



ORDINARY MINUTES

DATE: Tuesday, 4 December 2018

TIME: 4:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers 268/18 to 294/18

MEMBERSHIP – Quorum (5)

Members:

Cr C Pavlovich Shire President
Cr B Bell
Cr K Clements
Cr S Etherington JP
Cr L Handasyde
Cr B Lang
Cr J Moir
Cr M O'Dea
Cr J Oldfield Deputy Shire President

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

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

4.00pm 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 B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr B Lang	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Deputy Shire President

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr David Lynch	Manager Works and Services
Ms Fiona Pengel	Manager Community Services
Mr Vincent Jenkins	Planning Officer
Ms Nolene Wake	Executive Officer

Guest

Mr Stewart Smith	Saleyards Manager
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Apologies:

Cr J Moir

Members of the Public Present:

There were three members of the public present.

Previously Approved Leave of Absence:

Nil

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

Cr C Pavlovich

Item: 9.1.2
Type: Closely Associated Person (Section 5.62 LGA)
Nature: Father part owner of adjoining property
Extent: N/A

Cr B Lang

Item: 12.1.2
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Owner of cattle
Extent: N/A

Cr J Oldfield

Item: 12.1.2

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

Nature: One of the tenderers has proposed to use a tenant of myself to provide sub-contract works.

Extent: N/A

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

Moved Cr B Lang, seconded Cr M O'Dea:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 6 November 2018 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 268/18

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed his Attendance Register.

The Shire President acknowledged receipt of a card of thanks to the Council for support of the 2018 Wine Show of WA.

A formal presentation was made to staff member Mr Stewart Smith in recognition of 10 years of dedicated service to the Shire.

Mr Peter Biggers was also formally recognised for his 32 years of loyal service to the Shire but was not present to receive his Certificate.

Mr Stewart Smith responded to Councillors and staff with thanks for the support extended to him in his time with the Shire.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 502 ALBANY HIGHWAY, NARRIKUP - BED AND BREAKFAST

File Ref:	N47036
Attachments:	Location Plan Site Plan Floor Plan
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Vincent Jenkins Acting Manager Development Services
Proposed Meeting Date:	4 December 2018
Applicants:	Ivan and Sharon Chapman

PURPOSE

The purpose of this report is to consider an application for bed and breakfast accommodation at Lot 502 Albany Highway, Narrikup.

BACKGROUND

Council records show the registered owners of the properties are I and S Chapman.

The Council on 20 March 2002 issued a building permit for the construction of a house at Lot 502 Albany Highway, Narrikup. The house construction was completed later that year.

On 1 October 2018, the Council received an application for development approval (DA) for bed and breakfast accommodation at Lot 502 Albany Highway. The DA included supporting information in the form of a Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) prepared by a Level 2 accredited Bushfire Planning and Design practitioner. The DA application however was incomplete.

The Council on 16 October 2018 received additional supporting information and the proposal was advertised for a period of 42 days closing on 29 November 2018.

STATUTORY ENVIRONMENT

Planning and Development Act 2005.

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

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

Clause 5.2 of TPS3 provides the Council with the ability to vary development standards for development other than residential development. That power may only be exercised by the Council if it is satisfied that:

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirement or standard will not be departed thereby.'*

Schedule 1, Interpretations state:

'bed and breakfast: - means the use of a maximum of 2 bedrooms of a single house to accommodate up to six (6) persons away from their normal place of residence on a short-term commercial basis and may include the provision of breakfast'

Bed and Breakfast is a discretionary 'SA' use under TPS3. This means the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015.

Fire and Emergency Services Act 1998 (as amended) – the FES Commissioner identifies and designates bushfire prone areas. Such areas are identified on the Map of Bush Fire Prone Areas. Designation of an area as being bushfire prone reflects the potential for bushfire to affect that site. The designation acts as a mechanism for initiating further assessment in the planning and building processes. The Bushfire Prone Area Mapping (SLIP 2018) show that the existing approved family residence at Lot 502 Albany Highway, Narrikup is located within a designated Bushfire Prone Area.

Western Australian Planning Commission (WAPC) State Planning Policy 3.7 (Planning in Bushfire Prone Areas) (SPP3.7) - Policy measure 6.6 of SPP 3.7 applies to vulnerable and high-risk land uses. A tourism venture is defined under SPP 3.7 as a 'Vulnerable Land Use'. SPP 3.7 requires assessment of vulnerable land uses against the bushfire protection criteria as well as the creation of a BMP report which also includes an emergency evacuation plan. The intent of this policy is to recognise that such sites require special consideration when located in a Bushfire Prone Area.

The Guidelines for Planning in Bushfire Prone Areas Version 1.3 December 2017 (Bushfire Guidelines 2017) state:

'Where a proposed use will be contained within an existing single residential development or ancillary dwelling or associated outbuilding, and at a scale consistent with that of a typical existing residential dwelling, there may be reason for these to be treated as 'minor development' (refer to the definition in SPP 3.7). These uses may include bed and breakfast, family day care or home business.'

The proposed bed and breakfast use conforms to the definition for 'minor development' set in SPP3.7 and the Bushfire Guidelines 2017.

EXTERNAL CONSULTATION

In accordance with Delegation 7.1 the proposal was advertised for public comment for the minimum 14 day period ending on 8 November 2018. Advertising included letters to four adjoining and nearby landowners and notices were placed in the Plantagenet News, Albany Advertiser and the Council's notice board and a sign placed on site.

Further advertising included a letter to Main Roads WA (MRWA) for comment and recommendations for the minimum 42 day period ending on 29 November 2018.

The 14 day and 42 day periods are set by the Planning and Development (Local Planning Schemes) Regulations 2015.

At the time of finalising this report, MRWA had not responded and no adverse comments were received from adjoining or nearby neighbours.

FINANCIAL IMPLICATIONS

The development application fee of \$147.00 and a bond of \$500.00 for advertising costs have been paid.

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 2016-2027 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

The subject land is located approximately 5.6km south of Narrikup Village on Albany Highway. Lot 502 is approximately 52ha in area and is currently used for pasture.

The proposal involves the use of two of the four bedrooms in the existing house for bed and breakfast accommodation. Each guest bedroom has access to ensuite

bathroom facilities. The proposal also involves the provision of breakfast meals for guests.

The proposed bed and breakfast accommodation business will be operated by the landowners meaning there will be onsite supervision at the premises when the short stay accommodation is in operation.

Pursuant to SPP3.7 and the Bushfire Guidelines 2017 the proponents engaged Bio Diverse Solutions to prepare a BMP including a BEEP for Lot 502 Albany Highway. Bio Diverse Solutions is a suitably accredited Bushfire Planning and Design practitioner to prepare a BMP including a BEEP.

For the bed and breakfast proposal to conform with the Bushfire Guidelines 2017 and SPP3.7 the following recommendations were included in the Bushfire Management Plan and Bushfire Emergency Evacuation Plan for Lot 502 Albany Highway, Narrikup and these will need to be implemented at the application site:

- All vegetation (within the property is to be maintained in accordance with the Standards for Asset Protection Zones (Schedule 1 Guidelines for Planning in Bushfire Prone Areas V1.3) prior to the bed and breakfast being operated;
- Hard wired smoke detectors shall be installed (as per class 1a the Building Code Australia Requirements) prior to the bed and breakfast being operated;
- A 4kg chemical Fire Extinguisher shall be provided prior to the bed and breakfast being operated;
- External water (fire) hoses being capable of applying water safely onto each part of the building shall be provided prior to the bed and breakfast being operated;
- The inside face of all external doors shall display the Evacuation Diagram prior to the bed and breakfast being operated;
- All gutters and roof valleys to be maintained free of debris at all times;
- Fire screens (steel mesh maximum aperture 2mm) shall be provided to opening window sections (in accordance with section 5.5 AS 3959-2009) prior to the bed and breakfast being operated; and
- Ensure the Bushfire Emergency Evacuation Plan is implemented during bushfire season from November to April. An annual review of the Bushfire Emergency Evacuation Plan is recommended every year prior to the bushfire season to ensure any protocols from Emergency Services have not changed.

The Bushfire Management Plan and Bushfire Emergency Evacuation Plan for Lot 502 Albany Highway, Narrikup further requires the landowners to acknowledge the following;

- Any materials touching or near the building, if they ignite will expose the building to flame contact, compromising the BAL-12.5 rating and increasing the risk of ignition;
- The commitment to undertake seasonal works as described in the Bushfire Emergency Evacuation Plan;
- That bushfire protection is their responsibility and that assistance from emergency services in a bushfire event should not be relied upon; and

- That external building material can perish or distort over time or be damaged which may provide a point of vulnerability for bushfire attack. The landowners should undertake an inspection of the building's external surfaces prior to each fire season to eliminate any external visible gaps greater than 2mm.

No substantial increase of vehicular traffic is anticipated. The proposed use is not likely to affect the landscape, rural character or amenity of the area and the use is not expected to prejudice or displace viable agricultural land or production. The proposal is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr M O'Dea:

That in accordance with clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, development approval be granted for bed and breakfast accommodation at Lot 502 Albany Highway, Narrikup subject to:

- 1. Development being in accordance with the plans dated 1 and 16 October 2018 and the Bushfire Management Plan and Bushfire Evacuation Plan dated 13 September 2018.**
- 2. A maximum of four adults or one family being accommodated as guests at any one time.**
- 3. No guests shall occupy the short stay accommodation for a period exceeding two months (in aggregate) in any one calendar year.**
- 4. A Building Permit being issued for reclassification of the dwelling from a Class 1a to a Class 1b building prior to the bed and breakfast accommodation being operated.**

Advice Notes:

- 1. In addition to complying with fire mitigation requirements, it is the land owner who is ultimately responsible for the protection of the property.**
- 2. The proponents are to advise visitors that this site is in a Rural area and as such may be subject to rural activities in the locality.**
- 3. Smoke detectors and evacuation lighting will need to be installed in accordance with the Building Code of Australia.**
- 4. Kitchen facilities used for the preparation of breakfast meals will need to be registered in accordance with the Food Act, 2008 and Australian New Zealand Food Standard Code.**

CARRIED (8/0)

NO. 269/18

**9.1.2 RESERVE 1790 AND LOT 81 MCDONALD AVENUE MOUNT BARKER -
WATER RETICULATION AND POWER CONNECTION WORKS**Cr C Pavlovich

Item: 9.1.2
Type: Closely Associated Person (Section 5.62 LGA)
Nature: Father part owner of adjoining property
Extent: N/A

4.12pm Cr C Pavlovich withdrew from the meeting and
Cr J Oldfield assumed the Chair.

