



## ORDINARY MINUTES

**DATE:** Tuesday, 29 October 2013

**TIME:** 3:00pm

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

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

## **MEMBERSHIP – Quorum (5)**

### **Membership:**

Cr K Clements (Shire President)  
Cr B Bell  
Cr A Budrikis  
Cr S Etherington JP  
Cr L Handasyde (Deputy Shire President)  
Cr G Messmer  
Cr J Moir  
Cr J Oldfield  
Cr C Pavlovich

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

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:13pm 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 A Budrikis	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Deputy Shire President
Cr G Messmer	Councillor
Cr J Moir	Councillor
Cr J Oldfield	Councillor
Cr C Pavlovich	Councillor

### In Attendance:

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

There were two 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**

Nil

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

Nil

### **5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

Nil

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

Section 5.25 Local Government Act 1995

Nil

### **7 CONFIRMATION OF MINUTES**

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

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 8 October 2013 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (9/0)**

**NO. 275/13**

**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 TOWN PLANNING SCHEME NO. 3 – AMENDMENT NO. 60 - LOTS 200 AND 60 ALBANY HIGHWAY AND ROAD RESERVE, MOUNT BARKER

<b>File No:</b>	<b>N25867</b>
<b>Attachments:</b>	<a href="#">Location Plan</a> <a href="#">Amendment No. 60</a> (separate attachment)
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Peter Duncan</b> <b>Manager Development Services</b>
<b>Proposed Meeting Date:</b>	<b>29 October 2013</b>

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#### **PURPOSE**

The purpose of this report is to consider a proposed Amendment to Town Planning Scheme No. 3 to rezone Lot 200 and Road Reserve Albany Highway from Special Site R13 and unzoned to Special Site R7.

#### **BACKGROUND**

Council records show the owners of Lot 200 is the Commissioner of Main Roads and the owners of Lot 60 are Mr and Mrs S Smith. The unconstructed road reserve is owned by the Crown.

Lot 60 Albany Highway is occupied by the Mount Barker Caravan Park. Lot 200 Albany Highway is occupied by the recently restored Round House and was formerly part of the strata title Special Site zone north of Muir Highway.

When Muir Highway and the roundabout with Albany Highway were built as part of the northern bypass, the now Lot 200, was cut off from the main strata lot to the north.

Main Roads WA has been restoring the Round House to the satisfaction of the Heritage Council of WA as the building is heritage listed. Main Roads WA has been in negotiation with the owners of the caravan park with the aim of selling Lot 200 incorporating the Round House to them.

#### **STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Town Planning Regulations 1967 – these have set procedures for amending a Town Planning Scheme including, once initiated by the Council, referral to the Environmental Protection Authority (EPA) for 28 days. Once cleared by the EPA a 42 day advertising period applies. The Council must consider any submissions lodged within 42 days of the close of formal advertising and refer its

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recommendations to the Western Australian Planning Commission (WAPC) and the Minister within 28 days.

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Special Site R7 lists the Restricted Use as:

*‘Commercial development including caravan park other than Road House or Service Station.’*

Special Site R13 lists the Restricted Use as:

‘1. *Strata Lots*

- (i) Grouped dwelling subject to prior approval of the Council.*
- (ii) Home occupation subject to the prior approval of the Council.*
- (iii) Rural use ancillary to the use of the strata lot for residential purposes but excluding the keeping of pigs or any commercial rural activity.*
- (iv) No stock shall be kept on those wholly vegetated strata lots delineated on the Strata Guide Plan.*

2. *Common Property  
Rural Use’*

## **EXTERNAL CONSULTATION**

The Amendment will need to be advertised for 42 days with letters to affected landowners and government agencies, newspaper notices and a notice on site and on the Council’s notice board.

## **FINANCIAL IMPLICATIONS**

The fee of \$4,840.00 (inc GST) has been paid.

## **POLICY IMPLICATIONS**

There are no policy implications for this report.

## **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 strategies:

*‘Strategy 2.2.1 - Provide supportive planning and development guidance and liaison on major land development;’*

*‘Strategy 2.2.5 - Encourage industry, business and residential development that is consistent with the individual character of towns;’* and

*‘Strategy 2.2.6 - Support the conservation and maintenance of heritage buildings, heritage items and places of interest.’*

**OFFICER COMMENT**

The Round House building is on the Heritage Council of WA State Register. It is not listed as a Place of Heritage Value in Schedule 11 of TPS3 and is not contained within the Council's Municipal Heritage Inventory.

The proposal involves removing the Round House Lot 200 from Special Site R13 (strata and plantation land north of Muir Highway) and including it and the adjoining portion of unconstructed road reserve into the Special Site R7 zone (caravan park). A request is shortly to be lodged to close the unconstructed road reserve portion and to amalgamate it into Lot 60.

The Council at its meeting held on 25 May 2010 agreed to a revised Development Plan for the long term development of the caravan park. That plan did not include the subject Lot 200 and the unconstructed road reserve. Included with this Amendment No. 60 is a revised Development Plan that now includes the additional land area.

The Amendment also proposes updating the land particulars for Special Site R7 to delete reference to Lot 584 Reserve No. 28095 and to insert the current land details of Lot 60, Lot 200 and the unconstructed road reserve.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr C Pavlovich:**

**That:**

- 1. Amendment No. 60 to Town Planning Scheme No. 3 be initiated and referred to the Environmental Protection Authority in accordance with legislative requirements.**
- 2. Once authorised by the Environmental Protection Authority, the Amendment be advertised for a period of 42 days to enable comment to be made.**
- 3. After advertising, a further report be prepared for the Council to be presented no later than its meeting to be held in February 2014.**
- 4. Pursuant to Section 58 of the Land Administration Act 1997 local public notice be given of the proposal to permanently close the section of unnamed road reserve west of Albany Highway and that it be amalgamated into the adjoining Lot 60, as shown on the attached plan and that each person who is prescribed for the purposes of Section 58 be given written notice of the proposal and that submissions be invited.**
- 5. A further report on the road closure be prepared for the Council's consideration at the conclusion of the advertising of the road closure no later than its meeting to be held in February 2014.**

**CARRIED (9/0)**

**NO. 275/13**

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## 9.2 WORKS AND SERVICES REPORTS

Nil

## 9.3 COMMUNITY SERVICES REPORTS

### 9.3.1 ART LOAN AGREEMENT - RENEWAL

**File No:** N28415  
**Attachments:** [Loan Agreement 2013](#)  
**Responsible Officer:** Isabelle Draffehn  
Acting Manager Community Services  
**Author:** Donna McDonald  
Senior Administration/Human Resources  
Officer  
**Proposed Meeting Date:** 29 October 2013

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### PURPOSE

The purpose of this report is to recommend the renewal of the Art Loan Agreement for the Acquisitive Art Collection to the Mount Barker Community Resource Centre (CRC).

### BACKGROUND

The Art Loan Agreement between the Shire of Plantagenet and the CRC to display the Acquisitive Art Collection which was put in place in November 2011 has now expired.

The agreement allows the CRC to display 27 pieces of art at the centre. The Shire of Plantagenet is responsible for maintaining the appropriate level of insurance. The CRC is responsible for payment of any excess arising from a claim being lodged.

### STATUTORY ENVIRONMENT

There are no statutory implications for this report.

