



# ORDINARY MINUTES

**DATE:** Tuesday, 8 September 2020

**TIME:** 3:00pm

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

**Paul Sheedy**  
**ACTING CHIEF EXECUTIVE OFFICER**

Resolution numbers: 231/20 to 249/20

---

## 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	PRESENTATION – MR BRUCE MACMAHON.....	2
5	DISCLOSURE OF INTEREST .....	2
6	APPLICATIONS FOR LEAVE OF ABSENCE .....	4
6.1	APPLICANTS: CRS C PAVLOVICH AND M O’DEA .....	4
7	CONFIRMATION OF MINUTES.....	4
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	4
9	REPORTS OF COMMITTEES AND OFFICERS.....	5
9.1	STRATEGIC DEVELOPMENT REPORTS .....	5
9.1.1	LOT 152 MCDONALD AVENUE MOUNT BARKER - PERGOLA AND BARBEQUE AREA .....	5
9.1.2	LOT 9 FOURTH AVENUE, KENDENUP - OVERSIZE OUTBUILDING .....	8
9.1.3	REVIEW OF LOCAL PLANNING STRATEGY JULY 2013 - COMMUNITY CONSULTATION - SUBMISSIONS RECEIVED ....	11
9.2	WORKS AND SERVICES REPORTS.....	15
9.2.1	FROST PARK - DRAINAGE.....	15
9.2.2	CHANGE TO THE PURPOSE OF THE WASTE MANAGEMENT RESERVE ACCOUNT .....	19

---

<b>9.3</b>	<b>CORPORATE SERVICES REPORTS .....</b>	<b>23</b>
9.3.1	FINANCIAL STATEMENTS – AUGUST 2020 .....	23
9.3.2	LIST OF ACCOUNTS – AUGUST 2020 .....	25
9.3.3	RENEWAL OF LEASE - SALEYARDS HOLDING PENS – M & J MITCHELL PTY LTD .....	27
9.3.4	2020 WINE SHOW OF WESTERN AUSTRALIA – SPONSORSHIP ARRANGEMENT .....	30
9.3.5	AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - BOARD NOMINATION.....	33
9.3.6	CANTEEN EXTENSION – MOUNT BARKER REGIONAL SALEYARDS - DESIGN .....	35
9.3.7	POLICY REVIEW - COMMUNITY HALLS AND BUILDINGS.....	38
9.3.8	POLICY REVIEW - FINANCIAL ASSISTANCE (CAPITAL) TO ORGANISATIONS AND CLUBS .....	42
9.3.9	POLICY REVIEW - TELECOMMUNICATIONS - COUNCILLORS AND STAFF .....	46
<b>9.4</b>	<b>EXECUTIVE SERVICES REPORTS.....</b>	<b>48</b>
9.4.1	POLICY REVIEW - BRIEFING SESSIONS FOR COUNCILLORS.....	48
9.4.2	POLICY REVIEW - TOURISM.....	50
<b>10</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>53</b>
<b>11</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....</b>	<b>53</b>
<b>12</b>	<b>CONFIDENTIAL.....</b>	<b>53</b>
<b>13</b>	<b>CLOSURE OF MEETING.....</b>	<b>53</b>

## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

### Members Present:

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

### In Attendance:

Mr 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

### Apologies:

Nil

### Members of the Public Present:

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 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 PRESENTATION – MR BRUCE MACMAHON**

Mr Macmahon addressed the Council on the troubles that could arise from Bike Trails on Mount Barker Hill.

### **5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

#### Cr K Woltering

Item: 9.2.2

Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)

Nature: One of the largest users of the tip in the Shire

Extent: Owner of Mount Barker Hire

#### Cr J Moir

Item: 9.3.3

Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)

Nature: Cattle Farmer/Employee of Elders

Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.  
Part-time employee of Elders in a non-managerial position.

Cr M O'Dea

Item: 9.3.4  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Contracted by committee to coordinate Wine Show  
Extent: Honorarium paid.

Cr J Moir

Item: 9.3.5  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle Farmer/Employee of Elders  
Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.  
Part-time employee of Elders in a non-managerial position.

Cr J Moir

Item: 9.3.6  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle Farmer/Employee of Elders  
Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.  
Part-time employee of Elders in a non-managerial position.

Cr S Etherington

Item: 9.3.7  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: President and signature on lease of Lesser Town Hall.  
Extent: N/A

Cr K Woltering

Item: 9.3.7  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: Vice-President and signature on lease of Lesser Town Hall.  
Extent: N/A

Cr K Clements

Item: 9.3.8  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: President of Historical Society.  
Extent: Historical Society uses Council land.

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

Section 5.25 Local Government Act 1995

### **6.1 APPLICANTS: CRS C PAVLOVICH AND M O'DEA**

Cr C Pavlovich requested Leave of Absence from 26 September to 4 October 2020.

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

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

**That:**

- 1. Cr C Pavlovich be granted Leave of Absence for the period 26 September to 4 October 2020 inclusive.**
- 2. Cr M O'Dea be granted Leave of Absence for 10 November 2020.**

**CARRIED (9/0)**

**NO. 231/20**

## **7 CONFIRMATION OF MINUTES**

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

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 11 August 2020 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (9/0)**

**NO. 232/20**

**Moved Cr B Bell, seconded Cr K Woltering:**

**That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 1 September 2020 as circulated, be taken as read and adopted as a correct record.**

**CARRIED (9/0)**

**NO. 233/20**

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

Nil

## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 STRATEGIC DEVELOPMENT REPORTS

#### 9.1.1 LOT 152 MCDONALD AVENUE MOUNT BARKER - PERGOLA AND BARBEQUE AREA

<b>File Ref:</b>	<b>N52467</b>
<b>Attachments:</b>	<u>Location Plan</u> <u>Site Plan</u> <u>Pergola Plan</u> <u>Barbeque Plan</u>
<b>Responsible Officer:</b>	<b>Andrus Budrikis</b> <b>Executive Manager Strategic Development</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Principal Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>
<b>Applicant:</b>	<b>Plantagenet Sporting Club</b>

---

#### **PURPOSE**

The purpose of this report is to consider an application for development approval for the Plantagenet Sporting Club Inc to construct a new pergola and barbeque area at Lot 152 McDonald Avenue, Mount Barker.

#### **BACKGROUND**

Lot 152 McDonald Avenue, Mount Barker, is owned in fee simple by the Shire of Plantagenet.

The Plantagenet Sporting Club has now submitted a development application to construct a new pergola and barbeque area. The concept for the pergola and barbeque area is to enhance the experience of the user groups at Sounness Park, in particular those using the western oval. This includes junior football, cricket and soccer.

#### **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.



**FINANCIAL IMPLICATIONS**

The development application fee of \$147.00 has been paid.

The purchase, construction and maintenance of the pergola and barbeque area will be by the Plantagenet Sporting Club at no cost to the Council.

Building permit application fees will need to be paid by the Plantagenet Sporting Club.

**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**

As the pergola and barbeque are permanent structures, they will remain the property of the Shire of Plantagenet. The Plantagenet Sporting Club will be responsible for maintaining and keeping the structures in good order, including cleaning of the barbeque.

**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.

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.2.2.1:

*'Guide local development in accordance with the Planning Scheme.'*

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

**OFFICER COMMENT**

The proposed works involve the construction of a 4m x 4m pergola to be placed at one of two locations adjacent to the west elevation of the Sounness Park clubroom building. The proposed pergola will be compatible with the visual characteristics of the clubroom building by design, arrangement, texture and materials to be used. The pergola footings will comprise a concrete pad.

The proposed works further involve the construction of a gas brick barbeque structure. The barbeque structure is an L-shape design that includes a secure storage space for gas bottles.

The first location (option 1) is at the south end of the west elevation of the clubroom building. This area is shown in red on the attached site plan. The proposal for this location involves the relocation of existing irrigation and stormwater infrastructure. The proposal for this location further involves the pergola roof structure being attached to two of the clubroom building verandah columns. The west elevation of the pergola will be self-supporting.