File Ref: N46999
Attachments: [MBTC Option](#)
[Option - 6 November 2018](#)
[Alternative Recommendation](#)
[Preferred Option](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Vincent Jenkins
Acting Manager Development Services
Proposed Meeting Date: 4 December 2018
Applicant: Mount Barker Turf Club Inc.

PURPOSE

The purpose of this report is for the Council to consider support for water reticulation and power connection works for the Mount Barker Turf Club Inc (MBTC) at Reserve 1790 (Frost Park) and Lot 81 McDonald Avenue, Mount Barker.

BACKGROUND

Reserve 1790 is vested with the Shire of Plantagenet for the purpose of 'Recreation'. Lot 81 McDonald Avenue, Mount Barker is owned in fee simple by the Shire of Plantagenet.

At its meeting held on 13 October 2009, the Council endorsed the Frost and Sounness Parks – Precinct Development Plan. This plan identified Lot 81 as a future equestrian training track.

At that time, there was a lease in place with Integrated Tree Cropping Limited for an established tree farm. The trees were harvested in December 2010 and the lease was then terminated.

At its meeting held on 8 February 2011, the Council approved a proposal by the MBTC to construct a horse stable complex on the property, subject to a number of conditions. It was indicated that the stables would be used by race horse trainers wishing to locate to the Great Southern region for the summer racing season. A licence was entered into for that use.

In 2015, the MBTC was permitted to enlarge an existing dam on Lot 81 to enhance the water supply to the Frost Park race course, for which it received a grant from the Great Southern Development Commission. The MBTC also installed the equine training track on that lot.

At its meeting held on 14 August 2018 the Council resolved:

'That:

- 1. Authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the lease agreement between the Shire of Plantagenet and the Mount Barker Turf Club Incorporated for Lot 81 McDonald Avenue, Mount Barker, for the purpose of an equine training track; and*
- 2. For the purposes of interpreting Council Policy A/PA/14 'Sporting and Community Organisations using Council and Vested Land – Rateability', a 50% waiver of annual levied land rates shall apply.'*

The Council is currently in the process of negotiating with the MBTC a licence agreement for use of the Frost Park race track, track tower, stables, Skinner Pavilion, tote room and the sea container cool room, all situated on Reserve 1790.

The MBTC on 10 October 2018 submitted an application to carry out water reticulation and power connection works at Lot 81 McDonald Avenue and Frost Park. The purpose for the proposed works is to irrigate water from the MBTC dam at Lot 81 to the existing race track reticulation at Frost Park.

At its meeting held on 6 November 2018 the following motion was formally adjourned:

'That water reticulation and power connection works for the Mount Barker Turf Club Inc at Reserve 1790 Frost Park and Lot 81 McDonald Avenue, Mount Barker be supported subject to:

- 1. Lower output water pump being installed on the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker.*
- 2. Water reticulation network being connected from the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker to the Frost Park dam at Reserve 1790.*
- 3. Water reticulation network being connected from the Frost Park dam to the race track reticulation at Reserve 1790.*
- 4. Water flow meter being installed between the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker to the Frost Park dam at Reserve 1790.*
- 5. Lower output water pump being installed at the Frost Park dam at Reserve 1790.*
- 6. Water flow meter being installed between the Frost Park dam and the race track reticulation at Reserve 1790.*

7. *Power sub-meter being installed to record the power usage of the pump located at the Mount Barker race track Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker.*
8. *Power sub-meter being installed to record the power usage of the Mount Barker Turf Club Inc pump at Frost Park dam at Reserve 1790.'*

This motion needs to be dealt with: carried/defeated/amended formally pursuant to Standing Orders.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Reserve 1790 is zoned Local Scheme Reserve (Recreation) and Lot 81 is zoned Rural. An Application for Development Approval is not required in this instance.

Section 3.58 of the Local Government Act 1995 relates to the disposition of property. In that Section dispose includes to sell, lease or otherwise dispose of whether absolutely or not.

FINANCIAL IMPLICATIONS

Think Water Albany will carry out the water connection works and Mount Barker Electrics will carry out the power connection works on behalf of the MBTC for the MBTC proposal at no cost to the Council.

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 2017-2026 provides at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community the following Strategy:

Strategy 1.5.4:

'Promote the development of Frost Park as a major equine centre in the Great Southern Region'

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 1.5.4.1:

'Work in conjunction with the Mount Barker Turf Club and Frost Park User Group to prepare a capital development plan and explore potential management / lease option.'

OFFICER COMMENT

The MBTC water reticulation and power connection works proposal is twofold: the first is water irrigation from the MBTC dam at Lot 81 to the current race track reticulation at Frost Park. The second is water irrigation from the Council's dam at Frost Park dam to the current race track reticulation.

Part one involves race track irrigation from the MBTC dam at Lot 81 with the MBTC installing a new 11kw variable speed irrigation pump mounted on a pontoon. Water irrigation from the dam further comprises using a poly feeder pipe, which would be connected to the existing race track reticulation system. Power provision to the MBTC irrigation pump at Lot 81 would include connection to the existing external power supply box located next to the race track, which is approximately 33m north of the Exhibition Hall/Children Pavilion building. The first works proposal means the MBTC would provide the irrigation pump, poly water pipe and power cable connection. The Council would provide unmetered and unsecured power for the irrigation pump.

Part two involves irrigation from the Council's dam at Frost Park to the current race track reticulation. The Council would provide the following:

- Unmetered water until this resource is exhausted;
- Unmetered power;
- Current irrigation pump;
- Current poly water pipe reticulation; and
- Maintenance of the power supply, irrigation pump and poly water pipe reticulation.

The MBTC would provide the new irrigation controller at the Council's pump shed to manage its water irrigation to the race track.

The Manager Works and Services engaged Mount Barker Electrics to undertake a power supply survey to ensure the existing power supply can cope with the demand of the MBTC irrigation pump leading up to and on race day.

Mount Barker Electrics advises that a race horse event at Frost Park now uses approximately 60% of the facility's power capacity which includes the use of the sea container cool room and the male and female jockey hot water systems. The installation of an 11kw pump would result in the Frost Park complex operating at full power capacity on race day. A risk is associated with operating at full capacity, potentially overloading the power supply, which would result in a power failure.

The MBTC President has advised that the club intend to only irrigate between the hours of 12:00 midnight and 04:00 to reduce the risk of power failures on a race day. However, multiple users such as other user groups and food vendors will have access to the outdoor power outlet box. This means secure management of the outdoor power outlet box is not possible, which risks an inadvertent overload and a power failure.

In summary, parts one and two of the MBTC water reticulation and power connection proposal consist of individual and shared infrastructure, resource and cost liabilities and potential failure.

An alternative approach would be for the Council and the MBTC to establish independent equipment and water reticulation networks, simplifying management and maintenance matters. In addition, power sub-meters and water flow meters could be installed at appropriate locations to record power and water usages for cost recovery purposes.

At the Ordinary Council Meeting on 6 November 2018, an alternative recommendation was prepared and circulated. That recommendation (prepared by Cr Handasyde) is attached. A motion to adjourn the question for consideration at an information sharing session to be held on 4 December 2018 was carried.

In response to issues raised during debate of the matter, the opportunity arose to re-evaluate both above options and propose a compromise solution.

It is now suggested that the MBTC only undertake part one of its water reticulation and power connection works at Lot 81 McDonald Avenue subject to the installation of the following independent equipment and infrastructure:

- Irrigation pump on the MBTC dam at Lot 81;
- Independent water reticulation network to connect the MBTC dam to the race track reticulation;
- Independent irrigation controller at Lot 81 to manage the irrigation of the race track;
- Independent outdoor power outlet box for MBTC use only; and
- Electricity sub-meter located in the independent outdoor power outlet to record the electricity use of the irrigation pump at Lot 81.

This option would give the MBTC full autonomy over race track irrigation.

With this in mind, the Council may consider an amended officer recommendation as follows:

That water reticulation and power connection works for the Mount Barker Turf Club Inc at Reserve 1790 Frost Park and Lot 81 McDonald Avenue, Mount Barker be supported subject to:

1. The water main from the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker being the only supply to irrigate the race track.
 2. The water main from the dam at Reserve 1790 being capped to isolate the water supply from Reserve 1790 away from the race track.
 3. An independent irrigation controller being installed to manage the irrigation of the race track from the main originating from Lot 81 McDonald Avenue, Mount Barker.
 4. The current irrigation controller being for the sole use of the Council.
 5. An additional external power supply box being installed for the sole use of the Mount Barker Turf Club Inc.
 6. An electricity sub meter being installed in the new external power supply box and the box being secured against unauthorised use.
 7. The electricity sub meter being recorded on a monthly basis and the Council being reimbursed the costs of supplying the power.
-

8. All water reticulation and power connection works being carried out at no cost to the Council.

When these matters are finalised, a licence for Reserve 1790 between the Council and the MBTC can be concluded.

VOTING REQUIREMENTS

Simple Majority

As noted earlier in the report, the adjourned question still needs to be disposed of. This can be by either carrying the motion, defeating the motion, amending the motion or moving a procedural motion.

Should councillors prefer to consider the alternative officer recommendation as noted earlier, the best course of action would be to defeat the adjourned motion before the Chair. The Chair can then call for a further motion (foreshadowed) and it would be proper to accept such motion. An amendment would be very complex.

