



ORDINARY MINUTES

DATE: Tuesday, 8 November 2016

TIME: 3:00pm

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

John Fathers
ACTING CHIEF EXECUTIVE OFFICER

Resolution No: 202/16 to 219/16

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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 K Clements	Shire President
Cr B Bell	Councillor
Cr S Etherington	Councillor
Cr J Hamblin	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Councillor
Cr C Pavlovich	Councillor

In Attendance:

Mr John Fathers	Acting Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Mr Dominic Le Cerf	Manager Works and Services
Mrs Linda Sounness	Executive Secretary

Approved Leave of Absence:

Cr L Handasyde

Members of the Public Present:

There were no members of the public present.

Previously Approved Leave of Absence:

Cr L Handasyde – 8 November 2016 to 11 November 2016

Emergency Evacuation Procedures/Disclaimer:

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

Mr Fathers then read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff.

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Moir

Item: 12.1.1

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

Nature: Employee of Elders, Cattle Farmer

Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

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

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 11 October 2016 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 202/16

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 3 ALBANY HIGHWAY MOUNT BARKER - AFFIX COMMON SEAL

File Ref:	N39365
Attachments:	Location Plan Deposited Plan 409002
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	8 November 2016
Applicant:	Water Corporation

PURPOSE

The purpose of this report is to seek authority for the Shire President and Chief Executive Officer to affix the Common Seal of the Council to a Deed of Easement on Deposited Plan 409002 for Lot 3 Albany Highway, Mount Barker.

BACKGROUND

Council records show the registered owner of Lot 3 Albany Highway is the Shire of Plantagenet.

In 2012 the Water Corporation installed an underground pipeline to facilitate the transfer of potable water between the Albany borefields and Mount Barker. The pipeline installation involves 32 lots located within the Shire of Plantagenet and is approximately 27km in length. The pipeline construction also includes Lot 3 Albany Highway known as the Mount Barker Regional Saleyards.

On 26 August 2016 the Council received a letter from the Water Corporation requesting the creation of an easement of 2,239m² over Lot 3 Albany Highway to protect the pipeline from future development impacts. The easement will allow the Corporation to access that area for maintenance of the pipeline if needed.

The Water Corporation engaged Opteon Property Group to value the proposed easement and made an offer of \$1,000.00 to the Council to reflect the encumbrance of placing an easement on part of Lot 3 Albany Highway.

STATUTORY ENVIRONMENT

Land Administration Act 1997

Local Government Act 1995

FINANCIAL IMPLICATIONS

The Council will receive a sum of \$1,000.00 (plus GST if applicable) to reflect the encumbrance of placing an easement on part of Lot 3 Albany Highway.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The easement proposed covers the land affected by the underground water supply pipeline and the establishment thereof over the land is seen as appropriate.

The sum of \$1,000.00 (plus GST if applicable) offered by the Water Corporation for the granting of the easement over part of Lot 3 Albany Highway is appropriate.

The Local Government Act 1995 and Council Delegation LG035 do not permit the Shire President and Chief Executive Officer to affix the Shire of Plantagenet Common Seal to the Deed of Easement under Section 195 of the Land Administration Act 1997 without a Council resolution.

Authority is now sought for the Common Seal to be applied to enable registration of the easement to be effected.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr C Pavlovich:

That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Deed of Easement under Section 195 of the Land Administration Act 1997 pertaining to Lot 3 Albany Highway, Mount Barker.

CARRIED (8/0)

NO. 203/16

9.1.2 LOT 6354 FOURTH AVENUE KENDENUP - RELOCATED HOUSE

File Ref:	N39369
Attachments:	Location Plan Site Plan Floor Plan West and East Elevations North and South Elevations Photographs
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	8 November 2016
Applicant:	Samuel Dearden

PURPOSE

The purpose of this report is to consider an application for a relocated house at Lot 6354 Fourth Avenue, Kendenup.

BACKGROUND

Council records show the registered owner of Lot 6354 Fourth Avenue, Kendenup is S Dearden. The proponent intends to relocate his purpose built steel frame transportable house presently located at the Emu Beach Caravan in Albany to Lot 6354 Fourth Avenue, Kendenup. The building is not a 'park home'.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R5). R10 boundary setbacks apply in Kendenup Townsite.

