



ORDINARY MINUTES

DATE: Wednesday, 27 January 2021

TIME: 4:00pm

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

A handwritten signature in blue ink that reads "P. Sheedy".

Paul Sheedy
ACTING CHIEF EXECUTIVE OFFICER

Resolution numbers: 005/21 to 044/21

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

4.00pm The Presiding Member declared the meeting open.

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

Cr C Pavlovich	Shire President (Left the meeting 4.35pm, returned 4.39pm. Left the meeting 5.31pm, returned 5.33pm)
Cr J Oldfield	Deputy Shire President
Cr B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr J Moir	Councillor (Left the meeting 5.00pm, returned 5.02pm)
Cr M O'Dea	Councillor (Left the meeting 5.05pm, returned 5.11pm. Left the meeting 5.13pm, returned 5.30pm)
Cr K Woltering	Councillor

In Attendance:

Mr Paul Sheedy	Acting Chief Executive Officer
Mr Andrus Budrikis	Executive Manager Strategic Development
Mr John Fathers	Executive Manager Corporate Services
Mr David Lynch	Executive Manager Works and Services
Ms Nolene Wake	Executive Officer
Mr Vincent Jenkins	Principal Planning Officer

Apologies:

Nil

Members of the Public Present:

There were eight members of the public present.

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

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

Mr Sheedy then read aloud the following disclaimer:

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

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

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

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

3.2.1 MR STEPHEN CARTER REPRESENTING THE MOUNT BARKER TURF CLUB INC

Mr Carter, representing the Mount Barker Turf Club asked 'Can the Council make a water supply available to the Turf Club up until the last race club meeting on 15 March 2021.'

The Presiding Member thanked Mr Carter for his question.

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995.

Cr C Pavlovich

Item: 9.1.4
Type: Proximity (Section 5.60 (B) LGA)
Nature: Adjoining Property Owner
Extent: N/A

Cr J Moir

Item: 9.3.8
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer – Elders Employee
Extent: N/A

Cr M O'Dea

Item: 9.4.3
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: EOI in accommodation business pending
Extent: N/A

Cr M O'Dea

Item: 10.1
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Standing as candidate in the upcoming election
Extent: N/A

Cr M O'Dea

Item: 10.2
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Standing as candidate in the upcoming election
Extent: N/A

Mr P Sheedy

Item: 11.1
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)
Nature: Impartiality - attend the local Catholic Church
Extent: N/A

Cr C Pavlovich

Item: 11.2
Type: Proximity (Section 5.60 (B) LGA)
Nature: Adjoining Property Owner
Extent: N/A

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Cr M O'Dea requested Leave of Absence for the period 4 February to 14 March 2021 inclusive.

Moved Cr L Handasyde, seconded Cr K Clements:

That Cr M O'Dea be granted Leave of Absence for the period 4 February to 14 March 2021 inclusive.

CARRIED (9/0)

NO. 005/21

7 CONFIRMATION OF MINUTES

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

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

CARRIED (9/0)

NO. 006/21

Moved Cr L Handasyde , seconded Cr K Woltering:

That the Minutes of the Special Meeting of the Shire of Plantagenet, held on 5 January 2021 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 007/21

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President noted the passing of Jim Baily, a very active brigade member with South Porongurup for more than 20 years, offering condolences to his wife Joan and family.

Moved Cr C Pavlovich, seconded B Bell:

That the Council's condolences be extended to the family of Jim Baily.

CARRIED (9/0)

NO. 008/21

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

(Formerly Agenda Item 11)

Moved Cr S Etherington, seconded Cr K Woltering:

That new business of an urgent nature be introduced to the meeting, namely:

Lots 1, 2 and 3 Langton Road, Mount Barker – Consulting Rooms

**Mount Barker Bill Tourism Infrastructure Project to be included in GSCORE
BBRF Application – Applicant South Coast Alliance – Endorsement**

Refurbishment – 103 Martin Street Mount Barker

Mount Barker Turf Club – Supply of Water

CARRIED (9/0)

NO. 009/21

MOTION TO AMEND THE ORDER OF ITEMS ON THE AGENDA

Order of Agenda

Moved Cr S Etherington, seconded Cr L Handasyde:

That New Business of an Urgent Nature, namely Item 11.1 be immediately considered.

