



ORDINARY MINUTES

DATE: Tuesday, 16 June 2020

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 145/20 to 175/20

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

Members Present:

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

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr Andrus Budrikis	Executive Manager Strategic Development
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 four members of the public present.

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

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

Mr Stewart then read aloud the following disclaimer:

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

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

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

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

3.2.1 MR KEVIN COLLINS REPRESENTING FRIENDS OF MONDURUP RESERVE

Mr Kevin Collins asked '*When will the Shire publicise plans for the 4.4 ha of pristine native bush to be cleared on Ingoldby Street. Need details urgently as closure of appeal period is 24 June 2020*'.

The Presiding Member thanked Mr Collins for his question and advised that the Council would take the question on notice and respond in a timely manner.

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 PRESENTATION – ITEM 9.4.3 MOUNT BARKER VISITOR CENTRE

Mr Drummond addressed the Council in support of the Mount Barker Visitor Centre (attached).

4.2 PRESENTATION – ITEM 9.4.2 LEASE OF LESSER HALL- EMPOWERING PLANTAGENET SENIORS INC.

The Presiding Member read a letter of opinion and information on behalf of Mr Leigh Wallace, who was unable to attend the meeting (attached).

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr K Woltering

Item: 9.4.2

Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)

Nature: Vice President of Empowering Plantagenet Seniors Inc.

Extent: N/A

Cr S Etherington

Item: 9.4.2

Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)

Nature: President of Empowering Plantagenet Seniors Inc.

Extent: N/A

Cr K Clements

Item: 9.4.4

Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)

Nature: Member of Historical Society. Wife is the Honorary Treasurer.

Extent: N/A

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

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

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 19 May 2020 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 145/20

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member noted the upcoming retirement of the CEO and the commencement of Temporary CEO Mr Paul Sheedy on 27 July 2020.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 GREAT SOUTHERN REGIONAL TRAILS MASTERPLAN

File Ref:	N51596
Attachments:	<u>Great Southern Regional Trails Masterplan</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Laura Adams Economic Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to present for Council endorsement GSCORE's finalised Regional Trails Masterplan following its public consultation process.

BACKGROUND

The Great Southern Centre for Outdoor Recreation Excellence (GSCORE) has developed a Regional Trails Master Plan. Funding for this was provided by the State Government, Great Southern LGAs and the Building Better Regions Fund (Round 3). The Great Southern Regional Trails Master Plan delivers a Regional Trails Master Plan for the Great Southern region of WA over a ten year period. The plan outlines an infrastructure development program for a wide range of trail experiences suited to different user groups across the region.

GSCORE consulted widely across the region and conducted two public consultation workshops in Mount Barker (23 March 2019 and 4 April 2019), and one in Porongurup (9 April 2019). GSCORE also formed a Stakeholder Reference Group with membership from all the Great Southern local governments (and other stakeholders) to consult on the development of trails across the region.

STATUTORY ENVIRONMENT

The project proposals are required to be compliant with all relevant laws and regulations, which are detailed in the DBCA trail development frameworks – an industry-recognised set of guidelines for planning and building trails. This process is integrated into the Regional Trails Masterplan.

EXTERNAL CONSULTATION

Following development of the draft Great Southern Regional Trails Masterplan, GSCORE conducted extensive stakeholder consultation as part of their review process. This included a panel discussion open to the community held at the Porongurup Hall in January 2020. The Draft Regional Trails Masterplan was presented to the Council at a workshop on 25 February 2020 and was also promoted for public comment; over 200 responses were received. GSCORE created a response document which responded to concerns around environmental impacts, issues raised with mountain bike trails and ongoing trail maintenance.

FINANCIAL IMPLICATIONS

There are no immediate financial implications for this report.

BUDGET IMPLICATIONS

There are no immediate budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no immediate legal implications for this report.

STRATEGIC IMPLICATIONS

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

Strategy 2.3.4:

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

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

REGIONAL IMPLICATIONS

This plan looks at leisure and recreation trails on a regional level and has been developed with local governments and stakeholder groups across the Great Southern.

OFFICER COMMENT

This strategy will provide a strong framework for future collaborations between agencies, funding applications and marketing strategies. It is complemented (and partially implemented into our own strategic planning) by the Plantagenet Trails Masterplan.

The Regional Trails plan recommends establishing Mount Barker (alongside Albany and Denmark) as an accredited trail town through increasing the trail supply, improving signage and maps and promoting opportunities with destination marketing to achieve regional trail status as a leisure destination. It also notes community engagement is key, particularly consultation with the Aboriginal community.

The actions recommended by GSCORE, and as adopted in the Shire of Plantagenet Stakeholder Action Plan (page 62), are to progress the design phase of the Tower Hill trails, to collaboratively develop a marketing strategy for the Great Southern Treasures Recreational Circuit, to create a trailhead and waymarking signs for the Mondurup Reserve and Kendenup walking trails, to assist DBCA with community consultation relating to cycle trails in Porongurup, and to monitor DBCA's progress with trails relating to the Stirling Ranges.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Woltering:

That the Great Southern Regional Trails Masterplan 2020-2029 be endorsed.

CARRIED (9/0)

NO. 146/20

9.1.2 LOT 104 CROFTS RISE, PORONGURUP - VARIATION TO BUILDING ENVELOPE

File Ref:	N51539
Attachments:	<u>Location Plan</u> <u>Site Plan</u> <u>Floor Plans</u> <u>Elevations</u> <u>Subdivision Guide Plan</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Vincent Jenkins Principal Planning Officer
Proposed Meeting Date:	16 June 2020
Applicant:	John Dekker for Charles Waddell

PURPOSE

The purpose of this report is to consider a proposal for a variation to the building envelope to enable the construction of a studio addition to the existing house at Lot 104 Crofts Rise, Porongurup.

BACKGROUND

Council records show the registered owner of Lot 104 Crofts Rise is CE Waddell.

Lot 104 Crofts Rise is located in the Rural Residential No. 9 zone under the Shire of Plantagenet Town Planning Scheme No. 3 and as such, the Council is required to determine the application.

On 27 March 2013, the Council received an application for development approval (DA) for a studio addition to the existing house at Lot 104 Crofts Rise. Preliminary assessment of the development proposal showed that the application was incomplete and additional supporting information was sought. The Council on 23 April 2020 received additional supporting information.

The proponent has submitted an email explaining the request to vary the building envelope area. The proponent explains that Lot 104 Crofts Rise is 1.9ha in area. However, only a small percentage of the lot is able to be developed with buildings due to development exclusion and hazard separation areas impacting on the land and the building envelope.

The proponent further explains that the building envelope does provide sufficient scope for the construction of additional buildings. However, any building constructed within the current building envelope will be exposed to a Bushfire Attack Level (BAL) 29 rating. Relocating the proposed 20m² (4m x 5m) studio addition to the new position will reduce the building's bushfire risk to a BAL-12.5 rating.

The Council sought comment from the adjoining landowner most affected by the proposal and the landowner raised no objection to the proposal.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Rural Residential Zone No. 9.

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

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

Schedule V, Rural Residential No. 9 Zone – Special Provisions include:

‘6.2 All houses shall be constructed in accordance with AS3959.’

Fire and Emergency Services Act 1998 (as amended) – the FES Commissioner identifies and designates bushfire prone areas. Such areas are identified on the Map of Bush Fire Prone Areas. Designation of an area as being bushfire prone reflects the potential for bushfire to affect that site. The designation acts as a mechanism for initiating further assessment in the planning and building processes. The Bushfire Prone Area Mapping (SLIP 2019) show that the existing approved house at Lot 104 Crofts Rise, Porongurup is located within a designated Bushfire Prone Area.

WAPC Guidelines for Planning in Bushfire Prone Areas December 2017 - These Guidelines provide supporting information for decision making authorities to implement SPP3.7.

EXTERNAL CONSULTATION

The proposal was advertised for comment to one adjoining landowner for a 14-day period closing on 27 April 2020. The adjoining landowner raised no objection to the proposal.

FINANCIAL IMPLICATIONS

The application fee of \$147.00 has been paid.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

Further, the Council’s Corporate Plan, Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.2 *‘Appropriate development which is diverse in nature and protects local heritage’*.

The Key Performance Indicator (KPI) is *‘Percentage of Council planning decisions in line with the Planning Vision’*.

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

The property is located within a rural residential subdivision, which is located approximately 22km east of Mount Barker and 2km off Porongurup Road on Crofts Rise. The rural residential subdivision consists of 19 lots with lot sizes varying in area from 1.2ha to 20ha.

The BAL assessment carried out by Rural Urban Interface Consultancy Fire in September 2015 for construction of the original house confirms the BAL-29 rating for the building envelope area. An assessment outcome of BAL-29 means there is an increased risk of ember attack and burning debris ignited by windborne embers and a likelihood of exposure to an increased level of radiant heat. The risk is considered to be high.

The proponent as part of lodging this application submitted a new BAL assessment prepared by Structerre Consulting Engineers in support of the studio addition. The latest BAL assessment shows a BAL-12.5 rating for the studio location, which is set back approximately 12m from the side property boundary with Lot 103 to the south.

Subject to compliance with the revised Fire Management Plan for this Rural Residential Zone, the Shire of Plantagenet Annual Bush Fire Mitigation Notice and findings included in the Structerre Consulting Bushfire BAL assessment report for Lot 104 Crofts Rise, the proposed building envelope variation is not likely to adversely affect privacy, amenity or bushfire safety of the location. The proposal to vary the building envelope area is supported.

The application submitted complies with the majority of the provisions for this Rural Residential Zone set in TPS3 except for the proposed building envelope variation.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Bell:

That in accordance with clause 5.2 of the Shire of Plantagenet Town Planning Scheme No. 3 and clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the application to vary the building envelope and to construct a studio addition at Lot 104 Crofts Rise, Porongurup be approved subject to:

1. Development being in accordance with the plans dated 13 March 2020 and 28 April 2020.
2. The external colour scheme for the outbuilding being to the satisfaction of the Executive Manager Strategic Development and is to comply with the Rural Residential No.9 zone provisions.
3. Compliance with the document 'Shire of Plantagenet Fire Management Plan Lots 830,6045 and Portion of 831 Spring Road, Porongurup September 2013' to the satisfaction of the Executive Manager Works and Services.
4. Compliance with the 'Structerre Consulting Engineers Services Bushfire Attack Level (BAL) Certificate dated 10 March 2020' for Lot 104 Crofts Rise, Porongurup to the satisfaction of the Executive Manager Strategic Development.
5. Compliance with the Shire of Plantagenet Annual Bush Fire Mitigation Notice to the satisfaction of the Executive Manager Works and Services.

Advice Note:

In addition to complying with fire mitigation requirements, it is the land owner/occupier who is ultimately responsible for the protection of their property.

CARRIED (9/0)

NO. 147/20

9.1.3 PLANTAGENET BUSINESS DEVELOPMENT CENTRE

File Ref:	N51593
Attachments:	<u>Plantagenet Business Survey anonymised responses</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Laura Adams Economic Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to introduce the concept of the Plantagenet Business Development Centre, an initiative to help local businesses recover from losses sustained as a result of the COVID-19 restrictions, and seek Council endorsement.

BACKGROUND

In April 2020 a business survey was promoted on the Shire's Facebook page and sent to various businesses within the Shire of Plantagenet to inform our response to economic setbacks resulting from COVID-19 restrictions. An anonymised overview of the survey responses received is attached to this report.

A key finding from the data received was that businesses have been impacted in disparate ways across various aspects of their operations, and that any resulting support package would have to be multi-agency in order to provide the coverage required.

On May 2020 the CEO, Executive Manager Development Services and Economic Development Officer met with Tracey Bridges, Executive Officer of Business Great Southern to discuss possibilities for assisting with economic recovery in our Shire. Business Great Southern provides free business counselling, and also incorporates the Albany Business Centre, an 'incubator' that provides an affordable location to host businesses that are starting out. As a result of this discussion the idea of hosting a physical Business Development Centre was formed, and Business Great Southern pledged its support of the initiative. They have written to the Shire of Plantagenet to offer free one-on-one consultations, to run at least two events a month, and to facilitate networking ideas for the community which comply with social distancing.

The International Economic Development Council's toolkit on Leadership in Times of Crisis recommends that as a first step after a major disaster, leadership organisations should consider establishing a business recovery centre to help local companies get the assistance they need to re-open or stay open. A business recovery centre serves as a one-stop shop to provide local, state, and federal resources to businesses after a catastrophic event.

