



ORDINARY MINUTES

DATE: Tuesday, 7 November 2017

TIME: 3:00pm

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

John Fathers
ACTING CHIEF EXECUTIVE OFFICER

Resolution Nos – 252/17 to 270/17

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

Members Present:

Cr C Pavlovich	Shire President
Cr K Clements	Councillor (Left the Chambers at 3:51pm, returned 3:52pm)
Cr S Etherington	Councillor (Left the Chambers at 3:53pm, returned 3:57pm)
Cr B Lang	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Deputy Shire President

In Attendance:

Mr John Fathers	Acting Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Ms Fiona Pengel	Manager Community Services
Mr David Lynch	Manager Works and Services
Mrs Linda Sounness	Executive Secretary

Apologies:

Cr B Bell (Attending the National Local Roads and Transport Congress)
Cr L Handasyde (Attending the National Local Roads and Transport Congress)

Members of the Public Present:

There were 12 members of the public present.

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

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

Mr Fathers 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

3.1.1 MS TRICIA MARIE – ITEM 2.2 10 OCTOBER 2017 – NOISE AND SHIRE VERGES

1. Noise – what level of unpleasant/disturbing noise are neighbours expected to put up with e.g. 'doof,doof,doof loud bass music, revving motor bikes etc.?
2. Shire verges – who does the clean-up/burn up and who cleans the leaf fall and clipping after the tree loppers have been through?

The Acting CEO Mr Fathers read aloud the written response that had been mailed to Ms Tricia Marie as follows:

At the meeting of the Council held on 10 October 2017 you asked, during public question time, the following questions. 'What level of unpleasant/disturbing noise are neighbours expected to put up with e.g. 'doof doof doof' loud bass music, revving motor bikes etc' and, 'Who does the clean-up/burn up and who cleans up the leaf fall and clipping after the tree loppers have been through?'

I was pleased to meet with you on 11 October 2017 at your place of residence in Kendenup in the company of Mr David Lynch, Manager Works and Services. We discussed both of the issues that you raised at the Council meeting.

We explained that some verge clean-up works had recently occurred as we are planning to bitumen seal First Avenue during the current financial year.

We also discussed fire fuel build-up on your verge along Austin Street. We agreed that the build-up was unlikely to carry a fire and would not cause you any danger. Further, the low fuel state that you keep your property in assists this conclusion.

We also looked at the verge opposite your property in First Avenue and although there was some evidence of debris you noted that it was worse when the work was first done.

The other matter raised regarded unacceptable noise levels of music coming from your immediate neighbour in First Avenue. I invited you to get in touch with me should you have any further problems and then, if necessary we will become involved. May I congratulate you on speaking to your neighbour in the first instance. I hope that the situation now resolves itself although, if it doesn't, we will take the necessary steps.

May I say thank you for coming along to the Council meeting. I hope that the issues that you have raised have been suitably addressed.

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

3.2.1 DIFFERENTIAL RATES AND THEIR TARGET AUDIENCE

Asked by: Mr John Fletcher – Windrush Wines

Mr Fletcher asked 'a) What is the proposed differential rate and b) who is the target audience for the above rates?'

Response by: Acting CEO John Fathers

- a) As an alternative to a single general rate which applies to all of the properties, a local government may impose differential rates which distinguish between land on the basis of its zoning, use or whether it is vacant land. The purpose of the imposition of a differential general rate is generally to ensure that every landowner makes a reasonable contribution to the rate burden.
- b) This is yet to be decided. The consideration of target groups within the tourism sector would form part of the report sought in the motion.

3.2.2 LOCAL TOURISM ORGANISATION

Asked by: Mr John Fletcher – Windrush Wines

Mr Fletcher asked, 'a) What investigations have been conducted into the funding of the Local Tourism Organisation (LTO) through other sources, such as Amazing South Coast and Expedia? b) What initiatives/strategies to increase tourism visitation to Mount Barker Regions have been put in place? c) What is the Shire's budget for tourism for 1, 3 and 5 years?'

Response by: Acting CEO John Fathers

- a) The Lower Great Southern Economic Alliance members of which are the City of Albany and the Shires of Denmark and Plantagenet have been working to further economic development in the sub-region. The first substantive project for the Alliance has been the development of

the tourism industry sector. The Alliance has contracted specialist consultants to prepare a Tourism Development Strategy and a Destination Marketing Strategy, which have been adopted by the respective councils. Copies can be made available which provide further information on such investigations.

- b) Refer to answer above.
- c) The 2017/18 budget for District and Area Promotion is \$60,000.00. Budgets for future years have not yet been adopted.

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1.1 RANEE TRUPHET – RAYANNE HOMESTEAD – DIFFERENTIAL RATES

Mrs Ranee Truphet voiced her concerns regarding a proposal for differential rating.

4.1.2 COLIN MOLLOY – MOUNT BARKER TOURIST BUREAU – DIFFERENTIAL RATING AND LOCAL TOURISM ORGANISATION FUNDING

The Mount Barker Tourist Bureau thanks Council and welcomes the opportunity to be part of the discussion about differential rating and to continue the excellent working relationship that we have with the Shire of Plantagenet, CEO and staff.

The Mount Barker Tourist Bureau, together with our 'shop front', the Mount Barker Visitor Centre provides an essential, recognised and beneficial tourism and visitor service. Representing, promoting and providing information on Mount Barker (and by that we refer to the Shire of Plantagenet), the surrounding region and state wide across Western Australia.

We would take this opportunity to applaud, recognise and express our greatest appreciation for the support and tourism initiatives demonstrated and undertaken by the Shire of Plantagenet. Simply put, our Visitor Centre would not exist without that support and new initiatives of Hidden Treasures, Bloom Festival and the Amazing South Coast Destination Marketing Initiative are seen as having huge tourism boost potential.

We acknowledge Ranee's input and thank her for acknowledgement of the Mount Barker Tourist Bureau as a strong tourism body and agree that, at this point in time, people have a choice whether they invest financially in supporting us.

But to assume the ongoing sustainability of the Mount Barker Tourist Bureau and absolutely essential existence of our Visitor Centre based on voluntary and much appreciated and needed financial Membership support as a primary means of offsetting our operational expenses would be to assume that there will be no changes.

This is not the case.

Those members that provide the essential operational expense offset, especially full and sponsor members, do so with the current undertaking of

supporting the Mount Barker Tourist Bureau and Visitor Centre in return for Visitor Centre, website and social media promotion.

As all here are aware, we are all collectively embarking on a huge tourism strategy change with potential for enormous benefits. I am of course referring to the Amazing South Coast Destination Marketing Initiative undertaken by the Lower Great Southern Economic Alliance.

The Mount Barker Tourist Bureau has worked diligently, assertively and collectively with the Shire of Plantagenet and other stakeholders in supporting and engaging that initiative and to that end established itself as a Key Stakeholder entitling us direct access and input to the Alliance's Churchill Consulting, Market Force and Distinctly Travel Management expert consultants.

There are a number of Amazing South Coast key elements, one being a single regional website that is scheduled for launch in January 2018. A website that promises unprecedented content, opportunity and engagement technologies that cohesively brings our region together, meets the online needs of visitors to our region, and is not financial member based and, backed up by a huge and phenomenal marketing campaign, the prospect of unprecedented dividends and exciting opportunities.

Being non-member based the website provides the opportunity for all tourism operators within our region to be involved and reap the huge potential benefits. The Mount Barker Tourist Bureau and Visitor Centre provides our services on a twofold basis – Information and Member Promotion. We have worked hard and diligently on putting in place a robust and incontestable governance underpinned by providing information on all tourism operators – members or otherwise. But have to face the necessary conundrum of rewarding our financial supporting members with member only promotion.

In recognition of this constraint, the Mount Barker Tourist Bureau has endorsed its support and engagement of the regional Amazing South Coast Website, social media, and other online portals. In so doing this has the potential to diminish the perceived value of our online presence with a very possible outcome of substantially reduced membership revenue.

