial impact on operations once the project is complete. An allowance for preventative minor annual maintenance of \$3,000.00 per annum is expected. These costs are offset by predicted increased income.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013 - 2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

The Shire's Mount Barker Regional Saleyards Strategic Plan 2014 – 2023 states that *'The Shire has proposed major improvements to the Saleyards that consist of expansion to receivals areas and roofing over an area of dirt floored pens'*.

The Shire's Mount Barker Regional Saleyards Business Plan 2014 – 2023 states that *'There has been a long term aim to provide a roof over the northern dirt pens of the Saleyards. This project is seen as the main priority to develop and source grant funding.'*

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

STRATEGIC RISK IMPLICATIONS

One of the issues which has previously been identified as a high risk within the Shire's Strategic Risk Register is the *'Failure to successfully deliver major projects'*. The management action assigned to this risk is that *'A decision will be made by the Council and CEO regarding whether to undertake project management in-house or use external expertise based on the scope and skills needed'*.

The Shire does not have the personnel with the necessary expertise to manage this project. The Chief Executive Officer intends to engage a consultant to assist with the preparation of the necessary tender documentation and provide contract administration services for this project. The cost of these works is estimated at \$7,500.00 and \$30,000.00 respectively, which will be funded from the project budget.

OFFICER COMMENT

The Shire has identified in its Business Plan (2014-2023) for the Saleyards that it is a strategic aim of the Council to ensure that animal welfare is a high priority. It was also noted that current rainfall and other (non-scheme) water sources are usually insufficient for requirements over summer. From 2007 to 2013 the average annual cost of scheme water was around \$20,000.00.

Consideration has been given to investigative work on alternative water strategies for the Saleyards and this project provides a method of water catchment and re-use.

By continually improving and upgrading the Saleyards' facilities in line with development priorities, the Saleyards can maintain its status as a state-of-the-art facility that values animal welfare and environmental best practices.

Features of the design are as follows:

- The design provides two skillion roofs separated by a ventilation gap.
- The roof is designed in bays. The number of bays can easily be reduced by a variation if the cost of the entire structure is prohibitive (subject to agreement of a grant funder).
- The structure will be in harmony with the existing roof structures and constructed of zincalume and cold galvanised steel. The box gutter on the southern skillion roof is to be made from Colorbond® to increase its useful life.
- The substructure will be galvanised steel to match existing works.
- The roof will enable storm water to be collected and delivered to existing drains and storm water catchment tanks. The design incorporates an additional bridge between the existing water tanks and an additional overflow to cater for the extra water volume.
- The design incorporates fluorescent lighting. The designer has investigated options with lower long term operating costs such as LED and this could be specified as a variation if considered desirable.
- The roof will cover the northern overhead walkway and all northern dirt pens.
- The design enables outloading ramps to be modified in future if required.
- All of the roof supports will be attached on top of existing gate posts or fence posts to minimise interference with current yard space. In the original plans for the Saleyards, the footings of these posts are specified at 600mm wide and 800mm deep.
- Consideration has been given to the future addition of solar photovoltaic cells, however the design does not incorporate conduit and cabling as such equipment could be installed easily without this provision.
- The structure has been designed in conjunction with a structural engineer and has now been certified by him. Specifically, while the span of the Hopley trusses is not in line with Hopley charts, the engineer has confirmed the adequacy of the design. Further, the engineer has checked the adequacy of columns and wall thickness to support the structure.
- The Hopley trusses will be made from 'off the shelf' square hollow section. The Saleyards Advisory Committee was keen to achieve a durable solution due to the environmental conditions and has been satisfied with responses regarding design life characteristics.
- Soil classification tables and wind loadings have been considered by the engineer. The roof has been designed to a wind speed of N5 - 61.91 metres per second which equates to 222.90 kilometres per hour.

Among other things, the advice from Mr Corke was that these plans be issued as a guide for a design and construct tender. The design as presented contains a number of features which have been developed between the administration, Saleyards Advisory Committee and the designer. In particular, the design is based on a desire to minimise additional columns within cattle pens. The design has been fully checked

and certified by a structural engineer. Therefore, the administration's preference is to use the plans for tender purposes.

