



## ORDINARY AGENDA

Notice is hereby given that an ORDINARY Meeting of  
the Council will be held:

**DATE:** Tuesday, 28 September 2021

**TIME:** 4.00pm

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

Cameron Woods  
CHIEF EXECUTIVE OFFICER

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## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

On establishing there is a quorum, the Presiding Member will declare the meeting open.

The Presiding Member acknowledges the Traditional Custodians of the land on which we meet today, paying respects to their Elders past, present and emerging.

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

Members Present:

In Attendance:

Apologies:

Members of the Public Present:

Previously Approved Leave of Absence:

Nil

## **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**

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

## **5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

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

Section 5.25 Local Government Act 1995

Nil

## **7 CONFIRMATION OF MINUTES**

### **7.1 ORDINARY MINUTES OF COUNCIL HELD 24 AUGUST 2021**

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 24 August 2021.

#### **OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 24 August 2021 as circulated, be taken as read and adopted as a correct record.**

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

## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 STRATEGIC DEVELOPMENT REPORTS

#### 9.1.1 NEW POLICY – TRADING IN PUBLIC PLACES

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<b>File Ref:</b>	<b>N56185</b>
<b>Attachment:</b>	<u>Draft Policy - Trading in Public Places</u>
<b>Responsible Officer:</b>	<b>Andrus Budrikis</b> <b>Executive Manager Strategic Development</b>
<b>Author:</b>	<b>Alex Tucker</b> <b>Environmental Health Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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#### PURPOSE

The purpose of this report is to recommend that the Council approve the Draft Trading in Public Places policy (as detailed in Attachment 1), for advertising for public comment.

#### BACKGROUND

The Shire values its local business community and recognises that there are business opportunities that can occur on a temporary and mobile basis. It is recognised that street traders can –

- Contribute to the vitality of the town.
- Provide a safe, efficient and accessible food service at peak times to service increased customer demand beyond the existing supply capabilities and/or outside operating hours of permanent food outlets.
- Provide an opportunity for seasonal products to be provided.
- Activate a particular location or precinct.

The draft policy is new and applies to all public land under the care and control of the Shire and all mobile businesses and individuals seeking to use this public land to operate a business for financial gain.

The Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008 provides the mechanism to issue a permit to trade on public land, but it does not provide the criteria necessary to assess applications. The adoption of a Trading in Public Places Policy will provide Shire staff with clear guidelines to assist them to assess applications for trading.

The objectives of this policy are:

1. To facilitate opportunities for small business traders on local government land in a way that adds to public enjoyment.
2. To limit the impact (both real and perceived) to existing local businesses within the townsite and/or locality because of mobile traders.

3. To provide direction to Shire staff in assessing applications for trading in public places, in accordance with the Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008.
4. To provide a clear set of conditions for mobile operators to trade under.

## STATUTORY ENVIRONMENT

The Shire of Plantagenet *Activities in Thoroughfares and Public Places and Trading Local Law 2008* states inter alia:

### **'6.2 Trader's permit**

- (1) *A person shall not carry on trading unless that person is –*
- (a) *the holder of a valid trader's permit" and*

### **6.5 Relevant considerations in determining application for permit**

- (1) *In determining an application for a permit for the purpose of this Division, the local government is to have regard to –*
- (a) *any relevant policies of the local government;*
  - (b) *the desirability of the proposed activity;*
  - (c) *the location of the proposed activity;*
  - (d) *the principles set out in the Competition Principles Agreement; and*
  - (e) *such other matters as the local government may consider to be relevant in the circumstances of the case.'*

## EXTERNAL CONSULTATION

As per the officer recommendation this draft policy will now be advertised for comment for a period of 21 days. Once feedback is received it will be reviewed and included in a final report to the Council seeking adoption of the final policy.

## FINANCIAL IMPLICATIONS

There are no immediate financial implications for this policy. However, once adopted the appropriate fees will need to be added to the 2021/2022 Council Budget Fees and Charges.

The following fees are recommended for each category of trading.

Category	Time frame	Fee
Stallholder – fixed location	annual	\$157.00
Street (mobile/itinerant trader – fixed location	daily	\$10.00
Street (mobile/itinerant) trader – fixed location	3 months	\$360.00
Street (mobile/itinerant) trader – fixed location	6 months	\$720.00
Street (mobile/itinerant) trader – fixed location	12 months	\$1,560.00



**LEGAL IMPLICATIONS**

There are no legal implications for this report.

**ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications as no assets are being created or acquired as a part of this policy.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.8 (Cultural, arts and learning opportunities that contribute to vibrancy and diversity in the community) the following Strategy:

## Strategy 1.8.4

*'Support festivals, events and activities that strengthen our sense of identity and celebrate our history, heritage and diverse cultures.'*

And at Outcome 3.1 (Diverse, profitable and sustainable local business) provides the following Strategy:

## Strategy 3.1.3

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

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

**STRATEGIC RISK IMPLICATIONS**

There are no strategic risk implications for this report.

**REGIONAL IMPLICATIONS**

There are no regional implications for this report.

**OFFICER COMMENT**

The Shire has recently received two requests from mobile (street) traders to trade on public land. In the absence of a Trading in Public Places Policy there is no clear direction on what is supported by the Council, local business, and the local community regarding mobile (street) trading.

The draft policy covers all street traders that wish to trade goods and services from public land that is owned or managed by the Shire. A street trader includes itinerant traders (i.e. ice-cream van), mobile traders (i.e. coffee van) and temporary stallholders. A total of six pre-approved fixed locations for trading are nominated in the policy. These locations have been considered based on their suitability to host trading activity based on public safety, traffic flow, parking, amenity of the location, distance from main business district and potential for passing trade and complimentary recreational facilities.

In setting the proposed fees for the policy, advice was considered from a local real estate agent. Due to the current market of supply and demand, the local agents do not currently have a square metre rate for commercial rent which was able to be used for comparison. Fee structures from similar sized regional local governments

was also considered. Special consideration has been made for issuing of daily permits for street traders visiting from other locations, as well as longer term permits for local street traders that may want to trade on a continual basis.

The Council will be asked to review and approve the new policy once the public advertising period has been undertaken and all feedback has been reviewed.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

**That the Council approve the public advertising of the Draft Trading in Public Places policy, as detailed in Attachment 1, for a period of 21 days.**

**9.1.2 COMMUNITY SPORTING AND RECREATION FACILITIES FUND - 2022/23 ANNUAL AND FORWARD PLANNING ROUND**

**File Ref:** N56210  
**Attachment:** 2022-2023 CSRFF Annual and Forward Planning Round Application  
**Responsible Officer:** **Andrus Budrikis**  
**Executive Manager Strategic Development**  
**Author:** **Laura Adams**  
**Economic Development Officer**  
**Proposed Meeting Date:** **28 September 2021**

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**PURPOSE**

The purpose of this report is to seek support for the submission of an application to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund (CSRFF) 2022/23 Annual and Forward Planning Round for construction of Stage 1B of the Mount Barker Memorial Swimming Pool Redevelopment project. This report also seeks the Council's commitment to fund the balance required to fund the project if the application were to be successful.

**BACKGROUND**

The CSRFF grant scheme is managed by the Department of Local Government, Sport and Cultural Industries (DLGSC) and provides grant funding for facility and infrastructure provision/upgrades to sport and recreation clubs and local government. CSRFF is provided in three categories: Small Grants (for projects of a total budget up to \$300,000), Annual Grants (for projects of a total project cost of \$300,001–\$500,000) and Forward Planning Grants (for projects of a total project cost of \$500,001 and over).

The CSRFF grant scheme generally funds projects on a basis of one third of the total project cost. Applications are required to be submitted to the local government for endorsement and ranking prior to review by the regional DLGSC office, then final consideration by the DLGSC's State Office.

The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST) up to a maximum grant of \$2 million. Stage 1A of the Mount Barker Swimming Pool Redevelopment received \$374,183 of CSRFF funding.

The 2022/23 CSRFF Annual and Forward Planning Round closes on 30 September 2021.

**STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

## EXTERNAL CONSULTATION

Consultation has taken place with Mr Chris Thompson, Great Southern Regional Manager, Department of Local Government Sport and Cultural Industries (DLGSC); Mr Norm Bario, Mount Barker Swimming Club Coach and Mr Adam Cousins, Mount Barker Swimming Club President. External consultation has occurred throughout the feasibility and detailed design stages of the project.

## FINANCIAL IMPLICATIONS

Based on construction cost estimates the total cost for Stage 1B is \$4,381,800.00 + GST, including a 6% contingency. The Shire of Plantagenet would request approximately one third of the total cost through CSRFF (\$1,340,000.00 + GST).