ADJOURNED QUESTION

That water reticulation and power connection works for the Mount Barker Turf Club Inc at Reserve 1790 Frost Park and Lot 81 McDonald Avenue, Mount Barker be supported subject to:

1. **Lower output water pump being installed on the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker.**
2. **Water reticulation network being connected from the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker to the Frost Park dam at Reserve 1790.**
3. **Water reticulation network being connected from the Frost Park dam to the race track reticulation at Reserve 1790.**
4. **Water flow meter being installed between the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker to the Frost Park dam at Reserve 1790.**
5. **Lower output water pump being installed at the Frost Park dam at Reserve 1790.**
6. **Water flow meter being installed between the Frost Park dam and the race track reticulation at Reserve 1790.**
7. **Power sub-meter being installed to record the power usage of the pump located at the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue, Mount Barker.**
8. **Power sub-meter being installed to record the power usage of the Mount Barker Turf Club Inc pump at Frost Park dam at Reserve 1790.**

LOST (0/7)

Crs J Oldfield, B Bell, K Clements, S Etherington, L Handasyde, B Lang and M O'Dea voted against the motion

FURTHER MOTION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Clements:

That water reticulation and power connection works for the Mount Barker Turf Club Inc at Reserve 1790 Frost Park and Lot 81 McDonald Avenue, Mount Barker be supported subject to:

1. The water main from the Mount Barker Turf Club Inc dam at Lot 81 McDonald Avenue Mount Barker being the only supply to irrigate the race track.
2. The water main from the dam at Reserve 1790 being tapped to isolate the water supply from Reserve 1790 away from the race track.
3. The existing irrigation controller to manage the irrigation of the race track from the water main originating from Lot 81 McDonald Avenue Mount Barker being relocated to the trackside switchboard.
4. An additional external power supply box being installed for the sole use of the Mount Barker Turf Club Inc.
5. An electricity sub meter being installed in the new external power supply box and the box being secured against unauthorised use.
6. The electricity sub meter being recorded on a monthly basis and the Council being reimbursed the cost of supplying the power.
7. All reticulation and power connection works being carried out at no cost to the Council.
8. The Mount Barker Turf Club Inc consider an independent power supply at Lot 81 McDonald Avenue, Mount Barker within 24 months of this installation to secure additional power to the site which is independent to the existing power supply at Reserve 1790.

CARRIED (7/0)

NO. 270/18

4.17pm Cr Pavlovich returned to the meeting and resumed the Chair.

9.2 WORKS AND SERVICES REPORTS

9.2.1 INFRASTRUCTURE BOND – NEW FEE

File Ref:	N47108
Responsible Officer:	David Lynch Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to recommend the adoption of a refundable bond payable to the Shire to repair any damage caused by a contractor/landowner during periods of building and demolition.

BACKGROUND

The Shire of Plantagenet has experienced damage to its roads, footpaths, verges and kerbs during periods of building and demolition.

Currently, Works and Services staff make good the damage caused by contractors which include repairs to road surfaces, broken and chipped kerbs, cracked footpaths and replacement of soil on verges.

At present, the Shire has no mechanism to ensure repairs are carried out by contractors and the only recourse is to persist with requests until the work is completed.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.16 to 6.19 determines the procedure for setting fees and charges.

Note - An absolute majority vote is required.

Local Government (Uniform Local Provisions) Regulations 1996, Section 17 – ‘Private works on, over, or under public places’ states as follows:

- (5) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following –*
- (a) a condition imposing a charge for any damage to the public thoroughfare or public place resulting from the construction;*
 - (b) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the construction, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the application.’*

Shire of Plantagenet Activities in Thoroughfares and Public Places Local Law 2008, Section 2.2 – ‘Activities allowed with a permit – general’; and Section 2.4 – ‘Permit required’

The new fee will need to be advertised for a minimum period of seven days in accordance with the definition of ‘Local Public Notice’ at Section 1.7 of the Local Government Act 1995.

EXTERNAL CONSULTATION

Consultation has taken place with the Shire of Northam and City of Albany and Claremont respectively.

FINANCIAL IMPLICATIONS

The new fee would be set according to the value of works being carried out.

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 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following:

Strategy 2.4.1:

‘Maintain and further develop roads and pathways at appropriate standards.’

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.1.6:

‘Construct and maintain Shire roads and associated infrastructure to the standard adopted by the Council and in accordance with requirements of State agencies.’

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

OFFICER COMMENT

Recent issues with Council infrastructure caused by contractor damage have reinforced that a refundable bond needs to be established to be paid when an application is made to the Shire for a building or demolition permit. The bond would cover any damage to the Shire of Plantagenet property in the verge area such as the kerb, footpath and road pavement in front of the property.

It is recommended the charge be included as part of the building permit application process for work within the townsites of Mount Barker, Kendenup, Narrikup and Rocky Gully and be based on the value of the project (residential and commercial) as follows:

> \$20,000.00	\$1,000.00
> \$250,000.00	\$1,500.00

Councillors should note that the adoption of the Infrastructure Bond will involve the establishment of a new procedure to process forms associated with the acceptance and refund of the fee. It is expected that Shire staff will be required to inspect a site before and after works have taken place to ensure it is left in a satisfactory condition and any property that is damaged is made good.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr B Lang:

That:

1. A new fee for a refundable Infrastructure Bond of \$1,000.00 for building works valued at \$20,000.00 or greater and \$1,500.00 for building work valued at \$250,000.00 or greater be introduced effective from 1 February 2019.
2. The amendment to the Council's schedule of fees and charges be advertised in accordance with the provisions of Section 6.19 of the Local Government Act 1995.

AMENDMENT

Moved Cr L Handasyde, seconded Cr S Etherington:

That a part 3 be added to the motion as follows:

'The new fee shall apply to rural residential areas and the town sites of Mount Barker, Kendenup, Narrikup and Rocky Gully.'

CARRIED (8/0)

NO. 271/18

COUNCIL DECISION

That:

1. A new fee for a refundable Infrastructure Bond of \$1,000.00 for building works valued at \$20,000.00 or greater and \$1,500.00 for building work valued at \$250,000.00 or greater be introduced effective from 1 February 2019.
2. The amendment to the Council's schedule of fees and charges be advertised in accordance with the provisions of Section 6.19 of the Local Government Act 1995.
3. The new fee shall apply to rural residential areas and the town sites of Mount Barker, Kendenup, Narrikup and Rocky Gully.

CARRIED (8/0)

NO. 272/18

Absolute Majority

9.2.2 POLICY REVIEW - RURAL ROAD VERGE VEGETATION MANAGEMENT

File Ref:	N47109
Attachments:	Policy with Changes
Responsible Officer:	David Lynch Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to Review Council Policy No I/RR/2 – Rural Road Verge Vegetation Management,

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 6 December 2016.

STATUTORY ENVIRONMENT

Environmental Protection Act 1986

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

Local Government Act 1995

Shire of Plantagenet Local Government Property Local Law 2008

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 2017-2026 provides at Outcome 2.7 (Protection of natural environment) the following:

Strategy 2.7.1:

‘Provide effective environmental management and maintenance of the Council’s land and reserves’.

And further at Strategy 2.7.3:

‘Reduce the incursion of weeds on Council controlled roads and reserves’.

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

The Shire of Plantagenet Corporate Business Plan 2016/2017–2020/2021 includes Action 2.7.1.1:

'Maintain the Council's land and reserves in accordance with the requirements of the relevant legislation'.

And further at Action 2.7.1.9:

'Ensure that drainage and road design does not adversely impact on the natural environment'.

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

OFFICER COMMENT

This is the policy's second review since its adoption by the Council at its meeting of 19 August 2014.

The intent of the policy remains the same and should be retained.

Changes have been made to the layout of the document to improve clarity and flow, to ensure it reads well and to reflect recent changes in state government department names and cross references to Council policies.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr M O'Dea:

That the amended Council Policy I/RR/2 Rural Road Verge Vegetation Management as follows:

OBJECTIVE

To provide guidelines for the construction and maintenance of rural roads while acknowledging the importance of the protection and conservation of native vegetation contained within rural road verges under the care, control and management of the Shire of Plantagenet.

POLICY

1. Scope

This policy applies to road verges located in a dedicated road reserve within the Shire.

Although conservation of roadside vegetation is an objective of this policy, road safety and road asset protection is the principal consideration.

2. Legislation

Environmental Protection Act 1986

Environmental Protection (Clearing of Native Vegetation) Regulations 2004

This legislation is relevant to the Shire, setting limitations for road infrastructure works, and landowners who wish to undertake work in road reserves.

Local Government Act 1995**Shire of Plantagenet Local Government Property Local Law 2008****3. Definitions****Designated Maintenance Corridor**

Environmental Protection legislation, in particular Regulation 5, Item 22 – ‘Clearing for maintenance in existing transport corridors’ of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004, provides that local government can carry out activities to maintain and protect the integrity of road infrastructure within the designated ‘maintenance corridor’ as shown in Diagram 1.



Diagram 1 Designated Maintenance Corridor

4. Application of Policy**4.1 Road Construction Operations**

All works shall be planned to ensure that there is no damage to any vegetation outside the limits of the designated maintenance corridor. Where necessary, the Shire will make application for the appropriate clearing permits from the Department of Water and Environment Regulation (DWER) prior to undertaking any road construction. If required as conditions of the permit, special considerations for declared or threatened flora and/or fauna will be made during works.

Rural road widening is to be carried out according to the requirements of the Council and will take into consideration the preservation of roadside vegetation wherever possible by clearing only one side of the road.

4.2. Road Maintenance Operations

The Shire’s road maintenance program includes grading, slashing, herbicide application, pruning, drain cleaning, drainage improvements, bitumen resealing, bitumen shoulder grading and gravel re-sheeting. Road maintenance activities will be contained within the ‘maintenance corridor’, which comprises the running surface, shoulder, table drain and batter to the top of the backslope.

