



ORDINARY MINUTES

DATE: Tuesday, 6 October 2020

TIME: 3:00pm

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

Paul Sheedy
ACTING CHIEF EXECUTIVE OFFICER

Resolution numbers: 250/20 to 267/20

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	1
3	PUBLIC QUESTION TIME	2
3.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
3.2	PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995.....	2
4	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	2
4.1	PRESENTATIONS – INGOLDBY STREET JACKSON BUSHLAND RESERVE	2
5	DISCLOSURE OF INTEREST	2
6	APPLICATIONS FOR LEAVE OF ABSENCE	3
6.1	APPLICANT: CRS M O'DEA	3
7	CONFIRMATION OF MINUTES.....	3
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	3
9	REPORTS OF COMMITTEES AND OFFICERS.....	4
9.1	STRATEGIC DEVELOPMENT REPORTS	4
9.1.1	LOT 3 ALBANY HIGHWAY, MOUNT BARKER - MOUNT BARKER MEMORIAL SWIMMING POOL REDEVELOPMENT	4
9.1.2	POLICY REVIEW - HOUSING - RELOCATION OF HOUSES	10
9.1.3	POLICY REVIEW - SCHEME AMENDMENT REQUESTS	13
9.1.4	POLICY REVIEW - STATE ADMINISTRATIVE TRIBUNAL - COUNCILLOR REPRESENTATION	17
9.1.5	POLICY REVIEW – SKINNER PAVILION.....	19
9.2	WORKS AND SERVICES REPORTS.....	21

9.2.1	PROPOSED REMOVAL OF THE CRICKET PITCH AT FROST PARK OVAL	21
9.2.2	WATER STRATEGY DOCUMENT - PROGRESS REPORT	25
9.3	CORPORATE SERVICES REPORTS	30
9.3.1	POLICY REVIEW - HALL HIRE DONATIONS	30
9.3.2	POLICY REVIEW - HIRE OF COUNCIL CONTROLLED PROPERTY	32
9.3.3	POLICY REVIEW - PURCHASING AND TENDERING.....	34
9.4	EXECUTIVE SERVICES REPORTS.....	40
9.4.1	CHRISTMAS CLOSURE 2020/2021	40
9.4.2	COUNCIL MEETINGS SCHEDULE 2021	43
9.4.3	LOCAL GOVERNMENT REVIEW PANEL FINAL REPORT RECOMMENDATIONS	48
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	52
10.1	INVITATION TO STATE AND FEDERAL MEMBERS THE HON TERRY REDMAN MLA AND MR RICK WILSON TO JOIN COUNCILLORS FOR LUNCH.	52
10.2	MOBILE TELECOMMUNICATION PROVIDERS SURVEY.....	53
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	53
12	CONFIDENTIAL	53
13	CLOSURE OF MEETING.....	53

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

Members Present:

Cr C Pavlovich	Shire President
Cr J Oldfield	Deputy Shire President
Cr B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor (arrived 3:02pm)
Cr L Handasyde	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr K Woltering	Councillor

In Attendance:

Mr Paul Sheedy	Acting Chief Executive Officer
Mr Andrus Budrikis	Executive Manager Strategic Development
Mr John Fathers	Executive Manager Corporate Services
Mr David Lynch	Executive Manager Works and Services
Ms Nolene Wake	Executive Officer
Ms Kellie Evans	Administration Officer

Apologies:

Nil

Members of the Public Present:

There were four members of the public present.

Previously Approved Leave of Absence:

Cr M O'Dea requested Leave of Absence for 10 November 2020.

Emergency Evacuation Procedures/Disclaimer:

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

Mr Sheedy 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 PRESENTATIONS – INGOLDBY STREET JACKSON BUSHLAND RESERVE

The following members of the public addressed the Council on the proposed clearing permit CPS 8269/1 Ingoldby Street Reserve, Shire of Plantagenet.

- Mr Kevin Collins (attached)
- Ms Pat Ballantyne, represented by Mr Collins due to illness (attached)
- Mrs Jacqui Knight (attached)
- Ms Sarah Fraser (attached)
- Ms Veronica Rae (attached)

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

6.1 APPLICANT: CRS M O'DEA

Cr M O'Dea requested amended Leave of Absence for 9 - 13 November 2020 (inclusive).

Moved Cr L Handasyde, seconded Cr J Oldfield:

That Cr M O'Dea be granted Leave of Absence for 9 - 13 November 2020 (inclusive).

CARRIED (9/0)

NO. 250/20

7 CONFIRMATION OF MINUTES

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

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 8 September 2020 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 251/20

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 LOT 3 ALBANY HIGHWAY, MOUNT BARKER - MOUNT BARKER MEMORIAL SWIMMING POOL REDEVELOPMENT

File Ref:	N52690
Attachments:	<u>Mount Barker Memorial Swimming Pool Redevelopment Plans</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Vincent Jenkins Principal Planning Officer
Proposed Meeting Date:	6 October 2020

PURPOSE

The purpose of this report is to consider an application for development approval for Stages 1A and 1B of the redevelopment of the Mount Barker Memorial Swimming Pool at Lot 3 Albany Highway, Mount Barker.

BACKGROUND

Lot 3 Albany Highway, Mount Barker, is owned in fee simple by the Shire of Plantagenet.

The Council at its meeting held on 26 February 2019, confirmed the process to undertake a feasibility study into the redevelopment of the Mount Barker Memorial Swimming Pool by resolving:

'That:

1. *The Terms of Reference for the Feasibility Study into the refurbishment of the Mount Barker Memorial Swimming Pool, as follows:*

SCOPE OF WORKS

- a. *To Investigate and report on the social and financial viability of upgrades to the Mount Barker Memorial Swimming Pool facilities.*
- b. *To consider Mount Barker Swimming Pool as a regional facility and how upgrades meet the needs of the Great Southern region.*
- c. *Identify the upgrade option that will maximise access to the facility*
- d. *To investigate and report on any special facility needs that should be incorporated into the design (access and participation for seniors, disability access)*
- e. *To analyse planning and construction costs of alternative sites, designs and management models and make a recommendation for the best long term option.*
- f. *To provide concept plans appropriate for progression with funding bodies.*

METHODOLOGY

A number of research methods will be required to be undertaken during the development of the feasibility study. The methods used will include, but not limited to:

- Literature search;*
- Technical data, usage patterns;*
- Community surveys;*
- Direct interviews with key groups and individuals;*
- Community meetings/workshops;*
- Liaison with neighbouring local governments;*
- Site visits to other facilities;*
- Discussions with experienced facility managers.*

EXISTING DOCUMENTATION

The following documentation is to be referred to in the development of the Feasibility Study as a minimum requirement;

- Shire of Plantagenet – Strategic Community Plan 2017 – 2026*
- Shire of Plantagenet – Corporate Business Plan - 2016-17 - 2020-21*
- Shire of Plantagenet Long Term Financial Plan 2017/18 to 2032/2033*
- Shire of Plantagenet Strategic Asset Management Plan 2018/19 – 2027/28*
- Mount Barker Swimming Pool – Stage 1 – Condition Assessment (GHD Engineers)*
- Great Southern Regional Sport and Recreation Plan 2018*
- Shire of Plantagenet – Sport and Recreation Needs Analysis 2008*

be endorsed; and,

- 2. The intention of the CEO to call for expressions of interest from suitable consultants for the feasibility study be noted with a further report to be submitted no later than 23 April 2019.'*

Consulting Great Southern was commissioned to undertake the Feasibility Study for the Mount Barker Memorial Swimming Pool redevelopment with the final version completed in March 2020. The following reports were produced by Consulting Great Southern:

- Phase One Report: Community and Stakeholder Engagement, 29 August 2019.*
- Needs Assessment Report, October 2019.*
- Phase Three Report: Development Options Analysis.*

A separate report was also commissioned from GHD to investigate the structural integrity of the pool concrete shell. The GHD report, '*Mount Barker Swimming Pool*

Stage 2 Investigation – Remaining Life Assessment, December 2019 confirmed that corrosion in the reinforcement would not commence for at least 50 years and based on the tests undertaken the remaining life expectancy was expected to be at least 20+ years.

