



ORDINARY MINUTES

DATE: Tuesday, 3 December 2019

TIME: 3:00pm

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

Andrus Budrikis
ACTING CHIEF EXECUTIVE OFFICER

Resolution Numbers: 267/19 to 292/19

MEMBERSHIP – Quorum (5)

Membership:

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

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

3.00pm The Presiding Member declared the meeting open.

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

Members Present:

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

In Attendance:

Mr Andrus Budrikis	Acting Chief Executive Officer
Mr John Fathers	Executive Manager Corporate Services
Mr David Lynch	Executive Manager Works and Services
Ms Nolene Wake	Executive Officer

Apologies:

Cr J Moir

Members of the Public Present:

There was one member of the public present.

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

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

Mr Budrikis 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 RACHEL WRIGHT REPRESENTING THE PLANTAGENET SPORTING CLUB AND THE MOUNT BARKER HOCKEY CLUB.

Ms Wright addressed the Council regarding Item 9.2.1. Sounness Park – Parking, from the Ordinary Council Meeting Minutes held on 6 November 2019 (resolution 236/19). Ms Wright raised the following questions:

1. How many Councillors/Shire members have been present at multiple sport fixtures on Saturday or during trainings?
2. What other options of restricting the tanks/pipes have been considered?
3. If the proposal stands, what will the position of the Shire/Council be if the carpark proposal cannot be funded and in which financial year is this proposed?
4. If the carpark proposal goes ahead what future consultation is planned with the impacted groups?

The Shire President put the first question to Councillors of whom eight responded in the affirmative. He advised that the remaining questions would be taken on notice and responded to in due course.

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

6.1 APPLICANT: CR J OLDFIELD - DEPUTY SHIRE PRESIDENT

Cr J Oldfield requested Leave of Absence from 5 February 2020 to 25 February 2020 inclusive.

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

That Cr J Oldfield be granted Leave of Absence from 5 February 2020 to 25 February 2020 inclusive.

CARRIED (8/0)

NO. 267/19

7 CONFIRMATION OF MINUTES

Moved Cr J Oldfield, seconded Cr K Woltering:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 6 November 2019 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 268/19

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President noted the impending retirement of Workshop Supervisor David Cooper after 26 years and 9 months. It is intended to acknowledge David's service to the Shire of Plantagenet with a presentation at the next meeting of Council on 28 January 2020.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 LOT 702 WARBURTON ROAD CORNER BLOOMFIELD RISE, MOUNT BARKER - ADDITIONAL OVERSIZE OUTBUILDING

File Ref:	N50078
Attachments:	Location Plan Site Plan Outbuilding Floor Plan Outbuilding North Elevation Outbuilding East Elevation Carport Lean-to East Elevation Carport Lean-to North Elevation Firewood Addition North Elevation Firewood Addition West Elevation
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Vincent Jenkins Principal Planning Officer
Proposed Meeting Date:	3 December 2019
Applicant:	Brent Willis

PURPOSE

The purpose of this report is to consider a proposal for one additional oversize outbuilding at Lot 702 Warburton Road, Mount Barker, Porongurup. This outbuilding combined with one existing outbuilding means the cumulative floor area set by Council policy is exceeded.

BACKGROUND

Shire records show the registered owners of Lot 702 Warburton Road are BL Willis and JJ Ryan.

The Council at its meeting held on 13 May 2008 resolved at Resolution No. 70/08:

'That the application for a Home Business and oversized outbuilding on Lot 702 Warburton Road corner Bloomfield Rise, Mount Barker submitted by Brent Leon Willis be approved subject to:

- (1) The applicant being advised that the outbuilding is not to be used for human habitation.*
- (2) Machinery within the outbuilding operating only from 7.00am – 4.30pm weekdays and 9.00am – 4.00pm Saturdays, Sundays and public holidays.'*

The approval was for a 140m² (10m x 14m) outbuilding with a wall height of 3.6m. The approval also included a 50m² carpentry home business within the 140m² outbuilding.

This proposal is for an additional outbuilding of 153m² (8.5m x 18m) with a wall height of 3.6m. This proposal further includes additions to the existing outbuilding involving a 7.2m² (1.8m x 4m) firewood storage structure and a 58.8m² (4.2m x 14m) carport lean-to structure. The existing outbuilding has a floor area of 140m².

The cumulative floor area of outbuildings (including the existing outbuilding and its two additions) will total 359m². The 359m² cumulative floor area exceeds the 100m² floor area set by Council policy for the Residential zone. In addition, the 3.6m outbuilding wall height exceeds the 3.0m wall height set by Council policy for the Residential zone.

The reason provided by the proponent for the additional outbuilding is to provide protection and secure storage for two motor vehicles, a portable sawmill and one trailer. Storage is also required for timber current stored in the open at the property. The proponent further intends to install a car hoist in the proposed outbuilding.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R2.5).

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

State Planning Policy 7.3 - Residential Design Codes (R-Codes).

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

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

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

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

EXTERNAL CONSULTATION

The proposal was advertised for public comment to four adjoining and nearby landowners for a 14-day period closing on 25 November 2019. At the time of finalising this report, no adverse comments were received from adjoining or nearby neighbours.

FINANCIAL IMPLICATIONS

The application fee of \$441.00 has been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100m² for Residential zones. The combined floor area of this outbuilding, the existing outbuilding and the outbuilding additions is 359m². The proposed outbuilding wall height is 3.6m. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

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

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

Lot 702 Warburton Road is 5,002m² in area and located in the Residential (R2.5) zone.

The present development at Lot 702 involves a house, one 140m² outbuilding, 7.2m² firewood storage structure and the 58.8m² carport lean-to structure.

The proposed outbuilding addition is set back 11.5m from the rear property boundary and 10m and 14m from the side property boundaries. The additions to the existing outbuilding and proposed outbuilding locations meet the setback requirements of the Residential (R2.5) zone.

The proposed additional outbuilding will be finished in Colorbond® and timber weatherboard to match the existing house and outbuilding. The cumulative floor area of outbuildings (including the existing outbuilding and its two additions) will total 359m². The wall height of the proposed outbuilding addition will be 3.6m to match the existing outbuilding wall height.

No difficulties are seen with the maximum cumulative floor area of the outbuilding being 359m² and the wall height of the outbuilding being 3.6m given the size of the lot being 5,002m².

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr K Clements:

That under clause 5.2 of the Shire of Plantagenet Town Planning Scheme No. 3 and clauses 66 to 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 approval be granted for the proposed additional outbuilding and the outbuilding additions at Lot 702 Warburton Road Mount Barker. A maximum floor area for outbuildings of 359m² will be in excess of the 100m² specified in Town Planning Scheme Policy 16.3 (Outbuildings) and approval will be subject to the development being in accordance with plans dated 2 and 28 October 2019.

CARRIED (8/0)

NO. 269/19

**9.1.2 MOUNT BARKER MEMORIAL SWIMMING POOL - RECREATION
ADVISORY COMMITTEE RECOMMENDATION - ENDORSEMENT**

File Ref:	N50106
Attachments:	RAC Minutes 14 Nov 2019 Concept development options and cost estimates. Phase One Report: Community and Stakeholder Engagement (separate attachment) Needs Assessment Report (separate attachment)
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Andrus Budrikis Executive Manager Strategic Development
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to endorse the Recreation Advisory Committee's recommendation to direct Consulting Great Southern to further investigate Option One: refurbish existing pool.

BACKGROUND

The Recreation Advisory Committee has been investigating options for the refurbishment of the Mount Barker Memorial Swimming Pool facilities.