To sustain the existing operational revenue model, under these developing changes could likely result in the Mount Barker Tourist Bureau and physical Visitor Centre failing to meet its operational costs and therefore ceasing to exist. Make no mistake, this is a very real and definite possibility.

As already mentioned, the Mount Barker Tourist Bureau, as a recognised Amazing South Coast key stakeholder, plays an important role in representing and asserting tourism operator interests. The Visitor Centre plays a vital role in physically receiving, engaging and assisting tourists and other visitors to Mount Barker.

But it also does much more. Those that visit Mount Barker do not do so just as tourists. Visitors seeking to move into an area as a business and/or resident assess their prospects by gauging the vitality of that location and a vibrant and professional Visitor Centre is a key vitality marker.

There are many other Destination Marketing and future elements to consider and contingencies to plan for. An Amazing South Coast Local/Destination Tourism Organisation and regional Visitor Centre model and the limited capacity of volunteers to sustain an operational resource to name a few.

There exists sound reasons why, almost without exception, Visitor Centres throughout our state have their staff and financial resource continued viability and existence underpinned and guaranteed by the local community through their Local Government Authority.

There are great changes and potential ahead of us, together with associated impacts, the recognised role of the Mount Barker Tourist Bureau and the necessity of sustaining the presence of our Visitor Centre, together with the tenuous predominant reliance on volunteers to name a few.

The Mount Barker Tourist Bureau therefore absolutely supports and endorses a Shire of Plantagenet administered financial funding model that greatly and necessarily underpins the ongoing viability of recognised tourism promotional activities and stakeholders, including the Mount Barker Visitor Centre.

4.1.3 GEOFF BURNS – MOUNT BARKER HOTEL – DIFFERENTIAL RATES

Mr Burns spoke regarding his opposition to any proposal for differential rating.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr Clements

Item: 9.1.2

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and Section 5.61 LGA),

Nature: Board member of Company included in background.

Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

Moved Cr M O'Dea, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 10 October 2017 as circulated, be taken as read and adopted as a correct record.

CARRIED (7/0)

NO. 252/17

Moved Cr M O'Dea, seconded Cr J Oldfield:

That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 24 October 2017 as circulated, be taken as read and adopted as a correct record.

CARRIED (7/0)

NO. 253/17

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

The Shire President announced Cr Jeff Moir has withdrawn his notice of Motion (Differential Rate in the Shire of Plantagenet) at Item 10.1 from the Agenda.

Change to the order of business

The Shire President advised that Item 10.2 (Lower Great Southern Economic Alliance – Local Tourism Organisation) would be dealt with first on the Agenda. (The Minutes record the proceedings in numerical order).

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 556 ORMOND ROAD MOUNT BARKER - OVER HEIGHT OUTBUILDING WITH REDUCED SIDE BOUNDARY SETBACK

File Ref:	N43238
Attachments:	Location Plan Site Plan Floor Plan South Elevation North Elevation West Elevation East Elevation
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	7 November 2017
Applicants:	Brian and Kerry Evans

PURPOSE

The purpose of this report is to consider a proposal for an over height outbuilding with a reduced side boundary setback at Lot 556 Ormond Road, Mount Barker.

BACKGROUND

Council records show the registered owners of Lot 556 Ormond Road, Mount Barker are B and K Evans.

This proposal is for an outbuilding of 78m² (6.0m x 13.0m) with a wall height of 4.0m. One other existing outbuilding has a floor area of 36m². However, this outbuilding will be demolished and removed from the site prior to erection of the new outbuilding.

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100m² for Residential zones. The 4.0m outbuilding wall height exceeds the 3.0m wall height set by Council policy for the Residential zone.

The reason given by the proponents for the additional outbuilding wall height is for the storage of their caravan with roof mounted air conditioner. The outbuilding will also be used for the storage of a motor vehicle, garden maintenance equipment and tools.

The proponent is also seeking approval for a reduced side boundary setback of 0.9m to the property boundary with Lot 555 Ormond Road where a boundary setback of 1.5m is required by the Residential Design Codes. The reason for the reduced side boundary setback is for the new outbuilding to line up with the driveway. The new outbuilding will be in the same location as the original outbuilding.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R12.5/20).

Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 deemed provisions.

Residential Design Codes (R-Codes).

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

‘In making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:

- a) any relevant purpose, objectives and provisions of the scheme;*
- b) any relevant objectives and provisions of the R-Codes;*
- c) a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and*
- d) orderly and proper planning.’*

The variation required here relates to 2.5.2(b) above as outbuilding requirements are in part 5 of the R-Codes.

EXTERNAL CONSULTATION

The proponent as part of lodging this application, sought comment from the landowner of adjoining Lot 555 Ormond Road, Mount Barker. The adjoining landowner raised no objection to this proposal.

FINANCIAL IMPLICATIONS

The application fee of \$147.00 has been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100m² for Residential zones. The floor area of this proposed outbuilding is 78m² with a wall height of 4.0m. 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

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

‘Ensure quality, consistent and responsive development and building assessment approval processes and enforcement’

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

Further, the Council's Corporate Plan, Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.2 *'Appropriate development which is diverse in nature and protects local heritage'*. The Key Performance Indicator (KPI) is *'Percentage of Council planning decisions in line with the Planning Vision'*.

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

Lot 556 is 769m² in area and is zoned Residential (R12.5/20).

The proposed outbuilding will be 78m² (6m x 13m) in area with a 4.0m wall height. The outbuilding will be constructed in Surfmist Colorbond® to match the house colour scheme. The roof will be constructed in zincalume. There are no colour controls in this Residential zoned area.

The R-Codes require a 1.5m side boundary setback for buildings and the proposed outbuilding will be setback 0.9m from the side property boundary with Lot 555 Ormond Road to the east.

The outbuilding location is 19m from the Ormond Road street property boundary and 5m from the rear property boundary. The proposed outbuilding will be partly screened from Ormond Road by the existing house. The height of the proposed outbuilding will not exceed the height of the existing house.

The proposed outbuilding will not cause overshadowing or privacy issues and is not considered to have any significant adverse effect on the amenity at the locality or neighbouring properties. The 0.9m setback and 4.0m wall height is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Lang:

That in respect to the proposed outbuilding at Lot 556 Ormond Road, Mount Barker:

- 1. In accordance with clause 2.5.2 of the Residential Design Codes, the proposed outbuilding with a reduced side boundary setback of 0.9m, be approved, subject to the development being in accordance with plans dated 29 September 2017.**
- 2. In accordance with Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed outbuilding at Lot 556 Ormond Road, Mount Barker be approved which will mean the wall for the outbuilding being 4.0m which is in excess of the 3.0m stated in Town Planning Scheme Policy 16.3 (Outbuildings), subject to the development being in accordance with plans dated 29 September 2017.**

CARRIED (7/0)

NO. 254/17

9.1.2 CARPARKING IN MOUNT BARKER RETAIL PRECINCT

Cr Clements

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and Section 5.61 LGA),
Nature: Board member of Company included in background.
Extent: Not required

3:51pm Cr K Clements withdrew from the meeting.

File Ref: N43142
Attachments: [Extract of Town Planning Scheme No. 3](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Peter Duncan
Manager Development Services
Proposed Meeting Date: 7 November 2017

PURPOSE

The purpose of this report is to provide the Council with information relative to the provision of car parking spaces in the retail area of Mount Barker.

BACKGROUND

The Council at its meeting held on 6 December 2016 considered a Notice of Motion put forward by Cr Pavlovich. The Council at that meeting resolved:

'That:

1. *The Council and staff review the current and future vehicle parking in the Mount Barker retail precinct and draft a planning document for Council consideration on the understanding that:
 - a) *Retail and commercial activity may grow at a rate of 10% annually;*
 - b) *Parking lots and pedestrian assess may need to created and or reserved for future demand, and**
2. *The draft planning document be presented on or before the 5 December 2017 meeting of the Council.'*

In support of this motion Cr Pavlovich provided the following comments:

Scope

Over the last 10+years there has been a number of developments in the main hub that have changed the dynamics of vehicle parking. The Council's agreement and subsequent sealing of the vacant block next to the post office has been well received and utilised and a great example of what can be achieved. This motion is proposed to initiate a review our strategic options for parking in our retail hub for the next 10-20 years.