The Council at its meeting held 3 December 2019 resolved:

‘That the Recreation Advisory Committee recommendation that:

- 1. Option One based on the retention of the existing 50 metre pool be authorised for further development in conjunction with the consultant;*
- 2. The inclusion of a learn to swim pool be incorporated into the planning, the exact site of such pool to be determined;*
- 3. Future clubrooms, gymnasium, cafe, hydro-therapy pool and parking options also be incorporated;*
- 4. Funding options be investigated;*
- 5. A further report be prepared for consideration by 21 April 2020; and*
- 6. The consultant consider the following points as part of their report:*
 - a) The entrance be from the south;*
 - b) Refer to the Wagin pool development;*
 - c) Elevate the administration/ kiosk areas to enhance observation of the pool deck;*
 - d) Consider parking options; and*
 - e) Consider staging options so as to minimise the closing of the pool.*

be endorsed.’

The final version of the Feasibility Study was completed in February 2020.

The Council at its meeting held on 24 March 2020 resolved:

‘That:

- 1. The Mount Barker Memorial Swimming Pool Feasibility Study prepared by Consulting Great Southern be received.*
- 2. The detailed design phase of the project be authorised.*
- 3. The Entry, Change rooms and associated buildings and site works be prioritised.*
- 4. The construction phase commence in the 2020/21 financial year, subject to funding availability.’*

The Council at its meeting held on 14 July 2020 resolved:

‘That:

- 1. A project group to work with the architects on the schematic design and detailed design phases of the Mount Barker Pool Redevelopment be formed.*

2. *The project group consist of the members of the Recreation Advisory Committee, Executive Manager Strategic Development, Swimming Pool Manager and the Committee be authorised to co-opt other experts as may be required.*
3. *The Executive Manager Strategic Development shall provide a detailed time line for the Mount Barker Pool Redevelopment through to construction completion of the first construction stage as soon as is practicable.*
4. *The schematic design and cost estimate will be presented to the Council for adoption at a Special Council Meeting to be held on 1 September 2020.'*

The Recreation Advisory Committee met on 25 August 2020 to review the schematic design for the swimming pool redevelopment and recommended that:

- '1. The H+H Architects Stage 1A schematic plan for the Mount Barker Swimming Pool Redevelopment be endorsed by Council.*
- 2. Solar heating be adopted as the heat source for the swimming pools included in Stage 1 B and that the solar collectors be located on the plant room roof, shade structure roof and veranda roof of the main building.*
- 3. An application for funding from the Community Sport and Recreation Facilities Fund (CSRFF) be submitted for the construction of Stage 1A in the current round closing 11 September 2020.'*

The Recreation Advisory Committee also noted that there would be some more minor changes required to the design which would be dealt with in the detailed design phase.

The Council at a special meeting on 1 September 2020 resolved:

'That:

- 1. The H+H Architects Stage 1A schematic plan for the Mount Barker Swimming Pool Redevelopment be endorsed by the Council.*
- 2. Solar heating be adopted as the heat source for the swimming pools included in Stage 1B and that the solar collectors be located on the plant room roof, shade structure roof and veranda roof of the main building.*
- 3. An application for funding from the Community Sport and Recreation Facilities Fund (CSRFF) be submitted for the construction of Stage 1A in the current round closing 11 September 2020.'*

The application for funding from the Community Sport and Recreation Facilities Fund was submitted on 10 September 2020.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Local Scheme Reserve (Recreation).

Local Government (Miscellaneous Provisions) Act 1960 – A building permit is required to be issued by the Principal Building Surveyor under delegated authority.

EXTERNAL CONSULTATION

Consultation has taken place with Mr Chris Thompson, Great Southern Regional Manager, Department of Local Government Sport and Cultural Industries (DLGSC); Mr Norm Bario, Mount Barker Swimming Club Coach and Mr Adam Cousins, Mount Barker Swimming Club President.

In addition, Consulting Great Southern consulted widely across the region during the Feasibility Study phase.

FINANCIAL IMPLICATIONS

The Financial Year 2020/21 budget includes capital expenditure of \$1.6m for the swimming pool redevelopment with funds sourced from Community Sporting and Recreation Facilities Fund (CSRFF) (\$500,000.00), Drought Communities Programme - Extension (\$600,000.00), and a loan (\$500,000.00).

BUDGET IMPLICATIONS

The Financial Year 2020/21 budget includes \$252,321.00 to cover design and documentation costs of the swimming pool redevelopment.

The estimated cost for the construction of Stages 1A and 1B is \$4,491,00.00.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

The capital cost of redevelopment of the swimming pool and associated buildings will be added to the Shire's asset register.

STRATEGIC IMPLICATIONS

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

Strategy 1.5.6:

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

And

Strategy 1.5.7:

'Renew the parts of the Mount Barker swimming pool infrastructure that are at the end of their economic life.'

And

The Shire of Plantagenet Strategic Community Plan 2017-2026 further 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.

OFFICER COMMENT

H+H Architects has been engaged to undertake the schematic design of all stages for the Mount Barker Swimming Pool Redevelopment and further detailed design of the first construction stage, Stage 1A. Stage 1A includes the main building consisting of administration, kiosk, first aid room, change rooms, universal access toilet facilities, store rooms, club room and veranda. Stage 1B will include the refurbishment of the main swimming pool and construction of the toddler’s pool.

Workshops with the project group have been held on 8 July 2020, 29 July 2020, 6 August 2020 and 20 August 2020. A workshop taken by H+H Architects was held with Councillors on 11 August 2020. The Executive Manager Strategic Development held a meeting with the president and coach of the Mount Barker Swimming Club on 7 August 2020 to discuss the swimming club requirements. An email outlining these requirements was circulated to the project group on 7 August 2020. The president and coach were also invited to present their requirements to the project group on 20 August 2020. Subsequent to this workshop the schematic design was changed to locate the club room at the west end of the main building.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That in accordance with clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Development Approval be granted for Stages 1A and 1B at the Mount Barker Memorial Swimming Pool at Lot 3 Albany Highway, Mount Barker subject to the development being in accordance with the plans dated 2 September 2020.

CARRIED (9/0)

NO. 252/20

9.1.2 POLICY REVIEW - HOUSING - RELOCATION OF HOUSES

File Ref: N52585
Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development
Author: Vincent Jenkins
Principal Planning Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

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

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 8 November 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995

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

Building Code of Australia

FINANCIAL IMPLICATIONS

The present bond amount set in the Council’s Annual Budget is \$15,000.00.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

OFFICER COMMENT

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

Council Delegation 7.1 at part 18 permits proposals for relocated houses outside the Mount Barker and Kendenup Townsites and the rural villages to be determined by the Chief Executive Officer (CEO). The CEO has on-delegated this to the Executive Manager Strategic Development. It is still appropriate for relocated houses in the Mount Barker and Kendenup Townsites and the rural villages to be determined by the Council.

This policy does not need alteration.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr K Woltering:

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

‘OBJECTIVE:

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

POLICY:

1. The increased use of relocated houses to within Mount Barker and the rural villages in some instances creates difficulties which are encountered in ensuring the house is completed to an acceptable standard and is compatible to those houses in the immediate locality.
2. This policy will not apply to new transportable houses.
3. The relocation of houses referred to as ‘park homes’ will not be supported by the Council unless they are to be in an authorised caravan park.
4. The relocation of residential buildings referred to as ‘dongas’ will not be supported by the Council.
5. Relocated houses (excluding ‘park homes’ and ‘dongas’) will only be approved at the Council’s discretion and be subject to:
 - a) An engineer’s structural certification that the house is appropriate to be moved being submitted with the application.
 - b) Coloured photographs of the external facades of the house being supplied with the application.
 - c) Asbestos wall and roof cladding being removed and disposed of correctly before the house is transported.