Following a Recreation Advisory Committee Recommendation to the Council, at its meeting held 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.'*

At its meeting held 29 January 2019 the Council revoked the above resolution and a further recommendation to the Council made. The Council resolved:

'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.'*

At its meeting held 26 February 2019 the Council resolved:

'That:

1. *The Terms of Reference for the Feasibility Study into the refurbishment of the Mount Barker Memorial Swimming Pool, as follows:*

SCOPE OF WORKS

- a. *To Investigate and report on the social and financial viability of upgrades to the Mount Barker Memorial Swimming Pool facilities.*
- b. *To consider Mount Barker Swimming Pool as a regional facility and how upgrades meet the needs of the Great Southern region.*
- c. *Identify the upgrade option that will maximise access to the facility*
- d. *To investigate and report on any special facility needs that should be incorporated into the design (access and participation for seniors, disability access)*
- e. *To analyse planning and construction costs of alternative sites, designs and management models and make a recommendation for the best long term option.*
- f. *To provide concept plans appropriate for progression with funding bodies.*

METHODOLOGY

A number of research methods will be required to be undertaken during the development of the feasibility study. The methods used will include, but not limited to;

- *Literature search;*
- *Technical data, usage patterns;*
- *Community surveys;*
- *Direct interviews with key groups and individuals;*
- *Community meetings/workshops;*
- *Liaison with neighbouring local governments;*
- *Site visits to other facilities;*
- *Discussions with experienced facility managers.*

EXISTING DOCUMENTATION

The following documentation is to be referred to in the development of the Feasibility Study as a minimum requirement;

- *Shire of Plantagenet – Strategic Community Plan 2017 – 2026*
- *Shire of Plantagenet – Corporate Business Plan - 2016-17 - 2020-21*
- *Shire of Plantagenet Long Term Financial Plan 2017/18 to 2032/2033*
- *Shire of Plantagenet Strategic Asset Management Plan 2018/19 – 2027/28*
- *Mount Barker Swimming Pool – Stage 1 – Condition Assessment (GHD Engineers)*
- *Great Southern Regional Sport and Recreation Plan 2018*
- *Shire of Plantagenet – Sport and Recreation Needs Analysis 2008*

be endorsed; and

2. The intention of the CEO to call for expressions of interest from suitable consultants for the feasibility study be noted with a further report to be submitted no later than 23 April 2019.'

Consulting Great Southern (CGS) was appointed to undertake the feasibility study following the conducting of a Request for Quote. The program of works for the feasibility study includes:

- Phase one: Project research, initiation and initial engagement;
- Phase two: Initial stakeholder engagement;
- Phase three: Develop concept plans (four of);
- Phase four: Prepare draft feasibility; and
- Phase five: Finalise Feasibility.

Consulting Great Southern has completed phases one to three. The Phase One Report: Community and Stakeholder Engagement and the Needs Assessment Report are attached separately.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Refer to the Phase One Report: Community and Stakeholder Engagement 29 August 2019. Two public consultation workshops to review the four concept options were held on 12 November 2019.

FINANCIAL IMPLICATIONS

The cost to complete the feasibility study is included in the consultant fee and in the FY 2019/20 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

The Feasibility Study is investigating future options for the Mount Barker Memorial Swimming Pool Re-development.

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.

REGIONAL IMPLICATIONS

The resulting Feasibility Study will refer to the Great Southern Regional Sport and Recreation Plan, 2018.

OFFICER COMMENT

Following an extensive consultation process (refer to Phase One Report) Consulting Great Southern developed concept plans for four options:

1. Refurbish existing pool;
2. New 50m x six lane pool adjacent to the current facility;
3. New 25m x eight lane pool and learn to swim pool adjacent to the current facility; and
4. Relocate pool and supporting infrastructure to the Sounness Park Sports Precinct.

Locating the pool at the Mount Barker Community College was considered but not supported by the community or key stakeholders. The main concerns raised primarily related to location, access and security (*Needs Assessment, page 79*).

Roberts Gardiner Architects have developed concept plans for the four options. These plans include the siting of all 'wish list' facilities as identified through the consultation process. It may be necessary to stage the swimming pool redevelopment depending on funding secured. Cost estimates for each option have been prepared by Chris O'Keefe Construction Cost Consultant. The four concept plans and indicative cost estimates are attached.

To complete the feasibility study, one of the four concept options needs to be further studied in detail. This option will be considered the 'preferred option'.

The Recreation Advisory Committee considered all options at its meeting held 14 November 2019 (minutes attached). Preliminary verbal reports from GHD, the structural engineers undertaking the testing of the concrete pool shell, have confirmed that the concrete is well built and should have a reasonable life expectancy. Chlorine penetration tests have not yet been completed so the number of years of expected remaining life has not yet been determined.

The draft GHD report on the remaining life assessment, received after the 14 November 2019 Recreation Advisory Committee meeting, recommends that the Shire either:

1. Retains the existing pool and carries out a major remediation upgrade including replacing the toddler pool and existing buildings; or
2. Demolishes the existing pool and facilities and develops a new pool and facilities on a new site.

The GHD report will be finalised after the chlorine chemical penetration testing is completed.

In making the recommendation to further investigate the refurbishment of the existing pool (option one) the Recreation Advisory Committee also noted that the following factors be considered:

- a) The entrance be from the south;
- b) Refer to the Wagin pool development;
- c) Elevate the administration/ kiosk areas to enhance observation of the pool deck;
- d) Consider parking options; and
- e) Consider staging options so as to minimise the closing of the pool.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr K Woltering:

That the Recreation Advisory Committee recommendation that:

- 1. Option One based on the retention of the existing 50 metre pool be authorised for further development in conjunction with the consultant;**
- 2. The inclusion of a learn to swim pool be incorporated into the planning, the exact site of such pool to be determined;**
- 3. Future clubrooms, gymnasium, cafe, hydro-therapy pool and parking options also be incorporated;**
- 4. Funding options be investigated; and**
- 5. A further report be prepared for consideration by 21 April 2020.**

be endorsed.

AMENDMENT

Moved Cr K Clements, seconded Cr S Etherington:

That a part 6. be included in the motion as follows:

- ‘6. The consultant consider the following points as part of their report:**
 - a) The entrance be from the south;**
 - b) Refer to the Wagin pool development;**
 - c) Elevate the administration/ kiosk areas to enhance observation of the pool deck;**
 - d) Consider parking options; and**
 - e) Consider staging options so as to minimise the closing of the pool.’**

CARRIED (8/0)

NO. 270/19

COUNCIL DECISION

That the Recreation Advisory Committee recommendation that:

1. Option One based on the retention of the existing 50 metre pool be authorised for further development in conjunction with the consultant;
2. The inclusion of a learn to swim pool be incorporated into the planning, the exact site of such pool to be determined;
3. Future clubrooms, gymnasium, cafe, hydro-therapy pool and parking options also be incorporated;
4. Funding options be investigated;
5. A further report be prepared for consideration by 21 April 2020; and
6. The consultant consider the following points as part of their report:
 - a) The entrance be from the south;
 - b) Refer to the Wagin pool development;
 - c) Elevate the administration/ kiosk areas to enhance observation of the pool deck;
 - d) Consider parking options; and
 - e) Consider staging options so as to minimise the closing of the pool.

be endorsed.

CARRIED (8/0)

NO. 271/19

9.1.3 HOUSING STRATEGY - SHIRE OF PLANTAGENET

File Ref:	N50097
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Andrus Budrikis Executive Manager Strategic Development
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to consider a recommendation for the Shire of Plantagenet to develop a housing strategy to determine issues affecting accommodation, housing issues, local industry housing issues, affordable housing issues and options, and short and medium stay accommodation requirements for emergency and semi emergency situations in the town sites of Mount Barker, Kendenup and the DeGaris subdivision.

BACKGROUND

At the Council Meeting of 10 September 2019 the following notice of motion was considered by the Council:

'That:

1. *The CEO be requested to develop a housing paper that will:*
 - a) *Initially determine the issues affecting accommodation in the Mount Barker and Kendenup areas;*
 - b) *Examine the current position regarding housing issues in the town sites of Mount Barker and Kendenup, including the places in between those two towns counting the DeGaris subdivision;*
 - c) *Examine the issues around shortages from the many and varied industry groups, local government, community groups and other stakeholders;*
 - d) *Look at affordable housing issues and options; and*
 - e) *Look at both short and medium stay accommodation requirements for emergency and semi emergency situations.*
2. *A report be brought to the Council at its December 2019 meeting to determine the necessity for a full housing strategy.'*

The Council resolved that the question be adjourned to allow the CEO to prepare an appropriate report, such report to be presented on or before the Ordinary Council Meeting to be held on 3 December 2019.

Housing in Regional Australia was a focus at the Regional Forum held in Canberra 16 June 2019 and *Housing, Infrastructure and Population* a theme of the Australian Local Government Association National General Assembly held after this forum. According to Andrew Beer, Dean of Research University of South Australia, 'Local Government is a part of a networked housing solution that involves Federal Government, State Government, Developers, Community Groups, NFPs, Builders and Local Government'. A number of speakers at these forums indicated that local governments should undertake research to understand the state of housing in their area and develop housing policies and strategies based on this research.

STATUTORY ENVIRONMENT

S5.56 of the Local Government Act 1995 requires all local governments to produce a plan for the future.