The concept applied to Plantagenet would be to have a vacant shop in Lowood Road open on a part-time basis to host various free business support services and provide access to Shire staff, including the Economic Development Officer and Rates Officer.

Enquiries have been made regarding the vacant shop next to the chemist at 25 Lowood Road. The building's manager, a chemist based in Melbourne, is keen to support the project and is willing to let the shop out to the Shire of Plantagenet for a token payment of \$150.00 a week to cover use of utilities.

STATUTORY ENVIRONMENT

Insurance implications would need to be properly investigated. Initial enquiries have indicated that the impact on premiums and liability would be minimal.

EXTERNAL CONSULTATION

The Plantagenet Business Survey was followed up by phone conversations with business owners to offer tailored support and explore these issues further. External agencies with expertise in providing business support services have also been consulted.

FINANCIAL IMPLICATIONS

Based on the projected payment towards utilities for 25 Lowood Road and a small allowance for other expenses such as internet services, an upper estimate of the total spend over six months is \$6,000.00. This would be funded from Other Expenses – Economic Development 21811.0572.

BUDGET IMPLICATIONS

The Financial Year 20219-2020 budget line Economic Development 21811.0572 has sufficient funds to cover the expenditure.

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

There are no immediate legal implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2020 - 2021 provides at Outcome 3 (Prosperous and sustainable local economy) the following Strategy:

Strategy 3.1.3 - Support the promotion and marketing of local businesses

Strategy 3.2.2 - Promote and support local industry development initiatives

Strategy 3.3.1 - Develop, maintain and strengthen relationships with local businesses

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

REGIONAL IMPLICATIONS

This concept has been developed in consultation with regional business agencies such as Business Great Southern, and contact has been made with the Albany Chamber of Commerce and the Mount Barker CRC. If this concept is taken forward other relevant agencies will be invited to participate.

OFFICER COMMENT

The rationale behind having a physical location is three-fold: to provide assistance accessible to anyone - including business owners who are not conversant with doing things online, to build on the offer of support by providing access to various agencies from one location, and also to create interest: using an empty shopfront would challenge the perception that Mount Barker's high street is struggling and build trust in the Shire's willingness and ability to help businesses.

A physical location would also act as a display space for information on current development projects and other Shire initiatives. Additionally, there is the ready potential to promote a 'Shop Local' program.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

That implementation of the Plantagenet Business Development Centre be authorised, noting the intention to lease a shopfront in the Mount Barker CBD and to offer business counselling services in conjunction with other agencies.

AMENDMENT

Moved Cr C Pavlovich, seconded Cr K Woltering:

That all words after the word 'authorised' be deleted and replaced with the following:

'subject to:

1. A 'Plantagenet Business Development Centre' business plan and budget being brought back to a Councillor workshop by 14 July 2020.
2. The business plan being developed on the basis that the Plantagenet Business Development Centre be located at 25 Lowood Road for a six month term.
3. Any direction developed at the above workshop being incorporated into a Council Report for the meeting of the Council scheduled for 11 August 2020.'

CARRIED (8/1)

NO. 148/20

Cr Moir voted against the motion

COUNCIL DECISION

That implementation of the Plantagenet Business Development Centre be authorised, subject to:

1. A 'Plantagenet Business Development Centre' business plan and budget being brought back to a Councillor workshop by 14 July 2020.
2. The business plan being developed on the basis that the Plantagenet Business Development Centre be located at 25 Lowood Road for a six month term.
3. Any direction developed at the above workshop being incorporated into a Council Report for the meeting of the Council scheduled for 11 August 2020.'

CARRIED (8/1)

NO. 149/20

Cr Moir voted against the motion

9.1.4 PLANTAGENET TRAILS MASTERPLAN REVIEW 2019

File Ref:	N51594
Attachments:	<u>Plantagenet Trails Masterplan Review 2019</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Laura Adams Economic Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to update the Council on the progress of the review of the Shire of Plantagenet's trails planning, and to present the amended Plantagenet Trails Masterplan document for endorsement by the Council.

BACKGROUND

The Plantagenet Trails Working Group was formed at the 16 July 2019 Council meeting with the following brief:

- '1. Review the Plantagenet Trails Masterplan 2006, investigate new trail proposals and advise the Council on appropriate trail developments;*
- 2. 'Appropriate Trail Developments' will include, but not be limited to, trails suitable for walking, bicycle riding, horse riding and motor vehicle driving;*
- 3. The group shall report to the Council no later than 30 April 2020; and*
- 4. The Group shall dissolve on 1 May 2020.'*

The Working Group has held seven workshops to review the Plantagenet Trails Masterplan 2006 and propose suitable trails to be included in a revised masterplan. The proposed trails included the following:

1. Mount Barker townsite trails from Frost Park to Tower Hill including a series of downhill mountain bike runs at Tower Hill.
2. Cycle trail along O'Neill Road linking Mount Barker trails to Porongurup National Park.
3. Porongurup trail loops including:
 - a) Skywalk/Potato Patch loop
 - b) Nancy Peak – maintenance
 - c) Millinup Pass
 - d) Western loop.
4. Porongurup/Stirling Range drive – drive trail.
5. Hay River trail.
6. Forest Hill Cambellup/ Moriarty heritage trails.

7. Equine trail Tenterden to Redmond.
8. Drive/tourism trails.

At the 21 April 2020 Council meeting the Draft Plantagenet Trails Masterplan Review was received. The draft document was then displayed on the Shire of Plantagenet website for public comment, and distributed to Plantagenet Trails Working Group members for their feedback.

STATUTORY ENVIRONMENT

The project proposals are required to be compliant with all relevant laws and regulations, which are detailed in the DBCA trail development frameworks – an industry-recognised set of guidelines for planning and building trails. This process is integrated into the Plantagenet Trails Masterplan Review.

EXTERNAL CONSULTATION

External consultation has been key in developing this Review. The draft document was reviewed by the Plantagenet Trails Working Group and also made available for public comment.

FINANCIAL IMPLICATIONS

There are no immediate financial implications for this report.

BUDGET IMPLICATIONS

There are no immediate budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no immediate legal implications for this report.

STRATEGIC IMPLICATIONS

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

Strategy 2.3.4:

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

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

REGIONAL IMPLICATIONS

Simultaneously, GSCORE have been engaged on behalf of local authorities in the Great Southern to create a Regional Trails Masterplan. The Plantagenet Trails Working Group has been engaging with this process. The resulting Regional Trails Masterplan is presented in a separate report.

OFFICER COMMENT

Feedback given by stakeholders so far has been incorporated into the Plantagenet Trails Masterplan by consensus. Much of the feedback has revolved around simple amendments or additional trails that are easily incorporated, but some have been more contentious. There is a misconception that the Plantagenet Trails Masterplan will advocate for GSCORE's mountain bike trails in Porongurup National Park, and there is some other general anti-mountain bike sentiment. The Review contains a summary of GSCORE's priority trails and includes their planning where the Shire of Plantagenet has a common purpose in developing a trail. The two plans are intended as complementary documents for future funding applications and are not hierarchical.

GSCORE's feedback has included concepts from their draft Regional Trails Masterplan. Their final Regional Trails Masterplan has now been made available so the summary of GSCORE's priority trails on page 9 has been updated to reflect their finished document. Additionally, their submission raised the issue of implementation and prioritising the trail proposals. The Plantagenet Trails Masterplan Review is a concept document and does not authorise any of the potential trails to be developed any further – there would be considerable other public and stakeholder consultation in order to progress any of the potential projects. Implementation would be on an individual basis subject to funding availability and public enthusiasm for the project.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Plantagenet Trails Masterplan Review 2019 be endorsed.

CARRIED (9/0)

NO. 150/20

9.1.5 POLICY REVIEW - ARSON AND VANDALISM REWARD

File Ref:	N51527
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy RS/V/2 – Arson and Vandalism Reward.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 27 March 2018.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 32 defines an act of arson

Local Government Act 1995

In accordance with Section 5.42, the Chief Executive Officer has delegated authority to offer and approve payment of reward incentives in line with Council Policy RS/V/2.

FINANCIAL IMPLICATIONS

An allocation of \$3,000.00 is provided under the 2019/2020 Annual Budget under Security and Vandalism and is used to repair damage caused by vandalism. The funds are also allocated for the payment of rewards to community members providing information that results in the conviction of a person committing acts of arson or vandalism.

BUDGET IMPLICATIONS

During the 2019/2020 financial year no funds were expended from the account.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following Strategy:

Strategy 1.9.4:

'Promote and support planning and activities that encourage a safe and responsible community.'

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

OFFICER COMMENT

Former Arson Reward Policy (RS/A/2) and former Vandalism Prevention Reward Policy (RS/V/1) were combined at the last review cycle and renamed 'Arson and Vandalism Reward Policy'.

It is considered that the policy is relevant and works well.

An amendment to the responsible division has been made to the policy, following executive management restructure.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That Council Policy RS/A/2 – Arson and Vandalism Reward:

'OBJECTIVE

To encourage the sharing of information relating to acts of arson and vandalism to enable conviction of persons committing these offences.

POLICY

That:

1. A reward be offered, up to \$1,000.00, for information leading to the conviction of persons committing arson or vandalism within the Plantagenet district.
2. An allocation be included annually in the budget by the Council to cover rewards for information leading to the conviction of persons committing arson or vandalism.'

be endorsed.

CARRIED (9/0)

NO. 151/20

9.1.6 POLICY REVIEW - ACCESS AND INCLUSION POLICY

File Ref:	N51526
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy CS/PPPD/1– Access and Inclusion Policy.

BACKGROUND

It is recommended by the Disability Services Commission that an Access and Inclusion Policy is adopted by the Council and incorporated into the Disability Access and Inclusion Plan (DAIP).

This policy was adopted by the Council on 24 July 2007 in accordance with recommendations from the Disability Services Commission. It was last reviewed by the Council at its meeting held on 7 November 2017.

STATUTORY ENVIRONMENT

Disability Services Act 1993 - requires Local and State Government authorities to develop, implement and review a Disability Access and Inclusion Plan (DAIP) that will further both the principles and objectives of the Act.

EXTERNAL CONSULTATION

Consultation has occurred with the Disability Advisory Group and the Disability Services Commission regarding the review of this policy in 2017 in conjunction with the development of the revised DAIP 2017 – 2022.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.7 (Quality of life for the disabled) the following Strategy:

Strategy 1.7.1: *‘Provide services, facilities and information that are accessible to people of all abilities’*, and

Strategy 1.7.2: *‘Implement the Shire’s Disability Access and Inclusion Plan’*.

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

OFFICER COMMENT

It is considered that changes are not required to this policy at this stage. The next review will be in line with the review and amendment of the Shire's Disability Access and Inclusion Plan in 2021/2022.

An amendment to the responsible division has been made to the policy, following executive management restructure.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

Council Policy CS/PPPD/1– Access and Inclusion as follows:

'OBJECTIVE

The Shire of Plantagenet is committed to ensuring that the community is an accessible and inclusive community for people with disability, their families and carers. An accessible and inclusive community is interpreted as one in which all council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

POLICY

The Shire of Plantagenet will plan to achieve the following strategies to ensure the community is accessible and inclusive for people with disability, their families and carers:

- 1. People with disability have the same opportunities as other people to access the services of, and any events organised by, the Shire of Plantagenet.**
- 2. People with disability have the same opportunities as other people to access the buildings and other facilities of the Shire of Plantagenet.**
- 3. The Shire of Plantagenet provides information in a format that will enable people with disability to access the information as readily as other people are able to access it.**
- 4. People with disability receive the same level and quality of service from the staff of the Shire of Plantagenet as other people.**
- 5. People with disability have the same opportunities as other people to make complaints to the Shire of Plantagenet.**

6. People with disability have the same opportunities as other people to participate in any public consultation arranged by the Shire of Plantagenet.
7. People with disability have the same opportunities to obtain and maintain employment within the Shire of Plantagenet.

The Shire of Plantagenet is committed to consulting with people with disability, their families and carers and disability organisations in addressing barriers to access and inclusion.'

be endorsed.

CARRIED (9/0)

NO. 152/20

9.1.7 POLICY REVIEW - SWIMMING CARNIVALS

File Ref:	N51530
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Isabelle Draffehn Community Development Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy CS/SP/1 – Swimming Carnivals.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 24 April 2018

STATUTORY ENVIRONMENT

The Department of Health ‘Code of Practice for the Design, Construction, Operation, Management and Maintenance of Aquatic Facilities’ is silent on matters relating to Swimming Carnivals.