Rationale

The Co-op development has increased parking on their land to the point of full capacity most days. If the Co-op business continues to grow, then pressure will flow to nearby options which may already be close to their comfortable capacity. Can

parking, for example be formalised (lease and marked accordingly) on the area adjacent to the old Rainbird Garage and opposite the Muir Street Bottle shop?

The Bakery end of town is a parking nightmare already with vehicles spread out daily from Healy's yard to opposite Mt Barker electrics including intersections and footpaths. A potential 'black spot' for conflict with vehicles and pedestrians. Maybe a lease and marked parking lot can be negotiated on the vacant land opposite the Bakery?

Langton Road. Should the vacant shops be utilised in the future then the limited number of Langton Rd street parking may pose an immediate problem. Maybe some vacant Catholic Church land can be leased and reserved for a future parking lot?'

STATUTORY ENVIRONMENT

Planning and Development Act 2015

Town Planning Scheme No. 3 (TPS3) – the majority of the retail precinct has now been zoned Commercial in accordance with the recommendations of the Local Planning Strategy. Extract of Town Planning Scheme Zoning Map attached.

EXTERNAL CONSULTATION

The Council's Chief Executive Officer has been liaising with the owners of several Commercial zoned properties in Lowood Road with respect to the possibility of providing formalised carparking areas at the rear of the shop premises. This approach is similar to that achieved in the leased land south of the Post Office where the Council has provided a sealed carparking area for 14 vehicles.

FINANCIAL IMPLICATIONS

There are no financial implications for this report which has been prepared in house.

Should the Chief Executive Officer negotiations with Commercial zoned property owners be successful in respect to leasing land for carparking, then there will be the cost of the design and drainage plan for the carpark, the cost of construction, draining, sealing and line marking of the car parking area and the costs associated with the lease documents.

POLICY IMPLICATIONS

The Council's Town Planning Scheme Policy 18.1 (Planning Vision) provides guidance in respect to Commercial development and carparking in Mount Barker. This will be discussed under officer comment below.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.3:

'Provide appropriate on-road and off-street car parking as well as parking control activities.'

OFFICER COMMENT

The draft of the Council's Local Planning Strategy from 2008 contained comment relative to Commercial floorspace. Most of that information was required to be deleted by the Department of Planning but although dated, contained useful information as follows:

- '4.2 Car parking is predominantly on-street with the exception of off street parking provided by the Mount Barker Co-op and the Shire offices. There is scope for additional car parking to be provided behind existing premises where somewhat informal parking exists.*
- 4.3 Based on the 1991-92 ABS Retail Census, Mount Barker had 7,000m² of retail floorspace and is the third largest centre in the region after Albany and Katanning. There are few vacant buildings available for new uses to establish in the centre. The density of existing development is relatively low (approximately 22%), consequently there is scope for consolidation to occur. Based on future population forecasts, retail floorspace could increase to 8,000m² by 2011 and 10,048m² by 2021.*
- 4.4 There is a large area of Service Industrial zoned land on Lowood Road between Mondurup Road and Montem Street and this has led to the establishment of some land uses that are not considered appropriate to this important entry to the town centre. This area should be rezoned to Commercial and once zoned the existing service industrial uses could remain subject to the normal nonconforming use Scheme requirements. There are two other areas of Service Industrial zoned land, one at the north west junction of Muir Street and Lowood Road and the other on the north east corner of Marion Street and Mount Barker Road and these areas should also be zoned Commercial. With these additional Commercial zoned areas, Mount Barker will have adequate Commercial land to allow for growth into the future.*
- 4.5 Retail growth is largely dependent on population growth and measures to increase the local population are particularly important in order to support a busy and vibrant town centre. The creation of an attractive town centre can help to attract people and businesses and greater patronage enables economic rentals to be established and building refurbished.'*

...

- '4.7 The redevelopment of the Shire Administration Centre at the corner of Langton and Lowood Roads combined with the recent townscape improvements to Lowood Road and the Mount Barker Co-operative redevelopment have provided the town centre with a much needed lift and has led to an increase in business confidence in the town centre. The Mount Barker Co-op site is presently zoned Railway Reserve and this should be rezoned Commercial to reflect its land use.'*

It should be noted the Mount Barker Co-operative (Co-op) site has now been zoned Commercial as have other areas recommended. The floor space figures at 4.3 above although dated, are considered to be relevant in respect to 2011 and the projection for 2021.

The Council's Town Planning Scheme Policy No. 18.1 (TPS Policy 18.1) (Planning Vision) and the Local Planning Strategy 2013 (LPS) provide recommendations in respect to Commercial development in Mount Barker in an abridged form from the 2008 draft Local Planning Strategy. The TPS Policy 18.1 and LPS provide guidance in respect of car parking provision as follows:

'4.7 Carparking

- 4.7.1 *The Council in its consideration of development and land use proposals for commercial sites in the town centre will assess developments on their merits, and in accordance with Scheme provisions. The Council will also have regard to the possibility of time-share or reciprocal use carparks, for uses and activities in and out of normal trading hours.*
- 4.7.2 *The amenity of areas surrounding parking facilities should be safeguarded. They should complement their surroundings and provide a convenient service, without causing undue disruption to surrounding uses. Parking areas should be located so they do not dominate the surroundings or intrude into public spaces or landscaped features of the environment. They should generally be located and designed as integral to the development site. Disabled and cyclist parking facilities should be visible and conveniently located.*
- 4.7.3 *The design and location of parking areas should aim to address personal and vehicular security, by providing clear and direct access through parking areas, and effective signs and lighting. As a minimum, carparking spaces should be 2.7m wide and 5.5m long with a 6.0m manoeuvring aisle.*
- 4.7.4 *Reciprocal parking arrangements may be considered acceptable where the Council is convinced that demand for parking by the uses proposed will not coincide. Where reciprocal parking is proposed the Council must be satisfied that:*
- the parking serving the proposed uses will be located on the one lot, or that parking arrangements are permanent;*
 - parking demand in the immediate and long term can be satisfied;*
 - the hours of operation of the uses being served are compatible with reciprocal parking; and*
 - a proposed change of use will comply with the reciprocal parking arrangements, or will satisfy the parking requirements by other means.*
- 4.7.5 *Parking for mixed use development may be combined in one parking area, provided the total number of bays required is provided. If a mixed use development comprises a residential component each residential dwelling must be provided with at least one exclusive bay. Access should be available at all times for all users, and the Council may require bays to be marked for a particular purpose to ensure that access is not restricted.*

- 4.7.6 *Cash-in-lieu of parking bays may be considered where developments have a shortfall of parking. The Council may accept money for this shortfall, to provide bays in a nearby existing or proposed public parking facility. Cash-in-lieu should not be seen to be replacing the developer's responsibility to provide on-site parking.*
- 4.7.7 *When commercial developments provide car parking areas, the spaces must be available for all customers/shoppers in the town centre to use. The spaces should not be marked for the exclusive use of particular businesses.'*

The Commercial Vision from TPS Policy 18.1 is:

'2.7 Commercial Vision

- *Ensure that enough land exists to cater for long term commercial growth;*
- *Provide for the continued growth of commercial development within the town centre which has a means of creating associated employment opportunities;*
- *Reduce the need for residents to travel to other commercial centres for services that can be provided in Mount Barker.*
- *Encourage the redevelopment and infill development of the existing commercial area;*
- *Oppose the creation of large new centres in inappropriate locations outside the centre;*
- *Allow for additional office space and encourage the redevelopment of existing sites;*
- *Support the principle of new uses for old buildings and the revitalisation of the town centre;*
- *Discourage ribbon development outside the centre;*
- *Provide a pleasant, attractive and convenient pedestrian environment and network;*
- *Support and continue the use of townscape improvement programs and retain the village-like character of the town;*
- *Revitalise and support the economic competitiveness of the centre;*
- *Recognise and support the continued growth of tourism in appropriate areas; and*
- *Continue to provide appropriate levels of accessibility and car parking, and allow for time-shared reciprocal use of car parking areas.'*

The car parking provision throughout the overall retail precinct exists in many forms from formal onsite line marked and paved areas such as the Co-op and Shire administration through to informal gravel areas to the rear of businesses.