When major weed control works are to be undertaken, including areas outside the ‘maintenance corridor’, consultation may occur with the Department of Biodiversity, Conservation and Attractions (DBCA), DWER and local catchment management groups.

As part of the Shire's annual road program, unsealed shoulders subject to significant traffic will require periodic grading and gravel re-sheeting. During this process all grasses and vegetation will be removed and disposed of offsite prior to operation.

Some maintenance grading requires occasional clearing of vegetation to accommodate the machine and ensure road safety, however, where possible, this will be minimised.

Drains are usually mechanically cleared and maintained using a grader, and/or slashed if covered with grass. Drains inaccessible to mechanical equipment may require maintenance with hand tools or approved herbicides. In the cases where these practices will not provide for an acceptable level of drainage the use of excavation equipment may be used.

The Council will take all care not to damage any portion of the rural road reserve from the backslope to the fenceline, however, the Council does not accept any responsibility for any loss or damage to vegetation or areas of the road reserve that may occur due to road maintenance or construction activities.

4.3 Removal of Dangerous Vegetation

Occasionally it is necessary to remove a dangerous tree/vegetation that pose/s an imminent threat to public safety, such as impeding sight along the roadway or a tree that has been subject to storm damage and is threatening to fall over a fenceline or a roadway. Following inspection by a Shire Officer, tree removal will be in accordance with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

4.4. Services and Utilities

Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. Under the Utility Providers Code of Practice for Western Australia, utility providers are to liaise with the Shire of Plantagenet regarding the positioning of services and the reinstatement and rehabilitation of disturbed areas. Alignment of services is to be encouraged to minimise impact on roadside vegetation where possible. However, if removal of vegetation is required, it is the responsibility of the service providers to obtain a valid clearing permit from DWER.

All materials are to be removed from the road verge by the utility providers on the completion of works. All trenches, if relevant, are to be backfilled, adequately compacted and trimmed to ensure they are safe. All works are to be in accordance with Council Policy I/R/12 – Notice of Entry for Public Services and Utilities.

4.5. Flora Roads

Gazetted Flora Roads within the Shire of Plantagenet currently include Millinup Road, Woogenellup North Road, Mira Flores Avenue and Reynolds Road. These roads shall be managed to minimise any disturbance to the roadside flora, consistent with the provision of a safe and efficient roadway.

4.6. Unauthorised Clearing and/or Activities within Rural Road Reserves

Clearing of a rural road verge or unmade road reserve without the relevant permits is prohibited. Penalties may also apply in accordance with the Environmental Protection legislation.

No works shall be undertaken in rural road reserves without written approval from the Shire of Plantagenet. This includes planting (including native species), drainage work, fencing, spraying, burning off, clearing vegetation or seed collection.

4.7. Landowner Maintenance of Rural Road Verges

4.7.1 Application Process and Approvals

Landowners may apply, in writing, to the Shire of Plantagenet to maintain the rural road verge immediately adjacent to their property boundary. An application fee may be applicable.

Maintenance activities may include vegetation protection or weed removal but do not include any additions or developments such as drainage works or construction of any type. Planting within road verges may be considered, however, approval will only be given to native / local species that enhance the biodiversity of the road verge area.

Landowners need to be aware when applying for approval that their application may be refused if the Shire is required to carry out maintenance activities to maintain the integrity of the road infrastructure.

Landowners must also comply with the Environmental Protection legislation (refer to point 2 - Legislation) if planning to undertake any work in a rural road verge.

4.7.2 Fenceline Clearing or Removal of Trees Over Fencelines/Boundaries

Clearing may be approved along, but no more than 1.5 metres from, a fenceline to provide access to construct or maintain a boundary fence under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Landowners wishing to remove vegetation from road verges to allow them to construct or maintain an existing boundary fence should apply in writing to the Shire of Plantagenet for approval.

Policy I/RR/5 – Rural Road Reserve Vegetation Management – Trees Across Fences and Boundaries provides guidelines for property owners that have been affected by a tree or branch from rural road reserves, falling into their property.

4.7.3 Seed Collection from Road Verges

Landowners wishing to collect seed from native vegetation in road verges should refer to Council Policy NRM-C-2 – Native Flora Collection. A permit for seed collection may also be required from the DBCA. It is the responsibility of the landowner to check they have the relevant approvals in place.

5. Annual Spraying Program

The Shire's annual spraying program is conducted within town sites and on particular rural road verges to reduce the amount of flammable material whilst targeting weeds. Residents requesting that the rural road verge adjacent to their property not be sprayed as part of this program must apply to the Shire of Plantagenet, in writing, for the verge to be placed on the 'Do Not Spray' register.

If approved, the area of verge not to be sprayed as a part of the annual spray program will be marked with blue 'hockey stick' style markers and the verge will be placed on the Shire's 'Do Not Spray' register. Landowners should note that the drains to the top of the backslope will be sprayed if considered necessary to maintain the integrity of the drainage system.

6. Fire Hazard

The Shire of Plantagenet conducts an annual spraying program both within town sites and rural road verges to reduce the amount of flammable material whilst targeting weeds

As the budget for spraying is limited, landowners are encouraged to apply to the Shire under Policy I/R/15 – Road Verge Burning. This policy provides guidelines for landowners wishing to further reduce the fire risk on rural road verges adjacent to their property.'

be endorsed.

CARRIED (8/0)

NO. 273/18

9.3 COMMUNITY SERVICES REPORTS

9.3.1 POLICY REVIEW - BALL SPORTS AND EQUINE ACTIVITIES – SOUNNESS AND FROST PARKS

File Ref:	N47100
Responsible Officer:	Fiona Pengel Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to review Council Policy CS/SC/3 – Ball Sports and Equine Activities – Sounness and Frost Parks and recommend that the policy be endorsed.

BACKGROUND

In 2008 the Shire of Plantagenet's Strategic Sport and Recreation Needs Analysis was compiled. In 2009 the Council adopted Sport and Recreation Precinct Development Plans for Frost and Sounness Parks and further in 2013 the Sounness Park Community Recreation Development Needs Analysis was completed.

These investigations and precinct plans assisted the direction of the Council with regard to the Sounness Park Redevelopment Project.

Pertinent to the policy is the following decision of the Council at its meeting held on 9 October 2018:

'That:

- 1. The synthetic wicket at Frost Park remain in place for the next two cricket seasons (2018/2019 and 2019/2020).*
- 2. The playing surface continue to be maintained to the same level as the rest of the Frost Park playing surfaces.*
- 3. The Mount Barker Cricket Club be advised of this decision and of the maintenance standard employed for this playing surface.*
- 4. Funding for a second cricket field, to be located at the Mount Barker Community College, be pursued.*
- 5. This decision be reviewed prior to the Council Meeting in October of 2020, or after a cricket wicket is installed at the Mount Barker Community College, whichever comes first.'*

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

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 2017-2026 provides at Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:

Strategy1.5.2:

'Promote the development of Frost Park as a major equine centre in the Great Southern Region.'

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

OFFICER COMMENT

It is considered that this policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Bell:

That Council Policy CS/SC/3 – Ball Sports and Equine Activities – Sounness and Frost Parks.

OBJECTIVE

To demonstrate the Council's intent and direction with regard to the usage of ovals/parks for ball sports and equine activities in Mount Barker.

POLICY

The Council will regard the primary activity at:

- 1. Sounness Park as ball sports, including but not limited to, cricket, football, soccer and hockey.**
- 2. Frost Park as equine, including but not limited to, horse racing, campdrafting and riding for the disabled.'**

be endorsed.

CARRIED (8/0)

NO. 274/18

9.3.2 POLICY REVIEW - LOWOOD ROAD PROMOTION BANNERS

File Ref:	N47098
Responsible Officer:	Fiona Pengel Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to review Council Policy RS/BTRC/1 – Lowood Road Promotion Banners and recommend that this policy be endorsed.

BACKGROUND

The policy provides clear guidelines for the display of promotion banners along Lowood Road on the designated banner poles.

The policy was adopted in November 2006 and last reviewed in October 2016.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

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 2017-2026 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategies:

Strategy 1.8.4:

‘Support festivals, events and activities that strengthen our sense of identity and celebrate our history, heritage and diverse cultures’.

and

Strategy 1.8.5:

‘Encourage the holding of national and state events in the District’.

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

OFFICER COMMENT

The Promotion Banners Policy is used to manage the display of community banners such as the Grapes and Gallops banners, Taste Great Southern banners and the Mount Barker Wine Producers Association banners.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Lang:

That Council Policy RS/BTRC/1 – Lowood Road Promotion Banners, as follows:

OBJECTIVE

The objective of this Policy is to provide clear guidelines for the display of promotion banners along Lowood Road on the designated banner poles.

POLICY

The Council will permit the display of promotion banners on the designated banner poles along Lowood Road conditional upon the following:

1. The applicant is responsible for providing the banners (including artwork) on a suitable, durable material, with the relevant dimensions and with the necessary attachment points.
2. The banners will be erected and removed by Council staff or contractors that have been engaged by the Council.
3. Only banners that promote events or activities that provide a significant benefit to the Plantagenet community will be displayed.
4. Commercial advertising is not permitted.
5. Banners deemed offensive or insensitive will not be permitted.
6. Banners will be displayed for a minimum two week period and a maximum four week period, unless an extension of time is approved by the Chief Executive Officer.
7. The applicant is responsible for retrieving the banners from the Shire of Plantagenet once the banner has been taken down at the completion of the approved time period.
8. If a banner(s) is damaged or vandalised whilst on display, the applicant is responsible for repairing or replacing the banner(s), including the cost of recovering and re-erecting the banner.

9. The applicant is responsible for paying the adopted fee to have the banners erected, displayed and removed. Fees are set on a cost recovery basis and listed in the Council's Annual Budget.
10. The CEO is authorised to approve the display of promotion banners that are in accordance with this policy.'

be endorsed.