### EXTERNAL CONSULTATION

Consultation has occurred with Stephen Shoebridge, Manager of the CRC and CRC Administration Assistant, Sharlene Waenga.

### FINANCIAL IMPLICATIONS

There are no financial implications for this report.

### POLICY IMPLICATIONS

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013 – 2023 provides at Outcome 1.8: (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy:

*‘Strategy 1.8.3 – Support the provision of appropriate, accessible arts facilities and activities to encourage artistic and cultural expression.’*

**OFFICER COMMENT**

The display of the Acquisitive Art Collection at the CRC complements the Claude Hotchin pieces which are permanently displayed in the Mount Barker Library. It also ensures that the art is accessible to both the community and visitors to the area.

It is recommended that the agreement be renewed for a further one year term subject to the same terms and conditions.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That:**

- 1. The renewal of the Art Loan Agreement (Acquisitive Collection) with the Mount Barker Community Resource Centre as attached be endorsed.**
- 2. The Chief Executive Officer be authorised to sign the Agreement referred to in part 1 above.**

**CARRIED (9/0)**

**NO. 276/13**

## 9.4 CORPORATE SERVICES REPORTS

### 9.4.1 BUDGET REVIEW – SEPTEMBER 2013

<b>File No:</b>	<b>N28359</b>
<b>Responsible Officer:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>29 October 2013</b>

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#### **PURPOSE**

The purpose of this report is to review and adjust the adopted 2013/2014 Annual Budget to recognise variations in actual income and expenditure.

#### **BACKGROUND**

The 2013/2014 annual budget was adopted by the Council at a special meeting on 9 July 2013. This is the first quarterly review of the 2013/2014 Annual Budget. The Local Government (Financial Management) Regulations 1996 require that local governments conduct a budget review between 1 January and 31 March in each financial year.

#### **STATUTORY ENVIRONMENT**

There is no specific section of the Local Government Act 1995 that deals with the re-allocation of funds however Section 6.2(1) of the Local Government Act 1995 governs budget requirements for local governments.

Local Government (Financial Management) Regulations 1996. Regulation 33A states:

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

*\*Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.'*

### **FINANCIAL IMPLICATIONS**

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended effect on the budget is \$nil.

### **POLICY IMPLICATIONS**

There are no policy implications for this report.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

### **OFFICER COMMENT**

In terms of operating result, operating income is currently 4% under (year to date) budget and operating expenditure is 7% below (year to date) budget which is a good result.

Prior to the Council meeting held on 8 October 2013, the Chief Executive Officer briefed Councillors regarding the fact that grant funds for Stages 2 and 3 of Sounness Park from the Regional Development Australia Funds (Round 4) totalling \$1,004,300.00 is in jeopardy due to the change in Federal Government. In addition, due to that, CSRFF grant funding for Stages 2 and 3 may also not be considered.

It was also mentioned that, since the adoption of the 2013 State Budget, the State Government has discontinued the Country Local Government Fund and that at least one (2013/2014 Allocation) and perhaps two years' worth of grant funding may not be forthcoming. Unfortunately, the worst case scenario has transpired, as verbal advice has been received from the Department of Regional Development and Lands that the 2012/2013 Country Local Government Fund allocation of \$593,798.00 is no longer available. This sum has formed part of the predicted income for Stage 1 of the Redevelopment of Sounness Park since the early stages of this project.

The Great Southern Development Commission has been assisting the Shire with the preparation of a business case for replacement funding, in the event that this decision was made. However, the likelihood that this funding can be replaced from other external sources is low. Consideration is being given to the options for dealing with this shortfall and a report will be presented to the Council at its November meeting.

A number of other issues are worthy of a budget amendment and the following action is recommended:

- Commonwealth financial assistance grants information has now been finalised. Together, these are significantly below the figures advised around the time the budget was adopted. While the General Purpose Grant is \$38,352.00 higher, the Roads component is \$92,311.00 lower than predicted. This is due to the decrease in total pool of Commonwealth funds available for distribution.
- In regard to the purchase of passenger vehicles, a small over-expenditure of \$1,345.00 was made in purchasing the Shire President's vehicle. A net saving

of \$19,923.00 has been achieved in the purchase of the Deputy Chief Executive Officer's vehicle.

- A sum of \$12,026.00 has been paid to other local governments for two former staff members' long service leave components. It is recommended that this amount be recouped from the Employee Entitlements Reserve, which has been set up for this purpose.
- Advice has been received from the Department of Fire and Emergency Services that the approved capital grant for 2013/2014 is a 2.4 rural tanker for the Perillup Bush Fire Brigade, at an amount of \$334,270.00, although this is a \$nil adjustment. Advice has also been received that the operating grant has been set at \$10,584.00, reflecting \$866.00 uncommitted funds carried over from 2011/2012.
- The Southern Link VROC has been developing a number of improvement projects associated with waste management sites, which are to be funded from the shared component of the 2010/2011 Country Local Government Fund. The improvement projects the Shire of Plantagenet waste disposal sites are as follows:
  1. Porongurup - (\$65,174.74) – Reconstruct concrete bunker fence and returns. Concrete the bin set down area and improve the hard stand of the elevated platform. Stabilise the barriers and erect safety railing around the elevated site. Construct simple lean-to cover for lead acid batteries. Erect perimeter fence.
  2. Kamballup - (\$63,334.78) – Construct new transfer station at the front of the existing landfill site. Undertake minor clearing and fence perimeter. Construct elevated platform to assist drop off of rubbish into separate bin infrastructure for putrescibles and co-mingled recyclables. Provide area for separation of green waste and minor metals with larger items and builders' rubble escorted into existing landfill when required. Relocate entrance to improve safety and visibility.
  3. Kendenup - (\$25,174.82) – Stabilise batters on elevated site. Erect safety railing around elevated areas. Improve hard stand at waste drop off area. Construct simple lean-to cover for lead acid batteries. Extend perimeter fence.
  4. Rocky Gully (\$15,391.85) – Stabilise batters around existing elevated platform. Erect safety railing to prevent falls. Fence site perimeter and cap existing trenches, provide cleared area for better separation of green waste from other putrescibles or recyclables.

New capital expenditure and income accounts have been created accordingly. In addition, depreciation on the new Bomag Waste Compactor and CAT 267B Skid Steer Loader had not been included in the relevant budget item. A figure of \$21,700.00 has been added which has a \$nil cash impact. As this constitutes a non cash item, the recommendation at the end of this report shows a \$21,700.00 difference between the adopted budget and the new budget.

- Councillors will recall that, for the first time, this year's budget included a number of capital renewal accounts, which were designed to more accurately account for small items of unplanned capital expenditure, in line with asset

management principles. The Budget Item for building renewal on Shire halls has been overspent due mainly to the need for new cupboards and hot water system at the Plantagenet District Hall. It is recommended that this budget item be increased from \$5,500.00 to \$10,000.00.

Further to this, the maintenance Budget Item for Shire halls is overspent due particularly to the need to replace two stoves in the Lesser Hall and to disconnect the stove at the Rocky Gully Hall. It is recommended that this item be 'topped up' with \$5,797.00, the remaining savings in the budget review. It is hoped that some of these incidents will be covered by insurance, however any such income will be reflected separately.