Under TPS3 the carparking requirement for new commercial building is set at one space per 40m² of floor area. This figure is somewhat low and in the new proposed Local Planning Scheme No. 5 that requirement has been lifted to one space per 20m² to be more in line with other Planning Schemes throughout the State. Bearing in mind the lack of vacant Commercial zoned land in the retail precinct, it is not likely that new parking areas will be provided. If an existing Commercial building is renovated and continues to be used as a shop for example, the Council cannot then ask for additional areas of parking be provided as it is an existing building. The Council could only ask for parking provision if a proposal involved the demolition of an existing building and the construction of a new one.

An on-site count of carparking spaces in the retail precinct was carried out and there are in the order of 553 parking spaces in road reserves and on private property.

The fact that the Co-op parking area and bakery parking area are quite often near capacity in terms of use is a very positive sign for the future of the retail precinct. The bakery has recently come to an agreement with the owners of the vacant land to the north (Co-op) where carparking is now available for bakery staff and customers and this is working well.

It is well known that commercial growth is closely linked to population growth so it can be assumed that commercial floorspace growth in Mount Barker will be in the order of 1% pa. To properly establish the actual figure a commercial/retail study would need to be carried out by retail consultants and the cost of such a study (estimated at \$20,000.00) could not be justified at this point in time.

With its slow and steady growth, Mount Barker is progressing well with previously vacant shops now being occupied. There will always be a turnover in shop tenancies.

What is considered is needed is to pursue the work commenced by the Chief Executive Officer in respect to negotiations with business/land owners of properties in Lowood Road (west side) between Langton Road and Short Street with the aim of providing more formal (sealed, drained and line marked) parking for shop owners and their customers. If this is successful and such parking is provided, then the area between Short Street and Muir Street could be considered for a similar approach in the future.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr S Etherington:

That the Chief Executive Officer be authorised to continue with his negotiations with landowners of commercial premises on the west side of Lowood Road between Langton Road and Short Street with the aim of providing additional formal carparking spaces.

CARRIED (6/0)

NO. 255/17

3:52pm Cr K Clements returned to the meeting.

9.1.3 LOCAL PLANNING SCHEME NO. 5 - ADOPTION OF A NEW SCHEME FOR PUBLIC ADVERTISING

File Ref:	N42966
Attachments:	Summary of Submissions on Resolution Local Planning Scheme No. 5 – Text and Maps
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to recommend the adoption of the new draft Local Planning Scheme No. 5 for referral to the Environmental Protection Authority and the Western Australian Planning Commission for approval to advertise for public comment.

BACKGROUND

Town Planning Scheme No. 3 was published in the Government Gazette on 4 October 1991. Over the years several Amendments have been carried out to the Scheme some of which introduced current practices and procedures to ensure the Scheme was as up to date as possible.

The Council at its meeting held on 18 July 2017 when considering the commencement of Local Planning Scheme No. 5 resolved:

'That in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015:

- 1. The Council agrees to the attached Resolution Deciding to Prepare a Local Planning Scheme subject to the following words being added:*

In part a) of the Proposed Aims of the Scheme, after the words "natural environment" the words "and the agricultural base of the District", be added.

- 2. The resolution at 1. above and the attached Western Australian Planning Commission Form 1A and Scheme Area Map be referred to the Western Australian Planning Commission.*
- 3. Once the Western Australian Planning Commission approves the resolution above the necessary 21 day advertising be commenced.'*

The proposed Aims were altered and the required documents were referred to the Western Australian Planning Commission and the necessary referral to government agencies was undertaken. The resolution to prepare the new Scheme was advertised in the press and on the Council's website and notice board.

As a result of the advertising five government agencies provided comment (see Summary of Submissions on Resolution attached). The comments were provided by the Department of Communities, the Department of Water and Environmental Regulation, the Department of Biodiversity, Conservation and Attractions, Department of Local Government, Sports and Cultural Industries and the Department of Mines, Industry Regulation and Safety. Essentially no adverse comments were received about the resolution to prepare a new Scheme but some agencies suggested matters which could be considered in the new Scheme but are more relevant in a Local Planning Strategy.

Councillors have had three workshops on the Scheme preparation process. The first was held on 15 August 2017 where the deemed and model provisions were explained by an officer from the Department of Planning, Lands and Heritage. The second workshop was held on 12 September 2017 where the proposed Scheme Text was explained. The third workshop was held on 10 October 2017 where the zoning map proposals were explained. The comments made by Councillors at those workshops were taken on board in the finalisation of this draft Scheme. This includes the deletion of external building colour controls throughout the Text.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulation 2015 – these Regulations contain the requirements for a Local Planning Scheme preparation, the model Local Planning Scheme Text and the Deemed Provisions which are automatically included in all Schemes by reference. This new Local Planning Scheme No. 5 closely follows the format of the Model Scheme text.

The Regulations also set the procedure for the Scheme to follow and the next stages include referral to the Environmental Protection Authority (EPA) and the Western Australian Planning Commission (WAPC). The EPA has a period of 28 days to respond. The WAPC has 90 days to determine whether the Scheme is suitable for public advertising. If it is suitable the Scheme must be publicly advertised for a period of 90 days.

EXTERNAL CONSULTATION

Extensive consultation was carried out during the preparation of the Council's Local Planning Strategy which was approved in 2013.

The preparation of new Local Planning Scheme No. 5 included firstly workshops with Councillors. If approved by the EPA and the WAPC public consultation for a period of 90 days will be carried out.

The resolution to prepare a Scheme was advertised in the press and to State agencies giving them 21 days to comment.

FINANCIAL IMPLICATIONS

The new Local Planning Scheme No. 5 – Scheme Text was prepared in house. The new Scheme Maps were prepared by the Department of Planning, Lands and Heritage Perth office. The cost for the mapping is \$2,430.00 to date.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 18.1 (Planning Vision) was adopted in April 2014. This document is more strategic than the Local Planning Strategy and includes more localised concepts for planning in the Shire area.

There is no need to review the Planning Vision or the Local Planning Strategy at this point in time.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.1 (Long term planning and development guided by the Planning Vision) the following Strategy:

Strategy 2.1.3:

‘Collaborate with the State Government to ensure that local planning development and long term growth needs are met.’

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

The Council’s Corporate Plan – Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.1 ‘Long term planning and development guided by the Planning Vision’. The KPI is 2.1 ‘Percentage of Council planning decisions in line with the Planning Vision’.

By supporting the officer recommendation this KPI will be met.

OFFICER COMMENT

Staff prepared the Local Planning Scheme No. 5 – Scheme Text and have continually had discussions with the Department of Planning, Lands and Heritage Senior Planning Officer in Albany. Although the Regulations give the WAPC 90 days to determine whether the Scheme is suitable for advertising, staff are confident the WAPC decision will be in a shorter time span than 90 days.

Following discussions with the Department of Planning, Lands and Heritage officers other adjustments have been made to the Text. These adjustments include the zoning Table where the use classes of Brewery, Mining Operations and Renewable Energy Facility have been added. The use classes of Cellar Sales, Gallery/restaurant and Wind and/or solar energy facility have been deleted as they are covered by other use classes.

Other adjustments include renumbering of the Tables within the document, introducing a Scheme Reserve called Environmental conservation to match the Model Scheme (for areas such as the Stirling and Porongurup Ranges).