CARRIED (8/0)

NO. 275/18

9.3.3 POLICY REVIEW - USE OF A CIRCUS VENUE

File Ref:	N47099
Responsible Officer:	Fiona Pengel Manager Community Services
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to review Council Policy RS/EF/1 – Use of a Circus Venue and recommend that this policy be endorsed.

BACKGROUND

The policy provides guidelines on the appropriate venue for a circus and conditions that must be met to permit a circus to be held.

The policy was adopted in May 2003 and last reviewed in August 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.54(1) provides for a Local Government to manage and control land that is vested in it under the Land Administration Act 1997.

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 2017-2026 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy:

Strategy 1.8.4:

‘Support festivals, events and activities that strengthen our sense of identity and celebrate our history, heritage and diverse cultures’

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

OFFICER COMMENT

The last circus to be held in Mount Barker was in October 2017 at Frost Park.

This policy is appropriate as Frost Park remains the most suitable venue for a circus.

The level of Public Liability Insurance is also appropriate by current standards.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council Policy RS/EF/1 – Use of a Circus Venue, as follows:

'OBJECTIVE

To provide guidelines on the appropriate venue for a circus in Mount Barker.

POLICY

The Council will, with regard to a circus venue in Mount Barker, permit the use of Frost Park for such purposes subject to:

1. All normal charges and bonds being paid in advance.
2. Evidence of a Public Liability Insurance Cover to the sum of \$20 million being sighted to the satisfaction of the Chief Executive Officer.
3. The circus performance not clashing with any other scheduled event at Frost Park.
4. Consultation with Shire staff to locate reticulation, power and/or drainage structures at the site prior to anything being hammered or dug into the ground.
5. Any damage to Frost Park being repaired by the circus operators at their expense.
6. Circus organisers obtaining all necessary permits and approvals prior to the event.'

be endorsed

CARRIED (8/0)

NO. 276/18

9.4 CORPORATE SERVICES REPORTS

9.4.1 ANNUAL REPORT - YEAR ENDING 30 JUNE 2018

File Ref:	N46853
Attachment:	Annual Report – Year End 30 June 2018 (Separate Attachment)
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to accept the Shire of Plantagenet's 2017/2018 Annual Report.

BACKGROUND

The annual financial audit for 2017/2018 was conducted by representatives of the Council's auditors, Moore Stephens in October 2018.

In line with convention and Delegation 1.1, the General Meeting of Electors will be held at 6.00pm on Tuesday 4 December 2018 to receive the 2017/2018 Annual Report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.54 (1) states '*subject to subsection (2) the Annual Report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*' (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 2017-2026 provides at Outcome 4.2 (Effective engagement with the community and stakeholders) the following Strategy:

Strategy 4.2.1:

'Keep the community well informed on Council initiatives'

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

OFFICER COMMENT

The Annual Report notes that a number of key items of infrastructure and plant were progressed during 2017/2018, including:

- \$2.3 million capital road works program.
- Completion of a new fire shed in Denbarker and improvements to the Narpyn fire shed.
- The Plantagenet District Hall Upgrade has been completed with the construction of porticos, finalising electrical work, paving and painting.
- The Mount Barker Memorial Swimming Pool bowl was renovated, including painting and tiling of the bowl, hand rails for better mobility access and new steps in the western end of the pool.
- The refurbishment of the Kendenup Agricultural Hall was completed with new windows overlooking the oval, concertina doors and kitchen refurbishment.
- Upgrades to Frost Pavilion have continued including a new front entrance and foyer with disabled access, new disabled toilet, air-conditioning and the carpark was line marked.
- Plant purchases included a Bobcat T650 Compact Track Loader with a 24" cold planer and wheel, a Bobcat E20L zero swing compactor excavator and an excavator/plant trailer and a Toro Reelmaster 5610 AWD wide area mower.

In terms of the Shire's financial situation, rate revenue increased from \$6.48 million in 2016/2017 to \$6.74 million in 2017/2018. Outstanding borrowings increased from \$2.66 million in 2016/2017 to \$2.81 million in 2017/2018. The increase was as a result of entering a short term liquidity lending facility with the Western Australian Treasury Corporation to maintain positive cash flow while undertaking storm damage works. A sum of \$500,000.00 was drawn down on 26 June 2018.

The Council spent \$752,806.00 on land and buildings and \$259,371.00 on parks and ovals and other infrastructure. A total of \$2,330,851.00 was spent on roads and footpaths with \$547,474.00 on purchases of plant, furniture and equipment.

The level of reserve funds increased from \$2,134,522.00 in 2016/2017 to \$2,336,867.00 in 2017/2018. The level of unrestricted cash at year end rose from minus \$749,557.00 to \$906,696.00.

The Council received grants and contributions for the development of assets of \$1.84 million in 2017/2018. Total grants and contributions received was \$3.95 million. Other activities carried out throughout the year have been reported on extensively within the Annual Report.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr L Handasyde:

That the Annual Report for the year ended 30 June 2018 as attached, be accepted.

CARRIED (8/0)

NO. 277/18

Absolute Majority

9.4.2 LIST OF ACCOUNTS – NOVEMBER 2018

File Ref:	N47156
Attachment:	List of Accounts - November 2018
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of November 2018.

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 (22 May 2018). 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 L Handasyde, seconded Cr B Bell:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 November 2018 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$641,742.36;**
- 2. Municipal Cheques 46353 to 46379 totalling \$82,216.57**

CARRIED (8/0)

NO. 278/18

9.4.3 ELECTIONS 2019 - LOCAL GOVERNMENT - METHOD OF VOTING

File Ref:	N46945
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to recommend the appointment of the Western Australian Electoral Commission (WAEC) to be responsible for the conduct of the October 2019 Ordinary Local Government Elections and to endorse those elections to be conducted as postal ballots.

BACKGROUND

The Council has used the WAEC to conduct postal voting elections for every election held since May 1988.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 4.61 (1) of the Act states:

'The election can be conducted as a -

"postal election" which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

"voting in person election" which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.'

Section 4.61 (2) of the Act states:

'The Local Government may decide (absolute majority required) to conduct the election as a postal election.'

Section 4.20(4) of the Act states:

'A Local Government may, having first obtained the written agreement of the Electoral Commissioner, declare (absolute majority required) the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.'

FINANCIAL IMPLICATIONS

An amount of approximately \$23,000.00 would need to be allocated in the 2018/2019 budget for the conduct of the 2019 elections. Costs not included in this estimate include:

- Non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising);
- Any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns; and
- Staff members within the polling place on Election Day and for the count.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following:

Strategy 4.1.7

‘Continue to support local government elections being conducted by an external body.’

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

OFFICER COMMENT

The Council has used the WAEC to conduct postal voting elections for every election held since May 1988. The conduct of the elections has been to a high standard. It is also preferable for the administration to be removed from the process.

It is therefore recommended that October 2019 elections be held as a postal ballot, to be conducted by the WAEC.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M O'Dea:

That:

1. In accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner of Western Australia be responsible for the conduct of the Shire of Plantagenet 2019 ordinary elections together with any other elections or polls which may also be required.
2. In accordance with Section 4.61(2) of the Local Government Act 1995, the method of conducting the election will be as a postal election.

CARRIED (8/0)

NO. 279/18

Absolute Majority

9.4.4 POLICY REVIEW – PENSIONER REBATES ON RURAL PROPERTIES

File Ref:	N47046
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Pam Chambers Rates Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to review Council Policy F/FM/8 – Pensioner Rebates on Rural Properties.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 31 January 2017.

STATUTORY ENVIRONMENT

The Rates and Charges (Rebates and Deferments) Act 1992, defines the manner in and circumstances under which a local government is to apply pensioner concessions. State Revenue, as the statutory authority vested in administering the Act has issued procedural guidelines for interpreting section 28 (2) of the Act which provides for rebate apportionment where the applicant's land is used as the ordinary place of residence and it is not the sole use of that land.

The 'Concessions on Commercial and Farming Properties Occupied by Pensioners' section of the procedure manual provides five options to arrive at a solution for the granting of a pensioner concession in these circumstances:

1. Grant no concession.
2. Grant a proportionate rebate based on the area used for residential purposes against that used for commercial or farm (income generating) purposes.
3. Grant a proportionate rebate by applying an arbitrary curtilage of two hectares in respect of the residential component of the rated property.
4. Grant a concession based on a minimum rate or valuation based rate irrespective of property size.
5. Grant a concession based on the total rates levied against the property.

The Council's policy is based on option 4.

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 process.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.6 (Effective and efficient corporate and administrative services) the following:

Strategy 4.6.3:

'Maintain, develop and monitor rating and property strategies'

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

OFFICER COMMENT

It is considered that the current policy, which is to apply the appropriate rebate based on the minimum rate and the Emergency Services Levy charges, is the fairest, most equitable and efficient method of applying the pensioner rebate on owner occupied commercial farming properties. Advantages of applying this method include:

1. All rebate-eligible farmers receive the same, thus avoiding dispute and perceived unfairness.
2. Minimum amount of work and rebate can be calculated easily and immediately.
3. No time lag from requesting Valuer General's Office 'off rating roll' valuations.
4. No need to split up group ratings. The rebate is granted on the minimum charge for the land parcel upon which the residence is situated.
5. If the claimant is not the 100% pensioner, they cannot defer their rates.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council Policy F/FM/8 – Pensioner Rebates on Rural Properties, as follows:

OBJECTIVE:

To adopt a consistent approach for granting pensioner rebates for owner occupiers of rural properties within the Shire of Plantagenet.

POLICY:

Where an owner occupier of a rural property claims a pensioner concession, the applicable rebate will be based on applying the rebate (in accordance with the appropriate legislation) against the minimum charge for property rates and the Emergency Services Levy (ESL), irrespective of property size.'

be endorsed.