The second location (option 2) is at the south west corner of the clubroom building. This area is shown in yellow on the attached site plan. The proposal for this location involves the relocation of existing irrigation infrastructure and the removal of some landscape plantings including small trees and landscape boulders. The pergola structure will be fully self-supporting in this location. In addition, the proposal will not impact on the current children's playground or seating located in this location.

The Executive Manager Works and Service's preferred location for the proposed development is option 2.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

**That no objection be raised to the proposed pergola and barbeque area on Lot 152 McDonald Avenue, Highway, Mount Barker and in accordance with Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Development Approval be granted subject to:**

- 1. The development being in accordance with Option 2 and the plans dated 13 August 2020.**
- 2. The Plantagenet Sporting Club will be responsible for maintaining and keeping the pergola and barbeque structures in good order, including cleaning of the barbeque.**

**CARRIED (9/0)**

**NO. 234/20**

**9.1.2 LOT 9 FOURTH AVENUE, KENDENUP - OVERSIZE OUTBUILDING**

<b>File Ref:</b>	<b>N52463</b>
<b>Attachments:</b>	<u>Location Plan</u> <u>Site Plan</u> <u>Outbuilding Addition 1</u> <u>Outbuilding Addition 2</u>
<b>Responsible Officer:</b>	<b>Andrus Budrikis</b> <b>Executive Manager Strategic Development</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Principal Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>
<b>Applicants:</b>	<b>David and Fiona Carter</b>

---

**PURPOSE**

The purpose of this report is to consider a proposal for an outbuilding addition at Lot 9 Fourth Avenue, Kendenup. This outbuilding addition, combined with the existing outbuilding, means the cumulative floor area set by Council policy is exceeded.

**BACKGROUND**

Council records show the registered owners of Lot 9 Fourth Avenue are D and F Carter.

This proposal is for an outbuilding addition of 48m<sup>2</sup> (4m x 12m) with a wall height of 2.9m. The existing outbuilding has a floor area of 96m<sup>2</sup>. The cumulative floor area of the outbuilding (including the outbuilding addition) will total 144m<sup>2</sup>. The 144m<sup>2</sup> cumulative floor area exceeds the 100m<sup>2</sup> floor area set by Council policy for the Residential zone.

The existing outbuilding is currently being used for the storage of two classic cars including the machinery and equipment for the maintenance of these cars. This outbuilding is also used for the storage of woodwork machinery and equipment relating to the applicants' furniture restoration hobby. A further use for the outbuilding includes the storage of a garden trailer and ride on lawnmower.

The reason provided by the proponent for the outbuilding addition is to provide protection and storage for antique furniture they wish to restore and the timber material they use for the furniture restoration.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential (R5). The property is located within the Kendenup Townsite where the boundary setbacks for buildings are per R10 standards.

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

---

**State Planning Policy 7.3 - Residential Design Codes (2019 R-Codes)**

**The 2019 R-Codes – discretion exists for the Council to vary standards at clause 2.5.2 as follows:**

*'In making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:*

- a) *any relevant purpose, objectives and provisions of the scheme;*
- b) *any relevant objectives and provisions of the R-Codes;*
- c) *a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and*
- d) *orderly and proper planning.'*

The variation required here relates to 2.5.2(b) above as outbuilding requirements are in part 5 of the 2019 R-Codes.

**EXTERNAL CONSULTATION**

The applicant as part of lodging this application, sought comment from two adjoining landowners affected by the proposal. The two adjoining landowners raised no objection to the proposal. However, the applicant was unable to contact the other direct adjoining landowner of Lot 546 Fourth Avenue given she is an absentee landowner.

In accordance with Delegation 7.1 the proposal was advertised for comment to the landowner of Lot 546 Fourth Avenue for the minimum 14-day period ending on 18 August 2020. The 14-day period is set by the 2019 R-Codes.

At the time of finalising this report, no adverse comments were received from the absentee landowner.

**FINANCIAL IMPLICATIONS**

The application fee of \$147.00 has been paid.

**POLICY IMPLICATIONS**

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum cumulative floor area of 100m<sup>2</sup> for Residential zones. The combined floor area of this outbuilding is 144m<sup>2</sup>. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

**STRATEGIC IMPLICATIONS**

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

Strategy 2.2.2:

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

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

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

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

By supporting the officer recommendation the KPI will be met.

### **OFFICER COMMENT**

Lot 9 Fourth Avenue is 2,001m<sup>2</sup> in area and located in the Residential zone.

The present development at Lot 9 involves a house and garage and one 96m<sup>2</sup> outbuilding.

The proposed 48m<sup>2</sup> outbuilding addition is setback 8m from the south property boundary with Lot 546 Fourth Avenue and 7.5m from the west rear property boundary bordering the lane-way. The existing outbuilding and proposed outbuilding addition location meets the setback requirements of the Residential zone.

The proposed outbuilding addition roof will be finished zinc trimdek® and the two sidewalls will be green painted trimdek®. The cumulative floor area of the outbuilding and proposed outbuilding addition will total 144m<sup>2</sup>. The wall height of the proposed outbuilding addition will be 2.9m.

No difficulties are seen with the maximum cumulative floor area of the outbuilding being 144m<sup>2</sup> and the wall height of the outbuilding being 2.9m given the size of the lot being 2,001m<sup>2</sup>.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr M O'Dea, seconded Cr B Bell:**

**That in accordance with Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 the proposed outbuilding addition at Lot 9 Fourth Avenue, Kendenup be approved which will mean a maximum floor area for the outbuilding being 144m<sup>2</sup> which is in excess of the 100m<sup>2</sup> stated in Town Planning Scheme Policy 16.3 (Outbuildings), subject to:**

- 1. The development being in accordance with plans dated 29 June 2020.**
- 2. The external walls for the outbuilding addition being green trimdek® to the satisfaction for the Executive Manager Strategic Development.**

**CARRIED (9/0)**

**NO. 235/20**

**9.1.3 REVIEW OF LOCAL PLANNING STRATEGY JULY 2013 - COMMUNITY CONSULTATION - SUBMISSIONS RECEIVED**

<b>File Ref:</b>	<b>N51947</b>
<b>Attachments:</b>	<u>Summary of Submissions</u>
<b>Responsible Officer:</b>	<b>Andrus Budrikis</b> <b>Executive Manager Strategic Development</b>
<b>Author:</b>	<b>Vincent Jenkins</b> <b>Principal Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

**PURPOSE**

The purpose of this report is to update Councillors on the submissions received during the preliminary community consultation period prior to initiating a formal review of the Shire of Plantagenet Local Planning Strategy July 2013.

**BACKGROUND**

The Shire of Plantagenet Local Planning Strategy (Strategy) was adopted by the Council on 30 July 2013 and was endorsed by the Western Australian Planning Commission (WAPC) on 15 August 2013.

On 5 September 2018, the Council received a letter from the Department of Planning, Lands and Heritage (DPLH) noting that the Council has prepared the draft Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015. Pursuant to the State Government's Local Planning Manual (March 2010), a comprehensive review of a Local Planning Strategy should be undertaken every five years in conjunction with the Scheme review. Consequently, the DPLH also noted that the Council needed to undertake a review of its Strategy.

In a letter dated 16 October 2018, the Council advised the DPLH that it was in the final stage of preparing LPS5 and it expected that it should come into effect around July 2019. Further advice included that the Council will consider initiation of a review of the Strategy once LPS5 was gazetted. However, LPS5 has yet to be finalised and is currently with the DPLH.

Regardless of LPS5 not being finalised, Council staff have commenced the process of reviewing the Strategy, in accordance with the Regulations.

At its meeting held on 25 February 2020, the Council resolved at Resolution No. 43/20:

*'That:*

- 1. That preliminary community consultation with the aim of generating submissions as input to the preparation of the review of the Shire of Plantagenet Local Planning Strategy July 2013 be authorised.*

2. *After the preliminary community consultation authorised in Part 1 above, a further report be prepared for the Council to be presented no later than its meeting on 16 June 2020.'*

The Strategy review was advertised for a period of 60 days closing on 1 May 2020.