- d) A bond being paid to ensure a good standard of completion. Such bond amounts will be set annually in the Council's Budget. The bond will only be released upon staff being satisfied the building is completed to a suitable standard in respect to the Building Code of Australia, health standards and the external visual appearance.
 - e) Any other conditions considered appropriate by the Council.
- 6. Approval for relocated houses will be limited to 12 months.
 - 7. When a relocated house is not completed to an acceptable standard within the specified time, the Principal Building Surveyor may issue a Notice requiring the incomplete structure be removed and the site left in a clean and tidy condition.
 - 8. Relocated houses outside of the Mount Barker and Kendenup Townsites and the rural villages will be at the discretion of the Council and the standards at part 5. above, will be required when appropriate.'

be endorsed.

CARRIED (9/0)

NO. 253/20

9.1.3 POLICY REVIEW - SCHEME AMENDMENT REQUESTS

File Ref: N52618
Attachments: TP-SDC-6 - Scheme Amendment Requests
Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development
Author: Vincent Jenkins
Principal Planning Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review Council Policy No. TP/SDC/6 – ‘Scheme Amendment Requests’.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 6 December 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995

Planning and Development Act 2005

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

FINANCIAL IMPLICATIONS

The present fee amount set in the Council’s Annual Budget for a Scheme Amendment Request (SAR) is \$820.00.

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 2017-2026 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

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

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

OFFICER COMMENT

The policy has been found to work well in terms of setting appropriate standards for this form of request for the support of the Council for a preliminary rezoning concept.

The last SAR submitted was in 2013 for Lot 51 Porongurup Road, which resulted in the presentation of Amendment No. 61 to TPS3, which was referred to the Department of Planning, Lands and Heritage (DPLH) on 4 February 2015. Amendment No. 61 to TPS3 was gazetted on 4 September 2018.

The Council at its meeting on 14 August 2018 considered submissions on the draft Shire of Plantagenet Local Planning Scheme No. 5 (LPS5). A copy of the Council Resolution, Summary of Submissions and the Schedule of Modification was sent to the Minister for Planning, Lands and Heritage for final approval. The Council foresees the Minister will sign the amendment document in the near future. Accordingly, the next SAR can only consider by the Council once LPS5 is gazetted.

The policy requires three minor modifications to delete reference to 'Department of Planning, Department of Parks and Wildlife and the Department of Water' and insert the current 'Department of Planning, Lands and Heritage, Department of Water and Environment Regulation and the Department of Biodiversity, Conservation and Attractions' department names at point 3.

There is no relevant delegation in respect to this matter and none is considered appropriate.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Woltering, seconded Cr B Bell:

That amended Council Policy TP/SDC/6 – Scheme Amendment Requests, as follows:

OBJECTIVE

To allow proponents to gain an indication of support or otherwise from the Council prior to preparing formal and detailed Town Planning Scheme Amendment documents.

POLICY

This process is used to determine if there are any specific issues that will need addressing in the formal Amendment documentation and whether the Council will entertain such a proposal.

1. Initial Enquiry

Once a written enquiry is received, a letter will be forwarded to the enquirer advising whether or not the proponent should prepare a Scheme Amendment Request report and what the request should contain/address.

2. Scheme Amendment Request (SAR)

The SAR document is to be a maximum of six A4 pages and address specifically strategic issues and not detailed site analysis. The following are to be addressed in the SAR:

- a) existing and proposed zonings.
- b) impacts of structure plans and strategic documents on site and proposed zonings.
- c) the proposed method of integration of development on the site with adjoining lots.
- d) any precedent set by the proposed zoning.
- e) services available to the lot(s).
- f) any special outcomes proposed to be introduced through the rezoning process.
- g) four copies plus a digital version are to be supplied to the Council.

A fee is payable prior to the SAR being assessed. Such a fee will be set in the Schedule of Fees and Charges in the Council's Annual Budget.

3. Referral of SAR to DPLH, DBCA and DWER

Once received, the SAR will be referred to the Department of Planning, Lands and Heritage (DPLH), the Department of Biodiversity, Conservation and Attractions (DBCA) and the Department of Water and Environment Regulation (DWER) for comments. The Departments will provide their responses on the SAR within 28 days.

4. SAR Submitted to the Council

The SAR is to be submitted with an officer's report and recommendation to the Council for consideration. Potential outcomes are:

- a) The Council decides to seek community feedback on the SAR if the application warrants it.
- b) The Council agrees to the SAR to allow further detailed documentation of the proposal and a subsequent assessment process to initiate the Scheme Amendment. (Note: detailed documentation may identify unresolved issues not known on initial SAR and as such the Amendment may not be initiated.)
- c) The Council considers the proposal to be unacceptable and advises the proponent that it would be unlikely to support a request to initiate a Scheme Amendment.
- d) The Council may acknowledge there is potential for the land to be rezoned but advise the applicant that the proposal is premature until the Council has agreed to a suitable structure plan or planning strategy for the locality to co-ordinate and integrate development in accordance with adopted strategic documents.

Note: Applicants who proceed after being advised as above do so at their own risk and cost.

5. Community Feedback

A decision on the Council under 4a) above to seek community feedback on the SAR shall be in the form of a letter to adjoining landowners, and relevant agencies, a sign on site, plus an advertisement in the local press, asking for feedback on the SAR. The feedback period shall be 42 days.

Submissions received during this process shall be summarised and forwarded to the Council for further consideration.

6. Response to Applicant if SAR agreed to by the Council

A decision to allow the applicant to proceed with further documentation under 4b) above will be transmitted in a letter from the Council and will detail such matters as:

- a) policy issues to be addressed in the amending report.
- b) environmental issues.
- c) servicing issues (e.g.: full testing of groundwater tables prior to document lodgement) and the provision of a fire management plan.
- d) design requirements on subsequent development.
- e) developer commitments required by the Council from Scheme Amendment process.
- f) mechanisms for cost sharing on common cost items such as public open space, drainage, roads, footpaths, etc.
- g) any other matters considered relevant to the Council.

7. Scheme Amending Documents

The required number of draft Scheme Amending documents (including a digital version) will be submitted with the appropriate fees and a formal request to initiate a Scheme Amendment. The format of the documents must meet the standards set in the Planning and Development (Local Planning Schemes) Regulations 2015.

The Council staff shall review the draft Scheme amending documents and make recommendations on potential changes/modifications. Staff shall prepare a report to the Council on the Scheme Amendment.

The Council may decide to initiate, decline to initiate, or require modifications prior to initiating the Amendment.

The procedures for Scheme Amendments as laid down in the Planning and Development (Local Planning Schemes) Regulations 2015 will be followed.'

be endorsed.

CARRIED (9/0)

NO. 254/20

9.1.4 POLICY REVIEW - STATE ADMINISTRATIVE TRIBUNAL - COUNCILLOR REPRESENTATION

File Ref: N52617
Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development
Author: Vincent Jenkins
Principal Planning Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review Council Policy No. TP/SDC/7 'State Administrative Tribunal – Councillor Representation'

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 6 December 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995

Planning and Development Act 2005

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 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.

OFFICER COMMENT

The policy specifies which Councillors can attend a State Administrative Tribunal (SAT) hearing. There are instances when the SAT may request a Councillor attend a hearing on a particular matter when a decision of the Council is the subject of a review.

Council Delegation 7.1 at part 15 permits the Chief Executive Officer (CEO) to provide responses to the SAT and that has been delegated by the CEO to the Executive Manager Strategic Development. No alteration to the Delegation is needed in respect to this policy as it involves Councillor representation at hearings.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr L Handasyde:

That Council Policy No. TP/SDC/7 – State Administrative Tribunal – Councillor Representation, as follows:

‘OBJECTIVE

To provide guidance as to which Councillors may attend a State Administrative Tribunal (SAT) hearing when invited to do so.

POLICY

1. When the SAT invites or requests the Council to nominate a Councillor to attend a mediation hearing, compulsory conference or final hearing in respect to an application for a review lodged against a Council decision, then that Council representative shall be the Shire President or the Deputy Shire President.
2. In the event that both the Shire President and the Deputy Shire President are not available, the Shire President be authorised to appoint a Councillor as the Council representative.
3. As mediation hearings and compulsory conferences of the SAT are confidential and private, any consideration of a matter in respect to these must remain confidential and be considered behind closed doors by the Council where the SAT has asked the Council for further consideration of the matter at hand.’

be endorsed.

