



ORDINARY MINUTES

DATE: Tuesday, 21 June 2016

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 97/16 to 122/16

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:04pm The Presiding Member declared the meeting open.

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

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

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Peter Duncan	Manager Development Services
Mr Dominic Le Cerf	Manager Works and Services
Ms Fiona Saurin	Manager Community Services
Mrs Linda Sounness	Executive Secretary
Mr Vincent Jenkins	Planning Officer

Apologies:

Nil

Members of the Public Present:

There was one member of the public present.

Leave of Absence:

Cr C Pavlovich

Previously Approved Leave of Absence:

Cr C Pavlovich – 12 July 2016 to 26 July 2016 inclusive.

Cr L Handasyde – 5 July 2016 to 12 July 2016 inclusive.

Emergency Evacuation Procedures/Disclaimer:

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

Mr Stewart then read aloud the following disclaimer:

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

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

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

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 MR STEVEN FINK – PLANTAGENET SPORTING CLUB

Mr Fink, President of the Plantagenet Sporting Club gave an overview of the activities of the newly incorporated Plantagenet Sporting Club. A copy of Mr Fink's presentation is attached to these Minutes.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Moir

Item:	11.2
Type:	Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature:	Cattle Farmer, Employee of Elders
Extent:	Letter dated 27 January 2016

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Cr O'Dea requested leave of absence from 8 July to 14 July 2016 inclusive.

Moved Cr L Handasyde, seconded Cr B Bell:

That Cr M O'Dea be granted leave of absence from 8 July to 14 July 2016 inclusive.

CARRIED (8/0)

NO. 97/16

Cr Bell requested leave of absence from 28 July to 19 September 2016 inclusive.

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

That Cr B Bell be granted leave of absence from 28 July to 19 September 2016 inclusive.

CARRIED (8/0)

NO. 98/16

7 CONFIRMATION OF MINUTES

Moved Cr B Bell, seconded Cr S Etherington:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 24 May 2016 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 99/16

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 31 MILLINUP ROAD PORONGURUP - LANDSCAPE PROTECTION ZONE - ADDITIONAL OUTBUILDING

File Ref:	N37839
Attachments:	<u>Location Plan</u> <u>Site Plan</u> <u>Outbuilding Plan</u>
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	21 June 2016
Applicant:	Alison Kendrick

THE APPLICANT IS AN EMPLOYEE OF THE SHIRE AND HAS HAD NO INPUT INTO THE PREPARATION OF THE REPORT OR THE RECOMMENDATION.

PURPOSE

The purpose of this report is to consider a proposal for an additional outbuilding at Lot 31 Millinup Road, Porongurup. This outbuilding combined with two existing outbuildings means the cumulative floor area set by Council policy is exceeded.

BACKGROUND

Shire records show the registered owner of Lot 31 Millinup Road is AJ Kendrick.

Lot 31 Millinup Road, Porongurup is within a Landscape Protection zone under the Shire of Plantagenet Town Planning Scheme No. 3 and as such the Council is required to determine the application.

Lot 31 Millinup Road is 13.19ha in area and located southwest of the Mira Flores Rural Residential zone and the Porongurup Range and north of Millinup Road. Existing development at the lot consists of a house, two outbuildings with a cumulative floor area of 162m² and two rainwater tanks. The proposed additional outbuilding will be located at the eastern part of the site some 270m from Millinup Road. The outbuilding will be located 47m from the eastern side boundary and 140m and 160m from the northern and western boundaries respectively. The walls will be Colorbond® Woodland Grey and the roof will be Colorbond® Cove (mid-grey colour).

This proposal is for an additional outbuilding of 96m² (6m x 16m) with a wall height of 3.0m. Two other existing outbuildings have a floor area of 162m². The cumulative floor area of all outbuildings including the new outbuilding will total 258m².

The reason provided by the proponent for the additional outbuilding is for the purpose of horse stables.

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) – Landscape Protection Zone. This zone requires specific issues be addressed and that the Council must determine any application for planning consent.

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.'*

FINANCIAL IMPLICATIONS

The application fee of \$147.00 has been paid.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 16.2 (Outbuildings) limits outbuildings to a maximum wall height of 4.2m and a maximum cumulative floor area of 200m² for Landscape Protection zones. The cumulative floor area of all outbuildings onsite including the additional outbuilding will total 258m². The wall height of the proposed outbuilding is 3.0m. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

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

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

The specific requirements of this Landscape Protection zone have been met in terms of the location of the building, external colours and a 20m low fuel zone around all buildings.

The cumulative floor area of all outbuildings on the property including the new outbuilding will total 258m². The wall height of the proposed outbuilding is within the limit set by the policy. No difficulties are seen with the maximum cumulative floor area of outbuildings being 258m² (58m² above the policy maximum size) given the size of the lot being 13.19ha.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

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 and subject to the development being in accordance with the plans dated 16 May 2016 planning consent be granted for an additional outbuilding at Lot 31 Millinup Road, Porongurup which will mean Town Planning Scheme Policy No. 16.2 (Outbuildings) be varied resulting in the cumulative area of all outbuildings being 258m².

CARRIED (8/0)

NO. 100/16

9.1.2 LOTS 101, 102 AND 103 WOODLANDS ROAD, PORONGURUP - AFFIX COMMON SEAL

File Ref:	N37762
Attachments:	Location Plan Deposited Plan
Responsible Officer:	Peter Duncan Manager Development Services
Author:	Vincent Jenkins Planning Officer
Proposed Meeting Date:	21 June 2016
Applicant:	Stephen Jennings

PURPOSE

The purpose of this report is to seek authority for the Shire President and Chief Executive Officer to affix the Common Seal of the Council to an Application for New Title for proposed Lots 101, 102 and 103 on Deposited Plan 76858 Woodlands Road, Porongurup.

BACKGROUND

Council records show the registered owner of Lot 14 Woodlands Road is S Jennings.

The Manager Development Services considered the proposed three lot rural subdivision of Lot 14 Woodlands Road in June 2013 in accordance with Council Delegation LG035.

The subdivision application was supported subject to the following conditions and advice note:

'The WAPC be advised that the proposed subdivision into 3 lots at Lot 14 Woodlands Road, Porongurup is supported subject to:

1. *A crossover from Lot 3 being constructed, drained and sealed to the satisfaction of the Manager Works and Services.*
2. *The first 10m of the driveway at Lot 3 being constructed, drained and sealed to the satisfaction of the Manager Works and Services.*
3. *All buildings, structures and onsite effluent disposal systems having the necessary clearance from new lot boundaries.*

Advice Note:

The landowner is encouraged to construct future habitable buildings in accordance with AS3959.'

The subdivision application was approved by the Western Australian Planning Commission (WAPC) on 15 April 2014 subject to a number of conditions including:

'A restrictive covenant, to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate of title of the proposed Lot 3 advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:

"No development is to take place outside the defined building envelope, unless otherwise approved by the local government."'

On 2 May 2016 the Council received this application to clear the conditions of subdivision imposed by the WAPC (WAPC 147938).