- A sum of \$5,000.00 was included in the budget for tiling in the showers at the Mount Barker Swimming Pool. Further consideration has been given to this item and the preference now is to paint the ceilings. It is recommended that this budget item be re-named and be reduced to \$3,000.00. A budget item for the re-tiling will be included in the draft 2014/2015 budget. An unbudgeted sum of \$5,343.00 has also been received from the Mount Barker Amateur Swimming Club as a contribution towards the new diving blocks at the pool.
- The Council has been successful in securing a Lotterywest grant of \$30,916.00 for a hard court Basketball court and drinking fountain in the Kendenup Rail Reserve. New capital expenditure and income accounts have been created accordingly.
- At its meeting held on 8 October 2013, the Council resolved that:
  - '1. A financial assistance grant of \$1,040.00 be made to the Mount Barker Wildflower Competition Committee for the hire of the Plantagenet District Hall from 23 October to 4 November 2013, with such expenditure being charged to Budget Item 'Other Recreation and Culture – Donations'.
  2. The over expenditure in Part 1 above be dealt with in the next review of the 2013/2014 budget.'

This over-expenditure to Budget Item Other Recreation and Culture – Donations' has been incorporated in the budget review.

- As indicated above, this year's budget included a number of capital renewal accounts, which were designed to more accurately account for small items of unplanned capital expenditure. The Budget Item for minor road renewals is currently \$59,034.00, compared to the budget figure of \$40,000.00. It is recommended that this budget item be increased to \$200,000.00 with a corresponding reduction to the operating road maintenance account.
- A \$40,000.00 recoup for 2012/2013 TIRES project – Spencer Road – Second Coat Seal was not included in the 2013/2014 budget. This can now be added as additional income.
- As discussed in a Council meeting recently, the standpipe controllers in Mount Barker and Kendenup need to be upgraded due to the current technology now being outdated for repairs and maintenance of circuit boards. The current circuit boards are also running out of room for new users. A sum of \$10,000.00 was included in the 2013/2014 budget, however there is a need for an additional \$5,000.00 so that the main three controllers can be upgraded at the same time.



**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr S Etherington:

That the budget review for the period 1 July 2013 to 30 September 2013 be adopted and the 2013/2014 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
10007.0212	Grants Commission Grant - Equalisation - Untied	\$282,534	\$320,886	\$38,352
10008.0211	Grants Commission Grant - Road Maintenance - Untied	\$461,624	\$369,313	(\$92,311)
50401.0006	Purchase Vehicle - Governance	(\$42,320)	(\$42,028)	\$292
40401.0105	Trade In Vehicle - Governance	\$40,000	\$38,363	(\$1,637)
50417.0006	Purchase Vehicle - DCEO	(\$53,563)	(\$35,458)	\$18,105
40417.0105	Trade In Vehicle - DCEO	\$24,545	\$26,364	\$1,819
20047.0311	Employee Costs - Long Service Leave Disbursements	\$0	(\$12,026)	(\$12,026)
40415.0486	Transfers from Reserve Funds	\$0	\$12,026	\$12,026
51434.0006	Fire Truck - New - Perillup BFB(Non Cash)	(\$160,000)	(\$334,270)	(\$174,270)
10511.0534	Grant Income(Non Cash) - New Perillup BFB Truck	\$160,000	\$334,270	\$174,270
10055.0089	SES - Operating Grant	\$11,450	\$10,584	(\$866)
51001.0252	Waste Disposal Site Upgrades (VROC)	\$0	(\$169,077)	(\$169,077)
41003.0450	Grants & Contributions - Waste Disposal Sites	\$0	\$169,077	\$169,077
20164.0036	Waste Disposal - Dep'n - Plant, Machinery & Equip	\$0	(\$21,700)	\$0
51406.0252	Halls - Building Renewal	(\$5,500)	(\$10,000)	(\$4,500)
20193.0010	Halls - Building Maintenance	(\$20,000)	(\$25,797)	(\$5,797)
51408.0252	Pool - Retile Showers	(\$5,000)	\$0	\$5,000
51408.0252	Pool - Repaint Ceiling in Showers	\$0	(\$3,000)	(\$3,000)
41040.0450	Grants & Contributions - Swimming Pool	\$0	\$5,343	\$5,343
11101.0477	Other Income - Other Programs and Courses	\$0	\$250	\$250
51562.0251	Kendenu Rail Reserve - Hard Court Basketball	\$0	(\$30,916)	(\$30,916)
41120.0489	Lotterywest Grant - Hard Court Basketball	\$0	\$30,916	\$30,916
20221.0255	Other Recreation and Culture - Donations	(\$22,064)	(\$23,104)	(\$1,040)
11109.0354	Reimbursements - Club Development Officer Program	\$16,010	\$21,000	\$4,990
51276.0250	Roadworks - Minor Renewal	(\$100,000)	(\$200,000)	(\$100,000)
20225.0126	Road Maintenance - General	(\$1,235,000)	(\$1,135,000)	\$100,000
41201.0205	Direct Road Grants - TIRES/Commodity Route Grants	\$386,874	\$426,874	\$40,000
51340.0358	Standpipe Controller Upgrades	(\$10,000)	(\$15,000)	(\$5,000)
	<b>TOTAL</b>	<b>(\$270,410)</b>	<b>(\$292,110)</b>	<b>\$0</b>

**CARRIED (9/0)****NO. 277/13****Absolute Majority**

**9.4.2 REQUEST TO WRITE OFF STANDPIPE CHARGES – DJ & AR WRIGHT**

**File No:** N28408  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 29 October 2013

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**PURPOSE**

The purpose of this report is to consider a request from DJ & AR Wright to reduce a recent account for standpipe charges to reflect the 2012/2013 charge.

**BACKGROUND**

In adopting the 2013/2014 budget, the Council increased the standpipe water charges from \$1.70 per kL to \$2.25 per kL. The budget was adopted on 9 July 2013, although the charges have been backdated to 1 July 2013.

DJ & AR Wright took approx 2,301 kl of water from 1 July to 31 August 2013. An account for \$5,176.78 (ex GST) was subsequently issued.

Mr and Mrs Wright have advised that they were unaware of the extent of the increase in charges and have not had an opportunity to recover those costs from customers. They have requested that these amounts be amended to reflect the 2012/2013 charge.

**STATUTORY ENVIRONMENT**

Section 6.12(1) (c) of the Local Government Act states:

*'(1) Subject to subsection (2) and any other written law, a local government may –  
(c) Write off any amount of money, which is owed to the local government.'*

**FINANCIAL IMPLICATIONS**

The impact would be to write off a sum of \$1,265.44 from the account. In addition, the Council is asked to apply the 2012/2013 charges to the September account, although this amount is not currently known, as a reading has not been taken. The Mount Barker standpipe circuit board is currently broken and cannot be read.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

Mr and Mrs Wright operate a local water carting service. The Shire has increased its standpipe water charges to reflect increased water costs and the administration of the system. Mr and Mrs Wright were unaware of the significant increase in charges,

some of which was taken prior to the adoption of the budget. The request is supported.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Bell, seconded Cr C Pavlovich:

That:

1. A sum of \$1,265.44 be written off from DR & AR Wright's sundry debtor account for July and August 2013 standpipe water.
2. Mr and Mrs Wright's account for September 2013 standpipe water be charged at \$1.70 per kL.