CARRIED (8/0)

NO. 280/18

9.4.5 POLICY REVIEW - PUBLIC ELECTRONIC NOTICE BOARD MESSAGES

File Ref:	N47047
Attachment:	Policy with amendments
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to review Council policy OP/CS/1 - Public Electronic Notice Board – Messages.

BACKGROUND

The policy was adopted by the Council at its meeting held on 6 December 2016.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

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 process.

The Chief Executive Officer has been authorised to determine applications for signage on the Council's electronic notice board under Delegation 1.11 Signage, Banners – Directional, Service and Tourism.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.3 (Innovative and accessible customer services and information system) the following Strategy:

Strategy 4.3.4:

'Increase use of new technology to engage with the public and keep them informed'

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

OFFICER COMMENT

Since its installation two years ago, the message facility has worked very well and has become increasingly popular. In 2017, a total of 95 messages were displayed and so far in 2018, a total of 135 messages have been displayed. The increasing

number of requests has sometimes necessitated some restrictions on the amount of time before an event that messages can be shown.

There has only been one issue raised by the community, in December 2016, when a petition was received about Christmas opening hours for the Mount Barker Co-operative.

The only part of the policy considered somewhat restrictive is Clause (f) '*Community based or not-for-profit festivals and events which have Shire involvement or support*'. A number of requests have been received from not-for-profit organisations to display messages about meetings and events which have no Council involvement or formal support. The policy has been amended to include such messages.

Otherwise, it is considered that the policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr M O'Dea, seconded Cr B Bell:

That amended Council Policy OP/CS/1 'Public Electronic Notice Board – Messages, as follows:

'OBJECTIVE

The objective of this Policy is to provide clear guidelines for the messages which can be displayed on the Shire's public electronic notice board.

POLICY

The Council will allow messages to be displayed on the Shire's public electronic notice board, which relate to:

- a) Shire events, meetings and ceremonies;**
- b) Shire originated community advice;**
- c) Local government electoral notifications;**
- d) Facility opening and closing times;**
- e) Shire service delivery notifications;**
- f) Community based or not-for-profit festivals, events and meetings;**
- g) Emergency warnings;**
- h) Time and temperature;**
- i) Notifications and reminders about Shire surveys and nominations for awards; and**
- j) High impact roadworks and road closures.'**

be endorsed.

AMENDMENT

Moved Cr J Oldfield, seconded Cr B Lang:

That in part g) the words 'and advice' be added after the word 'warning'.

CARRIED (8/0)

NO. 281/18

COUNCIL DECISION**POLICY**

The Council will allow messages to be displayed on the Shire's public electronic notice board, which relate to:

- a) Shire events, meetings and ceremonies;
- b) Shire originated community advice;
- c) Local government electoral notifications;
- d) Facility opening and closing times;
- e) Shire service delivery notifications;
- f) Community based or not-for-profit festivals, events and meetings;
- g) Emergency warnings and advice;
- h) Time and temperature;
- i) Notifications and reminders about Shire surveys and nominations for awards; and
- j) High impact roadworks and road closures.'

be endorsed.

CARRIED (8/0)

NO. 282/18

9.4.6 RISK MANAGEMENT, INTERNAL CONTROL AND LEGISLATIVE COMPLIANCE – ORGANISATIONAL REVIEW

File Ref:	N47051
Attachment	Assessment Report
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to note the results of a review of the appropriateness and effectiveness of organisational systems and procedures in relation to risk management, internal control and legislative compliance.

BACKGROUND

In February 2013, a new regulation (Section 17) of the Local Government (Audit) Regulations was promulgated. This regulation requires a review of the appropriateness and effectiveness of systems and procedures in relation to risk management, internal control and legislative compliance at least once every two calendar years and to report to the Audit Committee the results of that review.

The last such review was carried out in November 2016.

STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996. Regulation 17 states as follows:

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
- (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

The Council has the following policies in place:

- C/RM/1 Risk Management.
 - C/IC/1 Internal Control.
 - A/L/1 Legislative Compliance.
-

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 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.

STRATEGIC RISK IMPLICATIONS

The Shire’s Strategic Risk Register forms part of the assessment.

OFFICER COMMENT

It is important to note that legislative compliance relates to all legislation, not just the Local Government Act 1995. It is also important to note the following words in the new regulation: *‘The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures.’*

In terms of appropriateness, the Chief Executive Officer is to decide what processes, systems and controls are appropriate in the context of risk appetite, the internal / external environment and what is suitable for the Shire’s size and operations.

Effectiveness is assessed through monitoring events and testing controls. For systems and procedures to be effective, they must exist. In order to formally create these systems, policies and procedures have been established under each of the three categories.

A detailed review of each of these matters is in the attached Assessment Report. A summary of the results is as follows:

Risk Management

The Council has adopted a Risk Management Policy, the objectives being to:

- Adopt and implement a risk management framework that integrates risk management into the organisation and provides the mandate, resources and management systems.
- Foster and develop a risk management culture that influences all activities and decision making.
- Improve the way assets, functions and services are managed and delivered to achieve objectives and reduce potential harm to the Shire.

The policy notes that the Shire will manage risks continuously using a process involving the identification, analysis, evaluation, treatment, monitoring and review of risks. It will be applied to decision making through all levels of the organisation in relation to planning or executing any function, service or activity. In particular, it will be applied to:

- Strategic planning;
- Expenditure of large amounts of money;
- New strategies and procedures;

- Management of projects, tenders and proposals;
- Introducing significant change; and
- Management of sensitive issues.

The policy aims for risk management to become part of the Shire's culture, integrated into the Shire's corporate and business plans and everyday activities. Further, risk management must be the responsibility of every employee, contractor, volunteer and elected member of the Council.

The policy requires that the Shire will implement a robust reporting and recording system that will be regularly monitored to ensure closeout of risks and identification of ongoing issues and trends.

In this regard, a risk register is being maintained for strategic risks. The register is permanently listed for meetings of the Audit and Risk Management Committee and that committee has conducted a detailed review of the register.

Some project and operational risks will also be considered and evaluated, however the Shire will adopt a relatively simple approach and only do a formal assessment of new projects and operational risks where deemed appropriate by the Chief Executive Officer or a Manager.

It is the opinion of the Chief Executive Officer that the policy and procedures in place for risk management are generally appropriate for an organisation of the size of the Shire of Plantagenet.

Effectiveness is assessed through monitoring events and testing controls and the following indicators are a guide:

- The Shire has developed a Strategic Community Plan and the Council regularly reviews its progress against strategic objectives.
- An analysis of events by risk category for the last two years has been carried out. The list of events is considered to represent a relatively small number of incidents. In dollar terms, the overall cost is considered to represent a minor impact on the Shire's resources.

The effectiveness of the current measures, which have recently been formalised by way of policy and procedures is considered to be quite robust.

Internal Control

The Shire's Internal Control Policy indicates that the following are considered to be fundamental characteristics of a good internal control system:

Staffing and segregation of duties

Ideally, the following three basic functions should be undertaken by different individuals:

- authorisation of transactions;
- recording of transactions; and
- custody of assets (money and other property).

If these duties are not separated then errors are more likely to go undiscovered, fraud is also much easier to conceal and mistakes are more likely to occur. In small local governments it is not always practical to maintain a strict separation of duties due to resource constraints. These circumstances require a greater degree of compensatory controls to be put in place. At the Shire of Plantagenet, some segregation of duties has been achieved, although not to the degree available in an

ideal world due to the size of the organisation. Other controls have been put in place to mitigate relevant risks as a result.

The smaller the organisation, the more difficult it is for adequate controls to be implemented. This emphasises the need for not only controls to be in place, but also for elected members to be vigilant and aware of what the controls should be.

An issue that arose in February 2018 was the budgeting processes for the O'Neill Road (Albany Hwy - Slip Lane) and Langton Road (Lowood Road to Marmion Street) projects. This matter was raised with the Shire's auditor, David Tomasi. It was noted that while our systems are robust, from time to time mistakes and anomalies will occur. In these instances, our systems highlighted the inaccuracies, actions were taken and rectification undertaken. It does highlight however, that some financial and project risks exist and this is largely dependent on the trust and professionalism of staff members.

The level of experience and qualification held by staff has a substantial impact on the effectiveness of internal controls. Experienced staff who know the processes and systems are more likely to identify errors and mistakes before they have a detrimental impact. Generally, at the Shire of Plantagenet, staff in key positions are well qualified and / or highly experienced.

High levels of staff turnover leading to inexperienced staff will place additional pressure on internal controls and reduce their reliability. At these times increased staff training is vital to reduce the risk of failure in documented internal controls. High staff turnover can also lead to a fall in staff recruitment standards resulting in false qualifications and experience levels going undetected. At the Shire of Plantagenet, staff turnover has been low for a number of years, particularly in key positions.

(Recent total FTE turnover figures are: 2009 - 16%, 2010 – 7%, 2011 – 7%, 2012 – 8%, 2013 – 11%, 2014 – 12.8%, 2015 – 8.9%, 2016 – 10.6%, 2017 – 8.9%, 2018 – 10.9%)

Information Technology (IT) Controls

As with other controls there are two types of controls which exist within the IT environment:

- General IT Controls - These are controls over the wider IT environment of the local government. They include such items as virus protection, backups, system password and access controls.
- Application IT Controls - These are controls within the specific IT applications and include such items as application password and access controls, data field validations, processing restrictions and reporting restrictions.

The extensive use of IT to record, validate, collate and report financial transactions makes it important to implement a number of financial process or application controls. However application controls may be significantly undermined by a lack of appropriate general controls.

Granting IT administrators administration rights to all applications, a lack of appropriate backups or the ability of someone to 'hack' into the IT system are all examples of general IT control risks which will undermine the effectiveness of the best application controls.

At the Shire of Plantagenet, IT controls within the Civica Authority system are robust and administrator roles are very limited.

However, it is important that the Shire protect its IT Infrastructure from computer viruses and theft, vandalism, or breach of confidentiality by computer hackers. In addition, to ensure that corporate electronic records are adequately backed up and protected and able to be restored and re-deployed if required.