CARRIED (9/0)

NO. 010/21

LOTS 1, 2 AND 3 LANGTON ROAD, MOUNT BARKER – CONSULTING ROOMS

(Formerly Item 11.1)

Mr P Sheedy

Item: 11.1

Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct)

Nature: Impartiality - attend the local Catholic Church

Extent: N/A

File Ref: N54162

Attachment: [Site Plan](#)
[Floor Plan](#)

Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development

Author: Vincent Jenkins
Principal Planning Officer

Proposed Meeting Date: 27 January 2021

Applicant: Sacred Heart Parish

PURPOSE

The purpose of this report is to consider an application for development approval for the Sacred Heart Parish to carry out consulting rooms at Lots 1, 2 and 3 Langton Road, Mount Barker.

BACKGROUND

Council records show the registered owner of Lots 1, 2 and 3 is the Sacred Heart Parish.

The Sacred Heart School opened on 27 April 1947 and unfortunately closed in the early 1970s. The Great Southern Institute of Technology thereafter used the Sacred Heart School building for training purposes until they relocated to the Mount Barker Community Resource Centre in January 2016.

The Mount Barker Parish has been approached to allow part of the old Sacred Heart School building to be utilised for consulting rooms as this part of the building is not being used at this time. This will allow the Parish to generate some income from the building to assist the Parish with its ongoing financial commitments including maintaining the Sacred Heart School building.

The Council at its meeting held on 1 December 2020, resolved (300/20):

‘That the debate be adjourned to clarify the intended use of the consulting rooms and that a report be brought back to the Council at its meeting to be held on 27 January 2020.’

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Local Scheme Reserve (Public purpose: Church).

Schedule 1, Interpretations of TPS3 state:

‘Consulting Rooms - means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner, dentist or chiropractor, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in investigation or treatment of physical mental injuries or ailments;’

Clause 5.2 of TPS3 states:

‘If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirement or standard will not be departed thereby.’*

It is open to the Council to resolve its approval for a non-compliant development proposal pursuant to TPS3 clause 5.2 and approve the development either unconditionally or on such conditions as the Council thinks fit, provided the Council is satisfied that the proposed development is consistent with the orderly and proper planning of the location, the preservation of amenity, and noncompliance will not have an adverse effect on the locality.

EXTERNAL CONSULTATION

Consultation with the Sacred Heart Parish Church confirmed that the proposed consulting rooms will be occupied by a chiropractor and Bowen therapist.

FINANCIAL IMPLICATIONS

The application fee of \$147.00 has been paid.

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.

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 implications for this report.

OFFICER COMMENT

Lot 1, 2 and 3 Langton Road are lands reserved under the Scheme for Local Authority Scheme Reserves (Public purpose - Church) purposes. The Parish propose to utilise a small part of the Sacred Heart School building for commercial consulting room purposes.

The Planning and Development (Local Planning Schemes) Regulations 2015 requires local government, in the case of land reserved under a Scheme, to consider the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve. In this instance, the reserve objective is public purpose church and the proposed commercial consulting room use will be non-compliant with the reserve objective.

However, it is open to the Council to resolve its approval for a non-compliant development proposal pursuant to TPS3 clause 5.2 and approve the development either unconditionally or on such conditions as the Council thinks fit, provided the Council is satisfied that the proposed development is consistent with the orderly and proper planning of the location, the preservation of amenity, and noncompliance will not have an adverse effect on the locality.

The scale of the proposed consulting room use will contain one reception area and two consulting areas. The consulting room is 48.96m² in area and will occupy less than 1.01% of the Sacred Heart School property. The proposed consulting room is consistent with the orderly and proper planning of the location, the preservation of amenity, and non-compliance will have no adverse effect on the locality.

It was confirmed by the Sacred Heart Parish Church that the consulting rooms will be occupied by one chiropractor and one Bowen therapist, both of whom are appropriately qualified.

VOTING REQUIREMENTS

Simple Majority

ADJOURNED DEBATE

ORDINARY COUNCIL MEETING 1 DECEMBER 2020 – ITEM 9.1.2 LOTS 1, 2 AND 3 LANGTON ROAD, MOUNT BARKER – CONSULTING ROOMS

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved: Cr S Etherington, seconded Cr B Bell:

That :

1. As the Council is satisfied that the consulting room is consistent with the orderly and proper planning of the location, the preservation of amenity, and non-compliance will have no adverse effect on the locality.
2. The Council in accordance with clause 5.2 of the Shire of Plantagenet Town Planning Scheme No. 3 and Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, grant Development Approval for consulting room at Lots 1, 2 and 3 Langton Road, Mount Barker.
3. Approval will be subject to the development being in accordance with the plans dated 16 November 2020.

