



## **ORDINARY MINUTES**

**DATE:** Tuesday, 8 October 2019

**TIME:** 3:00pm

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

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

Resolution numbers: 183/19 to 199/19

## **MEMBERSHIP – Quorum (5)**

### **Members:**

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

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

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## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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

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

### Members Present:

Cr C Pavlovich	Shire President
Cr B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr B Lang	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Deputy Shire President

### In Attendance:

Mr Andrus Budrikis	Executive Manager Strategic Development
Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Executive Manager Corporate Services
Mr David Lynch	Executive Manager Works and Services
Ms Nolene Wake	Executive Officer

### Apologies:

Nil

### Members of the Public Present:

There were two members of the public present.

### Previously Approved Leave of Absence:

Cr M O'Dea has been granted Leave of Absence for 8 October 2019.

### Emergency Evacuation Procedures/Disclaimer:

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

Mr Stewart then read aloud the following disclaimer:

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

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

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

### **3 PUBLIC QUESTION TIME**

#### **3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

#### **3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995**

Nil

### **4 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

### **5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

Nil

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

Section 5.25 Local Government Act 1995

Nil

### **7 CONFIRMATION OF MINUTES**

Moved Cr L Handasyde, seconded Cr B Lang:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 10 September 2019 as circulated, be taken as read and adopted as a correct record.

**CARRIED (8/0)**

**NO. 183/19**

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

The Shire President distributed notes separately.

### **8.1 LONG AND LOYAL SERVICE AWARD**

The Shire President presented Cr B Bell with the WALGA 2019 Long and Loyal Service Award accepted by the Shire President on Cr B Bell's behalf at the 2019 Local Government Convention. Cr B Bell was thanked for his dedicated service and hard work over the past two years and this was acknowledged by acclamation.

### **8.2 RECOGNITION OF COUNCILLOR CONTRIBUTION**

Pending the 2019 Local Government Elections, the Shire President thanked all Councillors for their efforts throughout the year. He noted that it had been 'a pleasure working with a cohesive group'.

## **9 REPORTS OF COMMITTEES AND OFFICERS**

### **9.1 STRATEGIC DEVELOPMENT REPORTS**

#### **9.1.1 ENDORSEMENT - AGE FRIENDLY CHARTER - LOWER GREAT SOUTHERN 2019 - 2024**

<b>File Ref:</b>	<b>N49339</b>
<b>Attachments:</b>	<a href="#"><u>Age Friendly Charter Lower Great Southern 2019 - 2024</u></a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Isabelle Draffehn</b> <b>Community Development Officer</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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#### **PURPOSE**

The purpose of this report is to endorse the Age Friendly Charter Lower Great Southern 2019 – 2024.

#### **BACKGROUND**

The Western Australian Primary Health Alliance (WAPHA) secured funding to create an Age Friendly Charter for Plantagenet, Denmark and Albany.

The Charter's purpose was to create a vision for making the Lower Great Southern region a great place to age. To ensure the Charter is community driven, workshops were held in early 2019 in Albany, Denmark and Mount Barker.

The Charter defines the values and aspirations as told by older community members and how service providers and government can work together to improve the ways in which people in the community can live longer, healthier and happier lives.

The Charter sets out nine strategic aspirations and supporting outcome areas to guide how collaboration can achieve better results for the whole region and especially older people:

1. Social Connection and Belonging;
2. Health and Wellbeing;
3. Home and Community;
4. Outdoor Spaces, Buildings and Design;
5. Transport;
6. Inclusion and Mutual Respect;
7. Volunteering, Employment and Finance;
8. Communication and Information; and
9. End of Life.

The Age Friendly Charter Lower Great Southern 2019 - 2024 was officially launched at the Albany Public Library on Thursday 22 August 2019. The Age Friendly Charter was also referred to in the final report of the Seniors Advisory Committee.



**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

External Consultation has occurred with the City of Albany, WA Primary Health Alliance and the Shire of Plantagenet's senior population.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.6 (Quality of life for the aged) the following Strategies:

Strategy 1.6.1:

*'Advocate the provision and promotion of services, home care and facilities that meet the needs of the aged.'*

And Strategy 1.6.2:

*'Support quality accommodation for the aged.'*

And Strategy 1.6.3:

*'Support the provision of recreation and active ageing activities for seniors'.*

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

**OFFICER COMMENT**

In 2018, the changes and added complexities to the aged care system have led to concerns about the service levels being provided to seniors in the Plantagenet community. As a direct result of these concerns, a Seniors Advisory Committee was formed at the Council's meeting on 14 August 2018 with the brief to examine services provided to seniors in the Shire of Plantagenet, monitor the change in service providers and actual services to aged care, and to report back to the Council by 26 March 2019.

The research undertaken by the Committee has clarified the processes for seniors to access aged care services. As a result of the research, the Committee has produced a report which was endorsed by the Council at its meeting on 26 March 2019.

This report made several recommendations including *'officer involvement with the Age Friendly Agency Panel to continue with a view toward the development of an Age Friendly Charter'*.

The Charter was progressed and officially launched in Albany on 22 August 2019. The Shire of Plantagenet is planning a local launch of the Age Friendly Charter on Monday 11 November 2019 at its Seniors Expo as part of a series of events for WA Seniors Week 2019.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the Age Friendly Charter Lower Great Southern 2019 – 2024 be endorsed.**

**CARRIED (8/0)**

**NO. 184/19**

**9.1.2 MOUNTAINS AND MURALS ADVISORY COMMITTEE - ENDORSEMENT OF RECOMMENDATIONS**

<b>File Ref:</b>	<b>N49494</b>
<b>Attachments:</b>	<a href="#"><u>Mountains and Murals Advisory Committee Meeting Minutes 24 September 2019</u></a> <a href="#"><u>Mountains and Murals Festival Mount Barker Project Plan</u></a>
<b>Responsible Officer:</b>	<b>Andrus Budrikis</b> <b>Executive Manager Strategic Development</b>
<b>Author:</b>	<b>Isabelle Draffehn</b> <b>Community Development Officer</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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**PURPOSE**

The purpose of this report is to present the recommendations of the Mountains and Murals Advisory Committee, held on 24 September 2019 and to seek Council endorsement for the food and wine festival component.

**BACKGROUND**

The Mountains and Murals Festival will take place 6 – 10 December 2019 and will create large scale public art in Mount Barker. The Walldogs, a group of skilled international sign painters and mural artists, will paint multiple murals of local historic, cultural and indigenous significance. The Festival will incorporate a food and wine fair, showcasing local produce and wares and a community mural, professionally designed, but executed by the public.

At the Council's Meeting on 13 August 2019, it was resolved

*'That:*

- 1. A committee, to be known as the Mountains and Murals Advisory Committee be formed pursuant to Section 5.9(2)(c) of the Local Government Act 1995;*
- 2. The duties of the committee are to advise the Council on the creation of wall murals in Mount Barker and any associated mural festival;*
- 3. The committee shall be made up of three Councillors, the Executive Manager Strategic Development and four other persons; and*
- 4. The committee shall disband on 31 January 2020.'*

Committee Members are:

1. Crs Chris Pavlovich, Marie O'Dea and Len Handasyde;
2. Sgt David Johnson, Ms Kristy Kempton, Ms Tina Johnson and Mr Stuart Roberts as other persons; and
3. Mr Andrus Budrikis Executive Manager Strategic Services.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

External consultation has occurred with the Mountains and Murals Working Group, comprising David Johnson, Kristy Kempton, Stuart Roberts, Chris Pavlovich, Marie O'Dea, Len Handasyde, Jodi Miller, Tina Johnson, Andrus Budrikis and Isabelle Draffehn.

**FINANCIAL IMPLICATIONS**

It is expected that net expenditure for the festival operation will be in the order of \$14,000.00. A separate report seeking a budget reallocation will be prepared.

**BUDGET IMPLICATIONS**

Although the Council has created the Mountains and Murals Committee, due to the short time frame, no budget allocation for the event has been made in the 2019/2020 adopted budget.

It is proposed that the December event be presented in two tranches, being the mural component and an associated fair component. Funds for the mural component will be raised predominantly from the Community Bank and the Mount Barker Co-op.

It is proposed that the fair component be funded by the Council. The expenditure is estimated to be in the order of \$12,000.00. However, as a project plan has yet to be finalised, no firm figure is available.

The Great Southern Development Commission (GSDC) has verbally agreed to a grant of \$2,000.00 subject to a dollar for dollar amount being made available by the Council. Apart from salaries, no other funding is yet available, hence the reallocation referred to in Financial Implications above.

**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**

Insurance has been taken out by the Mountains and Murals Working Group to cover public liability on non-council land for the murals component of the festival. The Shire of Plantagenet's public liability insurance will cover the Food and Wine Festival component.

**STRATEGIC IMPLICATIONS**

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

Strategy 1.8.4:

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

And Strategy 1.8.5:

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

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

### **OFFICER COMMENT**

The Mountains and Murals Advisory Committee held its inaugural meeting on Tuesday 24 September 2019.