Funds for this round would be available on 1 July 2022 and would have to be acquitted by 15 June 2023.

## BUDGET IMPLICATIONS

A sum of \$4,381,800.00 will need to be included in the 2022/2023 budget to accommodate the request. A breakdown of the construction cost estimate follows:

<b>POOL STAGE 1B</b>		<b>EXC GST</b>
DEMOLITION		\$ 176,900
SITE WORKS & SERVICES		\$ 692,000
BUILDING WORKS		\$ 231,000
MAIN POOL WORKS	37%	\$ 1,479,500
LEARN TO SWIM POOL WORKS	33%	\$ 1,340,600
PLAYGROUND STRUCTURE		\$ 75,000
BBQ & PICNIC SPACE		\$ 25,000
<b>INDICATIVE CONSTRUCTION COST</b>		<b>\$ 4,020,000</b>
CONTINGENCY	6%	\$ 241,200
PROF FEES	3%	\$ 120,600
<b>PROJECT TOTAL INDICATIVE COST ESTIMATE</b>		<b>\$ 4,381,800</b>

## POLICY IMPLICATIONS

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

## ASSET MANAGEMENT IMPLICATIONS

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

**STRATEGIC IMPLICATIONS**

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

Strategy 1.5.6:

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

Strategy 1.5.7:

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

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

Strategy 2.2.2:

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

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

**OFFICER COMMENT**

CSRFF can fund new or upgraded facilities which will maintain or increase physical activity or result in a more rational use of facilities. Priority will be given to projects that lead to facility sharing and rationalisation.

It is proposed that Stage 1B of the Mount Barker Swimming Pool Redevelopment is submitted to the 2022/23 CSRFF Annual and Forward Planning Round. Stage 1B comprises refurbishment of the 50m pool, construction of a new learn to swim/splash pool, new plant, filtration and solar heating as well as development of the landscape and recreational facilities.

A new learn-to-swim pool is particularly important, as in its current iteration it cannot meet requirements for water exchange rates with the existing gravity-fed plant. Other issues that were identified with the current learn to swim infrastructure were the coldness of the water, the lack of a graded/beach-style entry and the need for a larger learn to swim pool that would enable it to be used for a wider range of programs.

The new design can cater for up to stage four in learn to swim programs and host activities suitable for seniors. It incorporates lap space, a gradient entry toddler/baby splash area, and water play infrastructure. Having a warmer, modern pool with graded entry will also allow its use by seniors and the disabled. This will add to the value of the recently constructed Universal Access change rooms and toilets, allowing new user groups for whom these accessible facilities will make a difference in their quality of life.

The new plant and plant room are also important as significant components of the current equipment have long outlived their life expectancy and the current filtration equipment is in danger of catastrophic mechanical failure without notice at any time.

#### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

**That:**

- 1. The Shire of Plantagenet submit an application to the 2022/23 CSRFF Annual and Forward Planning Round for construction of Stage 1B of the Mount Barker Memorial Swimming Pool Redevelopment for \$1,340,000.00 + GST.**
- 2. The Council commit the balance of funds required to fund the project if the CSRFF grant application is successful, subject to a Council workshop on project funding.**

**9.1.3 NATIVE TITLE SETTLEMENT – NOONGAR LAND ESTATE TRANSFER – RESERVE 12250**

<b>File Ref:</b>	<b>N56317</b>
<b>Attachment:</b>	<u>South West Settlement Agreements Map</u> <u>Location Plan – Reserve 12250</u>
<b>Responsible Officer:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Laura Adams</b> <b>Economic Development Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

The purpose of this report is to endorse a response to the Department of Planning, Lands and Heritage (DPLH)'s proposal to grant Reserve 12250 to the Noongar Land Estate.

**BACKGROUND**

A key part of the South West Native Title Settlement is the delivery of a 320,000 hectare Noongar Land Estate. The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Trust, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations.

DPLH are facilitating this transfer. Over the next five years, DPLH will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- unallocated Crown land
- unmanaged reserves
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority
- land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority (LGA).

This will be a rolling process, with DPLH contacting LGAs as and when particular land is claimed for the Noongar Land Estate over the next five years.

The Council Housing Working Group have identified land in townsites in the Shire of Plantagenet that have strategic development importance for the Council. These will be identified in a proactive submission to DPLH, which is separate to the land that is the subject of this report.

This report concerns Reserve 12250, involving Lots 7668 and 7868 on St Werburgh's Road Mount Barker, that has been claimed for the Noongar Land Estate as a reserve with the power to lease. The reserve is currently Crown land that the Water Corporation is responsible for. The Water Corporation will be consulted by DPLH as part of this process.

### **STATUTORY ENVIRONMENT**

The Noongar Land Estate is a key negotiated benefit under the Land Administration (South West Native Title Settlement) Act 2016 (WA).

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) – Reserve 12250 involves Lots 7668 and 7868 St Werburghs Road. Lot 7668 is 25.5ha in area and zoned Local Scheme Reserve (Public Open Space). Lot 7868 is 2.5ha in area and is zoned Rural. Although the current Rural zoning for Lot 7868 is acceptable, rezoning the Lot 7868 to Local Scheme Reserve (Public Open Space) will be a better fit for the land. Considering this, Lot 7868 will be included for rezoning as part of the next review of LPS5.

### **EXTERNAL CONSULTATION**

Consultation has taken place with the Mount Barker Aboriginal Progress Association regarding the Noongar Land Estate process and land of particular cultural relevance to local Noongar people. This will form part of a separate submission to DPLH.

### **FINANCIAL IMPLICATIONS**

Land granted to the Noongar Land Estate can become exempt from rates. There is no immediate direction on which properties will be eligible for this exemption.

### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

### **POLICY IMPLICATIONS**

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

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications for this report.

### **STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Corporate Business Plan 2017-2021 provides at Outcome 2.2 (Support the conservation and maintenance of heritage buildings, heritage items and places of interest) the following Strategy:

Strategy 2.2.6.1:

*'Recognise and protect Aboriginal and European heritage places throughout the Shire.'*



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

### **OFFICER COMMENT**

An initial consultation on potential Noongar Land Estate properties took place with the Mount Barker Aboriginal Progress Association on 8 September 2021. This took a preliminary look at land with Noongar histories and significance attached to it, with the view that the Shire would support the granting of this significant land to the Noongar Land Estate if there were no strategic developments planned for the sites.

Reserve 12250 (the subject of this report) was not mentioned during this consultation, but it was not comprehensive. Additionally, DPLH's register of Aboriginal Heritage Sites shows several Registered Aboriginal Sites in the immediate locality of St. Werburgh's Road.

There may be benefits for LGAs and State government departments in granting reserves to the Noongar Land Estate. For instance, traditional land management practices carried out to manage the reserves through Aboriginal Ranger programs.

Ultimately there are no strategic developments planned for Reserve 12250 which, combined with its proximity to sites of Aboriginal heritage importance, results in the reserve being a strong preference for transfer to the Noongar Land Estate.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

**That the Council endorses a submission to the Department of Planning, Lands and Heritage stating that:**

- 1. The Shire is supportive of the transfer of Reserve 12250 to the Noongar people under the Settlement.**
- 2. The Shire has no strategic interest in Reserve 12250.**
- 3. The Shire does not have existing or planned infrastructure within Reserve 12250 that requires protection.**
- 4. Reserve 12250 is not subject to any mandatory connection to services.**
- 5. There are no known future developments planned for Reserve 12250.**
- 6. There are no known future proposals for adjoining land that may affect Reserve 12250.**
- 7. There are no known land management issues for Reserve 12250, such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations.**

**9.1.4 LOT 161 MUIR STREET, MOUNT BARKER – OVERSIZE OUTBUILDING**

<b>File Ref:</b>	<b>N56222</b>
<b>Attachment:</b>	<u>Location Plan</u> <u>Site Plan</u> <u>Floor Plan</u> <u>Elevation 1</u> <u>Elevation 2</u>
<b>Responsible Officer:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Clare Bonnie</b> <b>Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>
<b>Applicant:</b>	<b>Luke Glasby</b>

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**PURPOSE**

The purpose of this report is to consider an application for an oversize outbuilding at Lot 161 Muir Street, Mount Barker.

**BACKGROUND**

Council records show the registered owners of Lot 161 Muir Street are D & L Glasby.

The present development at Lot 161 involves a single timber dwelling and one 72m<sup>2</sup> derelict timber outbuilding. This proposal is for one 140m<sup>2</sup> (8.0m x 17.5m) outbuilding with a wall height of 3.2m. The derelict outbuilding will be demolished and removed from the site once the new outbuilding has been constructed.