**CARRIED (9/0)**

**NO. 278/13**

**Absolute Majority**

**9.4.3 FINANCIAL STATEMENTS – SEPTEMBER 2013**

<b>File No:</b>	<b>N28360</b>
<b>Attachment:</b>	<a href="#">Financial Statement (separate attachment)</a>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Brendan Webb</b> <b>Accountant / Office Manager</b>
<b>Proposed Meeting Date:</b>	<b>29 October 2013</b>

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**PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the month ending 30 September 2013.

**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.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr G Messmer:**

**That the Financial Statements for the month ending 30 September 2013 be received.**

**CARRIED (9/0)**

**NO. 279/13**

**9.4.4 LIST OF ACCOUNTS - SEPTEMBER 2013**

**File No:** N28380  
**Attachment:** [List of Accounts – September 2013](#)  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Emma Gardner  
Accounts Officer  
**Proposed Meeting Date:** 29 October 2013

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of September 2013.

**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 (28 May 2013). 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 C Pavlovich:

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 September 2013 be received and recorded in the minutes of the Council, the summary of which is as follows:

- a. Electronic Payments and Direct Debits totalling \$761,989.44;
- b. Municipal Cheques 44029 – 44078, 44080 – 44081 and 44098 - 44105 totalling \$332,872.22;
- c. Trust Cheques 346 – 352 totalling \$20,728.44; and
- d. Cancelled cheques 44079 and 44082 – 44097.

**CARRIED (9/0)**

**NO. 280/13**

### 9.4.5 POLICY REVIEW - OP/HRP/1 - RECOGNITION OF COUNCILLORS AND STAFF

**File No:** N28278  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 29 October 2013

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#### PURPOSE

The purpose of this report is to review policy OP/HRP/1 – Recognition of Councillors and Staff.

#### BACKGROUND

This policy was last reviewed by the Council at its meeting held on 20 December 2011.

#### STATUTORY ENVIRONMENT

Local Government Act 1995

It is a requirement under Section 5.50 (1) of the Local Government Act 1995 (the Act) that:

*‘(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out –*

- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and*
- (b) the manner of assessment of the additional amount,*

*and cause local public notice to be given in relation to the policy.’*

Local Government (Administration) Regulations

Section 19A(1) of the Local Government (Administration) Regulations states that:

*‘(1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total -*

- (a) the value of the person’s final annual remuneration, if the person -*
  - (i) accepts voluntary severance by resigning as an employee; and*
  - (ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;*
- or*
- (b) in all other cases, \$5,000.’*

#### FINANCIAL IMPLICATIONS

There are minimal financial implications for this report in the way of certificates, plaques and gifts.

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**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

It is considered that this policy is sufficient and should be endorsed.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

Moved Cr C Pavlovich, seconded Cr A Budrikis:

That Council Policy No. OP/HRP/1 – Recognition of Councillors and Staff as follows:

**OBJECTIVE:**

To provide guidelines for the approval and procedures for the recognition of service provided to the community by Councillors and staff.

**POLICY:**

The Council will make the following payments/presentations to sitting and or retiring Councillors and staff for continuous periods of service:

1. Councillors – Upon Retirement
  - 1.1 Up to and including four years of office:

A Certificate of Appreciation.
  - 1.2 Greater than four years and up to and including eight years of office:

A Certificate of Service and gift up to the value of \$200.00.
  - 1.3 Greater than eight years and up to and including 12 years of office:

A Certificate of Service and gift to the value of \$300.00.
  - 1.4 Greater than 12 years of office:

A Certificate of Service and gift to a maximum value of \$400.00.

In the event that a sitting or retiring Councillor has performed an extensive range of functions on behalf of the municipality which are beyond that normally associated with a Councillor's day to day duties, the Council may, at its discretion:

- a) grant the title of 'Honorary Freeman of the Municipality'; or
- b) nominate the Councillor for any awards (where applicable) associated with the:
  - (i) Queen's Birthday Honours;

- (ii) Australia Day Honours; and/or
- (iii) Local Government Association Honours.

**2. Staff – Upon Retirement**

**2.1 Less than four years of service:**

**Certificate of Appreciation.**

**2.2 Greater than four years but less than 10 years of service:**

**A Certificate of Service and a gift up to the value of \$200.00.**

**2.3 Greater than 10 years of service:**

**A Certificate of Service and a gift to the value of \$400.00 may be presented by the Shire President or a Councillor nominated by the Shire President. The value of the gift may be increased to a maximum of \$500.00 with the approval of the President, Deputy President and Chief Executive Officer.**

**The Chief Executive Officer is authorised to arrange a suitable function if deemed necessary.**

**3. Councillors and Staff – During Office/Service**

**3.1 Councillors and staff will be presented with the following as recognition of their services to the Shire of Plantagenet while still in office or employed with the Shire of Plantagenet.**

- (i) During their 10th year of office/service:

**Certificate of Recognition;**

- (ii) During their 20th year of office/service:

**A Plaque of Recognition; and**

- (iii) During their 30th year of office/service:

**A Gift of Recognition valued between \$50.00 and \$150.00.**

**The Chief Executive Officer is authorised to arrange a suitable function to present these tokens of appreciation.**

**3.2 Notwithstanding Clause 3.1 above, the Council may, at its discretion and by resolution, at any time, present a member of the Council or staff with a gift greater than that contained in the policy, to a maximum value of \$500.00, if the Council is of the opinion that such action is warranted having regard to that Councillor's or staff member's service to the community and/or the Council.**

**This Policy has been made in accordance with Section 5.50 of the Local Government Act 1995.'**

**be endorsed.**

**AMENDMENT**

Moved Cr J Moir, seconded Cr B Bell:

That part 1.4 b) (i) and part 1.4 b) (ii) be deleted from the policy and part 1.4 b) be recast accordingly.

CARRIED (9/0)

NO. 281/13

**AMENDMENT**

Moved Cr A Budrikis, seconded Cr C Pavlovich:

That at part 3.1 (iii) the amount of '\$50.00' be deleted and replaced with '\$400.00' and the figure '\$150.00' be deleted and replaced with '\$500.00'.

CARRIED (7/2)

NO. 282/13

**COUNCIL DECISION**

That Council Policy No. OP/HRP/1 – Recognition of Councillors and Staff as follows:

**OBJECTIVE:**

To provide guidelines for the approval and procedures for the recognition of service provided to the community by Councillors and staff.

**POLICY:**

The Council will make the following payments/presentations to sitting and or retiring Councillors and staff for continuous periods of service:

1. Councillors – Upon Retirement
  - 1.1 Up to and including four years of office:

A Certificate of Appreciation.
  - 1.2 Greater than four years and up to and including eight years of office:

A Certificate of Service and gift up to the value of \$200.00.
  - 1.3 Greater than eight years and up to and including 12 years of office:

A Certificate of Service and gift to the value of \$300.00.
  - 1.4 Greater than 12 years of office:

A Certificate of Service and gift to a maximum value of \$400.00.

In the event that a sitting or retiring Councillor has performed an extensive range of functions on behalf of the municipality which are beyond that normally associated with a Councillor's day to day duties, the Council may, at its discretion:

- a) grant the title of 'Honorary Freeman of the Municipality'; or
- b) nominate the Councillor for any awards (where applicable) associated with the Local Government Association Honours.