Assuming the EPA does not require environmental assessments prior to the Scheme progressing to public advertising and the WAPC grants approval to advertise, the next critical step in the process will be public advertising for a period of 90 days. That advertising will involve notices on the Council’s notice board, the website, letters to government agencies and adjoining Councils and notices in the press. Where a landowner’s property zoning has been altered, that landowner will be

advised of the change. It is proposed to run the advertisements in the press on two occasions. Once at the beginning and a second, about 30 days into the 90 day period. Digital copies of the Text and Maps will be made available to persons wishing to peruse the document.

Following the advertising period a report will be placed before the Council with details of the submissions received and any suggested modifications to the Scheme as a result of the submissions.

The only possible delay in the above process is if the EPA and/or the WAPC require modifications to the Text and/or Maps prior to the public advertising period. Depending upon the extent of the modifications it is likely a further report will need to be presented to the Council on the modifications required.

VOTING REQUIREMENTS

Simple Majority

3:53pm Cr S Etherington withdrew from the meeting.

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Oldfield:

That:

- 1. Draft Local Planning Scheme No. 5 be adopted for referral to the Environmental Protection Authority and the Western Australian Planning Commission for approval to advertise for public comment pursuant to Regulation 21 Division 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 and Section 81 of the Planning and Development Act 2005.**
- 2. Once approved for advertising by the Environmental Protection Authority and the Western Australian Planning Commission, the draft Local Planning Scheme No. 5 be advertised for a period of 90 days pursuant to Regulation 22, Division 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.**
- 3. Following the advertising period a further report be presented to the Council no later than its meeting scheduled for September 2018 pursuant to Regulation 25, Division 2, Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.**

CARRIED (6/0)

NO. 256/17

3:57pm Cr S Etherington returned to the meeting.

9.2 WORKS AND SERVICES REPORTS

9.2.1 PROPOSED ROAD RESERVE CLOSURE AND AMALGAMATION - LOT 2031 FRANKLAND ROCKY GULLY ROAD, ROCKY GULLY

File Ref:	N42223
Attachments:	Map 1 – Location of Lot 2031 Map 2 – Infrastructure on Lot 2031
Responsible Officer:	David Lynch Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	15 August 2017
Applicant:	Isolation Ridge Vineyards Pty Ltd

PURPOSE

The purpose of this report is to consider a request for the permanent closure of a portion of an unconstructed road reserve and its amalgamation into the adjoining freehold lot.

BACKGROUND

The owners of Lot 2031 Frankland Rocky Gully Road, Rocky Gully (Isolation Ridge Vineyards Pty Ltd) have requested that the unnamed and unconstructed portion of road reserve that divides Lot 2031 Frankland Rocky Gully Road, Rocky Gully and Lot 2030 Netley Road, Rocky Gully be permanently closed (see Map 1).

Grape vines and an irrigation dam have been constructed over a portion of the road reserve and the applicant has requested a section of the road reserve be closed to provide security for the existing plantings and infrastructure.

The parcel of land abutting the south-west side of the road reserve (Lot 2030) is owned by The Trust Company (Australia) Limited and is currently used as a tree plantation. The land owner was advised of the request to close and amalgamate the section of road reserve with Lot 2031 and asked to make comment.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Section 58 – ‘Closing roads’

Land Administration Regulations 1998, Regulation 9 – ‘Local government request to close road permanently (Act s.58(2)), Requirements for’

Land Administration Act 1997, Section 87 – ‘Sale etc of Crown land for amalgamation with adjoining land’

EXTERNAL CONSULTATION

Consultation took place with the Department of Planning, Lands and Heritage to obtain advice on closure of road reserves with more than one land owner and also the land owner of the adjoining parcel of land.

FINANCIAL IMPLICATIONS

The land owner requesting the road reserve closure has paid the Permanent Road Closure Application fee of \$625.00.

Further costs which may be incurred in the road reserve closure and amalgamation process such as purchase price, stamp duty, survey costs, document preparation, registration fees and possible service relocation costs will be met by the applicant.

POLICY IMPLICATIONS

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.4:

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

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

The Shire of Plantagenet Corporate Business Plan 2016/17 – 2020/21 includes Action 2.4.4.2”

'Ensure both temporary and permanent road closures are processed and approved in accordance with all necessary legal and administration requirements.'

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

OFFICER COMMENT

The portion of road reserve (approximately 1.94km in length) which the applicant has requested to be closed has infrastructure within its boundaries. As demonstrated in Map 2 a section of grape vine plantings and an irrigation dam have been constructed on a portion of the south east section of the unconstructed road reserve. The current owner of Lot 2031 estimates the grape vines were planted in 1990 and the dam constructed in 1987 by his father.

Further north the road reserve is bordered on the west side by a tree plantation owned by The Trust Company (Australia) Limited. The house and buildings on Lot 2030 which are positioned to the north west of the property have access from Netley Road in the Shire of Cranbrook.

The landowner on the western side of the road reserve (Lot 2030) has been contacted and has advised there are no concerns with the requested closure and amalgamation of the portion of road reserve into Lot 2031.

The closure of this portion of road reserve would not affect the Shire's current road network. The road reserve has not been constructed and does not provide any access to properties

It is recommended that this request be approved and the portion of road reserve (approximately 1.94km in length) as requested by the landowner be closed and amalgamated into Lot 2031 Frankland Rocky Gully Road, Rocky Gully with the landowner covering all the costs of the process.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Lang:

That:

1. Pursuant to Section 58 of the Land Administration Act 1997, local public notice be given of the proposal to permanently close a portion of road reserve running through Lot 2031 Frankland Rocky Gully Road, Rocky Gully as shown on Map 1.
2. A further report be prepared for the Council's consideration at the conclusion of advertising on or before the ordinary meeting of the Council to be held in March 2018.

CARRIED (7/0)

NO. 257/17

9.3 COMMUNITY SERVICES REPORTS

9.3.1 DISABILITY ACCESS AND INCLUSION PLAN - ADOPTION OF REVISED PLAN 2017 - 2022

File Ref:	N43314
Attachments:	Disability Access and Inclusion Plan 2017 - 2022
Responsible Officer:	Fiona Pengel Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to adopt the revised Disability Access and Inclusion Plan 2017 - 2022.

BACKGROUND

The Shire of Plantagenet adopted its first DAIP on 24 July 2007. The plan was subsequently revised and the DAIP 2012 - 2017 was adopted by the Council on 11 December 2012.

On 3 March 2015 the Council endorsed an amendment to the DAIP, adding Outcome 7.

The plan covers strategies aimed at improving access to information, services, facilities, employment and events for people with disability throughout the Shire.

STATUTORY ENVIRONMENT

Disability Services Act 1993 - requires Local and State Government authorities to develop, implement and review a Disability Access and Inclusion Plan (DAIP) that will further both the principles and objectives of the Act.

Disability Services Regulations 2004

Equal Opportunity Act 1984

EXTERNAL CONSULTATION

Consultation has occurred in accordance with the Disability Services Commission (DSC) guidelines.

Consultation has occurred with members of the Disability Advisory Group at a special meeting on 12 July 2017. The group reviewed outcomes, strategies and tasks and developed new strategies.

Community consultation has occurred during August and September 2017. The draft DAIP 2017 - 2022 was advertised for public comment in the local newsletter and on the Shire's website.

Further consultation has occurred with the Department of Communities; Susan Henson, Senior Access and Inclusion Officer - Disability Services, provided extensive feedback on the draft DAIP.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.7 (Quality of life for the disabled) the following Strategy:

Strategy 1.7.1: *'Provide and promote services and facilities that meet the needs of disabled persons'*, and

Strategy 1.7.2: *'Implement the Shire's Disability Access and Inclusion Plan'*.

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

OFFICER COMMENT

The attached DAIP outlines a number of strategies and tasks that will assist the development of a community that is accessible and inclusive for people with disabilities, their families and carers. Each of the tasks is practicable and achievable.