STATUTORY ENVIRONMENT

Transfer of Land Act 1893 (as amended) – Section 129BA refers to Restrictive Covenants benefitting local governments and public authorities.

Local Government Act 1995

Planning and Development Act 2005

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

FINANCIAL IMPLICATIONS

The subdivision clearance fee of \$219.00 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 2013-2023 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

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

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

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

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

The WAPC issued its conditional approval requiring, amongst other conditions, a restrictive covenant under Section 129BA of the Transfer of Land Act 1893 being prepared. The restrictive covenant will confine all development to the defined building envelope at proposed Lot 103. Any development outside the building envelope will require the Council's approval.

The Local Government Act 1995 and Council Delegation LG035 do not permit the Shire President and Chief Executive Officer to affix the Shire of Plantagenet Common Seal to the Restrictive Covenant under Section 129BA of the Transfer of Land Act 1893 without a Council resolution.

Authority is now sought for the Common Seal to be applied in order that a subdivision clearance can be issued.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Restrictive Covenant under Section 129BA of the Transfer of Land Act 1893 (as amended) pertaining to the creation of proposed Lots 101, 102 and 103 Woodlands Road, Porongurup.

CARRIED (8/0)

NO. 101/16

9.2 WORKS AND SERVICES REPORTS

9.2.1 POLICY REVIEW - GRAVEL AND SAND ACQUISITION

File Ref:	N36768
Attachments:	<u>Policy NRM-EI-1 - Gravel and Sand Acquisition</u>
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	21 June 2016

PURPOSE

The purpose of this report is to review Council Policy NRM/EI/1 - Gravel and Sand Acquisition.

BACKGROUND

This policy was last reviewed by the Council on 4 February 2014.

STATUTORY ENVIRONMENT

Local Government Act 1995

Schedule 3.2 (Particular things local governments can do on land even though it is not local government property) provides the power for a local government to take from land (among other things) gravel that is required for making or repairing a road or thoroughfare.

FINANCIAL IMPLICATIONS

The current policy provides a value for gravel and sand at a rate of \$1.00/m³ (ex GST). A higher value may be negotiated by the Manager Works and Services where deemed necessary.

The policy also provides options for Landowners to choose private works to the value, in lieu of cash payment, or a combination of private works and cash payment for gravel and/or sand provided.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 under goal 2 (Enhancing Natural and Build Environment) provides at Outcome 2.4 (Safe and reliable transport infrastructure), the following Strategies: 2.4.1, and 2.4.2

Strategy 2.4.1:

'Maintain and further develop roads and pathways at appropriate standards'.

And further at Strategy 2.4.2:

'Maintain Shire drainage systems.'

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

OFFICER COMMENT

It is recommended that Part 1 of the policy be amended to remove reference to Schedule 3.2 of the Local Government Act 1995. Reference to the schedule has been removed to emphasise that although the Council has powers to take material, it would only use these powers under extreme purposes and subject to authority by the Council.

It is also recommended that the words 'such as' be included in part 1.4 of the policy, to give some guidance to the Manager Works and Services as to when a higher value may be negotiated. It should however be noted that other factors may also apply such as distance to the work site, access and quality of gravel.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That amended Council Policy No: NRM/EI/1 - Gravel and Sand as follows:

OBJECTIVE

To provide clear guidelines for the acquisition of gravel and sand for construction and maintenance purposes.

POLICY

1. **The Council will, when materials for construction and maintenance purposes need to be sourced from private land, obtain such material by consultation with the landowner or his/her authorised representative. When such negotiations are successful the Council will be responsible for:**
 - 1.1 **Satisfactory rehabilitation of the pit area, including drainage, upon completion of extraction;**
 - 1.2 **Construction where necessary and satisfactory repair of affected haul roads, gates, fences or other structures;**
 - 1.3 **Negotiated compensation to the landowner for materials extracted and associated justifiable imposts; and**
 - 1.4 **The value of gravel and sand is to be at a rate of \$1.00/m³ (ex GST). A higher value may be negotiated by the Manager Works and Services in circumstances such as where materials are already stock piled and no reinstatement is required.**
2. **Where landowners contribute to road works by providing, without claim for compensation, gravel materials (for road construction or maintenance) or sand (for road construction, maintenance or general**

use), the Manager Works and Services be authorised to carry out private works at the request of the landowner, to the valuation of the landowner's contribution to the road works as assessed by the Manager Works and Services.

3. The private works in part 2 above may only be carried out on the property from which materials have been extracted, and subject to plant availability.
4. Prior to taking materials from private property, permission shall be obtained from the landowner or his/her authorised representative, in the form of a signed agreement.
5. Upon completion of all requirements of the agreement in part 4, the Manager Works and Services shall ensure the landholder is adequately satisfied, by way of a signed acceptance letter.'

be endorsed.

CARRIED (8/0)

NO. 102/16

9.3 COMMUNITY SERVICES REPORTS

9.3.1 ANNUAL BUSH FIRE MITIGATION NOTICE 2016/2017

File Ref:	N37717
Attachments:	<u>2016 ABFMN Version 12 May 2016</u>
Responsible Officer:	Fiona Saurin Manager Community Services
Author:	Kirsten Perrin Community Development Officer
Proposed Meeting Date:	21 June 2016

PURPOSE

The purpose of this report is to endorse the Annual Bush Fire Mitigation Notice (ABFMN) 2016/2017 for publication and distribution to owners of land within the Shire of Plantagenet.

BACKGROUND

The Shire of Plantagenet publishes an ABFMN for distribution to all landholders, which is posted with the Rates Notice.

Several amendments were made to the 2015/2016 ABFMN, to simplify the information presented and provide a clearer format. These amendments have been effective, with minimal changes required for the 2016/2017 ABFMN.

Following consultation, a draft 2016/2017 ABFMN was prepared and subsequently endorsed by the Shire of Plantagenet Bush Fire Advisory Committee on 4 May 2016.

STATUTORY ENVIRONMENT

Bush Fires Act 1954
Planning and Development Act 2005
Western Australian Planning Commission Development Control Policy 3.7 Fire Planning (2001)
Bush Fire Management and Response Plan
Bush Fire Brigades Local Law 2008.

EXTERNAL CONSULTATION

Consultation has occurred with members of the Bush Fire Advisory Committee, the ABFMN Review Group and Bush Fire Brigade submissions.

FINANCIAL IMPLICATIONS

Funds have been allocated in the annual budget to facilitate the printing and distribution of the ABFMN. Printing costs will be in the order of \$3,700.00.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.2:

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

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

OFFICER COMMENT

The draft 2016-2017 ABFMN has no major changes, with minor updates to wording and contact details only. Previously, the 2015/2016 ABFMN saw changes made to:

- Building protection zones;
- Asset protection zones;
- Driveways;
- Removal of requirement for boundary firebreaks on properties greater than 20ha;
- Clear statements on the cover that the notice applies to all Shire residents;
- Highlighted section promoting the need to undertake fire protection measures;
- Amended simplified layout; and
- Encouragement to burn road verges and outline of process.