The Executive Manager Strategic Development tabled a draft project plan (attached and updated) for the Mountains and Murals Festival. The Committee discussed the project plan and noted the following:

- Wine producers from Frankland and other areas of the Great Southern could be invited to participate;
- Pardelup Prison Farm would be able to provide beef and lamb towards the proposed local food produce stand. It was proposed to invite a local vendor to operate this stand to provide cooked local produce. Industry are being asked to provide sponsorship;
- Pardelup Prison Farm staff may be able to provide support in appropriate areas;
- Music options should be further discussed;
- Consideration should be given to the provision of entertainment focussed on children’s activities. This should be located close to the community mural site; and
- The window on the east wall of the Town Hall (bar window) will need to be filled in with a suitable lined frame to allow the wall mural to be painted over the window area.

Some minor amendments were made to the project plan regarding correct naming of organisations, times and dates.

The Committee made the following recommendations:

1. That the Mountains and Murals Festival Project Plan as amended be adopted.
2. That the bar window on the east wall of the Town Hall be fitted with a suitable frame and lined with material to allow the painting of a mural over this window opening.

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr L Handasyde, seconded Cr J Oldfield:**

**That:**

- 1. The Wine and Food Festival component of the Mountains and Murals Event scheduled to be held on 8 December 2019 be endorsed as a Council event.**
- 2. The draft Project Plan attached be endorsed, noting that amendments to the plan will be necessary.**
- 3. The East wall of the Plantagenet District Hall be endorsed as a viable wall for a mural.**
- 4. The CEO be authorised to undertake any minor modifications to the wall to effect the mural application.**
- 5. It be noted that the Plantagenet District Hall is recorded in the Council's Municipal Heritage Inventory.**

**CARRIED (8/0)**

**NO. 185/19**

### **9.1.3 RECREATION ADVISORY COMMITTEE - ENDORSEMENT OF RECOMMENDATION – MOUNT BARKER MEMORIAL SWIMMING POOL**

**File Ref:** N49508

**Attachments:** [Recreation Advisory Committee Minutes  
20 September 2019](#)

**Responsible Officer:** Andrus Budrikis  
Executive Manager Strategic Development

**Author:** Isabelle Draffehn  
Community Development Officer

**Proposed Meeting Date:** 08 October 2019

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#### **PURPOSE**

The purpose of this report is to endorse the Recreation Advisory Committee's recommendation to extend the scope of work for the Mount Barker Memorial Swimming Pool Feasibility Study to include structural tests to verify the life expectancy of the existing pool concrete shell.

#### **BACKGROUND**

A structural investigation of the swimming pool and facilities was carried out by GHD Pty Ltd in 2017. This investigation included visual inspections of the pool including taking photographs of the condition inside pipes. The report 'Mount Barker Swimming Pool Stage 1 – Condition Assessment April 2017' made recommendations of remedial work that should be carried out on the pool. This remedial work has been carried out. The GHD report recommends that further inspections be undertaken after ten years. The GHD report does not make reference to an expected life expectancy for the pool concrete shell. No concrete core samples, or testing, of the pool's concrete shell was undertaken (or investigated) at the time of the GHD investigation. Such testing is required to establish chlorine penetration into the concrete and the condition of the concrete reinforcing.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **EXTERNAL CONSULTATION**

External consultation has occurred with GHD.

#### **FINANCIAL IMPLICATIONS**

The cost for structural testing to determine the life expectancy of the existing pool concrete shell is approximately \$20,000.00 for the consultant engineer plus \$5,000.00 to cover core drilling and laboratory tests.

A separate budget reallocation report will be prepared for the Council's consideration.

#### **ASSET MANAGEMENT IMPLICATIONS**

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

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**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.

**OFFICER COMMENT**

The structural tests are required to verify the expected life of the concrete bowl of the swimming pool. Without this data a decision to refurbish the existing pool would carry a significant risk in that the pool shell may fail and that funding bodies may not provide funding support for a refurbishment.

At its meeting on 20 September 2019, the Recreation Advisory Committee recommended that ‘the scope of work for the Mount Barker Memorial Swimming Pool Feasibility Study be extended to include structural tests to verify the life expectancy of the existing pool concrete shell’.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the scope of work for the Mount Barker Memorial Swimming Pool Feasibility Study be extended to include structural tests to verify the life expectancy of the existing pool concrete shell.**

**CARRIED (8/0)**

**NO. 186/19**



## 9.2 WORKS AND SERVICES REPORTS

### 9.2.1 ROCKY GULLY TRANSFER STATION - ACCEPTANCE OF NON-PUTRESCIBLE WASTE

<b>File Ref:</b>	<b>N49484</b>
<b>Attachments:</b>	<a href="#">Attachment One - Photos</a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>David Lynch</b> <b>Executive Manager Works and Services</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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#### PURPOSE

The purpose of this report is to consider a recommendation to continue the acceptance of car bodies, white goods, other metal and e-waste at the Rocky Gully Transfer Station.

#### BACKGROUND

The Council at its meeting held on 14 August 2018 resolved:

*‘That:*

- 1. As of 1 October 2018, steel waste and e-waste be accepted at the Rocky Gully Waste Transfer Station for a twelve (12) month trial period.*
- 2. At the conclusion of the twelve (12) month trial period, a further report be prepared for Council consideration with regard to the extension of acceptance or otherwise of steel waste and e-waste.’*

The request to approve the acceptance of steel and e-waste at the Rocky Gully Transfer Station was made in 2018 following an upsurge in the amount of material being dumped around the Rocky Gully townsite necessitating expensive clean-up operations by Shire staff.

At the time, it was thought that if steel waste was accepted at the local transfer station then the dumping would reduce. In the past twelve months, Shire staff have collected approximately 16 cubic metres of steel waste from the Rocky Gully Transfer Station and placed it at the O'Neill Road Waste Management Facility. This waste includes fencing materials, corrugated iron sheeting and household products.

#### STATUTORY ENVIRONMENT

Waste Avoidance and Resource Recovery Act 2007, Part 6, Division 1 – ‘Services provided by local governments’

#### FINANCIAL IMPLICATIONS

Assuming that the loose dumped metal waste weighed in the order of 8 tonnes then the opportunistic collection method is likely to be cost neutral considering scrap metal prices are currently \$130.00/tonne. It is certainly less costly than retrieval of roadside dumping.

## BUDGET IMPLICATIONS

It should be noted that the cost of picking up rubbish dumped in the bush does not have a separate budget line. Accordingly, this cost is generally charged to road maintenance of the adjacent road or reserve maintenance.

Reduced dumping in the bush will therefore not burden inappropriate expenditure to some accounts.

## POLICY IMPLICATIONS

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

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.9 (Integrated waste management) the following:

Strategy 2.9.2:

*‘Manage existing waste disposal sites and transfer stations in accordance with legislative requirements.’*

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 2.9.2.2:

*‘Provide waste facilities that are readily accessible to all stakeholders.’*

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

## STRATEGIC RISK IMPLICATIONS

The Shire’s Strategic Risk Register provides at Risk No.8.5.1 for ‘Disruption of waste disposal operations’. A reduction in opportunities for residents to recycle at waste transfer facilities may result in an increase in roadside dumping and an increase in costs to ratepayers to remove the rubbish.

## OFFICER COMMENT

It is disappointing that some rubbish is still just dumped. The attached photographs show rubbish dumping in the last twelve months in an old gravel pit on Turpin Road. Another example is a car dumped within Rocky Gully townsite in the last month.

Staff are of the opinion that although dumping continues, the fact that a moderate amount of metal waste was collected indicates that the scheme should be continued for a further period of two years to examine the cost effectiveness of the scheme over time.

## VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That:**

- 1. Steel waste and e-waste be accepted at the Rocky Gully Waste Transfer Station for a further period of two (2) years until September 2021.**
- 2. At the conclusion of the two (2) year period, a report be prepared for Council consideration with regard to the extension of acceptance or otherwise of steel waste and e-waste.**

**CARRIED (7/1)**

**Cr Moir voted against the motion**

**NO. 187/19**

**9.2.2 FUNDING OF WATER TRANSFER PROJECT**

**File Ref:** N49493  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** David Lynch  
Executive Manager Works and Services  
**Proposed Meeting Date:** 08 October 2019

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**PURPOSE**

The purpose of this report is to seek support from the Council for the use of funds up to \$20,000.00 (ex GST) for the installation of infrastructure for the immediate use of effluent water if required on Shire recreational facilities. This contingency fund could also be used for the purchase and installation of pipework and other fixtures for water transfer.

**BACKGROUND**

As part of the Council's budget for 2019/2020, \$80,000.00 was set aside to enable the installation of pumps and pipelines from the Frost Park Training Track Dam into the Sounness Park water tanks.