CARRIED (9/0)

NO. 255/20

9.1.5 POLICY REVIEW – SKINNER PAVILION

File Ref:	N52327
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Laura Adams Economic Development Officer
Proposed Meeting Date:	6 October 2020

PURPOSE

The purpose of this report is to review Council Policy CS/SC/2 – Skinner Pavilion and recommend that the policy be revoked.

BACKGROUND

Policy CS/SC/2 – Skinner Pavilion was put in place in July 1997 to allow use of the Skinner Pavilion Frost Park to specified clubs without the need for ongoing bookings.

The clubs originally specified in the policy were the Mount Barker Turf Club, Mount Barker Agricultural Society and the Mount Barker Cricket Club. Mount Barker Cricket Club was later removed from this policy to reflect the Club's venue change following the construction of Sounness Park.

This policy was last reviewed in 2016.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The use of Skinner Pavilion is subject to a Memorandum of Understanding (MOU) between the Shire of Plantagenet and the Frost Park User Groups. The MOU was reviewed in 2020 and signed by the User Groups and CEO on 26 August 2020.

STRATEGIC IMPLICATIONS

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

Strategy 1.5.2: *'Promote sporting, recreation and leisure facilities and programs in the District.'*

And

Strategy 1.5.4: *'Promote the development of Frost Park as a major equine centre in the Great Southern Region.'*

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

OFFICER COMMENT

Council Policy CS/SC/2 – Skinner Pavilion dates back to the 1990s, and although it has been amended since then it reflects a different time before other arrangements and the licence with the Mount Barker Turf Club were entered into by the facility users and the Shire of Plantagenet. The current arrangements for the various facilities and buildings at Frost Park are governed by the Frost Park User Group MOU. Any bookings of the facilities outside of the MOU provisions have to be made with the Shire of Plantagenet, rendering Policy CS/SC/2 redundant.

For these reasons it is recommended that the policy be revoked to add clarity to the processes relating to Frost Park.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell , seconded Cr K Woltering:

That:

1. Council Policy CS/SC/2 – Skinner Pavilion, as follows:

'OBJECTIVE

To allow the use of Skinner Pavilion during the respective seasons of Mount Barker Turf Club and Mount Barker Agricultural Society without the need for ongoing bookings.

POLICY

The Council will endorse the use of the Skinner Pavilion at Frost Park without charge to the Mount Barker Turf Club and Mount Barker Agricultural Society, provided that the use of the premises will not involve Council in any cleaning responsibilities and the Mount Barker Turf Club and Mount Barker Agricultural Society will be responsible for repairing any damages that may occur to the Pavilion while the facility is being used by the clubs.'

be revoked.

CARRIED (9/0)

NO. 256/20

9.2 WORKS AND SERVICES REPORTS

9.2.1 PROPOSED REMOVAL OF THE CRICKET PITCH AT FROST PARK OVAL

File Ref: N52807
Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development
Author: Isabelle Draffehn
Community Development Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to recommend the removal of the existing cricket pitch at Frost Park oval.

BACKGROUND

On 11 April 2016, the Shire of Plantagenet hosted the opening of Sounness Park Stages 2 and 3 consisting of high-quality hockey and cricket facilities, making Sounness Park the primary venue for cricket in Plantagenet.

On 13 September 2016, the Council resolved at resolution 175/16:

‘That:

- 1. The synthetic cricket wicket at Frost Park remain in place and be maintained to the same level as the rest of the Frost Park playing surfaces.*
- 2. The Mount Barker Cricket Club be advised of this decision and of the maintenance standard employed for this playing surface.*
- 3. That Frost Park be used for cricket as a last resort as Sounness Park is the preferred venue for cricket in Mount Barker;*
- 4. It is the position of the Council that Frost Park should be used primarily for equine activities rather than ball sports; and*
- 5. This decision be reviewed prior to the Council Meeting in October of 2018.’*

Further, on 9 October 2018, the Council resolved at resolution 214/18:

‘That:

- 1. The synthetic wicket at Frost Park remain in place for the next two cricket seasons (2018/2019 and 2019/2020).*
- 2. The playing surface continue to be maintained to the same level as the rest of the Frost Park playing surfaces.*
- 3. The Mount Barker Cricket Club be advised of this decision and of the maintenance standard employed for this playing surface.*
- 4. Funding for a second cricket field, to be located at the Mount Barker Community College, be pursued.*
- 5. This decision be reviewed prior to the Council Meeting in October of 2020, or after a cricket wicket is installed at the Mount Barker Community College, whichever comes first.’*

As a result, participation in cricket rapidly grew within the Shire. Further, by Council resolution, Frost Park was to be used primarily for equine activities rather than ball sports. The need for a secondary cricket oval for junior, lower senior and community cricket grades was identified. A stakeholder working group was formed in 2018 to discuss the relocation of cricket from Frost Park to the Mount Barker Community College (MBCC) oval. The group consisted of representatives from the Mount Barker Cricket Club, the Mount Barker Community College and the Shire of Plantagenet.

The Shire of Plantagenet coordinated the project and secured funding through Cricket Australia's Australian Infrastructure Cricket Fund (AICF) in 2019. The project was well supported on a local and regional level. A new cricket pitch was installed on the MBCC oval, and the existing practice nets which were in structurally sound condition were re-surfaced. The project was successfully completed in June 2020.

At the Council's meeting held on 14 July 2020, the officer recommended:

'that the cricket pitch situated at Frost Park Oval be removed and the area be appropriately reinstated.'

In response to the officer's recommendation, the Council resolved at resolution 195/20 to adjourn the question:

'that the question be adjourned to seek more information and clarification regarding Frost Park Oval usage from all stakeholders and the matter be referred back to the Council on or before the Ordinary Meeting of the Council scheduled for 6 October 2020.'

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Additional external consultation has occurred with users of the Frost Park Oval and the Mount Barker Community College:

The Australian Stock Horse Society advised that *'Committee members of our Branch of the Australian Stock Horse Society support the removal of the cricket pitch at Frost Park.'*

The Mount Barker Horse Show Committee and Agricultural Society advised that *'The pitch was originally laid without consultation with us. It has been a small inconvenience but we have adapted our events around it since. I would think that it wasn't cheap to lay and as such would be cautious ripping it up prematurely. We would be Ok with it staying for a short period to make sure it is redundant and then remove it.'*

Stuart Duggins, President of the Mount Barker Bulls Cricket Club advised on 15 September 2020 that *'After discussion with the members of the MBCC the opinion was that the Frost Oval pitch is not essential.'*

Andrew Fraser, Principal of the Mount Barker Community College, has confirmed on 21 September that the *'Mount Barker Community College is agreeable for the Mount Barker Cricket Club to access our oval for Junior Cricket at any time outside of*

school hours and adult cricket by request. We ask that they ensure their insurance policy is up to date and we hold a current certificate before use.'

FINANCIAL IMPLICATIONS

It is anticipated that the cost of the removal of the existing cricket pitch at Frost Park will be in the vicinity of \$1,100.00 which would be charged to account 20212.0066 (Frost Park Facilities Maintenance).

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

ASSET MANAGEMENT IMPLICATIONS

The new infrastructure will be managed and maintained by the MBCC through their annual oval maintenance program. Rubber mats were purchased to ensure that the oval is fit for multi-purpose use and to protect the new wicket.

There are no asset management implications for Frost Park following the removal of the pitch, other than ensuring the regrowth of grass where the pitch was located.

STRATEGIC IMPLICATIONS

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

Strategy 1.5.2:

'Promote sporting, recreation and leisure facilities and programs in the District';

and

Strategy 1.5.4:

'Promote the development of Frost Park as a major equine centre in the Great Southern Region.'

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

OFFICER COMMENT

Further information and clarification as requested has been sought and is outlined in the section 'External Consultation' in this report.

The Executive Manager Works and Services further advised that it is not possible to maintain Frost Oval for both cricket and equine purposes as each sport has different turf requirements.

The original officer's recommendation in regards to the removal of the existing cricket pitch at Frost Park Oval remains unchanged, based on feedback received from internal and external stakeholders.