FINANCIAL IMPLICATIONS

The policy provides for the exclusion of members of the public during swimming carnivals. This may cause a decrease in revenue; however this is compensated partly by attendees and spectators paying entry at swimming carnivals.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 1.5.6:

‘Maintain a safe pool facility and enhance aquatic programs to encourage increased patronage.’

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

OFFICER COMMENT

The Mount Barker Swimming Pool holds an average of three to five swimming carnivals per year with participation of local and regional schools. The pool staff advertises carnival dates at the pool to inform other pool users of pool closures.

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

An amendment to the responsible division has been made to the policy, following executive management restructure.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr S Etherington:

That amended Council Policy CS/SP/1 – Swimming Carnivals:

‘OBJECTIVE

To assist the Pool Manager in making suitable arrangements for Swimming Carnivals.

POLICY

The Council will permit school and other similar type swimming carnivals at the Mount Barker Swimming Pool, subject to:

1. The host organisation holding appropriate and adequate insurance for the event.
2. The host organisation providing adequate supervision for the event.
3. Exclusion of members of the public from the main pool during such events.’

be endorsed.

CARRIED (9/0)

NO. 153/20

9.2 WORKS AND SERVICES REPORTS

9.2.1 POLICY REVIEW - BUSHFIRE - PERMITS TO BURN

File Ref:	N51607
Attachments:	<u>Policy Showing Changes</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy RS/FP/3 Bushfire - Permits to Burn.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 22 May 2018.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 15A 'Bush fire control officer issuing permits to burn to comply with directions of local government'

Bush Fires Act 1954, Section 23 'Burning during prohibited burning times'

Bush Fires Act 1954, Section 24 'Bush on land growing subterranean clover may be burnt during prohibited burning times'

Bush Fires Act 1954, Section 24A 'Bush on land in prescribed irrigation areas may be burnt during prohibited times for purpose of germinating clover'

EXTERNAL CONSULTATION

No external consultation took place.

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.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet the following:

Strategy 1.9.2:

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

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 1.9.2.1:

‘Maximise community safety through the management of the risks associated with fire, natural events and large scale emergencies.’

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

OFFICER COMMENT

This policy authorises the Council to issue directions to Shire of Plantagenet Bush Fire Control Officers as to the conditions under which permits to burn during Prohibited Burning Times shall be issued.

The Council has issued a general delegation to the CEO to ‘exercise the powers and discharge the duties of the Shire,...’

The Council has issued Delegation 3.1 Bush Fires Act- General Delegation to the Chief Executive Officer (CEO) to initiate legal action and prosecution. Delegation 3.2 Bush Fires Act – Restricted and Prohibited Burning Times gives the CEO the authority to vary Restricted Burning times.

This policy is appropriate, however it is recommended that the policy name be adjusted to further clarify its contents and that it be updated with conditions and minor word adjustments pursuant to the Bush Fires Act 1954. Some grammar and formatting changes have also been made.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr J Moir, seconded Cr B Bell:

That amended Council Policy RS/FP/3 Bushfire – Permits to Burn during Prohibited Burning Times as follows:

‘OBJECTIVE

To provide clear guidelines to Shire of Plantagenet Bush Fire Control Officers about conditions which must be applied to permits to burn during Prohibited Burning Times.

POLICY

1. Scope

This policy applies to any permits issued for the burning of vegetative matter during Prohibited Burning Times within the Shire of Plantagenet.

2. Legislation

Bush Fires Act 1954**3. Application of Policy**

The Council will pursuant to the Bush Fires Act 1954, direct that:

- a) Protective burning around buildings as prescribed in Section 23 of the Bush Fires Act 1954 be permitted throughout the Prohibited Burning Time during the hours of 4.00pm to 12.00 midnight, upon receipt of a permit to burn.
- b) Permits to burn shall not be issued for a Sunday, Christmas Day or Good Friday.
- c) Permits to burn bush on land growing subterranean clover for the purpose of harvesting subterranean clover may only be issued during the Prohibited Burning Times by the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers or the Chief Executive Officer.

This permit shall not be for an area exceeding 75 hectares.'

be endorsed

AMENDMENT

Moved Cr L Handasyde, seconded Cr S Etherington:

That in part 3(a) of the motion the time '4.00pm' be replaced with the time '6.00pm'.

CARRIED (9/0)

NO. 154/20

COUNCIL DECISION

That amended Council Policy RS/FP/3 Bushfire – Permits to Burn during Prohibited Burning Times as follows:

OBJECTIVE

To provide clear guidelines to Shire of Plantagenet Bush Fire Control Officers about conditions which must be applied to permits to burn during Prohibited Burning Times.

POLICY**1. Scope**

This policy applies to any permits issued for the burning of vegetative matter during Prohibited Burning Times within the Shire of Plantagenet.

2. Legislation

Bush Fires Act 1954

3. Application of Policy

The Council will pursuant to the Bush Fires Act 1954, direct that:

- a) Protective burning around buildings as prescribed in Section 23 of the Bush Fires Act 1954 be permitted throughout the Prohibited Burning Time during the hours of 6.00pm to 12.00 midnight, upon receipt of a permit to burn.
- b) Permits to burn shall not be issued for a Sunday, Christmas Day or Good Friday.
- c) Permits to burn bush on land growing subterranean clover for the purpose of harvesting subterranean clover may only be issued during the Prohibited Burning Times by the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers or the Chief Executive Officer.

This permit shall not be for an area exceeding 75 hectares.'

be endorsed

CARRIED (9/0)

NO. 155/20

9.2.2 POLICY REVIEW - KEEPING OF DOGS WITHIN TOWNSITES

File Ref:	N51587
Attachments:	<u>Policy Showing Changes</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy RS/AC/2 – Keeping of Dogs Within Townsites.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 20 June 2017.

STATUTORY ENVIRONMENT

Dog Act 1976, Section 26 (3) 'Limitations as to numbers'

Section 26 (3) provides for a local government to grant an exemption for the number of dogs that would otherwise be permitted at a property, provided that the approval is only applied to the dogs specified at the property in question. Further, no more than six dogs are allowed on any property. Approval may be varied or revoked at any time.

Shire of Plantagenet Dogs Local Law 2008, Section 3.2 'Limitation on the number of dogs'

Section 3.2 (1) states that the limit on the number of dogs which may be kept on a property within a townsite is two dogs over the age of three months and the young of those dogs under that age and four dogs if the premises are situated outside a townsite.

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.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following:

Strategy 1.9.1:

'Provide animal control 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 2016/2017 – 2020/2021 includes Action 1.9.1.1:

'Educate the community regarding rules and requirements associated with keeping animals in rural and urban areas'

And further at 1.9.1.2:

'Enforce animal controls in order to maintain public safety'.

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

OFFICER COMMENT

This policy was first adopted at the Council Meeting of 20 June 2017 as was the Delegation 3.5 Dog Act – General Delegations. This delegation gives the Chief Executive Officer the ability to approve an application made by a resident to keep more than the permitted number of dogs at a specified property within a townsite.

Since this policy was first adopted in June 2017, eleven approvals have been given to dog owners applying to keep more than the permitted number of dogs at a specified property.

This policy works well and it is recommended it be adopted with one minor grammatical change and an update to the policy number.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr S Etherington:

That amended Council Policy RS/AC/2 Keeping of Dogs Within Townsites as follows:

OBJECTIVE

To provide clear criteria against which applications to keep more than two dogs on property within a townsite will be considered.

POLICY

1. Scope

This policy relates to applications from residents who wish to keep more than two dogs at a property located in the townsites of Mount Barker, Kendenup, Rocky Gully and Narrikup.

2. Legislation

Dog Act 1976

Shire of Plantagenet Dogs Local Law 2008**3. Application of Policy**

3.1 The Chief Executive Officer may approve an application for permission to keep more than two dogs at a property within a townsite under the following circumstances:

- a) All dog registration requirements are satisfied.**
- b) The dogs are not used for breeding purposes.**
- c) The dogs are not of a restricted breed or declared a dangerous dog.**
- d) There is no history or current incidence of dog nuisance, wandering or control that is likely to impact on the surrounding community.**
- e) All abutting neighbours have provided written consent or have no substantiated reasons for refusal.**

3.2 Consideration will also be given to:

- a) Fence height and stability**
- b) Proximity of neighbours**
- c) Location and housing arrangements of dogs**
- d) Faecal disposal.**

3.3 Approval may be withdrawn at any time if the Shire receives a complaint regarding the dogs at the property, or if any conditions of the permit have been contravened.'

be adopted.

CARRIED (9/0)

NO. 156/20

9.2.3 POLICY REVIEW - LAND RESUMPTION FOR ROADWORKS

File Ref:	N51426
Attachments:	<u>Policy with Changes</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Project Officer Works and Services
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy I/R/2 – Land Resumption for Roadworks.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 22 May 2018.

The policy allows for the Council to resume land for the purposes of roadworks and water / drainage related projects or to address Council assets that have been constructed on private property. The policy has been used on an infrequent basis and the majority of the policy application is rectifying Council assets on private property.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 3, Division 3, Subdivision 6, Section 3.55 – ‘Acquisition of land’.

Land Administration Act 1997, Parts 9 and 10.

FINANCIAL IMPLICATIONS

A budget item is included in the 2019 / 2020 Annual Budget for land resumptions, for \$30,000.00. Expenditure from this account in 2018 / 2019 amounted to \$28,041.00 which covered surveying, land purchases and the issue of Certificates of Title.

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 2.4.1.4: *‘Identify outstanding road encroachments and rectify.’* and Action 2.4.1.5: *‘Identify the need for road resumptions for future road construction and maintenance and instigate those resumptions.’*

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

OFFICER COMMENT

The procedure for Shire staff undertaking land resumptions is provided in a manual published by Landgate titled ‘The Land Titles Registration Practice’.

All efforts are made to negotiate a mutually agreeable outcome with property owners rather than proceed down the path of a compulsory acquisition. Section 10 of the Land Administration Act 1997 outlines the compulsory acquisition process, which is lengthy and costly.

The content of this policy is relevant and should be retained. Minor changes have been made to the Policy Objective to clarify the intent of the policy and a small grammatical adjustment.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

That amended Council Policy I/R/2 – Land Resumption for Roadworks as follows:

‘OBJECTIVE

To provide clear guidelines regarding land resumptions and compensation arrangements when required in order for the Council to facilitate the provision of services such as the construction of roads and drainage or to address a Council asset that has been constructed on private property.

POLICY

1. Scope

This policy applies to any resumptions of land required by the Council to undertake its activities.

2. Legislation

Local Government Act 1995, Part 3, Division 3, Section 3.55 – ‘Acquisition of land’

Land Administration Act, Parts 9 and 10

3. Application of Policy

3.1 Land resumption will take place when the Council has identified that tenure is required over private land in the following circumstances:

3.1.1 As part of the design and construction for a roadworks, water or drainage project adopted in the annual budget or forward planning for infrastructure.

3.1.2 As a result of the identification of a road or Council asset which has been constructed on private property.

3.2 The Council will ensure the following processes are observed when land resumption is required:

3.2.1 The proper statutory process is followed.

3.2.2 Procedural fairness is observed.

3.2.3 Appropriate compensation is provided to the landowner for the resumption of the land based on an independent valuation.

3.3 Subject to authorisation by the Council, land resumptions will be determined in the following order:

3.3.1 Land exchange if applicable and appropriate.

3.3.2 Financial compensation acceptable to the landowner and the Council.

3.3.3 If negotiations are unsuccessful, compulsory acquisition processes may be implemented.'

be adopted.

AMENDMENT

Moved Cr J Oldfield, seconded Cr S Etherington:

That in part 3.1.2 of the motion:

- 1. After the word 'Identification' the words 'by the owner of private property' be inserted**
- 2. After the word 'on' the word 'that' be inserted.**

CARRIED (9/0)

NO. 157/20

COUNCIL DECISION

That the amended Council Policy I/R/2 – Land Resumption for Roadworks as follows:

‘OBJECTIVE

To provide clear guidelines regarding land resumptions and compensation arrangements when required in order for the Council to facilitate the provision of services such as the construction of roads and drainage or to address a Council asset that has been constructed on private property.

POLICY**1. Scope**

This policy applies to any resumptions of land required by the Council to undertake its activities.

2. Legislation

Local Government Act 1995, Part 3, Division 3, Section 3.55 – ‘Acquisition of land’

Land Administration Act, Parts 9 and 10

3. Application of Policy

3.1 Land resumption will take place when the Council has identified that tenure is required over private land in the following circumstances:

3.1.1 As part of the design and construction for a roadworks, water or drainage project adopted in the annual budget or forward planning for infrastructure.