CARRIED (9/0)

NO. 011/21

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 GREAT SOUTHERN TREASURES – MEMORANDUM OF UNDERSTANDING AND STRATEGIC PLAN

File Ref:	N54015
Attachment:	<u>Strategic Plan and Forward Directions 2020-2023</u> <u>Memorandum of Understanding</u> <u>Finance Options</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Andrus Budrikis Executive Manager Strategic Development
Proposed Meeting Date:	27 January 2021

PURPOSE

The purpose of this report is to recommend that the Shires of Broomehill-Tambellup, Cranbrook, Gnowangerup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling formally agree to their participation in Great Southern Treasures by virtue of a Memorandum of Understanding (MOU) and that the Council endorses the Great Southern Treasures Strategic Plan.

BACKGROUND

Great Southern Treasures (formerly known as Hidden Treasures) was originally formed in or around 2001 and its membership comprised all of the Councils within the Great Southern, except for the City of Albany and the Shires of Denmark and Plantagenet. Subsequently, the Shire of Jerramungup has ceased being a member, while the Shire of Plantagenet has joined. The Shire of Plantagenet joined on 21 June 2016 by Council resolution.

The Great Southern Treasures Committee engaged Caroline Robinson from 150 Square to work with the committee to develop a revised Purpose, Mission and Vision statement as well as a three-year strategic plan and activity plan. The committee also reviewed the proposed draft MOU.

The Great Southern Treasures Strategic Plan and Forward Directions 2020-2023 includes the following statements:

Purpose: To build the brand and awareness of the tourism assets within Great Southern Treasures, locally, nationally and worldwide;

Mission: Collectively plans and promote the tourism assets, experiences and events across member local governments; and

Vision: The communities of Great Southern Treasures are the most visited and known in Australia's South West.

STATUTORY ENVIRONMENT

Since the inception of Great Southern Treasures, the member Councils have met as a Voluntary Regional Organisation of Councils. While a Voluntary Regional Organisation of Councils has no legal standing, Great Southern Treasures has consistently and successfully developed and promoted regional tourism opportunities on behalf of its member Councils. Notwithstanding this success, each of the member Councils has indicated that a more formal collaboration would be desirable.

The MOU, which is the subject of this report, is an agreement outlining the parameters for operating Great Southern Treasures for three years.

EXTERNAL CONSULTATION

Consultation has occurred with all CEOs of the member councils and the Great Southern Treasures committee.

FINANCIAL IMPLICATIONS

The operational costs for running Great Southern Treasures is shared between the member councils. For the 2020/2021 financial year the Shire of Plantagenet's contribution is \$10,481.00.

Other Councils contribute as follows:

Broomehill-Tambellup	\$ 9,782.00
Cranbrook	\$ 9,782.00
Gnowangerup	\$10,481.00
Katanning	\$13,975.00
Kent	\$ 5,590.00
Kojonup	\$10,481.00
Woodanilling	\$ 5,590.00

The Great Southern Treasures Committee is proposing to revise the funding model for the FY 2021-22 budget. The finance options paper is attached for information.

BUDGET IMPLICATIONS

The 2020/21 budget includes an allocation of \$10,500.00 for this project.

POLICY IMPLICATIONS

Policy CE/ED/1 Tourism applies.

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 3.4 (A strong tourism Region) and is underpinned by the four strategies listed hereunder:

Strategy 3.4.1:

'Promote and support local and regional tourism initiatives'

Strategy 3.4.2:

'Provide infrastructure and services to support tourism'

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

REGIONAL IMPLICATIONS

When Great Southern Treasures was first formed (as Hidden Treasures) part of the catalyst for that formation was the creation of the Rainbow Coast Regional Council, the members of which were the City of Albany and the Shires of Denmark and Plantagenet.

Across the region, there was a recognised need that Councils needed to collaborate with each other on matters that had regional implications.

OFFICER COMMENT

The attached MOU can be endorsed by the Shire of Plantagenet. It has already been distributed to the other seven-member Councils and will not take effect until such time that all Councils have resolved to participate.

The MOU reflects the current relationships between each of the member Councils, except that the MOU requires a host Council (presently the Shire of Broomehill-Tambellup) to be appointed.