### **STATUTORY ENVIRONMENT**

Planning and Development (Local Planning Schemes) Regulations 2015 – The requirements for preparing and approving a strategy are outlined in Part 3 of the Regulations.

WAPC Local Planning Manual March 2010 – the manual provides guidance on the preparation, monitoring and review of local planning strategies and the type of information a strategy should contain.

### **EXTERNAL CONSULTATION**

Once the Council has initiated a review of the Strategy and the WAPC has provided certification, the Council will formally commence public advertising of the Strategy. Public advertising will include notices in the Albany Advertiser, the Council's notice board and website and referral to public authorities for a minimum period of 21 days. These advertising requirements are set by the Planning and Development (Local Planning Schemes) Regulations 2015.

However, the Council has undertaken preliminary community consultation as input to the preparation of the review of the Strategy. Consultation included notices placed on the Council's electronic and hard copy notice boards, in the Albany Advertiser newspaper and Plantagenet News newsletter. The consultation was for a period of 60 days closing on 1 May 2020.

Four submissions have been received from the wider community. One submission has also been received from a Council officer. These submissions are contained in the attached Summary of Submissions.

### **FINANCIAL IMPLICATIONS**

Further preparation of the Strategy review will involve a series of workshops with Councillors to obtain progressive feedback and to determine the scope of the Strategy review.

This will involve engagement of a planning consultant to facilitate approximately five workshops at an estimated cost of \$1,000.00 per workshop. The cost of the workshops will be met from the Town Planning professional services budget.

### **POLICY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.1 (Diverse, profitable and sustainable local business) the following Strategy:

Strategy 3.1.4:

*'Promote the long term growth of the District'*

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 3.1.4.1

*'Promote the long term growth of the District by encouraging diverse, profitable and sustainable business'*

### **OFFICER COMMENT**

The Local Planning Strategy is a fundamental component of the local planning framework. It is a high-level strategic document that sets out the framework for local planning and development over the forthcoming 10 to 15 years.

A Local Planning Strategy is not a statutory planning document. It does not contain specific development requirements, but rather guides decision-making and gives direction to what planning requirements and zoning, in general, should be included or amended in the Local Planning Scheme and other planning mechanisms such as planning policies. A Local Planning Strategy also informs future projects the Council may undertake such as additional detailed plans, studies and projects.

The Council has received four submissions from the wider community and one from a Council officer.

Two submissions have been received for the provision of additional rural residential land. One submission was from a planning consultant and the other submission was from a landowner. His rural property is 64ha in area and located approximately 5km east of the Mount Barker Townsite. The planning consult submission further seeks the Council's assistance to influence the development of State rural policies that are less metro-centric.

The State government in 2015 updated the planning framework through the introduction and regular update of State Planning Policy 3.7 (Planning in Bushfire Prone Areas) (SPP3.7) and the Guidelines for Planning in Bushfire Prone Areas (Bushfire Guidelines). One of the submissions, with reference to the Porongurup Rural Village Zone, appropriately show that the Strategy needs to include reference to SPP3.7 and the Bushfire Guidelines. This further means the Council must prepare a Bushfire Hazard Assessment where future development areas are earmarked as part of the Strategy review.

Another submission is seeking to include buffer distance requirements for industrial and intensive agricultural pursuits around townsites and rural villages. Buffer distance requirements are typically included in State and industry guidelines, local planning schemes and local laws and are not appropriate for inclusion in strategic documents.



An additional submission involves a Council officer reviewing the availability of industrial lots for two separate businesspersons seeking to locate their business operations to Mount Barker. In both instances, there were shortages of light industrial land that could be purchased or developed. The officer has identified rural land on the Albany Highway north of the Mount Barker Regional Saleyards for the provision of additional light industrial land. The notion for this land to be zoned for industrial purposes has been raised before.

Further preparation of the Strategy review will involve a series of workshops with Councillors to obtain progressive feedback and to determine the scope of the Strategy review. These workshops will be undertaken during the remainder of 2020 and in 2021.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

**That the submissions received during the preliminary community consultation period prior to initiating a formal review of the Shire of Plantagenet Local Planning Strategy July 2013 be noted.**

**CARRIED (9/0)**

**NO. 236/20**

## 9.2 WORKS AND SERVICES REPORTS

### 9.2.1 FROST PARK - DRAINAGE

<b>File Ref:</b>	<b>N52530</b>
<b>Attachments:</b>	<u>Attachment 1 - Photos</u> <u>Attachment 2 – Site Details</u>
<b>Responsible Officer:</b>	<b>Paul Sheedy</b> <b>Acting Chief Executive Officer</b>
<b>Author:</b>	<b>David Lynch</b> <b>Executive Manager Works and Services</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

#### PURPOSE

The purpose of this report is to request approval from the Council to renew ageing drainage infrastructure at Frost Park.

#### BACKGROUND

Correspondence was received from the Mount Barker Turf Club in early August outlining concerns with drainage at the racetrack slightly north of the Frost Pavilion and adjacent to the race track in the area of the finish line.

Shire staff investigated the drainage in this area and noted old and decaying infrastructure.

#### STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.8 'Expenditure from municipal fund not included in annual budget' provides that:

'Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.  
\* Absolute majority required.

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.'

**FINANCIAL IMPLICATIONS**

There is no budget item for the drainage replacement and funds need to be re-allocated.

**BUDGET IMPLICATIONS**

The item will need to be included in the first quarterly budget variation for 2020/2021.

**POLICY IMPLICATIONS**

Council Policy A/PA/15 Asset Management

The policy provides direction as to how the Council manages the Shire's infrastructure within an asset management framework.

**ASSET MANAGEMENT IMPLICATIONS**

In the Shire of Plantagenet's Strategic Asset Management Plan 2019/20 – 2028/29, the Frost Park Complex falls within the area of full Council responsibility which includes the funding of operations, maintenance, renewal and upgrades.

**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.'*

At Outcome 2.5 (Council buildings and facilities that meet community needs):

Strategy 2.5.1:

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

At Outcome 2.6 (Assets and infrastructure managed over the long term to meet current and future needs):

Strategy 2.6.1:

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

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

The Shire of Plantagenet Corporate Business Plan 2020/21 – 2023/2024 includes Action 2.6.1.1:

*'Implement Asset Management Framework and Principles'*.

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

**OFFICER COMMENT**

Shire staff investigated the drainage system in front of Frost Pavilion and northwards adjacent to the track on 26 August 2020. In the process, it was determined the subsoil drainage has completely failed and was in fact never fit for purpose when it was designed and installed (see Attachment One for photos).

The roof drainage from the pavilion enters an undersized sump at a higher level than the subsoil drainage pipes so in any rain event the sump fills up and water moves out of it into the subsoil system, potentially causing flooding along the track in front of the pavilion.

The subsoil line was traced to the north where it enters the culvert that runs underneath the racetrack. This old sump was excavated and the culvert inspected. The drainage system that runs under the track is very old and was constructed by placing box culverts upside down in a trench then wooden boards laid over the top and approximately 75mm of concrete poured onto these boards.

The wooden 'lid' has rotted away in many places and the concrete is cracked. In discussion with representatives of the Mount Barker Turf Club, the Executive Manager Works and Services (EMWS) believes there is an unacceptable risk to horses and riders crossing this section under race conditions.

Given the issues that have surrounded race cancellations in the past two years it is recommended that works commence immediately to rectify this culvert and drainage system. The first race meeting is scheduled for Tuesday 3 November which gives enough time for the works to be completed and turf re-instated if works are completed by mid-September.

The works would consist of 'blocking' out the turf across the track, removing the aged lid system, placing 375mm or 450mm reinforced concrete pipes (RCP) in the trench formed, compacting cement stabilised sand around the pipes and replacing the turf. A contractor would be required to provide a larger excavator (20 to 30 tonne) for the works. Such an excavator has the reach to minimise traffic on the adjacent areas of the track by working from both sides.

Shire staff would be working concurrently to replace the stormwater liners and subsoil as required.