3.1.2 As a result of identification by the owner of private property of a road or Council asset which has been constructed on that private property.

3.2 The Council will ensure the following processes are observed when land resumption is required:

3.2.1 The proper statutory process is followed.

3.2.2 Procedural fairness is observed.

3.2.3 Appropriate compensation is provided to the landowner for the resumption of the land based on an independent valuation.

3.3 Subject to authorisation by the Council, land resumptions will be determined in the following order:

3.3.1 Land exchange if applicable and appropriate.

3.3.2 Financial compensation acceptable to the landowner and the Council.

3.3.3 If negotiations are unsuccessful, compulsory acquisition processes may be implemented.'

be adopted.

CARRIED (9/0)

NO. 158/20

9.2.4 POLICY REVIEW – STANDPIPE LOCATION AND REGULATION OF WATER SUPPLY TO USERS

File Ref:	N51425
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Project Officer Works and Services
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy No I/OA/1 – Standpipe Location and Regulation of Water Supply to Users.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 30 January 2018.

The Council owns and manages standpipes at the following locations:

- Kendenup;
- Narrikup;
- Marmion Street; and
- Warburton Road.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.1 'Imposition of fees and charges'.

FINANCIAL IMPLICATIONS

Pricing of water taken from standpipes is set annually and is included in the Council's fees and charges. The fees for the 2019/20 financial year are as follows:

Standpipe Location	2019/20 fees \$/kL
Kendenup, Narrikup and Marmion Street (potable)	\$9.00
Kendenup, Narrikup and Marmion Street (potable) – Community Use	\$4.00
Warburton Road, Mount Barker (non-potable)	\$4.00

Potable water fees increased from \$3.50/kL to \$9.00/kL in 2019/20 to reflect the increased water costs from the Water Corporation.

A 'Community Use' fee was created to cover the potential installation of a Community Use standpipe (a standpipe that is used solely for community purposes and has a reduced outlet flow). The Community Use standpipe has not been pursued, but the fee exists if the Council wishes to install one in the future.

A standpipe card costs \$20.00 to purchase. A card is necessary to access water and for billing purposes.

The following table shows the Council's expenditure and cost recovery for water usage for the two last two years.

Financial Year	Cost to Council of Actual Water Consumption*	Costs Recovered by the Council	Recovered (%)
2018/2019	\$68,962.67	\$70,597.39	102%
2019/2020 (up to 11 May 2020)	\$106,264.00	\$134,746.00	127%

The positive recovery rates reflect the additional loading on standpipe charges to cover maintenance costs and future upgrades (a requirement of the policy).

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 2.10 (Efficient use and management of water resources) the following:

Strategy 2.10.1:

'Support development of sustainable potable water infrastructure'

Further, at Outcome 4.6 (Effective and efficient corporate and administrative services) the following:

Strategy 4.6.6:

'Ensure the Shire's property administration and records systems are managed effectively and efficiently'

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

OFFICER COMMENT

The Warburton Road standpipe supplies non-potable water, sourced from Bolganup Dam located in the Porongurup Range. The Water Corporation intends to decommission Bolganup Dam in the next 12 months and will reverse the flow of water through the existing pipeline, pushing water from the Albany Scheme line out to the Porongurup village.

This will change the status of the Warburton Road standpipe from non-potable water to potable water.

The changes to the Warburton Road standpipe will affect the annual Fees and Charges, but will not impact the standpipe policy.

Recent surveys taken of businesses during the COVID-19 pandemic have noted that some respondents have indicated that the Council should consider reducing some charges, including standpipe charges.

It is not recommended that such a reduction occur as no commensurate reduction has been provided by the Water Corporation.

In any case, a blanket reduction should not be offered. Any relief should be targeted at those who can prove hardship, for example by application and pursuant to an overarching COVID-19 Economic Recovery Policy.

The current policy is considered adequate and should be retained.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr K Woltering:

That Council Policy I/OA/1 – Standpipe Location and Regulation of Water Supply to Users as follows:

‘OBJECTIVE

To provide clear guidelines regarding the facilitation, monitoring and management of water standpipes in order to:

1. Introduce a fair and equitable system for measuring and charging standpipe water use, thereby encouraging better water management practices in the Shire of Plantagenet.
2. Provide guidance and service to customers who wish to use water from Shire standpipes.
3. Monitor and review water consumption patterns and assist in the planning of water supply infrastructure.
4. Achieve full cost recovery including:
 - a) The actual cost of water used for Council purposes and fire fighting and other volunteer brigade activities.
 - b) With the implementation of a 10% loading on standpipe charges, future costs of maintenance and upgrades, such funds being placed in a Standpipe Reserve Account.
5. Eliminate water theft.

POLICY

1. Scope

This policy applies to water standpipes provided by the Shire of Plantagenet for public use in the following locations:

- a) Kendenup – corner of Jutland Road and Carbarup Road
- b) Narrikup – corner of Hannan Way and Beech Road
- c) Mount Barker – Marmion Street
- d) Mount Barker – Warburton Road.

2. Legislation

Local Government Act 1995, Section 6.1 ‘Imposition of fees and charges’

3. Application of Policy

- 3.1 Standpipe controllers are installed on all standpipes, which ensures water can only be taken by approved customers using a swipe card.
- 3.2 Pricing per kilolitre is to be set annually and included in the Council's fees and charges. Pricing shall be fixed for the full financial year and is to be reviewed annually.
- 3.3 Fire/Emergency Services have access to standpipes free of charge for the provision of emergency services only.
- 3.4 Standpipe stations are to be left in a tidy condition after use.
- 3.5 The Council encourages all unit failures and leaking outlets to be reported to the Shire of Plantagenet as soon as possible.
- 3.6 The Council reserves the right to deny access to the standpipes if a user is found to have caused damage to, or tampered with a standpipe.
- 3.7 Accounts for electronic standpipe cards are to be paid within 30 days. The Council reserves the right to cancel a card if the account is not paid.'

be endorsed.

CARRIED (9/0)

NO. 159/20

9.2.5 ROADWISE COMMITTEE - REPLACEMENT OF MEMBER

File Ref:	N51583
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	16 June 2020

PURPOSE

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

BACKGROUND

The Plantagenet RoadWise Committee was created with the following functions:

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

Mr Roger Barrett, the Mount Barker Community College representative advised of his resignation from the Plantagenet RoadWise Committee.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 5.8 ‘Establishment of committees’

The Plantagenet RoadWise Committee was formed under Section 5.9 (2)(c) which provides that a Committee is to comprise ‘... council members, employees and other person.’ These appointments must be adopted by an Absolute Majority.

Sections 5.10 and 5.11 refer to ‘Appointment of committee members’ and ‘Tenure of committee member’ respectively.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 2.4.4:

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

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 2.4.4.1:

'Support the RoadWise Program'.

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

OFFICER COMMENT

Pursuant to Section 5.11 of the Local Government Act 1995, Mr Barrett resigned from his role as the MBCC representative.

Correspondence received from the MBCC principal Mr Andrew Fraser nominated Ms Hazel (Pauline) Hughes as the representative for the MBCC.

It should be noted that Mr Barrett has already been thanked for his time on the Plantagenet RoadWise Committee due to the length of time it has taken for a replacement committee member to be nominated. Mr Barrett was part of the RoadWise Committee for six years and took an active role as a representative of the MBCC.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Woltering:

That:

- 1. Ms Hazel (Pauline) Hughes be appointed as a committee member on the Plantagenet RoadWise Committee.**
- 2. The resignation of Mr Roger Barrett from the Plantagenet RoadWise Committee be accepted and it be noted that Mr Barrett has been thanked for his service.**

CARRIED (9/0)

NO. 160/20

Absolute Majority

9.2.6 ANNUAL BUSH FIRE MITIGATION NOTICE 2020/2021

File Ref:	N51723
Attachments:	<u>Bush Fire Mitigation Notice 2020/2021</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Managers
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to endorse the Annual Bush Fire Mitigation Notice (ABFNM) 2020/2021 for publication and distribution to owners and occupiers of land within the Shire of Plantagenet.

BACKGROUND

The Shire of Plantagenet publishes an ABFNM for distribution to all landholders, which is posted with the Rates Notice. ABFMNs are also distributed to lessees of rental properties in the Shire through local real estate agents.

Consultation with Shire staff and Bush Fire Control Officers commenced in May 2020 to review the ABFNM. A draft notice incorporating amendments was presented to the Shire of Plantagenet Bush Fire Advisory Committee (BFAC) at its Ordinary Meeting on 4 June 2020.

Proposed minor amendments were discussed and with no further changes recommended at the meeting it was resolved that the Council implement the ABFNM 2020/2021 as presented.

STATUTORY ENVIRONMENT

Bush Fires Act 1954

Planning and Development Act 2005

Western Australian Planning Commission State Planning Policy 3.7 – Planning in Bush Fire Prone Areas 2015

Bush Fire Management and Response Plan

Bush Fire Brigades Local Law 2020

EXTERNAL CONSULTATION

Consultation has occurred with members of the Shire of Plantagenet BFAC.

FINANCIAL IMPLICATIONS

Funds have been allocated in the annual budget to facilitate the printing of the ABFNM. Printing costs will be in order of \$2,700.00. The ABFNM will be distributed with the Annual Rates Notice.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following:

Strategy 1.9.2:

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

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 1.9.2.1:

‘Maximise community safety through the management of the risks associated with fire, natural events and large-scale emergencies.’

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

OFFICER COMMENT

Some minor additional changes to the ABFMN were suggested and implemented at the Shire of Plantagenet BFAC meeting on 4 June 2020.

Together with some formatting changes and the updated brigade contact details on pages 14 and 15 which include the removal of landline telephone numbers, the following amendments have been made:

Page 3

- Paragraph three - change height of minimum clearance 3 metres to 4 metres.
- Paragraph six - change height of minimum clearance 3 metres to 4 metres.

Page 4

- Paragraph three - change height of minimum clearance 3 metres to 4 metres.
- Paragraph four - change height of minimum clearance 3 metres to 4 metres.

Page 5

- Paragraph two - change height of minimum clearance 3 metres to 4 metres.
- Paragraph two - the words ABANDONED BUILDING changed to red.

Page 6

- Paragraph three - change height of minimum clearance 3 metres to 4 metres.
- Paragraph four - change height of minimum clearance 3 metres to 4 metres.

Page 13

- Removal of the words 'Bush Fire Brigades' in relation to Fire Control Officer
- Removal of 'Brigade' in relation to Fire Control Officers.
- Addition - '*a section 46 notice of the Bush Fire Act is imposed by the Shire of Plantagenet*'
- Removal – '*the Chief Fire Weather Officer cancels all permits.*'
- Removal – '*and a Brigade Fire Control Officer (during the Restricted Burning Time)*'.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Moir:

That the Shire of Plantagenet's Annual Bush Fire Mitigation Notice 2020/2021 (as attached) be endorsed.

CARRIED (9/0)

NO. 161/20

9.2.7 BUSH FIRE CONTROL OFFICER POSITIONS - APPOINTMENTS FOR 2020/2021

File Ref:	N51720
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to recommend the appointment of the Shire of Plantagenet Bush Fire Control Officers, Executive Bush Fire roles and Fire Advisory Committee membership and deputies for 2020/2021.

BACKGROUND

The Shire of Plantagenet appoints delegates to a number of positions on an annual basis in accordance with the Bush Fires Act 1954 and the Shire of Plantagenet Bush Fire Management and Response Plan.

At its meeting held on 4 June 2020, the Shire of Plantagenet Bush Fire Advisory Committee (BFAC) endorsed the nominations for the appointment of the Bush Fire Control Officers (FCO) and designated Bush Fire Service positions for the Shire of Plantagenet for 2020/2021.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 38 'Local government may appoint bush fire control officer'

Shire of Plantagenet Bush Fire Brigades Local Law 2020

The role of the Base Radio Operator is defined in the Shire of Plantagenet Bush Fire Management Plan.

EXTERNAL CONSULTATION

The BFAC has made the recommendations detailed in this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The appointment of the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers, Fire Weather Officers, Deputy Fire Weather Officers, Base Radio Operator, Deputy Base Radio Officers, Bush Fire Control Officers and the BFAC delegates and deputies shall be published at least once in a newspaper circulating in the Plantagenet district.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.2:

'Support the community in emergency and fire management planning, preparedness, response and recovery.'

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 1.9.2.1:

'Maximise community safety through the management of the risks associated with fire, natural events and large scale emergencies.'