At the Council Meeting held on 10 September 2019, it was resolved:

*'That the Chief Executive Officer be requested to write to the Water Corporation requesting an allocation of 15,000 kilolitres of treated effluent water per annum with extensions of volume if required provided the water can be used in accordance with best practice environmental and public health standards.'*

Subsequent discussions highlighted the need for a larger scope of study and following the presentation of the report above, a Water Strategy Advisory Committee was appointed at the September 2019 Council meeting.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

Consultation has taken place with the Water Corporation, Department of Health and a representative from Whale Plumbing.

**FINANCIAL IMPLICATIONS**

Account 51777.0251 Water Transfer – Lot 81 Dam to Sounness for the amount of \$80,000.00 was approved as part of the Council's 2019/20 budget.

**BUDGET IMPLICATIONS**

Should authority be granted to extend the \$20,000.00 sought, this will leave an amount of \$60,000.00 in the budget line allocated for this project.

If the funds are not authorised, there will be increased charges for the use of Boganup Dam water. Although these funds are allocated (Sounness Park) no cost savings will materialise.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

Strategy 1.5.1:

*‘Maintain and improve sporting and recreation facilities in the District based on catchment needs.’*

And further at Outcome 2.10 (Effective use and management of water resources) the following:

Strategy 2.10.2:

*‘Promote effective water management practices.’*

And Strategy 2.10.3:

*‘Investigate waste water re-use.’*

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 2.10.2.1:

*‘Implement strategies to conserve water while still retaining amenity, sport and recreation and biodiversity outcomes.’*

And Action 2.10.1.3:

*‘Investigate proposals for re-use of waste water.’*

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

**STRATEGIC RISK IMPLICATIONS**

The principal risk of not supporting expenditure is the likelihood of expending large sums purchasing water from the Bolganup Dam supply when some water is available from own and recycled sources.

This risk is mitigated somewhat by expenditure on some items to effect the transfer that can be re-used or re-purposed in the final works.

**OFFICER COMMENT**

The risk management and sampling document on the use of effluent water is in the final stages of review by the Water Corporation prior to it being sent to the Department of Health for assessment and approval. Effluent water could come on-stream during this year’s irrigation season. To make best use of the possibility of the water becoming available, some infrastructure would need to be installed, specifically air gaps and piping. A quote has been received from Whale Plumbing for \$11,000.00 (ex GST) for the totality of the required works. Only one quote has been

obtained because Whale Plumbing is the only local plumber qualified to install the required devices.

The only current steady source of water available for irrigation of recreational facilities this year is the Mitchell Street Standpipe. Some limited water supplies are available from the Frost Park Training Track and Frost Park Dams respectively but these are currently orphaned from the Sounness Park tank supply.

This impediment could be overcome relatively easily by tapping into an old HDPE pipe (high density polyethylene) which runs under McDonald Avenue and currently connects the Water Corporation effluent water supply line to Omrah. Connecting this pipe to the pump at Frost Dam would save some water purchases.

Water could be pumped from the Council's Frost Park Training Track Dam as originally proposed but likely at a slower rate. If the transfer starts early then the Frost Dam essentially becomes a buffer. To undertake this efficiently, some purchases of HDPE pipe and fittings would be required. Hire of a diesel pump and diesel would also need to be accounted for.

The HDPE pipe would be either 90mm or 110mm to match or exceed some short lengths that the Shire currently has available plus giving the high capacity loss friction needed for effective pumping operations.

This report requests that the Council allow the spending of up to \$20,000.00 (exc GST) items on an as required basis from the original budgeted amount of \$80,000.00.

The funds would only be expended on items required on short notice outside of the scheduled Council Meetings and only on items that are considered to be able to be reused or repurposed for the final Water Strategy works. That is, no small diameter piping or temporary works other than the hiring of a pump and associated diesel costs. If more is required then the matter would be brought back before Council.

The money required to construct or install the airgaps at the irrigation tanks would only be expended once approval for use of the recycled water is obtained from the Department of Health.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

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

**That:**

- 1. Expenditure of \$20,000.00 (ex GST) be authorised as a contingency fund for the installation of infrastructure to enable the immediate use, if required, of recycled effluent water from the Water Corporation for Shire of Plantagenet recreational facilities from account 51777.0251 Water Transfer – Lot 81 Dam to Sounness; and**
- 2. The contingency funds are only to be used on irrigation items that could be re-used or re-purposed for any works suggested under the proposed Shire of Plantagenet Water Strategy and for any other relevant ancillary works.**

**AMENDMENT**

Moved Cr L Handasyde, seconded Cr B Bell:

That in part 1 of the motion:

1. After the words 'Expenditure of' the words 'up to' be added; and
2. The words 'and Frost Park Dam water' be inserted after the words 'Water Corporation'.

**CARRIED (8/0)**

**NO. 188/19**

**COUNCIL DECISION**

That:

1. Expenditure of up to \$20,000.00 (ex GST) be authorised as a contingency fund for the installation of infrastructure to enable the immediate use, if required, of recycled effluent water from the Water Corporation and Frost Park Dam water for Shire of Plantagenet recreational facilities from account 51777.0251 Water Transfer – Lot 81 Dam to Sounness; and
2. The contingency funds are only to be used on irrigation items that could be re-used or re-purposed for any works suggested under the proposed Shire of Plantagenet Water Strategy and for any other relevant ancillary works.

**CARRIED (8/0)**

**NO. 189/19**

**9.2.3 POLICY REVIEW - VEHICLE CROSSOVERS**

<b>File Ref:</b>	<b>N49489</b>
<b>Responsible Officer:</b>	<b>David Lynch</b> <b>Executive Manager Works and Services</b>
<b>Author:</b>	<b>Amy Chadbourne</b> <b>Senior Administration/Project Officer Works and Services</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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**PURPOSE**

The purpose of this report is to review Council Policy I/R/13 Vehicle Crossovers.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 18 July 2017.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 3.54 – ‘Reserves under control of local government’

Local Government (Uniform Local Provisions) Regulations 1996 as follows:

Regulation 12 – ‘Crossing from public thoroughfare to private land or private thoroughfare’

Regulation 13 – ‘Requirement to construct or repair crossing’ and

Regulation 15 – ‘Contribution to cost of crossing’.

**FINANCIAL IMPLICATIONS**

In the 2019/20 budget, \$3,000.00 has been included for costs associated with contributions to vehicle crossovers.

**BUDGET IMPLICATIONS**

In the 2018/2019 financial year \$2,178.00 out of a total allocation of \$3,000.00 as contributed to crossovers.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

Strategy 2.4.1:

*‘Maintain and further develop Shire roads, drainage and pathways at appropriate standards and continue to seek to maximise grant funding to support this aim.’*



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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 2.4.1.6:

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

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

## **STRATEGIC RISK IMPLICATIONS**

The Shire’s Strategic Risk Register provides at Risk No. 1.6.1:

*‘Failure to manage assets for the future’.*

Council Policy I/R/13 Vehicle Crossovers provides clear guidelines to all parties involved in the crossover application and subsidy process. As part of the annual budget, the Council approves a crossover contribution amount which is managed under Sub-Delegation 5.1A Closure of Streets, Thoroughfares, Control of Reserves and Unvested Facilities.

## **OFFICER COMMENT**

The policy provides clear guidelines to Shire staff, Councillors and applicants either wanting to build a crossover or who are requesting maintenance by the Shire.

There are no changes recommended to the policy.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Oldfield, seconded Cr J Moir:

That Council Policy I/R/13 Vehicle Crossovers as follows:

### **‘OBJECTIVE**

To define the Council’s requirements and financial obligations for the construction of vehicle crossovers in road reserves.

### **POLICY**

#### **1. Scope**

This policy applies to the installation and modification of crossovers for properties within the Shire of Plantagenet. This policy shall be applied for decisions made pursuant to Shire of Plantagenet Delegations 5.1 and 5.1A.

#### **2. Legislation**

**Local Government Act 1995, Section 3.54 – ‘Reserves under control of local government’**

**Local Government (Uniform Local Provisions) Regulations 1996 as follows:**

- a) **Regulation 12 – ‘Crossing from public thoroughfare to private land or private thoroughfare’;**
- b) **Regulation 13 – ‘Requirement to construct or repair crossing’; and**
- c) **Regulation 15 – ‘Contribution to cost of crossing’.**

**Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008.**

### **3. Definitions**

**Crossover** Has the same meaning as ‘crossing’ as outlined in the Activities in Thoroughfares and Public Places and Trading Local Law 2008 and means a crossing giving access from a public thoroughfare to private land, or a private thoroughfare serving private land.