**2. Staff – Upon Retirement**

**2.1 Less than four years of service:**

Certificate of Appreciation.

**2.2 Greater than four years but less than 10 years of service:**

A Certificate of Service and a gift up to the value of \$200.00.

**2.3 Greater than 10 years of service:**

A Certificate of Service and a gift to the value of \$400.00 may be presented by the Shire President or a Councillor nominated by the Shire President. The value of the gift may be increased to a maximum of \$500.00 with the approval of the President, Deputy President and Chief Executive Officer.

The Chief Executive Officer is authorised to arrange a suitable function if deemed necessary.

**3. Councillors and Staff – During Office/Service**

**3.1 Councillors and staff will be presented with the following as recognition of their services to the Shire of Plantagenet while still in office or employed with the Shire of Plantagenet.**

**(i) During their 10th year of office/service:**

Certificate of Recognition;

**(ii) During their 20th year of office/service:**

A Plaque of Recognition; and

**(iii) During their 30th year of office/service:**

A Gift of Recognition valued between \$400.00 and \$500.00.

The Chief Executive Officer is authorised to arrange a suitable function to present these tokens of appreciation.

**3.2 Notwithstanding Clause 3.1 above, the Council may, at its discretion and by resolution, at any time, present a member of the Council or staff with a gift greater than that contained in the policy, to a maximum value of \$500.00, if the Council is of the opinion that such action is warranted having regard to that Councillor's or staff member's service to the community and/or the Council.**

This Policy has been made in accordance with Section 5.50 of the Local Government Act 1995.'

be endorsed.

**CARRIED (9/0)**

**NO.283/13**

**9.4.6 CONCESSIONAL FEES AND CHARGES POLICY (F/FC/1) - ADOPTION**

**File No:** N22129  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 29 October 2013

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**PURPOSE**

The purpose of this report is to adopt a new Concessional Fees and Charges Policy F/FC/1.

**BACKGROUND**

In conjunction with the adoption of the 2013/2014 budget, the Council adopted concessional fees for season and half season tickets at the Mount Barker Memorial Swimming Pool. A discussion with staff about eligibility for concessional entry has identified that a policy does not exist in regard to the eligibility for concessional rates to Shire facilities and services where they apply in the Council's Schedule of Fees and Charges.

The Shire has provided concessional prices for season tickets at the Recreation Centre for many years. Currently, people with any Commonwealth Health Care Card or a Western Australian Seniors Card are deemed to be eligible.

**STATUTORY ENVIRONMENT**

There are no direct statutory implications for this report. Nevertheless, it is pertinent to note that the Rates and Charges (Rebates and Deferments) Act 1992 requires the following cards in order for a rebate to apply on Shire property rates:

- Pensioner Concession Card (50% of rates);
- Commonwealth Seniors Health Card and Western Australian Seniors Card (50% of rates); or
- Western Australian Seniors Card (25% of rates).

No other cards enable a rebate on property rates.

The various concession cards that are issued by the Commonwealth and Western Australian State Government are as follows:

**Pensioner Concession Card**

This card gives cardholders access to Australian Government health concessions and helps with the cost of living by reducing the cost of certain goods and services. People are entitled to a Pensioner Concession Card if they receive any of these payments:

- Age Pension;
  - Bereavement Allowance;
  - Carer Payment;
-

- Disability Support Pension;
- Newstart Allowance or Youth Allowance (job seeker) if the recipient is single, caring for a dependent child, and looking for work; or
- Parenting Payment (single).

A Pensioner Concession Card may be issued to people aged over 60 and for more than nine months have been receiving:

- Newstart Allowance;
- Parenting Payment (partnered);
- Partner Allowance;
- Sickness Allowance;
- Special Benefit; or
- Widow Allowance.

People may also get a Pensioner Concession Card if they have a partial capacity to work and are receiving:

- Newstart Allowance;
- Parenting Payment (partnered); or
- Youth Allowance (job seeker).

### **Commonwealth Seniors Health Card**

This card gives older Australians access to cheaper prescription medicines, Australian government funded medical services, and other government concessions. To qualify for a Commonwealth Seniors Health Card a person must:

- Have reached Age Pension age but does not qualify for a payment from Centrelink or the Department of Veterans' Affairs;
- Meet an income test; and
- Meet residence requirements.

### **Health Care Card**

This card provides help with the cost of prescription medicine, Australian government funded medical services, and access to state and territory concessions. People are issued with a Health Care Card if they reside in Australia and get any of these payments:

- Newstart Allowance;
- Sickness Allowance;
- Youth Allowance (job seekers only);
- Partner Allowance;
- Parenting Payment (partnered);
- Widow Allowance;
- Special Benefit;
- Carer Payment for short-term or episodic care under six months;
- Exceptional Circumstances Relief Payment for farmers;

- Family Tax Benefit Part A (maximum rate only);
- Mobility Allowance (if the recipient is not receiving a Disability Support Pension); or
- Carer Allowance (caring for a child under 16 years). The Health Care Card is for the child in care only.

### **Low Income Health Care Card**

This card gives low income earners access to cheaper prescription medicines, and various concessions from government and private organisations. People may be eligible for a Low Income Health Care Card if they are on a low income and meet the Low Income Health Care Card income test.

Students and Apprentices who receive Youth Allowance, ABSTUDY or Austudy, do not automatically receive a Health Care Card but may still qualify for a Low Income Health Care Card. A Health Care Card will automatically be issued to a person residing in Australia and getting any of these payments:

- Newstart Allowance;
- Sickness Allowance;
- Youth Allowance (job seekers only);
- Partner Allowance;
- Parenting Payment (partnered);
- Widow Allowance;
- Special Benefit;
- Carer Payment for short-term or episodic care under six months;
- Exceptional Circumstances Relief Payment for farmers;
- Family Tax Benefit Part A (maximum rate only);
- Mobility Allowance (if the recipient is not receiving a Disability Support Pension); or
- Carer Allowance (caring for a child under 16 years). The Health Care Card is for the child in care only.

### **Ex-Carer Allowance (Child) Health Care Card**

This card entitles cheaper medicines and some other concessions. Eligibility for the Ex-Carer Allowance (caring for a child under 16 years) Health Care Card is to people who:

- Are aged between 16 and 25 years;
- Are a full-time student;
- Were receiving a Carer Allowance Health Care Card on the day before they turned 16 years of age; or
- Meet residence requirements.



### **Foster Child Health Care Card**

A Foster Child Health Care Card gives foster carers access to cheaper medicines and some other concessions for foster children in their care. The card is not subject to an income or asset test.

People may be eligible for a Foster Child Health Care Card if they are a foster carer or caring for another person's child. Anyone, such as a grandparent, sibling or aunt, who is caring for a child that is not their natural or adopted child, is an informal foster carer and may be eligible. The card is issued in the name of the child in care.

### **Veterans Health Cards**

#### Gold card holders

Holders of a Gold Card (the Repatriation Health Card - For All Conditions) are entitled to the full range of health care services at the Department of Veterans Affairs' (DVA) expense including medical, dental and optical care, within Australia. They are also entitled to aids and appliances to help them to remain in their home.

