



# ORDINARY MINUTES

**DATE:** Tuesday, 29 January 2019

**TIME:** 3:00pm

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

**Rob Stewart**  
**CHIEF EXECUTIVE OFFICER**

Resolution numbers: 01/19 to 21/19

## **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

3.02pm 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(left the meeting at 3.42pm, returned at 3.51pm)
Cr J Moir	Councillor (left the meeting at 3.42pm, returned at 3.51pm)
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 Alex Tucker	Environmental Co-ordinator (left the meeting at 3.29pm)
Ms Nolene Wake	Executive Officer

### Apologies:

Nil

### Members of the Public Present:

There was one member of the media present (arrived 3.05pm)

### 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**

##### **3.2.1 MS KAREN WOLTERING REPRESENTING MOUNT BARKER HIRE**

Asked by Ms Karen Woltering (read out by Mr Rob Stewart as proxy)

- 1. Can it please be explained why the income for tipping fees is so low? When taking into consideration the average of disposal from the major commercial users of the waste management facility, the figures do not make sense:*

*Cleanaway – 3 x compactor trucks per week @ \$344.07 per truck = \$1032.21 per week*

*Scott Bins – 2 x 6 – 10m<sup>3</sup> bins @ \$258.05 per bin = \$516.10 per week*

*Mount Barker Hire – 2 x 6 – 10m<sup>3</sup> bins @ \$258.05 per bin = \$516.10 per week*

*Septage x 12 kl @ 57.35/kl = \$688.20 per week*

*This equates to \$2,752.61 per week or \$11,010.44 per month.*

*The total income for the above would be \$11,010.44 x 4 = \$44,041.76. (This figure takes into consideration the estimated income for 4 commercial users for the months of August, September, October and November). Now adding the reported income for the month of July*

*\$4,492 a total of income for tipping fees should be at a minimum \$48,534. However, the financial statements only show \$47,915 as income.*

*The above figures **do not** take into consideration any other commercial entities that use this facility or residents that purchase tokens.*

- 2. One of the reasons the Shire cited for increasing the tip fees was that the waste management facilities needed to become cost neutral. Therefore, can you please advise why the revenue from the sale of scrap metal is not included as income in the Waste Disposal budget but instead it is allocated to Domestic Refuse? Considering the residents are charged to place scrap metal at the tip, it would seem only appropriate that the funds received for the on-sale of this is allocated to the Waste Disposal budget.*

Response by Mr Rob Stewart Chief Executive Officer

There are two main reasons for the tipping fees income for December showing lower than your calculations.

Firstly, the reported total income for December 2018 of \$47,915.00 excludes a sum of \$15,205.00 for commercial operators, which was entered into the finance system in January.

Adding these figures together, the total of \$63,120.00 includes \$40,449.00 for commercial operators, \$15,281.00 for liquid waste and \$7,390 for tip pass sales.

As a general note, the Shire carries out accrued income calculations only at the end of the financial year.

Secondly, the amounts deposited by Cleanaway from the Shire refuse collection are not included as that income is netted off against the cost of the service.

As a general comment, I can confirm that the internal control advised in the Shire's letter dated 4 October 2018 about checks on invoice calculations are being carried out. There has been additional scrutiny on recording of commercial waste disposal at the tip sites to ensure that invoices are made in accordance with the Council's adopted fees and charges.

We acknowledge that the charging regime for tipping is an imperfect system, but until a weighbridge can be installed, there has to be some estimation in this regard. Nevertheless, I am confident that the Shire is capturing the income from users as well as it can.

You correctly say that the Budget Item for Sale of Surplus Materials and Scrap is included in the sub-category of Domestic Refuse Collection. I agree it would more appropriately sit under the Waste Disposal Sites sub-category and this will be effected in the forthcoming 2019/2010 budget.

### 3.2.2 MR GEOFF RICHARDSON REPRESENTING GSR RURAL SERVICES

Asked by Mr Geoff Richardson (read out by Mr Rob Stewart as proxy)

*Why does the council outsource products and goods that are readily available in retail stores in the shire?*

*As rate payers and business owners why aren't we given the opportunity to quote on purchases made by the shire? Surely the shire when setting its procurement agenda for the year, businesses in the shire could get an opportunity to compete. The shire would be surprised at some of the prices we can give that could save spending and help the towns business in the process. Perhaps the shire could send out procurements to businesses each year and those who can respond with products they can supply and quote pricing.*

Response by Mr Rob Stewart Chief Executive Officer

Shire officers purchase products in compliance with the Purchasing and Tender Guide Policy no. F/FM/7. Included in this policy is reference to the Council's Policy F/FM/14 – Regional Price Preference which gives guidance to the Council and staff in relation to the provision of a preference to local suppliers when a purchasing decision is made. All Council policies are publicly available on our website [www.plantagenet.wa.gov.au](http://www.plantagenet.wa.gov.au).

Any business in the Shire is welcome to advise the Council of products and services that it may have available to offer to the Council. If a product can be purchased locally at the required quantity and quality and at a competitive price, there is no reason why that product would not be purchased locally.

## 4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

## 5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Moir

Item: 9.4.1  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle farmer/Elders employee  
Extent: Not required

Cr B Lang

Item: 9.4.1  
Type: Code of Conduct Disclosure (S5.102 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: Own cattle  
Extent: Not required



Chief Executive Officer Mr Rob Stewart read aloud a letter received from Mr Michael Connolly, Deputy Director General – Regulation, Department of Local Government, Sport and Cultural Industries, ref PL1-7#04; E1816158 dated June 2018 (attached).

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

### **6.1 APPLICANT: CR M O'DEA**

Section 5.25 Local Government Act 1995

Cr M O'Dea requested Leave of Absence from 22 February 2019 to 2 March 2019 inclusive.

**Moved Cr L Handasyde, seconded Cr K Clements:**

**That Cr M O'Dea be granted Leave of Absence for 22 February 2019 to 2 March 2019 inclusive.**

**CARRIED (9/0)**

**NO. 1/19**

## **7 CONFIRMATION OF MINUTES**

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

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held 4 December 2018 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (9/0)**

**NO. 2/19**

## **8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

Order of Agenda - Amendment.

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

**That Item 10.1 Mount Barker Memorial Swimming Pool Upgrade – Endorsement of Concept Plans be immediately considered.**

**CARRIED (9/0)**

**NO. 3/19**

## **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

### **MOUNT BARKER MEMORIAL SWIMMING POOL UPGRADE – ENDORSEMENT OF CONCEPT PLANS**

(formerly Item 10.1)

Cr Brett Bell gave notice of his intention to move the following motion at the next Ordinary Meeting of the Council pursuant to Clause 3.7 of Standing Orders:

‘That Item 9.3.2 of the Ordinary Council meeting held 6 November 2018, Mount Barker Memorial Swimming Pool Upgrade – Endorsement of Concept Plans, be revoked.’

The Presiding Member invited Cr B Bell to move the Notice of Motion.

### **COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr K Clements:**

**That Item 9.3.2 of the Ordinary Council meeting held 6 November 2018, Mount Barker Memorial Swimming Pool Upgrade – Endorsement of Concept Plans, be revoked.**

**CARRIED (9/0)**

**NO. 4/19**

**Absolute Majority**

## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 DEVELOPMENT SERVICES REPORTS

#### 9.1.1 LOT 1552 HAMBLEY STREET MOUNT BARKER - 26 LOT RESIDENTIAL SUBDIVISION

<b>File Ref:</b>	<b>N47640</b>
<b>Attachments:</b>	<a href="#">Location Plan</a> <a href="#">Plan of Subdivision</a> <a href="#">BAL Assessment</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Acting Manager Development Services</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>
<b>Applicant:</b>	<b>Harley Dykstra</b>

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#### PURPOSE

The purpose of this report is to consider a 26 lot residential subdivision at Lot 1552 Hambley Street, Mount Barker.

#### BACKGROUND

Council Records show the registered owner of Lot 1552 Hambley Street, Mount Barker is Gillespie Holdings (WA) Pty Ltd.

On 23 May 2007, the Planning Commission (WAPC) approved the subdivision of Lot 155 Mount Barker Road (3.48ha) into two lots (1551 and 1552). This subdivision excised an area of 8,096m<sup>2</sup> including the existing house and former apple packing building. Lots 1551 Mount Barker Road and 1552 Lowood Road (now Hambley Street) have been created and Deposited Plan 560856 endorsed by the WAPC on 15 November 2007. These property titles were registered on 21 November 2007.

On 22 June 2007, the WAPC approved the subdivision (WAPC 134306) of Lots 1551 and 1552 into 32 lots. Lot sizes for this approval varied from 624m<sup>2</sup> to 697m<sup>2</sup> and two lots of 1,083m<sup>2</sup> and 1,103 m<sup>2</sup>. This subdivision was approved subject to various conditions and was valid for a period of four years and this approval expired on 22 June 2011.

The WAPC, on 28 September 2007 approved a revised subdivision (WAPC 135656) of Lots 1551 and 1552 into 35 lots. Lot sizes for this approval varied from 580m<sup>2</sup> to 653m<sup>2</sup> and lots of 748m<sup>2</sup>, 913m<sup>2</sup>, 1,064m<sup>2</sup> and 1,375m<sup>2</sup>. This subdivision was approved subject to various conditions and was valid for a period of four years which expired on 28 September 2011.

The Minister for Lands on 18 June 2010 approved the road name change of the portion of Lowood Road south of Mondurup Street to Hambley Street.

On 23 June 2013, the WAPC approved a revised subdivision (WAPC 146663) of Lots 1551 and 1552 into 25 lots. Lot sizes for this approval varied from 791m<sup>2</sup> to 900m<sup>2</sup> and a 1,164m<sup>2</sup> lot for the purposes of public open space and drainage. This subdivision was approved subject to various conditions and was valid for a period of four years which expired on 24 June 2017.

The Council on 12 December 2018 received a fresh subdivision application (WAPC 157522), the subject of this report. This proposal involves the subdivision of Lot 1552 Hambley Street into 26 residential lots with proposed lot sizes varying from 720m<sup>2</sup> to 1,609m<sup>2</sup>. Two additional lots are proposed involving one 800m<sup>2</sup> lot for the purpose of public open space and one 1,884m<sup>2</sup> lot for the purpose of public open space and drainage.

### **STATUTORY ENVIRONMENT**

Planning and Development Act 2005.