Nevertheless, there may be some cost or design advantages from testing the market in this regard. It will therefore be a recommendation that alternative tenders to be considered based on a design and construct solution.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Bell:

That:

- 1. The attached detailed design plans for roofing over the northern dirt pens at the Mount Barker Regional Saleyards be endorsed for the purposes of progressing tender documentation; and**
- 2. Tenders be sought for the construction works and design plans referred to in part 1 above, with alternative tenders to be considered based on a design and construct solution.**

CARRIED (8/0)

NO. 189/15

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 GREAT SOUTHERN INSTITUTE OF TECHNOLOGY - LICENCE TO CONSTRUCT A STORAGE SHED AND CAR GARAGE AT LOT 152 MCDONALD AVENUE, MOUNT BARKER

File Ref:	N35256
Attachments:	Licence.
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Donna McDonald Senior Administration/Human Resources Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to seek Council approval for the Great Southern Institute of Technology (GSIT) to be granted a licence to erect a storage shed and car garage (shed) on a portion of Lot 152 McDonald Avenue, Mount Barker.

BACKGROUND

At its meeting held on 3 February 2015, the Council resolved:

‘That the Chief Executive Officer be authorised to finalise and execute the lease of portion of Lot 151 (former Lot 53) Lowood Road Mount Barker between the Shire of Plantagenet, and the VET (WA) Ministerial Corporation on behalf of the Department of Training and Workforce Development.’

The execution of this lease agreement will allow the GSIT to relocate its Mount Barker Campus from the current location in Langton Road to the top floor of the Mount Barker Community Resource Centre.

STATUTORY ENVIRONMENT

There are no statutory implications for this report. However, as the structure is proposed to be placed on Council property, it is preferable to issue a licence to acknowledge that the structure is on Council property but that it is not owned by the Council.

EXTERNAL CONSULTATION

Consultation has occurred with Neil Augustson – Manager, Facilities and Services, GSIT and Norm Hill President of the Mount Barker Tennis Club.

FINANCIAL IMPLICATIONS

The GSIT will be responsible for all costs associated with the construction, insurance, maintenance and repairs to the proposed shed. Insurance for all equipment stored inside the shed would also be the responsibility of the GSIT.

It is proposed that the GSIT will be charged a peppercorn licence fee.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy:

Strategy 1.8.2:

“Support programs that assist in developing lifelong learning opportunities.”

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

OFFICER COMMENT

The Coordinator of the Mount Barker Campus of the GSIT has commuter use of a fleet vehicle but is not permitted to take the vehicle home at weekends. An onsite garage is required by GSIT to secure the vehicle over the weekend, eliminating the need for the vehicle to be left in the carpark.

The GSIT also regularly run gardening classes and have a variety of gardening equipment and tools which are required to be stored in a suitable area. Although there is an existing shed located close to the proposed location of the new shed, this is required to be used by Council staff for storage of a range of gardening equipment.

The GSIT is proposing to construct a Colorbond® shed which is 5.97m long, 5.97m wide and 2.93m high between the existing storage shed and public toilets and the tennis club carpark, which will house the fleet vehicle when not being used and the various gardening equipment and tools. Entry to the shed will be through the tennis club carpark.

The shed will not impact on the Mount Barker Tennis Club or the tennis courts as the shed will only be accessed from 8.00am until 4.00pm Monday to Friday.

It is proposed that a licence agreement be entered into between the Shire of Plantagenet and the GSIT to clearly outline the ownership and responsibilities associated with the construction of a shed on Council land. The licence would be for initial period of five years, in line with the lease.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr G Messmer, seconded Cr B Bell:

That:

1. A licence (copy attached) be granted to the Great Southern Institute of Technology to construct a storage shed and car garage on a portion of Lot 152 McDonald Avenue, Mount Barker as shown generally on the site diagram attached, subject to the GSIT:
 - a) Funding the construction cost of the storage shed and car garage;
 - b) Being responsible for maintaining the storage shed and car garage including repairs from vandalism;
 - c) Insuring the storage shed and car garage and all of the contents; and
 - d) Removing or relocating the structure if requested by the Council.
2. The GSIT to be charged a peppercorn licence fee.
3. The Chief Executive Officer be authorised to finalise the exact location of the shed.