The cost to replace the culvert and associated subsoil drainage is in the vicinity of \$45,000.00 (ex GST). Councillors should note this is an estimate and may be variable. Shire staff will complete some of the works with a contractor installing the culvert. Some materials (i.e. pipes) will come from the Shire Depot stockpile.

Given that these works represent an unbudgeted expense, an Absolute Majority vote of Council is required prior to expenditure of funds.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION**

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

That:

1. Works to replace the culvert running under the Frost Park racetrack and subsoil drainage infrastructure adjacent (as shown in Attachment Two) are to be completed prior to 30 September 2020.
2. Unbudgeted expenditure to carry out the drainage work at Frost Park, as detailed above, at an estimated cost of \$45,000.00 (ex GST) be approved, with the funds to be allocated in the Council's first quarterly budget review.

**MOTION TO ADJOURN THE DEBATE**

Moved Cr B Bell, seconded Cr J Moir:

That the debate be adjourned to the Ordinary meeting of the Council scheduled for 6 October 2020 to allow contact to be made with the Department of Racing, Gaming and Liquor to ensure that there is an undertaking that racing will continue in Mount Barker in future.

**LOST (3/6)**

Crs Pavlovich, Oldfield, Etherington, Clements,  
Handasyde and O'Dea voted against the motion.

**COUNCIL DECISION**

The motion was put.

**CARRIED (7/2)**

**NO. 237/20**

Crs Bell and Moir voted against the motion.

**Absolute Majority**

## 9.2.2 CHANGE TO THE PURPOSE OF THE WASTE MANAGEMENT RESERVE ACCOUNT

### Cr K Woltering

Item: 9.2.2  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: One of the largest users of the tip in the Shire  
Extent: Owner of Mount Barker Hire

3:46pm Cr K Woltering left the meeting.

**File Ref:** N52432  
**Attachment:** GHD Consultants Report – Mount Barker Landfill Closure Plan  
**Responsible Officer:** David Lynch  
Executive Manager Works and Services  
**Author:** Nicole Selesnew  
Project Officer Works and Services  
**Proposed Meeting Date:** 8 September 2020

---

### PURPOSE

The purpose of this report is to seek approval for a change to the purpose of the Waste Management Reserve Account.

### BACKGROUND

The Waste Management Reserve Account was established to fund waste management infrastructure and purchase major items of associated plant and equipment.

The Council engaged GHD Consultants in May 2020 to carry out a review of the O'Neill Road Waste Management Facility. The review focused on the most efficient way to maximise longevity at the O'Neill Road site, to plan for the site closure and prepare a post-closure management plan.

The consultants have identified an opportunity to extend the lifespan of the site by up to 41.6 years, with further investigation, licensing and works required to consolidate these plans.

It is proposed to use the funds in the Waste Management Reserve Account to carry out the recommendations outlined in the GHD plans. In order to utilise these funds, the purpose of the Waste Management Reserve Account will need to be changed.

### STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.11(2) of the Act states:

*'(2) Subject to subsection (3), before a local government —*

---

- (a) *changes\* the purpose of a reserve account; or*
- (b) *uses\* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.'*

Local Government (Financial Management) Regulations 1996

The view of the Department of Local Government, Sport and Cultural Industries is that two resolutions are required to effect this proposal. The first resolution is to approve a local public notice and a second decision would consider any responses and approve the change of purpose.

### **FINANCIAL IMPLICATIONS**

The Annual Financial Report must disclose a change in purpose of a reserve account and the use of money from a reserve account for the year in which the change or expenditure occurs.

### **BUDGET IMPLICATIONS**

The 2020 / 2021 Annual Budget lists an opening balance for the Waste Management Reserve Account of \$491,377.00.

If the Reserve account purpose is changed, an anticipated \$50,491.00 will be spent on initial planning and investigation work for the O'Neill Road Waste Management site.

### **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 O'Neill Road Waste Management Facility is the main waste management facility operated by the Shire of Plantagenet. The site has been in operation since the 1960's. Waste disposal activities are focussed in the northern portion of the site, covering approximately 16ha of the total 76ha available over the site.

The site is licensed to accept up to 1,000kL of liquid waste and up to 10,000 tonnes of putrescible landfill waste for burial on an annual basis.

The consultant's investigations (attached) into options to maximise longevity at the O'Neill Road waste site have identified potential to change the slope of landfill batters and extend the landfill site to the west, which will extend the maximum landfill height over the waste collection area. This will, in turn, extend the working life of the site by up to 41.6 years.

The proposed work will also address a number of requirements outlined in the draft post-closure management plan.

### **STRATEGIC IMPLICATIONS**

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

Strategy 2.9.1: *‘Continue to undertake rubbish collection services in Mount Barker, Kendenup, Narrikup and Rocky Gully townsites.’*

And

Strategy 2.9.3: *‘Develop modern, accessible, cost effective and innovative waste disposal options.’*

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

The Shire of Plantagenet Corporate Business Plan 2019/2020 – 2022/2023 includes Action 2.9.2.3:

*‘Undertake appropriate forward planning to meet the Shire’s long-term waste disposal needs.’*

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

### **OFFICER COMMENT**

A local government may change the purpose of a reserve account provided it has given one month’s local public notice of the proposed change of purpose. It is also required to disclose the change of purpose and / or use of money from the reserve account in the annual financial report for the year in which the changes have occurred.

The current purpose of the Waste Management Reserve account is *‘To fund waste management infrastructure and major items of associated plant and equipment’*.

It is proposed to change the purpose of the account to the following: *‘To fund waste management infrastructure, major items of associated plant and equipment and consultancy and design of landfill sites.’*

This will enable the withdrawal of funds from the Reserve to carry out further investigations, monitoring and licensing approvals and to complete works required to maximise the longevity of the O’Neill Road Waste Management Site. Funds may also be used to address closure and post closure management activities at the site.

### **VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr J Moir:

That:

1. One month's local public notice be given of a proposal to change the purpose of the Shire of Plantagenet Waste Management Reserve account to the following:

*'To fund waste management infrastructure, major items of associated plant and equipment and consultancy and design of landfill sites'.*

2. A further report be presented to the Council at its meeting to be held on 3 November 2020 on the outcome of the notice in part 1 above.

**CARRIED (8/0)**

**NO. 238/20**

3:50pm Cr K Woltering returned to the meeting.

### 9.3 CORPORATE SERVICES REPORTS

#### 9.3.1 FINANCIAL STATEMENTS – AUGUST 2020

<b>File Ref:</b>	<b>N52470</b>
<b>Attachment:</b>	<u>Financial Statements</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Alison Kendrick</b> <b>Senior Administration Officer - Finance</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

#### **PURPOSE**

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

#### **STATUTORY ENVIRONMENT**

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

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

The Statement is to be accompanied by:

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

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **POLICY IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

#### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

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

**CARRIED (9/0)**

**NO. 239/20**

**9.3.2 LIST OF ACCOUNTS – AUGUST 2020**

<b>File Ref:</b>	<b>N52539</b>
<b>Attachment:</b>	<u>List of Accounts – August 2020</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Executive Manager Corporate Services</b>
<b>Author:</b>	<b>Vanessa Hillman</b> <b>Accounts Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

**PURPOSE**

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

**STATUTORY ENVIRONMENT**

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

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

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

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr S Etherington:

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

1. Electronic Payments and Direct Debits totalling \$1,399,041.54.
2. Municipal Cheques 46913 – 46939 totalling \$101,516.13.

**CARRIED (9/0)**

**NO. 240/20**

---

### 9.3.3 RENEWAL OF LEASE - SALEYARDS HOLDING PENS – M & J MITCHELL PTY LTD

#### Cr J Moir

Item: 9.3.3  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle Farmer/Employee of Elders  
Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.  
Part-time employee of Elders in a non-managerial position.

3:53pm Cr J Moir left the meeting.