The minimum requirement to meet the intent of the plan for the future is specified in the Local Government Act 1995 – Local Government (Administration) Amendment regulations (No 2) 2011. The minimum requirements are the development of a Strategic Community Plan and a Corporate Business Plan.

The Department of Local Government Sport and Cultural Industries publication Integrated Planning and Reporting: Framework and Guidelines refers to the concept of informing strategies in Section 3.3 of Part 2 as strategies that inform the development of the Corporate Business Plan. A housing strategy could be considered an informing strategy.

EXTERNAL CONSULTATION

There has been no external consultation.

FINANCIAL IMPLICATIONS

The study will be carried out by Shire of Plantagenet staff. Costs associated with the study and stakeholder engagement will be sourced from the Tourism, Area Promotion and Economic Development budget item 21311.0572 - Economic Development.

BUDGET IMPLICATIONS

Costs associated with the study and stakeholder engagement will be sourced from the budget line 21311.0572 Economic Development. The 2019/2020 budget for 21311.0572 is \$20,000.00.

POLICY IMPLICATIONS

The following Policy documents may apply to the development of a housing strategy:

- Policy No A/PA/15 Asset Management;
- Shire of Plantagenet Town Planning Scheme No 3;
- Town Planning Scheme Policy No. 14 (Rural Tourist Accommodation & Additional Houses);
- Town Planning Scheme Policy No. 19 (Kendenup Rural Surrounds);
- Town Planning Scheme Policy No. 20 (Porongurup Rural Village Design Guidelines);
- Shire of Plantagenet Town Planning Scheme Policy 18.1 (Planning Vision); and
- Local Planning Strategy 2013.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 includes the following strategies that are relevant to the development of a housing strategy:

Strategy 1.6.2:

'Support quality accommodation for the aged'

Strategy 2.2.5:

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

Strategy 3.1.3:

'Develop and implement policies and initiatives to support local business, employment opportunities and agricultural prosperity'

Strategy 3.1.4:

'Promote the long term growth of the District'

Strategy 3.2.3:

'Develop and review policy to facilitate and support business development and economic growth'

Strategy 3.2.6:

'Encourage and facilitate residential and industrial land development'

Strategy 3.5.1:

'Promote release of serviced industrial, commercial and residential land'

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

OFFICER COMMENT

There are no single existing research documents or reports capturing the information that would be the focus of a housing paper or strategy as proposed by Cr Handasyde.

The population of the Shire of Plantagenet according to the 2018 census is 5,249. This represents a growth rate of 1.6% from 2017, reversing a trend of population decline from 2014 to 2016 (2013 population was 5172). The statistics do not break up the population into localities. Population statistics indicate a growth in older people over 60 years of age and a decline in children from 0 – 9 years of age.

Building licence records show that in the past 15 years, 621 dwellings have been built in the Shire of Plantagenet. Of these dwellings, 50% have been built in the locality of Mount Barker, 27% in the locality of Kendenup, 9% in the locality of Narrikup and 8% in the Porongurup.

As at 21 August 2019 the following vacant land was available in the Plantagenet town sites:

Mount Barker

- Vacant Residential Properties – 176
- Vacant Residential Properties for Sale – 24

Kendenup

- Vacant Residential Properties – 352
- Vacant Residential Properties for Sale – 14

Rocky Gully Rural Village

- Vacant Residential Properties – 48
 - Vacant Residential Properties for Sale – 2
-

Narrakup Rural Village

- Vacant Residential Properties – 3
- Vacant Residential Properties for Sale – 0

These statistics on their own are not particularly informative regarding the adequacy or otherwise of housing stock, and housing availability and affordability in the Shire of Plantagenet. The study proposes to:

- a) Initially determine the issues affecting accommodation in the Mount Barker and Kendenup areas;
- b) Examine the current position regarding housing issues in the town sites of Mount Barker and Kendenup, including the places in between those two towns counting the DeGaris subdivision;
- c) Examine the issues around shortages from the many and varied industry groups, local government, community groups and other stakeholders;
- d) Look at affordable housing issues and options; and
- e) Look at both short and medium stay accommodation requirements for emergency and semi-emergency situations.

The proposed study will seek to clarify these issues by undertaking appropriate research and surveying stakeholders from community, industry and government departments to determine whether the available housing is adequate, affordable and located appropriately. These stakeholders will include (but are not limited to):

- Shire of Plantagenet residents;
- Shire of Plantagenet businesses;
- Banks and finance businesses;
- Plantagenet Village Homes;
- Advance Housing;
- Department of Communities;
- Mount Barker CRC;
- Mount Barker Community College; and
- Mount Barker Hospital.

The study will be carried out by Shire of Plantagenet staff.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

That:

1. The Chief Executive Officer develop a housing strategy paper that will:
 - a) Initially determine the issues affecting accommodation in the Mount Barker and Kendenup areas;
 - b) Examine the current position regarding housing issues in the town sites of Mount Barker and Kendenup, including the places in between those two towns, including the DeGaris subdivision;
 - c) Examine the issues around shortages from the many and varied industry groups, local government, community groups and other stakeholders;
 - d) Look at affordable housing issues and options; and
 - e) Look at both short and medium stay accommodation requirements for emergency and semi-emergency situations.
2. Costs associated with developing the housing strategy paper be charged to Budget Item 21311.0572 - Economic Development.

AMENDMENT

Moved Cr J Oldfield, seconded Cr B Bell:

That part 1.b) be deleted and replaced with the following:

- 'b) Examine the current position regarding housing issues in all the town sites and villages in the Shire of Plantagenet, including the DeGaris subdivision;'

CARRIED (8/0)

NO. 272/19

FURTHER AMENDMENT

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

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

- '3. An interim report be brought back to the Council on or before 19 May 2020.'

CARRIED (8/0)

NO. 273/19

COUNCIL DECISION**That:**

1. The Chief Executive Officer develop a housing strategy paper that will:
 - a) Initially determine the issues affecting accommodation in the Mount Barker and Kendenup areas;
 - b) Examine the current position regarding housing issues in all the town sites and villages in the Shire of Plantagenet, including the DeGaris subdivision;
 - c) Examine the issues around shortages from the many and varied industry groups, local government, community groups and other stakeholders;
 - d) Look at affordable housing issues and options; and
 - e) Look at both short and medium stay accommodation requirements for emergency and semi-emergency situations.
2. Costs associated with developing the housing strategy paper be charged to Budget Item 21311.0572 - Economic Development; and
3. An interim report be brought back to the Council on or before 19 May 2020.

CARRIED (8/0)**NO. 274/19**

9.2 WORKS AND SERVICES REPORTS

9.2.1 MOUNT BARKER ROADSIDE WEED STRATEGY

File Ref:	N50102
Attachment:	Report OHC Roadside Weeds
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Alexandra Tucker Environmental Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to seek a resolution from the Council to adopt the Oyster Harbour Catchment Roadside Weed Survey and its recommendations.

BACKGROUND

Weeds negatively impact on native fauna and flora by displacing native plant species and harbouring pests and diseases. Weeds can also increase the biomass of ecosystems leading to more available fuel loads and intense bush fires. If weeds become established in an area they can quickly become a long-term management issue and cost considerable resources to control or eradicate.

The purpose of the Weed Strategy is to provide a snapshot of the spread of environmental weeds in the road reserves within the Oyster Harbour Catchment zone. This current weed survey focuses on identifying and controlling weeds on roadsides prior to them actively invading adjacent reserves or bushland.

The Shire of Plantagenet is responsible for managing vegetation within road reserves including weed control.

STATUTORY ENVIRONMENT

Land Administration Act 1997 Part 5 Division 1 s.55(2)

EXTERNAL CONSULTATION

No external consultation has occurred as the document is only a visual weed survey.

FINANCIAL IMPLICATIONS

There are no direct financial implications for this report. However, the document has highlighted the significant concentration of weeds that are present on roadsides managed by the Council and as such the Works and Services Department will be seeking money in future operational budgets to establish a weed spraying program to complement road grading and clearing programs. This is discussed further under Officer Comment below.

POLICY IMPLICATIONS

Policy I/RR/2 – Rural Road Verge Vegetation Management (4.2)

STRATEGIC IMPLICATIONS

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

Strategy 2.7.1:

'Provide effective environmental management and maintenance of the Council's land and reserves'

Strategy 2.7.3:

'Reduce the incursion of weeds on Council controlled roads and reserves'

Strategy 2.7.4:

'Promote and support initiatives to protect and conserve native bush, flora and fauna'

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

OFFICER COMMENT

The weed strategy includes results of a visual weed survey of the roadside vegetation within the Oyster Harbour Catchment. Weeds have been categorised into three types; Weeds of National Significance (WONS), Environmental Weeds and Emerging Weeds.