VOTING REQUIREMENTS

Simple Majority

ADJOURNED DEBATE**ORDINARY COUNCIL MEETING 14 JULY 2020 - ITEM 9.1.6 PROPOSED REMOVAL OF THE CRICKET PITCH AT FROST PARK OVAL****OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr K Clements, seconded Cr Jon Oldfield:

That the cricket pitch situated at Frost Park Oval be removed and the area be appropriately reinstated.

LOST (4/5)

NO. 257/20

**Crs B Bell, S Etherington, L Handasyde,
J Moir and M O'Dea voted against the motion**

9.2.2 WATER STRATEGY DOCUMENT - PROGRESS REPORT

File Ref: N52677

Responsible Officer: David Lynch
Executive Manager Works and Services

Author: Nicole Selesnew
Administration/Project Officer Works and Services

Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review progress of the Shire of Plantagenet Water Strategy 2020 recommendations.

BACKGROUND

The Shire of Plantagenet Water Strategy 2020 was adopted by the Council on 25 February 2020. The Strategy provides recommendations to 'drought proof' the Shire's principal recreational assets, including the use of treated recycled effluent water from the Water Corporation, building additional water storage dams and transferring water across a number of sites to maximise water storage.

The Council requested a review of the Water Strategy annually in October, with such a review to include a calculation of water inflows and forward climate outlooks, to such extent as is possible.

STATUTORY ENVIRONMENT

Public Health Act 2016, Section 34 – 'General public health duty'

EXTERNAL CONSULTATION

Consultation has taken place with the Water Corporation.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

Funds have been made available in the current budget to progress activities outlined in the Water Strategy.

An additional \$30,000.00 allocation has been provided which is the Shire of Plantagenet's contribution to a 'Community Water Supply Program' grant, administered through the Department of Water and Environmental Regulation (DWER). If successful, the grant will result in the construction of an additional water storage dam at Lot 81 McDonald Avenue (adjacent to Frost Park) and the installation of pumps and pipes to transfer water amongst storage facilities for use at Frost and Sounness Parks.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 1.5.1:

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

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

Strategy 2.10.2:

‘Promote effective water management practices.’

And Strategy 2.10.3:

‘Investigate waste water re-use.’

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

The Shire of Plantagenet Corporate Business Plan 2020/2021 – 2023/2024 notes that *‘the Council has endorsed a short and mid-term strategic direction for budgeting and external funding purposes’*. Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

OFFICER COMMENT**Water Strategy 2020 Recommendations – Progress Report**

The Shire of Plantagenet negotiated an agreement with the Water Corporation to access recycled effluent water to irrigate the Sounness Park ovals. The water supply would meet a vast majority of the Shire’s irrigation needs, except during January when a slight deficit was expected.

More recently, the Water Corporation withdrew from the agreement due to a lack of infrastructure (a chlorinator) capable of removing the risk associated with the supply of effluent water.

It is therefore prudent to consider that the Shire should become self-sufficient on capturing, storing and using irrigation water under its direct control. The works carried out to date, and those planned, provide a good system for this to occur.

Since February 2020, the following works have been completed:

1. A sump was constructed at the northern end of Sounness Park's Western Oval (the cricket / soccer oval) to hold water diverted from the Menston Street drains. The spoil from this sump was transported to the Old Police Museum and used to make a future display area adjacent to the main entry.
2. A disused bore pump was relocated from the bore near the Sounness Park irrigation tanks and installed in this sump. Power was connected from the Sounness Park irrigation shed.
3. The pipeline connecting Sounness Park to Frost Park, crossing under McDonald Avenue, was located and manifolds constructed at either end to allow the transfer of water to and from the sump, irrigation tanks and Frost Dam. This pump has an estimated flow rate of 20 – 25m³ per hour.
4. Drainage from Menston Street has been diverted westwards into the open drain on the western side of the Sounness Park Western Oval. This water is captured in the sump and pumped into Frost Dam. This system has proven to be very effective in low to medium flow events. During storm events some water is diverted into the original sump system as overflow and travels eastwards in the Government Dam system.
5. A 110mm poly line was trenched from Frost Dam, underneath the race track and through to Lot 81 McDonald Avenue, to allow pumping from Frost Dam into the Training Track Dam. Electrical conduit with a pull through was placed alongside this poly line in the common trench. Electrical cable has not yet been installed.

On 4 September 2020 staff received notice from the Water Corporation that the Shire's application to the Community Water Supply Program grant funding has been shortlisted. The Water Corporation intends to present the project to the Minister for approval.

The application has requested \$61,474.00 of funding, with the Council contributing \$30,691.00 of cash and in-kind works (the Council's contribution has been allocated in the 2020/2021 budget). The total value of the project is \$92,165.00.

The works contained in the application will progress a number of recommendations in the Water Strategy 2020. Final quotations are being sought from local suppliers to confirm the project budget, including:

1. The construction of an additional storage dam on Lot 81 McDonald Ave. The dam will be 35,000m³, or as large as permissible within the space available.
2. Connecting power for the Lot 81 McDonald Ave dams to the switchboard at Frost Park and running suitable cable to a distribution board near the current Training Track Dam.
3. Installing a further 110mm pipe from the Training Track Dam to the new dam, common trenched with suitable conduit and cable.
4. Installing flooded suction pumps in both Lot 81 dams to allow transfer back into the Frost Dam system and/or directly into the Sounness Park tanks. At

this stage it is envisaged that these pumps will be 3kW to provide for a transfer rate of 30 - 40m³ per hour.

There is strong potential that the DWER 'Community Water Supply Program' grant program will continue in 2021 / 2022 and the Shire of Plantagenet intends to make further applications to this program for projects that align with the Water Strategy 2020.

Other activities outlined in the Water Strategy 2020 for attention in the current financial year include the Hassell Street drainage project, due to commence in October 2020 (weather dependent). Part of this project is the construction of a 2,000 – 3,000m³ storage sump at Reserve 6479 (Lot 3 Narpund Road), commonly referred to as the 'Old Depot' site, which will receive water from the Hassell Street drainage network. Reserve 6479 is a C Class Reserve vested with the Department of Planning, Lands and Heritage with Manager Orders issued to the Shire of Plantagenet.

Some initial project scoping has occurred to plan for the movement of water from Reserve 6479, across the rail reserve and Albany Highway and into the Frost Park water hub. At this stage no particular hurdles have been found other than requiring various permissions from private landowners and Government Authorities.

This process may be streamlined as the Water Corporation is considering the replacement of its recycled effluent water pump line which travels from the effluent ponds (located to the north east of Reserve 6479), through Reserve 6479, under the Albany Highway and Railway Corridor, along McDonald Ave (past Sounness and Frost Parks) before veering south west.

If the Water Corporation replaces the effluent water pump line, the existing poly line will become defunct. A request has been made to the Water Corporation to hand this line over to the Shire. No word has been received yet but this would be an ideal situation as the line already exists and it travels a relatively direct route to Sounness Park, Frost Park and Lot 81 McDonald Avenue, including passing through difficult areas such as the Albany Highway and Railway corridor. Potential will also exist to cut into the line at the intersection of Marmion Street and McDonald Avenue to allow direct pumping into the proposed new dam at Lot 81 McDonald Avenue. This would remove the need to double pump out of Frost Dam.

Current Levels of Water Storage

Prior to the heavy rains in early August the storage available was practically empty and the coming summer scenario looked dire. Following the rain, all dams are full and there is no predicted need to purchase water from the Mitchell Street standpipe for the coming summer.

The current storage is estimated at 18,000kL in the Training Track Dam and 10,000kL in Frost Dam. Government Dam water will be used initially to preserve those storages while the water quality is suitable for oval application.

Forward Climate Outlook

The Bureau of Meteorology Climate Outlook Review provides the following:

1. Average to above average rainfall predicted in the second half of September;
2. Above average rainfall for the remainder of the year; and
3. An increased likelihood of above average spring rainfall across most of Australia as a result of a 70% chance of La Nina forming and negative values recorded in the Indian Ocean Dipole for three of the last four weeks.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Water Strategy 2020 Recommendations – Progress Report, be noted and a further review be provided in October 2021 noting progress of the Shire of Plantagenet Water Strategy 2020 recommendations, a calculation of water inflows and water storage capacity and forward climate outlooks, to such extent as is possible.