Planning and Development (Local Planning Schemes) Regulations 2015.

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R5/15).

WAPC State Planning Policy 3.1 Residential Design Codes 2018 (2018 R-Codes).

WAPC State Planning Policy 3.7 (Planning in Bushfire Prone Areas) (SPP3.7) - directs how land use should address bushfire risk management and applies to all land which has been designated as bushfire prone by the FES Commissioner.

WAPC Guidelines for Planning in Bushfire Prone Areas December 2015 - These Guidelines provide supporting information for decision making authorities to implement SPP3.7.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

### **POLICY IMPLICATIONS**

Shire of Plantagenet Local Planning Strategy July 2013 - Lot 1552 and adjoining properties are located within the proposed Residential R5/17.5 area.

Shire of Plantagenet Mount Barker Public Open Space Strategy November 2007 (Updated June 2011) aims:

*‘To identify a strategic direction for the Council for an integrated corporate approach of Public Open Space for the urban areas of Mount Barker.’*

### **STRATEGIC IMPLICATIONS**

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

Strategy 2.2.5:

*'Encourage industry, business and residential development that is consistent with the individual character of towns'*

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

Further, a Key Performance Indicator (KPI) against this Strategy is *'% development consents in line with the TPS'*.

By supporting the officer recommendation the KPI will be met.

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.2.2.1:

*'Guide local development in accordance with the Planning Scheme'*.

### **OFFICER COMMENT**

Lot 1552 Hambley Street is 2.68ha in area and this proposal involves the subdivision of this lot into 26 residential lots. Proposed lot sizes will vary from 720m<sup>2</sup> to 1,609m<sup>2</sup>. Two additional lots will involve one 800m<sup>2</sup> lot for the purpose of public open space and one 1,884m<sup>2</sup> lot for the purpose of public open space and drainage. The proponent's consultant feels these larger size lots will be more attractive to the residential property market.

The proposal involves the construction of a new 18m wide cul-de-sac linked to Hambley Street providing access to proposed Lots 1 to 17. Lots 18 to 25 will gain access off Morpeth Street which will need to be constructed to the full extent of the frontage of the subdivision. In addition, a cul-de-sac head will need to be constructed within the Morpeth Street road reserve at Lot 18 to allow for vehicle turning movements.

The subdivision conforms to the minimum site area per dwelling and minimum frontage requirements set in the 2018 R-Codes for the R15 density code.

The subdivision will be connected to the reticulated sewer, water and underground power networks.

The proposal includes one 1,884m<sup>2</sup> lot for the purpose of public open space and drainage. An urban water management plan was not submitted as part of the application to assess strategies to manage all forms of water including stormwater, ground water and water for the environment. To assess water management strategies and the impact of water on functional public open space provision, an urban water management plan is required to be submitted for approval prior to commencement of any site works.

Public open space and/or a cash-in-lieu contribution will be required to be provided in respect to the standard 10% allocation required by WAPC policy. Areas for drainage cannot generally be considered as useable public open space. In this locality it is considered the majority if not the all of the 1,884m<sup>2</sup> will be required for drainage infrastructure and as such cash-in-lieu of the 10% public open space will be

appropriate. The additional 800m<sup>2</sup> lot proposed for the purpose of public open can alternatively be zoned Residential.

The proposal further involves the construction of two emergency access ways required by WAPC bushfire policy. The first emergency access way will link the new 18m wide cul-de-sac road reserve with Mount Barker Road. The second emergency access way will link Morpeth Street alongside the Lot 1551 property boundary with Mount Barker Road. These access ways will be constructed to conform to the minimum requirements set in the WAPC Guidelines for Planning in Bushfire Prone Areas.

The developer will also be required to install rural gates and fencing at the entrances to the emergency access ways to restrict unauthorised use during non-emergency times.

A section of the sealed road surface of Hambley Street from Mondurup Street up to Morpeth Street at the proposed subdivision is only 3.6m wide. The landowner will be required to upgrade this section of Hambley Street to a 6m sealed road surface.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr L Handasyde, seconded Cr B Lang:**

**That:**

- 1. The proposal for a 26 lot subdivision at Lot 1552 Hambley Street, Mount Barker be supported subject to:**
  - a. Engineering drawings and specifications are to be submitted, approved, and works undertaken in accordance with the approved engineering drawings, specifications and approved plan of subdivision, for grading and/or stabilisation of the site to ensure that:**
    - i. lots can accommodate their intended use; and**
    - ii finished ground levels at the boundaries of the lots the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting.**
  - b. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation.**
  - c. Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering**

drawings and specifications are to be in accordance with an approved Urban Water Management Plan (UWMP) for the site.

- d. Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the Planning and Development Act 2005.
- e. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to constructed roads, connected by constructed roads to the local road system and such roads are constructed and drained at the landowner/applicant's cost. As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the Western Australian Planning Commission confirming that the works will be completed within a reasonable period as agreed by the Western Australian Planning Commission.
- f. Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:
  - i. street lighting is installed on all new subdivisional roads to the standards of the relevant licensed service provider; and
  - ii. roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly; and
  - iii. temporary turning areas are provided to those subdivisional roads that are subject to future extension, to the satisfaction of the Western Australian Planning Commission.
- g. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths along Morpeth and Hambley Street and the internal subdivision roads and connecting to the application area to the satisfaction of the Western Australian Planning Commission.
- h. 8.5 metre truncations are to be provided to all corner lots.

- i. **Suitable arrangements being made with the local government for the provision of vehicular crossovers to service the two emergency access ways and lots shown on the approved plan of subdivision.**
- j. **Satisfactory arrangements being made with local government for:**
  - i **the construction of a cul-de-sac head at proposed Lot 18 at Morpeth Street; and**
  - ii. **for the upgrading of part of Hambley Street.**
- k. **A landscape plan being prepared, approved and implemented for the planting of street trees with appropriate species to the specifications of the local government.**
- l. **Suitable arrangements being made for a cash-in-lieu contribution for the 10% Public Open Space, in accordance with Section 153 of the Planning and Development Act 2005.**
- m. **The proposed emergency access ways being constructed and drained at the landowner/applicant cost to the specifications of the local government.**
- n. **Fences and gates being installed at the entrances to the proposed emergency access ways at the landowner/applicant cost to the specifications of the local government. The fences and gates are to restrict unauthorised vehicle and pedestrian use during non-emergency times.**
- o. **Native vegetation clearing permits being obtained at the landowner/applicant cost for the clearing of native vegetation associated with the development of the subdivision.**
- p. **A compliance certificate/report for the BAL Contour Map relating to the approved subdivision being completed prior to the issuing of titles to the satisfaction of the Western Australian Planning Commission.**
- q. **A restrictive covenant to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893, is to be placed on the certificates of title of proposed Lots 1 to 9 and 18 advising of the existence of a restriction on the use of the land within areas that have been assessed as BAL-40 or BAL-Flame Zone. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:**

***'Habitable buildings are only to take place outside of areas identified as BAL-40 or BAL-Flame Zone.'***



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

**CARRIED (9/0)**

**NO. 5/19**

**9.1.2 RESERVE 15472 ALBANY HIGHWAY MOUNT BARKER – REQUEST TO RELINQUISH MANAGEMENT ORDER**

<b>File Ref:</b>	<b>N47116</b>
<b>Attachments:</b>	<a href="#">Location Plan</a> <a href="#">Proposed Development</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Acting Manager Development Services</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>
<b>Applicant:</b>	<b>Julian Hanna</b>

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**PURPOSE**

The purpose of this report is to seek the Council's consideration in relinquishing the Management Order for Reserve 15472 to enable potential disposal of the reserve by the Department of Planning, Lands and Heritage to an adjoining private landowner.

**BACKGROUND**

Reserve 15472 (R15472) involves Lots 3756 and 4964 with a cumulative lot area of 5.77ha. The reserve is vested with the Shire of Plantagenet for the purpose of 'Recreation and Landscape Protection'.

The Council on 15 and 21 October 2008 received letters from Julian Hanna advising that he wished to purchase R15472 which adjoins his property on Albany Highway, Mount Barker.

Mr Hanna's rural property is 27.3ha in area and is placed between the railway line and Albany Highway south of R15472. Current development at the site consists of house, various outbuildings, 6.5ha vineyard, 1.9ha olive grove and a cellar sales building.

In his letter dated 21 October 2008 Mr Hanna advised that the site inspection he carried out with the then Manager Works and Services in October 2008 revealed the bulk of the reserve retained pristine understory vegetation filled with wild flowering shrubs. Invasive weeds were only present at the most southern edge of the site. Mr Hanna advised that he intended to purchase the reserve for the purpose of a botanical parkland, new cellar sales building, restaurant, art and craft gallery, toilet facility, all ages play-ground and barbeque area.

By letter dated 30 October 2008, former Manager Development Services advised Mr Hanna to engage planning consultants to prepare a formal submission to the Council which details his long term proposals for the Towerhill Estate and the adjoining Crown land. Further advice included description of the details to be submitted as part of any planning application.

Since October 2008 and especially over the past 24 months the Development Services team has dealt with numerous telephone and email queries concerning

development proposals for the Towerhill Estate property. These development proposal queries included the retail sale of tractors, heavy vehicle and car tyres, the construction of a brewery, distillery, restaurant, chalets, caravan park and play ground. Further queries included the construction of an aeroplane landing strip to accommodate air tourism.

The Development Services team has during this period provided comprehensive property development advice notwithstanding some of these queries being repetitive in nature. In addition, due to the complex nature of some development proposals, Mr Hanna was advised to engage consultants with appropriate skills to prepare and submit an application for development approval.

At the Council meeting on 22 May 2018 Mr Hanna addressed the Council on his 'dream of developing a "wow" factor public precinct at Towerhill Estate'. Mr Hanna advised that he intended to provide a variety of business activities from the proposed precinct, including a microbrewery, undercover secure playground, tavern, food, live music and clean amenities. With any profits Mr Hanna would further develop the precinct to create focus on BMX and mountain biking activities.

On 20 September 2018 the Council received a new email from Mr Hanna in support of his development vision for the Towerhill Estate property involving R15472. Mr Hanna also sought guidance on the statutory procedure to purchase R15472 from the Department of Planning, Lands and Heritage (DPLH). Following consultation with the DPLH on 9 October 2018, Council officers have provided written response involving Crown land acquisition guide and application materials to Mr Hanna. Further assistance included the provision of new requirements and cost liabilities involved in the purchase of Crown land.