Of the almost 500km of roads surveyed as a part of this project, environmental weeds are present in just over 80% of road reserves. The most prominent weeds present are African Love Grass and Bridal Creeper, both of which are highly invasive and easily spread into adjoining lands. The next largest infestation rate is for woody weeds such as Sydney Golden Wattle and Victorian Tea Tree.

As well as making recommendations for future management and control options for specific weeds, this strategy will assist the Council and the local community catchment groups in planning and budgeting for weed control projects. It is anticipated that a weed control budget will be included in future operational budget requests for Works and Services.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

- 1. The Oyster Harbour Catchment Roadside Weed Survey dated August 2019 be noted.**
- 2. The Executive Manager Works and Services be requested to consider including appropriate funding for weed control strategies in future draft operating budgets.**

CARRIED (8/0)

NO. 275/19

9.2.2 PROCLAMATION - REALIGNED SECTIONS OF MUIR HIGHWAY EAST OF ST WERBURGH'S ROAD

File Ref:	N50060
Attachments:	Proclamation Plan Muir Highway
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Administration Officer Works and Services
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to obtain a formal Council resolution to proclaim the realigned sections of Muir Highway, east of St Werburghs Road, as a Main Road following road realignments carried out in 2012.

BACKGROUND

Several sections of Muir Highway were realigned as part of the highway improvements carried out in 2012. A majority of the realigned sections were proclaimed as a Main Road following the improvements, however land tenure in the vicinity of St Werburghs Road had not been finalised at the time, resulting in two sections of the Muir Highway excluded from the proclamation.

Land tenure has now been finalised. Proclamation of the new alignments as a Main Road is now required.

To complete the proclamation process the Commissioner of Main Roads Western Australia (MRWA) requires a Council resolution endorsing the proclamation of the proposed sections of road.

STATUTORY ENVIRONMENT

Main Roads Act 1930 - Section 13A relates to consultation with Local Government on matters to do with highways and main roads.

EXTERNAL CONSULTATION

Consultation has occurred with MRWA.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report.

STRATEGIC IMPLICATIONS

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

Strategy 2.4.2:

'Advocate for improvements to roads controlled by Main Roads WA'.

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

OFFICER COMMENT

The Commissioner of MRWA intends to make a recommendation to the Honourable Minister of Transport to proclaim the sections of Muir Highway, shown on Drawings 201221-0105-01 and 201821-0003-00 (attached) as a Main Road.

Before making the recommendation to the Minister, the Commissioner requires endorsement by the Council of the attached drawings.

The sections of Muir Highway were realigned in 2012.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Clements:

That the Muir Highway realignment illustrated on Drawing 201221-0105-01 and Drawing 201821-0003-00 (as attached) be endorsed for proclamation as a Main Road.

CARRIED (8/0)

NO. 276/19

9.3 CORPORATE SERVICES REPORTS

9.3.1 ANNUAL REPORT - YEAR ENDING 30 JUNE 2019

File Ref:	N50053
Attachment:	Annual Report – Year End 30 June 2019 (Separate Attachment)
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Executive Manager Corporate Services
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to accept the Shire of Plantagenet's 2018/2019 Annual Report.

BACKGROUND

The annual financial audit for 2018/2019 was conducted by representatives of the Council's auditors, Moore Stephens in October 2019.

In line with convention and Delegation 1.1, the General Meeting of Electors will be held at 6.00pm on Tuesday 3 December 2019 to receive the 2018/2019 Annual Report.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.54 (1) states '*subject to subsection (2) the Annual Report for a financial year is to be accepted by the local government no later than 31 December after that financial year.*' (Absolute Majority required).

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.2 (Effective engagement with the community and stakeholders) the following Strategy:

Strategy 4.2.1:

'Keep the community well informed on Council initiatives'

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

OFFICER COMMENT

The Annual Report notes that a number of key items of infrastructure and plant were progressed during 2018/2019, including:

- Completion of a major roadworks program totaling \$3.0 million;
- Continuation of the upgrades to Frost Park pavilion with the installation of reverse cycle air conditioning and rewiring the main switchboard.
- Repairs to the Mount Barker Skate Park as a result of major damage from a car set on fire in the bowl.
- New eaves were installed to the rear and the side of the Mount Barker Community Resource Centre.
- The Shire has carried out a number of upgrades at the Saleyards including a new receival ramp, modification of an out loading ramp bugle, bitumen repairs and replacement of lamps in several light towers. A program of applying protective coating was also started for the steel roofs and walkways.
- Plant purchases included an Isuzu FRR 107-210 Tipper, HD Condor UD tipper and two Isuzu GIGA side tippers.

In terms of the Shire's financial situation, rate revenue increased from \$6.74 million in 2017/2018 to \$6.86 million in 2018/2019. Outstanding borrowings decreased from \$2.81 million in 2017/2018 to \$1.97 million in 2018/2019. A \$500,000 short term liquidity facility to cover storm damage payments was repaid.

The Council spent \$113,685.00 on land and buildings and \$264,083.00 on parks and ovals and other infrastructure. The amount spent on roads, drainage and footpaths was \$2,972,105.00 with \$919,266.00 on purchases of plant, furniture and equipment.

The level of reserve funds increased from \$2,336,867.00 in 2017/2018 to \$2,506,993.00 in 2018/2019. The level of unrestricted cash at year end decreased marginally from \$906,696.00 to \$896,018.00.

The Council received grants and contributions for the development of assets of \$1.25 million in 2018/2019. Total grants and contributions received was \$5.17 million.

Other activities carried out throughout the year have been reported on extensively within the Annual Report.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That the Annual Report for the year ended 30 June 2019 as attached, be accepted.

CARRIED (8/0)

NO. 277/19

Absolute Majority

9.3.2 AUDIT REPORT - YEAR ENDING 30 JUNE 2019

File Ref:	N50052
Attachment:	2018/2019 Audit Report
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Executive Manager Corporate Services
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to present the Annual Financial Audit and Management Report for the year ending 30 June 2019.

BACKGROUND

In October 2019, representatives of Moore Stephens attended the Shire office to conduct an end of year audit for 2018/2019. It should be noted that the audit is designed primarily to enable the auditors to form an opinion on the financial statements and therefore does not extend to all of the Council's systems and procedures.

STATUTORY ENVIRONMENT

Local Government Act 1995

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

- (3) *A local Government is to examine the report of the auditor prepared under section 7.9 (1), and any report prepared under section 7.9(3) forwarded to it, and is to -*
- (a) *determine if any matters raised by the report, or reports require action to be taken by the local government; and*
 - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government is to -*
- (a) *prepare a report on any actions taken under subsection (3) in respect of an audit conducted in respect of a financial year; and*
 - (b) *forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under section 7.9 is received by the local government, whichever is the latest in time.'*

EXTERNAL CONSULTATION

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

The 2019/2020 budget includes a sum of \$26,000.00 for end of year and interim audit costs.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

OFFICER COMMENT

A copy of the Moore Stephens' Reports are attached. The management report focuses on the Shire's current position with respect to two of the statutory financial ratios in Note 31.

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

Financial Ratios	2014	2015	2016	2017	2018	2019
Current Ratio	0.650	1.020	0.792	0.962	0.741	1.328
Asset Sustainability Ratio	1.178	0.487	0.491	0.684	0.484	0.604
Debt Service Cover Ratio	4.250	6.921	3.562	7.248	3.851	9.593
Operating Surplus Ratio	-0.258	-0.319	-0.590	-0.294	-0.473	-0.177
Own Source Revenue Coverage Ratio	0.677	0.579	0.547	0.602	0.581	0.620
Asset Consumption Ratio	0.188	0.620	0.466	0.524	0.538	0.692
Asset Renewal Funding Ratio	0.970	0.783	0.656	0.919	1.022	0.878

The audit report has pointed out that *'the following matters indicate a significant adverse trend in the financial position of the Shire:*

- i. *The Asset Sustainability Ratio has been below the DLGSCI standard for all 3 years reported in the annual financial report.*
- ii. *The Operating Surplus Ratio has been below the DLGSCI standard for all 3 years reported in the annual financial report.'*

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

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

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

The 2018/2019 Asset Sustainability Ratio of 0.604 is higher than the 2017/2018 figure of 0.484, but similar to the 2016/2017 result.