Accordingly, the recommended outcomes for this report align with the Corporate Business Plan.

OFFICER COMMENT

It is recommended that the nominations for the Bush Fire Control Officers, Designated positions, Delegates and Deputies for the Shire of Plantagenet for 2020/2021 be appointed.

VOTING REQUIREMENTS

Simple Majority

COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That:

- 1. All previous appointments for the positions of Bush Fire Control Officers and designated Bush Fire Service positions for the Shire of Plantagenet be cancelled as from 30 June 2020.**
- 2. The following be appointed as Bush Fire Control Officers within the designated Bush Fire Brigade areas for 2020/2021, taking effect from 1 July 2020.**

Shire of Plantagenet Bush Fire Brigade	Bush Fire Control Officer Nominee
Denbarker	
Fire Control Officer No. 1	Tony Griffiths
Fire Control Officer No. 2	Simon Grylls
Fire Control Officer No. 3	Warren Drage
Fire Control Officer No. 4	Neville Lindberg
Fire Control Officer No. 5	Brad Lynch
Fire Control Officer No. 6	John Rodgers
Forest Hill	
Fire Control Officer No. 1	Craig Moore
Fire Control Officer No. 2	Len Handasyde
Fire Control Officer No. 3	Murray McLean
Kendenup	
Fire Control Officer No. 1	Heather Wearmouth
Fire Control Officer No. 2	David Burcham
Fire Control Officer No. 3	Stephen Beech
Fire Control Officer No. 4	Robert Baines
Fire Control Officer No. 5	Rod Stan-Bishop
Fire Control Officer No. 6	Ken Frost
Fire Control Officer No. 7	Philip Webb
Middle Ward	
Fire Control Officer No. 1	Paul Spinks
Fire Control Officer No. 2	Kim Stothard
Fire Control Officer No. 3	Iain Mackie
Fire Control Officer No. 4	Greg Sounness
Narpyn	
Fire Control Officer No. 1	Michael Cave
Fire Control Officer No. 2	Owen Sounness
Fire Control Officer No. 3	Kevin Forbes AM
Fire Control Officer No. 4	Robert Wright
Fire Control Officer No. 5	Mark Wallace
Narrikup	
Fire Control Officer No. 1	Chris Norton
Fire Control Officer No. 2	Des Graham
Fire Control Officer No. 3	Warren Forbes
Fire Control Officer No. 4	Graeme Frusher
Perillup	
Fire Control Officer No. 1	Dean Trotter
Fire Control Officer No. 2	Syd Anning
Fire Control Officer No. 3	Robin Ditchburn
Shire of Plantagenet Bush Fire Brigade	Bush Fire Control Officer Nominee

Fire Control Officer No. 4	Tony Henderson
Porongurup	
Fire Control Officer No. 1	Warren Thomas
Fire Control Officer No. 2	John Russell
Fire Control Officer No. 3	Brad Cluett
Fire Control Officer No. 4	Gerald Versluis
Porongurup South	
Fire Control Officer No. 1	Wayne Mathews
Fire Control Officer No. 2	Jim Bailey
Fire Control Officer No. 3	Richard Stan-Bishop
Fire Control Officer No. 4	Jeff Schneider
Rocky Gully	
Fire Control Officer No. 1	Ian Higgins
Fire Control Officer No. 2	Murray Wills
Fire Control Officer No. 3	Andy Simmons
Woogenellup	
Fire Control Officer No. 1	Bryce Skinner
Fire Control Officer No. 2	Nathan Hunt
Fire Control Officer No. 3	Stephen Adams
Fire Control Officer No. 4	Mark Adams
Fire Control Officer No. 5	Kyle Pieper
South Stirlings	
Dual Fire Control Officer No. 1	Graeme Pyle
Dual Fire Control Officer No. 2	John Howard
Kojaneerup	
Dual Fire Control Officer No. 1	Ashton Hood
Dual Fire Control Officer No. 2	Scott Smith
Shire of Plantagenet	
Fire Control Officer No. 1	David Lynch
Fire Control Officer No. 2	Mike Barnes
Fire Control Officer No. 3	Steve Player
Fire Control Officer No. 4	Mark Vitler
Fire Control Officer No. 5	Jason Rutter
Mount Barker Fire and Rescue	
Fire Control Officer No. 1	Jason Stasev
Fire Control Officer No. 2	Andrew Buchanan
Fire Control Officer No. 3	Jamie Rutter

3. The following be appointed as Designated Bush Fire Service Positions for 2020/2021, taking effect 1 July 2020:

Position	2020/2021 Nominee
Chief Bush Fire Control Officer	Norm Handasyde

Deputy Chief Bush Fire Control Officer No. 1	Iain Mackie
Deputy Chief Bush Fire Control Officer No. 2	Bryce Skinner
Base Radio Operator	Roger Randall
Deputy Base Operator	Val Randall
	Ron Caudwell
	Jacqui Burcham
	Becky Barnes
Chief Fire Weather Officer	Mark Wallace
Deputy Chief Fire Weather Officer	Brent Wearmouth

4. The following be appointed as Bush Fire Advisory Committee Delegates and Deputies 2020/2021, taking effect from 1 July 2020:

Brigade	Delegate	Deputy
Denbarker	Tony Griffiths	Simon Grylls
Forest Hill	Craig Moore	Johan Theron
Kendenup	Heather Wearmouth	Maurice Draper
Kojaneerup	Ashton Hood	Scott Smith
Middle Ward	Paul Spink	Greg Sounness
Narpyn	Robert Wright	Craig Williams
Narrakup	Chris Norton	Des Graham
Perillup	Dean Trotter	Syd Anning
Porongurup	Gerald Versluis	Scott Clements
South Porongurup	Wayne Matthews	Jim Baily
Rocky Gully	Ian Higgins	Murray Wills
South Stirlings	Graeme Pyle	John Howard
Woogenellup	Nathan Hunt	Mark Adams
Mt Barker VFRS	Jason Stasev	Trevor West
Shire of Plantagenet	David Lynch	
Shire of Plantagenet	Mike Barnes	
Shire of Plantagenet	Steve Player	

be endorsed.

CARRIED (9/0)

NO. 162/20

9.2.8 POLICY REVIEW - ROAD VERGE BURNING

File Ref:	N51602
Attachments:	<u>Policy Showing Changes</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy I/R/15 – Road Verge Burning.

BACKGROUND

This policy was last reviewed at the Council Meeting held on 24 May 2016.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 17 'Prohibited burning times may be declared by Minister'

Land Administration Act 1997, Section 55, 'Property in and management etc. of roads'

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

Council Policy I/RR/2 Rural Road Verge Vegetation Management

EXTERNAL CONSULTATION

The policy has been reviewed by the Chief Bush Fire Control Officer, Deputy Bush Fire Control Officer and the Chair of the Bush Fire Advisory Committee.

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.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following:

Strategy 1.9.2:

'Support the community in emergency and fire management planning, preparedness, response and recovery.'

Accordingly, the recommended outcomes for this report align with the Strategic Community Plan.

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Outcome 1.9 (A safe Plantagenet) the following:

Strategy 1.9.2:

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

And further at Strategy 1.9.3:

‘Work with bush fire brigades to deliver fire mitigation strategies across the Shire.’

Accordingly, the recommended outcomes for this report align with the Corporate Business Plan.

OFFICER COMMENT

The Council’s Road Verge Burning Policy is used regularly when individuals apply to the Shire to carry out verge burns.

The policy is appropriate; however, it is recommended that the policy be updated with minor wording adjustments, style formatting and a name change for the Department of Biodiversity Conservations and Attractions.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O’Dea, seconded Cr J Moir:

That amended Council Policy I/R/15 – Road Verge Burning as follows:

‘OBJECTIVE

To provide clear guidelines to residents/landowners about conditions which must be met when making an application to burn a road verge within the Shire of Plantagenet.

POLICY

1. Scope

This policy applies to the burning of vegetative matter on any thoroughfare (road, street or way) under the care, control and management of the Shire of Plantagenet

2. Legislation

Bush Fires Act 1954

Land Administration Act 1997

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

3. Application of Policy

The application must be authorised by the Council (under delegation to the Chief Executive Officer) . Authorisation will be conditional upon the following conditions being met.

- a) Roadside burning should only be carried out if no other practical options for fire hazard management are available.
- b) Roadside burning is not permitted within the Shire of Plantagenet's Prohibited Burning Period.
- c) Burning is permitted within the Restricted Burning Period and at other times of the year provided a permit is obtained from a Shire of Plantagenet Bush Fire Control Officer (FCO).
- d) The fire must be attended at all times until the burn is completely safe and the fire is extinguished.
- e) All sites must be inspected by a Shire of Plantagenet FCO and any requirements detailed by the FCO (recorded on the application form) must be adhered to.
- f) The applicant is to ensure the protection of standing timber and comply with the Council's policy to protect and preserve natural vegetation on road reserves wherever possible. No burning of well-conserved or semi-conserved bush areas may occur without authorisation from the Council.
- g) Applications require Department of Biodiversity, Conservation and Attractions (DBCA) authorisation to ensure burning of the road verge will not cause any direct or indirect damage to declared rare flora or fauna.
- h) No damage is to be caused to fences, roads, road furniture, drainage structures, public utilities or other property in the vicinity.
- i) Road verge burning may only occur on vegetation adjoining that resident/land owner's property.
- j) For environmental considerations a maximum of two kilometres is to be burnt per rateable property annually.
- k) The applicant is to install the appropriate traffic warning devices to indicate potential smoke hazard.
- l) No obstruction of roadways or drainage channels by fallen trees or other debris is to result.'

be endorsed.

MOTION TO ADJOURN THE QUESTION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the question be adjourned for further consideration at a Bush Fire Advisory Committee meeting to be held prior to 1 January 2021.

CARRIED (9/0)

NO. 163/20

9.3 CORPORATE SERVICES REPORTS

9.3.1 FINANCIAL STATEMENTS – MAY 2020

File Ref:	N51600
Attachment:	<u>Financial Statements</u>
Responsible Officer:	John Fathers Executive Manager Corporate Services
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 May 2020.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Woltering:

That the Financial Statements for the period ending 31 May 2020 be received.

CARRIED (9/0)

NO. 164/20

9.3.2 LIST OF ACCOUNTS – MAY 2020

File Ref:	N51591
Attachment:	<u>List of Accounts - May 2020</u>
Responsible Officer:	John Fathers Executive Manager Corporate Services
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of May 2020.

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (19 May 2020). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 May 2020 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$588,840.12.
2. Municipal Cheques 46841 – 46849 and 46851 - 46859 totalling \$110,901.09.
3. Cancelled Cheque 46850 be noted.

CARRIED (9/0)

NO. 165/20

9.3.3 POLICY REVIEW - ASSET MANAGEMENT

File Ref:	N51319
Attachments:	<u>Policy A/PA/15 – Asset Management</u>
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy A/PA/15 – Asset Management.

BACKGROUND

Council Policy A/PA/15 was last reviewed by the Council at its meeting held on 28 February 2018.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial 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 2.6 (Assets and infrastructure managed over the long term to meet current and future needs) the following Strategy:

Strategy 2.6.1:

‘Implement maintenance, servicing and renewal of Council assets in a timely manner that maximises its life and performance, with a focus on infrastructure and core buildings’

Further, the Council’s Corporate Business Plan 2019/20 – 2022/23 includes Action 2.6.1.1:

‘Implement Asset Management Framework and Principles.’

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan. Further, a program such as that set out in the policy should contribute to the achievement of Council Key Performance Indicator ‘2.6 - Assets and infrastructure managed over the long term to meet current and future needs’.

OFFICER COMMENT

The Asset Management Policy provides clear direction as to how the Council manages the Shire's infrastructure within an asset management framework. It also provides a strategic approach in decision making in relation to assets.

The Asset Management Policy summarises the responsibilities of the Council and staff, and includes the key principles that will be used to make informed decisions in relation to assets. This policy is needed to demonstrate a strong commitment to care for the Council's assets for present and future communities.

It should be noted that the Asset Management Working Group referred to in the policy is made up of a number of senior staff and other staff responsible for fixed assets. It does not necessarily meet formally, rather there is liaison between staff on matters relating to asset management when appropriate.

The policy has been amended to reflect that the Council may determine that certain major projects should be subject to a cost / benefit analysis (rather than requiring it for all projects over \$100,000.00).