#### White Card holders

Holders of a White Card (the Repatriation Health Card – For Specific Conditions) are entitled to the full range of health care services at DVA expense but only in respect of those disabilities or illnesses accepted as service-related. A White Card may also be issued for treatment for non-service related cancer, pulmonary tuberculosis, post-traumatic stress disorder, clinical depression or severe anxiety disorders, or the symptoms of unidentifiable conditions (Gulf War veterans only), without the need to submit claim for payment for a disability compensation payment.

#### Orange Card holders

Orange Repatriation pharmaceutical benefits cards are issued to Commonwealth and allied veterans and mariners who:

- Have qualifying service from World War I or II; and
- Are aged 70 or over; and
- Have been resident in Australia for 10 years or more.

### **Western Australian Seniors Card**

Western Australia was the first state to introduce the Seniors Card in 1988 as a mark of the community's care and respect for seniors and in recognition of the contribution seniors make to the community. Seniors Card holders are entitled to a range of government concessions and discounts of 10% to 50% off the price of goods and services from over 500 businesses listed in the online WA Seniors Card Discount Directory.

Approximately 345,000 senior Western Australians have the WA Seniors Card. It is a lifelong card that does not need to be renewed, as long as the eligibility criteria, as follows, continues to be met:

- Aged 60 years or more;
- A permanent resident of Western Australia (include holders of the sub class 410 or 405 Visa who have lived in WA for a minimum of 5 years and reside in WA for a minimum of 6 months each year);

- Not in full time employment (i.e. work 25 hours or less per week, averaged over a 12 month period).

## FINANCIAL IMPLICATIONS

There will be some financial implications for this report, depending on the extent to which concessional benefits apply. The adopted 2013/2014 charges for the Swimming Pool and Recreation Centre are as follows:

### Swimming Pool

<b>Normal Entry</b>	
Under Five Years	\$2.00
Five - 16 Years	\$5.00
All Adults	\$5.00
Spectators (Day or Part)	\$1.50
Concession	\$3.00
Corporate Membership - Minimum 10 Purchases	\$70.00 each
<b>Season Tickets</b>	
Under Five Years	\$32.00
Five - 16 Years	\$75.00
Adult Season Tickets	\$75.00
Adult Season Tickets - Concession	\$45.00
Family Season Tickets - Two Adults & Two Children	\$215.00
- Additional family members	\$21.00
<b>Half Season Tickets</b>	
Under Five Years - Half Season Tickets - 1 February Onwards	\$20.00
Five - 16 Years - Half Season Tickets - 1 February Onwards	\$40.00
Adult - Half Season Tickets - 1 February Onwards	\$40.00
Concession - Half Season Tickets - 1 February Onwards	\$25.00

### Recreation Centre

<b>Entry to the Recreation Centre Hall</b>	
Under 5 Years (If not Involved in a Structured Activity)	Free
Under 5 Years (If Involved in a Structured Activity)	\$3.50
Students	\$3.50
Adults	\$6.00
Spectator (Non-Function)	\$1.50
Concession	\$3.50
<b>Entry to the Gymnasium</b>	
Adults	\$9.00
Concession	\$5.00
<b>Programs (Includes Entry for the Duration of the Activity)</b>	
Aerobics & Fitness Classes	\$8.00
Concession Charge	\$5.00

<b>Full Centre Memberships 'Gold' (7 Day - 6.00am-10.00pm Access)</b>	
ADULT	
- Twelve Months	\$425.00
FAMILY (Two Adults Only)	
- Twelve Months	\$780.00
CORPORATE (Minimum 10 purchases)	
- Twelve Months	\$383.50 each
CONCESSION	
- Twelve Months	\$270.00
<b>Full Centre Memberships 'Silver'</b>	
CHILDREN under 16	
- One Month	\$50.00
- Three Months	\$90.00
- Six Months	\$140.00
- Twelve Months	\$220.00
ADULT	
- One Month	\$75.00
- Three Months	\$140.00
- Six Months	\$240.00
- Twelve Months	\$375.00
FAMILY	
- One Month	\$120.00
- Three Months	\$240.00
- Six Months	\$375.00
- Twelve Months	\$680.00
CONCESSION	
- One Month	\$50.00
- Three Months	\$90.00
- Six Months	\$140.00
- Twelve Months	\$220.00
CORPORATE (Minimum 10 purchases)	
- Twelve Months	\$320.50
<b>Full Centre Memberships 'Gold' - Direct Debit Membership</b>	
ADULT	
- Twelve Months	\$486.00
FAMILY (Two Adults Only)	
- Twelve Months	\$814.00
CONCESSION	
- Twelve Months	366.00 each

<b>Full Centre Memberships 'Silver' - Direct Debit Membership</b>	
<b>ADULT</b>	
- Six Months	\$305.00
- Twelve Months	\$440.00
<b>FAMILY</b>	
- Six Months	\$440.00
- Twelve Months	\$728.00
<b>CONCESSION</b>	
- Six Months	\$206.00
- Twelve Months	\$297.00

Given that the fees and charges schedule includes fees for students and young people, concessional entry will not otherwise apply for people in those categories.

### **POLICY IMPLICATIONS**

This new policy will provide direction in regard to the eligibility for concessional rates to Shire facilities and services where they apply in the Council's Schedule of Fees and Charges.

### **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 1.3.5 – Review access to community services within the Shire.'*
- Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:  
*'Strategy 1.5.5 – Improve and promote Recreation Centre services and programs to encourage increased patronage.'*
- Outcome 1.6 (Quality of life for the aged) the following Strategies:  
*'Strategy 1.6.1 – Advocate the provision and promotion of services and facilities that meet the needs of the aged.'* and  
*'Strategy 1.6.3 – Support the provision of active ageing activities for seniors.'*

### **OFFICER COMMENT**

The adoption of a policy for concessional fees and charges depends on the Council's view about the specific target groups that should be eligible for discounted fees. The options are considered to be:

1. Supporting pensioners who are eligible for a Pensioner Concession Card; or
2. Supporting pensioners and seniors regardless of their capacity to pay; or
3. Encouraging the many different categories of people who may be financially or otherwise disadvantaged to use Shire facilities; or
4. A combination of these.

The main issues to be considered are that from a community health point of view, it is a strategic aim of the Shire to increase patronage at its Recreation Centre and

Swimming Pool. At the very least, the Council should be providing a discount to pensioners who are eligible for a Pensioner Concession Card. It may be considered appropriate to encourage people who might not otherwise be able to afford to make use of such facilities to get a discount, while people who can afford full price should pay the full price.

From a pricing point of view, the Shire needs to balance the provision of services while minimising the operating deficit of Shire facilities. Entry to both of these facilities is already heavily subsidised. While the proportion of pensioners and seniors using the pool has traditionally been quite low, of the current 319 members at the Recreation Centre, 27 hold a Pensioner Concession Card or WA Seniors Card, 77 hold a health care card and 21 hold a student card. The split up between Pensioner Concession Card and WA Seniors Card holders is unknown.