The main difference in 2017/2018 was the reduced expenditure on road construction (renewal) due to the effort on storm damage rectification (maintenance), amounting to approximately \$1.4 million.

The ratio would not be considered within acceptable limits in the long term. It has been recognized for some time that more work needs to be done to verify road infrastructure depreciation values.

Further, the auditor has previously advised that interpretation of this ratio should be considered together with the Asset Consumption Ratio (ACR) and the Asset Renewal Funding Ratio (ARFR). The ACR of 0.692 is now sitting at an intermediate level indicating the Council's assets are in an acceptable condition and the ARFR of 0.878 is consistently above its target of 0.750 indicating the planned renewal and replacement expenditure over the next 10 years is sufficient to meet the required renewal and replacement expenditure.

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

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

The Shire's 2018/2019 result is (0.177). This figure is better than the 2017/2018 and 2016/2017 values of (0.473) and (0.294) respectively. However, it is well below the Basic standard of 0.01.

Accounting guidelines indicate that a sustained period of deficits will erode the local government's ability to maintain both its operational service level and asset base. The consistent negative values are mainly due to levels of asset depreciation, which the Shire increased markedly several years ago with the advent of fair value accounting.

To some degree, this ratio does not accurately represent the local government scenario, whereby a significant proportion of infrastructure renewal (expensed via depreciation) is met by capital grant income. However, ideally, future long term plans should achieve a reversal of this trend.

The Shire has been aware for some time that an improvement of these and other ratios influenced by asset values was dependent on verification of condition and depreciation data. By far, road depreciation is the major contributor to the sub-standard ratios.

The Shire is implementing an Asset Management Improvement Plan and undertaking other activities to verify the remaining useful life of infrastructure and ensure depreciation rates are reliable.

The Shire has completed a condition assessment on its sealed road network. The fresh data has been uploaded into the RAMM Database and this has realised a reduction in the accumulated depreciation on roads of about \$38 million and substantially improved the Asset Consumption Ratio (from a basic to intermediate level).

The Shire has now appointed a staff member to a new Asset Management Planning position. A large part of his role will be to continue this work, with a focus on verifying depreciation values and assessments of useful life. It is conceivable that, like condition, the depreciation values could be significantly overstated. In anticipation of this, the 2019/2020 budget has been adopted with some lower levels of depreciation in the infrastructure and buildings asset classes.

The Audit and Risk Committee has previously supported the probability that the asset ratios reporting below standard are likely to be mainly attributable to data integrity than legitimate financial management weaknesses. It is anticipated that the work being done to verify data will result in an improvement in the asset based ratios.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Clements:

That the Annual Financial Audit and Management Report for the year ending 30 June 2019 as issued by Mr David Tomasi of Moore Stephens be received.

CARRIED (8/0)

NO. 278/19

9.3.3 BUDGET REVIEW - MOUNT BARKER REGIONAL SALEYARDS

File Ref:	N50057
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Executive Manager Corporate Services
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to review and adjust the adopted 2019/2020 Annual Budget to recognise variations in actual income and expenditure for the Mount Barker Regional Saleyards cost centre.

BACKGROUND

The 2019/2020 annual budget was adopted by the Council at a special meeting held on 9 July 2019. Since then, a number of issues have arisen which have resulted in the Saleyards Advisory Committee making a recommendation to amend parts of the capital works schedule.

STATUTORY ENVIRONMENT

Local Government Act 1995

There is no specific section of the Act that deals with the reallocation of funds however Section 6.2(1) governs budget requirements for local governments.

Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

The adjustments to the budget items will result in less expenditure in 2019/2020 within the saleyards cost centre. As this cost centre is 'ring fenced' by the operation of the two saleyards reserve accounts, there is no impact on municipal funds.

BUDGET IMPLICATIONS

The outcome of this budget review is a reduction in capital expenditure of \$45,721.00 for this cost centre in 2019/2020. There is no impact on municipal funds as the transfers from reserve funds will also be reduced accordingly.

While there will be a reduction in expenditure for 2019/2020, some of these projects are being deferred and will be presented for consideration in deliberations on the 2020/2021 budget.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.5: (Appropriate infrastructure that supports sustainable economic development) the following strategy:

Strategy 3.5.5 – *‘Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining.’*

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

Further, the Shire’s Corporate Business Plan 2019-20 - 2022-23 incorporates the following actions under this strategy:

- 3.5.5.1 Manage and maintain the Saleyards in accordance with the Strategic Plan and Business Plan for the facility.
- 3.5.5.2 Ensure compliance with environmental licence and other relevant requirements.
- 3.5.5.3 Operate the Saleyards as a self-sustaining business unit.
- 3.5.5.4 Market the Saleyards as the best in Western Australia.

OFFICER COMMENT

Following the adoption of the budget, a number of issues have come to light that warrant an amendment to the capital works budget for the saleyards.

Completed Works

The irrigation pump diesel motor has been purchased, with resultant savings of \$1,433.00. The 2nd hand bobcat has also been purchased and there were savings of \$2,287.00. Both of these sums can be made available for reallocation.

Cattle Crush

Approval and funds are sought to purchase a new cattle crush. The regulations pertaining to the NLIS tagging at saleyards is now being enforced more strictly than they once were, particularly with regard to larger livestock, that being large and difficult to handle bulls. The inability to safely and securely capture large bulls in the present crush has been seen and will see more of the bull market lost to on-farm and direct to abattoir sales if we are not able to safely and securely tag bulls at the saleyards.

It is considered that this has become a high priority project which will enhance the level of service and occupational health and safety. A number of quotes have been sought for manually operated and both hydraulic and pneumatic type crushes. While the final choice has not been made, a sum of \$25,000.00 would enable an appropriate selection to be made. The Saleyards Advisory Committee agreed to recommend that this sum be allocated. The current crush will be sold and is expected to fetch up to \$2,000.00 to \$5,000.00.

Addition of Water Troughs – ‘C’ Pens

Feedback from the meetings with agents earlier in the year identified some concerns with a fourth selling agent operating from the yards. One concern was that the number of stacking and lairage pens would be insufficient. A number of options were explored to increase pens with water, most being unviable or too expensive. A proposal has been arrived at to add water troughs to some of the pens around the crush area known as the ‘C’ pens. This will increase the number of water pens we have available for receivals and lairage.

The water troughs have proven to be quite difficult to source and prices have varied considerably. Shire staff would carry out the installation process with only a requirement to purchase the troughs and associated piping and fittings.

The Saleyards Advisory Committee agreed to recommend that a sum of \$8,000.00 be retained in Budget Item 51804.0253 (to be renamed 'Install water troughs in 'C' Pens'), to enable the majority of 'C' pens to have water troughs installed, subject to availability of the appropriate plastic troughs.

Saleyards Tipper Truck

The Saleyards Manager has identified the need and made a request for the saleyards to purchase a small tipper truck with a 3.5 to 4.0 tonne payload capacity. There are a number of key tasks that require a vehicle with tipping capabilities that are presently done with the saleyards light vehicle, as follows:

- Carcass transport / removal;
- Pen cleaning / manure removal;
- Carting in gravel and dirt;
- Hay transport from property of purchase to saleyards; and
- Movement of plant and equipment around yards and to and from works depot.

The Saleyards currently relies on Works and Services staff to undertake these tasks or they borrow their truck and do it themselves. Having a tipper permanently at the facility would eliminate any issues with time, scheduling and inconvenience to both departments that can arise when sharing equipment.

The saleyards light vehicle (or staff personal vehicles) is currently used for these tasks which presents some occupational health and safety concerns from overloading or incorrect load positioning which could result in a vehicle roll over or damage to the structural integrity of the vehicle and its tray body.

There has been some discussion with the Executive Manager Works and Services with regard to securing a 3.5 tonne tipper that is approaching replacement. The price would be subject to external assessment, but estimated at \$23,000.00. A transfer of funds to the Plant Replacement Reserve would be effected if approved.

The Saleyards Advisory Committee noted the benefits of purchasing the Works and Services tipper truck and that some of these were for reasons of productivity, logistics and opportunity cost. Nevertheless, it had some questions such as ongoing costs, ongoing requirements for the manager's vehicle and housing of the vehicle. The proposal was included subject to further information and justification to be assessed by the Saleyards Advisory Committee.

Waste Water Treatment System Modifications

Further investigations are being carried out in regard to the waste water treatment system modifications and the budget of \$50,000.00 requires further refinement. The budget could be reallocated at this stage with a more accurate allocation in 2020/2021.