Residential Design Codes (R-Codes) August 2013

FINANCIAL IMPLICATIONS

The application fee of \$320.00 has been paid and a \$10,000.00 bond will be required as a condition of approval.

POLICY IMPLICATIONS

Council Policy No. TP/SDC/5 - Housing - Relocation of Houses - requires various conditions to be satisfied including a bond, engineer's certification, removal of asbestos cladding if being brought into the Shire and a 12 month approval period. The bond is required to ensure the house is completed to an acceptable standard and is refundable upon completion of the house.

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

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

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

Lot 6354 is 1,012m² in area and is currently vacant.

The house is a purpose built two bedroom transportable with a steel joist and platform floor on steel bearers and timber wall and roof framing. The external walls and roof are finished in white Trimdek® cladding. The internal construction of the house involves plasterboard on timber wall framing with a 2.4m high suspended ceiling. A carport is currently attached to the front elevation of the house however it is not to be reused.

The house was constructed as one module. As part of lodging this application, the proponent provided engineer's certification that the house is structurally sound for relocation.

The house will be relocated and restumped by the proponent who is a retired building contractor. For the purpose of this build, the proponent will register as an owner builder and will further be assisted by his son who is a qualified carpenter.

The proponent will finish the house to a high standard that will include new Deep Ocean Corodek® cladding for the external walls and white Corodek® cladding for the roof. The house will include a verandah addition to the front elevation to improve its appearance. The plans include two additional bedrooms and a verandah to the rear elevation of the house.

The proposal conforms to all the deem-to-comply requirements for single houses in areas coded less than R30 as set in the R-Codes and building standards for buildings in bush fire prone areas.

In accordance with the policy, approval will be for a period of 12 months only.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Hamblin:

That in accordance with clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Planning Consent be granted for a relocated house at Lot 6354 Fourth Avenue, Kendenup subject to:

1. Development being in accordance with the plans dated 25 October 2016.
2. The external wall and roof cladding being to the satisfaction of the Manager Development Services.
3. The payment of a refundable bond of \$10,000.00 prior to the issue of a building permit.
4. A crossover being constructed to the satisfaction of the Manager Works and Services.
5. The approval being valid for a period of 12 months.

CARRIED (8/0)

NO. 204/16

9.1.3 POLICY REVIEW - HOUSING - RELOCATION OF HOUSES

File Ref:	N39243
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Peter Duncan Manager Development Services
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to review Council Policy No. TP/SDCC/5 – ‘Housing – Relocation of Houses’.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 11 November 2014.

STATUTORY ENVIRONMENT

Local Government Act 1995

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

Building Code of Australia

FINANCIAL IMPLICATIONS

The present bond amount set in the Council’s Annual Budget is \$10,000.00.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protect 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.

OFFICER COMMENT

The policy has been found to work well in terms of setting appropriate standards for this form of housing.

Council Delegation LG035 at part 18 permits proposals for relocated houses outside Mount Barker and the rural villages to be determined by the Chief Executive Officer (CEO). The CEO has on-delegated this to the Manager Development Services. It is

still appropriate for relocated houses in Mount Barker and the rural villages to be determined by the Council.

This policy does not need alteration.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr S Etherington:

That Council Policy No. TP/SDCC/5 – Housing – Relocation of Houses, as follows:

‘OBJECTIVE:

To set guidelines to ensure houses that are to be relocated to within Mount Barker and the rural villages are completed to a standard acceptable to the Council.