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100m<sup>2</sup> for Residential zones. The 140m<sup>2</sup> floor area exceeds the 100m<sup>2</sup> area set by Council policy for the Residential zone. In addition, the 3.2m outbuilding wall height exceeds the 3.0m wall height set by Council policy for the Residential zone.

The reason given by the proponents for the proposed outbuilding is for the storage of number of vehicles including a 4x4, caravan, boat, motorcycle and garden trailer. It is also intended to store DIY tools and equipment and excess furniture they own. The reason given by the proponents for the additional outbuilding wall height is for the storage of their 4x4, caravan and boat.

**STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (PDLPS Regs)– Schedule 2 deemed provisions for local planning schemes.

Clause 67 of PDLPS Regs states:

**'Consideration of application by local government**

(2) *In considering an application for development approval (other than an application on which approval cannot be granted under subclause (1)), the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —*

(b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*

(g) *any local planning policy for the Scheme area;*

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) – zoned Residential (R12.5/17.5)

Clause 32(1) of LPS5 states:

**'Additional site and development requirements**

*Tables 7 and 8 set out requirements relating to development that are additional to those set out in the R-Codes, activity centre plans, local development plans or State or local planning policies.*

*Table 7 - Additional requirements that apply to land in Scheme area*

ZONES	MINIMUM LOT AREA (m <sup>2</sup> )	MINIMUM EFFECTIVE FRONTAGE (m)	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LAND-SCAPING (% of site)	MAXIMUM ADVERTISING (m <sup>2</sup> )	OTHER REQUIREMENTS
				FRONT (m)	REAR (m)	SIDES (m)				
Residential	See Clauses (sic) 25 (Residential Design Codes)									

Clauses 34(1) and (5) of LPS5 state:

**'Variations to site and development requirements**

(1) *In this clause —*

***additional site and development requirements*** mean requirements set out in clause 32.

(5) *The local government may only approve an application for development approval under this clause if the local government is satisfied that —*

(a) *approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and*

- (b) *the non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.'*

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

**The 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 R-Codes.

### **EXTERNAL CONSULTATION**

The proposal was advertised for public comment to five adjoining landowners for the minimum 14-day period closing on 14 September 2021. At the time of finalising this report two adjoining neighbour comments were received. These adjoining neighbours raised no objection to the proposal.

### **FINANCIAL IMPLICATIONS**

The application fee of \$147.00 has been paid.

### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

### **POLICY IMPLICATIONS**

Town Planning Scheme Policy No. 16.3 (Outbuildings) limits outbuildings to a maximum wall height of 3.0m and a maximum cumulative floor area of 100m<sup>2</sup> for Residential zones. The floor area for the new outbuilding is 140m<sup>2</sup>. The proposed outbuilding wall height is 3.2m. The Council must have regard to the Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

### **LEGAL IMPLICATIONS**

There are no legal implications for this report.

### **ASSET MANAGEMENT IMPLICATIONS**

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

## STRATEGIC IMPLICATIONS

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

## STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

## REGIONAL IMPLICATIONS

There are no regional risk implications for this report.

## OFFICER COMMENT

Lot 161 is 3,541m<sup>2</sup> in area and is zoned Residential (R12.5/17.5). The present development at Lot 161 involves a single timber dwelling and one 72m<sup>2</sup> derelict timber outbuilding.

The proposal is for a 140m<sup>2</sup> (8.0m x 17.5m) corrugated Colorbond® steel frame outbuilding, with an additional 2m concrete apron to the front of the structure. The proposed outbuilding involves four bays with rollers doors, two personal access doors and two internal dividing walls. The builder nominated is Southern Forest Construction, Manjimup.

The following table outlines the proposed boundary setbacks, height, floor area:

Proposed Boundary Setbacks/Height/Floor Area		
Setbacks	Height	Floor Area
Front (behind house) – 48m Rear – 14m Side (East) – 8m Side (West) – 8.2m	Wall – 3.2m Pitch – 15°	140m <sup>2</sup>

The proposal meets the boundary setback requirements of the R-Codes.

The existing derelict timber outbuilding will be removed once the new outbuilding has been constructed.

The proposed outbuilding will not cause overshadowing or privacy issues and is not considered to have any significant adverse effect on the amenity of the locality or neighbouring properties.

No difficulties are seen with the maximum floor area of the outbuilding being 140m<sup>2</sup> and the wall height of 3.2m given the size of the lot being 3,541m<sup>2</sup>.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

That in accordance with clause 2.5.2 of the Residential Design Codes and clause 34(5) of the Shire of Plantagenet Local Planning Scheme No. 5, Town Planning Scheme Policy No. 16.3 (Outbuildings) be varied, and the outbuilding be approved resulting in the wall height being 3.2 metres and floor area being 140m<sup>2</sup> subject to:

1. The development being in accordance with the attached plans dated 2 August 2021.
2. The existing timber outbuilding being removed from the property once the 140m<sup>2</sup> outbuilding has been constructed.
3. The outbuilding not being used for human habitation.

**9.1.5 RESERVE 15162 - MOUNT BARKER HILL – BCA LIGHTING PLAN**

**File Ref:** N56211  
**Attachments:** Lighting Project Summary Report  
**Responsible Officer:** **Andrus Budrikis**  
**Executive Manager Strategic Development**  
**Author:** **Laura Adams**  
**Economic Development Officer**  
**Proposed Meeting Date:** **28 September 2021**

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**PURPOSE**

The purpose of this report is to close out work carried out so far on the Lighting of the Communication Tower component of the Mount Barker Hill Tourism Infrastructure Project.

**BACKGROUND**

Reserve 15162, Mount Barker Hill is a Crown land A-class reserve of which the care, control and management is vested with the Shire of Plantagenet for the purpose of 'Park Lands'.

At the Council's Meeting held on 3 December 2019 it was resolved:

*'That:*

1. *A committee, to be known as the Mount Barker Hill Advisory Committee be formed pursuant to Section 5.9 (2) (a) of the Local Government Act 1995;*
2. *The duties of the committee are to advise the Council with regard to:*
  - a) *The mechanisms needing to be employed to light the communication tower;*
  - b) *Working with the Trails Advisory Committee regarding integration of trails into other Mount Barker Hill proposals; and*
  - c) *Further development of the present Rotary lookout and the potential for other lookouts, including information boards.*
3. *The committee shall comprise of four Councillors;*
4. *The committee shall disband on or before 31 October 2020;*
5. *Cr Pavlovich, Cr Clements, Cr Etherington and Cr Woltering be appointed as members to the Mount Barker Hill Advisory Committee; and*
6. *Cr Oldfield be appointed as Deputy to act on behalf of any individual member appointed in part 5 when that member is unable to attend.'*

The Mount Barker Hill Advisory Committee has progressed three concept plans which consider separate aspects of developing Mount Barker Hill. Although they have been produced separately, their development has involved collaboration

between the consultants to ensure the plans complement each other. The concept plans are:

- Lighting of the Communication Tower - produced by BCA Consultants, lighting concept designers.
- Mount Barker Hill Mountain Bike (MTB) trails - design of a cycle trail network produced by the Great Southern Centre for Outdoor Recreation Excellence (GSCORE) and Magic Dirt, trail designers and builders.
- Mount Barker Hill Landscape Concept Plan - design of a boardwalk and leisure trail, facilities and infrastructure improvements produced by Emerge Associates.

Together, these components comprise the Mount Barker Hill Tourism Infrastructure Project. This report concerns the Lighting of the Communication Tower.

On 17 March 2020, the Mount Barker Hill Advisory Committee recommended that a lighting concept plan be developed.

At the Council's meeting held on 24 March 2020 it was resolved:

*'That a lighting concept plan at a cost of \$4,400 + GST be developed for the Mount Barker Hill, such funds being made available from the Trails Review budget.'*

Following a Request for Quote process, an initial lighting concept plan was developed by BCA Consultants. This explored the feasibility of lighting the tower structure through projection using computer modelling. This concept was delivered to the Mount Barker Hill Advisory Committee, who in turn recommended to the Council that the project be progressed to the design and testing stage.

At Council's meeting held on 14 July 2020 it was resolved:

*'That:*

1. *Sufficient funds be allocated in the 2020/2021 budget to enable the lighting of the tower on Mount Barker Hill project to progress to design and testing.'*

Following the disbanding of the Mount Barker Hill Advisory Committee on 31 October 2020, the project has been managed by the Recreation Advisory Committee.