Painting of Galvanised Roof and Walkways

Good progress was made on painting of galvanised roof and walkways in 2018/2019. This sum could be reallocated now and possibly funded again in 2020/2021.

Reticulation

This project has a lower priority than some others that have been identified. The Saleyards Advisory Committee recommended that this project be put on hold for now and the \$6,000.00 made available for reallocation.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the 2018/2019 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51754.0253	Aeration Ponds - Waste Water Treatment System Modifications	(\$50,000)	\$0	\$50,000
51755.0253	Painting of Galvanised Elements - Roof and Walkways	(\$28,001)	\$0	\$28,001
51756.0253	Diesel Motor - Irrigation Pump	(\$6,500)	(\$5,067)	\$1,433
51801.0006	2nd hand skid steer loader	(\$40,000)	(\$37,713)	\$2,287
51804.0253	Steelwork Modifications (Rename 'Install water troughs in 'C' Pens')	(14,000)	(8,000)	\$6,000
51805.0253	Reticulation - Lawn area	(\$6,000)	\$0	\$6,000
51807.0006	Purchase bull crush	\$0	(\$25,000)	(\$25,000)
51808.0006	Purchase tipper vehicle (Subject to further information and justification to be assessed by the Saleyards Advisory Committee)	\$0	(\$23,000)	(\$23,000)
41326.0486	Transfers from Reserve Funds	\$195,501	\$149,780	(\$45,721)
TOTAL		\$51,000	\$51,000	\$0

CARRIED (8/0)**NO. 279/19****Absolute Majority**

9.3.4 FINANCIAL STATEMENTS – OCTOBER 2019

File Ref:	N50018
Attachment:	Financial Statements
Responsible Officer:	John Fathers Executive Manager Corporate Services
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 October 2019.

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 L Handasyde, seconded Cr M O'Dea:

That the Financial Statements for the period ending 31 October 2019 be received.

CARRIED (8/0)

NO. 280/19

9.3.5 LIST OF ACCOUNTS – OCTOBER 2019

File Ref:	N50050
Attachment:	List of Accounts - October 2019
Responsible Officer:	John Fathers Executive Manager – Corporate Services
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of October 2019.

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (21 May 2019). 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 K Woltering:

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 October 2019 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$826,345.45;**
- 2. Municipal Cheques 46644 – 46675 totalling \$41,591.80; and**
- 3. Trust Cheques 492 – 496 totalling \$400.00.**

CARRIED (8/0)

NO. 281/19

9.3.6 POLICY ADOPTION - RATES DEBT COLLECTION – HARDSHIP

File Ref:	N49741
Responsible Officer:	John Fathers Executive Manager Corporate Services
Author:	Pam Chambers Rates Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to recommend adoption of a new policy (F/RR/1) relating to rates debt collection for ratepayers suffering financial hardship.

BACKGROUND

The Shire of Plantagenet has repeatedly received enquiries from its debt recovery agency, AMPAC and financial counsellors as to whether it has a hardship policy for ratepayers in financial difficulty.

In the past the only reference to hardship has been in the Debt Collection Policy – F/FM/15 which states at clause 1.6:

'Ratepayers who are unable to pay rates and charges by the due date either because of reasons beyond their control or because payment would cause undue hardship, may apply to enter into an agreement to make periodic payments subject to the following:

- (a) The Chief Executive Officer is to endorse the arrangement.*
- (b) Special arrangements will be for regular instalments with the debt to be finalised by 30 June of the financial year where possible.'*

It is considered that this clause does not adequately assist those ratepayers that are suffering genuine financial hardship.

This matter was presented to the Council meeting held on 6 November 2019. The following amendment was moved and seconded:

AMENDMENT

Moved Cr J Oldfield, seconded Cr B Bell:

'That:

1. In part 3 of the motion the word 'CEO' be deleted and replaced with the word 'Council'; and
2. In part 3b) of the motion the words 'approved by the CEO' be deleted.'

It was resolved that the question be adjourned to enable further consideration to be given to the policy intent and a report be brought back to the Council on 3 December 2019.

STATUTORY ENVIRONMENT

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

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

FINANCIAL IMPLICATIONS

There would be a loss of revenue raised from the interest charges on rates arrears.

BUDGET IMPLICATIONS

The 2019/2020 budget includes \$32,000.00 for penalty interest income. If adopted, this policy would likely apply to around 10 current ratepayers, that have a combined debt of approximately \$50,000.00. At the current interest rate of 9.0%, the loss of penalty interest income would be approximately \$4,500.00 per annum.

POLICY IMPLICATIONS

This report recommends the adoption of a new policy – 'Rates Debt Collection – Hardship'.

The following related policies and delegations apply:

- Debt Collection Policy F/FM/15;
- Delegation 2.10 Rates Issues – General Delegation; and
- Delegation 2.11 Rates – Recovery where unpaid.

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 4.6.3:

'Maintain, develop and monitor rating and property strategies.'

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

OFFICER COMMENT

It is important to ensure that money owed to the Shire of Plantagenet is collected in a consistent and timely manner. It is also important to acknowledge that some ratepayers may, at times encounter difficulty in paying rates and charges.

It is considered that the intent of debt recovery procedures is not to cause hardship to any ratepayer and that consideration be given to cases of genuine extreme financial hardship where the interest on outstanding rates will cause the ratepayer further hardship.

The policy has been developed to provide a reprieve to ratepayers in financial hardship from interest accumulation on their rates (and charges) arrears. It would allow them an opportunity to begin to clear their arrears with the incentive that they are actually clearing arrears instead of just interest charges each year. The aim is to limit the number of properties that have more than three years' worth of arrears, which may be subject to possible sale for non-payment of rates under Section 6.64 of the Local Government Act 1995.

Further Comment of the CEO

The intent of the proposed amendment would be for the Council to make decisions surrounding 'hardship', rather than the CEO. However, this is felt unnecessary as the statutory responsibility falls with the CEO in any case and the CEO has sufficient delegation to proceed. The intent of the policy direction is to give further direction to the CEO how to proceed in those few instances of genuine financial hardship, as evidenced by supporting documentation.

To now proceed correctly and should the Council agree with the policy direction, would be for the amendment to be declared lost (no mover and seconder needed, as the amendment has already been moved and seconded). Then the substantive motion can be put (no mover and seconder needed as the motion has already been moved and seconded).

Alternatively, if carried, the amendment creates a new substantive motion which can simply be put for decision.

VOTING REQUIREMENTS

Simple Majority

ADJOURNED QUESTION

ITEM 9.3.3 POLICY ADOPTION - RATES DEBT COLLECTION – HARDSHIP – ORDINARY MEETING OF COUNCIL 6 NOVEMBER 2019

AMENDMENT

Moved Cr J Oldfield, seconded Cr B Bell:

That:

1. In part 3 of the motion the word 'CEO' be deleted and replaced with the word 'Council'; and
2. In part 3b) of the motion the words 'approved by the CEO' be deleted.'

LOST (3/5)

**Crs C Pavlovich, J Oldfield, B Bell, L Handasyde
and M O'Dea voted against the motion.**

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That new policy F/RR/1 - Rates Debt Collection – Hardship as follows:

'OBJECTIVE

To acknowledge that ratepayers may at times encounter genuine financial hardship and to provide a level of relief for those ratepayers by not adding additional debt recovery charges and penalty interest, subject to conditions.

POLICY

1. This policy outlines the criteria for assessing applications of cases of financial hardship.
2. An application from a ratepayer claiming extreme financial hardship will be assessed by the CEO. No further debt recovery action will be taken while the application is under consideration.
3. If in the opinion of the CEO, the ratepayer is experiencing genuine extreme financial hardship, cessation of further debt recovery action and cancellation of interest accruing on overdue amounts may be permitted, subject to:
 - a) The ratepayer's circumstances being supported by a written application and an original letter from a financial counsellor or a qualified financial body (a fully accredited member of Financial Counsellors Association of Western Australia or Bank).
 - b) A payment arrangement approved by the CEO being entered into on the basis that the total debt outstanding at the date the arrangement is made will be extinguished within three years or less from the date of that arrangement. This amount does not include future rates and charges.
 - c) The applicant being the owner or co-owner of the property and liable for payment of rates and charges and also occupy the property as his/her main place of residence.
 - d) The ratepayer not being a company or trustee;
 - e) The ratepayer not being bankrupt or subject to a bankruptcy petition;
 - f) No revenue being derived from the property that is the subject of the application.
4. Should the ratepayer default on the agreed arrangement by three payments or more, the agreement will be terminated, interest charges will be reapplied and debt recovery proceedings will resume.
5. At the end of the term of the arrangement a new application will be required and subject to all the conditions of the original application.'

be adopted.