The draft 2016/2017 ABFMN was presented to the Ordinary Meeting of the Bush Fire Advisory Committee on 4 May 2016. It was resolved that the Annual Bush Fire Mitigation Notice be recommended to the Council for endorsement.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the Annual Bush Fire Mitigation Notice 2016/2017 as attached be endorsed.

CARRIED (8/0)

NO. 103/16

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS - MAY 2016

File Ref: N38006
Attachment: [Financial Statements \(separate attachment\)](#)
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Alison Kendrick
Senior Administration Officer - Finance
Proposed Meeting Date: 21 June 2016

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

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

CARRIED (8/0)

NO. 104/16

9.4.2 LIST OF ACCOUNTS – MAY 2016

File Ref: N38021
Attachment: [May 2016](#)
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Emma Gardner
Accounts Officer
Proposed Meeting Date: 21 June 2016

PURPOSE

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

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (23 June 2015). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION**Moved Cr B Bell, seconded Cr S Etherington:**

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 2016 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$893,975.38;
2. Municipal Cheques 45594 – 45614 and 45616 - 45617 totalling \$119,188.49;
3. Trust Cheques 421 – 428 totalling \$21,272.18; and
4. Cancelled Cheque 45615.

CARRIED (8/0)**NO. 105/16**

9.4.3 POLICY REVIEW - DEBT COLLECTION

File Ref: N38013
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to review Debt Collection Policy – F/FM/15.

BACKGROUND

This policy was last adopted by the Council at its meeting held on 24 June 2014.

STATUTORY ENVIRONMENT

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

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

OFFICER COMMENT

It is important to ensure that money owed to the Shire of Plantagenet is collected in a consistent and timely manner. The collection of debts is necessary to achieve a balanced budget and to facilitate adequate cash flow. It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Debt Collection Policy F/FM/15, as follows:

'OBJECTIVE

To:

1. Outline clear and appropriate debt recovery procedures which will be undertaken by the Shire of Plantagenet.
2. Ensure effective control over all invoiced debts owed to Council whilst being sympathetic to those ratepayers and debtors suffering genuine financial hardship.

POLICY**1. Rates – Outstanding Amounts**

- 1.1 Amounts outstanding after the due date for payment will be followed up within 14 days of the due date with a Final Notice.
- 1.2 Fourteen days after the Final Notice is issued, a Shire of Plantagenet reminder letter will be issued giving seven days to arrange payment.
- 1.3 Following this seven day period, a Notice of Intention to Issue a General Procedure Claim will be sent by the Shire's Debt Collection Agency demanding payment and warning that legal action may commence if payment or a suitable arrangement is not made within seven days.
- 1.4 After this seven day period has lapsed:
 - (a) Contact is to be made by telephone, where possible, in order to seek payment or a special arrangement. If this action is unsuccessful, accounts may then be forwarded to the Shire's Debt Collection agency for legal action to commence.
 - (b) Legal action will commence with the issuing of Court proceedings (General Procedure Claim) in accordance with S6.56 of the Local Government Act 1995.
 - (c) Processes to enforce judgment include Default Judgment, Property and Seizure Sale Order (Goods) and / or Land Warrant (In accordance with Delegation LG20).

1.5 Other courses of action that may be taken include:

- (a) Rental seizure under Section 6.60 of the Local Government Act 1995.
- (b) Lodging a Caveat on the property.
- (c) Sale of land under S6.64 of the Local Government Act 1995 in accordance with Delegation LG20. In this instance the Shire may rent or dispose of the property if rates remain unpaid for at least three years.

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

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

2. Sundry Debtors

2.1 Sundry debtor accounts become overdue if not paid within 30 days of issuing of the account.

2.2 On becoming overdue, a statement is to be issued requesting immediate payment.

2.3 Fourteen days after the statement is issued, contact is to be made by telephone, where possible, in order to seek payment and to advise that the provision of credit facilities will cease in seven days.

2.4 After this seven day period has lapsed, the Shire may stop the provision of credit facilities to debtors. Recovery action may also be taken unless the debtor enters into and complies with an overdue payment agreement. Any such agreement will not exceed six months unless exceptional circumstances exist.

2.6 The Chief Executive Officer may determine other suitable treatment options to deal with sundry debtors in the case of demonstrated hardship or other situations.'

be endorsed.

CARRIED (8/0)

NO. 106/16

9.4.4 REVIEW COUNCIL POLICY F/FM/10 – PAYMENT OF COUNCILLORS’ ATTENDANCE FEES AND ALLOWANCES**File Ref:****N38012****Responsible Officer:****Rob Stewart
Chief Executive Officer****Author:****John Fathers
Deputy Chief Executive Officer****Proposed Meeting Date:****21 June 2016**

PURPOSE

The purpose of this report is to review Council Policy F/FM/10 – Payment of Councillors’ Attendance Fees and Allowances.

BACKGROUND

Council Policy F/FM/10 was last reviewed by the Council at its meeting held on 24 June 2014.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations

Sections 5.98 to 5.102 of the Act and Regulations 30 to 34 provide the framework for the payment of expenses and allowances to elected members.

FINANCIAL IMPLICATIONS

The following attendance fees and allowances are expected to be paid in 2015/2016 and listed in the draft budget for 2016/2017.

	2015/2016	2016/2017
Councillors’ Sitting Fees	\$78,000.00	\$78,800.00
Shire President’s Allowance	\$ 6,500.00	\$ 6,565.00
Deputy Shire President’s Allowance	\$ 1,625.00	\$ 1,641.00

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.1.5:

‘Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role’

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

OFFICER COMMENT

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That Council Policy F/FM/10 – Payment of Councillors' Attendance Fees and Allowances, as follows:

'OBJECTIVE:

To put in place an equitable system for payment of Councillors' attendance fees and the Shire President's and Deputy Shire President's allowances.

POLICY:

1. **Councillors' annual attendance fees and allowances are to be paid on a pro-rata basis, based on time served in the position.**
2. **Fees and allowances are to be paid monthly in arrears.'**
be endorsed.

CARRIED (8/0)

NO. 107/16

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 HIDDEN TREASURES OF THE GREAT SOUTHERN - MEMBERSHIP - SHIRE OF PLANTAGENET

File Ref: N38082

Attachment: [Letter](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Linda Sounness
Executive Secretary

Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to recommend to the Council membership of the Shire of Plantagenet to the Hidden Treasures of the Great Southern.

BACKGROUND

'The Hidden Treasures is a collaborative partnership between eight Shires in the northern and south-eastern parts of the Great Southern region. These communities are predominantly recognised for the primary industry of agriculture from broad acre cropping, sheep for wool and meat production, viticulture, silviculture and horticulture.'

The Hidden Treasures Group currently represents eight Shires: Broomehill-Tambellup, Gnowangerup, Katanning, Kojonup, Cranbrook, Jerramungup, Kent, and Woodanilling.