The Council on 25 October 2018 received a fresh email from Mr Hanna comprising an 'official request' to purchase R15472. Mr Hanna advised his main concern was to secure ownership of R15472 prior to investing time, money and effort into a development that may not come to pass.

Mr Hanna further advised that should he be successful in his efforts to purchase the reserve he intends to use the reserve area for the purpose of a truck bay/breakdown and overnight stay facility, RV camping area including a toilet block, go-cart track, public car park and an educational nature walk and/or skate trail.

Mr Hanna also advised that should he be unsuccessful in his efforts to purchase the reserve he will not proceed with development of the 'tourist precinct'.

For Mr Hanna to purchase the reserve the DPLH will require the Council to relinquish its vesting over R15472. Mr Hanna's request is the subject of this report.

## **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 15472 is zoned Rural.

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

The Land Administration Act 1997 – provides for the disposition and management of Crown land.

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) - provides a legal framework to protect and manage nationally important flora, fauna, ecological communities and heritage places.

EPBC Act referral guidelines for three threatened black cockatoo species – provides assistance in determining whether an action needs to be referred to the Australian Government Department of Environment and Energy. These guidelines should be read in conjunction with EPBC Act Policy Statement 1.1 Significant Impact Guidelines (Matters of National Environmental Significance).

WA Local Government Association Environmental Planning Tool - the Environmental Planning Tool is a web based GIS tool providing mapping capabilities, data interpretation and the ability to interrogate data via an environmental desktop assessment tool. Users have access to hundreds of current datasets with helpful explanatory notes connected to each data layer, associated metadata, relevant contacts and the ability to run a desktop environmental assessment for a project site.

### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

### **POLICY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.7 (Protection of the natural environment) the following Strategy:

Strategy 2.7.1:

*‘Provide effective environmental management and maintenance of the Council’s land 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 2.7.1.3:

*‘Maintain the natural values present on bush reserves controlled by the Council.’*

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

### **OFFICER COMMENT**

R15472 involves Lots 3756 and 4964 with a cumulative lot area of 5.77ha. The reserve is vested with the Shire of Plantagenet for the purpose of 'Recreation and Landscape Protection'.

Council records show the registered owner of Lot 5129 Albany Highway, Mount Barker is JM Hanna. Lot 5129 is 27.3ha in area and zoned Rural. Lot 5129 is located approximately 2.5km south of Mount Barker on Albany Highway. The property is placed between the railway line and Albany Highway south of R15472. The current development at the site consists of house, various outbuildings, 6.5ha vineyard, 1.9ha olive grove and a cellar sales building.

The Council's Environmental Coordinator carried out a vegetation quality assessment for R15472. The vegetation quality assessment comprised a desktop study using NatureMap (Mapping Western Australia's Biodiversity Nature) and the Environmental Planning Tool software programs. The assessment further included a site inspection on 8 November 2018.

A 2km radius search on NatureMap revealed a total of 90 known species, two of which are threatened conservation taxa (Baudin's and Carnaby's cockatoo). A total of five records of the two cockatoo species have been confirmed by the Department of Biodiversity Conservation and Attractions within this area.

The vegetation within the reserve has been mapped on a broad scale as forest jarrah-marri pursuant to Beard's vegetation-landscape mapping data. The vegetation is considered to be part of the Strategic Zone A Porongurup Range corridor, which is a strategic link between major protected areas. The site inspection has confirmed jarrah woodland with a number of associated proteaceous species being present.

The interior part of the reserve has been used for gravel extraction in the past. This area is easily determined as it is mostly devoid of over storey species. However, the ground cover and understorey layers of vegetation has recovered well and is showing good diversity and has little weed species present. A targeted revegetation program with specific eucalypt species could significantly improve this area.

The vegetation condition rating for the remainder of the reserve can be described as excellent, the vegetation structure is intact and the weeds present are those of the non-aggressive species. Specifically in terms of weeds, there is evidence of blowfly grass throughout the site and a half dozen pine trees in the previously excavated area. More aggressive watsonia and lucerne trees can be found in an isolated parcel at the south east corner of the site near the entrance on Albany Highway.

The site inspection did not reveal any evidence of dieback disease as there was a healthy population of indicator species, including those of the proteaceous family. Any development proposed for the reserve will result in a high risk of introducing dieback disease to the area.

At the time of the site inspection no threatened fauna was identified. Local residents have witnessed large numbers of Baudin's, Carnaby's and forest red-tailed black cockatoos using the immediate and surrounding areas as night roosting and feeding spots, particularly in late summer. Night roosting is known to occur in riparian environments with permanent water sources and surrounded by jarrah-marri woodlands. No suitable nesting hollows were found on site; however there were a small number of developing hollows, particularly in the vegetation in the southeast corner of the site.

No evidence of recent feeding was found during the site visit, however this is likely to be due to seasonal movements. The timing of the site visit coincided with the breeding season, at which time cockatoos will only forage within 6-12km of the nesting hollow.

Pursuant to the EPBC Act referral guidelines for threatened cockatoo species, the consideration of the potential impact a development proposal may have on cockatoo habitat is more appropriate than to consider evidence of a direct population. This is important due to the mobile nature and wide distribution of black cockatoos.

The clearing of noteworthy cockatoo habitat is an important cause of cockatoo population decline. As a result, avoiding impacts on black cockatoo habitat through development should be avoided. Pursuant to the EPBC Act if avoidance of impacts cannot be achieved then a referral of the proposed project to the Australian Government Department of Environment and Energy may be required.

Mr Hanna's proposal involves the development of the reserve for the purpose of a truck bay/breakdown and overnight stay facility, RV camping area including a toilet block, go-cart track, public car park and an educational nature walk and/or skate trail (plan attached).

The proposed development will have a major impact on the current vegetation at the site. Given the excellent vegetation condition rating, the importance of the habitat to endangered cockatoos and the reserve being a strategic link between major protected areas; it is recommended that the reserve remain in its current state and any development of the reserve not in accordance with the management order be seen as inappropriate.

## **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

That the request for the Council to terminate the Management Order for Reserve 15472 vested with the Council for the purpose of 'Recreation and Landscape Protection' to enable potential disposal of the reserve to an adjoining private landowner is not supported.

**AMENDMENT**

Moved Cr K Clements, seconded Cr B Bell:

That a Part 2. and Advice Note be added as follows and the motion be re-cast accordingly.

'Notwithstanding the directive shown in part 1. above, the Council would be pleased to reconsider the request at such time a formal Application for Development Approval is received relating to the overall development proposal also involving Lot 5129 Albany Highway, Mount Barker.

**Advice Note:**

The applicant is urged to engage a professional consultant with appropriate skills to prepare a formal Application for Development Approval if he intends to proceed with any development proposal.'

CARRIED (9/0)

NO. 6/19

**COUNCIL DECISION**

That:

1. The request for the Council to terminate the Management Order for Reserve 15472 vested with the Council for the purpose of 'Recreation and Landscape Protection' to enable potential disposal of the reserve to an adjoining private landowner is not supported.
2. Notwithstanding the directive shown in Part 1. above, the Council would be pleased to reconsider the request at such time a formal Application for Development Approval is received relating to the overall development proposal also involving Lot 5129 Albany Highway, Mount Barker.

**Advice Note:**

The applicant is urged to engage a professional consultant with appropriate skills to prepare a formal Application for Development Approval if he intends to proceed with any development proposal.

CARRIED (9/0)

NO. 7/19

3.29pm Ms Alex Tucker left the meeting.

## 9.2 WORKS AND SERVICES REPORTS

### 9.2.1 ROADWISE COMMITTEE - REPLACEMENT OF MEMBER

<b>File Ref:</b>	<b>N47487</b>
<b>Responsible Officer:</b>	<b>David Lynch Manager Works and Services</b>
<b>Author:</b>	<b>Amy Chadbourne Senior Administration/Project Officer Works and Services</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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#### **PURPOSE**

The purpose of this report is to note the resignation of one member of the Plantagenet RoadWise Committee and to consider the appointment of a replacement member.

#### **BACKGROUND**

The RoadWise Committee was created with the following functions:

1. To provide a structured forum for stakeholders to consider and discuss road safety issues; and
2. To discuss and make recommendation regarding the identification and appropriate counter measures to negative attitudinal, behavioural and environmental factors linked to enforcement, engineering, education, encouragement and evaluation of road safety initiatives.

Mount Barker Police have advised that their representative Sgt Andy McRae has retired from the police force effectively bringing about his resignation from the Plantagenet RoadWise Committee.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 5.8 – ‘Establishment of committees’.

The RoadWise Committee was formed under Section 5.9 (2)(c) which provides that a Committee is to comprise ‘... council members, employees and other person.’ Sections 5.10 and 5.11 refer to ‘Appointment of committee members’ and ‘Tenure of committee membership’ respectively.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **POLICY IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following:



Strategy 2.4.4:

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

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.4.1:

*'Support the RoadWise Program.'*

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

### **OFFICER COMMENT**

Pursuant to Section 5.11 of the Local Government Act 1995, Sergeant Andy McRae, now retired as Officer in Charge of the Mount Barker Police Station, can no longer be a member of the Plantagenet RoadWise Committee.

Following his appointment to the position of Officer in Charge of the Mount Barker Police Station, Sergeant David Johnson becomes eligible to fill the position as a committee member representing the Mount Barker Police on the Plantagenet RoadWise Committee. Senior Constable Ken Brown will continue in his role as Deputy for Sergeant Johnson.

### **VOTING REQUIREMENTS**

Absolute Majority

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

**Moved Cr L Handasyde, seconded Cr B Lang:**

**That:**

- 1. The resignation of Sergeant Andy McRae from the Plantagenet RoadWise Committee be noted and Sergeant McRae be thanked for his service; and**
- 2. Sergeant David Johnson be appointed as a committee member on the Plantagenet RoadWise Committee representing the Mount Barker Police.**

**CARRIED (9/0)**

**NO. 8/19**

**Absolute Majority**

### 9.3 COMMUNITY SERVICES REPORTS

#### 9.3.1 COMMUNITY EMERGENCY SERVICES MANAGER - MEMORANDUM OF UNDERSTANDING AND BUSINESS PLAN RENEWAL - DEPARTMENT OF FIRE AND EMERGENCY SERVICES

<b>File Ref:</b>	<b>N47384</b>
<b>Attachments:</b>	<a href="#">CESM 2018 SoP Business Plan.pdf</a> <a href="#">CESM 2018 SoP MOUv2.pdf</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Fiona Pengel</b> <b>Manager Community Services</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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#### **PURPOSE**

The purpose of this report is to recommend the renewal of the Memorandum of Understanding and Community Emergency Services Manager (CESM) Business Plan between the Shire of Plantagenet and the Department of Fire and Emergency Services (DFES) for 2019-2022.