**File Ref:** N52434  
**Attachments:** Draft Lease  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Donna Fawcett  
Human Resources Coordinator  
**Proposed Meeting Date:** 8 September 2020

---

#### **PURPOSE**

The purpose of this report is to consider the renewal of the lease agreement with M & J Mitchell Pty Ltd (Mitchells Transport) for the use of a portion of Lot 3 Albany Highway, Mount Barker for the purpose of cattle holding yards.

#### **BACKGROUND**

The Shire of Plantagenet has leased approximately 3,000 m<sup>2</sup> (portion of Lot 3 Albany Highway) at the Mount Barker Regional Saleyards to Mitchells Transport since 1 July 2010. The current lease agreement expired on 30 June 2020.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995.

Section 3.58 - The leasing of Council owned or vested property is classified as a disposition of property. This section does not apply to a disposition of property in the course of carrying on a trading undertaking as defined in Section 3.59 of the Act, as is the present case.

#### **EXTERNAL CONSULTATION**

Discussions have been held with Mitchells Transport regarding the use of the site and amendments to lease wording. A draft lease has been prepared and forwarded to the company for comment.

## FINANCIAL IMPLICATIONS

It will be recommended that Mitchells Transport be required to pay rent of \$385.00 (exclusive of GST) annually in advance commencing on the commencement date of 1 July 2020 and on each anniversary date until the lease expires on 1 July 2025.

## POLICY IMPLICATIONS

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

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

Section 3(e). of the policy 'Commercial entities or persons running a profit making business' (of which Mitchells Transport is identified) provides for the lessee to be responsible for rates.

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.5: (Appropriate infrastructure that supports sustainable economic development) the following strategy:

Strategy 3.5.5 – *'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining.'*

The Strategic Community Plan also provides at Outcome 3.3 (A well-developed relationship with industry, commerce and government) the following Strategy:

Strategy 3.3.1:

*'Develop, maintain and strengthen relationships with local business.'*

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

## OFFICER COMMENT

There have been some changes to the previous lease provisions as follows:

- The previous clause 7.1 regarding the cost of setting up yards has been deleted as this is irrelevant now.
- Clause 7.2 becomes 7.1, but otherwise unchanged.
- The following clause (7.3) as follows has been deleted.

*'Should the Saleyards Manager need to use the premises, the Council is to pay a fee per head i.e.: 50% of the holding fee, and be responsible for all other on goings such as feed, welfare etc.'*

- The following new clause 7.2 replaces the old Clause 7.3, as follows.

*'The Saleyards Manager may at his discretion hold cattle on the Premises from time to time and when not in use by the Lessee, on any given day other than on sale days and on sale days only with the consent of the Lessee. The Lessor will be responsible for any associated outgoings such as feed, welfare and repairs'*

*to any damage caused by such use including the surface condition of the yards.'*

These changes formalise the current arrangements with regard to the Shire's use of the yards.

The lease with Mitchells Transport continues to work well and adds value to the Saleyards. A renewal of the lease on these revised terms and conditions is considered appropriate.

It is recommended that the lease agreement be renewed for a term of five years. The recommendation was endorsed by the Saleyards Advisory Committee at its meeting held on 25 August 2020.

## **VOTING REQUIREMENTS**

Simple Majority

## **SALEYARDS ADVISORY COMMITTEE RECOMMENDATION/COUNCIL DECISION**

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

**That:**

- 1. The lease with M & J Mitchell Pty Ltd for a portion of Lot 3 Albany Highway, Mount Barker for the purpose of cattle holding yards, be renewed under the following terms:
  - a) the lease be for a period of five years;**
  - b) the annual rent to be \$385.00 (excluding GST) per annum.****
- 2. Authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the lease agreement (as attached) between the Shire of Plantagenet and M & J Mitchell Pty Ltd for a portion of Lot 3 Albany Highway, Mount Barker.**

**CARRIED (8/0)**

**NO. 241/20**

3:54pm Cr J Moir returned to the meeting.



### 9.3.4 2020 WINE SHOW OF WESTERN AUSTRALIA – SPONSORSHIP ARRANGEMENT

Cr M O'Dea

Item: 9.3.4  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Contracted by committee to coordinate Wine Show  
Extent: Honorarium paid.

3:54pm Cr M O'Dea left the meeting.

**File Ref:** N52481  
**Attachment:** Community Grant Application and attachments – April 2020 (withdrawn)  
**Responsible Officer:** Paul Sheedy  
Acting Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 8 September 2020

---

#### PURPOSE

The purpose of this report is to consider a request from the Wine Show of WA Committee (a committee of the Mount Barker and District Agricultural Society Inc) for a sponsorship arrangement to assist with the running of the 2020 Wine Show of WA.

This arrangement would involve some minor works at Taylor Dennis Pavilion, Frost Park.

#### BACKGROUND

The Committee submitted an application for a financial assistance grant (see attached) as part of the 2020/2021 grants round, however it withdrew the application as it had decided to cancel the 2020 Wine Show.

#### STATUTORY ENVIRONMENT

There are no statutory implications for this report.

#### EXTERNAL CONSULTATION

Discussions have been held with Marie O'Dea, Coordinator of Wine Show WA.

#### FINANCIAL IMPLICATIONS

In its annual community grants deliberations, the Council has, for at least the last five years made a cash contribution of \$1,000.00 to the Wine Show as well as waiving hire costs for the Rec.Centre valued at \$4,000.00.

On this occasion, the Committee has requested that minor works be undertaken by the Shire to facilitate the use of a glass washer in the Taylor Dennis Pavilion, which can be accommodated within the Frost Park maintenance budget.

**POLICY IMPLICATIONS**

Council Policy CF/DG/2 – Financial Assistance (Operating) to Incorporated Organisations and Clubs is relevant. The category limit for regional events (event attracting people from a wider area) is \$5,000.00.

**STRATEGIC IMPLICATIONS**

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

Strategy 1.3.1:

*‘Encourage and support community groups and initiatives to help people to work together for the benefit of our community’*

Further at Outcome 3.4 (A strong tourism region):

Strategy 3.4.1:

*‘Promote and support local and regional tourism initiatives’*

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

**OFFICER COMMENT**

The Wine Show Committee has continued to meet and discuss various options to hold an event of some kind in 2020. It has decided to hold the 43<sup>rd</sup> Wine Show of WA, although it will be smaller in size and it is not planning to hold an exhibitor tasting due to Covid-19 restriction uncertainty.

The Wine Show will be held at Frost Pavilion to enable greater flexibility around timing of the show in terms of ability to control temperature of wines as they are judged. The hire period is 9-12 November 2020.

That decision requires an investment of glass washing equipment and in order not to disturb the wine tasting, the Shire has been requested to meet the cost of providing a hot and cold water connection to the glass washer in the Taylor Dennis Pavilion. As there is an old glass washer and hot water system in place at the moment, the plumbing costs are likely to be less than \$1,000.00. The hot water system can be switched on but has otherwise not been tested.

The Committee has suggested that its glass washer could be left in place and subject to agreement with the Committee, used by the Turf Club and potentially other hirers of the facility. This would require the installation of a strong protective cover, potentially costing in the region of \$2,000.00. This would protect the equipment from dust and also theft / vandalism.

The Committee has proposed the following:

- The Wine Show of WA pays the hire fees for Frost Pavilion.
- The cost of plumbing and protective cover to the glass washer detailed above be met by the Shire.
- The Wine Show of WA will acknowledge the Shire as a sponsor and a trophy will be allocated to the Shire for naming rights.

- The Shire will receive the same benefits as other trophy sponsors regarding acknowledgement, the website, social media and invitations to present the trophy.

It is worth noting that the Committee has requested that works associated with the upgrade of Frost Pavilion toilet facilities be held off until after the Wine Show, so as not to interfere with the judging.