The following is taken from the Hidden Treasures Organisational Manual:

'By jointly undertaking promotion and marketing, for tourism, events and activities, the Shires and the region receive significant more value for money than if the Shires were to 'go it alone'.

The objectives of the Hidden Treasures Group are to:

- *Jointly promote tourism product, experiences and activities for all participating Shires and their communities;*
- *Seek to leverage Shire funding to draw additional funds for events, tourism marketing and regional promotion;*
- *Disseminate information on relevant tourism and marketing opportunities to Shires;*
- *Market all Shires of the Hidden Treasures with equity and respect; and*
- *Develop community partnerships with local, regional, state and national organisations that will enhance and assist the development of tourism in the Hidden Treasures region.'*

Previous approaches by the Shire of Plantagenet to join the Hidden Treasures Group have not been successful however the group has reconsidered its position

and is now in a position to offer the Shire of Plantagenet the opportunity to become a member.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

The Chief Executive Officer has had numerous discussions with the former Chair of Hidden Treasures regarding membership.

FINANCIAL IMPLICATIONS

There is a buy-in cost of \$5,000.00 for the first year with an annual cost of membership being \$4,000.00 thereon. The one-off buy-in cost is in recognition of the work and financial commitment already invested by the founding members since inception of the group in 2004.

'By making a financial contribution, each Shire is included in all activities of the Hidden Treasures Group and will be given an equal vote on the Committee. This includes access to all Hidden Treasures Marketing Plans and collateral which may assist Shires in developing their own marketing and tourism development projects.'

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 2013-2023 provides at Outcome 3.4 (A strong tourism region) the following Strategy:

Strategy 3.4.1:

'Promote and support local and regional tourism initiatives'

Further at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) provides at the following strategy:

Strategy 3.5.4

'Support development of a Regional Economic Development Strategy.'

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

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 includes Action 3.5.4.1 under Strategy 3.5.4 mentioned above *'Liaise with neighbouring Councils and appropriate government departments on the development of a Regional Economic Development Strategy.'*

REGIONAL IMPLICATIONS

The Southern Link VROC Strategic Directions (2015-2020) identifies under Regional Economic Development, Goal One (Stimulate economic growth and business opportunity) a strategy to *'support the implementation of wider regional initiatives.'*

OFFICER COMMENT

The Chief Executive Officer has received an official letter from the Chair of the Hidden Treasures of the Great Southern inviting the Shire of Plantagenet to join the Hidden Treasures Group. A copy of this letter is attached.

It will be recommended that the Council accept this invitation and become a member.

The Hidden Treasures Group will require a delegate from the Shire of Plantagenet to attend the Hidden Treasures Meetings and this matter will be dealt with in a report within this Agenda.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the invitation from the Hidden Treasures of the Great Southern for the Shire of Plantagenet to become a member of that group be accepted.

CARRIED (7/1)

NO. 108/16

9.5.2 APPOINTMENT OF COUNCIL REPRESENTATIVE - HIDDEN TREASURES OF THE GREAT SOUTHERN**File Ref:** N38103**Responsible Officer:** Rob Stewart
Chief Executive Officer**Author:** Linda Sounness
Executive Secretary**Proposed Meeting Date:** 21 June 2016

PURPOSE

The purpose of this report is to recommend the appointment of Councillor Marie O'Dea as the Council's representative on the Hidden Treasures of the Great Southern Committee and also nominate a deputy for Cr O'Dea, should Cr O'Dea be unable to attend a meeting.

BACKGROUND

The Council has received an invitation to become a member of the Hidden Treasures of the Great Southern and to provide a delegate to attend meetings and deputy to attend should the delegate be absent.

'The role of nominated voting Delegates is to:

- *Represent their communities of the Hidden Treasures Committee;*
- *Communicate the activities, requests and outcomes of the Hidden Treasures to their Council on a regular basis;*
- *Communicate the activities, requests and outcomes of the Hidden Treasures to their community as required;*
- *Provide suggestions, ideas and support for joint, regional tourism promotion of the Hidden Treasures region;*
- *Submit items for meeting agenda when appropriate;*
- *Attend bi-monthly meetings, or organise the nominated Proxy to attend;*
- *Support, attend and participate in events and activities where possible; and*
- *Read agendas, minutes and correspondence and complete assigned actions in a timely manner.*

Where possible, other activities may include:

- *Attend and support the hidden Treasures exhibition at the annual Perth Caravan and Camping Show;*
- *Attend other trade and consumer shows as appropriate; and*
- *Provide input in Hidden Treasures projects as they arise.'*

The Hidden Treasures Committee structure provides that a deputy is someone that has been formally nominated to represent the Delegate in the absence of the nominated delegate and has all of the rights of a voting Delegate when acting as a deputy. The deputy does not have a vote if the nominated Delegate is in attendance.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Cr O'Dea has attended a meeting of the Hidden Treasures Group on 2 June 2016 as an observer.

FINANCIAL IMPLICATIONS

There will be some financial costs incurred by Cr O'Dea from time to time in attending meetings and events on behalf of the Council in line with performing delegate duties for the Hidden Treasures Group. Costs incurred will be reimbursed in line with Council's Policy CE/CS/1 Elected Members Expenses to be Reimbursed, below.

POLICY IMPLICATIONS

Council Policy CE/CS/1 – Elected Members Expenses to be Reimbursed applies and states that elected members can receive reimbursement of expenses whilst attending, 'Conferences and training sessions specifically authorised by the Council'.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 3.4 (A strong tourism region) the following Strategy:

Strategy 3.4.1:

'Promote and support local and regional tourism initiatives'

Further at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) provides at the following strategy:

Strategy 3.5.4

'Support development of a Regional Economic Development Strategy.'

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

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 includes Action 3.5.4.1 under Strategy 3.5.4 mentioned above *'Liaise with neighbouring Councils and appropriate government departments on the development of a Regional Economic Development Strategy.'*

REGIONAL IMPLICATIONS

The Southern Link VROC Strategic Directions (2015-2020) identifies under Regional Economic Development, Goal One (Stimulate economic growth and business opportunity) a strategy to *'support the implementation of wider regional initiatives.'*

OFFICER COMMENT

It will be recommended that Cr O'Dea be appointed as the Council's Delegate on the Hidden Treasures Committee and that a deputy also be appointed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr J Oldfield:

That:

1. **Cr Marie O'Dea be appointed as the Council's representative on the Hidden Treasures of the Great Southern Committee.**
2. **Cr ... be appointed as deputy to act on behalf of Cr Marie O'Dea when Cr O'Dea is unable to attend.**

Breaking Down of Complex Question

Pursuant to Standing Order 9.4 the Presiding Member directed that the motion be considered as two separate motions in the order 1 and 2.

Moved Cr B Bell, seconded Cr J Oldfield:

That Cr Marie O'Dea be appointed as the Council's representative on the Hidden Treasures of the Great Southern Committee.

CARRIED (8/0)

NO. 109/16

Moved Cr L Handasyde, seconded Cr B Bell:

Cr Oldfield be appointed as deputy to act on behalf of Cr Marie O'Dea when Cr O'Dea is unable to attend.