#### **BACKGROUND**

In September 2009 the Shire of Plantagenet first entered into an agreement with the then Fire and Emergency Services Authority (FESA) to provide for a CESM. At that time FESA (now DFES) paid 100% of the salary costs associated with the CESM position.

The Agreement has been renewed three times since that time and the salary costs are now shared equally between the Shire and DFES.

The CESM provides support for the Bush Fire Brigades in the Shire of Plantagenet, organising and delivering training, ensuring brigades have appropriate Personal Protective Equipment (PPE) and ensuring firefighting equipment is compliant to safety regulations. The CESM also ensures servicing of vehicles and equipment is carried out regularly.

The CESM provides executive support to the Local Emergency Management Committee and the Bush Fire Advisory Committee.

The CESM also supports compliance activities such as the Local Emergency Management Arrangements (LEMA), review of emergency management arrangements and bush fire management plans.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

Consultation and negotiations have taken place with the DFES Regional Office in Albany.

**FINANCIAL IMPLICATIONS**

This position has been allocated the required funds in the 2018/2019 budget.

**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 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.2:

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

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

**OFFICER COMMENT**

The CESM position is a valuable asset to the Shire and the support it provides to the local bush fire brigades.

The volume of work undertaken by the CESM could not be absorbed by other staff members. Therefore the continuation of this arrangement is important to maintain an appropriate level of support to the bush fire brigades and support the Shire’s emergency management responsibilities.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the Chief Executive Officer be authorised to sign the Memorandum of Understanding and the Community Emergency Services Manager Business Plan, between the Department of Fire and Emergency Services and the Shire of Plantagenet, for the period 2019-2022.**

**CARRIED (9/0)**

**NO. 9/19**

**9.3.2 RECREATION CENTRE - LICENCE AGREEMENT - COMMON SEAL**

<b>File Ref:</b>	<b>N47439</b>
<b>Attachments:</b>	<a href="#">Licence Agreement Mt Barker Recreation Centre</a>
<b>Responsible Officer:</b>	<b>Fiona Pengel Manager Community Services</b>
<b>Author:</b>	<b>Isabelle Draffehn Community Development Officer</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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**PURPOSE**

The purpose of this report is to seek approval for the Common Seal of the Council to be applied to the Licence Agreement between the Minister for Education and the Shire of Plantagenet for the Mount Barker Community College (MBCC) School Community Recreation Centre.

**BACKGROUND**

In 1997, the Shire of Plantagenet entered into a licence agreement with the Minister for Education to set out recitals and the operation of the Mount Barker Senior High School Community Recreation Centre.

The term of licence was 21 years which expired in 2018.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

External consultation has occurred with the Mick Nutini, Senior Property Coordinator – Asset Planning and Services – Department of Education and with Gayle Ferguson, State Solicitor’s Office (acting for the Minister for Education).

Advice has also been sought from Dylan Parker, Mount Barker Legal.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

Strategy 1.5.5:

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

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

#### **OFFICER COMMENT**

The 1997 licence agreement between the Shire of Plantagenet and the Minister for Education set out recitals and the operation of the Mount Barker Senior High School Community Recreation Centre.

A recent review of the agreement has resulted in the implementation of some changes to the new licence agreement. These include the amendment of some of the terminology, different formatting and replacement of a community advisory committee for the centre. With a liaison group, equal share of electricity, gas and water consumption costs have been included and the requirement to provide audited accounts to the Department of Education has been eliminated. However, the intent and standard conditions of the agreement remain unchanged.

The proposed licence agreement for the Mount Barker Community College (MBCC) School Community Recreation Centre will be for another 21 year term and it is anticipated that both parties will continue with the efficient joint management of the facility.

#### **VOTING REQUIREMENTS**

Simple Majority

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

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

**That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the new Licence Agreement between the Minister for Education and the Shire of Plantagenet for the Mount Barker Community College School Community Recreation Centre.**

**CARRIED (9/0)**

**NO. 10/19**

**9.3.3 MOUNT BARKER MEMORIAL SWIMMING POOL REFURBISHMENT -  
BUDGET REVIEW - FEASIBILITY STUDY**

<b>File Ref:</b>	<b>N47462</b>
<b>Responsible Officer:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Author:</b>	<b>Fiona Pengel Manager Community Services</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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**PURPOSE**

The purpose of this report is to consider funding a feasibility study into the refurbishment of the Mount Barker Memorial Swimming Pool facilities.

**BACKGROUND**

At its meeting held on 6 November 2018, the Council resolved:

*'That:*

- 1. Concept plans for Options 1 and 2 as attached, be endorsed for further progression of the Mount Barker Memorial Swimming Pool upgrade.*
- 2. A budget allocation of \$50,000.00 be recommended for inclusion in the 2019/2020 draft budget to fund a feasibility study that will include detailed plans and accurate costings.'*

Further to the November Council meeting, discussions have taken place between the Regional Manager of the Department of Local Government, Sport and Cultural Industries (DLGSC), the Chief Executive Officer and the Manager Community Services to progress the refurbishment project.

DLGSC indicated that future funding from Community Sport and Recreation Facilities Fund (CSRFF) for the implementation of the refurbishment project would be dependent on a thorough feasibility study.

The CSRFF will be open for applications in February 2019 and can provide up to one third of project costs. The DLGSC Regional Manager has advised that a feasibility study would be an eligible project from this fund.

It is a requirement of the CSRFF that the applicant provides two thirds of the project cost.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.11(3)(b); and,

Local Government (Financial Management) Regulations 1996 Section 18.

**EXTERNAL CONSULTATION**

Consultations have taken place with the DLGSC Great Southern Regional Manager.

## FINANCIAL IMPLICATIONS

The swimming pool facilities refurbishment project is likely to be in the region of \$2 million to \$2.5 million.

Current funding options based on a project of \$2.4 million are;

1. Accessing maximum funding from current sources, being
  - a. Building Better Regions Fund (BBRF) - maximum 50% - \$1.2 million
  - b. CSRFF – maximum 33% - \$800,000.00
  - c. Shire of Plantagenet loan required - \$400,000.00
2. Accessing BBRF without CSRFF
  - a. BBRF – maximum 50% - \$1.2 million
  - b. Shire of Plantagenet loan required - \$1.2 million
3. Accessing CSRFF without BBRF
  - a. CSRFF – maximum 33% - \$800,000.00
  - b. Shire of Plantagenet loan required - \$1.6 million

The Shire does not have sufficient funds in reserve to fund this project. Therefore, the Shire of Plantagenet would need to access additional funds totalling either \$400,000.00, \$1.2 million or \$1.6 million to implement the refurbishment.

There is currently a sum of \$383,324.00 in the Major Projects and Renewals Reserve, although \$151,994.00 is budgeted for expenditure from the reserve, leaving a projected balance of \$231,330.00. The purpose of this reserve is to fund new, improvements or refurbishments to existing Shire buildings and / or infrastructure and planned major building renewal projects, so this fits with the pool refurbishment project.

While the Recreation Advisory Committee has recommended that an amount of \$50,000.00 be transferred from the Major Projects and Renewals Reserve to enable a Swimming Pool Redevelopment Feasibility Study to be undertaken in the 2018/2019 financial year, the December budget review (elsewhere in this agenda) has identified a surplus of \$50,000.00, which could be made available.

The other possible source of funds is by way of a loan. A loan through the Western Australian Treasury Corporation (WATC) would currently attract an interest rate of approximately 3.40%, although this is expected to rise slightly over the next two years. The approximate annual repayments for a loan of these amounts would be as follows (over recommended time periods):

- \$400,000.00      10 years      \$47,520.00;
- \$1.2 million      20 years      \$83,184.00; and
- \$1.6 million      20 years      \$110,911.00.

## POLICY IMPLICATIONS

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

In addition, the Council's Borrowing and Asset Financing Policy is relevant to the proposed loan. It states as follows (in part):

- ‘4. The Council may consider borrowing proposals on their merits from time to time and give favourable consideration to borrowing money for the acquisition or construction of an asset under the following circumstances:
- a) Where the asset to be acquired is a new addition to the Council’s asset base and the project contributes to the achievement of an identified strategic objective; or
  - b) Where the asset replaces an existing asset and has a useful life of greater than 10 years; or
  - c) Where the asset is required urgently and unexpectedly or a significant community need for the asset has been identified; and
  - d) One of the following funding conditions exists:
    - i) The project will reduce operating costs to an extent sufficient to cover the cost of the project and generate further savings to the Shire;
    - ii) The borrowing cost could be supported by additional revenue over the effective life of the project;
    - iii) All alternative options for undertaking the project without borrowing have been investigated and proven less advantageous to the Council;
    - iv) The income stream from the asset to be acquired or constructed exceeds the cost of borrowing over the life of that asset;
    - v) Repayments will be met by a third party such as self supporting loans and the financial stability of that party meets the criteria as set out in the Self Supporting Loans Policy;
    - vi) To save for the acquisition or construction will result in the actual cost being greater than the cost of borrowing the money and acquiring it today; or
    - vii) To delay a project would jeopardise it due to grant funding restrictions or opportunities.’

It is considered that this loan funding proposal meets the policy guidelines.