While the cash outlay would be more than traditionally provided to this event, the overall quantum is less than the total in cash and in-kind normally provided. Further, the proposal is within the relevant policy guideline and may provide a benefit to other facility users. No objections are raised.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr B Bell, seconded Cr K Woltering:**

**That the application from the Wine Show of WA Committee for a sponsorship arrangement to assist with the running of the 43<sup>rd</sup> Wine Show of WA be approved, with the Council:**

- 1. Meeting the cost of providing a hot and cold water connection in the Taylor Dennis Pavilion for a glass washer.**
- 2. Meeting the cost of providing a permanent protective cover for a glass washer in the Taylor Dennis Pavilion.**

**CARRIED (8/0)**

**NO. 242/20**

3:59pm Cr M O'Dea returned to the meeting.

### 9.3.5 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - BOARD NOMINATION

#### Cr J Moir

Item: 9.3.5  
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)  
Nature: Cattle Farmer/Employee of Elders  
Extent: Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head.  
Part-time employee of Elders in a non-managerial position.

3:59pm Cr M Moir left the meeting.

**File Ref:** N52465  
**Responsible Officer:** Paul Sheedy  
Acting Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 8 September 2020

---

#### **PURPOSE**

The purpose of this report is confirm the nomination to the board of the Australian Livestock Markets Association Inc (ALMA).

#### **BACKGROUND**

At the annual general meeting (AGM) of ALMA held in Casino NSW in July 2018, Cr Marie O'Dea was elected as one of eight positions on the board of ALMA. Former councillor Michael Skinner had previously been on the board.

The 2020 ALMA AGM will be held on Tuesday 29 September 2020 as an online meeting. ALMA is now accepting nominations for the four ALMA board positions that will be declared vacant at the upcoming 2020 AGM. One of those is Cr O'Dea. Nominations close at 5.00pm on Friday 28 August 2020.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **FINANCIAL IMPLICATIONS**

ALMA has previously advised that it would expect a nominee to attend only two of the four annual meetings, but there would be an opportunity to attend via teleconference for the other two meetings. ALMA provides an annual subsidy of \$2,000.00 towards costs incurred, so the maximum cost to the Council may be up to \$4,000.00 per annum.

#### **POLICY IMPLICATIONS**

Council Policy CE/CS/1 Elected Member Expenses to be Reimbursed is relevant to this report.

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

*‘Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining’*

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

## OFFICER COMMENT

ALMA is a national body representing saleyards. It regards itself as a peak national industry body in relation to conducting saleyards business and lobbying with interest groups and governments.

ALMA members provide livestock exchanges to around 1,200 stock and station agents and tens of thousands of livestock producers. Many of its members are local government entities but ALMA also represents private operators both large and small. Total transactions through member facilities exceed \$5 billion annually.

A board of directors oversees the operation of the association with an executive officer and several field representatives. The association is funded by levies from members, based on throughput. The board meets four times per year.

Previous councillor attendees at the ALMA Annual General Meeting and conference have reported that it is ideal to secure a position on the ALMA Board in order to have the ‘inside running’ on national issues. The Saleyards Advisory Committee has previously noted that having a representative at that level has been useful as it has provided intelligence from a variety of stakeholders.

At its meeting held on 25 August 2020, the Saleyards Advisory Committee supported Cr Marie O’Dea nominating to the board of the Australian Livestock Markets Association Inc.

## VOTING REQUIREMENTS

Simple Majority

## SALEYARDS ADVISORY COMMITTEE RECOMMENDATION/COUNCIL DECISION

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

**That the nomination of Cr Marie O’Dea to the board of the Australian Livestock Markets Association Inc, be confirmed.**

**CARRIED (8/0)**

**NO. 243/20**

**9.3.6 CANTEEN EXTENSION – MOUNT BARKER REGIONAL SALEYARDS - DESIGN**Cr J Moir

Item:	9.3.6
Type:	Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature:	Cattle Farmer/Employee of Elders
Extent:	Sell cattle through the Mount Barker Saleyards on average six times per year. Average number of cattle held is 80 head. Part-time employee of Elders in a non-managerial position.
<b>File Ref:</b>	<b>N52526</b>
<b>Attachment:</b>	<u>Canteen Extension Plans</u>
<b>Responsible Officer:</b>	<b>Paul Sheedy</b> <b>Acting Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

**PURPOSE**

The purpose of this report is to seek endorsement of the plans for a canteen extension at the Mount Barker Regional Saleyards and for authority to proceed with the building works.

**BACKGROUND**

The 2019/2020 budget for the Mount Barker Regional Saleyards included a sum of \$20,000.00 for a cover over the generator and providing a covered deck adjacent to the lunch room. The generator cover has been completed. A design for the deck area has been carried out and quotes have been sourced.

When the 2020/2021 budget was adopted, an increased carry forward amount of \$24,880.00 was provided for the canteen extension, however the administration was requested to refer the proposal back to the Saleyards Advisory Committee for further consideration, prior to works proceeding.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Functions and General) Regulations 2006.

**EXTERNAL CONSULTATION**

Consultation has occurred with designer, Martin Beeck.

**FINANCIAL IMPLICATIONS**

The 2020/2021 budget includes a sum of \$24,880.00 for this project.

**POLICY IMPLICATIONS**

Purchasing and Tender Guide Policy No F/FM/7 applies.

---

## **ASSET MANAGEMENT IMPLICATIONS**

As part of the Committee's deliberations on the proposal, the administration was requested to review the decking boards to see if a longer life composite material could be used. The additional cost of this option was approximately \$3,000.00, which has been included in the budget. There will be savings over the life of the deck of substantially more than this, as there will not be a need to apply wood stain to the decking on a regular basis.

## **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.5: (Appropriate infrastructure that supports sustainable economic development) the following strategy:

Strategy 3.5.5 – *'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining.'*

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

## **OFFICER COMMENT**

The proposal for an outdoor undercover eating area has resulted from two different needs. The original intention was to have a small covered area for staff under the tree on the north east corner of the building. Staff should have a space where they can remove themselves from their very challenging work area to eat meals and relax. The staff work in a very unpredictable and challenging environment and often work long shifts in extreme and varying weather conditions well outside the standard 7.6 hour days.

The current proposal merged this idea with the need for additional space for customers as the canteen is often full during busy times. Further, there is the issue of customers wishing to bring food to eat, so the extension would not form a part of the licensed area of the canteen.

At its meeting held on 25 August 2020, the Committee noted that the current proposal satisfies the need for additional canteen space for patrons, and was happy to recommend that the plans be endorsed to enable construction to proceed. However, the open nature of the structure is not entirely suitable for a staff lunch room in the long term and the Committee considered that a purpose built lunch room is required.

Plans are currently being developed for a larger project which includes a roof over the eastern dirt pens and an external shower/toilet block to the south of the current saleyards administration building. The Committee considered that those plans should be reviewed to incorporate a purpose-built staff lunch room. Once those concepts are endorsed, funding options will be explored.

## **VOTING REQUIREMENTS**

Simple Majority

**SALEYARDS ADVISORY COMMITTEE RECOMMENDATION**

That:

1. The attached plans for an extension of the canteen at the Mount Barker Regional Saleyards be endorsed and authority be given to proceed with the building works.
2. Consideration be given to incorporating a purpose built staff lunch room into the plans for a new building to the south of the current saleyards administration building, which would also house an ablutions block.

**ALTERNATIVE RECOMMENDATION/COUNCIL DECISION**

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

**That the Item be referred back to the Saleyards Advisory Committee for further consideration.**

**CARRIED (8/0)**

**NO. 244/20**

Reason for Change:

It is considered that further consultation between stakeholders and user groups should be undertaken.

4.02pm Cr Moir returned to the meeting.



**9.3.7 POLICY REVIEW - COMMUNITY HALLS AND BUILDINGS**Cr S Etherington

Item: 9.3.7  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: President and signature on lease of Lesser Town Hall.  
Extent: N/A

Cr K Woltering

Item: 9.3.7  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: Vice-President and signature on lease of Lesser Town Hall.  
Extent: N/A

**File Ref:** N52516  
**Attachment:** Policy with Amendments  
**Responsible Officer:** Paul Sheedy  
Acting Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 8 September 2020

---

**PURPOSE**

The purpose of this report is to review Council Policy A/PA/17 – Community Halls and Buildings.