CARRIED (8/0)

NO. 190/15

**9.5.2 SUSTAINABLE ECONOMIC GROWTH FOR REGIONAL AUSTRALIA
(SEGRA) - CONFERENCE ATTENDANCE**

File Ref:	N34938
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	15 September 2015

PURPOSE

The purpose of this report is to recommend that a Councillor be authorised to attend the Sustainable Economic Growth for Regional Australia (SEGRA) Conference scheduled to be held on 20-22 October 2015 in Bathurst NSW.

BACKGROUND

Councillors will be aware that the Great Southern Development Commission and the City of Albany, with the assistance of the Shire of Plantagenet and other Local Government Authorities and bodies have been successful in bidding for the 2016 SEGRA Conference to be held in Albany.

The SEGRA Conference concentrates on regional issues and assisting regional, rural and remote Australia to source and identify the techniques, skills and issues needed to achieve successful economic growth and development.

SEGRA objectives for regions include:

- Taking the initiative and control of their own economic development destinies;
- Identifying their positions – economic, social, and cultural and maximising their worth in the new global economy;
- Identifying and exploiting emerging issues and trends to maximise benefits;
- Developing innovative strategies and implementation processes to ensure community support and relevant action to meet regional needs;
- Identifying key decision makers, processes and points of access in government and the corporate sector;
- Identifying the issues essential for regional sustainability;
- Actioning strategies for real influence and impact;
- Raising regional profiles; and
- Setting the policy agenda and changing the choices and present options.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

The Chief Executive Officer is a member of the Planning Committee for the 2016 Conference.

FINANCIAL IMPLICATIONS

Approximate Conference expenses as follows:

Registration	\$1,120.00
Accommodation	\$ 530.00
Travel	<u>\$ 990.00</u>
	\$2,640.00

POLICY IMPLICATIONS

Council Policy No. CE/CS/1 applies. This policy notes that elected members shall receive reimbursement of expenses while attending 'Conferences and Training Sessions specifically authorised by the Council.'

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.4:

'Support development of a Regional Economic Development Strategy'

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

REGIONAL IMPLICATIONS

Opportunity will accrue to the Shire of Plantagenet to display its own successes, either before, during or after the conference. Attendance at the Bathurst Conference will generate ideas as to how this may be achieved.

OFFICER COMMENT

Attendance at this Conference was raised informally by the Chief Executive Officer at the meeting of the Council held on 21 July 2015. It has also subsequently been raised with both the Shire President and the Deputy Shire President who both concur that Councillor attendance would be beneficial.

The intelligence gathered from attendance at this Conference will be invaluable in developing opportunities for the Albany 2016 Conference.

Councillors should note that the timing of the conference clashes with Local Government Elections in WA (17 October 2015) and therefore the recommendation to the Council acknowledges this. Further, should authority be given for Councillor attendance at the Conference, the CEO intends to also register.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That:

1. Cr Ken Clements be authorised to attend the Sustainable Economic Growth for Regional Australia Conference to be held in Bathurst NSW from 20 to 21 October 2015;
2. In the event that Cr Clements is unable to attend the Conference referred to in 1) above, Cr Len Handasyde be authorised to attend in his stead.
3. The expenditure be charged to Budget Item Members of Council – Conferences, Training & Accommodation 20026.0029.

CARRIED (8/0)

NO. 191/15

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr L Handasyde, seconded Cr S Etherington:

That new business of an urgent nature, namely:

- 11.1 Australian Livestock Markets Association – Board Nomination – Mr M Skinner; and
- 11.2 Lot 8 Marmion Street, Mount Barker – former Playgroup Building – Demolition.

be introduced to the meeting.

CARRIED (8/0)

NO. 192/15

11.1 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - BOARD NOMINATION – MR M SKINNER

File Ref: N34868
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 15 September 2015

PURPOSE

The purpose of this report is to seek authority to nominate Mr Michael Skinner to the board of the Australian Livestock Markets Association Inc (ALMA).