At the Recreation Advisory Committee meeting held on 4 March 2021, the Executive Manager Strategic Development tabled the lighting memos previously circulated on 3/11/20 and 19/01/21 regarding the lighting trial on Mount Barker Hill. The committee discussed the effectiveness of the lighting trial with the following points made:

- a) There had been both positive and negative feedback on the effectiveness of the trial;
- b) The tower structure probably did not have enough structure to reflect sufficient light to be effective;
- c) The trial had been undertaken on a full moon;
- d) Council has other priorities to focus on; and



- e) The current project should complete the concept plan so that accurate costings of construction and operating costs can be obtained.

The Committee requested that the Executive Manager of Strategic Development hold a workshop with Councillors on the next Council meeting day to review the project and lighting options.

At a workshop held on 23 March 2021, the Council determined that work be carried out to create a final proposal that:

- a) Ascertains capital and operational costs;
- b) Includes lighting to all four pillars of the tower;
- c) Works well with mostly white light;
- d) Solely uses fixed wash lights - moving spotlights are not required; and
- e) Considers lighting to be installed for 200 years' celebration (2029) of the "County of Plantagenet".

### **STATUTORY ENVIRONMENT**

Reserve 15162 is Crown land reserve, and the care, control and management of the reserve is vested with the Shire of Plantagenet for the purpose of 'Park Lands'. The lighting proposal would not require Development Approval.

### **EXTERNAL CONSULTATION**

The lighting concept plan has also been made available for public comment for several months. In addition to online versions hosted on the Shire website, printed copies have been displayed in the foyer of the Shire office and at the Business Development Centre at Lowood Road alongside the landscaping and trails concepts.

The lighting test was publicised beforehand, and various options were made available for local residents to provide their feedback to the Shire. Feedback received on the lighting test via Facebook and email is in the attached summary report.

### **FINANCIAL IMPLICATIONS**

Council authorised \$4,400.00 to be spent on a lighting concept plan at the 24 March 2020 Council meeting and this amount was included in the Shire's FY 2020/21 budget. Council further endorsed that sufficient funds be allocated to the tower lighting project to enable design and testing to take place (OCM July 2020). The budget was amended to \$20,000.00 at the August 2020 budget review (Res 223/20). In total \$8,140.00 of this budget has been spent to date.

### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

### **POLICY IMPLICATIONS**

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

**ASSET MANAGEMENT IMPLICATIONS**

This report does not suggest progressing this concept any further, and so there will be no new assets created.

**STRATEGIC IMPLICATIONS**

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

Strategy 2.3.2:

*'Develop, maintain and enhance town streetscapes and public spaces.'*

Outcome 3.4 (A strong tourism region) provides the following strategy:

Strategy 3.4.2:

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

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

**STRATEGIC RISK IMPLICATIONS**

There are no strategic risk implications for this report.

**REGIONAL IMPLICATIONS**

There are no regional implications for this report.

**OFFICER COMMENT**

The attached summary report itemises the work carried out on this project by Shire officers and BCA Consultants (the lighting specialists commissioned to carry out this feasibility study and concept plan).

Following the Recreation Advisory Committee's recommendation and Council's determination that a final plan be created, work on this project was finalised by the contractors. The attached summary report provides an overview of the work carried out and specifications for suitable equipment in the event that this project is revisited.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the summary report be received, and the attached summary reports from BCA Consultants be retained for future funding opportunities.**

**9.2 WORKS AND SERVICES REPORTS**

Nil

## 9.3 CORPORATE SERVICES REPORTS

### 9.3.1 BUDGET REVIEW - AUGUST 2021

<b>File Ref:</b>	<b>N56209</b>
<b>Responsible Officer:</b>	<b>Cameron Woods Chief Executive Officer</b>
<b>Author:</b>	<b>John Fathers Deputy Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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#### PURPOSE

The purpose of this report is to review and adjust the adopted 2020/2021 Annual Budget to recognise variations in actual income and expenditure.

#### BACKGROUND

The 2021/2022 annual budget was adopted by the Council on 27 July 2021. This is the first review of the budget, which is considered to be prudent following some end of year adjustments.

#### STATUTORY ENVIRONMENT

Local Government Act 1995

There is no specific section of the Act that deals with the reallocation of funds however Section 6.2(1) governs budget requirements for local governments.

Local Government (Financial Management) Regulations 1996

Regulation 33A states:

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

*and determination is to be provided to the Department.'*

## FINANCIAL IMPLICATIONS

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended effect on the budget is a surplus of \$18,551.00.

## POLICY IMPLICATIONS

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

## OFFICER COMMENT

Following the adoption of the budget, a number of issues have come to light that are worthy of a budget amendment and the following action is recommended:

- The following adjustments are sought due to differences between estimates of end of year expenditure and actual expenditure or errors converting old budget items to the new system numbers. The estimated balance carried forward position (net current assets) should be adjusted accordingly.

Description	Account	Job	Budget Estimated Actual 2020/2021	Actual 2020/2021	Original Budget 2021/2022	New Budget 2021/2022
Swimming Pool Facility Refurbishment	4110212	BC607	(\$390,326)	(\$390,416)	(\$1,475,352)	(\$1,286,267)
Frost Park - Pavilion Upgrade	4110312	BC608	(\$9,236)	(\$26,500)	(\$111,888)	(\$91,645)
Water Transfer - Lot 81 Dam to Sounness Park	4110312	PC608A	(\$115,046)	(\$115,046)	(\$16,987)	(\$11,307)

- In addition to this, the current estimate for end of 2021/2022 Net Current Assets is \$2,232,724.00, which is \$118,652.00 lower than estimated in the adopted budget. It is considered appropriate to include this deficit now, which can be accommodated by other adjustments in this review. The main reason for the difference is a significantly lower amount attributable to the employee provisions adjustment, which could not be predicted at the time of adopting the budget.
- The original budget included a total of \$909,760.00 for Commonwealth Financial Assistance Grants (General and Roads). The actual amount which

will be allocated is \$1,177,584, which is \$267,824.00 above the budgeted amount. Due to an increase in the allocation from the Commonwealth Government to the WA pool of over \$11 million, the general purpose grants have been increased overall by 6%. The general purpose grant for Plantagenet increased by 15% as it was one of the 102 local governments receiving less than 56% of its grant needs.

- The Department of Fire and Emergency Services (DFES) was allocated \$2 million through the WA Recovery Plan to provide water tanks to eligible Bushfire Brigades without tanks, to support bush fire response throughout the State. In February 2021, the second round of funding application eligibility was extended to strategically located water tanks for firefighting purposes. The criteria applied to the second round requests was that the water tank must be located on Local Government owned or managed land.

A total of 52 applications were approved including a 150,000L tank for Kendenup/Mortigallup BFB (\$16,418.00) and a 100,000L tank for Porongurup BFB (\$13,183.00). The relevant expenditure and income accounts are included in this review. Installation of the water tanks requires completion and acquittal (payment) by 30 June 2022.

- The original budget included two items in the detailed capital and operating programs that were not brought through to the Statements of Financial Activity. The first was the budget item for the Albany Highway Infill Drain (\$100,000.00) and the second was a sum of \$46.00 being interest on the newly created Public Open Space Reserve - WAPC 99183. A notation to correct this is included in the recommendation.
- The Department of Fires & Emergency Services (DFES) has written to the Shire in response to the Cost Variation Report (CVR) on 1 April 2021, for the Essential Public Asset Reconstruction works undertaken following the impacts of heavy rainfall and flash flooding on 19 March 2019. Following review and analysis of the CVR, the eligible costs for works undertaken across the eight packages will total \$2,473,601.00. This amount being \$283,018.00 above the combined approved cost estimates provided to the Shire. There is insufficient evidence to support the variance amount of \$95,083.00. This amount will result in income received under the budget allowance.

In addition to this, Fire and Emergency Services Commissioner has activated the Disaster Recovery Funding Arrangements Western Australia (DRFAWA) 2018 for the event 'AGRN973 Storms and Associated Flooding across the Southern Coastal District (20-21 June 2021)'. The damage and associated estimated cost of repairs for this event are currently being evaluated. The costs for this event will be largely recoverable from DFES, with the main exception being the Shire's contribution of \$150,500.00. The transfer of this sum to the Natural Disaster Reserve is included in this review. The expenditure, income and transfer from reserve will be included in a future budget review when the costs are more certain.

- The remaining adjustments are sought due to a change to the 'standard chart of accounts' just following the adoption of the budget, to enable general ledger accounts relating to the recreation centre to be held in its own sub-program.

Values will be transferred from 'Other Recreation and Sport' to the new sub-program. There is no financial impact to these adjustments.