**BACKGROUND**

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

**STATUTORY ENVIRONMENT**

Section 3.58 of the Local Government Act relates to the disposition of property and the manner by which a Local Government can dispose of property.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

## STRATEGIC IMPLICATIONS

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

Strategy 2.5.3:

*‘Continue to investigate opportunities to rationalise or devolve obsolete buildings and other assets’*

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

## OFFICER COMMENT

This policy continues to provide a position regarding Council owned halls and public buildings from an asset management point of view and the potential for community groups to assume responsibility for the running of those buildings.

To date lease agreements have been entered into in regard to the following halls and public buildings:

- Kendenup Agricultural Grounds – Kendenup Community Grounds Committee;
- Former Guide/Scout Hall – Plantagenet Mens Shed Inc;
- Woogenellup Hall – Woogenellup Progress Association;
- Mitchell House – Plantagenet Arts Council;
- Porongurup Hall – Porongurup Community Association Inc;
- Plantagenet District Hall - Plantagenet Players;
- Sounness Park Clubrooms – Plantagenet Sporting Club Inc;
- Portions of Frost Park – Agreement to licence to Mount Barker Turf Club Inc;
- Former HACC Building – Plantagenet News;
- Lesser Hall – Empowering Plantagenet Seniors Inc; and
- Historic Museum Buildings – Plantagenet Historical Society.

Further, in April 2019, the Kamballup Hall and toilet buildings were demolished and removed from the site.

Minor grammatical changes have been made to the part of the policy relating to operation of community halls and public buildings.

Further, some additions to the policy have been incorporated to clarify the process when applications are received from a lessee or community group for additions or modifications to a Council hall or building.

Upon receipt of an application, the first step would be to seek Council approval as to whether it is interested in the proposal and to secure a Council resolution to progress a plan. In order to create a pathway to development, the Shire should take ownership, by doing the plans, paying fees and allocate a small sum to progress a plan. Consideration would be given to a number of factors, including ongoing financial commitment, operation, management and ownership of assets.

Thereafter, the Council would assist the application with grant funding applications, but retain control of the development and construction processes.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Moir, seconded Cr K Woltering:

That amended Council Policy A/PA/17 – Community Halls and Buildings, as follows:

**OBJECTIVE:**

To clarify the Council's position with regard to the ongoing operation and development of community halls and public buildings.

**POLICY:****1. Operation of community halls and public buildings**

The Council is of the opinion that community halls within the District should be:

- a) Wherever possible, operated by an appropriate incorporated community body;
- b) 'Operated' in part 1(a) can include ownership or leasing;
- c) If sale or lease cannot be effected for community hall purposes the closure of the hall and subsequent sale and removal of the subject structure may be pursued.

**2. Applications for capital works on community buildings**

Where the Council receives an application from a lessee or community group for additions or modifications to a Council hall or building, the Strategic Development Department will:

- (a) Prepare a report to the Council to endorse the development of a formal proposal. This report will include financial implications to develop the proposal.
- (b) Upon such endorsement, develop a proposal with the lessee or community group to a feasibility / concept plan level, which is to consider the following:
  - I. Budget parameters including initial and ongoing financial commitment by the Council.
  - II. Ongoing operation and management implications.
  - III. Initial and ongoing implications on Council staff and resources.
  - IV. Ongoing ownership of assets.

**V. Other matters as required by Council Policy A/PA/15 – Asset Management.**

- (c) Present the proposal to the Council for approval and, if necessary a budget allocation.**
- (d) Lodge a Development Application to approve the proposal.**
- (e) Provide assistance to the lessee or community group to raise funds for the project through grant applications.**
- (f) Prepare contract documentation and conduct a request for quote or tender, as required by the Local Government Act 1995 and the Shire of Plantagenet Purchasing Policy for any planning, documentation or construction works.**
- (g) Manage the project and administer any contracts entered into required to complete the works.'**

**be endorsed.**

**CARRIED (9/0)**

**NO. 245/20**

### **9.3.8 POLICY REVIEW - FINANCIAL ASSISTANCE (CAPITAL) TO ORGANISATIONS AND CLUBS**

#### Cr K Clements

Item: 9.3.8  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)  
Nature: President of Historical Society.  
Extent: Historical Society uses Council land.

**File Ref: N52475**  
**Responsible Officer: Paul Sheedy  
Acting Chief Executive Officer**  
**Author: John Fathers  
Deputy Chief Executive Officer**  
**Proposed Meeting Date: 8 September 2020**

---

#### **PURPOSE**

The purpose of this report is to review Council Policy CF/DG/1 – Financial Assistance (Capital) to Organisations and Clubs and recommend that the policy be revoked.

#### **BACKGROUND**

The policy was last reviewed at the Council meeting held on 11 September 2018.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **FINANCIAL IMPLICATIONS**

Council Policy CF/DG/1 forms part of the annual budget process.

#### **POLICY IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

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

Strategy 1.3.4:

*‘Actively promote and assist community groups and clubs’*

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

**OFFICER COMMENT**

A councillor workshop was held on 25 February 2020 to consider the community grants process and guidelines. Following that workshop, significant changes were made to Council Policy CF/DG/2 Financial Assistance (Operating) to Incorporated Organisations and Clubs at the Council meeting held on 24 March 2020.

These amendments widened the scope of that policy by providing for worthwhile community group (capital) projects to be funded up to one third of the project cost. As Policy CF/DG/2 now deals with items of a capital nature, it is considered that the policy the subject of this report has become obsolete. Further, elements of this policy that relate to prioritising applications will be dealt with as part of the review of Policy A/PA/17 – Community Halls and Buildings.

In addition to the above, having two policies that deal with the community grants program can be confusing and can potentially result in conflicting or ambiguous provisions. Therefore, it is considered that this policy should be revoked.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr L Handasyde, seconded Cr J Moir:

That Council Policy CF/DG/1 as follows:

**OBJECTIVE:**

To assist clubs and organisations in improving community based facilities.

**POLICY:**

1. This policy relates to financial assistance by the Council to incorporated organisations and clubs occupying land owned by, or vested in the Council.
  - a) Financial assistance will not be given to clubs and organisations occupying Crown Land not vested in the Council or private property. This policy shall only apply where works of a capital nature over \$5,000.00 are being undertaken.
  - b) Organisations and clubs are not to expect as a right any financial assistance from the Council, as requests will only be considered in respect to the overall priorities of other projects within the Shire and will also be subject to the availability of finance.
  - c) The Council reserves the right to either fund within its budgeted works program or oversee any project applied for under this policy.
  - d) Funds will only be provided for capital works on the subject land and ownership of all infrastructure ultimately vests in the Council on behalf of the Community.
2. Funding Contributions

- a) Funding requests where a cash contribution from the applicant or grant from other sources has been secured will receive a higher priority than requests with no co-contribution.
- b) Eligible organisations must demonstrate, at the time of submission that other contributions will be available for the project.

### 3. Pre-requisites of Financial Assistance

- a) The group should be actively operating and meeting on a regular basis.
- b) Applications must include a current profit and loss (income and expenditure) statement, or at the least, recent bank statements where a profit and loss statement is not available.
- c) Applications must be made in full with supporting documentation and must be received by the due date. Incomplete applications or applications not received by the advertised deadline, will not be considered.
- d) Funding will not be provided for retrospective works.
- e) Funds will only be released after documentary proof of expenditure is submitted and, where applicable, until the organisation's GST status has been determined.

### 4. Prioritising Applications

The Council will determine its total financial commitment to community funding for the upcoming financial year, as part of its budget preparation and may exclude projects on the basis that it cannot be accommodated in the budget. The Council reserves the right to refuse to make available funding for projects under the following circumstances:

- a) When the Council believes that the proposal for funding is not a high priority.
  - b) When the Council considers that its financial commitments for the upcoming financial year preclude it from making funding available.
  - c) When the proposal will lead to an unacceptable ongoing financial commitment by the Council.
  - d) When the ongoing management of the capital items is unclear or places an unacceptable burden on Council staff and resources.
  - e) When the legal and / or financial status of the organisation or clubs is in doubt.
  - f) Where the applicant cannot demonstrate that it can provide adequate expertise to prepare appropriate plans and/or to specify accurately materials and services required for the project, where applicable.
-

- g) Funding requests for cosmetic improvements or works to be done earlier than that required by the Council's forward works plan will not be considered unless there is a funding contribution.
- h) Applications from groups that operate a facility with sale of alcohol are likely to receive increased scrutiny over other applications.