In addition, the Council’s Policy on Borrowings (F/FM/6) recommends that the following financial ratios to be maintained:

	Council Policy	2017/18 Actual	2017/18 plus \$400K	2017/18 plus \$1.2m	2017/18 plus \$1.6m
Debt Service Cover Ratio	>3	3.85	3.51	3.29	3.14
This ratio means:					
Annual operating surplus before interest and depreciation					
principal and interest					
Net Debt Ratio	<50%	12.6%	16.2%	23.3%	26.9%
This ratio means:					
Gross debt less cash and cash equivalents					
Available operating revenue					

Note: The Net Debt Ratio calculations assume a static cash position



These ratios are currently being met and will continue to be met, with any of the loan amounts suggested above. While possible loans for other projects will need to be taken into account (such as a proposal to fund extensions to the Dr Christopher Bourke Medical Centre), the Council's loan liability will reduce as follows over the next 8 years:

Loan Repayment Schedule								
	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
<b>Total Loan Repayments</b>								
Administration Centre (90)	241,103	240,168	239,135	238,067	236,934	235,749	234,434	0
Sounness Park (94)	46,464	46,240	46,000	45,754	45,485	0	0	0
Saleyards Roof (95)	28,694	28,694	28,694	28,694	28,694	28,694	28,694	28,694
Plantagenet Village Homes (93)	149,120	148,373	147,583	146,772	72,978	0	0	0
	<b>465,380</b>	<b>463,475</b>	<b>461,412</b>	<b>459,287</b>	<b>384,092</b>	<b>264,443</b>	<b>263,128</b>	<b>28,694</b>
<b>Principal Outstanding</b>								
Administration Centre (90)	1,152,037	986,481	811,149	625,465	428,817	220,557	0	0
Sounness Park (94)	165,053	126,113	85,664	43,647	0	0	0	0
Saleyards Roof (95)	181,905	157,962	133,368	108,106	82,157	55,502	28,123	0
Plantagenet Village Homes (93)	470,554	342,181	209,040	70,954	0	0	0	0
	<b>1,969,549</b>	<b>1,612,737</b>	<b>1,239,221</b>	<b>848,171</b>	<b>510,973</b>	<b>276,059</b>	<b>28,123</b>	<b>0</b>

Assuming a likely scenario of borrowing \$1.2million, the annual repayments of \$83,184.00 represent a rate increase of 1.2% for the current year, everything else remaining equal. As borrowings decrease over the next few years, the impact of a new loan would also decrease.

It should be noted that, even though the Shire's financial position at the time of taking out a loan may meet the Council policy and basic WATC guidelines, the WATC takes other information into account and an approval cannot be guaranteed.

## ASSET MANAGEMENT IMPLICATIONS

The buildings at the pool are almost 50 years old, with the facility having opened in 1971.

A lifelong asset cost will form part of the feasibility study undertaken.

The Shire's Asset Management Policy states;

*'Where the Council proposes to build or otherwise take on responsibility for a building with a cost greater than \$100,000.00, the proposal will be assessed under the Council's adopted Business Case Guidelines for New Buildings. All other capital works projects in excess of \$100,000.00 will be subject to a cost / benefit analysis. Projects will also be assessed against the objectives and priorities within corporate planning documents, including the Strategic Community Plan, Corporate Business Plan and Asset Management Plans.'*

## 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 1.5.6:

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

*And:*

Strategy 1.5.7:

*'Renew the parts of the Mount Barker swimming pool infrastructure that are at the end of their economic life.'*

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan in regards to those elements of the plan that are at the end of their economic life.

The Community Strategic Plan is, however, silent in regards to the toddler pool that is in sound condition and can be argued as being fit for purpose.

### **STRATEGIC RISK IMPLICATIONS**

The Shire's Strategic Risk Register provides at Risk no.1.6.1 failure to manage assets for the future.

### **REGIONAL IMPLICATIONS**

The Great Southern Sport and Recreation Plan has been endorsed by the Council and has been released for public consultation. In that document, the Community Strategic Plan Strategy 1.5.7 is identified as a priority action for the Shire of Plantagenet.

It should also be noted that the DLGSC Regional Manager indicated that the project would be assessed alongside other planned regional projects.

### **OFFICER COMMENT**

To access grant funding for the implementation of the refurbishment project, the Shire of Plantagenet will have to demonstrate that it has undertaken a robust and thorough planning process.

To this end, this report is seeking funds to complete a feasibility study into the options for the refurbishment of the swimming pool facilities.

### **VOTING REQUIREMENTS**

Absolute Majority

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**RECREATION ADVISORY COMMITTEE RECOMMENDATION**

Moved Cr B Bell, seconded Cr J Moir:

That:

1. To enable a Swimming Pool Redevelopment Feasibility Study to be undertaken in the 2018/2019 financial year an amount of \$50,000.00 be transferred from the Major Projects and Renewals Reserve;
2. Funding assistance be sought from the Department of Local Government, Sport and Cultural Industries - Sport and Recreation to undertake the feasibility study referred to in 1) above;
3. The CEO be authorised to seek suitable consultants to undertake the study referred to in 1) above and a recommendation be prepared for the Council's consideration relating to that appointment;
4. The Council's intention regarding re-development of the Mount Barker Memorial Swimming Pool be communicated to:
  - a. South Coast Alliance;
  - b. Southern Link Voluntary Regional Organisation of Councils;
  - c. Mount Barker Swimming Club;
  - d. Albany Swimming Club; and
  - e. Albany Triathlon Club,with a request for their support of the 50m pool infrastructure refurbishment as a project of regional significance;
5. The CEO be authorised to commence discussions with the Mount Barker Swimming Club regarding the possibility of capital contributions for the redevelopment of the facility should the project proceed;
6. The CEO be requested to prepare for the Council's consideration, financial options for potential capital requirements to fund the redevelopment of the facility including grant funding and the impact on the council's financial positions; and
7. The Recreation Advisory Committee's support for the revocation of Council Resolution 247/18 carried at the meeting of the Council held on 6 November 2018 be noted.

**AMENDMENT**

Moved Cr K Clements, seconded Cr S Etherington:

That a 3b. be added as follows and the motion re-cast accordingly.

'refers back to the Council the 'Scope of Work' referred to in 3a. above for approval prior to a consultant being engaged;'

**CARRIED (9/0)**

**NO. 11/19**

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

- 1. To enable a Swimming Pool Redevelopment Feasibility Study to be undertaken in the 2018/2019 financial year an amount of \$50,000.00 be transferred from the Major Projects and Renewals Reserve;**
- 2. Funding assistance be sought from the Department of Local Government, Sport and Cultural Industries - Sport and Recreation to undertake the feasibility study referred to in 1) above;**
- 3. The CEO:**
  - a. be authorised to seek suitable consultants to undertake the study referred to in 1) above and a recommendation be prepared for the Council's consideration relating to that appointment; and**
  - b. refers back to the Council the 'Scope of Work' referred to in 3a. above for approval prior to a consultant being engaged;**
- 4. The Council's intention regarding re-development of the Mount Barker Memorial Swimming Pool be communicated to:**
  - a. South Coast Alliance;**
  - b. Southern Link Voluntary Regional Organisation of Councils;**
  - c. Mount Barker Swimming Club;**
  - d. Albany Swimming Club; and**
  - e. Albany Triathlon Club,****with a request for their support of the 50m pool infrastructure refurbishment as a project of regional significance;**
- 5. The CEO be authorised to commence discussions with the Mount Barker Swimming Club regarding the possibility of capital contributions for the redevelopment of the facility should the project proceed;**
- 6. The CEO be requested to prepare for the Council's consideration, financial options for potential capital requirements to fund the redevelopment of the facility including grant funding and the impact on the council's financial positions; and**
- 7. The Recreation Advisory Committee's support for the revocation of Council Resolution 247/18 carried at the meeting of the Council held on 6 November 2018 be noted.**

**CARRIED (9/0)****NO. 12/19****Absolute Majority**

## 9.4 CORPORATE SERVICES REPORTS

### 9.4.1 BUDGET REVIEW - DECEMBER 2018

#### Cr J Moir

Item: 9.4.1  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle farmer/Elders employee  
Extent: Not required

#### Cr B Lang

Item: 9.4.1  
Type: Code of Conduct Disclosure (S5.102 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: Own cattle  
Extent: Not required

3.42pm Crs J Moir and B Lang withdrew from the meeting

**File Ref:** N47464  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 29 January 2019

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## PURPOSE

The purpose of this report is to review and adjust the adopted 2018/2019 Annual Budget to recognise variations in actual income and expenditure.

## BACKGROUND

The 2018/2019 annual budget was adopted by the Council at a special meeting held on 10 July 2018. This review is the second quarterly review of the 2018/2019 Annual Budget. The Local Government (Financial Management) Regulations 1996 require that local governments conduct a budget review between 1 January and 31 March in each financial year.

## STATUTORY ENVIRONMENT

There is no specific section of the Local Government Act 1995 that deals with the re-allocation of funds, however Section 6.2(1) of the Local Government Act 1995 governs budget requirements for local governments.

Local Government (Financial Management) Regulations 1996. Regulation 33A states:

*(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

- (2A) *The review of an annual budget for a financial year must -*
- (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- \*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.'*

### **FINANCIAL IMPLICATIONS**

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended net cash effect on the budget is a surplus of \$50,000.00.

Elsewhere in this agenda, the possibility has been raised for this surplus to be used for a Swimming Pool Redevelopment Feasibility Study to be undertaken in the 2018/2019 financial year.

### **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**

This is the main budget review of the year. In terms of operating result, operating income is currently 1.6% over (year to date) budget and operating expenditure is 9.5% below (year to date) budget. The value of outstanding rates is currently 25.6%.

The capital roadworks program is generally on track and should be completed by the end of the financial year. Heavy plant purchases and annual fleet purchases to date are all at or below budget.

Transfers to reserve funds have been carried out in line with the budget and budget amendments identified in the 2018/2019 Annual Budget.

A number of issues are worthy of a budget amendment and the following action is recommended:

- The actual surplus carried forward at 30 June 2018, as detailed in the audited 2017/2018 annual financial report, was \$866,962.00. The budgeted surplus carried forward was \$1,179,764.00. A variance of \$312,802.00 exists between the budgeted and actual balance carried forward, which resulted mainly from a higher value in the pre 30 June invoices being received after 1 July 2018 than expected.

This issue was dealt with in the budget review considered by the Council at its meeting held on 11 September 2018, whereby the surplus carried forward was amended to \$834,824.00. The difference between the audited figure (\$866,962.00) and the amended estimate (\$834,824.00) results in a surplus of \$32,138.00.