The review process has been in accordance with the DSC guidelines. Once endorsed by the Council, the DAIP will be lodged with the DSC for final approval.

The Shire is required to report on progress against the DAIP outcomes in its Annual Report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Oldfield:

That the Disability Access and Inclusion Plan 2017 – 2022, be endorsed.

CARRIED (7/0)

NO. 258/17

9.3.2 POLICY REVIEW - CS/LP/1 - ACCESS AND INCLUSION POLICY

File Ref:	N43313
Attachments:	Policy CS/LP/1 - Access and Inclusion Policy with amendments
Responsible Officer:	Fiona Pengel Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to review policy CS/LP/1 – Access and Inclusion Policy.

BACKGROUND

It is recommended by the Disability Services Commission that an Access and Inclusion Policy is adopted by the Council and incorporated into the DAIP.

This policy was adopted by the Council on 24 July 2007 in accordance with recommendations from the Disability Services Commission.

STATUTORY ENVIRONMENT

Disability Services Act 1993 - requires Local and State Government authorities to develop, implement and review a Disability Access and Inclusion Plan (DAIP) that will further both the principles and objectives of the Act.

EXTERNAL CONSULTATION

Consultation has occurred with the Disability Advisory Group and the Disability Services Commission regarding the review of this policy in conjunction with the development of the revised DAIP 2017 - 2022.

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

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.7 (Quality of life for the disabled) the following Strategy:

Strategy 1.7.1: *'Provide and promote services and facilities that meet the needs of disabled persons'*, and

Strategy 1.7.2: *'Implement the Shire's Disability Access and Inclusion Plan'*.

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

OFFICER COMMENT

In 2013, the Disability Services Commission amended the terminology 'people with disabilities' to 'people with disability'. The Shire of Plantagenet's Access and Inclusion policy requires amendment to reflect this change.

The policy, once endorsed by the Council, will be included in the amended DAIP, which is reported against annually to the Disability Services Commission.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr M O'Dea:

That amended Council Policy CS/LP/1 – Access and Inclusion Policy Statement as follows:

OBJECTIVE

The Shire of Plantagenet is committed to ensuring that the community is an accessible and inclusive community for people with disability, their families and carers. An accessible and inclusive community is interpreted as one in which all council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

POLICY

The Shire of Plantagenet will plan to achieve the following strategies to ensure the community is accessible and inclusive for people with disability, their families and carers:

1. People with disability have the same opportunities as other people to access the services of, and any events organised by, the Shire of Plantagenet;
2. People with disability have the same opportunities as other people to access the buildings and other facilities of the Shire of Plantagenet;
3. The Shire of Plantagenet provides information in a format that will enable people with disability to access the information as readily as other people are able to access it;
4. People with disability receive the same level and quality of service from the staff of the Shire of Plantagenet as other people;
5. People with disability have the same opportunities as other people to make complaints to the Shire of Plantagenet;
6. People with disability have the same opportunities as other people to participate in any public consultation arranged by the Shire of Plantagenet; and

7. **People with disability have the same opportunities to obtain and maintain employment within the Shire of Plantagenet.**

The Shire of Plantagenet is committed to consulting with people with disability, their families and carers and disability organisations in addressing barriers to access and inclusion.'

be endorsed.

CARRIED (7/0)

NO. 259/17

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS – OCTOBER 2017

File Ref:	N43260
Attachment:	Financial Statements
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 October 2017.

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

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That the Financial Statement for the period ending 31 October 2017 be received.

CARRIED (7/0)

NO. 260/17

9.4.2 LIST OF ACCOUNTS – OCTOBER 2017

File Ref:	N43337
Attachment:	October 2017
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of October 2017.

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 (21 June 2016). 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 M O'Dea:

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 October 2017 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$586,858.99;**
- 2. Municipal Cheques 46050 to 46055 and 46058 to 46082 totalling \$73,113.77;**
- 3. Trust Cheque 444 to 451 totalling \$97,616.00; and**
- 4. Cancelled Cheques 46056 to 46057.**

CARRIED (7/0)

NO. 261/17

9.4.3 POLICY REVIEW - DEBT COLLECTION

File Ref:	N43237
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to review Debt Collection Policy – F/FM/15.

BACKGROUND

This policy was last adopted by the Council at its meeting held on 21 June 2016.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996. Regulation 5 states (in part) as follows:

- ‘(1) Efficient systems and procedures are to be established by the CEO of a local government —*
- (a) for the proper collection of all money owing to the local government;’*

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

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.6 (Effective and efficient corporate and administrative services) the following Strategy:

Strategy 4.6.1:

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

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

OFFICER COMMENT

It is important to ensure that money owed to the Shire of Plantagenet is collected in a consistent and timely manner. The collection of debts is necessary to achieve a balanced budget and to facilitate adequate cash flow.

Changes have been made to the procedure to provide for a Shire of Plantagenet reminder letter to be issued giving seven days to arrange payment, prior to a Final Notice being issued. Also, 14 days after the final notice is issued, an attempt will be made to contact by telephone in order to seek payment or a payment arrangement.

This will provide a better customer service experience, especially for those ratepayers who have genuinely forgotten to pay or those who are experiencing hardship.

The policy has also been amended to enable a range of options to be pursued by debt recovery and legal agencies, that have recently been developing a platform to reach debtors by demand letter, SMS, email and phone call. The aim is to limit litigation and enforcement actions and decrease the associated costs that are passed on to ratepayers. Nevertheless, legal action will be taken if and when other activities have failed and such action becomes necessary to recover the debts.

In addition, reference to Delegation LG20 has been updated to reflect Delegation 2.10 in the new delegation register. A further minor change in the policy specifies that the Council can utilise the services provided by debt recovery agencies to recover outstanding sundry debts along with rates debts, if required. There are also some minor grammatical changes.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Oldfield:

That amended Debt Collection Policy F/FM/15, as follows:

'OBJECTIVE

To:

- 1. Outline clear and appropriate debt recovery procedures which will be undertaken by the Shire of Plantagenet.**
- 2. Ensure effective control over all invoiced debts owed to the Council whilst being sympathetic to those ratepayers and debtors suffering genuine financial hardship.**

POLICY

- 1. Rates – Outstanding Amounts**
 - 1.1 Fourteen days after the due date, a reminder letter will be issued, giving seven days to arrange payment.**
 - 1.2 Amounts outstanding after the seven days will be followed up with a Final Notice, giving seven days to arrange payment.**
 - 1.3 Following this seven day period, contact is to be made by telephone where possible, in order to seek payment or a special arrangement.**
 - 1.4 If payment is not received or adequate payment arrangements not entered into, the Chief Executive Officer will decide whether to proceed with further in-house debt collection options or refer the matter to debt recovery or legal agencies. Liaison will occur with such agencies to pursue a range of debt recovery options, which will be escalated to legal action including service of a General Procedure Claim and Judgment where necessary. This decision will be based on individual circumstances, including those of genuine hardship.**
 - 1.5 Other courses of action that may be taken include:**

-
- (a) Rental seizure under Section 6.60 of the Local Government Act 1995.
 - (b) Lodging a Caveat on the property.
 - (c) Sale of land under S6.64 of the Local Government Act 1995 in accordance with Delegation 2.10. In this instance the Shire may rent or dispose of the property if rates remain unpaid for at least three years.
- 1.6 Ratepayers who are unable to pay rates and charges by the due date either because of reasons beyond their control or because payment would cause undue hardship, may apply to enter into an agreement to make periodic payments subject to the following:
- (a) The Chief Executive Officer is to endorse the arrangement.
 - (b) Special arrangements will be for regular instalments with the debt to be finalised by 30 June of the financial year where possible.
2. Sundry Debtors
- 2.1 Sundry debtor accounts become overdue if not paid within 30 days of issuing of the account.
- 2.2 On becoming overdue, a statement is to be issued requesting immediate payment.
- 2.3 Fourteen days after the statement is issued, contact is to be made by telephone where possible, in order to seek payment and to advise that the provision of credit facilities will cease in seven days.
- 2.4 After this seven day period has lapsed, the Shire may stop the provision of credit facilities to debtors. Recovery action may also be taken in line with Clause 1.4 unless the debtor enters into and complies with an overdue payment agreement. Any such agreement will not exceed six months unless exceptional circumstances exist.
- 2.6 The Chief Executive Officer may determine other suitable treatment options to deal with sundry debtors in the case of demonstrated hardship or other situations.'
- be endorsed.