BACKGROUND

At its meeting held on 15 September 2015, the Saleyards Advisory Committee resolved to recommend that Mr Michael Skinner be nominated to the board of the Australian Livestock Markets Association Inc.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

The financial impost for the Council is estimated at approximately \$6,000.00 per annum assuming attendance at each of the four board meetings. However, ALMA has advised that it would expect the nominee to attend only two of the four meetings, but there would be an opportunity to attend via teleconference for the other two meetings. All meetings will be in capital cities in future. ALMA provides an annual subsidy of \$2,000.00 towards costs incurred, so the maximum cost to the Council may be up to \$4,000.00 per annum.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

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

OFFICER COMMENT

ALMA is a national body representing saleyards. It regards itself as a peak national industry body in relation to conducting saleyards business and lobbying with interest groups and governments.

The membership base is approaching 100 sites, with members of the association transacting 5.3 million units (sheep, cattle and pigs) with a value in excess of \$3 billion. This represents 70% of the nation's saleyard throughput.

A board of 12 directors oversee the operation of the association with an executive officer and several field representatives. The association is funded by levies from members, based on throughput. The board meets four times per year.

Representatives of ALMA have expressed a desire to replace the former Western Australian board member, Dean Taylor from the Shire of Katanning, with another WA representative, preferably from the Shire of Plantagenet.

In conjunction with the Annual General Meeting of ALMA in September 2015, one third of the Board must stand down in rotation and may nominate for re-election. This presents an opportunity for the Council to nominate a representative on the board. Nominees need an authority (formal letter) from their council to nominate.

Previous councillor attendees at the ALMA Annual General Meeting and conference have reported that it will be increasingly more important to secure a position on the ALMA Board in order to have the 'inside running' on national issues.

The Saleyards Advisory Committee has discussed this matter a number of times and has noted that when the live cattle trade received some bad press recently, the response was immediate and relentless. Having a representative at that level might

be useful as it may provide intelligence from a wide cross section as well as identifying federal funding opportunities.

The Committee is of the view that any nominee should be a member of the Saleyards Advisory Committee with a good understanding of the cattle industry. Following discussion at the Saleyards Advisory Committee on 15 September 2015, Mr Skinner has registered his interest in nominating to the board.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr A Budrikis:

That Mr Michael Skinner be nominated to the board of the Australian Livestock Markets Association Inc.

CARRIED (8/0)

NO. 193/15

11.2 LOT 8 MARMION STREET, MOUNT BARKER - FORMER PLAYGROUP BUILDING - DEMOLITION

File Ref: N35336

Attachments: [Location Plan](#)
[Site Plan](#)
[Letter from Manager Development Services to Playgroup – 15 October 2014](#)
[Photographs of termite damage](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Peter Duncan
Manager Development Services

Proposed Meeting Date: 15 September 2015

PURPOSE

The purpose of this report is to gain support of the Council for the demolition of the building which was previously occupied by the Mount Barker Playgroup Inc at Lot 8 Marmion Street, Mount Barker.

BACKGROUND

The main building on Lot 8 Marmion Street was utilised by the Mount Barker Playgroup for one half day per week up until October 2014 pursuant to a lease. In a letter dated 15 October 2014 (copy attached) the Manager Development Services advised the secretary of the Mount Barker Playgroup that the building was deemed unfit for the permitted use. That letter provided one month's notice of the termination

of the lease in accordance with the lease due to the building being unfit for the permitted use. The lease fee of \$451.50 was refunded.

The reason the building was deemed unfit for use was that an infestation of termites had created damage to the ceiling, roof and wall structures to the point there was a serious risk of the ceiling and the walls collapsing internally.

Following comments by the playgroup President that there were termites in the skirting boards the building was inspected by Great Southern Pest and Weed Control on 31 July 2013 and there was no termite activity detected. The building was then put on a bring-up system for regular termite inspections by the pest control company.

When inspected in September 2014 by Great Southern Pest and Weed Control, termite activity was detected and a program of baiting was commenced. The pest controllers advised the baits had to be retained on site until no more termite activity was detected and this baiting can take several months until no activity is detected. If the baits and the termites are disturbed, then the termites will move to another part of the building meaning the process of baiting would need to start again. It could take up to eight months for this baiting process to determine no live activity detected by the pest controllers.

These matters were explained to Libby O'Malley and Tara McCulloch from the playgroup on 9 October 2014 in a meeting with the Manager Development Services and the Principal Building Surveyor (Alan Watkins). At that meeting alternative options were suggested for them including the RSL building and the Community Resource Centre (CRC). The officers also offered to move any of their equipment from the building and transport it to their new venue and this subsequently occurred when they relocated to the RSL building.