- The allocation for the Commonwealth Government Grants Commission grants for Equalisation and Road Maintenance requires amendment following adjustments for early payment of grants and final allocations. Changes are required to increase the budget for Equalisation Grant from \$390,240.00 to \$405,367.00, an increase in budgeted income of \$15,125.00 and a decrease in the budget for Road Maintenance from \$483,629.00 to \$410,611, a decrease in budgeted income of \$73,018.00.
- The Main Roads Local Road Grant allocation is increased from the budget estimate of \$124,022.00 to \$201,570.00, an increase in income of \$77,548.00.
- Blackspot Funded Road project, Jutland / Fisher Road, was completed in the 2018 financial year. A balance of \$17,083.00 was budgeted for completion this year. The budget can now be reduced to \$nil resulting in a decrease in budgeted expenditure of \$17,083.00.
- The Oatlands Road (own resources) project was completed in the 2018 financial year. A balance of \$18,462.00 was budgeted for the completion in the 2019 year. The budget can now be reduced to \$nil and is available for reallocation. In addition, following finalisation and audit of Roads to Recovery funded road projects, an additional allocation of funding of \$15,162.00 is required to expend the Roads to Recovery annual funding for 2019. It is suggested that these two amounts be allocated to the laying of asphalt in Langton Road (Lowood Road to Marmion Street). While, the asphalt will cost in the region of \$50,000.00, it is hoped that additional savings can be made elsewhere to fund the difference. This will be dealt with in the next budget review.
- The Roads to Recovery Road Replenishment projects for Pile Road \$44,659.00, and Chillinup Road \$85,614.00 have been withdrawn due to potentially obtaining funding from MRWA through the Commodity Route Supplementary Funding scheme to fully re-seal these roads within the next 2 years. It is recommended that the Roads to Recovery funding be re-allocated to Jackson Road \$44,659.00 and Nornalup Road \$85,614.00. These roads

have seal deterioration with cracking and will benefit from the road replenishment project.

- Unbudgeted repairs to the wash-down pump at the Saleyards facility resulted in expenditure totalling \$7,800.00. One of the pump 'stacks' (the part of the pump that creates the pressure) had worn out. It is recommended that a capital expenditure item for this expenditure be established, to be offset by a transfer from the Mount Barker Regional Saleyards Capital Improvements Reserve.
- At its meeting held on 10 October 2017, the Council resolved to facilitate the process of removing remnant vegetation from Crown Land Reserve 28136 adjacent to the residential area bordered by Deane Street and Ingoldby Street, Mount Barker (known as the 'Old Drive-In Site') on the east and south sides of existing housing.

Approval from the Minister for Planning has been received for utilisation of \$45,000.00 of cash in lieu funds for this purpose. The budget will be amended to include a Transfer from Trust account – Public Open Space of \$45,000.00 and operational expenditure on the reserve of \$45,000.00. The result is a \$nil cash impact. However, the clearing cannot be undertaken until permission is received from the Department of Water and Environment Regulation. The clearing application advertising period has closed.

- A \$1,000.00 grant has been received for Thank a Volunteer and \$6,000.00 for Other Clubs Grants resulting in a budget increase in income of \$7,000.00. A corresponding increase in expenditure is sought.
- There has been a need for repairs and maintenance to several CCTV cameras for continued operation of the network. This has resulted in an expenditure increase from \$2,000.00 to \$8,000.00 an increase in budgeted expenditure of \$6,000.00 is sought.
- Private Works expenditure and income have been impacted by the agreement with the RAMS film production. Budgeted expenditure is increased from \$10,000.00 to \$60,000.00 and budgeted income from \$11,500.00 to \$71,500.00. The result is a \$nil cash impact.
- Expenditure for the Local Government Convention was below budget expectation and a reduction in budget from \$13,000.00 to \$10,714.00, the remaining amount being available for reallocation.
- Following revaluation of Infrastructure in 2018, depreciation charges for the Swimming Pool bowl, Saleyards Infrastructure and Other Recreation and Culture Infrastructure have increased the non-cash budgeted expenditure for this year. An increase in depreciation expenditure will not impact the Net Cash position.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The Council adopted a 10% and a \$5,000.00 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

## **VOTING REQUIREMENTS**

Absolute Majority



**OFFICER RECOMMENDATION**

Moved Cr L Handasyde, seconded Cr B Bell:

That the budget review for the period 1 July 2018 to 31 December 2018 be adopted and the 2018/2019 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
	Net Current Assets at End of Financial Year	\$834,824	\$866,962	\$32,138
10007.0212	Grants Commission Grant - Equalisation - Untied	\$390,242	\$405,367	\$15,125
10008.0211	Grants Commission Grant - Road Maintenance - Untied	\$483,629	\$410,611	(\$73,018)
10008.0212	Local Road Grant - Main Roads Tied Grant	\$124,022	\$201,570	\$77,548
51655.0250	Blackspot Jutland / Fisher Road Intersection	(\$17,083)	\$0	\$17,083
51765.0250	Roads to Recovery - Langton Road	\$0	(\$15,162)	(\$15,162)
51763.0250	Roads to Recovery - Pile Road	(\$44,659)	\$0	\$44,659
51763.0250	Roads to Recovery - Jackson Road	\$0	(\$44,659)	(\$44,659)
51764.0250	Roads to Recovery - Chillinup Road	(\$85,614)	\$0	\$85,614
51764.0250	Roads to Recovery - Nornalup Road	\$0	(\$85,614)	(\$85,614)
51718.0250	Oatlands Road SLK 0.35-0.55	(\$18,462)	\$0	\$18,462
51606.0250	Langton Road - Lowood Rd to Marmion Street	(\$17,177)	(\$35,639)	(\$18,462)
51766.0253	Cattle Saleyards - Repairs to Wash-down Pump	\$0	(\$7,800)	(\$7,800)
41326.0486	Transfer from Trust	\$0	\$7,800	\$7,800
20219.0047	Deane / Ingoldby Public Open Space Reserve	\$0	(\$45,000)	(\$45,000)
41122.0243	Transfer from Trust	\$0	\$45,000	\$45,000
10126.0272	Other Recreation and Culture - Grants	\$0	\$7,000	\$7,000
20221.0356	Other Recreation and culture - Community Programs	(\$12,000)	(\$19,000)	(\$7,000)
20086.0376	CCTV Camera Maintenance	(\$2,000)	(\$8,000)	(\$6,000)
21350.0321	Private Works Jobs	(\$10,000)	(\$70,000)	(\$60,000)
11500.0000	Private Works Recoups	\$11,500	\$71,500	\$60,000
20026.0032	Local Government Convention	(\$13,000)	(\$10,714)	\$2,286
20198.0188	Depreciation - Swimming Pool bowl	(\$45,553)	(\$131,793)	\$0
21324.0188	Depreciation -Saleyards Infrastructure	(\$356,150)	(\$503,260)	\$0
20223.0188	Depreciation -Other Rec & Culture Infrastructure	(\$36,508)	(\$49,036)	\$0
		\$1,316,284	\$1,120,406	\$50,000

**AMENDMENT**

Moved Cr K Clements, seconded Cr J Oldfield:

That a part 2 be added to the motion as follows:

'The 2018/2019 Annual Budget be further amended as follows:

	Description	Original / Amended Budget	New Budget	Net Cash Amount
20196.0030	Other Expenses (Pool) – Professional Services	(\$12,000)	(\$62,000)	(\$50,000)

and the motion be re-cast accordingly.

**CARRIED (7/0)**

**NO. 13/19**

**COUNCIL DECISION**

That the budget review for the period 1 July 2018 to 31 December 2018 be adopted and the 2018/2019 Annual Budget be amended as follows:

1.	Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
		Net Current Assets at End of Financial Year	\$834,824	\$866,962	\$32,138
	10007.0212	Grants Commission Grant - Equalisation - Untied	\$390,242	\$405,367	\$15,125
	10008.0211	Grants Commission Grant - Road Maintenance - Untied	\$483,629	\$410,611	(\$73,018)
	10008.0212	Local Road Grant - Main Roads Tied Grant	\$124,022	\$201,570	\$77,548
	51655.0250	Blackspot Jutland / Fisher Road Intersection	(\$17,083)	\$0	\$17,083
	51765.0250	Roads to Recovery - Langton Road	\$0	(\$15,162)	(\$15,162)
	51763.0250	Roads to Recovery - Pile Road	(\$44,659)	\$0	\$44,659
	51763.0250	Roads to Recovery - Jackson Road	\$0	(\$44,659)	(\$44,659)
	51764.0250	Roads to Recovery - Chillinup Road	(\$85,614)	\$0	\$85,614
	51764.0250	Roads to Recovery - Nornalup Road	\$0	(\$85,614)	(\$85,614)
	51718.0250	Oatlands Road SLK 0.35-0.55	(\$18,462)	\$0	\$18,462
	51606.0250	Langton Road - Lowood Rd to Marmion Street	(\$17,177)	(\$35,639)	(\$18,462)
	51766.0253	Cattle Saleyards - Repairs to Wash-down Pump	\$0	(\$7,800)	(\$7,800)
	41326.0486	Transfer from Trust	\$0	\$7,800	\$7,800
	20219.0047	Deane / Ingoldby Public Open Space Reserve	\$0	(\$45,000)	(\$45,000)
	41122.0243	Transfer from Trust	\$0	\$45,000	\$45,000
	10126.0272	Other Recreation and Culture - Grants	\$0	\$7,000	\$7,000
	20221.0356	Other Recreation and culture - Community Programs	(\$12,000)	(\$19,000)	(\$7,000)
	20086.0376	CCTV Camera Maintenance	(\$2,000)	(\$8,000)	(\$6,000)
	21350.0321	Private Works Jobs	(\$10,000)	(\$70,000)	(\$60,000)
	11500.0000	Private Works Recoups	\$11,500	\$71,500	\$60,000
	20026.0032	Local Government Convention	(\$13,000)	(\$10,714)	\$2,286
	20198.0188	Depreciation - Swimming Pool bowl	(\$45,553)	(\$131,793)	\$0
	21324.0188	Depreciation -Saleyards Infrastructure	(\$356,150)	(\$503,260)	\$0
	20223.0188	Depreciation -Other Rec & Culture Infrastructure	(\$36,508)	(\$49,036)	\$0
			\$1,316,284	\$1,120,406	\$50,000

2.		Description	Original / Amended Budget	New Budget	Net Cash Amount
	20196.0030	Other Expenses (Pool) – Professional Services	(\$12,000)	(\$62,000)	(\$50,000)

**CARRIED (7/0)**

**NO. 14/19**

**Absolute Majority**

3.51pm

Crs J Moir and B Lang returned to the meeting

**9.4.2 FINANCIAL STATEMENTS – NOVEMBER AND DECEMBER 2018**

<b>File Ref:</b>	<b>N47461</b>
<b>Attachment:</b>	<a href="#">Financial Statements</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Alison Kendrick</b> <b>Senior Administration Officer - Finance</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

---

**PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the periods ending 30 November and 31 December 2018.

**STATUTORY ENVIRONMENT**

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

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

The Statement is to be accompanied by:

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

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the Financial Statement for the periods ending 30 November and 31 December 2018 be received.**

**CARRIED (9/0)**

**NO. 15/19**

**9.4.3 LIST OF ACCOUNTS – DECEMBER 2018**

<b>File Ref:</b>	<b>N47496</b>
<b>Attachment:</b>	<a href="#">List of Accounts - December 2018</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Emma Gardner</b> <b>Accounts Officer</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of December 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 B Bell, seconded Cr J Oldfield:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 December 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 \$966,114.20;
2. Municipal Cheques 46380 to 46406 totalling \$122,765.92; and
3. Trust Cheques 470 – 471 totalling \$500.00.