CARRIED (8/0)

NO. 282/19

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 DEVELOPMENT ASSESSMENT PANEL MEMBERSHIP

File Ref:	N50095
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to recommend to the Council the appointment of two Development Assessment Panel members and two alternate members.

BACKGROUND

Development Assessment Panels (DAP) were created by the State Government to deal with development applications for particular classes of development.

For example, in the case of an application for development in a district outside of the district of the City of Perth and where the development has determined an estimated cost of \$2,000,000.00 or more and less than \$10,000,000.00 it is of a class of development that can be referred to the DAP.

Each DAP comprises of five members, being three specialist members and two local government members. All current local government DAP members were appointed on 26 July 2018, for a term ending 26 January 2020. The other members are classified as 'expert' members.

At its meeting held on 22 October 2019, the Council noted that the Ministerial appointments of Councillors Clements and Handasyde as members and Councillors Pavlovich and Oldfield as alternative members of the Development Assessment Panel until 26 January 2020.

The Office of the Director General of the Department of Planning, Lands and Heritage is now seeking fresh nominations from Local Government Authorities as the current appointments expire on 26 January 2020 and fresh nominations are required to be received by the Director General by 6 December 2019.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Development Assessment Panels) Regulations 2011

EXTERNAL CONSULTATION

No internal or external consultation has occurred with regard to this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Council Policy CE/CS/1 'Elected Members Expenses' to be reimbursed would apply.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2 (Enhancing natural and built environment) the following Strategies:

Strategy 2.1.3:

'Collaborate with the State Government to ensure local planning development and long term growth needs are met'

and

Strategy 2.2.2:

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

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

OFFICER COMMENT

The Minister will appoint Local Government representatives for a term of up to two years, expiring 26 January 2022. Should any Councillor who is appointed not be re-elected, it will be necessary to renominate another member for the Minister's consideration.

Further, it is a mandatory requirement pursuant to the regulations that all Southern Joint Development Assessment Panel (JDAP) members attend training before they can sit on a JDAP and determine applications. Local Government members who have previously undertaken training are not required to attend further training but are encouraged to attend refresher training.

It is recommended that the convention of appointing the Shire President and Deputy Shire President to the panel be continued and that authority for those Councillors to undertake training or refresher training be authorised as required.

Given that Councillors Ken Clements and Len Handasyde have already attended the training, it is recommended that they be nominated as alternative members.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

- 1. Councillor C Pavlovich and Councillor J Oldfield be nominated as representatives for the Shire of Plantagenet for the Southern Joint Development Assessment Panel (JDAP);**
- 2. Councillor Ken Clements and Councillor Len Handasyde be nominated as alternate members;**
- 3. The Minister for Planning be advised of the nominations referred to in parts 1 and 2 above; and**
- 4. The members referred to above be authorised to undertake the mandatory training for Development Assessment Panel members.**

CARRIED (8/0)

NO. 283/19

9.4.2 MOUNT BARKER HILL ADVISORY COMMITTEE - FORMATION

Attachment:	Map Reserve 15162
File Ref:	N50059
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to recommend the formation of a committee to consider capital and maintenance work on Mount Barker Hill; taking into account trail development recommendations, lookout development that has already occurred with the input of Rotary, car park development, historical cairns and plaques and the potential for developing the hill as a tourist 'must see'.

BACKGROUND

Councillors have discussed the development of Mount Barker Hill as a tourism destination many times in the past. Plans for the construction of boardwalks, sealing of the carpark, astronomy observation and lighting the tower have all been discussed in the past. Generally however, development of the Mount Barker Hill area has been left as a low key priority. However, with the development of the lookout completed by Rotary and the potential for trails development, the site is getting increased visitation and development ideas are being discussed in an informal manner.

Whether that informal discussion revolves around trails, lookouts or lighting, it is possibly time for such ideas to become more focussed so that direction can be given, firstly to staff and secondly towards the preparation of the 2020/2021 budget.

STATUTORY ENVIRONMENT

The Mount Barker Hill Advisory Committee would be formed pursuant to Section 5.9 (2) (a) of the Local Government Act 1995. Such a committee would have Councillors only as members.

A plan of Mount Barker Hill is attached. The bulk of the hill is vested in the Shire of Plantagenet except for that land vested in Broadcast Australia.

From a legal point of view the Council has no rights regarding the land vested in Broadcast Australia, however no such issues arise with regard to the balance of the land.

EXTERNAL CONSULTATION

No formal external consultation has occurred. However, the potential for the development of Mount Barker Hill has most recently been discussed with Rotary and, some years ago, Broadcast Australia.

FINANCIAL IMPLICATIONS

There are no financial implications related to the recommendation in this report, although the results of the committee's deliberations may, if formed, involve substantial cost.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

The Council already has infrastructure on the reserve. The lookout itself, the carpark and historical cairns all are part of the Council's asset inventory. The Council also has a smaller tower which is at present leased and is used by a number of groups.

The Council will also soon be asked to develop an historical cairns policy.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

Strategy 2.3.4:

'Plan and seek funding for the development of trails in line with the Trails Master Plan.'

and Outcome 3.4 (A strong tourism region)

Strategy 3.4.4:

'Work with the Lower Great Southern Alliance in promoting sustainable tourism investment within the region.'

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

REGIONAL IMPLICATIONS

The tower has a long history from a regional point of view as it was (and still is, but to a lesser extent) the source of radio and television transmissions across a large part of the Great Southern.

Regionally the tower is a well-known landmark and, at least anecdotally, it was formerly the highest tower of its type (free standing) in the Southern Hemisphere.

OFFICER COMMENT

The purpose of forming a committee is to develop a mechanism to focus the Council's thinking on the subject of the development of Mount Barker Hill.

It would be recommended that a committee is formed comprising three Councillors, with the committee being charged with advising the Council with regard to:

1. The mechanisms needing to be employed to light the tower, including necessary permissions;
2. Working with the Trails Advisory Committee regarding integration of trails into other plans; and

3. Development of the present Rotary lookout and the potential for other lookouts, including information boards.

The committee should have a sunset clause of 31 October 2020.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Bell:

That:

1. **A committee, to be known as the Mount Barker Hill Advisory Committee be formed pursuant to Section 5.9 (2) (a) of the Local Government Act 1995;**
2. **The duties of the committee are to advise the Council with regard to:**
 - a) **The mechanisms needing to be employed to light the communication tower;**
 - b) **Working with the Trails Advisory Committee regarding integration of trails into other Mount Barker Hill proposals; and**
 - c) **Further development of the present Rotary lookout and the potential for other lookouts, including information boards.**
3. **The committee shall comprise of four Councillors;**
4. **The committee shall disband on or before 31 October 2020;**
5. **Cr Pavlovich, Cr Clements, Cr Etherington and Cr Woltering be appointed as members to the Mount Barker Hill Advisory Committee; and**
6. **Cr Oldfield be appointed as Deputy to act on behalf of any individual member appointed in part 5 when that member is unable to attend.**

CARRIED (8/0)

NO. 284/19

Absolute Majority

9.4.3 MURALS - DEED TO AFFIX ARTWORK

File Ref:	N50080
Attachment:	Mountains and Murals – Permission and Maintenance Agreement
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	3 December 2019

PURPOSE

The purpose of this report is to seek authority from the Council for the Seal of the Council to be applied to agreements between the Council and landowners who give permission for a mural to be placed on their premises as part of the Mountains and Murals Festival.

BACKGROUND

The Mountains and Murals Festival, to be held in December 2019 incorporates artwork being placed onto a number of buildings, including buildings in private ownership. It is therefore necessary to have an agreement between the owners of buildings and the Council regarding permission to apply murals, what happens in the event of damage to a mural and, in the eventuality of demolition of the building, the responsibilities of either party.

STATUTORY ENVIRONMENT

The Heritage Act 2018

EXTERNAL CONSULTATION

Sergeant David Johnson of the Mount Barker Police has been communicating with each of the various landowners regarding permissions to undertake the art installations.

FINANCIAL IMPLICATIONS

The deed requires that the Shire would be responsible for the cost of preparation of the deed, obtaining any government agency consent and registering the deed with Landgate.

Mount Barker Legal has provided their time and expertise in the preparation of the deed on a 'pro bono' basis.

Registration of the deed with Landgate would cost \$174.70 per registration.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The deed is a legal agreement between the Shire of Plantagenet and the various landowners.