CARRIED (7/0)

NO. 262/17

9.4.4 POLICY REVIEW - OP/HRS/1 - INJURY MANAGEMENT AND REHABILITATION

File Ref: N43230
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 7 November 2017

PURPOSE

The purpose of this report is to review Council Policy OP/HRS/1 – Injury Management and Rehabilitation.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 10 November 2015.

STATUTORY ENVIRONMENT

Worker's Compensation and Injury Management Act 1981

This Act establishes the requirement for an employer to implement return to work programs for its employees.

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

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.5 (Skilled, committed and professional staff in a supportive environment) the following Strategy:

Strategy 4.5.2:

'Ensure safe work practices through implementation of appropriate Occupational, Health, Safety and Welfare practices.'

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan. Further, a program such as that set out in the policy should decrease staff turnover, thereby contributing to the achievement of Council Key Performance Indicator '*Decreasing staff turnover rates*' relating to the Outcome '*Skilled, committed and professional staff in a supportive environment*'.

OFFICER COMMENT

It is a mandatory requirement of WorkCover WA that the Council has in place an injury management process that provides a systematic approach to dealing with injury management and rehabilitation within the workplace.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Moir:

That Council Policy – OP/HRS/1 – Injury Management and Rehabilitation as follows:

OBJECTIVE:

To introduce a systematic approach to injury management and rehabilitation.

POLICY:

The Council will:

- a) **Make provision for the injury management and rehabilitation of all workers who have sustained a compensable work related illness, injury or disability;**
- b) **Treat all workers with dignity and respect;**
- c) **Guarantee that all information is treated with sensitivity and confidentiality; and**
- d) **Return the injured worker to the fullest capacity for gainful employment of which they are capable.**

The 'Key Principles of Injury Management', as identified by WorkCover WA, will be adopted. They are:

1. **Within the workers' compensation system, return to work is the most appropriate outcome. A return to work focus should be maintained whenever it is medically appropriate.**
2. **Injury Management:**
 - a) **provides physical, psychological and vocational benefits to workers;**
 - b) **minimises disruption at the workplace; and**
 - c) **contains workers' compensation costs.**

3. The employer, injured worker and treating medical practitioner are the key parties in injury management. Consultation and communication between the key parties should occur on a regular basis.
4. Timely and appropriate medical treatment should be sought and provided to injured workers.
5. Employers should be directly involved in the management of work injuries and ensure that injury management process are started early.
6. Vocational rehabilitation is not required for all injured workers but where the key parties agree it is necessary, it should commence as soon as possible, be focused on achieving a return to work outcome and be subject to regular monitoring.
7. The approved insurer should provide effective claims management and active consultation about the direct of the claim with the key parties as required.
8. If an insurer discharges the employer's return to work obligations by acting on behalf of the employer, the insurer should ensure the employer is involved in all return to work decisions and activities.

To assist in the timely and effective injury management of employees, the Chief Executive Officer will appoint an employee to the role of Workplace Injury Management Coordinator as part of their duties, to implement and monitor the injury management and rehabilitation procedures.

The working of overtime hours while in receipt of workers' compensation will not be permitted.'

be endorsed.

CARRIED (7/0)

NO. 263/17

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 COUNCIL MEETINGS SCHEDULE 2018

File Ref:	N42839
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Linda Sounness Executive Secretary
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to review and schedule meetings for the Council for 2017.

BACKGROUND

At its meeting held on 8 November 2016 the Council resolved:

'That:

1. *The ordinary meetings of the Council for January to December 2017 inclusive be held at four weekly intervals as follows:*
 - a) *Tuesday 31 January 2017*
 - b) *Tuesday 28 February 2017*
 - c) *Tuesday 28 March 2017*
 - d) *Wednesday 26 April 2017*
 - e) *Tuesday 23 May 2017*
 - f) *Tuesday 20 June 2017*
 - g) *Tuesday 18 July 2017*
 - h) *Tuesday 15 August 2017*
 - i) *Tuesday 12 September 2017*
 - j) *Tuesday 10 October 2017*
 - k) *Tuesday 7 November 2017*
 - l) *Tuesday 5 December 2017*
2. *All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
3. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.'*

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 5.3 provides that a Council is to hold ordinary meetings and may hold special meetings.

Local Government Act 1995 – 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.

FINANCIAL IMPLICATIONS

The frequency and timing of meetings and workshops may impact on catering costs.

POLICY IMPLICATIONS

Policy No. CE/CS/3 – Committee Meetings and Workshops – Attendance by Members of the Public and Policy No. CE/CS/6 – Briefing Sessions for Councillors applies.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.3:

‘Ensure the Council’s decision making process is effective and transparent.’

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

STRATEGIC IMPLICATIONS

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

Strategy 4.1.3:

‘Ensure the Council’s decision making process is effective and transparent.’

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

REGIONAL IMPLICATIONS

Previous attempts to align Plantagenet’s meeting dates with our VROC partners were unsuccessful however VROC Meetings are scheduled in such a way to avoid any meeting conflicts.

OFFICER COMMENT

It will be recommended that the current four weekly cycle continue with the first meeting of 2018 to be held on 30 January 2018.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Oldfield:

That:

1. The ordinary meetings of the Council for January to December 2018 inclusive be held at four weekly intervals as follows:
 - a) Tuesday 30 January 2018
 - b) Tuesday 27 February 2018
 - c) Tuesday 27 March 2018
 - d) Tuesday 24 April 2018
 - e) Tuesday 22 May 2018
 - f) Tuesday 19 June 2018
 - g) Tuesday 17 July 2018
 - h) Tuesday 14 August 2018
 - i) Tuesday 11 September 2018
 - j) Tuesday 9 October 2018
 - k) Tuesday 6 November 2018
 - l) Tuesday 4 December 2018
2. All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.
3. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.

CARRIED (7/0)

NO. 264/17

9.5.2 LEASE - MITCHELL HOUSE – GLASS BREAKAGE CLAUSE

File Ref:	N43276
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Donna Fawcett Senior Administration/Human Resources Officer
Proposed Meeting Date:	7 November 2017

PURPOSE

The purpose of this report is to consider a request to remove insurance clause 3.15 (b) from the lease agreement between Shire of Plantagenet and the Plantagenet Arts Council, for the Arts Centre (Mitchell House).

BACKGROUND

The current lease agreement between the Shire and the Plantagenet Arts Council was approved by the Council at its meeting held on 17 October 2016.

Clause 3.15 (b) requires the Lessee, at the Lessee's expense, to effect and keep current, with an insurance company approved by the Lessor the following insurance in relation to the Premises:

'A policy in the name of the Lessee and the Lessor covering the breakage of any glass on the Premises including any plate glass. The Lessee agrees that all money received under the insurance policy will be expended in reinstating the damaged glass. If such money is insufficient to meet the cost of the reinstatement the Lessee must reinstate the damaged glass at its own expense to the Lessor's satisfaction.'

Councillor Marie O'Dea has contacted the Chief Executive Officer on behalf of the Plantagenet Arts Council and requested that the glass breakage clause be removed from the lease agreement due to the added cost to the Arts Council's insurance premium.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

Glass breakage, particularly window replacement, is a cost to the Council through increased insurance premiums or the cost of replacement if such replacement value is less than the Council's property insurance excess.

POLICY IMPLICATIONS

Policy implications do not apply for this report and it is the opinion of the author that policy development is not required.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

In 2013 the Shire of Plantagenet introduced an updated standard template for lease agreements. All new lease agreements are now drafted using this template and existing lease agreements are renewed using the new template as they expire.