**Standard crossover** Pursuant to Regulation 15(2) of the Local Government (Uniform Local Provisions) Regulations 1996, the Council defines a minimum standard crossover as follows:

- a) **Urban – sealed: 3.0m wide (excluding splays), constructed in grey pre-mixed concrete.**
- b) **Urban – unsealed: 3.0m wide (excluding splays), constructed in gravel with a minimum thickness of 200mm.**
- c) **Rural – unsealed: 4.5m wide (excluding splays), constructed in gravel with a minimum thickness of 200mm.**

### **4. Application of Policy**

- 4.1 Property owners are required to complete and submit an Application for Approval to Construct a Vehicle Crossover for assessment before a crossover is constructed or modified. Construction may not commence until written permission has been granted by the Council.**

**Approval to construct a crossover is valid for a two-year period from the date it is issued. If construction of the crossover has not been commenced within this period, a new application must be submitted to the Council for consideration.**

- 4.2 All crossovers must be constructed in accordance with the Council’s Specification for the Construction of Vehicle Crossovers. Where a crossing adjoins a sealed road within a townsite, a sealed crossover must be constructed. In all other cases, a sealed or unsealed crossover is permitted.**

- 4.3 Upon application from the property owner, the Council will contribute half the cost of a standard crossover to a maximum as set out in the Council's adopted fees and charges, provided that:**
- a) The crossover is installed in accordance with the Council's specifications;**
  - b) The contribution relates only to the first crossover to service the property;**
  - c) Applications for any subsidies are received within 6 months of the completion of the crossover; and**
  - d) The Council contribution will not apply to properties where the conditions of subdivision or development approval have included the provision of appropriate crossovers.**
- 4.4 Once constructed, crossovers are to be maintained at the expense of the property owner. The Council may issue a notice in writing pursuant to the Local Government (Uniform Local Provisions) Regulations 1996 to the owner or occupier of private land requiring the person to repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.'**

**be endorsed.**

**CARRIED (8/0)**

**NO. 190/19**

## 9.3 CORPORATE SERVICES REPORTS

### 9.3.1 BUDGET REVIEW - SEPTEMBER 2019

<b>File Ref:</b>	<b>N49542</b>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Executive Manager Corporate Services</b>
<b>Proposed Meeting Date:</b>	<b>8 October 2019</b>

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#### 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.

#### BACKGROUND

The 2019/2020 annual budget was adopted by the Council at a special meeting on 9 July 2019. This is the first review of the budget, which is considered to be prudent following some end of year adjustments and storm damage project adjustments.

#### 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

Regulation 33A states:

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

## FINANCIAL IMPLICATIONS

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended effect on the budget is a surplus of \$5,261.00. At subsequent budget reviews, consideration can be given to adjusting this deficit with any savings achieved at that time.

## 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

Following the adoption of the budget, a number of issues have come to light that are worthy of a budget amendment and the following action is recommended:

- Adjustments to Grants Commission Grants due to differences between estimated 2019/2020 allocations and final allocations following the early payment of Financial Assistance Grants in June 2019. The net cash effect of this adjustment is increased income of \$9,513.00.
- The Mountains and Murals Festival Advisory Committee has made recommendations (to be considered elsewhere in this agenda) regarding a four day event incorporating a food and wine fair showcasing local produce and wares and a community mural. The estimated budget expenditure detailed in the Project Plan is \$45,000.00 and the income from contributions is expected to be \$35,000.00. The net cash effect is estimated at (\$10,000.00). Approval is sought to offset this shortfall from the additional grants income detailed above. The net effect on the budget of these items is then (\$487.00).
- A number of adjustments detailed to the 2019-2020 Road Program are sought, as detailed below:
  - The State Road Project ‘Spencer Road’ has received funding for an extended scope of works, with an additional funding match required by the Council of \$38,663.00. It is proposed that this shortfall be funded by the surplus following final allocation of the Main Roads Tied Grant (13,899.00) and a reduction in the Reseal Rural and Townsite Roads Project (24,764.00).
  - Following the final allocation of Roads to Recovery funding for the five year 2019-2023 program, the annual allocation has been increased to

\$4,835.00. The Roads to Recovery Project, Mount Barker Road – SLK 4.05-5.93, has been increased by this amount.

- The latest estimates for expenditure on Storm Damage rectification work has been revised to a total of \$3,578,132.00. Adjustment to the budget amounts to reflect this cost and contributions is also sought.

The adjustments detailed below are therefore sought, with an overall \$nil cash impact:

Description	Original Budget	New Budget	Net Cash Amount
Spencer Road - SLK 0.00 to 5.24	(\$252,240)	(\$368,228)	(\$115,988)
Direct Road Grants - State Road Project Grants	\$168,160	\$245,485	\$77,325
Local Road Grant - Main Roads Tied Grant	\$201,570	\$215,469	\$13,899
Reseal Rural and Townsite Roads	(\$150,000)	(\$125,236)	\$24,764
Direct Road Grants - Roads to Recovery Grants	\$561,363	\$566,198	\$4,835
Roads to Recovery Mount Barker Road - SLK 4.05 to 5.93	(\$273,270)	(\$278,105)	(\$4,835)
Contributions - Other Contributions (Storm Damage)	\$2,252,165	\$3,422,432	\$1,170,267
Road Maintenance - Storm Damage	(\$2,407,865)	(\$3,578,132)	(\$1,170,267)

- The 2019/2020 budget includes a sum of \$45,000.00 for clearing of Crown Reserve 28136 Deane Street and Ingoldby Street. This project has been awaiting a clearing permit from the Department of Water and Environmental Regulation (DWER). In order to progress the permit process, the DWER requires a targeted flora assessment to be undertaken. Approval is sought for an amount of \$7,270.00 to fund the assessment. The net cash impact of this is (\$7,270.00).

It should also be noted that the flowering period for some of the flora mentioned in the DWER letter has already been completed. Therefore, a valid targeted flora assessment cannot be undertaken until the next flowering season in the 2020/21 financial year.

Potentially, funds kept in Trust from developers for contributions to public open space may be used for this purpose. However, fresh permission will need to be sought from the Minister. The allocation could be approved in this budget review, however the physical transfer could not be effected until the Minister's approval is received. It should be noted that the \$45,000.00 mentioned above was subject to this approval.

- As recently discussed by the Saleyards Advisory Committee, the 2019/2020 budget calculation for amounts to be transferred to the two Saleyards Reserve funds was incorrect, as it did not include loan repayments totalling \$30,748.00. The transfer amounts should be as follows, resulting in a municipal fund surplus equivalent to the loan repayment amount:
  - Transfer to Reserve - Saleyards Capital Improvements      \$73,621.00
  - Transfer to Reserve - Saleyards Operating Loss                      \$8,180.00
- As mentioned in another report on the agenda for the Council meeting of 8 October 2019, the Recreation Advisory Committee has recommended that *'the scope of work for the Mount Barker Memorial Swimming Pool Feasibility Study be extended to include structural tests to verify the life expectancy of the existing pool concrete shell'*. The cost for structural testing to determine the life

expectancy of the existing pool concrete shell is approximately \$20,000.00 for the consultant engineer plus \$5,000.00 to cover core drilling and laboratory tests.

Anticipating that this recommendation will be endorsed by the Council, the additional amount has been included in Budget Item Mt Barker Swimming Pool - Professional Services, to be funded from savings in this review.

## VOTING REQUIREMENTS

Absolute Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Lang:

That the budget review for the period 1 July 2019 to 30 September 2019 be adopted and the 2019/2020 Annual Budget be amended as follows:

Account	Description	Original Budget	New Budget	Net Cash Amount
51782.0250	Spencer Road - SLK 0.00 to 5.24	(\$252,240)	(\$368,228)	(\$115,988)
41201.0207	Direct Road Grants - State Road Project Grants	\$168,160	\$245,485	\$77,325
10008.0212	Local Road Grant - Main Roads Tied Grant	\$201,570	\$215,469	\$13,899
51741.0250	Reseal Rural and Townsite Roads	(\$150,000)	(\$125,236)	\$24,764
41201.0204	Direct Road Grants - Roads to Recovery Grants	\$561,363	\$566,198	\$4,835
51786.0250	Roads to Recovery Mount Barker Road - SLK 4.05 to 5.93	(\$273,270)	(\$278,105)	(\$4,835)
10134.0200	Contributions - Other Contributions (Storm Damage)	\$2,252,165	\$3,422,432	\$1,170,267
20225.0039	Road Maintenance - Storm Damage	(\$2,407,865)	(\$3,578,132)	(\$1,170,267)
10007.0212	Grants Commission Grant - Equalisation - Untied	\$402,804	\$455,461	\$52,657
10008.0211	Grants Commission Grant - Road Maintenance - Untied	\$451,736	\$408,592	(\$43,144)
New	Mountains and Murals Festival Expenditure	\$0	(\$45,000)	(\$45,000)
New	Mountains and Murals Festival Contributions	\$0	\$35,000	\$35,000
20219.0047	Reserve Mtce - Deane / Ingoldby Public Open Space	(\$45,000)	(\$52,270)	(\$7,270)
41122.0243	Transfer from Trust - Public Open Space	\$45,000	\$52,270	\$7,270
50301.0398	Transfers to Reserve - Saleyards Capital Improvements	(\$97,498)	(\$73,621)	\$23,877
50301.0398	Transfers to Reserve - Saleyards Operating Loss	(\$15,051)	(\$8,180)	\$6,871
20196.0030	Mt Barker Swimming Pool - Professional Services	(\$62,000)	(\$87,000)	(\$25,000)
	<b>TOTAL</b>	<b>\$779,874</b>	<b>\$785,135</b>	<b>\$5,261</b>

**CARRIED (8/0)**

**NO. 191/19**

**Absolute Majority**

**9.3.2 POLICY REVIEW - CEMETERY MEMORIALS**

**File Ref:** N49397  
**Attachments:** [Policy – Cemetery Memorials](#)  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Executive Manager Corporate Services  
**Proposed Meeting Date:** 8 October 2019

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**PURPOSE**

The purpose of this report is to review Council Policy No. A/CA/2 – Cemetery Memorials.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 23 May 2017.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**BUDGET IMPLICATIONS**

There are no budget implications for this report.