The MOU is designed to be temporary until a more formal arrangement is agreed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Oldfield:

That the Shire President and the Acting Chief Executive Officer be authorised to affix the Common Seal of the Shire of Plantagenet to the Memorandum of Understanding between the Shires of Broomehill-Tambellup, Cranbrook, Gnowangerup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling relating to the ongoing operations of the Great Southern Treasures Scheme.

CARRIED (9/0)

NO. 012/21

**9.1.2 LOT 104 MARTIN STREET, MOUNT BARKER – OUTBUILDINGS
EXCEEDING CUMULATIVE FLOOR AREA FOR RESIDENTIAL ZONE**

File Ref: N53808

Attachment: [Location Plan](#)
[Site Plan](#)
[Outbuilding 1 Plans](#)
[Outbuilding 2 Plans](#)

Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development

Author: Vincent Jenkins
Principal Planning Officer

Proposed Meeting Date: 27 January 2021

Applicant: Plantagenet Sheds and Steel for M Dumbrell
and C Porter

PURPOSE

The purpose of this report is to consider a proposal for two new outbuildings at Lot 104 Martin Street, Mount Barker. The two outbuildings combined, means the cumulative floor area set by Council policy is exceeded. In addition, the larger of the two outbuildings involves reduced side and rear boundary setbacks.

BACKGROUND

Council records show the registered owners of Lot 104 Martin Street are MS Dumbrell and C Porter.

The present development at Lot 104 involves a single house and two outbuildings. Both the existing outbuildings will be removed and replaced with two new outbuildings. The two new outbuildings are different in their extent and purpose.

New outbuilding 1 is 49m² (7m x 7m) in area with a wall height of 3m and will be used as a garage. New outbuilding 2 is 216m² in area (12m x 18m) in area with a wall height of 4.0m.

The cumulative floor area of the two new outbuildings will total 265m². The 265m² cumulative floor area exceeds the 100m² floor area set by Council policy for the Residential zone. In addition, the 4.0m outbuilding wall height for outbuilding 2 exceeds the 3.0m wall height set by Council policy for the Residential zone.

The reason provided by the proponent for outbuilding 2 is to provide protection and secure storage for high value vehicles, a large caravan, dirt bikes and go carts.

The proponents are also seeking approval for a reduced side boundary setback of 4m for outbuilding 1 to the property boundary with Lot 12 Martin Street where a boundary setback of 7.5m is required by the R-Codes. In addition, the proponents are seeking approval for a reduced side boundary setback of 2.5m for outbuilding 2 to the property boundary with Lot 105 Martin Street where a boundary setback of 7.5m is required by the R-Codes. The proponents are further seeking a reduced

rear boundary setback of 2.5m to the property boundary with Lot 101 Mills Street where boundary setbacks of 7.5m is required by the R-Codes.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) – zoned Residential (R2.5).

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

‘Variations to site and development requirements

(1) *In this clause —*

additional site and development requirements means 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.’*

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

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 four adjoining and nearby landowners for a 21-day period closing on 5 January 2021. At the time of finalising this report, no adverse comments were received from adjoining or nearby neighbours.

FINANCIAL IMPLICATIONS

The application fee of \$192.00 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 100m² for Residential zones. The combined floor area for the two new outbuildings is 265m². The proposed garage outbuilding wall height is 3.0m and the over height outbuilding wall height is 4.0m. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

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 104 Martin Street is 4,146m² in area and located in the Residential (R2.5) zone.

The present development at Lot 104 involves a single house and two outbuildings. Both the existing outbuildings will be removed and replaced with two new outbuildings.

The outbuilding 1 location is setback 39m from the street property and 4m from the side property boundary with Lot 12 Martin Street where a boundary setback of 7.5m is required by the R-Codes.

The outbuilding 2 location is setback 2.5m from the side property boundary with Lot 105 Martin Street where a boundary setback of 7.5m is required by the R-Codes. Outbuilding 2 is also setback 2.5m from the rear property boundary with Lot 101 Mills Street where boundary setbacks of 7.5m is required by the R-Codes.

The construction materials for 49m² outbuilding 1 involve a steel portal frame, Colorbond® roof and wall cladding and concrete floor and footings. The construction materials for 216m² outbuilding 2 involves steel portal frame, zincalume roof, Colorbond® wall cladding and concrete mass footings.

No difficulties are seen with the maximum cumulative floor area of the two new outbuildings being 265m² and the wall height of for outbuilding 2 being 4.0m given the size of the lot being 4,146m².