Further, a number of grammatical and other minor changes to the policy have been made, in particular to clarify definitions. Otherwise, it is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr K Woltering:

That amended Policy No. A/PA/15 Asset Management, as follows:

'DIVISION	BUSINESS UNIT	RESPONSIBILITY AREA
Corporate Services	Administration	Property Administration

OBJECTIVE:

The Council will ensure that services provided by the Shire of Plantagenet continue to be delivered. This will be achieved through the corporate goal of having a whole of life asset management approach and by ensuring that the assets used to support the service delivery continue to function to the level of service determined by the Council.

It will also provide clear direction as to how the Council will manage those assets within an Asset Management Framework.

POLICY:

The Shire of Plantagenet is committed to ensuring that Asset Management is recognised as a major corporate function within the Council and that staff are committed to supporting the function in line with this policy.

The Shire is committed to making informed decisions in relation to its assets. To achieve this, the Shire has prepared an Asset Management Improvement Strategy (AMIS) and an Asset Management Plan that will guide the implementation of asset management practices across the organisation. An

Asset Management Plan (AMP) will be maintained for classes of assets including, but not limited to:

- a) **Buildings**
- b) **Plant and Machinery**
- c) **Furniture and Equipment**
- d) **Road Infrastructure**
- e) **Stormwater Drainage Infrastructure**
- f) **Pathway Infrastructure**
- g) **Parks and Reserves Infrastructure**
- h) **Other Infrastructure.**

The AMPs will form part of the Shire's day-to-day business practices. They will define the level of service to be provided and will be used to make informed decisions in relation to considering the need to maintain or renew existing assets, acquire new assets, upgrade existing assets or dispose of assets to obtain the defined level of service. AMPs will include financial and condition modelling of the renewal profile of each asset class.

The Council will develop and implement a long term (10 year) 'rolling' financial plan (LTFP) that incorporates infrastructure renewal requirements as identified within the various AMPs.

In making informed decisions in relation to assets, the Shire will consider the following key principles:

- 1. Philosophy of renewing assets before acquiring new assets.**
- 2. Where possible, disposing of assets that are no longer used or do not provide the necessary level of service defined for that asset.**
- 3. Prior to consideration of any major refurbishment or improvement to an asset, a critical review of the following shall occur as part of the evaluation process:**
 - a) **Need for the facility (short and long term)**
 - b) **Legislative requirements**
 - c) **Opportunities for rationalisation**
 - d) **Future liability including ultimate retention/disposal**
 - e) **Opportunities for multiple use.**
- 4. Where the Council proposes to build or otherwise take on responsibility for a building with a cost greater than \$100,000.00, the proposal will be assessed under the Council's adopted Business Case Guidelines for New Buildings. The Council may determine that major projects should be subject to a cost / benefit analysis. Projects will also be assessed against the objectives and priorities within corporate planning documents, including the Strategic Community Plan, Corporate Business Plan and Asset Management Plans.**
- 5. In addition to achieving the desired outcomes set out in the AMP in respect to transport infrastructure, the Council will aim to maximise state and federal grants and recognise the need to allocate sufficient local government funds on road projects in each year to support this aim.**

RESPONSIBILITY AND REPORTING

Council

Responsible for approving (including amendments to) this Policy, the AMIS and AMPs. The Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents. In adopting AMPs, the Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO)

Responsible for ensuring that systems are in place to ensure that this Policy, the AMIS and AMPs are prepared and kept up to date and that recommendations are put to the Council in relation to appropriate resource allocation to fulfil the objectives of the above documents. Responsible for identifying processes for meeting training needs for councillors and staff. The CEO reports to the Council on all matters relating to asset management.

Asset Management Working Group (AMWG)

Responsible for co-ordinating the development of this Policy, the AMIS and AMPs.

All Managers

Responsible for supporting the allocation of staff to the AMWG and ensuring that resources under their control are appropriately allocated to achieving the AMIS. All Managers report to the CEO on all matters relating to the implementation of AMPs under their area of control.

POLICY DEFINITIONS

Asset

A physical item that is owned or controlled by the Shire of Plantagenet, and provides or contributes to the provision of service to the community and has a life expectancy of greater than 12 months (In this context are fixed assets that support the delivery of services to the community such as roads, buildings and parks).

Asset Management

The processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the Council's priorities for service delivery. The objective being that the asset provides the expected level of service in the most cost effective way.

Asset Management Plan

A plan developed for the management of an asset or asset class (that includes community service, technical and financial considerations) over the lifecycle of the asset.

Level of Service

The combination of function, design and presentation of an asset. The aim of asset management is to match the asset and level of service to the community expectation, need and level of affordability.

Life Cycle

The cycle of activities that an asset goes through while it retains an identity as a particular asset.

Whole of life cost(s)

The total cost of an asset throughout its service life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

Maintenance

Regular ongoing work necessary to maintain the agreed level of service and so the asset may reach its optimum life expectancy.

Operations

The regular activities that provide public health, safety and amenities and to enable the assets to function e.g.: road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

New

The creation of a new asset to meet an additional or updated level of service.

Resources

The combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

Renewal

The restoration, rehabilitation or replacement of an existing asset to its original capacity.

Renewal Profile

The predicted future capital expenditure profile necessary to achieve a user-defined asset condition outcome.

Risk

The probability and consequence of an event that could impact on the Council's ability to meet its corporate objectives.

Service Life

The period over which an asset is expected to be functional, with normal repairs and maintenance, for the purpose it was acquired.

Stakeholders

Internal - Staff which may be impacted by the addition of or disposal of certain assets which may lead to an increase of workload and in turn impact on the operational budget.

External - Those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service.

Upgrade

The enhancement of an existing asset to provide a higher level of service.'

be endorsed.

CARRIED (9/0)

NO. 166/20

9.3.4 POLICY REVIEW - RECORD KEEPING

File Ref:	N51603
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Roxanne Mills Records Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to review Council Policy A/RM/1 - Record Keeping.

BACKGROUND

The State Records Act 2000 governs the obligations and responsibilities of local governments in relation to the management of official records. Under this Act, the Council has an obligation to maintain official records in its custody in good order and condition. Not only does this include obligations in relation to the capture, storage, maintenance and disposal of physical records, but also records in electronic format.

The Shire has developed a Record Keeping Plan (RKP) to comply with the State Records Act 2000 and from this has developed a Record Keeping Policy to ensure compliance with the Act and the RKP.

The policy was last reviewed on 22 May 2018.

STATUTORY ENVIRONMENT

To ensure compliance with State Records Act 2000, the Council must have an endorsed RKP from the State Records Office (SRO) and as part of that, a Council endorsed Records Keeping Policy.

Government organisations are bound by the State Records Act 2000 which establishes rules for best practice for recordkeeping in WA Government, encouraging transparency and accountability. Local governments are identified as government organisations under the Act. Councillors are subject to the State Records Act 2000 when they create or receive 'State records'.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.7:

'Ensure the Shire's property, administration and records systems are managed effectively and efficiently'.

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 4.6.6.5 - *‘Establish and maintain mechanisms of control with respect to records creation and appropriate preservation in accordance with legislative requirements’*.

OFFICER COMMENT

This policy provides the policy framework for the Council to effectively fulfil its obligations and statutory requirements under the State Records Act. The establishment of an effective and efficient record keeping environment ensures standardisation, protection and retrieval of information improving levels of quality customer service.

Further, the State Records Commission policy regarding the records of local government councillors requires the creation and retention of records of the *‘communications and transactions of councillors which constitute evidence affecting the accountability of the Council and the discharge of its business’*. This policy applies regardless of a record’s format or where it was received.

Councillors must create and keep records of communications or transactions which convey information relating to local government business or functions. These records should be forwarded to the local government administration for capture into the official recordkeeping system.

The SRO has provided the following guidance in determining which records should be captured.

YES – forward to Central Records	NO – do not need to forward to Central Records
<p>Communications from ratepayers, such as:</p> <ul style="list-style-type: none"> • complaints and compliments; • correspondence concerning corporate matters; • submissions, petitions and lobbying; • information for the Council’s interest relating to local government business activity and functions. 	<p>Duplicate copies – of Council meeting agenda, minutes and papers.</p>
	<p>Draft documents or working papers – which are already captured at the local government.</p>
	<p>Publications – such as newsletters, circulars and journals.</p>
	<p>Invitations – to community events where a councillor is <i>not</i> representing Council or the local government.</p>
<p>Telephone, meetings and other verbal conversations – between a councillor and another party, regarding local government projects or business activities.</p>	<p>Telephone, meetings and other verbal conversations which:</p> <ul style="list-style-type: none"> • convey routine information only; or • do not relate to local government business or functions.

Work diaries – containing information that may be significant to the conduct of the councillor on behalf of the local government.	Electioneering – or party political information.
Presentations and speeches – delivered as part of a councillor's official duties.	Personal records – not related to a councillor's official duties.

It should be noted that the procedure for mail addressed to the Shire President or a councillor was changed recently. Such mail is date stamped and forwarded to the Executive Officer for distribution. The Shire President or councillor (person receiving the item) should open, date stamp and determine if the item is a record. All incoming records are to be forwarded to the Records Officer for indexing and registering.

It should be noted that the Council holds its archives at the Broomehill Regional Archive Repository, a facility jointly established with the Shires of Broomehill-Tambellup, Cranbrook and Kojonup.

A Memorandum of Understanding (MOU) sets out the rights and responsibilities of each of the signatories regarding the use of the repository and apportioning of costs relating to the operation and maintenance. The MOU commenced on 1 July 2013 and ends on 30 June 2034.

The operational responsibility for the repository is with the Shire of Broomehill-Tambellup, however each local government is individually responsible for its own storage and the contents of each storage box. Archived material shall always remain the property of the individual local government.

According to the MOU, the shelf space is allocated as follows:

- Broomehill-Tambellup 20%
- Cranbrook 20%
- Kojonup 25%
- Plantagenet 35%

However, the actual allocation is currently different to the original agreement, with Plantagenet having shelves in approximately 55% of the space. The Shire's usage is at approximately 75% of its allocation. This will decrease due to the increasing use of electronic communications and the annual disposal of documents, although a small percentage of records cannot be destroyed.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That amended Council Policy A/RM/1 – Record Keeping, as follows:

'OBJECTIVE:

To establish a framework for the reliable and systematic management of Shire records in accordance with legislative requirements and best practice standards.

POLICY:

1. Scope

1.1 This policy applies to all Council business and relates to both physical and electronic Council records. It applies to all Council staff, councillors, and contractors undertaking outsourced functions on behalf of the Council.

2. Definitions

2.1 Record

A record can be defined as any record of information, in any medium, including letters, files, emails, word processed documents, databases, photographs, file notes of conversations and social media messages.

2.2 State Record

A State Record means a record created or received by:

- a) A government organisation; or
- b) A government organisation employee in the course of the employee's work for the organisation, but does not include an exempt record.

2.3 Employee

An employee means all people employed by the Shire of Plantagenet whether permanent, fixed term or casual contract of service, apprentice or trainee.

3. Policy Principles

3.1 Creation of Records

Councillors and staff will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential and historical requirements.

3.2 Capture and Control of Records

All records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required supporting data, into appropriate record keeping and business systems that are managed in accordance with sound record keeping principles.

3.3 Security and Protection of Records

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with necessary retrieval, preservation and storage requirements.

3.4 Access to Records

Access to the Shire's records by staff will be in accordance with designated access and security classifications. Access to the Shire's

records by the general public will be in accordance with the Freedom of Information Act 1992 and other applicable legislation. Access to the Shire's records by Councillors will be via the Chief Executive Officer.

3.5 Appraisal, Retention and Disposal of Records

All records kept by the Shire will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records, produced by the SRO.

4. Record Keeping Responsibilities

4.1 All Council employees and Councillors need to be aware of record keeping requirements. The record keeping obligations of Council staff and Councillors include:

- a) Learning how and where records are kept;**
- b) Making records to support the conduct of business activities;**
- c) Creating records as evidence of Council operations that are otherwise not created;**
- d) Forwarding records to the Central Records for capture into the official Records Keeping System;**
- e) Not destroying Council records;**
- f) Following appropriate records management procedures.**

5. Outsourcing of Service Delivery

5.1 Contracts should provide that the contractor create records that meet the Shire's accountability requirements, in relation to the functions performed or services provided for the Shire. Such contracts should also provide that the contractor maintain those records according to standards acceptable to the Shire, for as long as the records are required and return them to the Shire when the contract expires.'

be endorsed.

CARRIED (9/0)

NO. 167/20

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 KARRI OAK AIRSTRIP

File Ref:	N51567
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to advise the Council formally that a direction of the Council to the CEO has been frustrated and cannot be achieved.