POLICY:

- 1. The increased use of relocated houses to within Mount Barker and the rural villages in some instances creates difficulties which are encountered in ensuring the house is completed to an acceptable standard and is compatible to those houses in the immediate locality.**
- 2. This policy will not apply to new transportable houses.**
- 3. The relocation of houses referred to as ‘park homes’ will not be supported by the Council unless they are to be in an authorised caravan park.**
- 4. The relocation of residential buildings referred to as ‘dongas’ will not be supported by the Council.**
- 5. Relocated houses (excluding ‘park homes’ and ‘dongas’) will only be approved at the Council’s discretion and be subject to:**
 - a) An engineer’s structural certification that the house is appropriate to be moved being submitted with the application.**
 - b) Coloured photographs of the external facades of the house being supplied with the application.**
 - c) Asbestos wall and roof cladding being removed and disposed of correctly before the house is transported.**
 - d) A bond being paid to ensure a good standard of completion. Such bond amounts will be set annually in the Council’s Budget. The bond will only be released upon staff being satisfied the building is completed to a suitable standard in respect to the Building Code of Australia, health standards and the external visual appearance.**
 - e) Any other conditions considered appropriate by the Council.**
- 6. Approval for relocated houses will be limited to 12 months.**

7. When a relocated house is not completed to an acceptable standard within the specified time, the Principal Building Surveyor may issue a Notice requiring the incomplete structure be removed and the site left in a clean and tidy condition.
8. Relocated houses outside of Mount Barker and the rural villages will be at the discretion of the Council and the standards at part 5. above, will be required when appropriate.'

be endorsed.

CARRIED (8/0)

NO. 205/16

9.2 WORKS AND SERVICES REPORTS

Nil

9.3 COMMUNITY SERVICES REPORTS

Nil

9.4 CORPORATE SERVICES REPORTS

9.4.1 CORPORATE BUSINESS PLAN - ANNUAL REVIEW

File Ref:	N39063
Attachments:	Corporate Business Plan
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

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

BACKGROUND

At its meeting held on 15 September 2015, the Council resolved to adopt a Corporate Business Plan for the Shire of Plantagenet for the period 2015/16 – 2019/20. It is a requirement to review the Corporate Business Plan every year.

At the Audit and Risk Management Committee meeting held on 8 November 2016, the Committee recommended adoption of the Shire of Plantagenet Corporate Business Plan 2016/2017 to 2020/2021, subject to the words ‘for primary production’ being added to the end of Action 3.2.4.1.

STATUTORY ENVIRONMENT

Local Government Act 1995 (Section 5.56) and Local Government (Administration) Regulations 1996 Section 19DA of the Regulations states (in part) that:

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to –*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning;*
- (4) A local government is to review the current corporate business plan for its district every year.*

- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

...

** Absolute Majority required.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

Strategy 4.4.1:

'Develop, implement and maintain a Strategic Community Plan and Corporate Business Plan.'

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

OFFICER COMMENT

This is the Council's principal statement that sets strategic direction and identified priority areas informed by the Strategic Community Plan, external factors and internal capability analysis. The intent of this plan is to identify Council priorities over a shorter time frame to drive integrated planning within the local government. It also integrates community aspirations into the Shire's operations and service delivery.

The Integrated Planning and Reporting Framework recognise that, due to the integrated approach to its development, the Corporate Business Plan may be presented in a single document or as a number of separate documents. In this regard, this 'master document' includes a synopsis of the other plans, however the formal Corporate Business Plan incorporates the following sub-plans:

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

The Corporate Business Plan has been reviewed in line with adjustment to long term priorities identified in the 2016/2017 budget process. The main capital items reflected are:

- Frost Park Pavilion upgrades over the course of this plan.
- Development of a new fire shed for the Denbarker BFB.
- Upgrade of Kendenup Agricultural Grounds Hall (Stage 1)
- Upgrade of Plantagenet District Hall (Stage 1)
- Construction of roof over northern dirt pens at the Mount Barker Regional Saleyards.

The plan has also been modified by the deletion of 2015/2016 items and addition of 2020/2021 items. In particular, the following actions have been added or modified:

- Action 3.2.4.1 – ‘Advocate for downstream processing activities in the district such as a cattle abattoir’ - Reference to a cattle abattoir has been removed as a recent study has found a boutique abattoir in the district to be non-viable.
- Action 3.4.1.1 – ‘Develop a regional tourism plan’ – This has been amended to reflect the Shire’s participation in the development of a Destination Marketing Strategy and Tourism Development Strategy with Lower Great Southern Alliance partners.
- Action 3.5.4.1 – ‘Liaise with neighbouring Councils and appropriate government departments on the development of a Regional Economic Development Strategy’ – This has been amended to ‘Participate in the development of a Strategic Regional Economic Development Plan and subject to funding, a Lower Great Southern Growth Plan’. This reflects the formalisation of a grouping of the three local authorities, City of Albany, Shire of Denmark and Shire of Plantagenet, for the purpose of furthering economic development in the sub-region.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr S Etherington:

That:

- 1. The annual review of the Shire of Plantagenet Corporate Business Plan be endorsed; and**
- 2. The Shire of Plantagenet Corporate Business Plan 2016/2017 to 2020/2021 as attached, be adopted.**

CARRIED (8/0)

NO. 206/16

Absolute Majority

9.4.2 FINANCIAL STATEMENTS – OCTOBER 2016

File Ref:	N39430
Attachment:	Financial Statements
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 October 2016.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Financial Statement for the period ending 31 October 2016 be received.

CARRIED (8/0)

NO. 207/16

9.4.3 LIST OF ACCOUNTS – OCTOBER 2016

File Ref:	N39486
Attachment:	October 2016
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of October 2016.

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (21 June 2016). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Council Policy F/FM/7 – Purchasing and Tender Guide applies.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 October 2016 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$497,645.39; and
2. Municipal Cheques 45655 - 45657 and 45732 - 45754 totalling \$122,971.84.

CARRIED (8/0)

NO. 208/16

9.4.4 GENERAL MEETING OF ELECTORS – 2015/2016 ANNUAL REPORT

File Ref:	N39468
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to set a date for the General Meeting of Electors to receive the Shire of Plantagenet's 2015/2016 Annual Report.

BACKGROUND

The annual financial audit for 2015/2016 was conducted by representatives of the Council's auditors, Moore Stephens in October 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995

Sections 5.27 – 5.33 govern the holding of electors' meetings. Section 5.27 (1) states:

'(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.'

Section 5.29 (1) further states:

'(1) The CEO is to convene an electors' meeting by giving-

- (a) at least 14 days' local public notice; and*
- (b) each council member at least 14 days' notice, of the date, time, place and purpose of the meeting.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.2 (Effective engagement with the community and stakeholders) the following Strategy:

Strategy 4.2.1:

'Have a well informed community'

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

OFFICER COMMENT

The receipt of the auditor's report is not expected until mid November 2016. It is expected that the auditor's report will be presented to the meeting of the Council to be held on 6 December 2016.

Annual General Meetings are traditionally held on Tuesdays and ideally, the meeting should be held in this calendar year. Holding off setting a date for the General Meeting of Electors until receipt of the auditor's report will prevent this.

A date and time for the General Meeting of Electors of Tuesday 6 December 2016 at 6.30pm has been recommended. An advertisement would need to be published in a newspaper circulating the district by 21 November 2016.

The Mount Barker Community College will hold its annual speech night on Tuesday 13 December 2016.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr J Hamblin:

That subject to the timely receipt of the Shire's audit report, a General Meeting of Electors be held at 6.30pm on 6 December 2016 to receive the 2015/2016 Annual Report.

CARRIED (8/0)

NO. 209/16

9.4.5 POLICY REVIEW - FINANCIAL MANAGEMENT - BORROWING PROGRAM AND ASSET FINANCING

File Ref:	N39435
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to review Council Policy F/FM/6 – Financial Management – Borrowing Program and Asset Financing.

BACKGROUND

The policy was last reviewed by the Council at its meeting held on 11 November 2014.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

Regulation 50(1)(e) requires the annual financial report of a local government to include the debt service cover ratio for the financial year covered by the annual financial report and the two preceding financial years.