**POLICY IMPLICATIONS**

This policy is presented to the Council as part of its ongoing policy review cycle and also to review subsequent Council direction.

**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 2.3.3

*‘Provide appropriately maintained cemeteries for our community’*

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

**RISK IMPLICATIONS**

There are no risk implications for this report.

**OFFICER COMMENT**

There are several changes recommended to this policy.



Firstly, the requirement to not display any trade names or marks of any manufacturers currently relates only to headstones within the Mount Barker (East), Kendenup and Rocky Gully Cemeteries. There is no reason for that requirement to apply to all monuments, headstones and plaques in all cemeteries.

In addition, the requirement in some parts of the policy to have the number of the grave / site displayed should relate to all monuments, headstones and plaques in all cemeteries.

There are a number of dimensions specified in the policy which need to be changed. Where the current policy refers to the 'base of the monument', the sizes specified are for the combined total length of a head kerb, side kerb and end kerb. The conventional meaning for a 'base of the monument' relates to head kerb only. The policy has therefore been changed to clarify references to head kerbs and headstones as well as adjust the measurements accordingly.

Clause 2.6.1 (f) has been amended to provide that plaques at memorial shrubs and trees may be affixed to a memorial rock. Currently, the policy states that they shall be affixed to a substantial foundation. Similarly, clause 2.7 has been amended to reflect that memorial rocks (incorporating ashes) can be placed with a memorial tree.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Bell, seconded Cr B Lang:

**That amended Council Policy No. A/CA/2 Cemetery Memorials, as follows:**

### **'OBJECTIVE:**

**To ensure that the memorials and monumental work in Shire of Plantagenet cemeteries conforms to certain standards, is constructed from materials and erected in a manner that:**

- 1. Does not present a risk to members of the public and employees of the Shire of Plantagenet;**
- 2. Is acceptable to the environment; and**
- 3. Maintains appropriate aesthetic standards.**

### **POLICY:**

- 1. Mount Barker (East), Kendenup and Rocky Gully Cemeteries**

#### **1.1 Niche Wall Memorial Plaques**

- 1.1.1 All memorial plaques placed on a niche wall shall be supplied and installed by the Shire and shall –**

- a) be made of admiralty bronze, granite or glass; and**
- b) be of dimensions 143mm x 117mm (single) or 280mm x 117mm (double).**

#### **1.2 Headstones**

- 1.2.1 All monuments and headstones shall -**

- a) be made of bronze, granite, slate or marble and may include a glass fascia;
- b) be placed on proper and substantial foundations;
- c) comply with the following specifications –
  - i. All Graves:
    - A. The overall height of the monument above the original surface of the grave shall not exceed 1,550mm; and
    - B. The height of the base of the monument above the original surface of the grave shall not be less than 150mm nor more than 305mm;
  - ii. Single Graves:
    - A. The length of the head kerb shall not exceed 1,250mm and the width shall not exceed 380mm; and
    - B. The length of the headstone shall not exceed 1,120mm and the width shall not exceed 380mm;
  - iii. Double Graves:
    - A. The length of the head kerb shall not exceed 2,500mm and the width shall not exceed 380mm; and
    - B. The length of the headstone shall not exceed 2,370mm and the width not exceed 380mm;

**1.2.2 No gravesites bigger than a double grave will be permitted.**

## **2. Mount Barker Cemetery (West)**

**2.1 All memorials, except for monuments and headstones in Section E, shall be purchased from and installed by the Shire.**

### **2.2 Section A – Burials in the Lawn with Ground Memorial Plaques**

#### **2.2.1 Memorial plaques in Lawn Section A –**

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall not exceed 20mm in thickness.
- c) shall be of the dimensions 380mm x 280mm; and
- d) shall be affixed to a substantial foundation, with no portion of the memorial above ground level.

### **2.3 Section E – Burials in the Lawn with Above Ground Level Headstones**

#### **2.3.1 All monuments and headstones shall -**

- a) be made of bronze, granite, slate or marble and may include glass or vitreous enamelled stainless steel fascias;
- b) be placed on a concrete foundation provided by the Council. Such concrete beam footings shall be 330mm wide, to accommodate a line of single headstones.
- c) comply with the following specifications –
  - i. All Graves-
    - A. The overall height above the original surface of the grave shall not exceed 1,050mm;
    - B. The length of the headstones shall not exceed 920mm and width not exceed 300mm; and

- C. The height of the base of the monument above the surface of the concrete footing shall not be less than 150mm nor more than 305mm.
- ii. Single Graves-
  - A. The length of the head kerb shall not exceed 920mm and width not exceed 300mm; and
- iii. Double Graves-
  - A. The length of the head kerb shall not exceed 1,840mm and width not exceed 300mm; and

**2.3.2 No gravesites bigger than a double grave will be permitted. An admiralty bronze memorial plaque may be attached to the concrete foundation, in lieu of a headstone.**

## **2.4 Garden Niche (for placement of ashes)**

### **2.4.1 Garden Niche plaques -**

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall not exceed 20mm in thickness;
- c) shall be of the dimensions 143mm x 117mm;
- d) shall be aligned against the inside of the garden kerbing; and
- e) shall be affixed to a garden kerb.

## **2.5 Gardens of Remembrance (No ashes)**

### **2.5.1 Plaques in Gardens of Remembrance—**

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall not exceed 20mm in thickness;
- c) shall be of the dimensions 136mm x 75mm;
- d) shall be affixed to a garden kerb.

## **2.6 Memorial Shrubs and Trees**

### **2.6.1 Plaques at Memorial Shrubs and Trees –**

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall not exceed 20mm in thickness;
- c) shall be of the dimensions 229mm x 229mm or 143mm x 117mm;
- d) shall be placed in conjunction with an individual shrub or tree; and
- e) shall be affixed to a substantial foundation or a memorial rock.

## **2.7 Memorial Rocks (Either ashes in Memorial Garden or ashes at a memorial tree or No ashes – in Garden of Remembrance)**

### **2.7.1 Plaques on Memorial Rocks –**

- a) shall be made from admiralty bronze (and may incorporate coloured elements and photos) or vitreous enamelled stainless steel;
- b) shall not exceed 20mm in thickness;
- c) shall be of the dimensions 229mm x 229mm; and
- d) shall be affixed to the memorial rock.

**3. All Cemeteries**

**3.1 All monuments, headstones and plaques shall:**

- a) not display any trade names or marks of any manufacturers; and**
- b) have the number of the grave / site displayed.'**

**be endorsed.**

**CARRIED (8/0)**

**NO. 192/19**

**9.3.3 POLICY REVIEW - EQUAL EMPLOYMENT OPPORTUNITY**

**File Ref:** N49366  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Executive Manager Corporate Services  
**Proposed Meeting Date:** 8 October 2019

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**PURPOSE**

The purpose of this report is to review Council Policy No. OP/HRE/2 – Equal Employment Opportunity and to recommend revocation.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 10 October 2017.

**STATUTORY ENVIRONMENT**

The Equal Opportunity Act 1984 governs the necessity for employers to provide a workplace that supports the achievement of equity and diversity and is free from bias and unlawful discrimination against employees or potential employees.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**BUDGET IMPLICATIONS**

There are no budget implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.5 (Skilled, committed and professional staff in a supportive environment) the following Strategy:

Strategy 4.5.4:

*‘Maintain and develop human resource management policies, procedures and systems for current and future workforce needs.’*

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

**RISK IMPLICATIONS**

The Council’s Strategic Risk Register provides at:

Risk 4.1.1 - Not providing lawful services or functions

The inherent risk score is listed as moderate for failing to provide lawful services or functions.

Risk 5.7.1 - Protect the health and safety of staff

The inherent risk score is listed as extreme for failure to adequately protect the health and safety of staff.

Risk 7.1.1 - Comply with legal obligations

The inherent risk score is listed as high for failure to comply with legal obligations.

The retention of this policy as an administrative policy adequately mitigates these risks.

#### **OFFICER COMMENT**

It is considered that the current policy sufficiently conforms to legislative requirements. However, it is considered to be administrative in nature and is better dealt with as an administrative policy. It is therefore recommended that it be revoked.

#### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr B Bell:

That Council Policy No. OP/HRE/2 – Equal Employment Opportunity as follows:

**‘OBJECTIVE:**

The Shire of Plantagenet recognises its legal obligations under the Equal Opportunity Act, 1984, and actively promotes equal employment opportunity based solely on merit to ensure that neither direct nor indirect discrimination occurs on a ground referred to in the Equal Opportunity Act 1984.

**POLICY:**

1. All employment training with the Shire of Plantagenet is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the inherent requirements for such training.
2. All promotional policies and opportunities with the Shire of Plantagenet are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the inherent requirements for such promotion.
3. All offers of employment within the Shire of Plantagenet are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the inherent requirements for engagements.
4. The Shire of Plantagenet does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, marital status or impairment.
5. The equal employment opportunity goals of the Shire of Plantagenet are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.
6. The Shire of Plantagenet in no way deems the endorsement of this policy as meaning that the Council's current attitude, or those of its current employees, requires changing or modification.'

be revoked.

**CARRIED (8/0)**

**NO. 193/19**

### **9.3.4 POLICY REVIEW - INSURANCE OF BUILDINGS ON COUNCIL CONTROLLED LAND**

**File Ref:** N49365  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Executive Manager Corporate Services  
**Proposed Meeting Date:** 8 October 2019

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#### **PURPOSE**

The purpose of this report is to review Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land.

#### **BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 12 September 2017.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

#### **POLICY IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.5 (Council buildings and facilities that meet community needs) the following Strategy:

Strategy 2.5.1:

*‘Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard.*

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

#### **RISK IMPLICATIONS**

The Council’s Strategic Risk Register provides at:

Risk 1.5.1 – Insurance of buildings, property and contents



The inherent risk score is listed as low for failure to adequately insure buildings, property and contents.

Risk 1.6.1 - Manage assets for the future

The inherent risk score is listed as high for failure to manage assets for the future.

The adoption of the recommendation adequately mitigates these risks.

### **OFFICER COMMENT**

The matter of insurance relies on insurable interest. That means if the Council owns something, it has an insurable interest and may insure it. Conversely, if the Council does not own something, it has no legal right to insure it.

No delegations relate to this policy. This policy is considered appropriate and can be endorsed without change.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr S Etherington, seconded Cr J Moir:**

**That Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land, as follows:**

#### **‘OBJECTIVE:**

**To clarify the Council’s position on the responsibility for insurance costs of buildings erected on land owned by or under the care, control and management of the Council.**

#### **POLICY:**

**The Council will not accept responsibility for the cost of insurance of buildings erected by other organisations on land under Council control unless the Council has an insurable interest due to building ownership or legal agreement.’**

**be endorsed.**

**CARRIED (8/0)**

**NO. 194/19**

**9.3.5 POLICY REVIEW - NATURAL BURIALS**

**File Ref:** N49364  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Executive Manager Corporate Services  
**Proposed Meeting Date:** 8 October 2019

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**PURPOSE**

The purpose of this report is to review Council Policy A/CA/1 – Natural Burials.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 12 September 2017.

**STATUTORY ENVIRONMENT**

Cemeteries Act 1986  
Local Government Act 1995  
Shire of Plantagenet Cemeteries Local Law 2008

The Cemeteries Act 1986 provides that local governments perform the functions of a Cemetery Board.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**BUDGET IMPLICATIONS**

There are no budget implications for this report.

**POLICY IMPLICATIONS**

The review of this policy is presented to the Council as part of the ongoing Council Policy review cycle.

**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 2.3.3:

*‘Provide appropriately maintained cemeteries for our community’*

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

**RISK IMPLICATIONS**

There are no risk implications for this report.

**OFFICER COMMENT**

No delegations relate to this policy. No natural earth burials have yet taken place. Nevertheless, the existing policy is considered appropriate and should be endorsed.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Lang, seconded Cr J Oldfield:

That Council Policy A/CA/1 - Natural Burials, as follows:

**‘OBJECTIVE:**

To provide natural burial opportunities that conserve and enhance local biological diversity, water resources and soil quality, and by doing so, maintain the ecological functions and integrity of the larger regional ecosystem.

**POLICY:**

1. To reduce the impact of conventional burial and cremations on the environment:
  - a) No embalming of the body will be permitted and the deceased must be conveyed in an approved casket or coffin, constructed of a biodegradable and untreated material derived from a sustainable resource; and
  - b) Burial sites will be planted with indigenous flora.
2. To maintain or enhance the quality of the natural environment:
  - a) Plots may be laid out in a similar way as a conventional cemetery but regeneration will be used in place of traditional memorial practices;
  - b) Additional flora may be grown around the plot to create a green or natural setting that will provide a haven for fauna in the future;
  - c) Natural burials shall only involve a single burial except where two burials are to occur simultaneously during the conduct of the same funeral, in which case a second burial will be permitted. This ensures that the newly created environment remains undisturbed; and
  - d) Plot locations will be surveyed and mapped. A defined survey mark will be placed nearby to indicate grave locations.
3. To achieve rapid and real return of the body to the earth:
  - a) Natural burial is defined as burial that conforms to the ordinary course of nature;
  - b) The aim is to return the body to the soil as quickly as would naturally occur;
  - c) The absence of embalming may assist this; and

- d) The body is buried to a depth with an active layer of soil to maximise the rate of decomposition and the use of biodegradable coffins or caskets will further enhance this process.
  - 4. To provide a more natural and sustainable alternative to conventional burial:
    - a) Natural burial aims to lower the environmental impact and carbon footprint of burial; and
    - b) In the absence of embalming and through the use of coffins and caskets which are simpler and less ornate certain environmental components attributed to the conduct of conventional funerals may be reduced.
  - 5. To ensure low ongoing sustainable maintenance requirements:
    - a) Less maintenance will be carried out in a natural burial cemetery due to the reduced need for landscaping, plot manicuring, and headstone upkeep and memorabilia management; and
    - b) Natural cemeteries do not require regular mowing and only require minimal upkeep such as initial watering, tending of juvenile trees and weed control.
  - 6. Cremated remains interred in the designated gravesite shall be contained in a biodegradable container that is non-retrievable. Alternatively, cremated remains may be placed directly into the earth.
  - 7. No headstone or memorial, marker, stone, vase, tribute or any structure temporary or otherwise may be placed or erected at the gravesite.
  - 8. Charges for natural earth burials be based on cost recovery.'
- be endorsed.

CARRIED (8/0)

NO. 195/19

**9.3.6 POLICY REVIEW - SEXUAL HARASSMENT**

<b>File Ref:</b>	<b>N49509</b>
<b>Attachments:</b>	<a href="#"><u>Policy Review – OR/HRE/1 - Sexual Harassment</u></a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Executive Manager Corporate Services</b>
<b>Author:</b>	<b>Donna Fawcett</b> <b>Human Resources Coordinator</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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**PURPOSE**

The purpose of this report is to review Council Policy No. OR/HRE/1 – Sexual Harassment.

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 10 October 2017.

**STATUTORY ENVIRONMENT**

The Occupational Safety and Health Act 1984 and the Equal Opportunity Act 1984 govern the necessity for employers to provide and maintain a workplace free from harassment.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.5 (Skilled, committed and professional staff in a supportive environment) the following Strategy:

Strategy 4.5.2:

*‘Ensure safe work practices through implementation of appropriate Occupational, Health, Safety and Welfare Practices.’*

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

**OFFICER COMMENT**

The policy clearly affirms the Council’s no tolerance view of sexual harassment and adequately outlines procedures that should be followed in the event of a complaint. Minor changes have been made to the policy to update position titles.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Lang, seconded Cr B Bell:

That amended Council Policy No. OR/HRE/1 – Sexual Harassment as follows:

**‘OBJECTIVE**

The Shire of Plantagenet strongly supports the concept that every employee, elected member and member of the public employed by or engaged in business with the Council, has a right to do so in an environment which is free from sexual harassment and the Council is committed to providing such an environment.

**POLICY**

1. The Shire of Plantagenet considers sexual harassment to be an unacceptable form of behaviour which will not be tolerated and recognises that sexual harassment is unlawful.

1.1 Sexual harassment is any conduct of a sexual and/or sexist nature (whether physical, verbal or non-verbal) which is unwelcome and unsolicited and/or rejection of which may disadvantage a person in their employment or their life in general. The following examples may constitute sexual harassment when they are considered and expressed as being offensive to an employee, elected member or member of the general public:

- a) Deliberate and unnecessary physical contact such as patting, pinching, fondling, kissing, brushing against, touching;
- b) Subtle or explicit demands for sexual activities or molestation;
- c) Intrusive enquiries into a person's private life;
- d) Uninvited and unwelcome jokes that have a sexual and/or sexist undertone; and
- e) Unsolicited leers and gestures of a sexual nature and the display within the workplace of sexually offensive material.

1.2 The Shire of Plantagenet recognises that sexual harassment can undermine health, performance and self-esteem of individuals and has the potential to create a hostile and intimidating environment. The Council is therefore committed to any action which ensures the absence of sexual harassment in the workplace including general training of the workforce and specific training for officers identified to deal with complaints. Appropriate disciplinary action will be taken against any individual found to be engaging in such conduct.