BACKGROUND

At its meeting held 26 February 2019 the Council resolved:

'That the Shire President and Chief Executive Officer be authorised to affix the Common Seal of the Shire of Plantagenet to the Licence Agreement with Karri Oak Holdings Pty Ltd for that part of Lot 166 Eulup-Manurup Road Mount Barker noted on the plan attached.'

Following this direction of the Council, the owners of the Karri Oak Airstrip were not prepared to execute the documentation adopted by the Council. Accordingly, any potential proposals by the Council to maintain the strip and other infrastructure became difficult and, especially from a capital expenditure point of view, most likely unlawful.

STATUTORY ENVIRONMENT

Pursuant to Section 2.5 of the Local Government Act 1995 the Shire of Plantagenet is a body corporate with perpetual succession and a common seal. Further, the Shire of Plantagenet has the legal capacity of a natural person.

FINANCIAL IMPLICATIONS

There are no financial implications for this report. Expenditure that may otherwise have been incurred will now most likely not be incurred.

BUDGET IMPLICATIONS

There are no budget implications for this report. At a budget workshop held on 26 May 2020, Councillors deleted potential expenditure for a new water tank at Karri Oak.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following Strategy:

Strategy 1.9.3:

'Work with bush fire brigades to deliver fire mitigation strategies across the Shire.'

When the matter of the Karri Oak Airstrip was presented to the Council in February 2019, the recommendation to enter into a licence agreement was seen as aligning with the Strategic Community Plan.

Should the recommendation of this report be adopted by the Council, the conclusion to be formed by the Council would be that Fire Mitigation Strategies across the Shire are satisfactory and are being met.

REGIONAL IMPLICATIONS

In the event of a bush fire emergency, water bombers may be despatched from either Albany or Manjimup to help control the spread of the fire.

OFFICER COMMENT

Given that the Council is unable to achieve a formal agreement with the owners of Karri Oak Holdings Pty Ltd, the Chief Executive Officer is unable to finalise a direction by the Council.

This needs to be formally acknowledged.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr J Oldfield, seconded Cr B Bell:

That with regard to the development of an airstrip for the use of fire bombing aircraft on the existing Karri Oak Airstrip situated at Lot 166 Eulup-Manurup Road Mount Barker, the Shire of Plantagenet believes that:

- 1. Due to the inability of the Council to enter into a formal agreement with the owners of Lot 166 Eulup-Manurup Road Mount Barker, and**
 - 2. Due to the proximity of water bombers in Albany**
- the development of such a facility is unable to be achieved.**

AMENDMENT

Moved Cr J Moir, seconded Cr J Oldfield:

That part 2. be omitted from the motion and the motion be re-cast accordingly.

CARRIED (7/2)

NO. 168/20

Crs Bell and Etherington voted against the motion

COUNCIL DECISION

That with regard to the development of an airstrip for the use of fire bombing aircraft on the existing Karri Oak Airstrip, situated at Lot 166 Eulup-Manurup Road Mount Barker, the Shire of Plantagenet believes that due to the inability of the Council to enter into a formal agreement with the owners of Lot 166 Eulup-Manurup Road Mount Barker, the development of such a facility is unable to be achieved.

CARRIED (8/1)

NO. 169/20

Cr Handasyde voted against the motion

9.4.2 LEASE OF LESSER HALL - EMPOWERING PLANTAGENET SENIORS INC.

Cr K Woltering

Item: 9.4.2
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)
Nature: Vice President of Empowering Plantagenet Seniors Inc.
Extent: N/A

Cr S Etherington

Item: 9.4.2
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)
Nature: President of Empowering Plantagenet Seniors Inc.
Extent: N/A

File Ref: N51568
Attachments: Certificate of Incorporation
Draft Lease 2020
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 16 June 2020

PURPOSE

The purpose of this report is to seek the Council's endorsement of a lease between the Shire of Plantagenet and Empowering Plantagenet Seniors Inc. for Part of Lot 250 Memorial Road, Mount Barker (Lesser Hall).

BACKGROUND

At its meeting held on 19 May 2020, the Council resolved:

'That upon confirmation that the organisation to be known as Empowering Plantagenet Seniors (Inc) has become incorporated, the Council would be pleased to enter into negotiations with the new body to lease that part of Lot 250 Memorial Road Mount Barker, known as the Lesser Hall.'

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 like nature; and the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.'

A lease to Empowering Plantagenet Seniors (Inc) would be an exempt disposition.

EXTERNAL CONSULTATION

Consultation has taken place with Cr Etherington and Cr Woltering, both of whom have indicated their support for the formation of the new incorporated body and the potential to lease the Lesser Hall.

FINANCIAL IMPLICATIONS

A rental of \$10.00 per annum would be applicable.

The organisation has indicated that it would most likely seek from the Council an annual financial assistance grant regarding public liability insurance. The Council generally meets the cost of public liability insurance for not-for-profit lessees.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

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

Section 3.d. of the policy 'Other Service Organisation/Sporting Club' states the following:

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

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

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

ASSET MANAGEMENT IMPLICATIONS

The WA Country Health Service (WACHS) vacated the premises in August 2018. On 2 April 2019, the Shire provided written notice to WACHS that the lease had been repudiated under Clause 18.1 (3).

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.3 (A cohesive and supportive community) provides the following strategy:

Strategy 1.3.1:

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

Further, Outcome 1.6 (Quality of life for the aged) provides 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.'

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

Empowering Plantagenet Seniors is a newly incorporated organisation. The organisation's Certificate of Incorporation is attached.

It will use the Lesser Hall to provide a base for seniors, including making rooms available to both Silverchain and Hall & Prior Clarence Estate, both of which provide services to seniors in our community.

Other services may include the provision of meals in a similar way to that formerly provided by Home and Community Care (HACC), especially when this service was provided by the Shire.

Representatives of the organisation have been provided with a copy of a draft lease and the lease attached to this report represents the intent of those discussions.

The lessees have expressed some concerns that the rising damp in the Lesser Hall had become problematical for the previous lessees in that evidence of mould was apparent. Given that some of the clients of the proposed lessee may have compromised health, the issue of rising damp is being investigated so that a solution may be found.

Nevertheless, the lease specifically stipulates that the Council does not warrant the premises necessarily fit for the purposes for which the proposed lessee may wish to use them.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION**Moved Cr S Etherington, seconded Cr K Woltering:****That:**

- 1. The Shire President and the Chief Executive Officer be authorised to affix the Common Seal of the Shire of Plantagenet to the Lease Agreement (as attached) between the Shire of Plantagenet and Empowering Plantagenet Seniors Inc. for Part of Lot 250 Memorial Road, Mount Barker (Lesser Hall) for the purposes of providing information, supplementary care, advocacy and support for seniors in Plantagenet.**
- 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.**

CARRIED (8/1)**NO. 170/20****Cr O'Dea voted against the motion**

9.4.3 MOUNT BARKER VISITOR CENTRE

File Ref:	N51601
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to seek direction from the Council with relation to the Mount Barker Visitor Centre and under what circumstances it should re-open, if at all. Three discrete scenarios are explored.

BACKGROUND

At its meeting held 24 March 2020, the Council resolved:

'That:

- 1. The request received 24 March 2020 from the Amazing South Coast (Inc) for a cash contribution of \$22,638.00 to assist with financial costs relating to the running of the Mount Barker Visitor Centre be refused.*
- 2. The CEO be requested to expedite a meeting of the Chief Elected Representatives and CEOs of the City of Albany and Shires of Denmark and Plantagenet specifically to discuss Visitor Centres in Albany, Denmark and Mount Barker and, in a broader context the financing of tourism development in the Great Southern.'*

Subsequent to that resolution, the matter of Visitor Centres has been discussed among the CEOs of the South Coast Alliance (SCA) member Councils, at SCA meetings and Amazing South Coast Tourism Inc. (ASC) meetings. It is understood that negotiations are occurring with the Shire of Denmark, Denmark Chamber of Commerce and the ASC with regard to the Denmark Visitor Centre.

STATUTORY ENVIRONMENT

A Memorandum of Understanding (MOU) between the Shire and the ASC handed the running of the Mount Barker Visitor Centre Inc. (MBVC) to the ASC. That MOU is due to expire on 30 June 2020. However, it is highly unlikely that the MBVC will re-open this financial year due to Covid-19 issues.

EXTERNAL CONSULTATION

The Chief Executive Officer for the Shire and the Executive Officer of the ASC have discussed the issues revolving around the ASC running Visitor Centres. It is apparent from earlier correspondence that the ASC most likely sees the running of Visitor Centres outside of its primary remit of destination marketing. However, an alternative point of view will be explored in this report.

FINANCIAL IMPLICATIONS

There is no other existing incorporated body that would be available to take on any lease offered by the Council regarding the running of a Visitor Centre from the existing premises in the former Mount Barker Railway Station. Therefore, if a Visitor Centre was to re-open from those premises there is a high likelihood that it would need to be opened under the aegis of the Council, unless the ASC re-thought its position.

Consultation with the ASC indicates that the volunteers who formerly provided tourism information prior to Covid-19 would be willing to re-commence their duties as volunteers provided a paid employee directed them.

If the ASC sees its primary role as not being involved with the running of Visitor Centres, this would leave the conclusion that it would be necessary for the Visitor Centre to become a Council operation, if indeed it re-opened. This would require at least a 0.5FTE.

Formerly, this has been a paid employee of either the ASC or the MBVC at approximately a 0.5FTE. It is also understood that the Visitor Centre Coordinator who undertook this job would still be available for that job.

BUDGET IMPLICATIONS

There is no budget allocation in the Draft 2020/2021 Council Budget for staff costs relating to visitor servicing.

POLICY IMPLICATIONS

The Council's Tourism Policy CE/ED/1 applies. The objectives of that policy are:

'The Council will in relation to tourism in the Shire of Plantagenet:

- a) *Recognise tourism as a social and economic force and as a major or potential major employer within the diverse economy of the Shire of Plantagenet and the Great Southern.*
- b) *Foster and create community awareness of the benefits of tourism within the Plantagenet district.*
- c) *Guide and influence the development of tourism in the Plantagenet district and on a regional level.*
- d) *Provide the infrastructure sufficient to encourage development.*
- e) *Ensure that facilities within the Plantagenet area are adequate to cater for visitors.'*

ASSET MANAGEMENT IMPLICATIONS

For the last several years, the portion of the former Mount Barker Railway Station occupied by the Mount Barker Visitor Centre Inc. has been provided at a peppercorn rent. The structure is well maintained, is in sound condition and is included in the Council's Municipal Heritage Inventory.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.4 (A strong tourism Region) and is underpinned by the four strategies listed hereunder:

Strategy 3.4.1:

'Promote and support local and regional tourism initiatives'

Strategy 3.4.2:

'Provide infrastructure and services to support tourism'

Strategy 3.4.3:

'With the Lower Great Southern Alliance to develop a Regional Economic and Tourism Strategy and Destination Marketing Strategy'

Strategy 3.4.4:

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

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

REGIONAL IMPLICATIONS

The Visitor Centres of Albany, Denmark and Mount Barker have been run very differently from each other.

The City of Albany Visitor Centre is run by City of Albany staff. The Denmark Visitor Centre was previously run by Denmark Tourism Inc. and then subsequently run by the ASC, but under a very different cost arrangement compared with the Shire of Plantagenet, due to the number of paid staff. The Mount Barker Visitor Centre has been run by an incorporated body and up until 2009/10, run with substantial funding from the Shire of Plantagenet.

The MOU between the Shire of Plantagenet and the ASC effectively transferred the lease between the MBVC and the Shire to the ASC.

OFFICER COMMENT

The recommendation appearing at the end of this report is based on an assumption that a Visitor Centre in Mount Barker is warranted.

Three scenarios are presented for the Council's consideration.

Firstly, the Visitor Centre could be allowed to remain closed. Potentially an 'electronic' Visitor Centre could be created through the use of technology. This would likely require substantial investment of funds. There may also be a community and industry expectation that the Visitor Centre be open.

Secondly, the Council could assume the responsibility for running the Visitor Centre, based on a model of volunteers providing information to visitors, under the direction of a Visitor Centre Coordinator, who would be a 0.5FTE employed by the Council.

This arrangement would be limited to a period of 12 months, such that negotiations can be undertaken with the tourism industry, so that a model may be developed whereby the Visitor Centre could be run by the industry rather than by the Shire of Plantagenet.

Under such an arrangement, the Visitor Centre would most likely not undertake the sale of products on commission or retainer.