Some research was done into what fees and concessional arrangements apply for other swimming pools in comparable towns (see tables below):

### Swimming Pool Entry Fees

	Adult	Child	Concession	Eligibility	Spectator
<b>Mount Barker</b>	\$5.00	\$5.00	\$3.00		\$1.50
<b>Katanning</b>	\$4.50	\$4.00	\$3.50	Pensioner /Senior	\$2.00
<b>Bridgetown</b>	\$5.00	\$3.00	\$2.50	All Health Care Cards	\$1.50
<b>Kojonup</b>	\$4.50	\$4.00	\$4.00	Pensioner /Senior	\$1.50
<b>Collie</b>	\$5.00	\$2.50	\$2.50	Pensioner /Senior	\$nil
<b>Boyup Brook</b>	\$5.00	\$4.00	\$2.50	All Health Care Cards	\$2.50

### Swimming Pool Season Passes

	Adult	Concession
<b>Mount Barker</b>	\$75.00	\$45.00
<b>Katanning</b>	\$240.00	\$240.00
<b>Bridgetown</b>	\$150.00	\$150.00
<b>Kojonup</b>	\$158.00	\$120.00
<b>Collie</b>	\$150.00	\$75.00
<b>Boyup Brook</b>	\$150.00	\$80.00

It is considered that concessional pricing should be established to encourage low income earners to use the Shire's facilities. It is therefore recommended that the Council's policy should be that concessional entry be provided to people with a Pensioner Concession or Health Care Card.

### VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr G Messmer, seconded Cr J Moir:

That new Council Policy F/FC/1 – Concessional Fees and Charges, as follows:

**‘OBJECTIVE:**

To provide guidance in regard to the eligibility for concessional rates to Shire facilities and services where they apply in the Council’s Schedule of Fees and Charges.

**POLICY:**

The Council’s position is that eligibility for concessional rates will include people who have a Pensioner Concession Card or any Health Care Card.’

be adopted.

**CARRIED (9/0)**

**NO. 284/13**

**9.4.7 AMENDMENT TO LEASE - KENDENUP COUNTRY CLUB**

**File No:** N28386  
**Attachments:** [Amended Lease](#)  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Donna McDonald  
Senior Administration/Human Resources  
Officer  
**Proposed Meeting Date:** 29 October 2013

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**PURPOSE**

The purpose of this report is to recommend an amendment to the lease agreement for Reserve 41498 to the Kendenup Country Club.

**BACKGROUND**

The lease between the Shire of Plantagenet and the Kendenup Country Club Inc (KCC) for Reserve 41498, being Location 7675 Beverley Road, Kendenup was renewed on 1 July 2013 and subsequently endorsed by the Minister for Lands.

Correspondence was received from the KCC on 13 September 2013, requesting that the Shire remove Clause 3.16(1) (a) from the lease agreement. Clause 3.16(1) (a) requires the KCC effect and keep current, an insurance policy covering all buildings, fixtures and other improvements to the full replacement value against fire, explosion and all other risks. The KCC has kept current, a property insurance policy on the buildings since the initial lease agreement was entered into in July 1992.

The KCC has requested the property insurance clause be removed on the grounds that maintaining a property insurance policy has become a financial burden on the club when it is the Shire of Plantagenet and not the KCC that owns the buildings located at the leased premises.

**STATUTORY ENVIRONMENT**

Section 3.58 of the Local Government Act 1995 'Disposing of Property' applies to the disposition of property, including leasing.

Under 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 –*

- a) *The objects of which are charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- b) *The members of which are not enlisted or permitted to receive an pecuniary profit from the body's transactions.'*

The lease to the Kendenup Country Club Inc is an exempt disposition.

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The lease is subject to the Lands Administration Act 1997 and requires approval from the Minister for Lands.

#### **EXTERNAL CONSULTATION**

Consultation has occurred with Vice President of the KCC, Mr David Burcham and the Secretary of the KCC, Ms Cathy Davis.

#### **FINANCIAL IMPLICATIONS**

The estimated additional cost to insurance premiums is approximately \$2,000.00 per year.

#### **POLICY IMPLICATIONS**

Council policy A/I/1 – Insurance of Buildings on Council Controlled Land applies.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

#### **OFFICER COMMENT**

It is necessary for the Shire to effect and keep current, property insurance on Council owned premises which are subject to a lease agreement, as the Council has an insurable interest in the premises.

An investigation has been undertaken into the ownership of the buildings situated on the leased premises. Reserve 41498 was vested under the control of the Council, with power to lease, in 1991. In February 1992 the Shire received advice from Hudson, Henning and Goodman that once the Reserve was vested in the Council, all buildings and improvements were thereafter legally owned by the Shire of Plantagenet. Therefore, it is considered that the Council has an insurable interest in the buildings.

It is recommended that all buildings and improvements located on Reserve 41498 be added to the Council's Asset Register and Property Insurance Schedule. It is also recommended that Clause 3.16(1) (a) be removed from the lease agreement between the Shire of Plantagenet and the KCC in order to bring the lease into line with other lease agreements for Council owned property.

#### **VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr B Bell:

That:

1. The buildings and improvements situated on Reserve 41498, being Location 7675 Beverley Road, Kendenup be added to the Shire of Plantagenet Asset Register and Property Insurance Schedule.
2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the amended lease agreement between the Shire of Plantagenet and the Kendenup Country Club Inc for Reserve 41498, being Location 7675 Beverley Road, Kendenup.

**CARRIED (9/0)**

**NO. 285/13**

## **9.5 EXECUTIVE SERVICES REPORTS**

### **9.5.1 CHRISTMAS CLOSURE 2013/2014**

**File No:** N28390  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Linda Sounness  
Executive Secretary  
**Proposed Meeting Date:** 29 October 2013

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#### **PURPOSE**

The purpose of this report is to seek approval to close the Shire's facilities that are open to the public between Christmas and New Year – December 2012/January 2013.

The specific facilities are:

- Shire Administration Office
- Mount Barker Library
- Mount Barker Swimming Pool
- The Rec.Centre
- Mount Barker Regional Saleyards
- Waste Management Facilities

#### **BACKGROUND**

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

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **POLICY IMPLICATIONS**

There are no policy implications for this report.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

#### **OFFICER COMMENT**

The closure of specific Council facilities is an opportunity for all members of the staff to utilise two days which were negotiated as holidays as part of the Collective Agreement to be taken at mutually convenient times. These negotiated holidays were in lieu of repealed former Local Government holidays being Easter Tuesday and 2 January. The Chief Executive Officer has advised staff that he would prefer these holidays to be taken between Christmas and New Year wherever possible to minimise disruption to office routine.

This year Christmas Day falls on a Wednesday. The Council will be asked to close the Council's facilities from the close of business on Tuesday 24 December 2013, with normal business resuming on Thursday 2 January 2014.

Closing from the 25 December 2013 to Wednesday 1 January 2014 (inclusive) will involve staff taking an accumulated RDO or annual leave day for Tuesday 31 December 2013 with the balance of the days including two Local Government Days in Lieu, Christmas, Boxing and New Year's Day.

A skeleton staff will be working at the Shire Works Depot over the Christmas/New Year closure on the 'normal' working days that are not public holidays.

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

Closure days for the Administration office and Library would be:

- Wednesday 25 December 2013 Public Holiday (Christmas Day)
- Thursday 26 December 2013 Public Holiday (Boxing Day)
- Friday 27 December 2013 Local Government Day in Lieu
- Saturday 28 December 2013 (Library staff taking accumulated RDO or Annual leave)
- Monday 30 December 2013 Local Government Day in Lieu
- Tuesday 31 December 2013 (staff taking accumulated RDO or Annual leave)
- Wednesday 1 January 2014 Public Holiday (New Years Day)

Closure days for Waste Management Facilities would be:

- Kendenup Transfer Station – Wednesday 25 December 2013
- Porongurup Transfer Station – Wednesday 25 December 2013

Closure days for the Swimming Pool would be:

- Wednesday 25 December 2013

Open/Closure days for the Rec.Centre

- Monday 23 December 2013 to Wednesday 1 January 2013 (inclusive)
- Thursday 2 January and Friday 3 January 2013 – open for evening hours only (3pm – 8pm).