1.3 Any complaints of sexual harassment made against any person associated with the Council will be viewed seriously, treated

confidentially, and thoroughly investigated by appropriately trained persons.

- 1.4 Any person making a claim of sexual harassment will be protected at all times. No transferring of staff or face to face meetings between the complainant and the person whose behaviour has been found to be unwelcome will occur without the prior consent of both parties.
- 1.5 An employee whose health or work performance has been affected by sexual harassment will not have their employment status or conditions disadvantaged in any way, as a result thereof.
- 1.6 A formal complaints/grievance procedure follows and will be utilised to effectively resolve complaints of sexual harassment.

## **2. COMPLAINTS/GRIEVANCE PROCEDURE**

- 2.1 All complaints of sexual harassment will be treated confidentially and resolved promptly.
- 2.2 Wherever possible, the handling of complaints and resolution of such will be at the workplace where they occurred. Care will be taken throughout the investigation to ensure that neither the complainant nor the alleged harasser is victimised.
- 2.3 It is recognised that cases of sexual harassment may occur between supervisor and employee and as such, alternative methods of raising complaints are provided for by this procedure.
- 2.4 A complaint of sexual harassment may be lodged with any of the following persons:
  - a) Immediate Supervisor/Manager (except where this person is the alleged harasser);
  - b) Executive Manager (except where this person is the alleged harasser);
  - c) Chief Executive Officer (if the alleged harasser is an Executive Manager or the Shire President); and
  - d) Shire President (only if the alleged harasser is the Chief Executive Officer or Councillor).
- 2.5 A person receiving a complaint of sexual harassment will:
  - a) Decide, in consultation with the complainant, whether the matter can be resolved at this level or whether it should be referred to a more senior level of management. Assure the complainant that all details of the complaint will be treated confidentially and allow the person to decide on procedure;

- b) Prepare a confidential report for the Chief Executive Officer on the nature of the complaint and ensure follow up reports are provided until the matter is resolved, (or, in the event that the complaint relates to the Chief Executive Officer, the report shall be prepared for the Shire President); and
  - c) Ensure no information regarding the complaint is discussed outside this procedure.
- 2.6 The person handling the complaint, whether it is the person who received the complaint or a more senior person will, with the approval of the complainant:
  - a) As soon as possible, advise the alleged harasser of the nature of the complaint and provide an opportunity for that person to comment. Where appropriate the alleged harasser should be invited to discontinue any perceived unwelcome behaviour;
  - b) Advise the alleged harasser of the right to contact his/her Union or advocate for advice and representation;
  - c) Advise the alleged harasser that no disciplinary action will be taken without the person being given the opportunity to be heard; and
  - d) Keep simple, brief notes of the facts of the interviews held with both the complainant and alleged harasser.
- 2.7 If it is not possible to resolve the complaint simply by discussion with the complainant and the alleged harasser:
  - a) The matter will be investigated and where the complainant or the alleged harasser is a member of a Union, the Union may be party to the investigation; and
  - b) All documentation relating to the complaint will remain confidential and will not be produced or made available for inspection, except on the order of a Court or a request from the Commissioner of Equal Opportunity.
- 2.8 During the period of the investigation of a case of serious sexual harassment:
  - a) The investigation is to be conducted in a manner that is fair to all parties and all parties are to be given a fair and reasonable opportunity to put their case, to have witnesses in attendance and to respond to any proposed adverse findings that may be made against them;
  - b) If requested by either party or by management, alternative working arrangements may be made; and



- c) Any reasonable request by either party for legal or union representation shall not be denied.
- 2.9 If, following investigation and resolution, a complaint is judged to have been proved:
  - a) Remedial action will be taken; and
  - b) A record of the detail of the remedial action will remain on the employee's personal file for a period of twelve months, whereupon the record will be destroyed unless otherwise decided by the Chief Executive Officer (or Shire President in the event that the complaint relates to the Chief Executive Officer).
- 2.10 If, following investigation, a complaint is judged to have been unproven, the complainant will be counselled and if it is considered that the complaint was made frivolously or maliciously, disciplinary action may be taken against the complainant.
- 2.11 Continued reference to a complaint and its aftermath could be considered as either a continuing or new incident of harassment.
- 2.12 While it is the Council's wish to attempt to deal with complaints of harassment internally, no employee will be penalised for bringing this complaint to any appropriate external statutory body unless that complaint is ultimately proven to be made frivolously or maliciously.'

be endorsed.

CARRIED (8/0)

NO. 196/19

## **9.4 EXECUTIVE SERVICES REPORTS**

### **9.4.1 CHRISTMAS CLOSURE 2019/2020**

**File Ref:** N49492  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Donna Fawcett  
Human Resources Coordinator  
**Proposed Meeting Date:** 08 October 2019

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#### **PURPOSE**

The purpose of this report is to seek approval for the closure of Shire facilities between the Christmas/New Year period – December 2019/January 2020.

The facilities are:

- Shire Administration Office;
- Shire Depot;
- Mount Barker Library;
- Mount Barker Swimming Pool;
- The Rec. Centre; and
- Kendenup, Rocky Gully and Porongurup Waste Facilities.

#### **BACKGROUND**

The Council has authorised the closure of facilities for the period between Christmas and New Year for many years and this has not caused any community disquiet or inconvenience.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **FINANCIAL IMPLICATIONS**

There is no additional cost to the Council as Staff will use rostered days off (RDO), Local Government Days in Lieu (LGDIL) and time in lieu or annual leave entitlements if required.

#### **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 closure of specific Council facilities over the Christmas period is an opportunity for all members of staff to use the two negotiated LGDIL as provided for in the Shire of Plantagenet Enterprise Agreements. The Chief Executive Officer would prefer

that these days be taken between Christmas and New Year to minimise disruption to normal routine.

This year Christmas Day falls on a Wednesday. The Council will be asked to close the Council's facilities from the close of business on Tuesday 24 December 2019, with normal business resuming on Thursday 2 January 2020.

Emergency phone contacts will be available for all 'out of hours' emergencies.

Standard Department of Transport licence renewals can be conducted over the internet and also via B Pay.

Closure days for the Administration Office, Depot and Library would be:

- Wednesday 25 December 2019 – Public Holiday (Christmas Day)
- Thursday 26 December 2019 – Public Holiday (Boxing Day)
- Friday 27 December 2019 – majority of staff on RDO, remainder to use LGDIL
- Saturday 28 December 2019 – library staff on roster to use LGDIL
- Monday 30 December 2019 – some staff on RDO, remainder to use LGDIL
- Tuesday 31 December 2019 – LGDIL
- Wednesday 1 January 2020 – public Holiday (New Years Day)

Closure days for The Rec. Centre would be:

- 12.00pm on Tuesday 24 December 2019 to Wednesday 1 January 2020 (inclusive)

Closure day for the Swimming Pool would be:

- Wednesday 25 December 2019

Closure for Kendenup, Rocky Gully and Porongurup Waste Facilities would be:

- Wednesday 25 December 2019

## **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION****Moved Cr S Etherington, seconded Cr L Handasyde:****That:**

- 1. The Shire of Plantagenet's Administration Office be closed from close of business on Tuesday 24 December 2019 with the resumption of normal services on Thursday 2 January 2020.**
- 2. The Depot be closed from close of business on Tuesday 24 December 2019 with the resumption of normal services on Thursday 2 January 2020.**
- 3. The Mount Barker Library be closed from close of business on Tuesday 24 December 2019 with the resumption of normal services on Thursday 2 January 2020.**
- 4. The Rec. Centre be closed from 12.00pm on Tuesday 24 December 2019 with the resumption of normal services on Thursday 2 January 2020.**
- 5. The Mount Barker Swimming Pool be closed on Wednesday 25 December 2019.**
- 6. The Kendenup, Rocky Gully and Porongurup Waste Facilities be closed on Wednesday 25 December 2019.**
- 7. The closures inclusive of public holidays be advertised locally.**

**CARRIED (8/0)****NO. 197/19**

**9.4.2 MORIARTY-CAMBALLUP AND FOREST HILL STOCK ROUTES**

**File Ref:** N49529  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Rob Stewart  
Chief Executive Officer  
**Proposed Meeting Date:** 08 October 2019

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**PURPOSE**

The purpose of this report is to present before the Council an adjourned motion from the Ordinary Meeting of the Council held on 10 September 2019 relating to the Moriarty-Camballup and Forest Hill Stock Routes.

**BACKGROUND**

At its meeting held on 10 September 2019 the following Notice of Motion:

*‘Moved Cr K Clements, seconded Cr M O’Dea:*

*That the Shire of Denmark be requested to collaborate with the Shire of Plantagenet to ensure that the Moriarty-Camballup and Forest Hill Stock Routes are registered on Federal, State and Local Historical Inventories.’*

was adjourned in accordance with Council Policy A/AMM/1.