In a letter dated 3 July 2015 to the Manager Community Services, the Secretary of the playgroup questioned the 'true accuracy' of an estimated cost for the repair of the building provided in an email by the Manager Development Services at approximately \$85,000.00. The estimate provided by the Manager Development Services was done at 9:20pm when the actual quote for the repairs was not available to him. The actual quotation provided by Maintco (a registered builder) on 8 December 2014 was for \$89,400.00 ex GST (\$98,340.00 inc GST). The quotation included the following:

'Internal stripout and rebuild.

- *Remove and store kitchen, bathroom, shelving and other fixed items for reuse.*
- *Strip out all existing internal linings and all untreated pine framing work.*
- *Supply and install new gyprock ceilings and walls including framing and insulation.*
- *Supply and install new cornice, skirting and architraves.*
- *Reinstall kitchen, bathroom, shelving etc.*
- *Remove all rubbish etc.*
- *Coordinate with electrician and plumbing etc as needed.*

** does not include electrical work, plumbing, new doors or windows, any other changes to existing building format, asbestos removal, painting or council approvals if required.'*

Due to the presence of termites in the playgroup building, the pest controllers were asked to inspect the day care building on the adjoining Lot 7 Marmion Street and also the toy library building located in front of the playgroup building. No termite activity was detected in either of those buildings.

Due to the high cost of repairing the building, for budgetary purposes a quotation for the demolition of the building was obtained from Downrite Demolition. That quotation was for \$25,000.00 ex GST (\$27,500.00 inc GST) and included:

- ‘ To remove and safely disposal of:*
 - 16m x 9m building*
 - 15m x 4m leanto*
 - 09m x 6m freestanding shade structure*
- Removal of concrete flooring.*
- Removal of septic tank and leech drain.*
- Removal of services.*
- Erection of temporary fencing.*
- Council fees and charges.*
- Hire of truck and bobcat.*
- Notification to Worksafe.’*

The Council in its Annual Budget deliberations agreed to the allocation of \$28,000.00 for the demolition option.

Also in the abovementioned letter dated 3 July 2015 the Secretary of the playgroup referred to her distress when being advised by the Principal Building Surveyor the kitchen was to be removed and asking where they wanted it delivered to. This matter was actually discussed at the abovementioned meeting on 9 October 2014 where the playgroup representatives requested they be allowed to retain the kitchen if the building needed to be removed. That was the reason for the recent contact by the Principal Building Surveyor.

The building to the west of the playgroup building has been leased by the Council to the toy library as a store. The lease for that small building ends in December 2015 and there is no option to renew built into the lease. Once the toy library has vacated, the building will be rejuvenated and used as a store for cleaner’s materials and equipment. Presently cleaner’s items are stored at the district hall but this will not be possible when the Plantagenet Players upgrade is carried out shortly.

Representatives of the Playgroup attended the Council meeting held on 18 August 2015 and provided their ‘opinion’ on the building and also the important role playgroups play in respect to the benefits to young children.

The Council at its meeting held on 18 August 2015 resolved:

- ‘That:*
-

1. *The question be adjourned to enable the Chief Executive Officer to undertake investigations relating to the possibility that the former playgroup building structure be refurbished and suitable for Mount Barker Playgroup use.*
-
2. *A report relating to the above be tabled on or before the meeting of the Council to be held on 10 November 2015.'*

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Lot 8 Marmion Street is zoned Residential (R17.5)

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

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

Lot 8 Marmion Street was formerly the subject of a lease to the Mount Barker Playgroup Inc and that lease was an exempt disposition.

EXTERNAL CONSULTATION

The matters regarding the condition of the building have been discussed with members of the playgroup as described above.

Quotations have been obtained from a builder and a demolition contractor.

FINANCIAL IMPLICATIONS

The Council has the sum of \$28,000.00 allocated in its 2015/2016 Annual Budget for the demolition. Some funds have been expended for wages for the building maintenance team to remove sheeting to inspect the termite damage. This is in the order of \$1,500.00.

A quotation for the rebuild of the structure is described above and is for \$89,400.00 (ex GST). This sum is not included in the Council's Budget.