CARRIED (9/0)

NO. 258/20

9.3 CORPORATE SERVICES REPORTS

9.3.1 POLICY REVIEW - HALL HIRE DONATIONS

File Ref: N52691
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review Council Policy A/PA/4 – Halls – Hall Hire Donations.

BACKGROUND

The policy was last reviewed by Council at its meeting held on 9 October 2018.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

This policy provides proper fiscal control of hiring of Council controlled venues.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.6:

‘Ensure the Shire’s property, administration and records systems are managed effectively and efficiently’

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

OFFICER COMMENT

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 Council Policy A/PA/4 – Halls – Hall Hire Donations:

‘OBJECTIVE

To enable the Council to encourage use of Council venues, properly account for both hall and equipment hire charges and to protect assets from misuse or inadvertent damage.

POLICY:

1. That for any hire of a Council facility or Council owned equipment, the appropriate bond, as adopted by the Council shall be paid by the hirer.
2. As the Council has set hall hire fees at a rate designed to encourage greater use of such facilities the Council will not consider further donations of hall hire except during the budget grants process.’

be endorsed.

CARRIED (9/0)

NO. 259/20

9.3.2 POLICY REVIEW - HIRE OF COUNCIL CONTROLLED PROPERTY

File Ref: N52692
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review Council Policy A/PA/1 – Hire of Council Controlled Property.

BACKGROUND

The policy was last reviewed by the Council at its meeting held on 9 October 2018.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 2.5.1:

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

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

OFFICER COMMENT

This policy enables guidance to be given to prospective hirers of Shire facilities. The Shire’s venue hire form indicates the curfew for Council facilities is 1.00am. Music and refreshments must end at the hire time designated by the hirer and are not permitted to go later than this curfew.

In reference to requests to the Council for a later than 1.00am curfew time, it is considered that the word ‘special’ is superfluous and can be deleted. Otherwise, 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 K Woltering:

That Council Policy A/PA/1 – Hire of Council Controlled Property:

‘OBJECTIVE

To establish a time limit on the hire of Council controlled property.

POLICY:

No function shall be continued after 1:00am on Council controlled property except by permission of the Council.’

be endorsed.

CARRIED (9/0)

NO. 260/20

9.3.3 POLICY REVIEW - PURCHASING AND TENDERING

File Ref: N52745
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review Council Policy Purchasing and Tendering - F/FM/7. It will be recommended that the current policy be revoked in favour of an updated policy based on changes to the WALGA template.

BACKGROUND

This policy was last reviewed by the Council on 11 September 2018.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

Section 3.57(1) of the Act states that:

'A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.'

Section 5.43 of the Act states that:

'A local government cannot delegate to a CEO any of the following powers or duties:

- (a) ...*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.'*

Part 4 of the Local Government (Functions and General) Regulations 1996 regulates and provides the procedures for local government tenders for providing goods or services.

Amendments were made to the regulations in April 2020 which require updates to this policy.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

OFFICER COMMENT

The current policy was originally adopted in 2007 and was the pro forma purchasing policy of the Western Australian Local Government Association (WALGA) at the time. Since then, there have been significant changes to the content, format and threshold values associated with the WALGA template.

In line with the philosophy of developing more concise policy statements, a shortened version of the WALGA proforma policy is recommended.

The overall intent of the policy is similar. The main differences are that the new policy:

- has been brought up to date to satisfy legislative changes;
- better explains exemptions to the policy;
- is less verbose on sustainable procurement; and
- contains provisions which encourage the development of competitive local businesses within the Shire boundary first, and second within the broader region.

The internal procedure that flows from this policy will provide expanded guidance to staff on:

- how ‘purchasing value’ is calculated;
- detailed purchasing practices, particularly where panels of pre-qualified suppliers exist;
- the option for going out to expressions of interest, prior to tendering; and
- expectations resulting from breaches of the policy.

An amendment has been made to regulation 11(1) of the Local Government (Functions and General) Regulations 1996 to increase the threshold to \$250,000.00 to align with State Government tendering thresholds. This permits local governments to extend the use of their own purchasing policy and apply local content provisions more readily to goods and services acquired via written quotations.

Other amendments have been made to increase the flexibility of the local government sector to contract with local suppliers during, and in the aftermath of, the State of Emergency Declaration under the Emergency Management Act 2005.

The \$250,000.00 limit may or may not remain. The policy has been therefore amended to refer to the tender threshold as specified by Local Government (Function and General) Regulation 11, rather than an amount.

One further change is recommended to the policy relating to canvassing of councillors. Currently the Council has a policy (I/T/1) – Tenders – Canvassing of Councillors, which was adopted in line with the Local Government (Rules of Conduct) Regulations 2007.

The policy requires that, when advertising a tender, the Shire of Plantagenet's advertisement details must include the following wording 'Canvassing of Councillors by tenderers will automatically disqualify the tenderer'. It is considered that this requirement would be more suited for inclusion into the current policy (See Clause 1.2 B).

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr K Woltering:

That:

1. Purchasing and Tendering Policy F/FM/7, be revoked;
2. The following new Purchasing Policy F/FM/17:

'1. Purpose

The Shire of Plantagenet is committed to delivering the objectives, principles and practices outlined in this Policy, when purchasing goods, services or works to achieve the Shire's strategic and operational objectives.

2. Scope

This policy applies to the CEO and staff sub-delegated to purchase goods, services or works on behalf of the Shire of Plantagenet.

3. Objectives

The Shire of Plantagenet's purchasing activities will achieve:

- a) The attainment of best value for money.
- b) Sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment.
- c) Consistent, efficient and accountable processes and decision-making;
- d) Fair and equitable competitive processes that engage potential suppliers impartially, honestly and consistently.
- e) Probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest.
- f) Compliance with the Local Government Act 1995, Local Government (Functions and General) Regulations 1996, as well as any relevant legislation, Codes of Practice, Standards and the Shire of Plantagenet's Policies and procedures.
- g) Risks identified and managed within the Shire of Plantagenet's Risk Management framework.
- h) Records created and maintained to evidence purchasing activities in accordance with the State Records Act and the Shire of Plantagenet's Record Keeping Plan.
- i) Confidentiality protocols that protect commercial-in-confidence information and only release information where appropriately approved.

4. Ethics and integrity

-
- A. The Shire of Plantagenet's Code of Conduct applies when undertaking purchasing activities and decision-making. Elected Members and employees must observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.
- B. When advertising a tender, the Shire of Plantagenet's advertisement details must include the following wording 'Canvassing of Councillors by tenderers will automatically disqualify the tenderer'.
5. Value for money
- A. Value for money is achieved through the critical assessment of price, risk, timeliness, environmental, social, local economic and qualitative factors to determine the most advantageous supply outcome that contributes to the Shire of Plantagenet achieving its strategic and operational objectives.
- B. The Shire of Plantagenet will apply value for money principles when assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.
- 5.1 Assessing value for money
- Assessment of value for money will consider:
- a) All relevant Total Costs of Ownership and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, training, maintenance and disposal.
- b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, tenderers resources available, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- c) Financial viability and capacity to supply without the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history).
- d) A strong element of competition by obtaining a sufficient number of competitive quotations wherever practicable and consistent with this Policy.
- e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance.
- f) The environmental, local economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire of Plantagenet Policy.
- g) Providing opportunities for businesses within the Shire of Plantagenet's boundaries to quote wherever possible.
6. Purchasing thresholds
-

- A. Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

Amount of Purchase	Policy
Up to \$1,000.00	No quotation required for minor / incidental expenses.
\$1,001.00 - \$3,000.00	Seek at least one verbal or written quotation.
\$3,001.00 - \$10,000.00	Seek at least two written quotations.
\$10,001.00 - \$50,000.00	Seek at least three written quotations.
\$50,001.00 – Tender threshold as specified by Local Government (Function and General) Regulation 11	Seek at least three written quotations, containing price and specification of goods and services (with procurement decision based on all value for money considerations).
Above tender threshold as specified by Local Government (Function and General) Regulation 11	Conduct a public tender process.
Emergency Purchases (<i>Within Budget</i>)	Must be approved by the Shire President or by the Chief Executive Officer under delegation and reported to the next available Council Meeting.
Emergency Purchases (<i>Not Included in Budget</i>)	Only applicable where, authorised in advance by the Shire President in accordance with s.6.8 of the <i>Local Government Act 1995</i> and reported to the next available Council Meeting.