Also at its meeting held on 14 December 2004 the Council resolved:

*‘That:*

- 1. Notice be given of the intention to include the Moriarty-Camballup and Forest Hill Stock Routes in the Shire of Plantagenet Inventory of Heritage Places.*
- 2. Subject to written endorsement from the Shire of Denmark, the Moriarty-Camballup and Forest Hill Stock Routes be nominated for entry in the State Register of Heritage Places.’*

Further, at its meeting held on 14 December 2006 the Council resolved:

*‘That the draft Plantagenet Trails Master Plan be endorsed for future budgetary consideration.’*

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

At this stage no external consultation has occurred in the recent past, except to advise the Trails Committee that the stock routes exist and therefore should be mentioned in any regional master plan.

Nevertheless, over the past 20 years significant consultation has occurred with the National Trust of Western Australia, the former Department of Conservation and

Land Management, the Shire of Denmark, the Department of Parks and Wildlife and the Western Australian Recreational Horse Riders Association.

### **FINANCIAL IMPLICATIONS**

Financial implications are impossible to determine until such time as the level of development has been determined.

It is fair to say that the Council's earlier instruction to include the stock routes into its Heritage Inventory has yet to be actioned as the Council's Heritage Inventory has not been reviewed since it was first adopted in 1997. The matter has come before the Council during budget deliberations on several occasions but funding for the review has not been forthcoming.

### **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 work currently being undertaken by the Great Southern Centre for Outdoor Recreation Excellence (GSCORE) has resulted in significant learning opportunities for staff members of the Shire of Plantagenet (and others) regarding the development, construction and maintenance of trails.

The initial impetus for the Moriarty-Camballup and Forest Hill Stock Routes came via residents such as Mr Arthur Pape (now deceased) and Mr Darrell Drage and horse riders. However, the development of any trail needs to take into account the intended user. Hence, the Bibbulmun track is for walkers and the Munda Biddi track is for push bike riders.

At present, the stock routes are (we understand) ridden annually by horse riders to ensure that they remain visible. No particular infrastructure maintenance is therefore required. However, should the trails be constructed and designed, ongoing asset management would be necessary.

### **STRATEGIC IMPLICATIONS**

Although the Council's Corporate Business Plan at Strategy 2.2.6 supports the conservation and maintenance of heritage buildings, heritage items and places of interest, there is no particular reference to the Stock Routes.

Therefore, notwithstanding the Council's Resolution of 2004, the stock routes have not received strategic planning support.

It is suggested that consideration should be given to amending the Corporate Business Plan should this situation change.

### **REGIONAL IMPLICATIONS**

The stock routes extend from the Shire of Plantagenet into the Shire of Denmark and traverse crown land. There are quite significant regional implications depending on the level of interest displayed by those two Councils and various government departments including the Department of Parks and Wildlife.

Implications for regional tourism in the South Coast Alliance (Inc.) area should also be considered.

### **OFFICER COMMENT**

The support of the Shire of Denmark has already been given for development of these stock routes.

The Council authorised a Heritage assessment of the stock routes be undertaken in 2003 as a precursor to inclusion in our Heritage Inventory. However, as mentioned above, funding was not forthcoming for a review of a Heritage Inventory and support appeared to fall away especially after the death of Mr Pape.

Nevertheless, should Councillors feel this is an important project, the initial renewed support of the Shire of Denmark should be sought, such that the matter can then be raised during a budget consideration for the 2020/2021 budget.

### **VOTING REQUIREMENTS**

Simple Majority

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

Moved Cr K Clements, seconded Cr B Lang:

That:

1. The Shire of Denmark be requested to collaborate with the Shire of Plantagenet to ensure that the Moriarty-Camballup and Forest Hill Stock Routes are registered on Federal, State and Local Historical Inventories; and
2. Should the collaboration referred to above be forthcoming, further research be undertaken so that both Councils can determine future budget requirements for construction and ongoing maintenance.

**CARRIED (8/0)**

**NO. 198/19**

**9.4.3 SUBLEASE - AMAZING SOUTH COAST TOURISM INC.**

<b>File Ref:</b>	<b>N49505</b>
<b>Attachments:</b>	<a href="#"><u>Sublease - Amazing South Coast Tourism Inc.</u></a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Donna Fawcett</b> <b>Human Resources Coordinator</b>
<b>Proposed Meeting Date:</b>	<b>08 October 2019</b>

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**PURPOSE**

The purpose of this report is to seek the Council's approval for a sublease between the Shire of Plantagenet and the Amazing South Coast Tourism Inc. for the use of the southern portion of the Mount Barker Railway Station Building located on Albany Highway, Mount Barker.

**BACKGROUND**

At its meeting held on 9 October 2018 the Council authorised the Chief Executive Officer to enter into a service contract with the Amazing South Coast Inc. That service contract provided for, among other things, the provision of '...existing buildings, leases and outgoings currently related to the operation of the Mount Barker Visitor Centre...'.

The Shire of Plantagenet currently leases the former Mount Barker Railway Station site from the Public Transport Authority of Western Australia (PTAWA). The Shire has subleased approximately 212m<sup>2</sup> (the southern portion of the building) to the Mount Barker Tourist Bureau Inc. (MBTB) for a number of years.

Since March 2017, the Lower Great Southern Economic Alliance has been working with industry tourism groups including the MBTB to progress the initiative of a single Destination Marketing Organisation (DMO) for the south coast region.

A special General Meeting held by MBTB resolved to dissolve or merge their existing organisation as necessary to establish a single DMO for the region. In 2018 the Amazing South Coast Inc. took on the role of DMO.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 – Section 3.58 applies to the disposition of property, including leasing. Under the Local Government (Functions and General) Regulations a disposition of land is 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.'*

A lease to Amazing South Coast Tourism Inc. would be an exempt disposition. However, the sublease is subject to approval by PTAWA.

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**EXTERNAL CONSULTATION**

Consultation has occurred with Peter Grigg, Executive Officer of Amazing South Coast Tourism Inc.

**FINANCIAL IMPLICATIONS**

Rental on the premises would be \$10.00 per annum.

**BUDGET IMPLICATIONS**

The Council's current budget shows an amount of \$5,000.00 for building maintenance, approximately \$20,000.00 for building operating costs and \$3,000.00 for grounds maintenance.

Under the new arrangements these allocations would not change.

**POLICY IMPLICATIONS**

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

Section 3.d. of the policy 'Other Service Organisation/Sporting Club' (of which the tourist bureau is identified) provides:

*'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 sections of the community.'*

Policy CE/ED/1 'Tourism' is also relevant.

**ASSET MANAGEMENT IMPLICATIONS**

The portion of the Mount Barker Railway Station currently sublet to MBTB has been requested to be transferred to Amazing South Coast Tourism Inc.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.4 (A strong tourism region) the following Strategy:

Strategy 3.4.1:

*'Promote and support local and regional tourism initiatives.'*

*and;*

Strategy 3.4.2:

*'Provide infrastructure and services to support tourism.'*

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

### **OFFICER COMMENT**

The Establishment of the Destination Marketing Organisation (DMO) Project Funding Agreement 2018 between the City of Albany, Shire of Denmark, Shire of Plantagenet and Amazing South Coast Tourism Inc. was finalised on 11 January 2019. In relation to the establishment of a DMO, the Agreement provides at Clause 2.3 a) i) that the Shire of Plantagenet will disburse funding and in-kind support by:

*'Provision of existing buildings, leases and outgoings currently related to the operation of the Mt. Barker Visitor Centre at the time of signing this agreement.'*

Generally the terms and conditions of the draft sublease are the same as the current sublease with MBTB. However, a new clause has been added to the standard template 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. Public liability insurance requirements have increased from at least ten million dollars to twenty million dollars.

It is considered appropriate to offer the sublease on a five year term with an option to extend for a further five years.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

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

**That:**

- 1. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the sublease agreement (as attached) between the Shire of Plantagenet and Amazing South Coast Tourism Inc. for a portion of the Mount Barker Railway Station Building, Albany Highway, Mount Barker for the purpose of a visitors centre.**
- 2. For the purposes of interpreting Council Policy A/PA/14 'Sporting and Community Organisations using Council and Vested Land – Rateability' it is determined that a 100% waiver of annual levied rates shall apply.**

### **WITHDRAWAL OF MOTION**

Pursuant to Standing Order 9.11 and with the consent of the seconder, the meeting agreed that the motion be withdrawn.

**FURTHER MOTION**

**Moved Cr L Handasyde, seconded Cr S Etherington:**

**That the lease between the former Mount Barker Tourist Bureau (Inc.) and the Shire of Plantagenet be transferred to Amazing South Coast Tourism (Inc.) subject to the deletion of the extension clause.**

Reason for Change

Members were of the opinion that a new lease was not necessary and the existing lease could be transferred.

**CARRIED (8/0)**

**NO. 199/19**

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

Nil

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

Nil

**12 CONFIDENTIAL**

Nil

**13 CLOSURE OF MEETING**

4:05pm      The Presiding Member declared the meeting closed.

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