Proposed outbuilding 1 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. The 4.0m side boundary setback is supported.

In addition, proposed outbuilding 2 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. The 2.5m side and boundary setbacks are supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in respect to the two outbuildings as shown on the plans dated 11 November 2020 and 8 December 2020 at Lot 104 Martin Street, Mount Barker:

1. In accordance with clause 2.5.2 of the Residential Design Codes, the two outbuildings with reduced boundary setbacks be approved subject to:
 - a) Outbuilding 1 being setback 4.0m from the shared property boundary with Lot 12 Martin Street, Mount Barker.
 - b) Outbuilding 2 being setback 2.5m from the shared property boundary with Lot 105 Martin Street, Mount Barker.
 - c) Outbuilding 2 being setback 2.5m from the shared property boundary with Lot 101 Mills Street, Mount Barker.
2. In accordance with 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 outbuildings 1 and 2 be approved resulting in the cumulative area of all outbuildings being 265m².
3. The two existing outbuildings being removed from the property prior to outbuildings 1 and 2 being constructed.

ALTERNATIVE RECOMMENDATION/COUNCIL DECISION

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

That in respect to the two outbuildings as shown on the plans dated 11 November 2020 and 8 December 2020 at Lot 104 Martin Street, Mount Barker:

- 1. In accordance with clause 2.5.2 of the Residential Design Codes, the two outbuildings with reduced boundary setbacks be approved subject to:**
 - a) Outbuilding 1 being setback 4.0m from the shared property boundary with Lot 12 Martin Street, Mount Barker.**
 - b) Outbuilding 2 being setback 2.5m from the shared property boundary with Lot 105 Martin Street, Mount Barker.**
 - c) Outbuilding 2 being setback 2.5m from the shared property boundary with Lot 101 Mills Street, Mount Barker.**
- 2. In accordance with clauses 66, 67, 68 and 70 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Town Planning Scheme Policy No. 16.3 (Outbuildings) be varied and the outbuildings 1 and 2 be approved resulting in the cumulative area of all outbuildings being 265m².**
- 3. The two existing outbuildings being removed from the property prior to outbuildings 1 and 2 being constructed.**

CARRIED (9/0)

NO. 013/21

Reason for Change

Consultation with Tony Georgio at the State Law Publisher confirmed that the Shire of Plantagenet Local Planning Scheme No. 5 will not be published in the Western Australian Government Gazetted before 28 January 2021, as previously advised. This means that this Application for Development Approval will need to be considered pursuant to the Shire of Plantagenet Town Planning Scheme No. 3 and not the Shire of Plantagenet Local Planning Scheme No. 5.

9.1.3 LOT 253 MITCHELL STREET, MOUNT BARKER – PROPOSED SIGNAGE

File Ref:	N53853
Attachment:	<u>Location Plan</u> <u>Site Plan</u> <u>Sign Frame</u> <u>Advertising Sign Artwork</u>
Responsible Officer:	Andrus Budrikis Executive Manager Strategic Development
Author:	Vincent Jenkins Principal Planning Officer
Proposed Meeting Date:	27 January 2021
Applicant:	Parminder Singh

PURPOSE

The purpose of this report is to consider an application for one pylon sign at Lot 253 Mitchell Street, Mount Barker.

BACKGROUND

Council records show the registered owners of Lot 253 Mitchell Street are P and S Valcan. The landowners granted authority to the applicant to submit this application for one pylon sign at Lot 253.

This proposal involves the location of one pylon sign at Lot 253 Mitchell Street, Mount Barker. The proposed sign will be advertising fast food and drink being prepared at the BP service station.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) – zoned Commercial.

Clause 32.4(b) and Schedule 1 - details where development approval is not required for advertising signs. In this instance, development approval is required.

EXTERNAL CONSULTATION

There are no external consultation implications for this report.

FINANCIAL IMPLICATIONS

The development application fee of \$63.00 has been paid.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

Town Planning Scheme Policy No. 22 (Advertising Signs) (TPS Policy 22) is relevant. TPS Policy 22 permits pylon signs in the Commercial zone subject to the provision of a total signage plan. TPS Policy 22 requires pylon signs to have a minimum clearance of 2.4m from ground level and not to be more than 4.0m above ground level. In addition, pylon signs are not to exceed 2.0m measured either vertically or horizontally across the face of the sign. Further requirements include that pylon signs are not be greater than 2.0m² in area and be limited to one sign per street frontage on any one lot.