The Council has a budget allocation of \$5,000.00 for upgrades to the small toy library building for a cleaner's store.

POLICY IMPLICATIONS

There are no policy implications for this report.

ASSET MANAGEMENT IMPLICATIONS

Lot 8 Marmion Street is owned by the Council and all buildings/structures are the responsibility of the Council.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.1 (Health and family support services that are accessible and meet the needs of our community) the following Strategy:

Strategy 1.1.3:

'Provide and promote childhood development services and facilities'

Further, at Outcome 2.5 (Council buildings and facilities that meet community needs) the following Strategies:

Strategy 2.5.1:

'Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard' and

Strategy 2.5.3:

'Continue to investigate opportunities to rehabilitate or devolve obsolete buildings and other assets'

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

OFFICER COMMENT

The playgroup building in its present state is not safe to be occupied, particularly by small children, even on a limited basis of one or two half days per week. The lease with the playgroup was terminated and the lease fee of \$451.50 was refunded in October 2014.

The playgroup is concerned that the present arrangement with the RSL in their building in Booth Street corner Osborne Road may come to an end and in a letter dated 3 July 2015 stated 'there are no facilities suitable in the SOP for Playgroup with secure perimeter fencing.' However, it is noted that the CRC building on Lowood Road has a purpose built child day care area with a perimeter fence.

The position of permanency cannot be guaranteed when a group or an individual is leasing premises. The only time there is long term permanency is when the group or individual owns the property in freehold. The playgroup lease of Lot 8 Marmion Street was terminated by the Council due to the unsafe condition of the building.

The funding in the Council's 2015/2016 Annual Budget of \$28,000.00 will enable the building to be demolished. There is no funding to cover the cost of rebuilding the structure at \$89,400.00 (ex GST).

One option suggested in the 18 August 2015 Council report was that with the funding that is available would be to completely strip the inside of the building leaving it effectively as a tin shed. The building could then be used for the storage of building materials used by the Council's Building Maintenance Officer. This would be compatible with the use of the toy library building as the cleaner's store building from 2016. Presently building materials and spare furniture are stored in various Council buildings (such as the depot, District hall and Porongurup hall) and to store it all in

the one location would be more efficient. To strip the building internally would cost in the order of \$18,000.00.

As part of the investigation of the structure following the 18 August 2015 Council meeting, maintenance staff were requested to determine the extent of the termite damage. Props holding the damaged western ceiling section were removed and that section fell to the ground. This exposed the damage to the ceiling and roof structure. The jarrah rafters (roof supports) had been eaten through and there was effectively nothing holding the roof up other than the tin sheets themselves and the steel truss structures. The south section of wall near the destroyed ceiling was then opened up to reveal nothing of the untreated pine timber framing was left. The only thing holding that wall and window in place was the external tin sheeting.

The maintenance staff then moved to a portion of the next (east) section of the ceiling adjoining that which had collapsed as there was evidence the termites had moved past the steel truss into that area. When a section of the ceiling was removed extensive damage from termites was present. A section of the wall lining on the northern wall was removed and exposed more termite damage to the pine and jarrah framing. Other wall panel sections were removed on the eastern wall to again reveal termite damage.

The Principal Building Surveyor concluded that the building structure has been severely compromised and that it is in an unsafe condition and must be demolished as a matter of priority before it collapses. It could not even be used as a store.

It has been observed by maintenance staff that unauthorised entry to the building may have occurred on or about the weekend of 5 and 6 September 2015. The site is clearly signed as a construction site and unauthorised entry is not permitted but the glass sliding door to the south had been accessed by unknown persons with a key. Such unauthorised access is extremely dangerous considering the structures instability.

The demolition of the structure must be carried out as a high priority. One option being considered in this demolition is to retain the steel support and trusses in position as this will reduce the demolition cost.

This matter has been put to the Council rather than the Chief Executive Officer use his delegation as there is the current resolution of the Council dated 18 August 2015 requiring a report to the Council by 10 November 2015.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr G Messmer:

That the former playgroup building at Lot 8 Marmion Street, Mount Barker be demolished as a matter of priority due to extensive structural damage by termites.

CARRIED (8/0)

NO. 194/15

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

4:15pm The Presiding Member declared the meeting closed.

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