Western Australian Treasury Corporation Act 1986

In order to be satisfied that borrowings will not place stress on the Local Government, the Western Australian Treasury Corporation (WATC) requires financial information to be provided to the Corporation before approving any loans. Section 7.3 of the Master Lending Agreement between the Shire and the WATC requires that advances are *'subject to the condition that the Corporation's credit criteria in effect at the relevant time for such lending are met by the Borrower.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

OFFICER COMMENT

The Debt Service Cover Ratio measures a local government's ability to service debt out of its uncommitted or general purpose fund available for its operations. The higher the ratio, the greater the ability to cover the debt. It is calculated as follows:

$$\frac{\text{Annual operating surplus before interest and depreciation}}{\text{Principal and interest}}$$

The Net Debt Ratio illustrates a local government's ability to cover its net debt with its revenue in any given year. The lower the percentage of the ratio, the greater the ability to cover the debt. It is calculated as follows:

$$\frac{\text{Gross debt less cash and cash equivalents}}{\text{Available operating revenue}}$$

As a guide, the WATC indicates that the Debt Service Cover Ratio should be a minimum of 3.0 and the Net Debt Ratio should be less than 50%. However, the WATC's policy is not based purely on the ratios alone. Each loan application is assessed on a case by case basis using the required ratios as a starting point.

In considering the borrowing capacity, a number of factors influence the calculation of the ratios. These include the amount of the borrowings and the repayment structure of the loans (for example the term of the loan, short term or long term, interest only repayments or capital and interest repayments). Other items influencing a local government's capacity include the total operating revenue and expenses, and these items are also taken into consideration by the WATC.

The Council's position as at 30 June 2016 sits within these guidelines, with the Debt Service Cover Ratio being 3.56 and the Net Debt Ratio being 6.5%.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr C Pavlovich:

That Council Policy F/FM/6 as follows:

'OBJECTIVE:

To recognise the degree to which borrowing is acceptable, determine in what circumstances borrowing should and should not be utilised, consider funding strategies for major assets and categories of services and satisfy the Western Australian Treasury Corporation that any new borrowings will not place financial stress on the Council.

POLICY:

- 1. Long-term borrowing will not be used to finance current operations or normal maintenance.**

2. **The Shire will strive to achieve a high reliance on pay-as-you-go financing for its capital improvements.**
3. **All debt issued, including by lease purchase methods, will be repaid within a period not to exceed the expected useful lives of the improvements financed by the debt.**
4. **The Council may consider borrowing proposals on their merits from time to time and give favourable consideration to borrowing money for the acquisition or construction of an asset under the following circumstances:**
 - a) **Where the asset to be acquired is a new addition to the Council's asset base and the project contributes to the achievement of an identified strategic objective; or**
 - b) **Where the asset replaces an existing asset and has a useful life of greater than 10 years; or**
 - c) **Where the asset is required urgently and unexpectedly or a significant community need for the asset has been identified; and**
 - d) **One of the following funding conditions exists:**
 - i) **The project will reduce operating costs to an extent sufficient to cover the cost of the project and generate further savings to the Shire;**
 - ii) **The borrowing cost could be supported by additional revenue over the effective life of the project;**
 - iii) **All alternative options for undertaking the project without borrowing have been investigated and proven less advantageous to the Council;**
 - iv) **The income stream from the asset to be acquired or constructed exceeds the cost of borrowing over the life of that asset;**
 - v) **Repayments will be met by a third party such as self supporting loans and the financial stability of that party meets the criteria as set out in the Self Supporting Loans Policy;**
 - vi) **To save for the acquisition or construction will result in the actual cost being greater than the cost of borrowing the money and acquiring it today; or**
 - vii) **To delay a project would jeopardise it due to grant funding restrictions or opportunities.**
5. **Where surplus funds are available, the decision to repay or reduce borrowings should be made based on the facts available at the time giving due regard to minimising the overall cost to the Council.**
6. **The Council will, with regard to setting its annual budget and making decisions on borrowings from external agencies, aim to maintain the following financial ratios within the limits stated:**
 - a) **Debt Service Cover Ratio – More than 3.0**

This ratio means:

Annual operating surplus before interest and depreciation
Principal and interest

- b) Net Debt Ratio – Less than 50%

This ratio means:

Gross debt less cash and cash equivalents
Available operating revenue'

be endorsed.

CARRIED (8/0)

NO. 210/16

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

File Ref:	N38680
Attachment	Assessment Report
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

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

BACKGROUND

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

The first such review was carried out in November 2014.