CARRIED (8/0)

NO. 110/16

9.5.3 DELEGATIONS - ANNUAL REVIEW

File Ref: **N37888**
Attachment: [Register of Delegations](#)
Responsible Officer: **Rob Stewart**
Chief Executive Officer
Author: **Linda Sounness**
Executive Secretary
Proposed Meeting Date: **21 June 2016**

PURPOSE

The purpose of this report is to present the Delegations Register for endorsement.

BACKGROUND

Delegations are granted to the Chief Executive Officer and, in some cases, other Officers to assist in the efficient running of the organisation. Delegations assist to reduce minor matters being brought before the Council and maximise service to members of the public, residents and ratepayers.

STATUTORY ENVIRONMENT

Local Government Act 1995:

Section 5.42 - provides that a local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act, other than those referred to in section 5.43; or the Planning and Development Act 2005 Section 214 (92), (3) or (5).

Section 5.43 - provides limits on delegations to the CEO.

Section 5.44 – provides a CEO may delegate some powers and duties to other employees.

Section 5.45 – provides that a delegation has effect for the period of time specified.

Section 5.46 – provides that the CEO is to keep a register and at least once every financial year, delegations are to be reviewed by the delegator.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:
Strategy 4.1.6:

'Provide administrative support to Shire for Governance functions'

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

Strategy 4.6.1:

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

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

Results of Key performance indicator 4.1 at Outcome 4.1 (Effective governance and leadership) indicate nil for the number of times that the Council has made a decision contrary to its adopted policies.

REGIONAL IMPLICATIONS

A benefit from membership of the Southern Link VROC is working collaboratively with other Local governments to share knowledge and resources for mutually beneficial outcomes. In this instance, the VROC CEOs share information relating to their experiences, outcomes and actions in relation to delegations.

OFFICER COMMENT

The existing and proposed Register of Delegations is being reviewed externally with a view to providing the Council with a 'new look' register for endorsement in the very near future. As part of this process, a presentation and some education on the register will be provided to Councillors. However, in the meantime, to meet the required legislative timeframe, the Delegation Register is being presented in its familiar form for the Council's endorsement.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

1. **Delegations LG001 to LG003 (inclusive), LG005 and LG006, LG008 to LG035 (inclusive), LG037 and LG039 to LG046 (inclusive) to the Chief Executive Officer be endorsed.**
3. **Delegation LG036 to the Environmental Health Officer and Regional Environment Health Officer be endorsed.**

CARRIED (8/0)

NO. 111/16

Absolute Majority

9.5.4 MOUNT BARKER FOOTBALL CLUB - LEASE OF SOUNNESS PARK CLUBROOMS**File Ref:** **N38080****Responsible Officer:** **Rob Stewart**
Chief Executive Officer**Author:** **Rob Stewart**
Chief Executive Officer**Proposed Meeting Date:** **21 June 2016**

PURPOSE

The purpose of this report is to advise the Council that the first renewal of the lease between the Council and the Mount Barker Football Club for the Sounness Park Clubrooms is due on 1 July 2017.

This report will also recommend that the lease not be renewed and that a new lease be negotiated between the Council and the Plantagenet Sporting Club.

BACKGROUND

A lease dated 1 April 2014 was entered into between the Shire of Plantagenet and the Mount Barker Football Club for Part of Lot 150 McDonald Avenue Mount Barker known as the Sounness Park Clubrooms.

The initial term of the lease was for a period of three years concluding on 30 June 2017. A lessor's option to renew of two years is available.

By way of further background, the intention at that time was for the lease to be negotiated, if possible, with a representative sporting body. This representative sporting body was expected to include representatives from the Shire of Plantagenet, Mount Barker Football Club, Mount Barker Cricket Club, Mount Barker Hockey Club and the Mount Barker Soccer Club.

Unfortunately, incorporation of such an association was not able to occur and, with the concurrence of all clubs and the Council, the Mount Barker Football Club indicated that it would be prepared to take on the lease.

The intention at that time was to have a relatively short lease with an option for the lessor to renew as it was expected that a representative sporting association would be available.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.58 provide for the disposition for land. '*Disposition*' includes '*sell, lease or otherwise dispose, whether absolutely or not*'.

Local Government (Functions and General) Regulations 1996 - Regulation 30 provide that the proposed disposition would be an exempt disposition.

EXTERNAL CONSULTATION

Significant consultation has occurred between the Chief Executive Officer and the Chair of the Plantagenet Sporting Club with regard to the direction of this report.

Further, the Chief Executive Officer has met with the President of the Mount Barker Football Club Mr Gordon Reid regarding the contention that the lease to the Football Club may not be extended.

The Chief Executive Officer has also sent letters to both the Plantagenet Sporting Club and the Mount Barker Football Club setting out the possibility that the Football Club lease may not be extended in favour of the Plantagenet Sporting Club.

FINANCIAL IMPLICATIONS

As with the Football Club lease, it is suggested that any lease negotiated with the Plantagenet Sporting Club have only a nominal consideration.

In other words, the Council would receive no revenue from the arrangements and any revenue raised by the lessee would be used by the lessee for the purposes of that organisation.

POLICY IMPLICATIONS

Policy A/PA/14 Sporting and Community Organisations Using Council and Vested Land – Rateability will apply in any further report regarding a lease to the Plantagenet Sporting Club. Councillors will recall that this policy refers to the rateability of Council land leased to external organisations and the extent of any waiver of rates.

Policy CS/SC/1 Advertising Signage at Sounness Park will also apply at such time as the Council considers the lease to the Plantagenet Sporting Club. At present advertising at Sounness Park can only be temporary. It is understood that the Plantagenet Sporting Club will be seeking an amendment to the policy which will allow more permanent advertising for fundraising purposes.

ASSET MANAGEMENT IMPLICATIONS

The clubrooms are a relatively new and expensive addition to the Council's Asset Register.

An 'arms length' agreement between the Council and an incorporated body will assist Council staff to ensure that the asset is maintained to a high standard and continues to provide service to the community for many years.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.4:

'Actively promote and assist community groups and clubs'.

At Outcome 1.4 (Opportunities for development and participation of our youth) the following Strategy:

Strategy 1.4.2:

'Provide and promote appropriate and accessible facilities and activities for youth.'

Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) provides at Strategies:

Strategy 1.5.1:

'Maintain and improve sporting and recreation facilities in the district based on catchment needs'

Strategy 1.5.2:

'Promote sporting, recreation and leisure facilities and programs in the district.'

Strategy 1.5.3:

'Develop Sounness Park as the primary ball sports facility in the district.'

Accordingly, the direction of this report aligns with the Council's Strategic Community Plan.

OFFICER COMMENT

This report will recommend that the Football Club be formally advised that it is the intention of the Council to not renew the lease of the Sounness Park Clubrooms at 30 June 2017.

This report will further recommend that a new lease be negotiated with the Plantagenet Sporting Club for the clubrooms and the changerooms and potentially portion of the seating directly to the east of the clubrooms.