**CARRIED (9/0)**

**NO. 16/19**

**9.4.4 RENEWAL OF LEASE - LOT 7 MARMION STREET MOUNT BARKER - WANSLEA**

<b>File Ref:</b>	<b>N47537</b>
<b>Attachments:</b>	<a href="#">Lease - Lot 7 Marmion Street</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Donna Fawcett</b> <b>Human Resources Coordinator</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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**PURPOSE**

The purpose of this report is to recommend the renewal of the lease agreement between the Shire of Plantagenet and Wanslea Early Learning and Development Incorporated (Wanslea), for Lot 7 Marmion Street, Mount Barker for the purpose of a child care centre.

**BACKGROUND**

At its meeting held on 4 March 2014 the Council resolved:

*“That:*

- 1. The lease (as attached) to Wanslea Early Learning and Development Incorporated for Lot 7 Marmion Street, Mount Barker be renewed for a period of five years under similar terms and conditions as the current lease.*
- 2. 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 Wanslea Early Learning and Development for Lot 7 Marmion Street, Mount Barker for the purpose of a child care centre.”*

The current lease agreement between the Shire of Plantagenet and Wanslea commenced on 23 February 2014 and will expire on 22 February 2019. Wanslea has been operating the child care centre since April 2009.

**STATUTORY ENVIRONMENT**

The Plantagenet Child Care Centre must comply with the following legislation to maintain the licence to provide child care:

- Children and community Services Act 2004;
- Children and Community Services (Child Care) Regulations 2006; and
- National Quality Framework.

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

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

Wanslea is an educational not for profit organisation and as such, the lease agreement is an exempt disposition.

### **EXTERNAL CONSULTATION**

Consultation has taken place with Elisha Smith, Corporate Services Officer, Wanslea.

### **FINANCIAL IMPLICATIONS**

The lease is subject to a rental amount of \$10.00 per annum.

### **POLICY IMPLICATIONS**

Council Policy A/PA/14 'Sporting and Community Organisations using Council and Vested Land – Rateability' applies.

The objective of this policy is *'To ensure that all organisations leasing property owned by or vested in the Council are treated equitably with regard to rating and other charges.'*

Section 3.a. of the policy 'Charitable Status – 100% Waiver' (of which Wanslea is identified) states the following:

*'Annual declaration required to exempt from rates due to charitable or public purpose status.'*

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.1 (Health and family support services that are accessible and meet the needs of our community) the following Strategy:

Strategy 1.1.3:

*'Promote childhood development services and facilities.'*

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

### **OFFICER COMMENT**

Wanslea has been successfully providing high quality child care services to the community of Plantagenet for the past ten years since taking over operation of the centre in 2009. During that time Wanslea has carried out renovations and extensions to the child care centre building to improve the facilities and services it offers.

It is recommended that the lease agreement be renewed for a term of five years with an option to renew for a further five years.



A new lease agreement has been drafted using the Shire's new standard template lease. Generally the terms and conditions are the same as the current agreement. A new clause has been added to the standard template which provides that the Lessee will be responsible for the cost of any policy excess in the event of an insurance claim and in some cases, the cost of repairs where that cost is less than the policy excess. Wanslea have examined the draft lease and is satisfied with the document.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

**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 (as attached) between the Shire of Plantagenet and Wanslea Early Learning and Development for Lot 7 Marmion Street, Mount Barker for the purpose of a child care centre.**
- 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 its charitable status, that a 100% waiver of annual levied rates shall apply.**

**CARRIED (9/0)**

**NO. 17/19**

## 9.5 EXECUTIVE SERVICES REPORTS

### 9.5.1 AUSTRALIAN ABORIGINAL FLAG - PETITION

Cr B Bell sought permission from the Presiding Member to read a prepared statement and asked that it be recorded in the minutes.

*'The permanent flying of an alternative flag to the Australian flag at this Council building is contrary to the values of our democracy and therefore the recommendation should not be supported.'*

*The Australian flag is everybody's flag and has been that way since Federation on January 1, 1901. This flag represents a nation of freedom, opportunity and a democratic political system in which all can participate; a political system that is the envy of many nations that don't enjoy the same freedom and opportunity as we do in Australia.*

*Clearly the diverse culture and heritage of all Australian citizens should be acknowledged and respected, irrespective of race, colour and national or social origin. That acknowledgment and respect applies equally to all citizens, whether it is a young woman from the Philippines who was naturalised last year in this building, or a person whose ancestors resided in Australia prior to Federation in 1901.*

*I believe the true motive to permanently display an alternative flag outside the seat of government buildings is to drive political leverage; by stealth. The result will be divisive, and undermine our democratic principles that the vast majority of people willingly adhere to.*

*Finally, I ask Councillors not to support the recommendation, and be vigilant in preserving our inclusive democratic system that invites participation and serves all.'*

Cr J Moir sought permission from the Presiding Member to read a prepared statement and asked that it be recorded in the minutes.

*'Ever since governments were established in Australia, they have treated Aboriginal people differently.'*

*Whether it's Federal Government, State Government and even Local Government, they have all to a certain degree been guilty of this.*

*If you treat people differently, then it is almost certain that they will react differently. It is my opinion that this is what has been happening to the Aboriginal people.*

*This differential treatment needs to stop.*

*I am not particularly interested in flying the Shire flag or even the State flag but am very supportive of flying the Australian flag. This flag represents Australia as a nation.*

*It is very important that we are inclusive of all people that live within our Shire.*

*The last thing we should be doing is repeating mistakes of the past.*

*I believe flying a flag to represent a particular group of people is doing the exact opposite to what we should all be trying to do. That is to unify all of us as Australians.*

*The fact is, we should all be working together and contributing to make our country an even better place to raise our families.*

*I have no problem if a particular group within our community wish to fly their flags, at their homes or at other venues that they use for cultural events.*

*The Australian flag is the flag that represents us all and does not distinguish one group over another.*

*I believe the overwhelming majority of rate payers would not support the flying of a minority group flag at their Shire office.*

*So therefore I will not be supporting the Officer's recommendation.'*

**File Ref:** N46384

**Attachments:** [Flags Act 1953 – Proclamation \(Australian Aboriginal Flag\)](#)  
[Meeting with Noongar Representatives Notes – Tuesday 6 November 2018](#)

**Responsible Officer:** Rob Stewart  
Chief Executive Officer

**Author:** Rob Stewart  
Chief Executive Officer

**Proposed Meeting Date:** 29 January 2019

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## **PURPOSE**

The purpose of this report is to refer a petition to the Council that was received by the Council on 14 August 2018 and to advise the Council of a meeting held with Noongar people on 6 November 2018, facilitated by the Shire President.

## **BACKGROUND**

At the meeting of the Council held on 14 August 2018 the following petition was received by the Council.

*'To: The Shire President and Councillors of the Shire of Plantagenet*

*We, the undersigned electors and residents of the Shire of Plantagenet, request that the Australian Aboriginal Flag be flown daily on a flagpole erected for that purpose in front of the Shire Offices in Lowood Road, Mount Barker WA.*

*Further, should the Shire agree to the above request the petition organisers undertake to raise a minimum of \$1000 to assist the Shire to undertake the project.*

*We request this as a visible sign of recognition of the Noongar people as the First Peoples of Australia and of practical reconciliation at work in the Shire of Plantagenet. We think it would be ideal to have four flags flown outside of the Shire – the existing Australian and West Australian flags, and the addition of the Australian Aboriginal flag and the Mount Barker flag. We believe these four flags together would fully represent the flags that unite us as a place and people on Menang country in Plantagenet Shire, Western Australia.'*

According to the Council's Standing Orders Local Law the petition is valid and signed by 214 signatories from the district of the Shire of Plantagenet.

### **STATUTORY ENVIRONMENT**

The Governor-General proclaimed the Australian Aboriginal Flag under Section 5 of the Flags Act 1953 on 25 January 2008.

Section 5 of that Act provides that:

'The Governor-General may, by Proclamation, appoint such other flags and ensigns of Australia as he or she thinks fit.

Consequently, the Australian Aboriginal flag is recognised under the Commonwealth Act relating to flags and is also recognised by the Western Australian Government.

A protocol for the flying of the Australian Aboriginal flag has been developed by the Commonwealth.

### **EXTERNAL CONSULTATION**

Significant consultation has occurred with Noongar individuals in Plantagenet.

At the request of the Shire President, further consultation occurred with Noongar individuals on 6 November 2018. Notes from that meeting are attached.

These individuals indicated support for the flying of the Australian Aboriginal Flag in front of the Council's Administration/Council offices.

### **FINANCIAL IMPLICATIONS**

As it is the practice at the Shire of Plantagenet to fly flags 24 hours per day, it is necessary for flags to be illuminated during the hours of darkness. Therefore, the cost for erecting an additional two flagpoles (so that the Council flag can also be flown) will be between \$5,000.00 and \$6,000.00.

This sum if authorised would be charged to budget item Administration Building – Building Renewal (50402.0252).

### **POLICY IMPLICATIONS**

Policy A/PA/15 Alternative Flags applies. However, it will be suggested that the policy be revoked if the Officer's Recommendation is endorsed.

## 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.'*

Further at Strategy 1.3.5. provides:

*'Improve the amenity of community spaces and Shire facilities to promote participation and wellbeing.'*

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

## OFFICER COMMENT

Given that the Commonwealth Flags Act 1953 recognises the Australian Aboriginal flag, and given that the Shire of Plantagenet flies the Australian Aboriginal flag as directed by the Department of Premier and Cabinet it would appear reasonable that the Australian Aboriginal flag be flown at all times in front of the Council Administration building.