In addition to the Arts Centre, the following organisations/sporting clubs have a current lease agreement which incorporates clause 3.15 (b):

Plantagenet Sporting Club Inc.	Sounness Park
Plantagenet Players	Plantagenet District Hall
VET (WA) Ministerial Corporation	Mount Barker Community Centre
Mount Barker Tennis Club	Mount Barker Tennis Courts
Plantagenet Men's Shed	Mount Barker Men's Shed
Kendenup Community Grounds Committee	Part of Lot 150 Beverley Road
Wanslea Early Learning and Development	Mount Barker Childcare Centre
Kendenup Country Club	Kendenup Golf Course and Country Club
Mount Barker Speedway Club	Mount Barker Speedway
West Plantagenet Pony Club Inc.	West Plantagenet Pony Club

Given that there are currently ten organisations required to effect and keep glass insurance, with that number to increase as lease agreements are renewed, it is recommended that, in the interest of equality and impartiality, clause 3.15 (b) remain in the lease agreement between the Shire and the Plantagenet Arts Council.

Alternatively, the clause could be removed from all lease agreements. It should be noted that when minimal lease payments are levied, there is an expectation that general maintenance will be undertaken by the lessee. Lease agreements do require the Lessee to undertake repairs which are not of a structural nature.

However, courts in Australia have defined 'structure' about structural repairs to mean the 'part of the total building that supports the loads and stops the building falling', which means that widow breakage should be covered by the lessees. It is considered that it would be in the interest of lessees to have glass insurance.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That Clause 3.15 (b) of the lease agreement between the Shire of Plantagenet and the Plantagenet Arts Council, for the Arts Centre (Mitchell House) remain in place.

CARRIED (7/0)

NO. 265/17

9.5.3 MUNICIPAL ASSOCIATION OF VICTORIA - REBOOTING DEMOCRACY TOUR - COUNCILLOR ATTENDANCE

File Ref: N43401
Attachment: [Event Flyer](#)
Responsible Officer: John Fathers
Acting Chief Executive Officer
Author: Cobie MacLean
Acting Executive Secretary
Proposed Meeting Date: 7 November 2017

PURPOSE

The purpose of this report is to seek interest in the attendance of one Councillor at the Municipal Association of Victoria and Bank of Ideas 'Rebooting Democracy National Tour' to be held in Perth on 27 November 2017.

BACKGROUND

Cormac Russell, author, social explorer and Director of Asset-Based Community Development in Europe and USA, brings experience of working at all levels of local government in 35 countries over the last 21 years, to the question of how can we reboot democracy?.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

Registration is \$275.00 (inc GST). Accommodation and meals for one night would be approximately \$250.00.

POLICY IMPLICATIONS

Council Policy CE/CS/1 – 'Elected Member Expenses to be Reimbursed' applies.

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

The preamble for this event includes:

'Today, the most pressing challenge facing government is to reverse the trend of the last 50 years which has turned active citizens into satisfied or dissatisfied

customers/clients/tax payers, and to address the historically low trust people have in government and other institutions.

Reversing these trends towards people acting as citizens in a democracy and the primary producers of a sustainable future, is at the heart of the democratic challenge. While this is a perennial task, the urgency of rebooting local government could not be greater.'

This event has been identified as one which may be worthwhile for councillor attendance. Positive feedback has been received from previous attendees of MAV summits.

Information from the event may assist the Council in determining its appetite to potentially initiate external committees that can include local 'champions' to drive services and service levels that may not include Council management.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. Cr... be authorised to attend the Municipal Association of Victoria and Bank of Ideas 'Rebooting Democracy National Tour' to be held in Perth on 27 November 2017.
2. All costs relating to registration, travel and accommodation be charged to budget item 20026.0029.
3. A report on the conference be submitted for inclusion in the Councillors' Bulletin no later than the Council meeting to be held in January 2018.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 DIFFERENTIAL RATE IN THE SHIRE OF PLANTAGENET (ITEM WITHDRAWN)****10.2 LOWER GREAT SOUTHERN ECONOMIC ALLIANCE – LOCAL TOURISM ORGANISATION**

Cr J Moir previously gave notice of his intention to move the following motion pursuant to Clause 3.7 of Standing Orders:

Moved Cr J Moir, seconded Cr J Oldfield:

‘The Shire of Plantagenet is very supporting of the Great Southern Economic Alliance and the formation of a Local Tourism Organisation (LTO) to represent the tourism stakeholders in the Alliance Region. It is the position of the Shire of Plantagenet that the LTO will be fully funded by the Tourism Industry and not reliant on funding from Local Government.’

LOST (2/5)

COUNCILLOR COMMENT

The tourism industry should not expect recurring financial support from local government. The industry has reached a level of maturity such that industry participants and other stakeholders should be in a position to fund their activities fully.

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

Moved Cr S Etherington, seconded Cr J Oldfield:

That new business of an urgent nature, namely:

WA Local Government Association Training Opportunities – Councillor Attendance,

be introduced to the meeting.

CARRIED (7/0)

NO. 266/17

11.1 WA LOCAL GOVERNMENT ASSOCIATION TRAINING OPPORTUNITIES - COUNCILLOR ATTENDANCE

File Ref: N43419
Responsible Officer: John Fathers
Acting Chief Executive Officer
Author: Cobie MacLean
Acting Executive Secretary
Proposed Meeting Date: 7 November 2017

PURPOSE

The purpose of this report is to recommend Councillors' attendance at two WA Local Government Association (WALGA) Training Sessions being held in Albany on 10 November 2017.

BACKGROUND

WALGA has sent an invitation to all Councillors to attend a series of four workshops. The topics for the sessions are:

- Serving on Council (9 November 2017 - Albany);
- Meeting procedures and debating (10 November 2017 - Albany);
- Understanding Financial Budgets and Reports (22 March 2018 - Katanning);
- Effective Community Leadership (23 March 2018 - Katanning).

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

The four WALGA sessions being held in Albany will cost \$515.00 (inc GST) per person per session. The total of these sessions will be \$1,030.00 based on the number of Councillors registered for attendance. Travel costs will be incurred.

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

Councillors Oldfield and O’Dea have indicated their willingness to attend the WALGA Albany Session on meeting procedures and debating. Other Councillors may wish to advise of their intention to participate.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Lang:

That:

- 1. Cr J Oldfield and Cr M O’Dea be authorised to attend the WA Local Government Association training session ‘Meeting procedures and debating’ being held on 10 November 2017 in Albany.**
- 2. Expenses incurred by the above Councillors to attend these training opportunities be charged to Budget Item ‘Members of Council – Councillor Conferences Training and Accommodation’.**

CARRIED (7/0)

NO. 267/17

12 CONFIDENTIAL**12.1 CORPORATE SERVICES REPORTS****12.1.1 WRITE OFF - OUTSTANDING RATES – MINING TENEMENT E70/3660**

File Ref: N42441
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Leanne Briggs
Rates Officer
Proposed Meeting Date: 7 November 2017

PURPOSE

The purpose of this report is to seek approval for outstanding rates relating to Mining Tenement E70/3660 to be written off.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr S Etherington, seconded Cr M O'Dea:

4:18pm That the meeting be closed to members of the public pursuant to Section 5.23 (2) (e) (iii) of the Local Government Act 1995 information about the business, professional, commercial or financial affairs of a person, which relates to a matter to be discussed at the meeting.

CARRIED (7/0)

NO. 268/17

MOTION TO PROCEED IN PUBLIC

Moved Cr S Etherington, seconded Cr J Moir:

4:19pm That the meeting proceed in public.

CARRIED (7/0)

NO. 269/17

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That the rates and charges outstanding on Rates Assessment 403253 relating to Mining Tenement E70/3660, totalling \$2,280.92 be written off.

CARRIED (7/0)

NO. 270/17

13 CLOSURE OF MEETING

4:20pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____/____/____