It should also be noted here that the Plantagenet Sporting Club would prefer to have a lease for the premises from 1 January 2017 so that the lease would not otherwise be expiring mid-way through a football season. However, it must be recognised that should the Football Club relinquish the lease six months early, this would be a matter for the Football Club and the Council has no reason to terminate the lease early.

It is recommended that the new lease incorporate the changerooms as this is an area that now involves Council staff as well as users of the changerooms. Council staff (including the CEO) have discussed with club representatives the charges for cleaning and this is an ongoing source of contention. Should the changerooms come under the control of the Plantagenet Sporting Club, Council staff could be less involved and the Plantagenet Sporting Club would potentially have a source of revenue.

The intention in seeking an extension of the lease to include at least part of the seating to the east of the clubrooms would enable the lessee to seek a licence for the sale of alcohol over that area. The situation now is that the seating is not part of the lease and is therefore not licensed. The leased area though includes the verandah and therefore people both stand and sit on the verandah while partaking of alcoholic beverages but are unable to sit in the seating area.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Hamblin:

That the Mount Barker Football Club (Inc) be advised that:

1. **It is the intention of the Council to determine the lease between the Shire of Plantagenet and the Mount Barker Football Club Inc for Part of Lot 150 McDonald Avenue Mount Barker (Sounness Park Clubrooms) on 30 June 2017; and**
2. **The Council is pleased with the professional running of the Clubrooms by the Football Club during the current lease and that the determination only arises due to the formation of the Plantagenet Sporting Club of which the Football Club is a Foundation Member.**

CARRIED (8/0)

NO. 112/16

9.5.5 SHIRE OF PLANTAGENET LOCAL GOVERNMENT PROPERTY LOCAL LAW – 2008 REPEAL AND SHIRE OF PLANTAGENET LOCAL GOVERNMENT PROPERTY LOCAL LAW 2016 ADOPTION.

File Ref: **N38069**

Attachment: [Shire of Plantagenet Local Government Property Local Law 2016](#)

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

Author: **Linda Sounness**
Executive Secretary

Proposed Meeting Date: **21 June 2016**

PURPOSE

The purpose of this report is to consider any submissions on the proposed repeal of the Shire of Plantagenet Local Government Property Local Law 2008 and adoption of its replacement with a modernised version Shire of Plantagenet Local Government Property Local Law 2016 and to make that local law.

BACKGROUND

At its meeting held on 8 December 2015 the Council resolved the following:

'That:

1. *Following advertising of the review of the following local laws:*
 - a) *Health Local Law;*
 - b) *Extractive Industry Local Law;*
 - c) *Dogs Local Law;*
 - d) *Cemeteries Local Law;*
 - e) *Local Government Property Local Law;*
 - f) *Standing Orders Local Law;*
 - g) *Landfill and Transfer Station Local Law;*
 - h) *Bushfire Brigade Local Law;*
 - i) *Parking and Parking Facilities Local Law;*
 - j) *Pest Plants Local Law; and*
 - k) *Activities in Thoroughfares and Public Places Trading Local Law*

it is noted that no submissions were received.
2. *State-wide public notice pursuant to Section 3.12 (3) (a), (b), (c) and (3a) of the Local Government Act 1995 of the Council's proposal to make the 'Shire of Plantagenet Local Government Property Local Law' as attached be given.*
3. *After the last day for submissions, a further report be submitted to the Council for consideration of any submissions received on the proposed local law.'*

The purpose and effect of the Shire of Plantagenet Local Government Property Local Law 2016 is as follows:

Purpose of the local law:

The '*Purpose*' of this Local Law is to regulate the care, control and management of all property of the local government, except on thoroughfares.

Effect of the local law:

The '*Effect*' is to control the use of Local government property, and offenses created for inappropriate behaviour in or on local government property and to repeal the existing Property Local Law 2008.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.16 requires that all of the local laws of a local government must be reviewed within an eight year period after their commencement or subsequent review, to determine if they should remain unchanged or be repealed or amended.

Section 3.12 sets out the procedures for making local laws.

A Council may determine (by absolute majority) whether or not it considers that a Local Law should be repealed or amended.

If a Council resolves to repeal and/or amend any Local Law, then the process to do so must be undertaken in the same manner as adoption of a Local Law as required under s3.12. If a Council resolves not to repeal and/or amend any Local Law, no further action is required and the review process is finalised.

EXTERNAL CONSULTATION

The proposed local law was advertised in local (15/3/2016) and state wide (14/3/2016) publications for public comment and submissions for a minimum of 42 days consultation period. No public submissions were received at the conclusion of this period to 2 May 2016.

A copy of the proposed local law was then sent to the Department of Local Government and Communities. The Department provided some minor grammatical and formatting changes and suggested inclusions relating to assistance animals as defined in the Disability Discrimination Act 1992; a commencement clause stating the day that the local law will come into operation and some clarification relating to the removal of stock.

A table summarising the requirements and suggestions from the Department and the outcome is below:

Department of Local Government and Communities comments	Outcome
<p>1. Enacting clause The enacting provision contained in the local law should be redrafted to provide for the date the Council resolved to make the local law. This date is the date <u>after</u> the local law's public submission period when the Council considers the final copy of the proposed local law and resolved to 'make' that local law.</p>	Agreed. Changes made.
<p>2. Clause numbering It is suggested for the local law's clause numbers to be moved to the same line as the clause headers. For example: 1.1 Citation 1.2 Definitions; and 1.3 Interpretation</p>	Agreed. Changes made.
<p>3. Headings In line with best drafting practice, the Part headings throughout the local law should be in lower case with only the first word capitalised; for example Part 3 – Fencing within the primary street (front) setback area</p>	Agreed. Changes made
<p>4. Commencement It is suggested that the local law should include a commencement clause stating the day that the local law will come into operation. The standard format is as follows: 'This local law comes into operation 14 days after the date of its publication in the <i>Government Gazette</i>.'</p>	Agreed. Changes made
<p>5. Clause 1.2 Definitions It is suggested that the following definition be inserted: <i>prohibited drug</i> has the same meaning as given in section 3 of the <i>Misuse of Drugs Act 1981</i>;</p>	Agreed. Definition inserted.
<p>6. Application</p> <ul style="list-style-type: none"> ○ In the definition for authorised person replace 'authorised by' with 'appointed by' ○ There appears to be a double space between local government and property under the definition of Manager. • Clause 1.5 – The citation of the local law and the words 'Government Gazette' should be in italics • Clause 5.2 – A clause number should be included in the title • Clauses 5.3 and 5.5 are currently absent. The remaining clauses in Part 5 should be renumbered for consistency and the contents page updated accordingly. 	Agreed. Changes made. Agreed. Changes made. Agreed. Changes made. This clause is now Clause 1.6. Agreed. Changes made. Agreed. Renumbering and contents page reflect this.