## VOTING REQUIREMENTS

Absolute Majority

## OFFICER RECOMMENDATION

That the budget review for the period 1 July 2021 to 31 August 2021 be adopted and the 2021/2022 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
	Net Current Assets - End of Year	\$2,351,376	\$2,232,724	(\$118,652)
BC607	Swimming Pool Facility Refurbishment	(\$1,475,352)	(\$1,286,267)	\$189,085
BC608	Frost Park - Pavilion Upgrade	(\$111,888)	(\$91,645)	\$20,243
PC608A	Water Transfer - Lot 81 Dam to Sounness Park	(\$16,987)	(\$11,307)	\$5,680
OC202A	Kendenup BFB - Water Tank	\$0	(\$16,418)	(\$16,418)
OC207A	Porongurup BFB - Water Tank	\$0	(\$13,183)	(\$13,183)
3050515	ESL BFB - Capital Grant	\$0	\$29,601	\$29,601
3030210	GEN PUR - Financial Assistance Grant - General	\$454,105	\$714,227	\$260,122
3030211	GEN PUR - Financial Assistance Grant - Roads	\$455,655	\$463,357	\$7,702
4120181	ROADC - Transfers to Reserve	\$0	(\$150,500)	(\$150,500)
3120201	ROADM - Road Contribution Income	\$417,896	\$322,813	(\$95,083)
2110300	REC - Employee Costs	(\$206,056)	\$0	\$206,056
2110304	REC - Training & Conferences	(\$4,000)	\$0	\$4,000
2110307	REC - Protective Clothing	(\$1,500)	\$0	\$1,500
2110308	REC - Other Employee Costs	(\$6,579)	\$0	\$6,579
2110320	REC - Communication Expenses	(\$2,500)	\$0	\$2,500
2110321	REC - Information Technology	(\$4,500)	\$0	\$4,500
2110386	REC - Expensed Minor Asset Purchases	(\$10,000)	\$0	\$10,000
2110387	REC - Other Expenses	(\$30,000)	\$0	\$30,000
2110388	REC - Building Operations	(\$60,000)	(\$45,000)	\$15,000
2110389	REC - Other Rec Facilities Building Maintenance	(\$50,000)	(\$40,000)	\$10,000
2110392	REC - Depreciation	(\$375,859)	(\$366,859)	\$9,000
2110399	REC - Administration Allocated	(\$140,856)	(\$80,856)	\$60,000
3110320	REC - Fees & Charges (Rec Centre)	\$110,000	\$0	(\$110,000)
2110800	REC CENTRE - Employee Costs	\$0	(\$206,056)	(\$206,056)
2110803	REC CENTRE - Uniforms	\$0	(\$1,500)	(\$1,500)
2110804	REC CENTRE - Training & Development	\$0	(\$4,000)	(\$4,000)
2110808	REC CENTRE - Other Employee Expenses	\$0	(\$6,579)	(\$6,579)
2110820	REC CENTRE - Communication Expenses	\$0	(\$2,500)	(\$2,500)
2110821	REC CENTRE - Information Technology	\$0	(\$4,500)	(\$4,500)

2110825	REC CENTRE - Programs & Events	\$0	(\$10,000)	(\$10,000)
2110886	REC CENTRE - Expensed Minor Asset Purchases	\$0	(\$10,000)	(\$10,000)
2110887	REC CENTRE - Other Expenses	\$0	(\$20,000)	(\$20,000)
2110888	REC CENTRE - Building Operations	\$0	(\$15,000)	(\$15,000)
2110889	REC CENTRE - Building Maintenance	\$0	(\$10,000)	(\$10,000)
2110892	REC CENTRE - Depreciation	\$0	(\$9,000)	(\$9,000)
2110899	REC CENTRE - Administration Allocated	\$0	(\$60,000)	(\$60,000)
3110801	REC CENTRE - Reimbursements	\$0	\$20,000	\$20,000
3110819	REC CENTRE - Kiosk Income	\$0	\$7,000	\$7,000
3110820	REC CENTRE - Fees & Charges	\$0	\$76,000	\$76,000
3110835	REC CENTRE - Other Income	\$0	\$7,000	\$7,000
The Statements of Financial Activity be amended to include the budget item for the Albany Highway Infill Drain (\$100,000.00) and a sum of \$46.00 being interest on the newly created Public Open Space Reserve - WAPC 99183.		\$0	\$0	(\$100,046)
	TOTAL	\$1,292,955	\$1,411,552	\$18,551



**9.3.2 FINANCIAL STATEMENTS – JULY 2021**

<b>File Ref:</b>	<b>N55924</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>Diana Marsh</b> <b>Senior Finance Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

The purpose of this report is to present the preliminary financial position of the Shire of Plantagenet for the period ending 31 July 2021.

**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.
- 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.

**OFFICER COMMENT**

The financial statement for July 2021 is presented for information. It should be noted that with the implementation of a new business system (Synergyssoft), a number of

transactional items are still being worked through. One major outstanding item is that depreciation for July has not yet been run. The administration is working on a number of other items that impact on the August statement, which will be presented to the October 2021 meeting of the Council.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Financial Statements for the period ending 31 July 2021 be received.**

**9.3.3 LIST OF ACCOUNTS – AUGUST 2021**

<b>File Ref:</b>	<b>N56263</b>
<b>Attachment:</b>	<u>List of Accounts - August 2021</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Vanessa Hillman</b> <b>Accounts Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of August 2021.

**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 (25 May 2021). 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**

**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 2021 be received and recorded in the minutes of the Council, the summary of which is as follows:**

- 1. Electronic Payments and Direct Debits totalling \$1,234,522.87.**

### 9.3.4 POLICY REVIEW - INVESTMENTS

<b>File Ref:</b>	<b>N56208</b>
<b>Attachments:</b>	<u>Council Policy F/RI/1 – Investments</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Diana Marsh</b> <b>Senior Finance Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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#### PURPOSE

The purpose of this report is to review Council Policy F/RI/1 – Investments.

#### BACKGROUND

This policy was last reviewed by the Council at its meeting held on 13 August 2019.

#### STATUTORY ENVIRONMENT

Local Government Act 1995:

- Section 6.5(a) – Chief Executive Officer duty to ensure that proper accounts and records of the transactions and affairs are kept in accordance with regulations.
- Section 6.9(2) – interest on monies held in Trust is to be applied to the purpose of the monies held.
- Section 6.14 – money held in trust may be invested under Trustees Act 1962 Part III.

Local Government (Financial Management) Regulations 1996:

- Regulation 8 – money from different accounts may be placed in a common investment
- Regulation 19 – control procedures for investments required
- Regulation 19(C) – restrictions on investments prohibited:
  - deposits with institutions not authorised
  - fixed term of more than 3 years
  - bonds not guaranteed by Commonwealth, State or Territory government
  - bonds with maturity term more than 3 years
  - foreign currency

Banking Act 1959 (Commonwealth)

- Section 5 – definition of authorised deposit taking institution
- Section 9(3) – authority to carry on a banking business

Trustees Act 1962:

- Part III – Investments

Western Australian Treasury Corporation Act 1986

**FINANCIAL IMPLICATIONS**

There are some financial implications to this report, depending on the spread of the Council's investments.

**BUDGET IMPLICATIONS**

The 2021/2022 budget includes a total of \$20,000.00 for interest on reserve and municipal fund investments.

**POLICY IMPLICATIONS**

This policy is presented to the Council for consideration of aligning investment terms with the Local Government (Financial Management) Regulations 1996 and the removal of investment limits for officers acting under 2.7A Investment of Surplus Funds Sub-delegation.

**STRATEGIC IMPLICATIONS**

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

Strategy 4.6.1:

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

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan. Further, the Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 4.6.1.6 'Responsibly manage the Council's financial resources'.

**OFFICER COMMENT**

The ability to earn interest on investments is currently very low. Current term deposits are earning around 0.2%. The alignment of investment terms with the Local Government (Financial Management) Regulations 1996 will increase options that may enable the earnings from authorised investments to be maximised.

The removal of investment limits for officers acting under Sub-delegation 2.7A will enable investments currently at the limit to be reinvested with interest without seeking CEO approval beforehand. All investments must still be approved by a second authorised officer and all other control procedures remain in place.

Clauses relating to management and monitoring of investments have been simplified.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That amended Council Policy F/RI/1 – Investments, as follows:**

**'OBJECTIVE:**

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To document and provide the necessary information for the delegated officers to invest surplus funds.