Thirdly, a further offer could be made to the ASC for that organisation to resume responsibility for the running of the Visitor Centre, based on the following scenario:

- Peppercorn lease to the ASC.
- Payment by the Shire to the ASC of \$3,000.00 per month to cover the operating costs of running the Visitor Centre.
- The ASC, for no further cost, allows any organisation within the Shire of Plantagenet that derives revenue from tourism, to become a member of the ASC; the membership fee being deemed to be inclusive of the \$3,000.00 per month paid by the Council.
- The arrangement mentioned above be for the 2020/2021 Financial Year only.

This arrangement has several benefits.

Firstly, it gives the ASC a cash injection of \$3,000.00 per month.

Secondly, the issue of re-opening the Visitor Centre is solved.

Thirdly, the payment of membership fees on behalf of Plantagenet tourism organisations can be seen as one of the Council's Covid-19 Business Recovery Initiatives.

Fourthly, if at the end of 12 months the businesses do not renew their ASC membership, this means either, that there is no perceived or actual value proposition for them and the industry, for whatever reason, is not engaging with a representative body, or that the ASC is doing an insufficient job to attract and keep members.

Finally, an investment of \$36,000.00 per year is still less than the Council's final contribution to the MBVC of \$43,000.00 in 2009/2010.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The running of the Mount Barker Visitor Centre be offered to the Amazing South Coast Tourism Inc. on the following basis:
 - a) A Visitor Centre service in Mount Barker be provided by the Amazing South Coast Tourism Inc.
 - b) Such service shall be at least equivalent to the service provided by the Amazing South Coast Tourism Inc. pursuant to the Memorandum of Understanding between the Shire of Plantagenet and the Amazing South Coast Tourism Inc dated 11 January 2018.
 - c) The Amazing South Coast Tourism Inc. shall offer to and accept membership applications to the Amazing South Coast Tourism Inc from any Plantagenet business that derives revenue from tourism, and agree that the membership fees shall be inclusive of the \$3,000.00 per month paid by the Shire.
 - d) This arrangement be in place for the 2020/2021 financial year only.
 - e) The Visitor Centre shall operate from the Visitor Centre premises in the former Mount Barker Railway Station and shall be subject to a lease between the Shire of Plantagenet and the Amazing South Coast Tourism Inc.

ALTERNATIVE RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Bell:

That:

- 1. A public meeting be facilitated with local tourism service providers to highlight the current economic situation and to consult with, and seek advice from, these tourism service providers to help determine suitable objectives and direction that may best guide our tourism position in this region.**
- 2. Advice be sought from the local tourism industry on the requirements for visitor servicing, for the purpose of investigating and determining options in the Shire of Plantagenet.**

Reason for Change

Due process did not occur due to COVID-19 and Councillors believe there is a need to consult with the tourism industry prior to any decisions being made.

CARRIED (9/0)

NO. 171/20

9.4.4 RENEWAL OF LEASE - PLANTAGENET HISTORICAL SOCIETY

Cr K Clements

Item: 9.4.4
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)
Nature: Member of Historical Society. Wife is the Honorary Treasurer.
Extent: N/A

File Ref: N51595
Attachments: Draft Lease
Building Condition Report
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Donna Fawcett
Human Resources Coordinator
Proposed Meeting Date: 16 June 2020

PURPOSE

The purpose of this report is to consider the renewal of the lease agreement for Reserve 29661, being Lot 500 Albany Highway, Mount Barker, to the Plantagenet Historical Society for the management of the Old Police Station Museum.

BACKGROUND

At its meeting held on 22 July 2014, the Council resolved:

'That:

- 1. The lease (as attached) to Plantagenet Historical Society for Lot 601 and Lot 604 Albany Highway, Mount Barker be renewed for a period of five years under the same terms and conditions as the current lease.*
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease agreement between the Shire of Plantagenet and Plantagenet Historical Society for Lot 601 and Lot 604 Albany Highway for the purpose of a museum.'*

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 members of which are not enlisted or permitted to receive a pecuniary profit from the body's transactions.'

A lease to the Plantagenet Historical Society is an exempt disposition.

EXTERNAL CONSULTATION

Consultation has occurred with the Management Committee and Members of the Plantagenet Historical Society.

FINANCIAL IMPLICATIONS

Rental income of \$10.00 per year will be applicable.

It is also noted that the 2020/2021 Draft Budget provides an operational sum for the proposed Lessee to assist in the running of the leased area and building as a museum and associated activities.

BUDGET IMPLICATIONS

As it is proposed to remove from the Lessee the normal responsibilities of building maintenance relating to structures listed on the Register of Heritage Places, the Council will need to consider the allocation of sufficient funds annually to undertake such works as necessary.

A preliminary building condition report is attached but this is not costed.

POLICY IMPLICATIONS

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

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

Section 3.c. of the policy 'Service to the public on behalf of the Shire' (of which Plantagenet Historical Society is identified) allows for a 100% waiver on rates.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.3 (A cohesive and supportive community) the following Strategies:

Strategy 1.3.1:

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

Strategy 1.3.2:

'Promote and support the initiatives and achievements of our volunteers.'

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

Strategy 2.2.6:

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

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

OFFICER COMMENT

A lease agreement has been drafted using the Shire's standard template lease. Generally terms and conditions are the same as the current agreement. A new clause has been added to the standard template which provides that the Lessee will be responsible for the cost of any policy excess in the event of an insurance claim and in some cases, the cost of repairs where that cost is less than the policy excess. Public liability insurance requirements have increased from at least \$10 million to \$20 million.

The lease also removes the obligation of the Lessee to maintain those buildings that form part of the Register of Heritage Places administered by the Heritage Council of Western Australia. That is, all buildings except 'Block G', a transported timber school building, toilets, general purpose art/community room and the various farm machinery and storage sheds.

The Register of Heritage Places notes a Permanent Entry as '*Fmr Police Station and Gaol Complex (1867)*' as the listed buildings.

The attached lease is still in draft form awaiting legal advice. If any changes are required, the final lease (with updates) will be distributed prior to the Council meeting on 16 June 2020.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

That:

- 1. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease agreement (as attached) between the Shire of Plantagenet and the Plantagenet Historical Society for Reserve 29661, being Lot 500 Albany Highway, Mount Barker.**
- 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.**

MOTION TO ADJOURN THE QUESTION

Moved Cr K Clements, seconded Cr B Bell:

That the question be adjourned for further consideration prior to the meeting of the Council scheduled for 14 July 2020.

CARRIED (9/0)

NO. 172/20

9.4.5 YERRIMINUP AGRIBUSINESS PRECINCT - MEMORANDUM OF UNDERSTANDING

File Ref:	N51707
Attachment:	<u>Memorandum of Understanding</u> <u>Yerriminup Agribusiness Precinct</u>
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	16 June 2020

PURPOSE

The purpose of this report is to seek authority from the Council to affix the Council's seal to a Memorandum of Understanding between the Western Australian Land Authority, Forest Products Commission and the Shire of Plantagenet relating to the proposed sub-division of the Yerriminup Industrial Estate south of Mount Barker.

BACKGROUND

The special industrial zone known as Yerriminup was first put aside in October 1991.

In March 1994, Alan Tingay and Associates (Environmental Scientists) undertook an environmental and engineering analysis of the site. That report noted that 'special industries' are industries which generally need to be sited at a reasonable distance from nearby houses in order to ensure environmentally acceptable levels of industrial emissions, or other risks such as the storage of hazardous chemicals.

The report also noted the buffer zone incorporated into the site.

The type of industries that were first mooted included:

- Abattoirs and Saleyards
- Tanneries
- Waste Water Treatment Lagoons
- Disposal of treat effluent
- Wool Scouring
- Vegetable Oils
- Malt Works
- Sawmills
- Cement works
- Concrete Batching Plants
- Rendering Works

The report concluded, that provided separation distances could be maintained, the allocation of the site to different industries would be beneficial in that a high level of

assurance that any future industrial development would be environmentally acceptable and that a proper planning framework had been laid down.

The report also noted that an adequate drainage plan would need to be developed.

Since that report, no development has occurred on the site, although the potential for use has generated many other reports, correspondence and meetings.

In April of this year the Hon. Alannah MacTiernan MLC, Minister for Regional Development, released a media statement advising that planning was now underway on the 'Great Southern Agribusiness Precinct' which was a reference to the Yerriminup Industrial Estate.

The Western Australian Land Authority (formerly known as LandCorp) is now seeking the Council's consent to sign a Memorandum of Understanding with regard to that proposal.

STATUTORY ENVIRONMENT

The Local Government Act (1995) provides at Section 2.5, subsections 2 and 3 that 'The local government is a body corporate with perpetual succession and a common seal' and '...has the legal capacity of a natural person.'

EXTERNAL CONSULTATION

Since the release of the Minister's media statement, significant consultation has occurred with the Great Southern Development Commission, the Western Australian Land Authority and a commercial operator that has expressed interest in land being available in the industrial estate.

FINANCIAL IMPLICATIONS

The subject of this report, which is the signing of a Memorandum of Understanding, will not involve the Council in any financial cost.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

Current thought regarding the development of the precinct suggests that access should be taken from the Mount Barker Saleyards, situated just to the north of the estate. This has been suggested in order to avoid the significant costs that would accrue should Main Roads WA require an improved intersection, with turning lanes, at Old Yerriminup Road. Further, site distances here are problematical.

Should access to the estate be taken through the Saleyards, significant roadworks would be required on Council land.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.1 (Diverse, profitable and sustainable local business) and 3.2 (A strong and diverse economic base) the following Strategies:

Strategy 3.1.1

'Promote the District as a good business destination'

Strategy 3.1.4

'Promote the long term growth of the District'

Strategy 3.2.1

'Identify and attract value adding and compatible new industries to the region'

Strategy 3.2.2

'Promote and support local industry development initiatives, including export in partnership with the State Government and regional organisations.'

Strategy 3.2.3

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

Strategy 3.2.4

'Advocate for downstream processing in established industries'

Strategy 3.2.5

'Identify and advocate for the establishment of new industry in the District'

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

REGIONAL IMPLICATIONS

The industrial estate has the potential to create a significant number of employment opportunities in the development phase as well as a significant number of development opportunities in the operational phase.

Given the location of the Yerriminup Industrial Estate, many of those job opportunities would accrue to residents of the City of Albany as was proved to be the case with the development of Fletchers Abattoir in Narrikup.

It therefore follows that the concept of the Yerriminup Agribusiness Precinct should be referred to the South Coast Alliance Inc. (SCA) to be endorsed as a regional project.

OFFICER COMMENT

It is recommended that the Memorandum of Understanding attached to this report is endorsed by the Council. It will show that the Shire of Plantagenet has no 'in principle' objections to the further development of Yerriminup, including preliminary sub-division works.

Further, such support does not involve the Council in any financial outlay. The issue that may raise some contention is the potential use of the Saleyards for access to the Yerriminup site. However, this potential has been acknowledged by the Council in the past.

Further, it is recommended that the possibility the Yerriminup site become an Agribusiness Precinct be referred to the SCA and recommended as an Alliance project, pursuant to that organisation's Regional Project Adoption Policy as a project to be undertaken by one local government authority.

Minor typographical errors in the Memorandum of Understanding will be reported to the originating authority.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That:

- 1. Authority be granted for the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Memorandum of Understanding (as attached) between the Western Australian Land Authority, the Forest Products Commission and the Shire of Plantagenet.**
- 2. The potential development of the Yerriminup site as an Agribusiness Precinct be referred to the South Coast Alliance Inc. with a recommendation that the development of the site as an Agribusiness Precinct be adopted pursuant to that organisation's Regional Project Adoption Policy as a project to be undertaken by one local government authority.**

CARRIED (9/0)

NO. 173/20

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

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

That new business of an urgent nature, namely: CEO Recruitment – Appointment of Recruitment Consultant, be introduced to the meeting.

CARRIED (9/0)

NO. 174/20

11.1 CEO RECRUITMENT – APPOINTMENT OF RECRUITMENT CONSULTANT (FILE REF: N51828)**COMMITTEE RECOMMENDATION/COUNCIL DECISION**

Moved Cr K Clements, seconded Cr J Oldfield:

That :

1. Price Consulting Group be engaged to undertake the CEO recruitment process.
2. The Price Consulting Group quotation titled 'Executive Recruitment Services' dated May 2020 be accepted.
3. The intention of the Chief Executive Officer Appointment Committee to review the Price Consulting Group scope of proposal and advise the Council as required through this process be noted.

CARRIED (9/0)

NO. 175/20

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

5:23pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRMAN _____ DATE: ____/____/____