STATUTORY ENVIRONMENT

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

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
- (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.'*

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

The Council has the following policies in place:

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

STRATEGIC RISK IMPLICATIONS

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

OFFICER COMMENT

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

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

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

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

Risk Management

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

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

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

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

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

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

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

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

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

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

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

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

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

Internal Control

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

Staffing and segregation of duties

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

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

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

segregation of duties has been achieved, although not to the degree available in an ideal world due to the size of the organisation. Other controls have been put in place to mitigate relevant risks as a result.

Councillors are most likely aware of recent issues investigated and prosecuted by the Corruption and Crime Commission regarding the Shire of Dowerin, where the CEO was found to have stolen large sums of Council funds. Not only was fraud in evidence, due to the size of the organisation, it was difficult for adequate controls to be implemented. This emphasises the need for not only controls to be in place, but also for elected members to be vigilant and aware of what the controls should be.

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

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

Information Technology (IT) Controls

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

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

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

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

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

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

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

them and what they are required to do to maintain control, less errors are likely to occur.

At the Shire of Plantagenet, a culture of formal documentation exists and procedures are in place for a significant number of processes. In addition, a number of control activities should be undertaken in addition to the key monitoring activities. Out of the 85 controls ideally in place, 80 are being carried out (94%), as detailed in the assessment report. It is the opinion of the Chief Executive Officer that the policy and procedures in place for internal control are largely appropriate for an organisation of this size of the Shire of Plantagenet.

Effectiveness is assessed through monitoring events and testing controls. In recent times, the report of the auditor in respect to annual financial statements and interim audit results have been very good. A financial management review was undertaken by the external auditor in May 2014. Overall, the results of that review were also very good. There were five minor adverse findings made within the report, three of which related to the need for policy development, which has been carried out.

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

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

Legislative Compliance

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

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

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

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

The Compliance Audit required pursuant to Section 7.13 of the Local Government Act 1995 has only recorded one area of non-compliance since the 2008 return. The

effectiveness of the current measures, which has recently been formalised by way of policy and procedures can therefore be assumed to be robust.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr S Etherington:

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

CARRIED (8/0)

NO. 211/16

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 COUNCIL MEETINGS SCHEDULE 2017

File Ref:	N39481
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Linda Sounness Executive Secretary
Proposed Meeting Date:	8 November 2016

PURPOSE

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

BACKGROUND

At its meeting held on 13 October 2015 the Council resolved:

'That:

1. *The ordinary meetings of the Council for February to December 2016 inclusive be held at four weekly intervals as follows:*
 - a) *2 February 2016*
 - b) *1 March 2016*
 - c) *29 March 2016*
 - d) *26 April 2016*
 - e) *24 May 2016*
 - f) *21 June 2016*
 - g) *19 July 2016*
 - h) *16 August 2016*
 - i) *13 September 2016*
 - j) *11 October 2016*
 - k) *8 November 2016*
 - l) *6 December 2016*
2. *All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
3. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.*

STATUTORY ENVIRONMENT

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

Local Government Act 1995 – Section 5.5 requires the CEO to convene ordinary meetings by giving each Council member at least 72 hours notice of a date, time and place of a meeting and an agenda for the meeting.

Local Government (Administration) Regulations 1996 – regulation 12 requires that ordinary council meetings to be held in the next 12 months shall be advertised.

Further, a local government is to give local public notice of any change to the date, time or place of the meeting.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.1.3:

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

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

REGIONAL IMPLICATIONS

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

OFFICER COMMENT

It will be recommended that the current four weekly cycle continue with the first meeting of 2017 to be held on 31 January 2017. It will also be recommended, due to the four weekly cycle in April falling on Anzac Day, that the Council meet on the Wednesday 26 April 2017.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr C Pavlovich:

That:

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

CARRIED (8/0)

NO. 212/16

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 B Bell, seconded Cr S Etherington:

That new business of an urgent nature, namely:

Lot 2236 St Werburghs Road, Mount Barker – Withdrawal of Caveat

be introduced to the meeting.