**POLICY:**

**1. Purpose of Policy**

**1.1 The purpose of this policy is to ensure that:**

- a) The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule).**
- b) At all times, the Council has in place a current set of policies and delegations for its Investments Officers.**
- c) Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.**

**1.2 This Policy is to be made available to all employees involved in daily investment decisions.**

**1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.**

**2. Prudent Person Rule**

**2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.**

**2.2 The main features of the prudent person rule include:**

- a) Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.**
- b) A duty to invest funds in investments that are not speculative or hazardous.**

**2.3 In exercising powers of investment, there are important matters for consideration:**

- a) The purpose of the investment and the needs and circumstances.**
- b) The desirability of diversifying investments and the nature of and risk associated with existing investments.**
- c) The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation. The potential for capital appreciation.**
- d) The likely income return and timing of the income return. The length of the term of the proposed investment.**
- e) The liquidity and marketability of the proposed investment. The aggregate value of the investment.**
- f) The effect of the proposed investment in relation to the tax liability (if any).**

- g) The likelihood of inflation affecting the value of the proposed investment.
- h) The costs of making the proposed investment; the results of a review of existing investments.

### 3. Investment Objectives

- 3.1 To add value through prudent investment of funds.
- 3.2 To support the local community bank without putting the Shire's surplus funds to any undue risk.
- 3.3 To have ready access to funds for day-to-day requirements, without penalty.
- 3.4 To utilise the benefits of the Western Australian Treasury Corporation (WATC) Investment Facility.

### 4. Authority to Invest

- 4.1 Surplus funds are to be invested in term deposits or negotiable certificates of deposit with Western Australian Treasury Corporation, Bendigo and Adelaide Bank and other banks with branches in Mount Barker or Albany, subject to their Standard and Poor's long-term credit rating being at least BBB+ and the short-term rating being at least A-2. Any proposal to invest funds in any other institution not referred to above is to be referred to the Council.
- 4.2 Investments from the municipal, loan and reserve accounts are to be kept separate and distinct from the trust account.
- 4.3 Funds may be invested for terms up to 3 years based on predicted cash flow requirements and in accordance with the Local Government Act (Financial Management) Regulations 1996.
- 4.4 The Chief Executive Officer may invest any funds held in the Municipal Fund or the Trust Fund that is not, for the time being, required for any other purpose, in accordance with Council Delegation 2.7 Investment of Surplus Funds.
- 4.5 The Deputy Chief Executive Officer or Senior Finance Officer may invest any funds held in the Municipal Fund or the Trust Fund that is not, for the time being, required for any other purpose, in accordance with 2.7(A) Investment of Surplus Funds Sub-delegation.

### 5. Review and Reporting

- 5.1 The investment portfolio is to be reported to Council each month, listing for each investment the institution, amount, maturity date, and interest rate.
- 5.2 Bendigo and Adelaide Bank's short-term credit rating as defined by Standard and Poor's is to be monitored monthly by the Deputy Chief Executive Officer. Any downgrading of the long-term BBB+ or short term A-2 rating is to be reported to the Council.

be endorsed.

**9.3.5 RATES EXEMPTION REQUEST - LOT 606 MCDONALD AVENUE MOUNT BARKER - SOUTHERN ABORIGINAL CORPORATION**

**File Ref:** N56234  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Abigail Bartell  
Rates Officer  
**Proposed Meeting Date:** 28 September 2021

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**PURPOSE**

The purpose of this report is to consider a request from the Southern Aboriginal Corporation (SAC) for a rates exemption for the property at Lot 606 McDonald Avenue, Mount Barker.

**BACKGROUND**

SAC already has rates exemptions for the properties at 45 Mount Barker Road, 77 Hassell Street, 19 Ingoldby Street and 20 Narpund Road Mount Barker, approved by the former CEO under delegated authority.

**STATUTORY ENVIRONMENT**

Section 6.26(2) (d) - (g) of the Local Government Act 1995 specifies non rateable land as:

- (d) *land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and*
- (e) *land used exclusively by a religious body as a school for the religious instruction of children; and*
- (f) *land used exclusively as a non-government school within the meaning of the School Education Act 1999;*
- and*
- (g) *land used exclusively for charitable purposes;'*

**EXTERNAL CONSULTATION**

Other than the request from SAC, there has been no further consultation.

**FINANCIAL IMPLICATIONS**

In 2021/2022, the rates and other charges on this this property were:

- Rates \$1,700.13
- Waste Rate \$57.00
- Rubbish Bin \$450.00 (Still chargeable)



**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 4.6 (Effective and efficient corporate and administrative services) the following Strategy:

Strategy 4.6.3:

*'Maintain, develop and monitor rating and property strategies'*

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

**OFFICER COMMENT**

The Southern Aboriginal Corporation is a charitable organisation, incorporated as a not-for-profit Aboriginal Corporation under the Commonwealth Aboriginal and Torres Strait Islander Act 2006. It is also a registered Community Housing organisation and manages its housing program in accordance with the national standards that apply to registered not-for-profit community housing organisations.

The other properties that SAC previously applied for a rates exemption for are for provision of housing for Aboriginal people. This application relates to SAC's Mount Barker office.

*SAC advises that its 'Government has progressively reduced funding support for Aboriginal housing organisations. From July 2014 we no longer receive funding support to assist us in providing affordable community housing to Aboriginal people. This places great financial pressure on our organisation to continue to provide quality, affordable housing to our tenants.'*

The objects of the Southern Aboriginal Corporation are benevolent and not-for-profit. Regardless of that, the Council should determine the matter based on the use of the land. It is the view of the administration that the current use does constitute an exclusively 'charitable' use and the exempt status should apply.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That in accordance with Section 6.26(2)(g) of the Local Government Act 1995, the property at Lot 606 McDonald Avenue, Mount Barker, owned by Southern Aboriginal Corporation is deemed to be used for a charitable purpose and is therefore non-rateable while it continues to be used for charitable purposes.**

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**9.3.6 POLICY REVIEW - RECOGNITION OF COUNCILLORS AND STAFF**

<b>File Ref:</b>	<b>N56029</b>
<b>Attachment:</b>	<u>Policy no: OP/HRP/1 Recognition of Councillors and Staff</u>
<b>Responsible Officer:</b>	<b>John Fathers</b> <b>Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Nolene Wake</b> <b>Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

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

**BACKGROUND**

This policy was last reviewed by the Council at its meeting held on 24 March 2020.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

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

- '(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out –*
- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and*
  - (b) the manner of assessment of the additional amount,*
- and cause local public notice to be given in relation to the policy.'*

Local Government (Administration) Regulations

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

- '(1) The value of a payment or payments made under section 5.50(1) and (2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total -*
- (a) the value of the person's final annual remuneration, if the person -*
    - (i) accepts voluntary severance by resigning as an employee; and*
    - (ii) is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39;*
- or*
- (b) in all other cases, \$5,000.'*

**FINANCIAL IMPLICATIONS**

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

**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 2016-2027 provides at Outcome 4.5 (Skilled, committed and professional staff in a supportive environment) the following Strategy:

Strategy 4.5.4:

*'Maintain and develop human resource management policies, procedures and systems for current and future workforce needs.'*

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

**OFFICER COMMENT**

Two minor amendments have been made:

1. In point 1, the words 'Upon Retirement' have been deleted as they are considered superfluous to the intent of the policy.
2. In point 2.2, the words 'are to be presented at a Council Meeting' have been deleted. It is considered that a more informal setting amongst Shire colleagues is more fitting for staff recognition presentations.

Otherwise, it is considered that this policy is sufficient and should be endorsed.

It should be noted that casual staff are entitled to receive the benefits outlined in this policy.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

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

**OBJECTIVE:**

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

**POLICY:**

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

**1. Councillors****1.1 Up to and including four years of office:**

A Certificate of Appreciation.

**1.2 Greater than four years and up to and including eight years of office:**

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

**1.3 Greater than eight years and up to and including 12 years of office:**

A Certificate of Service and gift to the value of \$300.00.

**1.4 Greater than 12 years of office:**

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

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

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

**2. Staff – Upon Resignation****2.1 Greater than seven years but less than 10 years of service:**

A Certificate of Appreciation and a gift up to the value of \$100.00.

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

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

**2.3 The Chief Executive Officer is authorised to arrange a suitable function if deemed necessary.****3. Councillors and Staff – During Office/Service****3.1 Councillors and staff will be presented with the following as recognition of their services to the Shire of Plantagenet while still in office or employed with the Shire of Plantagenet.****(i) During their 10th year of office/service:**

Certificate of Recognition.

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

A Plaque of Recognition.