<ul style="list-style-type: none"> • Schedule 1: <ul style="list-style-type: none"> ○ After the title, it is suggested that a bracketed reference to clause 10.4 be inserted ○ The penalty for clause 8.12 refers to a clause that does not exist. It is possible the offence should refer to clause 3.11. The penalty should be deleted or amended in line with the Shire's intentions ○ The Shire should ensure that the Schedule covers all the modified penalties the Shire wishes to prescribe. The Shire may wish to consider inserting a general modified penalty for any offence not specifically covered in the list. • Schedule 2 – This schedule does not contain any determinations, so it can be deleted. Clause 2.1(2) can also be deleted, as it is the only clause in the local law which refers to that Schedule. 	<p>Agreed. Changes made.</p> <p>Agreed. Penalty deleted.</p> <p>Considered that a general modified penalty not required.</p> <p>Agreed. Schedule 2 and Clause 2.1(2) deleted.</p>
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FINANCIAL IMPLICATIONS

Costs will be incurred for advertising and gazettal of the local law if adopted with provision for this within the budget.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

Local Laws, once adopted and gazetted become legally enforceable.

STRATEGIC IMPLICATIONS

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

Strategy 4.6.6:

'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.

REGIONAL IMPLICATIONS

The Southern Link VROC Strategic Directions 2015-2020 identifies at Goal Four (Increase capacity through collaboration) the following strategy:

Strategy 1 – *'Share systems and processes between member LGAs'*.

Further, the knowledge gained and outcome achieved for this local law will be shared among the members of the VROC for their information and use.

OFFICER COMMENT

The draft local law has been amended to reflect the changes and majority of suggestions sought by the Department of Local Government and it is considered that the draft local law has been modernised sufficiently to reflect current practice and process. It is recommended that the Council repeal the Shire of Plantagenet Property Local Law 2008 and adopt the Shire of Plantagenet Local Law 2016.

Once adopted, a copy of the local law will be published in the government gazette; a copy sent to the Minister for Local Government; local advertising undertaken and copies of the local law, explanatory memorandum, statutory procedures checklist and other supporting material will be sent to the WA Parliament's Joint Standing Committee on Delegated Legislation.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

1. **The Shire of Plantagenet Local Government Property Local Law 2008 be repealed;**
2. **The Shire of Plantagenet Local Government Property Local Law 2016 as attached, be adopted; and**
3. **Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Shire of Plantagenet Local Government Property Local Law 2016.**

CARRIED (8/0)

NO. 113/16

Absolute Majority

**9.5.6 WA LOCAL GOVERNMENT ASSOCIATION - HONOURS RECIPIENTS
LUNCHEON - 2016 COUNCILLOR ATTENDANCE****File Ref:** **N38081****Responsible Officer:** **Rob Stewart**
Chief Executive Officer**Author:** **Linda Sounness**
Executive Secretary**Proposed Meeting Date:** **21 June 2016**

PURPOSE

The purpose of this report is to seek approval for Councillor Sue Etherington to attend the 2016 WA Local Government Association (WALGA) Honours Recipients luncheon to be held in Perth on Wednesday 3 August 2016.

BACKGROUND

Councillor Etherington has been nominated for the WALGA Long and Loyal Service Award and has received notification that this nomination was successful. WALGA has sent invitations to award recipients and their partners to attend a Luncheon in Perth on Wednesday 3 August 2016 just prior to the WALGA Annual General Meeting.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There is no charge for Councillor Etherington and her partner to attend the luncheon however, travel and accommodation costs will be incurred at approximately \$470.00.

POLICY IMPLICATIONS

Council Policy CE/CS/1 – Elected Members Expenses to be Reimbursed applies and states that elected members can receive reimbursement of expenses whilst attending, ‘Conferences and training sessions specifically authorised by the Council’.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.5:

‘Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.’

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

OFFICER COMMENT

Councillor Etherington has expressed her wish for her and her partner to attend the WALGA Honours Luncheon to receive her award and it will be recommended that this be approved.

Shire President Cr Ken Clements has also received notification from WALGA that he has been awarded Life Membership for his service to Local Government. As Cr Clements will already be in Perth attending the WALGA AGM, there will be no additional cost for him or his wife to attend the Honours Luncheon.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That Cr Sue Etherington be authorised to attend the WA Local Government Association 2016 Honours Luncheon on Wednesday 3 August 2016 with all associated costs being charged to Budget Item 20026-0029 Conferences, Training and Accommodation.

CARRIED (8/0)

NO. 114/16

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr L Handasyde, seconded Cr B Bell:

That new business of an urgent nature namely:

11.1 Western Australian Local Government Convention and Trade Exhibition – Attendance by Councillor J Hamblin; and

11.2 Conference attendance – Councillor J Oldfield – Australian Livestock Markets Association Inc National Saleyards Expo

be introduced to the meeting.

CARRIED (8/0)

NO. 115/16

11.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT CONVENTION AND TRADE EXHIBITION – ATTENDANCE BY COUNCILLOR J HAMBLIN

File Ref: N38211

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Linda Sounness
Executive Secretary

Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to consider Councillor Jacqui Hamblin's attendance at the Western Australian Local Government Association (WALGA) Convention and Trade Exhibition 2016 to be held Thursday 4 August to Friday 5 August 20

BACKGROUND

At its meeting held on 24 May 2016, the Council resolved that:

1. Councillors K Clements, L Handasyde and M O'Dea be authorised to attend the WALGA Local Government Convention and Trade Exhibition from 4 August 2016 to 5 August 2016 and that the associated costs be charged to account 20026.0032 (Local Government Convention) and account 20026.0029 (Conferences, Training and Accommodation); and
2. Shire President Cr K Clements and Deputy Shire President Cr L Handasyde be endorsed as the Council's voting delegates for the Annual General Meeting of the Western Australian Local Government Association to be held on Wednesday 3 August 2016.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Feedback is given to WALGA by the Shire President through the WALGA Great Southern Zone and State Council meeting regarding the content/topics presented at the Convention.

FINANCIAL IMPLICATIONS

Full delegate convention - \$1,475.00

Convention Breakfast – \$88.00

Convention Gala Dinner - \$90.00

Accommodation – approximately \$250.00 per room per night not including meals.

Daily parking - \$37.00

Approximate cost (Including 3 nights' accommodation but not including meals) is estimated at \$2,403.00.

Budget Item 20026-0032 (Local Government Convention) has a current budget allocation of \$10,000.00 with fund expenditure to date of \$2,769.00. It is expected that a similar budget allocation will be proposed for the 2016/2017 budget considerations.

POLICY IMPLICATIONS

Council Policy No. CE/CS/1 'Elected Members Expenses to be Reimbursed' applies.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.5:

'Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role'

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

REGIONAL IMPLICATIONS

The Southern Link VROC Strategic Directions 2015-2020 identifies under Governance at Goal Two (*Provide sub regional leadership through the VROC*) the following action:

'Continue to develop and discuss options for reform and best practice in local government.'

OFFICER COMMENT

The program for the 2016 WALGA Convention and Trade Exhibition is attached for Councillors' information. In addition to previously authorised councillors, Cr Hamblin has expressed a desire to attend.