**5. General Conditions**

- a) Applicants need to be aware of, and comply with, the funding requirements of third party funding bodies (eg: State and Federal Government) and ensure that the Council is also made aware of those requirements.
- b) Organisations and clubs will be notified of the result of their application immediately following the adoption of the Council's annual budget.'

be revoked.

**CARRIED (9/0)**

**NO. 246/20**



### 9.3.9 POLICY REVIEW - TELECOMMUNICATIONS - COUNCILLORS AND STAFF

<b>File Ref:</b>	<b>N52239</b>
<b>Attachment:</b>	<u>Policy with amendments</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Donna Fawcett</b> <b>Human Resources Coordinator</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

#### **PURPOSE**

The purpose of this report is to review Council Policy F/FM/4 – Telecommunications – Councillors and Staff.

#### **BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 17 July 2018.

#### **STATUTORY ENVIRONMENT**

Local Government Act

Local Government (Administration) Regulations

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

#### **FINANCIAL IMPLICATIONS**

The budget for Councillors' telecommunications and incidental expenses for 2020/2021 is \$20,000.00.

#### **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 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.5:

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

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

#### **OFFICER COMMENT**

A number of changes have been recommended to this policy, as follows:

- It is considered that it would be more appropriate to remove the allowance amount from the policy and review that annually in conjunction with the review of attendance fees.
- It is recommended that the allowance be referred to as an Information and Communication Technology Allowance, to recognise that the intention is to cover the costs of performing council business using a range of such technologies. This will also better align to the relevant budget line item.
- References to staff have been deleted as such matters are already within the purview of the Chief Executive Officer to determine via employment contracts or other determinations. Hence the name of the policy has also been changed to Telecommunications – Councillors.

Otherwise the current policy is sufficient and should be endorsed.

### **VOTING REQUIREMENTS**

Simple Majority

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

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

That amended Council Policy F/FM/4 – Telecommunications – Councillors, as follows:

#### **‘OBJECTIVE:**

To ensure that councillors are reimbursed adequately for telecommunications and information technology costs.

#### **POLICY:**

1. Councillors shall be paid an annual Information and Communication Technology Allowance to be reviewed annually in conjunction with attendance fees.
2. The annual allowance is to be paid monthly in arrears.
3. Reimbursement of member expenses in excess of the annual allowance made under this policy is required to be substantiated by the claimant through the production of receipts.
4. The Chief Executive Officer is authorised to reimburse member expenses in excess of the annual allowance in accordance with this policy.
5. A mobile telephone shall be supplied to the Shire President by the Council with all related costs to be borne by the Council.’

be endorsed.

**CARRIED (9/0)**

**NO. 247/20**

## **9.4 EXECUTIVE SERVICES REPORTS**

### **9.4.1 POLICY REVIEW - BRIEFING SESSIONS FOR COUNCILLORS**

<b>File Ref:</b>	<b>N52458</b>
<b>Responsible Officer:</b>	<b>Paul Sheedy Acting Chief Executive Officer</b>
<b>Author:</b>	<b>Nolene Wake Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

#### **PURPOSE**

The purpose of this report is to review Council Policy CE/CS/6 – Briefing Sessions for Councillors.

#### **BACKGROUND**

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

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 - Section 5.23 (1) and 5.23 (2) applies.

As Council committees and workshops held do not enjoy any delegation of a power or duty, they need not be open to members of the public.

#### **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 4.1 (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.

#### **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 B Bell, seconded Cr J Oldfield:

That Council Policy CE/CS/6 – Briefing Sessions for Councillors, as follows:

**OBJECTIVE:**

To provide briefing sessions for Councillors to assist Councillors in becoming fully informed on complex matters.

**POLICY:**

When considering complex matters and where, in the opinion of the Chief Executive Officer in consultation with the Shire President, Councillors will benefit and better decision making will result, the Chief Executive Officer will at least two weeks prior to the matter coming before the Council for decision, arrange a Councillor briefing session.'

be endorsed.

**CARRIED (9/0)**

**NO. 248/20**

**9.4.2 POLICY REVIEW - TOURISM**

<b>File Ref:</b>	<b>N52459</b>
<b>Responsible Officer:</b>	<b>Paul Sheedy Acting Chief Executive Officer</b>
<b>Author:</b>	<b>Nolene Wake Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 September 2020</b>

---

**PURPOSE**

The purpose of this report is to review Council Policy CE/ED/1 Tourism.

**BACKGROUND**

This Policy was last reviewed on 6 November 2018.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

**EXTERNAL CONSULTATION**

Regular meetings are held with the South Coast Alliance Inc (SCA), the Southern Link VROC and Great Southern Treasures (GST) to progress Regional Economic Development and Tourism.

Regular communication is also maintained with the Amazing South Coast Tourism Inc. and the Great Southern Centre for Outdoor Recreation Excellence Ltd (GSCORE).

**FINANCIAL IMPLICATIONS**

There are number of financial implications in implementing the policy. The overall operating expenditure for Tourism, Area Promotion and Economic Development alone is in excess of \$400,000.00.

**POLICY IMPLICATIONS**

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

**ASSET MANAGEMENT IMPLICATIONS**

The Shire of Plantagenet provides office space to the Mount Barker Visitor Centre for 'visitor servicing' without rental charges.

**STRATEGIC IMPLICATIONS**

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

Strategy 3.4.1:

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

*and;*

Strategy 3.4.2:

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

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

## **REGIONAL IMPLICATIONS**

There is a recognised need that councils needed to collaborate with each other on matters that have regional implications.

## **OFFICER COMMENT**

It is considered that the current policy is sufficient and it is recommended it be endorsed, noting the name change from Hidden Treasures to Great Southern Treasures.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

That amended Council Policy CE/ED/1 Tourism as detailed below:

### OBJECTIVE

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

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

### POLICY

To achieve these objectives the Council will:

1. Recognise the importance of our Regional Affiliations with the South Coast Alliance (Inc), Southern Link Voluntary Regional Organisation of Councils and Great Southern Treasures as a means to further develop tourism as an economic force.
2. Assist to foster and create a community awareness of the role and value of tourism within the Great Southern.
3. Retain membership of Australia's South West to at least Affiliate level.

4. Recognise the value of working with other peak tourism organisations both government and industry bases.
5. Assist with the provision of facilities to encourage destination and day trip visitors including infrastructure provision, land use planning, traffic management, environmental protection, recreation and leisure planning.
6. Encourage (financially or by other means) tourist organisations or events which have the potential to develop tourism in the Plantagenet region and create a non-exclusive benefit.
7. Provide an adequate budget allocation for tourism expenditure (District and Area Promotion).
8. In the formulation and review of its planning instruments, take into consideration policies on tourism and other leisure related issues, and requirements of tourism development.
9. Ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
10. Ensure that where sensitive environmental, historic or cultural areas exist on Council managed land, these areas will be adequately protected in relation to development or usage.
11. Support:
  - a) the establishment of sustainable and viable National Parks.
  - b) enhancement of specific natural features.
  - c) conservation areas of outstanding beauty.
  - d) recognition of items of heritage significance.
12. Complement and/or enhance individual company effort in product development through local government services, planning and regulation, co-funding and representational means.'

be endorsed.

#### **ALTERNATIVE RECOMMENDATION/COUNCIL DECISION**

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

**That the policy be referred back to a workshop to be held on 6 October 2020 for further consideration.**

**CARRIED (9/0)**

**NO. 249/20**

#### Reason for Change:

The policy as it stands promotes unrealistic expectations in the tourism industry.

**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**

4:12pm The Presiding Member declared the meeting closed.

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