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

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

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

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

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

**be endorsed.**

## 9.4 EXECUTIVE SERVICES REPORTS

### 9.4.1 REGISTER OF DELEGATED AUTHORITY - AMENDMENTS

<b>File Ref:</b>	<b>N56218</b>
<b>Attachments:</b>	<u>Register of Delegations Amendment</u>
<b>Responsible Officer:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Nolene Wake</b> <b>Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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#### PURPOSE

The purpose of this report is to endorse proposed amendments to Delegation 2.5 (Donations, Discounts and Debt Write-offs) of the current Register of Delegated Authority (Delegations Register) adopted by the Council on 25 May 2021.

#### BACKGROUND

At its meeting held on 25 May 2021 the Council adopted an updated Register of Delegations, Sub-delegations, Appointments and Authorisations (Register of Delegated Authority).

#### STATUTORY ENVIRONMENT

Local Government Act 1995 permits a local government (by absolute majority decision under s5.42(1)) to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act other than those referred to in s5.43, which are:

- a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

In addition, there are several other matters which cannot be delegated to the CEO:

- under the Planning and Development Act 2005 section 214(2), (3) or (5).
- under Regulation 18G of the Local Government (Administration) Regulations s7.12a, 7.12A(3)(a) and s7.12(4), which relate to meetings with auditors;
- under Regulation 18C and 18D which relate to the recruitment and performance management of the CEO; and
- under Regulation 16 of the Local Government (Financial Management) Regulations which prevent the delegation of matters relating to internal audit to an employee who has been delegated the duty of maintaining the day to day accounts or financial management operations.

The delegation powers under the Local Government Act 1995 relate to the Act itself, Regulations made under the Act and Local Laws made under the Act.

### **FINANCIAL IMPLICATIONS**

The Council's budget allocation of \$3,000.00 will remain the same.

### **POLICY IMPLICATIONS**

As part of the normal policy review process, policies and delegations are cross referenced to ensure that where a delegation is in place, a relevant policy to assist with interpretation is also in place.

With regard to the amendment in this report:

Policy No: CF/DG/2 Financial Assistance (Operating) to Incorporated Organisations and Clubs.

Policy No: A/PA/4 Halls – Hall Hire Donations

### **STRATEGIC IMPLICATIONS**

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

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

Strategy 4.1.6:

*'Provide a community oriented organisation that delivers high quality services and delivers outcomes that are in the best interests of our ratepayers'.*

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

*Strategy 4.6.1*

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

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

### **OFFICER COMMENT**

The current Register of Delegated Authority was adopted on 25 May 2021. The CEO has delegated authority to approve discretionary donations to community groups to a maximum value of \$200.00 per application.

Since the register was adopted, it has become increasingly apparent that the value of this delegation limits the ability of the CEO to deal with genuine but still relatively minor applications for financial assistance. Whilst community groups can apply for funding via the annual Community Grants Program, this process is only undertaken once per annum. Community groups may have small requests that arise outside of this annual funding cycle and application process. An increase of this delegated authority to \$500.00 will allow for administrative expediency in being able to assist deserving community groups with unforeseen financial shortfalls. It is also worth noting that there has been no increase to this amount for many years.

The delegation has also been updated to include reference to the applicable Council policy Financial Assistance (Operating) to Incorporated Organisations and Clubs.

Donations will continue to be subject to the limit set in the budget under the Council policy and demonstrate a direct benefit to the community of the Shire of Plantagenet.

If this recommendation is approved, Council policy Financial Assistance (Operating) to Incorporated Organisations and Clubs will need to be amended accordingly.

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER RECOMMENDATION**

**That an amendment to Delegation 2.5 Donations, Discounts and Write-offs (as attached) within the Register of Delegated Authority dated 25 May 2021 be endorsed.**



**9.4.2 INTERNAL AND EXTERNAL COMMITTEE STRUCTURE AND COMMITTEE BRIEFS REVIEW SEPTEMBER 2021.**

<b>File Ref:</b>	<b>N56203</b>
<b>Attachment:</b>	<u>Committee Briefs</u>
<b>Responsible Officer:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

The purpose of this report is to consider and adopt the proposed:

- Internal Committee structure, including the Committee Brief and meeting frequency and timing
- External Committee structure, including Committee Brief and meeting frequency and timing
- Councillor appointed Community Reference Groups as outlined in table 2 in the report.

**BACKGROUND**

Representation on the Council's various internal committees was last considered at a Special Meeting of the Council held 22 October 2019. It is a requirement of the Local Government Act 1995, that all committee memberships be declared vacant at the time of the next ordinary elections (Section 5.11).

A Council workshop was held on the 24 August 2021 to review the current existing internal and external committees and the councillor appointed community reference groups, prior to the 2021 local government elections.

The objectives of the review were to:

1. Ensure essential statutory committees were in place and up to date with the relevant regulations.
2. Review the appropriateness of all non-statutory internal, external committees and community reference groups to ensure they still added value to the decision-making process; their brief was still relevant and to streamline meeting schedules and times for efficiency where possible.
3. Prepare the new Committee structures prior to the 2021 October Council elections.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 5.11 (2) provides that:

*'Where a person is appointed as a member of a committee under Section 5.10(4) or (5), the person's membership of the committee continues until –*

- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;*
- (b) *the person resigns from membership of the committee;*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day.'*

Further, Section 5.8 and Section 5.10 of the Act require that committees be created by Absolute Majority as well as appointments to committees formed pursuant to Section 5.8.

Appointments to external bodies do not require an absolute majority decision.

### **FINANCIAL IMPLICATIONS**

Councillor representatives on committees are entitled to reimbursement for expenses incurred in attending meetings.

### **POLICY IMPLICATIONS**

Policy No CE/CS/1 – Elected Member Expenses to be Reimbursed applies.

Policy No. CE/CS/3 – Committee Meetings and Workshops – Attendance by Members of the Public applies.

### **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 1.3.3:

*'Work in partnership with community groups to assist in attracting new volunteers'*

Further, at Outcome 4.1 (Effective governance and leadership)

Strategy 4.1.4

*'Support strategic alliances, stakeholder forums and advisory committees that assist Shire in policy development and service planning.'*

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

### **REGIONAL IMPLICATIONS**

The Shire is a member and provides representation on:

- The Southern Link Voluntary Region of Council.
- South Coast Alliance Inc.
- Great Southern Treasures.
- WALGA Great Southern Zone

**OFFICER COMMENT.**

The review process identified the current internal, external committees and working groups in Table 1 below:

<b>TABLE 1.</b>	
<b>Internal Committees</b>	<b>Current Meeting Frequency/Structure</b>
Audit and Risk Management	As required. Biannually/OCM day
Bush Fire Advisory	Biannually. Early May/Oct. Usually 7.30pm on a Weds/Thurs
Heavy Haulage Advisory	When required. Annually/OCM day.
Heavy Plant Review	At least annually/OCM day
Recreation Advisory	When required. Usually 3pm
RoadWise	Bimonthly – 2 <sup>nd</sup> Thursday – 2pm
Saleyards Advisory	When required. Bimonthly 8.30am Tues or Weds
<b>External Committees</b>	
Amazing South Coast Tourism Inc	
Development Assessment Panel	As required
Great Southern Recreation Advisory Group	Quarterly. Thursday 10.30am rotates through the GS.
Great Southern Treasures	Bimonthly – 1 <sup>st</sup> Thursday - 10.30am
Local Emergency Management Committee	Quarterly. Thursdays 1pm?
Mount Barker Community Centre Board	Currently SOP under the MOU has an ex Officio position on the Board
Mount Barker Community College Council	As required
Plantagenet Historical Society	As required
Plantagenet Sporting Club Inc	As required
Porongurup Range National Park Fire Advisory	As required
Regional Road Group	Quarterly. Fits in with WALGA Zone meetings usually 1pm .
South Coast Alliance Inc	Quarterly
Southern Link VROC	Quarterly – Fridays 1pm
Stirling Range National Park Fire Advisory Committee	As required
WALGA Voting Delegates (Annual Conference and Zone Meeting	Quarterly – Fridays 10am
War Memorial Warden	As required
Wilson Inlet Catchment Committee	As required
Plantagenet Village Homes Inc	As required
Denmark Water Planning Advisory Group	As required
<b>Working Groups</b>	
Pardelup Community Liaison Group	Quarterly
Albany Highway Beautification	Monthly or as required
Housing Working Group	Monthly or as required

The review process identified the frequency and timing of existing committees; and made recommendations as to the need to retain or alter the committee structure, purpose or frequency.

Table 2 below represents the proposed new Committee structure post the Council workshop.