- B. Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the tender threshold (excluding GST). If a decision to seek public tenders for Contracts of less than the tender threshold, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.
- C. To satisfy the thresholds in Clause 6A, quotations may be sought from a mix of sources, including:
- from a pre-qualified panel of suppliers which include WALGA Preferred Supplier Contracts; or
 - via WALGA's eQuotes web based procurement system; or
 - other suppliers that are accessible under another tender exempt arrangement; or
 - other suppliers in the open market.
- D. The Shire uses a number of suppliers/contractors such as mechanical parts suppliers, plumbers and electricians who have developed a good awareness of the Shire's facilities and

infrastructure over a period of years. It is acknowledged that day to day expenditures may be made through such suppliers without invoking the need to obtain quotations.

7. Exemptions

Regulation 11(2) of the Local Government (Functions and General) Regulations 1996 outlines the situations that are exempt from the requirement to publically invite tenders.

8. Sole source of supply (monopoly suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources should be made.

9. Anti-Avoidance

The Local Government shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of the tender threshold amount thereby avoiding the need to publicly tender.

10. Sustainable Procurement

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

11. Local Economic Benefit

- A. The Shire encourages the development of competitive local businesses within its boundary first, and second within its broader region.
- B. The Shire has adopted a Regional Price Preference Policy, which will be applied when undertaking all purchasing activities over \$30,000.00.'

be adopted.

MOTION TO ADJOURN THE DEBATE

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

That the motion be adjourned for further discussion on policy terms and wording in a workshop to be held on 3 November 2020.

CARRIED (9/0)

NO. 261/20

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 CHRISTMAS CLOSURE 2020/2021

File Ref:	N52754
Responsible Officer:	Paul Sheedy Acting Chief Executive Officer
Author:	Donna Fawcett Human Resources Coordinator
Proposed Meeting Date:	6 October 2020

PURPOSE

The purpose of this report is to seek approval for the closure of Shire facilities between the Christmas/New Year period – December 2020/January 2021.

The facilities are:

- Shire Administration Office;
- Shire Depot;
- Mount Barker Library;
- Mount Barker Swimming Pool;
- The Rec.Centre; and
- O'Neill Road Waste Management Facility.

BACKGROUND

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

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The closure of specific Council facilities over the Christmas period is an opportunity for all members of staff to use the two negotiated LGDIL as provided for in the Shire of Plantagenet Enterprise Agreements. In previous years these days have been taken between Christmas and New Year to minimise disruptions to normal routine.

This year Christmas Day falls on a Friday. The Council will be asked to close Shire facilities from the close of business on Thursday 24 December 2020, with normal business resuming on Monday 4 January 2021.

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

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

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

- Friday 25 December 2020 – Public Holiday (Christmas Day)
- Saturday 26 December 2020 – Public Holiday (Boxing Day)
- Monday 28 December 2020 – Public Holiday (Boxing Day - Additional)
- Tuesday 29 December 2020 – majority of staff on RDO, remainder to use TIL or AL
- Wednesday 30 December 2020 – LGDIL
- Thursday 31 December 2020 – LGDIL
- Friday 1 January 2021 – Public Holiday (New Year's Day)
- Saturday 2 January 2021 – library staff on roster to use TIL or AL

Closure days for The Rec.Centre would be:

- 12.00pm on Thursday 24 December 2020 to Friday 1 January 2021 (inclusive)

Closure day for the Swimming Pool would be:

- Friday 25 December 2020

Closure day for the O'Neill Road Waste Management Facility would be:

- Friday 25 December 2020

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That:

1. The Shire of Plantagenet's Administration Office be closed from close of business on Thursday 24 December 2020 with the resumption of normal services on Monday 4 January 2021.
2. The Shire Depot be closed from close of business on Thursday 24 December 2020 with the resumption of normal services on Monday 4 January 2021.
3. The Mount Barker Library be closed from close of business on Thursday 24 December 2020 with the resumption of normal services on Tuesday 5 January 2021.
4. The Rec.Centre be closed from 12.00pm on Thursday 24 December 2020 with the resumption of normal services on Monday 4 January 2021.
5. The Mount Barker Swimming Pool be closed on Friday 25 December 2020.
6. The O'Neill Road Waste Management Facility be closed on Friday 25 December 2020.
7. The closures inclusive of public holidays be advertised locally.

CARRIED (9/0)

NO. 262/20

9.4.2 COUNCIL MEETINGS SCHEDULE 2021

File Ref: N52678
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Nolene Wake
Executive Officer
Proposed Meeting Date: 6 October 2020

PURPOSE

The purpose of this report is to review and schedule ordinary meetings of the Council for 2021.

BACKGROUND

At its meeting held 6 November 2019 it was resolved:

‘That:

1. *The ordinary meetings of the Council for January to December 2020 inclusive be held at four weekly intervals as follows:*
 - a) *Tuesday 28 January 2020*
 - b) *Tuesday 25 February 2020*
 - c) *Tuesday 24 March 2020*
 - d) *Tuesday 21 April 2020*
 - e) *Tuesday 19 May 2020*
 - f) *Tuesday 16 June 2020*
 - g) *Tuesday 14 July 2020*
 - h) *Tuesday 11 August 2020*
 - i) *Tuesday 8 September 2020*
 - j) *Tuesday 6 October 2020*
 - k) *Tuesday 3 November 2020*
 - l) *Tuesday 1 December 2020*
2. *All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
3. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.’*

STATUTORY ENVIRONMENT

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

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

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

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

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.3:

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

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

REGIONAL IMPLICATIONS

South Coast Alliance Inc and Southern Link VROC Meetings are scheduled in such a way to avoid any meeting conflicts.

OFFICER COMMENT

It will be recommended that the current four weekly cycles continue with the first meeting of 2021 to be held on Wednesday 27 January 2020, due to the Australia Day Public Holiday falling on Tuesday 26 January 2020.

The traditional 3pm start is proposed. Councillors have, from time to time, queried whether a 3.00pm commencement time for ordinary meetings is the most appropriate.

Generally, Council meetings conclude in less than 2 hours. Therefore a later meeting would not necessarily require a late night. A later starting time (say 6.00pm) may give members of the public the opportunity to attend. Also an earlier meeting

time (say 10.00am) may allow some members of the public to attend. There have been no complaints or submissions to the CEO about the 3.00pm start time.

The four-week meeting cycle also means, over the course of the year, the date of the meeting moves toward the beginning of the month. In fact, this year there will be two meetings in November, one on the 2 and one on 30 November. Although this causes no problem and a four week cycle fits in with work cycles, the potential to meet, say, on the fourth Tuesday of every month, would work as well.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. The ordinary meetings of the Council for January to December 2021 inclusive be held at four weekly intervals as follows:
 - a) Wednesday 27 January 2021
 - b) Tuesday 23 February 2021
 - c) Tuesday 23 March 2021
 - d) Tuesday 20 April 2021
 - e) Tuesday 18 May 2021
 - f) Tuesday 15 June 2021
 - g) Tuesday 13 July 2021
 - h) Tuesday 10 August 2021
 - i) Tuesday 7 September 2021
 - j) Tuesday 5 October 2021
 - k) Tuesday 2 November 2021
 - l) Tuesday 30 November 2021
2. All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.
3. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.

ALTERNATIVE RECOMMENDATION

Moved Cr L Handasyde, seconded Cr Sue Etherington:

That:

- 1. The ordinary meetings of the Council for January to December 2021 inclusive be held on the fourth Tuesday of each month as follows:**
 - a) Wednesday 27 January 2021**
 - b) Tuesday 23 February 2021**
 - c) Tuesday 23 March 2021**
 - d) Tuesday 27 April 2021**
 - e) Tuesday 25 May 2021**
 - f) Tuesday 22 June 2021**
 - g) Tuesday 27 July 2021**
 - h) Tuesday 24 August 2021**
 - i) Tuesday 28 September 2021**
 - j) Tuesday 26 October 2021**
 - k) Tuesday 23 November 2021**
 - l) Tuesday 14 December 2021**
- 2. All ordinary meetings of the Council shall commence at 3.00pm and be held in the Council Chambers, Lowood Road Mount Barker.**
- 3. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**

Reason for Change

Financials and public timing. If everyone knows that it is the fourth Tuesday it is easy to follow. The financials will always be available on the meeting day. Financials are of course a very important part of the responsibilities of Councils and we should see them every month.