It is the intention of the CEO to also attend the Convention and AGM.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Councillor J Hamblin be authorised to attend the WALGA Local Government Convention and Trade Exhibition from 4 August 2016 to 5 August 2016 and that the associated costs be charged to account 20026.0032 (Local Government Convention) and account 20026.0029 (Conferences, Training and Accommodation).

CARRIED (8/0)

NO. 116/16

11.2 CONFERENCE ATTENDANCE - COUNCILLOR J OLDFIELD - AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION INC NATIONAL SALEYARDS EXPO

Cr J Moir

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

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

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

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

File Ref: **N38209**
Responsible Officer: **Rob Stewart**
Chief Executive Officer
Author: **John Fathers**
Deputy Chief Executive Officer
Proposed Meeting Date: **21 June 2016**

PURPOSE

The purpose of this report is to seek authority for Councillor John Oldfield to attend the 2016 Australian Livestock Markets Association Inc (ALMA) National Saleyards Expo.

BACKGROUND

The 2016 ALMA National Saleyards Expo is to be held in Bendigo on 27 and 28 July 2016. The Saleyards Manager, Stewart Smith will attend the conference and make a presentation on the Gate to Plate Challenge initiative.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

The registration for the conference is \$550.00, plus \$185.00 for Meet and Greet Sponsor's night and Expo Dinner. Accommodation for four nights will be approximately \$1,000.00. Air fares to and from Melbourne will be approximately \$500.00, plus approximately \$400.00 for travel and other expenses (such as hire car and airport parking).

POLICY IMPLICATIONS

Council Policy No. CE/CS/1 applies. This policy notes that elected members shall receive reimbursement of expenses while attending 'Conferences and Training Sessions specifically authorised by the Council.'

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

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

OFFICER COMMENT

The annual ALMA Expo is a key event on the livestock industry calendar. It provides a forum for the livestock industry across the nation to share ideas, knowledge and information.

A full conference program is attached, which has some very topical items of interest such as:

- Live internet bidding technology for saleyards - is it the way of the future?;
- Singleton's experience in implementing a compulsory saleyard induction program
- Saleyard interactions with animal welfare proponents - the Barnawatha experience;
- Australian Animal Welfare Standards and Guidelines;

Previous attendees have benefitted and the knowledge gained from exposure to industry trends has resulted in improvements at the Saleyards. Attendance by Cr Moir was previously approved by the Council at its meeting held on 24 May 2016, however he is now unable to attend. Therefore, attendance by Councillor Oldfield is recommended.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr S Etherington:

That:

1. **Councillor John Oldfield be authorised to attend the Australian Livestock Markets Association Inc National Saleyards Expo to be held in Bendigo on 27 and 28 July 2016.**
2. **The expenditure be charged to Budget Item Saleyards – Conferences and Training – 21320.0029.**

CARRIED (8/0)

NO. 117/16

12 CONFIDENTIAL**12.1 WORKS AND SERVICES REPORTS****12.1.1 TENDER - CONSTRUCTION PLANT AND EQUIPMENT**

File Ref: N38116
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Dominic Le Cerf
Manager Works and Services
Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to consider submissions received for advertising of Tender CO7-1516 Panel of Suppliers – Construction Plant and Equipment.

12.2 CORPORATE SERVICES REPORTS**12.2.1 LOTS 812 AND 817 STONEY CREEK ROAD, PORONGURUP - SALE OF LAND FOR NON-PAYMENT OF RATES**

File Ref: N38020
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Leanne Briggs
Rates Officer
Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to recommend that authority be given for the sale of Lots 812 and 817 Stoney Creek Road, Porongurup for non-payment of rates in accordance with Section 6.64(1)(b) of the Local Government Act 1995.

12.2.2 WRITE OFF OF OUTSTANDING DEBTS

File Ref: N37902
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Emma Gardner
Accounts Officer
Proposed Meeting Date: 21 June 2016

PURPOSE

The purpose of this report is to recommend that the sundry debts totalling \$157.15 for the Happy Bull Kebab Company be written off.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

4:15pm That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public as the matters to be considered relate to:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) (iii) information about the business, professional, commercial or financial affairs of a person.

CARRIED (8/0)

NO. 118/16

MOTION TO PROCEED IN PUBLIC

Moved Cr L Handasyde, seconded Cr B Bell:

4:23pm That the meeting proceed in public.

CARRIED (8/0)

NO. 119/16

TENDER - CONSTRUCTION PLANT AND EQUIPMENT**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

That:

1. **Tender CO7-1516 Panel of Suppliers - Construction Plant and Equipment** be awarded to the following companies who will make up a Panel of Pre-Qualified Suppliers, at the schedule of rates specified in Attachment One:
 - a) Great Southern Sands;
 - b) GT & JT Couper;
 - c) Track West T/A Bill Gibbs;
 - d) Southern Haulage;
 - e) Palmer Earthmoving;
 - f) AD Contractors;
 - g) Fulcher Contracting;
 - h) Albany Drainage and Construction Services Pty Ltd;
 - i) NJ Healy and Sons; and
 - j) TriCoast Holdings Pty Ltd.
2. The schedule of rates Attachment One will apply for a period of 12 months from 1 July 2016 to 30 June 2017, with price adjustments to be negotiated and agreed by the Manager Works and Services after 12 months and 24 months.

CARRIED (8/0)

NO. 120/16

LOTS 812 AND 817 STONEY CREEK ROAD, PORONGURUP - SALE OF LAND FOR NON-PAYMENT OF RATES**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Bell, seconded Cr J Moir:

That in regard to rates outstanding on the properties Lots 812 and 817 Stoney Creek Road, Porongurup (Assessment Nos 148577 and 148627):

1. The Australian Securities and Investments Commission (ASIC) has been notified and has no objection to the Shire proceeding to sell the properties pursuant to the Local Government Act;
2. Contact has been made with the representatives for the mortgagee and caveator who were previously attempting to re-register the company and sell the land but this process has appeared to have stalled;
3. Proceedings by the Shire against a de-registered company cannot be commenced and there would be costs incurred in attempting to re-register the company to do so;

4. In the event that the Shire was able to commence proceedings in the manner referred to in clause 3 above, there is no guarantee a Property Seizure and Sale Order would be successful given there may be no equity in the properties due to the mortgage and caveat registered on the properties;
5. Having attempted to locate the owner of the properties, the Shire has discovered that the owner is a de-registered company with the property vested in ASIC; and
6. Authority be given for the sale of the land in accordance with Section 6.64(1)(b) of the Local Government Act 1995, for non-payment of rates.

CARRIED (8/0)

NO. 121/16

WRITE OFF OF OUTSTANDING DEBTS

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr S Etherington:

That the sundry debts totalling \$157.15 for the Happy Bull Kebab Company be written off.

CARRIED (8/0)

NO. 122/16

13 CLOSURE OF MEETING

4:24pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON_____ DATE: ____ / ____ / ____