ASSET MANAGEMENT IMPLICATIONS

The deed that is being recommended for approval accrues to the Shire future maintenance effort.

The potential issue with murals is that of vandalism and graffiti. Although the murals will be finished with anti-graffiti paints, vandalism is still a concern. However, conversations with the City of Albany staff have indicated that over the several years that artwork has been applied to buildings in the CBD of Albany, graffiti has been virtually zero.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides the following Strategy:

Outcome 1.3 (A cohesive and supportive community)

Strategy 1.3.1:

'Encourage and support community groups and initiatives to help people to work together for the benefit of our community'

Strategy 1.3.3

'Work in partnership with community groups to assist in attracting new volunteers'

Outcome 1.4 (Opportunities for development and participation of our youth)

Strategy 1.4.1

'Promote programs that assist in youth development and leadership'

Outcome 3.1 (Diverse, profitable and sustainable local business)

Strategy 3.1.1:

'Promote the District as a good business destination'

Outcome 3.4 (A strong tourism region)

Strategy 3.4.1

'Promote and support local and regional tourism initiatives'

Outcome 4.1 (Effective governance and leadership)

Strategy 4.1.6:

'Provide a community oriented organisation that delivers high quality services and delivers outcomes that are in the best interests of our ratepayers'

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

REGIONAL IMPLICATIONS

The application of artwork to both local government and private buildings is a significant regional event.

Some years ago the City of Albany negotiated a number of paintings and murals to be applied to various buildings in the CBD of Albany. At that time, and in conjunction with other events, those artworks created significant tourist traffic.

As a member of the South Coast Alliance and the Amazing South Coast, the Mountains and Murals Festival is expected to have significant regional impact.

OFFICER COMMENT

The final list of buildings to which artwork will be applied is not yet to hand. Therefore, this report is seeking authority in advance for the Shire President and the CEO to witness the affixing of the Council Seal to each deed.

Legal advice provided indicates that the Heritage Act is the appropriate mechanism for ensuring that the deed is enforceable and protects the Council's investment and the interests of the building owner.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That the Shire President and the Chief Executive Officer be authorised to witness the affixing of the Council Seal to the deeds of agreement between the Council and various building owners who have agreed to have a mural installed on their building as part of the Mountains and Murals Festival.

CARRIED (8/0)

NO. 285/19

9.4.4 RENEWAL OF SUBLEASE - COMMUNITY AGRICULTURAL CENTRE

File Ref:	N50105
Attachments:	Sublease Wilson Inlet 2019 Sublease Oyster Harbour 2019
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Donna Fawcett Human Resources Coordinator
Proposed Meeting Date:	03 December 2019

PURPOSE

The purpose of this report is to recommend the renewal of two five year sublease agreements with both the Wilson Inlet Catchment Committee Incorporated (WICC) and the Oyster Harbour Catchment Group (OHCG) for a portion each of the Mount Barker Railway Station.

BACKGROUND

At its meeting held on 16 September 2014 the Council resolved:

'That:

- 1. Authority be granted to the Shire President and the Chief Executive Officer to affix the common seal of the Shire of Plantagenet to the sublease agreement between the Shire of Plantagenet and the Wilson Inlet Catchment Committee Inc for a period of five years, for a portion of the Mount Barker Railway Station for the purpose of office space.*
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the common seal of the Shire of Plantagenet to the sublease agreement between the Shire of Plantagenet and the Oyster Harbour Catchment Group for a period of five years, for a portion of the Mount Barker Railway Station for the purpose of office space.'*

STATUTORY ENVIRONMENT

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

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

Both the sublease to WICC and OHCG are exempt dispositions.

Any sublease for the Railway Station building requires that the Public Transport Authority of Western Australia (PTAWA), as the Head Lessor, be a party to the sublease.

EXTERNAL CONSULTATION

Consultation has taken place with representatives from WICC and OHCG.

FINANCIAL IMPLICATIONS

The proposed subleases to WICC and OHCG will have 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.d. of the policy 'Other Service Organisation/Sporting Club states the following:

'Organisations in this category are to be given either a 50% or 100% waiver on their rates to reflect that there is some level community benefit provided. The decision is to be made by the Council when the respective leases are renewed.'

The degree to which rates should be waived for each of these is considered on a case by case basis, but as a guide the following factors are to be considered:

- *Benefits to the Shire as a whole of activities being provided;*
- *Number of active participants or people benefitting;*
- *Structure of organisation (i.e. not for profit or other, membership fees payable, base of operations);*
- *Ability to recoup costs, such as commercial kitchen, bar or fee for service;*
- *Exclusion/inclusion of section of the community.'*

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 2.2.6:

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

Further at Outcome 2.7 (Protection of natural environment) the following strategies:

Strategy 2.7.1:

'Provide effective management and maintenance of the Council's land and reserve.'

Strategy 2.7.2:

'Support the management of feral animals.'

Strategy 2.7.4:

'Promote and support initiatives to protect and conserve native bush, flora and fauna.'

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

OFFICER COMMENT

New sublease agreements have been drafted. Generally the terms and conditions are the same as the current subleases. A new clause has been added which provides that the Sublessee 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. This is now a standard clause in all leases. Public liability insurance requirements have increased from at least \$10 million to \$20 million.

Both WICC and OHCG have examined the draft sublease and are satisfied with the document.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

- 1. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Shire of Plantagenet to the sublease agreement (as attached) between the Shire of Plantagenet and the Wilson Inlet Catchment Committee Inc. for a period of five years, with an option to renew for a further 5 years, for a portion of the Mount Barker Railway Station for the purpose of office space.**
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Shire of Plantagenet to the sublease agreement (as attached) between the Shire of Plantagenet and the Oyster Harbour Catchment Group for a period of five years, with an option to renew for a further 5 years, for a portion of the Mount Barker Railway Station for the purpose of office space.**
- 3. For the purposes of interpreting Council Policy A/PA/14 'Sporting and Community Organisations using Council and Vested Land – Rateability' it is determined that a 100% waiver of annual levied rates shall apply.**

CARRIED (8/0)

NO. 286/19

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

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

That new business of an urgent nature, namely:

Historical Society Repository Fund, be introduced to the meeting.

CARRIED (8/0)

NO. 287/19

11.1 LATE ITEM – HISTORICAL SOCIETY REPOSITORY FUND

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

That \$40,000.00 from the Museum Complex Shingle Roof Reserve be re-allocated to the Historical Society Archive Repository Project.

MOTION TO ADJOURN THE QUESTION

Moved Cr S Etherington, seconded Cr J Oldfield:

That the question be adjourned to allow the CEO to prepare an appropriate report, such report to be presented on or before the Ordinary Council Meeting to be held on 28 January 2020.

CARRIED (8/0)

NO. 288/19

12 CONFIDENTIAL**12.1 WORKS AND SERVICES REPORTS****12.1.1 STAFF MEMBER - RETIREMENT GIFT**

File Ref: N50118
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Amy Chadbourne
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 3 December 2019

PURPOSE

The purpose of this report is to request approval from the Council to present a member of staff with a retirement gift to the maximum value of \$500.00.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

4.44pm 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:

(a) a matter affecting an employee or employees;

CARRIED (8/0)

NO. 289/19

MOTION TO PROCEED IN PUBLIC

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

4.46pm That the meeting proceed in public.

CARRIED (8/0)

NO. 290/19

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

That:

- 1. The proposal to present a long term Shire of Plantagenet staff member, David Cooper with a gift to the maximum value of \$500.00 due to the employee's long, valuable and loyal service of 27 years, be endorsed.**
- 2. The Chief Executive Officer be authorised to arrange a suitable function to present the token of appreciation to David Cooper.**

CARRIED (8/0)

NO. 291/19

13 OTHER BUSINESS

13.1 VARIATION OF LEASE – PLANTAGENET MEDICAL CENTRE

ADJOURNED QUESTION

**ITEM 12.2.2 VARIATION OF LEASE – PLANTAGENET MEDICAL CENTRE –
ORDINARY MEETING OF COUNCIL 6 NOVEMBER 2019**

Moved Cr S Etherington, seconded Cr L Handasyde:

That the question to adjourn the motion to allow the CEO to gather more information in relation to the proposed Plantagenet Medical Centre extension costs, income and liabilities and report back to Council on 3 December 2019, be further adjourned to 28 January 2020.

CARRIED (8/0)

NO. 292/19

14 CLOSURE OF MEETING

4.50pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____ / ____ / ____