While this is ongoing, it is difficult to be proactive with current staffing levels in that there is no dedicated IT resource in house. The Council's audit firm provides a new comprehensive cyber security service designed for local government, which involves ongoing testing/training and access to appropriate software and policy development. It is likely that a budget request will be included in the Shire's 2019/2020 budget to enable this solution to be implemented.

Documented procedures and processes covering the recording, reporting and authorisation of transactions

Documented procedures also support the rotation of duties, which in turn reduces the potential for fraud. It is important the judgments made about appropriate internal controls are documented and evidenced in procedures. For example, if circumstances prevent the full segregation of duties then the alternate actions taken to lessen risk should be evidenced. If staff clearly understand what is expected of them and what they are required to do to maintain control, less errors are likely to occur.

At the Shire of Plantagenet, a culture of formal documentation exists and procedures are in place for a significant number of processes. In addition, a number of control activities should be undertaken in addition to the key monitoring activities. Out of the 82 controls ideally in place, 75 are being carried out (91%), as detailed in the assessment report. It is the opinion of the Chief Executive Officer that the policy and procedures in place for internal control are largely appropriate for an organisation of this size of the Shire of Plantagenet.

Effectiveness is assessed through monitoring events and testing controls. In recent times, the report of the auditor in respect to annual financial statements and interim audit results have been very good. A financial management review was undertaken by the external auditor in June 2018. Overall, the results of that review were also very good.

It is worth noting that Mr David Tomasi of Moore Stephens was appointed as the Council's auditor for the five year period starting with the 2015/2016 financial year. Moore Stephens is a leader in WA auditing, conducting annual workshops in financial management and providing budgeting and financial reporting templates to the industry. It is prudent to change auditors from time to time as differing companies are likely to identify other issues and different areas where improvements can be made.

The effectiveness of the current measures, which have recently been formalised by way of policy and procedures are considered to be very robust.

Legislative Compliance

The Shire's Legislative Compliance Policy indicates that the following are important elements of an appropriate legislative compliance framework:

- A legislative compliance risk register with a risk rating.
- A formal process to implement new legislation.
- Formal responsibility for monitoring legislative compliance.

- Communication and training of elected members, staff, contractors and volunteers in terms of their responsibility to comply with legislation in the workplace and report breaches.
- A formal process for reporting and recording breaches of legislation.
- Legislative compliance demonstrably supported by senior management.

All of these measures have been adopted. It is the opinion of the Chief Executive Officer that the policy and procedures in place for legislative compliance are entirely appropriate for an organisation of this size of the Shire of Plantagenet.

Effectiveness is assessed through monitoring events and testing controls. At this stage there have only been two incidents of non-compliance recorded in the register set up in 2015, namely the provision of School Holiday programs at Rec.Centre without having gained Provider/Service Approval from ACECQA and incorrect FBT returns in 2014 and 2015.

The Compliance Audit required pursuant to Section 7.13 of the Local Government Act 1995 has only recorded two areas of non-compliance since the 2008 return. The effectiveness of the current measures, which has recently been formalised by way of policy and procedures can therefore be assumed to be robust.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Lang:

That the results of a review of the appropriateness and effectiveness of organisational systems and procedures in relation to risk management, internal control and legislative compliance be noted.

CARRIED (8/0)

NO. 283/18

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 FROST PARK - PLACEMENT OF COPPER ARTWORK

File Ref:	N47084
Attachment:	Example of Artist's Work
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to determine the attitude of the Council regarding the possibility of a life-size copper statue of a horse being placed at Frost Park.

The request regarding such placement has come from the Mount Barker Turf Club.

BACKGROUND

By letter received 1 October 2018, the Secretary/Treasurer of the Mount Barker Turf Club advised that the Club has commissioned the making of a sculpture of a thoroughbred racing horse. The letter further sought permission to display the completed work at Frost Park.

STATUTORY ENVIRONMENT

No particular statutory environment refers. In this instance, Frost Park is a reserve vested in the Council and it is in the Council's powers to approve the erection of artwork.

EXTERNAL CONSULTATION

The Secretary/Treasurer of the Mount Barker Turf Club and the Chief Executive Officer have been communicating with regard to the proposal.

FINANCIAL IMPLICATIONS

No financial implications accrue to the Council. The Turf Club has commissioned the sculpture.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

The artwork could potentially be displayed at Frost Park on a permanent basis. Provided ownership did not pass to the Shire, no asset management implications would be incurred. However, if the artwork was displayed permanently and fell into disrepair the Council would need to reserve the right to require it to be either removed or repaired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy:

Strategy 1.8.3:

‘Support the provision of appropriate, accessible arts facilities and activities to encourage artistic and cultural expression.’

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

OFFICER COMMENT

The Turf Club has commissioned Brad Lucas Copper Designs. An example of this artist’s work is attached.

The Turf Club is proposing that the sculpture, at least for the time being, would be mounted on a trailer and displayed during race meetings. The Turf Club is understandably concerned about the possibility of vandalism. The Turf Club has been advised that while the Turf Club is hiring Frost Park and should the sculpture remain mobile, no particular permission from the Council is required.

Should the sculpture become a permanent fixture there would be a need to ensure that it was not easily toppled.

The sculpture would be a worthy addition to race days.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr B Lang:

That the Mount Barker Turf Club be advised:

- 1. The Council has no objections to the display of a life-sized copper sculpture of a horse during Turf Club race meetings.**
- 2. The Shire congratulates the Mount Barker Turf Club on its initiative in commissioning such a sculpture.**
- 3. Should the Club consider making the sculpture a permanent fixture at Frost Park further consultation should occur with the Chief Executive Officer.**

CARRIED (8/0)

NO. 284/18

9.5.2 PORONGURUP HALL - PROPOSED EXTENSIONS

File Ref:	N47083
Attachments:	Plan – proposed extensions
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	04 December 2018

PURPOSE

The purpose of this report is to seek the Council's attitude regarding extensions for the Porongurup Hall proposed by the Lessee, the Porongurup Community Association Inc.

BACKGROUND

At its meeting held on 12 September 2017, the Council resolved:

'That:

1. *Authority be granted to the Shire President and the Chief Executive Officer to affix the common seal of the Council to the lease agreement between the Shire of Plantagenet and the Porongurup Community Association Inc. (as attached) for Locations 3569 and 3570 (Reserve 15133) Porongurup Road, Porongurup (Porongurup Hall) with the following provisions:*
 - a. *Rental amount to be \$1.00 per annum if and when demanded.*
 - b. *The term of the lease to be twenty one years.*
 - c. *The Lessee be responsible for contents insurance on fittings and fixtures not the property of the Council, building maintenance not of a structural nature, garden and ground maintenance and supply charges.*
 - d. *The Lessee will, at the Lessee's expense, effect and keep current a policy covering public liability providing a minimum cover of ten million dollars (\$10,000,000.00) or such higher amount as the Lessor specifies, provided that the premium for such policy will be reimbursed to the Lessee by the Lessor annually.*
2. *For the purposes of interpreting Council Policy A/PA/14 'Sporting and Community Organisations using Council and Vested land – rateability' it is determined, due to the benefits to the Shire, number of active participants and the not for profit status of the Lessee, that a 100% waiver of annual levied rates shall apply.*
3. *The intention of the lessee to seek funds to undertake refurbishment and extensive works be noted.'*

In particular, part 3. of the above motion is brought to the attention of the Council.

STATUTORY ENVIRONMENT

Reserve 15133, being location 3569 and 3570 Porongurup Road Porongurup is vested in the Council for the purpose of 'Hall Site and Recreation' with permission to lease.

EXTERNAL CONSULTATION

The Chief Executive Officer on the afternoon of 13 November 2018, met with representatives of the Association being Scott Drummond, Fiona Glenn, Lorna Long, Peter Long and Robert Healy.

At that meeting, proposed extensions to the hall were discussed. The Chief Executive Officer advised the representatives that before any further work was done he would need to ensure that no objections to the proposal were raised by the Council.

FINANCIAL IMPLICATIONS

No capital financial implications are raised as a result of this report. However, should the Council indicate that it has no objections to the proposed extensions being further investigated, drawings will need to be prepared for a development application and issue of a building licence.

It is expected that such plans would cost in the vicinity of \$3,000.00.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

In its present configuration, the Porongurup Hall is valued at \$133,000.00. Extensions are expected to cost in the vicinity of \$200,000.00 to \$250,000.00.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 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, Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) provides the following strategy:

Strategy 2.2.6:

'Support the conservation and maintenance of heritage buildings, heritage items and places of interest.'

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

OFFICER COMMENT

An indicative Plan of the proposed extensions is attached.

The Association has indicated that it would like to work with the Council to seek Lotterywest funds for the works. The Association may be able to contribute cash up to \$30,000.00. Although not necessarily the subject of this report, it is likely that a similar contribution would need to be made by the Council to maximise the chance of Lotterywest funding.

This report however will simply be looking to the Council for consent to develop plans to enable the proposal to be taken further.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Lang:

That the Porongurup Community Association Inc. be advised that no objections are raised by the Shire to the further development of proposals for extensions of the Porongurup Hall.

CARRIED (8/0)

NO. 285/18

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 M O'Dea:

That new business of an urgent nature, namely: Audit Report – Year Ending 30 June 2018, be introduced to the meeting.

CARRIED (8/0)

NO. 286/18

11.1 AUDIT REPORT - YEAR ENDING 30 JUNE 2018

File Ref:	N46854
Attachment:	2017/2018 End of Year Audit Report and Management Report
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	4 December 2018

PURPOSE

The purpose of this report is to present the Annual Financial Audit and Management Report for the year ending 30 June 2018

BACKGROUND

In October 2018, representatives of Moore Stephens attended the Shire office to conduct an end of year audit for 2017/2018. It should be noted that the audit is designed primarily to enable the auditors to form an opinion on the financial statements and therefore does not extend to all of the Council's systems and procedures.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 7.12A (3) and (4) of the Act states the following:

(3) *A local Government is to examine the report of the auditor prepared under section 7.9 (1), and any report prepared under section 7.9(3) forwarded to it, and is to -*

- (a) *determine if any matters raised by the report, or reports require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government is to -*
- (a) *prepare a report on any actions taken under subsection (3) in respect of an audit conducted in respect of a financial year; and*
 - (b) *forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.'*

EXTERNAL CONSULTATION

Consultation has occurred with the Shire's auditors in regard to this report.