<b>TABLE 2.</b>	
<b>Internal Committees</b>	<b>Proposed Meeting Frequency/Structure</b>
Audit and Risk Management	As required. Biannually/OCM day
Bush Fire Advisory	Biannually. Early May/Oct. Usually 7.30pm on a Weds/Thurs
Heavy Haulage Advisory	As required – OCM day.
Heavy Plant Review	As required – OCM day.
Local Emergency Management	Quarterly – OCM day
Recreation Advisory	Bimonthly on the first Tuesday of the month at 3pm. Develop a calendar excluding Dec and Jan
RoadWise	Tuesdays bimonthly 2nd Tuesday of the month at 3pm
Saleyards Advisory	Bimonthly 2nd Tuesday of the month 9am at saleyards
Tourism and Arts Advisory (new)	Quarterly – 2 <sup>nd</sup> Tuesday of the month at 3pm – March, June, September and December
<b>External Committees</b>	
Development Assessment Panel	When and if required
Great Southern Recreation Advisory Group	One member and a proxy from the Rec Advisory Committee to accompany an Officer and report back via the Recreation Advisory Committee
Great Southern Treasures	A Cr Member and Proxy from the new Tourism and Arts Advisory Committee be nominated to this Committee. Bimonthly
Regional Road Group	Quarterly. Fits in with WALGA Zone meetings – usually Fridays 1pm
South Coast Alliance Inc	Quarterly - Fridays
Southern Link VROC	Quarterly – Fridays 1pm
WALGA Voting Delegates (Annual Conference and Zone Meeting	Quarterly – Fridays 10am
Pardelup Community Liaison Group	Shire President / EMWS. Quarterly or as required

<b>Council Community Representative (CCR)</b>	
Mount Barker Community Centre Board	Write to the MBCC Board relinquishing the Ex Officio role and establish a new communication process via the Chairman of the Board with the CEO / Shire President
Mount Barker Community College Council	A Councillor and Proxy
Plantagenet Sporting Club Inc	Council to nominate a member and proxy from the Rec Advisory Committee
War Memorial Warden	As required by RSL

The key points of difference with the proposed new Committee structures are identified as:

- A new Internal Committee has been developed to assist Council in making informed decisions regarding tourism and the arts. This committee provides a pathway for regional and local community organisations involved with tourism and the arts to raise issues and opportunities and allows for orderly planning and development of tourism and the arts in our region. This committee will provide oversight to the Council's existing commitments to Mount Barker Tourism Inc, Great Southern Treasures and funding to tourism and arts groups.
- The Local Emergency Management Committee has been elevated to an internal committee of Council because it is a statutory requirement under the Emergency Services Act for local government to facilitate this Committee. This committee has external representatives but this, by definition, does not prescribe it as being an external committee.
- The following committees were deleted as they were no longer required, or outcomes could be facilitated at officer level without the need for Council representation.
  - Amazing South Coast – The incorporated body was wound up on 30 June 2021.
  - Plantagenet Historical Society – This group is identified as a tourism organisation and will have the opportunity to influence its strategic operations via the newly formed Tourism and Arts Committee. Operational matters will be raised as required with the CEO.
  - Porongurup and Stirling Range National Park Bush Fire Advisory Committee matters will be channelled through the Bush Fire Advisory Committee.
  - The Wilson Inlet Catchment Committee; Denmark Water Planning Advisory Group and Plantagenet Village Homes will be invited to forward updates to Council via the CEO for inclusion into the monthly Council Bulletin. Matters requiring Council consideration can be raised with the relevant officer and the CEO may determine to host a workshop or prepare a report for an Ordinary Council Meeting.
- Where possible meeting days have been nominated on Council Meeting days or Tuesday afternoons, with set times so that Councillors can better manage their calendars and other commitments with some certainty.

- Meeting frequency has been established for Committees where possible so that an annual calendar can be produced for committee members and staff support.

A review of each of the Committees purpose known as the 'Committee Brief' has been undertaken and is provided as attachment 1 to this report.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER RECOMMENDATION**

1. That the proposed Committee Review in table 2 be adopted as the Committee Structure for the Shire of Plantagenet commencing 21 October 2021.
2. The Committee Briefs in attachment 1 be adopted to guide the Committee's purpose commencing 21 October 2021.

**9.4.3 SOUTHERN LINK VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (VROC) - ADOPTION OF NEW STRATEGIC PLAN 2021-2024**

<b>File Ref:</b>	<b>N56270</b>
<b>Attachments:</b>	<u>SL VROC Strategic Directions 2021-2024 Final</u>
<b>Responsible Officer:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Cameron Woods</b> <b>Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>28 September 2021</b>

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**PURPOSE**

The purpose of this report is to adopt the new Southern Link Voluntary Regional Organisation of Councils (VROC) Strategic Plan 2021-2024.

**BACKGROUND**

VROC's first strategic plan was developed and adopted by each member Council. The Shire of Plantagenet adopted the plan at its meeting held on 25 May 2010 and a review of this plan undertaken in 2011. All Councils adopted the revised plan. The Shire of Plantagenet adopted the revised plan on 7 February 2012.

During 2014, as part of its forward planning and in recognition of decreasing funding opportunities, the VROC agreed that a new strategic plan was required and a consultant was appointed to drive this process.

Several planning workshops with individual Councils as well as combined groups, collating both Councillor and staff viewpoints were held. The results of the planning sessions were summarised in a document presented to the full VROC on 26 November 2014. At this meeting further minor changes were requested.

At its meeting held on 31 March 2015, the Council endorsed Southern Link VROC 'Strategic Directions 2015-2020'.

**STATUTORY ENVIRONMENT**

A VROC, as its name suggests, is a voluntary co-operative grouping of like-minded Councils. Therefore, it is not recognised in the Local Government Act the way regional local governments are recognised pursuant Section 3.61 of the Local Government Act.

Nevertheless, in the past the regional grouping has been recognised for funding, especially regarding the regional component of Royalties for Regions.

**EXTERNAL CONSULTATION**

Several meetings were facilitated by Consultant Mr Bevan Bessen of Tuna Blue Pty Ltd and involved VROC CEOs, individual Council Elected Members/Senior Staff, joint VROC Senior Staff and a Full VROC Meeting to develop the new Strategic Plan.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.6 (Assets and infrastructure managed over the long term to meet current and future needs) the following strategy:

2.6.2 – *‘Maintain effective liaison with other levels of government and regional bodies to ensure coordinated provision of regional infrastructure.’*

Further Outcome 3.2 (a strong and diverse economic base) provides the following strategy:

3.2.2:

*‘Promote and support local industry development initiatives including export in partnership with the State Government and regional organisations.’*

Outcome 4.1 (Effective governance and leadership) also provides the following strategy:

4.1.4:

*‘Support strategic alliances, stakeholder forums and advisory committees that assist Shire of Policy development and service planning’; and*

Outcome 4.2 (Effective engagement with the community and stakeholders) the following strategy:

4.2.3:

*‘Develop positive relations with other Councils’.*

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

**REGIONAL IMPLICATIONS**

This report directly relates to the regional implications of the VROC.

**OFFICER COMMENT**

The VROC Strategic Plan document ‘Strategic Directions (2021-2024)’ is the framework for the excellent working relationship that has developed between six Local Government Authorities in the Great Southern region of Western Australia.

In the first Strategic Directions (2015 – 2020), the Councils spent time working out the basis of the VROC approach and focused on priorities such as the provision of aged housing and independent living facilities, the development of regional records archiving, water recycling and regional road initiatives.



The current plan is now based on the value and benefits to be achieved from an expanded sub-regional group because of agreement in principle on the additional participation of the Shire of Gnowangerup and the Shire of Katanning. The focus is on building advocacy strength as a significant sub-regional bloc.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

**That the Strategic Plan 'Strategic Directions 2021-2024' of the Southern Link Voluntary Regional Organisation of Councils, as attached, be endorsed without alteration.**

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

Nil

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING****12 CONFIDENTIAL****12.1.1 LOT 66 AND LOT 67 MOUNT BARKER – PURCHASE OF LAND**

**File Ref:** N56213  
**Responsible Officer:** David Lynch  
Executive Manager Works and Services  
**Author:** Nicole Selesnew  
Administration Officer  
**Proposed Meeting Date:** 28 September 2021

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**PURPOSE**

The purpose of this report is to seek authority for the Chief Executive Officer (CEO) to negotiate payment to the owners of Lot 66 and Lot 67 Mount Barker for the acquisition of land to create a public road.

**OFFICER RECOMMENDATION**

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (e) a matter that if disclosed, would reveal -
- (iii) information about the business, professional, commercial or financial affairs of a person,
- where the trade secret or information is held by, or is about, a person other than the local government.

**13 CLOSURE OF MEETING**