CARRIED (8/0)

NO. 213/16

11.1 LOT 2236, ST WERBURGHES ROAD, MOUNT BARKER – WITHDRAWAL OF CAVEAT

File Ref:	N39550
Responsible Officer:	John Fathers Acting Chief Executive Officer
Author:	John Fathers Acting Chief Executive Officer
Proposed Meeting Date:	8 November 2016

PURPOSE

The purpose of this report is to seek authority to affix the Common Seal of the Council to a Withdrawal of Caveat document, relating to Lot 2236 St Werburghs Road, Mount Barker.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr B Bell, seconded Cr S Etherington:

3:32pm That the meeting be closed to members of the public pursuant to Section 5.23 (b) of the Local Government Act as the matter to be considered relates to the personal affairs of any person.

CARRIED

NO. 214/16

MOTION TO PROCEED IN PUBLIC

Moved Cr B Bell, seconded Cr S Etherington:

3:40pm That the meeting proceed in public.

CARRIED
NO. 215/16

OFFICER RECOMMENDATION

Moved Cr M O'Dea, seconded Cr C Pavlovich:

That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Withdrawal of Caveat document relating to Assessment 109223, Lot 2236 St Werburghs Road, Mount Barker, subject to the payment of rates and associated interest and charges equating to the proportion of the value of Lot 2236 to the assessment as a whole.

AMENDMENT

Moved Cr B Bell, seconded Cr S Etherington:

That the words 'and caveats being placed on Lots 20, 57, 153 and 158 St Werburghs Road Mount Barker' be included after the word 'whole'.

LOST (2/6)

The substantive motion was then put

LOST (0/8)

COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr J Hamblin:

That:

1. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Withdrawal of Caveat document relating to Assessment 109223, Lot 2236 St Werburghs Road, Mount Barker, when all current and outstanding rates, interest and charges on this assessment, currently amounting to \$51,566.80, have been paid.
2. In the meantime, the processes underway for recovery of rates via sale of land or otherwise, be continued.

CARRIED (8/0)

NO. 216/16

Reason for Change

Councillors agreed that the caveat is the only leverage the Shire has to receiving the substantial outstanding rates on the property without proceeding to sell the land.

12 CONFIDENTIAL**12.1 CORPORATE SERVICES REPORTS****12.1.1 TENDER C01-1617 – LICENCE OF MOUNT BARKER REGIONAL SALEYARDS CANTEEN**Cr J Moir

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature: Employee of Elders, Cattle Farmer
Extent: Letter dated 27 January 2016

Authority to participate pursuant to Section 5.69(3)(b) of the Local Government Act 1995

Approval has been received from the Department of Local Government via a letter dated 27 January 2016 giving permission for Councillor J Moir to participate in discussion and decision making procedures relating to the Mount Barker Regional Saleyards.

Mr J Fathers read aloud the letter, a copy of which is attached to these Minutes.

File Ref: N39432
Attachments: Licence – Saleyards Canteen
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 8 November 2016

PURPOSE

The purpose of this report is to consider tenders received for the licence of the canteen at the Mount Barker Regional Saleyards.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr B Bell, seconded Cr S Etherington:

3:50pm That the meeting be closed to members of the public pursuant to Section 5.23 (c) of the Local Government Act as the matter to be considered relates to a contract entered into, or which may be entered into, by the local government.

CARRIED (8/0)

NO. 217/16

MOTION TO PROCEED IN PUBLIC

Moved Cr B Bell, seconded Cr S Etherington:

3:55pm That the meeting proceed in public.

CARRIED (8/0)

NO. 218/16

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Hamblin, seconded Cr J Moir:

That:

1. The tender submitted by Mrs Evonne Mitchell for the licence of the canteen at the Mount Barker Regional Saleyards for a three year period commencing 11 November 2016, at a rate of \$85.57 per sale day (including GST) and subject to annual consumer price index increases, be accepted.
2. Authority be granted for the Chief Executive Officer to execute the licence for the Canteen at the Mount Barker Regional Saleyards on Portion of Lot 3 Albany Highway, Mount Barker to Mrs Evonne Mitchell.

CARRIED (8/0)

NO. 219/16

13 CLOSURE OF MEETING

4:02pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____/____/____