## **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr B Bell, seconded Cr L Handasyde:

That:

1. The Shire of Plantagenet's Administration Office and Mount Barker Public Library be closed from close of business on Tuesday 24 December 2013 with the resumption of normal services on Thursday 2 January 2014.
2. The Rec.Centre be closed on Monday 23 December 2013 until Wednesday 1 January 2014 inclusive. Interim services (reduced hours 3pm -8pm) will be available on Thursday 2 January 2014 and Friday 3 January 2014, with normal services resuming on Monday 6 January 2014.
3. The Kendenup and Porongurup Transfer stations be closed on Wednesday 25 December 2013.
4. The Mount Barker Swimming Pool be closed on Wednesday 25 December 2013.
5. The closures inclusive of public holidays be advertised locally.

**CARRIED (9/0)**

**NO. 286/13**

**9.5.2 OFFICE CLOSURE - CHRISTMAS CELEBRATION 2013**

**File No:** N28391  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Linda Sounness  
Executive Secretary  
**Proposed Meeting Date:** 29 October 2013

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**PURPOSE**

The purpose of this report is to seek the consent of the Council to close the Administration Office, Library, The Rec.Centre and Depot of the Council to allow staff to attend a Christmas celebration.

**BACKGROUND**

For the past few years the Indoor and Outdoor Social Clubs have held separate Christmas functions and sought permission to close the office/depot early to allow staff to attend. A donation of \$500.00 for each social club was previously sought to assist with the expenses.

This year, the Chief Executive Officer will arrange for a combined Staff Christmas function, including family, Councillors and partners.

**FINANCIAL IMPLICATIONS**

\$1,000.00 previously allocated in donations to the respective Social Clubs will be utilised with the balance of expenditure incurred for the Christmas Function allocated to Account 20030.0083 Refreshments and Receptions. A budget for this event is proposed at approximately \$2,000.00.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

It is suggested that the Administration Office, Depot, Library and The Rec.Centre will be closed from 3:00pm on Friday 13 December 2013 to enable all staff to attend the Christmas party.

The party will be held at the Mount Barker Swimming Pool. Staff who choose not to attend the function will be required to continue to work through to 5.00pm (where applicable).

There will be a qualified lifeguard on duty during the event.

Advertising for the proposed closure will need to occur.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr L Handasyde:

That:

1. For the better organisation of the annual Councillor/Staff Christmas Event to be held, authority be granted for the Shire of Plantagenet Administration Office, Library, Depot and Rec.Centre to be closed on Friday 13 December 2013 from 3.00pm.
2. The closure of the Office, Library, Depot and The Rec.Centre be advertised locally.

**CARRIED (9/0)**

**NO. 287/13**

**9.5.3 REGIONAL COUNCIL – ROAD CONSTRUCTION AND MAINTENANCE**

<b>File No:</b>	<b>N28447</b>
<b>Attachments:</b>	<a href="#"><u>Regional Council Proposal for Road Construction and Maintenance</u></a>
<b>Responsible Officer:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Rob Stewart</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>29 October 2013</b>

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**PURPOSE**

The purpose of this report is to seek a position from the Council relating to the further investigation for the establishment of a Regional Council between the Shires of Broomehill-Tambellup, Cranbrook, Kojonup and Plantagenet for the purpose of road construction and maintenance.

**BACKGROUND**

For the past several years, both the State Government and the WA Local Government Association have been emphasising the concept of regional cooperation between Councils. Although the Shire of Plantagenet has a good record of regional cooperation, including the Rainbow Coast Regional Council (actually a Voluntary Regional Organisation of Councils), the Great Southern Regional Council (Waste Disposal) and the Southern Link Voluntary Regional Organisation of Councils (VROC), potential possibilities for further cooperation can now be discussed.

Mr Anthony Middleton at the request of the Chief Executive Officer, prepared a report relating to the potential for the VROC to establish a Regional Council (RC) with responsibilities for road construction and road maintenance.

To assist the Council's VROC representatives, a Council position on this initiative would assist debate at the forthcoming full VROC meeting to be held on 6 November 2013 in Tambellup.

**STATUTORY ENVIRONMENT**

A Regional Local Government can be established pursuant to Section 3.61 of the Local Government Act 1995.

**EXTERNAL CONSULTATION**

Although the concept of the development of a Regional Local Government has been discussed many times at both a Council and a VROC level, no definitive path forward has been mooted.

**REGIONAL IMPLICATIONS**

The establishment of a Regional Local Government comprising the members of the Southern Link VROC has, by definition, regional implications.

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A Voluntary Regional Organisation of Councils has no status as a Corporate Body and cannot make decisions on its own behalf. A Regional Local Government, on the other hand, is constituted as a Body Corporate with Perpetual Succession and a Common Seal and therefore is able to make decisions.

### **FINANCIAL IMPLICATIONS**

It is too early to develop financial implications regarding the establishment of a Regional Local Government.

As is noted in the attached report prepared by Mr Middleton a Regional Local Government will have many of the overheads that any other Local Government will have. This is a prime consideration when establishing a Regional Local Government.

The purpose of the present report is to seek a position from the Council so that costs may be established to assist further decision making.

The development of a business case may cost in the vicinity of \$20,000.00.

### **POLICY IMPLICATIONS**

There are no policy implications for this report.

### **ASSET MANAGEMENT IMPLICATIONS**

The establishment of a Regional Local Government will have asset management implications.

A Regional Local Government established for the purpose of road construction and maintenance, would be undertaking work on Council assets (roads) and may also use Council plant.

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2013-2023 at Outcome 4.1 (Effective governance and leadership) provides the following Strategy 4.1.4:

*Strategy 4.1.4 - 'Support strategic alliances, stakeholders forums and advisory committees that assist Shire in Policy development and service planning.'*

Action 4.1.4.1 notes that *'the Council will actively investigate resource sharing initiatives with (its) VROC partners'*.

### **OFFICER COMMENT**

This report will recommend nothing more than the giving of advice to the Council's VROC representatives to assist in the discussion and debate regarding the potential for the creation of a Regional Council. That is, it is unknown at present whether or not a Regional Council is an effective and efficient way to undertake Council business. Therefore it is reasonable, should the Council agree, to indicate that the Council would support the investigation of such a proposition. Anything further would be premature.



**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That the Southern Link Voluntary Regional Organisation of Councils be advised that the Shire of Plantagenet supports the preparation of a business case regarding the establishment, pursuant to Section 3.61 of the Local Government Act 1995, of a Regional Local Government for the purpose of undertaking capital and maintenance road works on behalf of the member Councils.**

**CARRIED (5/4)**

**NO. 288/13**

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

Nil

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

Nil

**12 CONFIDENTIAL**

Nil

**13 CLOSURE OF MEETING**

4:25pm The Presiding Member declared the meeting closed.

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