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 2017-2026 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

A copy of the Moore Stephens' Report is attached. The management report focuses on the Shire's current position with respect to three of the statutory financial ratios in Note 28.

The trend in regard to the ratios is shown in the table below:

Financial Ratios	2014	2015	2016	2017	2018
Current Ratio	0.650	1.020	0.792	0.962	0.741
Asset Sustainability Ratio	1.178	0.487	0.491	0.684	0.484
Debt Service Cover Ratio	4.250	6.921	3.562	7.248	3.851
Operating Surplus Ratio	-0.258	-0.319	-0.590	-0.294	-0.473
Own Source Revenue Coverage Ratio	0.677	0.579	0.547	0.602	0.581
Asset Consumption Ratio	0.188	0.620	0.466	0.524	0.538
Asset Renewal Funding Ratio	0.970	0.783	0.656	0.919	1.022

It should be noted that the four of the ratios disclosed above have been distorted by the early receipt of Financial Assistance Grants. In addition, three of the ratios were

impacted by revenue and expenses associated with storm damage re-instatement from two separate events. The adjusted ratios are as follows:

Adjusted Financial Ratios	2016	2017	2018
Current Ratio	0.864	0.549	0.973
Debt Service Cover Ratio	3.903	7.624	6.683
Operating Surplus Ratio	(0.572)	(0.274)	(0.317)
Own Source Revenue Coverage Ratio	0.575	0.621	0.640

In regard to the matters raised by the auditor within the management report, the following comments are made.

- Current Ratio
$$\frac{\text{Current assets minus restricted assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

This ratio gives an indication of short term liquidity, or the ability to meet financial obligations when they fall due. The standard is met if the ratio is greater than 1. The 2017/2018 Current Ratio is 0.741. The receipt of half of the 2018/2019 Commonwealth financial assistance grant early (\$873,871) and expenditure totalling \$1.4 million on rectification of storm damage without any recoup have both impacted on this ratio. The adjusted value is 0.973, which is marginally below the standard.

- Asset Sustainability Ratio
$$\frac{\text{capital renewal and replacement expenditure}}{\text{depreciation expense}}$$

This ratio indicates that to what degree the Shire is replacing or renewing existing assets at the same rate that its overall asset stock is wearing out. A basic standard is met if the ratio is greater than 0.9 and the Standard is 'Improving' if the ratio is between 0.9 and 1.1.

The 2017/2018 Asset Sustainability Ratio of 0.484 is lower than the 2016/2017 figure of 0.684, but similar to the 2015/2016 result. The main difference is the reduced expenditure on road construction (renewal) in 2017/2018, due to the effort on storm damage rectification (maintenance), amounting to approximately \$1.4 million. The standard is set at 1.1, which is not currently achievable, assuming the depreciation figures are reliable.

The ratio would not be considered within acceptable limits in the long term. This ratio needs to be considered in determining future asset management programs and more work needs to be done to verify road infrastructure depreciation values.

The comments by the auditor on this ratio are particularly relevant, as follows:

'Interpretation of this ratio should be considered together with the Asset Consumption Ratio (ACR) and the Asset Renewal Funding Ratio (ARFR). The ACR of 0.538 is slightly above its target level of 0.500 indicating Council's assets are in an acceptable condition and the ARFR of 1.022 is above its target of 0.750 indicating the planned renewal and replacement expenditure over the next 10 years is sufficient to meet the required renewal and replacement expenditure.'

-
- Operating Surplus Ratio $\frac{\text{operating revenue minus operating expense}}{\text{own source operating revenue}}$

This ratio indicates an ability to cover operational costs and have revenues available for capital funding or other purposes. A basic standard is met between 0.01 and 0.15. An advanced standard is met over 0.15.

The Shire's 2017/2018 result is (0.473), however the adjusted figure is (0.317). This figure is worse than the adjusted 2016/2017 value of (0.274) but better than the adjusted 2015/2016 value of (0.572). It is well below the benchmark of 0.15. Recent year values reflect the large increases in depreciation due to asset revaluations.

Accounting guidelines indicate that a sustained period of deficits will erode the local government's ability to maintain both its operational service level and asset base. This worsening situation is mainly due to increasing depreciation due to asset revaluations. To some degree, this ratio does not accurately represent the local government scenario, whereby a significant proportion of infrastructure renewal (expensed via depreciation) is met by capital grant income.

Ideally, future long term plans should achieve a reversal of this trend. This will involve work on, in particular verifying the remaining useful life (RUL) of infrastructure and ensuring depreciation rates are reliable.

It has previously been noted that local government is still coming to grips with the full ramifications of depreciation and it will take time to fully filter through and for the figures to reflect the reality.

The Shire is implementing an Asset Management Improvement Plan and undertaking other activities to verify the remaining useful life of infrastructure and ensure depreciation rates are reliable. A visual condition survey of the Shire's sealed road network has been done and entry into the RAMM II roads database will help in verifying depreciation and remaining useful lives of road assets.

The Audit and Risk Committee has previously supported the probability that the asset ratios reporting below standard are likely to be mainly attributable to data integrity than legitimate financial management weaknesses. There will need to be additional work towards verifying data and maintaining assets at service levels that are appropriate and affordable by the community and it is anticipated that this effort will result in an improvement in the asset based ratios.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr B Lang:

That the Annual Financial Audit and Management Report for the year ending 30 June 2018 as issued by Mr David Tomasi of Moore Stephens be received.

CARRIED (8/0)

NO. 287/18

12 CONFIDENTIAL

12.1 CORPORATE SERVICES REPORTS

12.1.1 CHANGE IN BASIS OF VALUATION - LOT 512 (1416) PORONGURUP ROAD, PORONGURUP

File Ref: N46631
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Pam Chambers
Rates Officer
Proposed Meeting Date: 4 December 2018

PURPOSE

The purpose of this report is to consider a request from the property owners that the basis for rating for Lot 512 (1416) Porongurup Road, Porongurup be changed.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr L Handasyde, seconded Cr B Lang:

4.57pm That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (b) the personal affairs of any person.

CARRIED (8/0)

NO. 288/18

MOTION TO PROCEED IN PUBLIC

Moved Cr M O'Dea, seconded Cr L Handasyde:

4.59pm That the meeting proceed in public

CARRIED (8/0)

NO. 289/18

OFFICER RECOMMENDATION

Moved Cr L Handasyde, seconded Cr M O'Dea:

That:

1. The predominant use of the land at Lot 512 (1416) Porongurup Road, Porongurup is considered to be rural.
2. The Director General of the Department of Local Government, Sport and Cultural Industries be requested to change the method of valuation of the land area referred to in Part 1 above from a split gross rental value to an

exclusively unimproved value, in accordance with Section 6.28 of the Local Government Act 1995.

3. The effective date of the new method of valuation be backdated for five years preceding the current financial year in accordance with Section 6.39(2) of the Local Government Act 1995.

AMENDMENT

Moved Cr B Bell, seconded Cr J Oldfield:

That in part 3. of the motion the words 'for five years preceding the current financial year' be deleted and replaced with the with the words 'to 1 July 2018'.

CARRIED (6/2)

Crs L Handasyde and M O'Dea voted against the motion

NO. 290/18

COUNCIL DECISION

That:

1. The predominant use of the land at Lot 512 (1416) Porongurup Road, Porongurup is considered to be rural.
2. The Director General of the Department of Local Government, Sport and Cultural Industries be requested to change the method of valuation of the land area referred to in Part 1 above from a split gross rental value to an exclusively unimproved value, in accordance with Section 6.28 of the Local Government Act 1995.
3. The effective date of the new method of valuation be backdated to 1 July 2018 in accordance with Section 6.39(2) of the Local Government Act 1995.

CARRIED (8/0)

NO. 291/18

12.1.2 MOUNT BARKER REGIONAL SALEYARDS - TENDERS RECEIVED FOR RECEIVAL RAMPCr B Lang

Item: 12.1.2
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Owner of cattle
Extent: N/A

Cr J Oldfield

Item: 12.1.2
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: One of the tenderers has proposed to use a tenant of myself to provide sub-contract works.
Extent: N/A

5.02pm Crs J Oldfield and B Lang withdrew from the meeting.

File Ref: N46976
Attachment [Tender Cost Analysis](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 4 December 2018

PURPOSE

The purpose of this report is to consider tenders received for the construction of a new receival ramp at the Mount Barker Regional Saleyards.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr L Handasyde, seconded Cr B Lang:

5.02pm That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting be closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(e) (ii) information that has a commercial value to a person;

CARRIED (6/0)

NO. 292/18

MOTION TO PROCEED IN PUBLIC

Moved Cr M O'Dea, seconded Cr L Handasyde:

5.04pm That the meeting proceed in public

CARRIED (6/0)

NO. 293/18

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr M O'Dea:

That:

1. The tender submitted by Plantagenet Sheds and Steel for the construction of a new receival ramp and lighting tower at the Mount Barker Regional Saleyards, at a cost of \$124,249.60 (excluding GST), be accepted.
2. The 2018/2019 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51758.0253	Saleyards - New Receival Ramp	(\$45,000)	(\$125,000)	(\$80,000)
41326.0486	Transfers from Reserve Fund (Saleyards Capital Improvement Reserve)	\$203,386	\$283,386	\$80,000

CARRIED (6/0)

NO. 294/18

Crs J Oldfield and B Lang returned to the meeting

13 CLOSURE OF MEETING

5.05pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____/____/____