AMENDMENT

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

That:

1. In part 2 of the motion, the commencement time of 3.00pm be replaced with the time of 6.00pm.
2. Parts 1 and 3 of the motion remain the same.

CARRIED (5/4)

NO. 263/20

**Crs B Bell, K Clements, S Etherington
and L Handasyde voted against the motion**

COUNCIL DECISION

That:

1. The ordinary meetings of the Council for January to December 2021 inclusive be held on the fourth Tuesday of each month as follows:
 - a) Wednesday 27 January 2021
 - b) Tuesday 23 February 2021
 - c) Tuesday 23 March 2021
 - d) Tuesday 27 April 2021
 - e) Tuesday 25 May 2021
 - f) Tuesday 22 June 2021
 - g) Tuesday 27 July 2021
 - h) Tuesday 24 August 2021
 - i) Tuesday 28 September 2021
 - j) Tuesday 26 October 2021
 - k) Tuesday 23 November 2021
 - l) Tuesday 14 December 2021
2. All ordinary meetings of the Council shall commence at 6.00pm and be held in the Council Chambers, Lowood Road Mount Barker.
3. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.

CARRIED (6/3)

NO. 264/20

Crs B Bell, K Clements and S Etherington voted against the motion

9.4.3 LOCAL GOVERNMENT REVIEW PANEL FINAL REPORT RECOMMENDATIONS

File Ref:	N52689
Attachment:	<u>Local Government Review Panel Submission</u>
Responsible Officer:	Paul Sheedy Chief Executive Officer
Author:	Paul Sheedy Chief Executive Officer
Proposed Meeting Date:	6 October 2020

PURPOSE

The purpose of this report is to consider the attached Council submission on the 'Local Government Review Panel Final Report- Recommendations for a new Local Government Act for Western Australia May 2020' for forwarding to the Minister for Local Government and the Western Australian Local Government Association (WALGA)

BACKGROUND

In 2017, the McGowan Government announced a review of the Local Government Act 1995. This is the most significant and comprehensive reform of local government legislation conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community. The vision is for local governments to be agile, smart and inclusive.

Extensive community consultation was conducted on stage two topics between September 2018 and March 2019 by the Department of Local Government, Sport and Cultural Industries (the Department) with the input of a stakeholder reference group.

More than 3,000 survey responses and written submissions were received from community members, ratepayer associations, industry groups, local governments, elected members, and peak bodies.

After this significant community and sector consultation to better understand the issues confronting local government, the areas in need of reform and possible options for reform; a panel of experts was formed to provide more detailed consideration and to develop policy responses to guide the development of the new Act. The role of the Panel was to guide the review's strategic direction and to consider and recommend high level guiding principles of the new Act.

Commencing in November 2019, the Panel formally met on nine occasions. In addition, invitations were extended to a range of organisations to provide advice and test ideas at separate roundtables.

It should be noted that an overwhelming majority of recommendations were agreed to unanimously by all members of the panel, with only a small number either having

a minority of panellists expressing an opposing view or excluding themselves due to a potential conflict of interest.

Meetings were structured around the following six broad topic areas:

1. A Vision for Local Government
2. Planning for a New Local Government Act
3. Supporting Communities and Local Democracy
4. Growing the Economy
5. Sustainable Service Delivery
6. Building Trust and Integrity.

The Final Panel Report was completed in May 2020 and released by the Minister soon after.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government Act Regulations (Various)

EXTERNAL CONSULTATION

The Final Report was discussed and considered by the Great Southern Zone of WALGA at its meeting in Woodanilling on 28 August 2020.

FINANCIAL IMPLICATIONS

There are no financial implications for this report other than the Acting CEO's time to complete the submission and postage costs for forwarding it to the Minister and WALGA .

BUDGET IMPLICATIONS

There are no budget implications for this report as all costs are covered within existing budget allocations.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications at this time in relation to making the submission.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.1:

'Provide effective leadership for the community'

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

REGIONAL IMPLICATIONS

There are a number of recommendations in the Review Panel Final Report that make reference to an increased level of cooperation between local governments and the report suggests that this could happen through an enhanced model of regional subsidiaries.

OFFICER COMMENT

The Minister for Local Government has not considered the Review Panel Final Report recommendations at this stage and has not requested a consultation process on the Report.

However, WALGA has undertaken consultation with local governments throughout the state via the WALGA zone meetings where the proposed position (support, oppose, conditional support, more consultation etc.) of WALGA was provided for consideration of the various Zone members.

The WALGA State Council considered the matter at the State Council meeting on 2 September 2020 where it resolved:

'That WALGA:

- 1. Acknowledge the panel report and the recommendations received from the Zones and continue to work with the Government to undertake further consultation on the recommendations contained therein;*
- 2. Requests a formal commitment from the Minister for Local Government that the Local Government Sector be consulted on the Draft Local Government Bill in line with the State/Local Government Partnership Agreement and that WALGA actively participates in the legislative drafting process to develop the new Local Government Act; and*
- 3. Strongly encourages individual Local Governments to consider responding to the recommendations of the panel report and advise WALGA of their submissions by Saturday, 31 October 2020.'*

Finally, following the discussion at the WALGA Zone meeting on 28 September 2020 and the workshop with Councillors at the Council meeting on 8 September 2020, the attached draft report has been completed for Council's consideration and endorsement.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Council endorse the attached submission on the 'Local Government Review Panel Final Report- Recommendations for a new Local Government Act for Western Australia May 2020' and a copy of the submission be forwarded to the Minister for Local Government and WALGA.

CARRIED (9/0)

NO. 265/20

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 INVITATION TO STATE AND FEDERAL MEMBERS THE HON TERRY REDMAN MLA AND MR RICK WILSON TO JOIN COUNCILLORS FOR LUNCH.**

Cr B Bell gave notice of his intention to move the following motion at the next Ordinary Meeting of the Council pursuant to Clause 5.3 of Standing Orders:

Moved Cr B Bell, seconded Cr J Oldfield:

That:

- 1. The Council invite both our state and federal members, the Hon Terry Redman MLA and Mr Rick Wilson to join with the Council and senior staff for a light lunch.**
- 2. Both members are given the opportunity to address the Council and share their achievements since their re-election that have benefitted the people of Plantagenet.**
- 3. The Council bring both members up to date on the projects happening within the Shire, giving priority to the swimming pool and funding requirements to complete the first two stages.**

CARRIED (7/2)

NO. 266/20

Crs K Clements and M O'Dea voted against the motion

10.2 MOBILE TELECOMMUNICATION PROVIDERS SURVEY

Cr B Bell gave notice of his intention to move the following motion at the next Ordinary Meeting of the Council pursuant to Clause 5.3 of Standing Orders:

Moved Cr B Bell, seconded Cr L Handasyde:

That:

1. The Council undertake a survey across the entire Shire to ascertain the true level of services provided by mobile telecommunication providers.
2. This survey is done by using our website and that a cross-section of ratepayers be directly contacted by phone to complete the survey.
3. The survey is targeted at signal strength, frequency of dropouts and black spots within our Shire.
4. The results of the survey are passed onto both our state and federal members of Parliament.
5. The results of the survey, if deemed to be sub-standard, be forwarded onto the Regional Manager of Telstra, Mr Boyd Brown and the CEO of Telstra, Mr Andy Penn.

MOTION TO ADJOURN THE DEBATE

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

That the motion be adjourned to allow the CEO to prepare an appropriate report, such report to be presented on or before the Ordinary Council Meeting to be held on 3 November 2020.

CARRIED (9/0)

NO. 267/20

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

Nil

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

4:45pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON_____DATE:_____/_____/_____