Some members of the public may not be aware that there is an order of precedence of flags. The position of honour is always taken by the Australian National flag, then the National flag of other nations (if appropriate), State and Territory flags, followed by other Australian flags prescribed by the Flags Act 1953. Therefore, while only two flagpoles are available, the Australian Aboriginal flag can only be flown at the direction of the Department of Premier and Cabinet, which, in effect, is giving permission for the State flag to be taken down. This is reflected in the Council's current policy.

Further, it could be argued that if a third flagpole was available then a flag recognised under the Flags Act (the Australian Aboriginal flag) would take precedence over the Council's own flag.

The result from this is if Council resolves to fly the Aboriginal flag for 365 days of the year, a further two flagpoles will be necessary if the Council is to fly its own flag.

This outcome is reflected in the recommendation.

It is also recommended that Council Policy A/PA/15 Alternative Flags be revoked as, with four flagpoles, the Flags Act 1953 and directions from the Department of Premier and Cabinet given sufficient guidance to the Chief Executive Officer regarding flag flying protocol.

The flying of the Aboriginal Flag will be a significant achievement towards the development of a Reconciliation Action Plan in the lead-up to Indigenous Land Use

Agreements developed as part of the extinguishment of Native Title and the potential for greater emphasis on the Aboriginal Heritage Act.

Further, it is recommended that no contribution be sought from Noongar people towards the cost of erecting the flagpoles.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

That:

1. Authority be granted for the CEO to make arrangements for a further two flagpoles to be erected adjacent to the existing flagpoles situated at the Council's Administration Office Lowood Road Mount Barker and such poles be illuminated between the hours of darkness and the estimated costs referred to in the report be charged to budget item Administration Building - Building Renewal (50402.0252).
2. Council Policy A/PA/15 Alternative Flags be revoked.
3. The petitioners be thanked for their offer to contribute towards the cost of erection of flagpoles and advised that such contribution will be unnecessary.

**CARRIED (7/2)**

**NO. 18/19**

**Cr J Moir and Cr B Bell voted against the motion**

**9.5.2 STAFF ESTABLISHMENT - PROPOSED AMENDMENT**

<b>File Ref:</b>	<b>N47463</b>
<b>Attachments:</b>	<a href="#">Staff Establishment Chart</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Donna Fawcett</b> <b>Human Resources Coordinator</b>
<b>Proposed Meeting Date:</b>	<b>29 January 2019</b>

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**PURPOSE**

The purpose of this report is to recommend an amendment to the existing staff establishment for an additional fixed 1.0 Full Time Equivalent (FTE) position of Asset Management / Strategic Planning Officer to report in a direct line authority relationship to the Deputy CEO.

**BACKGROUND**

The staff establishment of the Council was last amended on 6 November 2018. At that meeting the Council resolved:

*‘That the Staff Establishment be amended by:*

- 1. Creation of an additional 1.80 FTE Transfer Station Operator;*
- 2. Creation of an additional 0.8 FTE Saleyards General Hand;*
- 3. Creation of an additional 0.14 FTE Library Officer;*
- 4. Deletion of the 0.4 FTE position of Grants Officer;*
- 5. Deletion of the 1.0 FTE position of Supervisor Parks and Gardens;*
- 6. Deletion of the 0.6 FTE position of Club Development Officer;*
- 7. Deletion of the 0.15 FTE position of Waste;*
- 8. Deletion of the 1.0 FTE position of Parks and Gardens Apprentice (Horticulture);*
- 9. Deletion of the 0.1 FTE position of Cleaner/Caretaker; and*
- 10. The total staff establishment for the Shire of Plantagenet be amended from 62.9 FTE to 62.39 FTE.’*

**STATUTORY ENVIRONMENT**

Pursuant to Section 5.36 1(b) of the Local Government Act 1995, a local government is to employ (other than a Chief Executive Officer):

*‘...such persons as the Council believes are necessary to enable the functions of the Local Government and the functions of the Council to be performed.’*

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

*‘...be responsible for the employment, management, supervision, direction and dismissal of other employees.’*

### **FINANCIAL IMPLICATIONS**

The new position recommended in this report would increase the FTE by 1.0 with a cash component increase of \$66,939.00 per year. It is proposed that funding for the position be incorporated in the 2019/2020 draft budget.

### **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**

Asset management is a practical and financially responsible means of managing the Shire's assets by ensuring that the assets continue to provide a specified level of service delivery over the entire life of the asset, and ensuring there is sufficient resource allocation made to replace the asset at the end of its life. There are currently some significant gaps in knowledge, systems and processes and some of the information is out of date, incomplete or needs to be developed further. Many of the Council's assets have also been allowed to degrade substantially.

The Shire holds a portfolio of over \$310 million of assets. The Asset Management Plan documents how the Shire intends to achieve the objectives in the Strategic Community Plan through the identification of critical risks, monitoring of service levels and performance, and understanding lifecycle management and maintenance strategies. It also quantifies anticipated expenditure and highlights focus areas for improvements.

An Asset Management / Strategic Planning Officer would be tasked with coordinating, developing and maintaining asset management systems. The intent of the Shire's asset management planning framework cannot be achieved without a dedicated resource.

The Asset Management Improvement Plan is a key component of the informing strategies that comprise the Asset Management Framework. This plan requires work on a variety of linked documents including the Strategic Community Plan, Annual Budget, Annual Report, Asset Management Policy, Asset Management Strategy and Asset Management Plans, as well as embedding asset management into corporate governance systems.

### **STRATEGIC IMPLICATIONS**

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

Strategy 4.1.2:

*‘Ensure the corporate structure is aligned with the Shire's strategic direction.’*

Further, Outcome 2.6 (Assets and infrastructure managed over the long term to meet current and future needs) the following strategy:

Strategy 2.6.1:



*'Implement maintenance, servicing and renewal of council assets in a timely manner that maximises its life and performance, with a focus on infrastructure and core buildings.'*

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

### **OFFICER COMMENT**

The position of Asset Management / Strategic Planning Officer would assist the council to undertake its legislative responsibilities especially with relation to the Council's Planning for the Future required by Section 5.56 of the Local Government Act 1995.

Further, comparatively new additions to the Local Government (Administration) Regulations (particularly Regulation 19DA) relate to the development and integration of matters relating to resources, including asset management, workforce planning and financial planning.

No additional internal resource has been allocated since those regulations were promulgated.

Specifically, an Asset Management Officer/Strategic Planning Officer could:

- Co-ordinate annual re-valuation of assets. Each of the three asset classes (land and buildings, plant and machinery, infrastructure) is revalued every three years.
- Improve systems for gathering information about assets in order to ensure they are adequately recorded, insured, and secured. This information can also be used to develop whole of life costs, such information to be the basis for resourcing decisions, including optimisation of changeover / replacement timing of assets.
- Identify key tasks that can assist in prolonging the life of high-value assets and developing a business case for their introduction based on cost/benefit ratio and linkages to Strategic Community Planning outcomes.
- Develop routine inspection programs to progressively identify asset condition and to develop a proactive maintenance programs.
- Co-ordinate and maintain the documents required by the Integrated Planning Framework, such as Strategic Community Plan, Corporate Business Plan, Asset Management Plan, and Workforce Plan.

Councillors will be aware that the statutory financial ratios continue to be raised by the Shire's auditor and that the advent of the auditor general taking over audits is adding some complications, as the OAG has some differing interpretations and takes a strict view on movement in ratios and is less inclined to consider mitigating factors.

In particular there are two ratios where the Shire's result continues to be well below the standard, due mainly to factors impacted on by asset renewal values or asset depreciation values. It has been indicated many times that more work needs to be done to verify road infrastructure depreciation values as well as verifying the remaining useful life (RUL) of infrastructure and ensuring depreciation rates are reliable.

It is considered that there needs to be a dedicated in-house resource to achieve these aims.

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**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

That:

1. The attached Staff Establishment Chart showing the addition of an Asset Management Officer (1.0 FTE) noting the direct line authority of the Deputy CEO be adopted.
2. Funding for the additional 1.0 FTE be listed for consideration in the 2019/2020 draft budget.
3. The total staff establishment for the Shire of Plantagenet be amended from 62.39 FTE to 63.39 FTE.

**CARRIED (8/1)**

**NO. 19/19**

**Cr J Moir voted against the motion**

**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**10.1 MOUNT BARKER MEMORIAL SWIMMING POOL UPGRADE –  
ENDORSEMENT OF CONCEPT PLANS (SEE ITEM AFTER ITEM 8)**

This matter was considered immediately following Item 8.

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

Nil

## **12 CONFIDENTIAL**

### **12.1 DEVELOPMENT SERVICES REPORTS**

#### **12.1.1 PLANTAGENET MEDICAL CENTRE – ADDITIONS AND ALTERATIONS**

4.23pm One member of the media left the room.

**File Ref:** N47481  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Vincent Jenkins  
Planning Officer  
**Proposed Meeting Date:** 29 January 2019

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#### **PURPOSE**

The purpose of this report is to seek endorsement for funding of a proposal for additions to the Plantagenet Medical Centre.

#### **MOTION TO PROCEED BEHIND CLOSED DOORS**

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

4.23pm 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:

(e) (iii) information about the business, professional, commercial or financial affairs of a person.

**CARRIED (9/0)**

**NO. 20/19**

#### **MOTION TO PROCEED IN PUBLIC**

**Moved Cr K Clements, seconded Cr B Lang:**

4.41pm That the meeting proceed in public.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

That Prima Stella Pty Ltd be advised that the Council is pleased to endorse the proposal for additions to the Mount Barker Medical Centre situated on Reserve 49690 at the corner of Marmion Street and Langton Road Mount Barker generally as shown on the attached plan and authorises the CEO to:

1. Further negotiate with Prima Stella Pty Ltd with regard to design, funding and fitout.
2. Investigate Bushfire Attack Level (BAL) impact and requirements.
3. Investigate internal and external funding requirements and opportunities.
4. Re-negotiate as necessary existing lease arrangements.

**CARRIED (9/0)**

**NO. 21/19**

**13 CLOSURE OF MEETING**

4.42pm The Presiding Member declared the meeting closed.

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