The proposed pylon sign does not conform to minimum ground clearance, minimum sign dimensions or minimum sign area requirements set in the Council's policy. The Council must have regard to a Town Planning Scheme Policy but is not bound to adhere to it where a variation is considered reasonable.

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 22 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.3:

'Control advertising signage'

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

This proposal involves a pylon advertising sign with a maximum height of 2.5m, a maximum width of 2.44m and a signage area of 2.96m² (1.22m x 2.44m). The sign ground level clearance will be 1.28m. The sign area will be a one-sided steel sheeting and the sign will be advertising fast food and drink that is available at the BP service station.

The proposed sign location is on the property boundary with Lowood Road and 5m from the west property boundary. The proposed sign will be sited to be visible for

traffic entering Lowood Road from Albany Highway. The sign location conforms to boundary setback requirements set in LPS5 for the Commercial zone.

The proposed sign in this instance is not likely to adversely affect the amenity of the surrounding area or the locality. The Council must have regard to a Town Planning Scheme Policy but it may vary it if it is considered appropriate. In this case such a variation is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with clause 34(5) of the Shire of Plantagenet Local Planning Scheme No. 5, clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Shire of Plantagenet Town Planning Scheme Policy No. 22 (Advertising Signs) and the plans dated 1 and 16 December 2020, the pylon sign at Lot 253 Mitchell Street, Mount Barker be approved.

ALTERNATIVE RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

That in accordance with clauses 66, 67, 68 and 70 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Shire of Plantagenet Town Planning Scheme Policy No. 22 (Advertising Signs) and the plans dated 1 and 16 December 2020, the pylon sign at Lot 253 Mitchell Street, Mount Barker be approved.

CARRIED (9/0)

NO. 014/21

Reason for Change

Consultation with Tony Georgio at the State Law Publisher confirmed that the Shire of Plantagenet Local Planning Scheme No. 5 will not be published in the Western Australian Government Gazetted before 28 January 2021, as previously advised. This means that this Application for Development Approval will need to be considered pursuant to the Shire of Plantagenet Town Planning Scheme No. 3 and not the Shire of Plantagenet Local Planning Scheme No. 5.

9.1.4 RESERVE 15162 AND RESERVE 44562 - MOUNT BARKER HILL DEVELOPMENT

Cr C Pavlovich

Item: 9.1.4

Type: Proximity (Section 5.60 (B) LGA)

Nature: Adjoining Property Owner

Extent: N/A

4.35pm Cr C Pavlovich withdrew from the meeting and
Cr J Oldfield assumed the Chair

File Ref: N54338

Attachments: Site Plan
Boardwalk Schematic Design
Car Park Plan
Tower Hill Concept Plans Public Comment

Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development

Authors: Vincent Jenkins
Principal Planning Officer
and
Laura Adams
Economic Development Officer

Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to consider an application for development approval for the construction of a walking trail, raised boardwalk and associated car park at Reserve 15162 and Reserve 44562, Mount Barker Hill.

BACKGROUND

Reserve 15162 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'. Reserve 44562 is Crown land and the care, control and management of the Reserve is vested with the Shire of Plantagenet for the purpose of 'Telecommunications Site' with permission to lease.

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.'*

At the Council's Meeting held on 25 February 2020 it was resolved:

'That:

1. *The resignation of Cr C Pavlovich from the Mount Barker Hill Advisory Committee be noted.*
- 1.(sic) *Cr J Oldfield be appointed as a member of the Mount Barker Hill Advisory Committee.*
- 2.(sic) *Cr L Handasyde be appointed as Deputy to act on behalf of any individual member 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 downhill 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 boardwalk, walking trail and car parking components as illustrated in the attached plans.

Drought Communities (Extension) funding has been secured to progress the construction of aspects of the concept plan. Since the landscape concept plan's endorsement by the Council at the 14 July 2020 meeting, work has been carried out to prepare for inviting local contractors to quote on the construction of a raised boardwalk and walking trail (Stage 1 of the concept plan). A trail corridor has been surveyed and marked out, with a suitable location for the boardwalk identified to maximise views of the landscape and avoid potentially culturally-significant granite outcrops.

Requests for Quote have been issued to local steel fabricators who may be in a position to bid for the design and construction of the boardwalk. Their submissions will be reviewed in January 2021.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) – both R15162 and R44562 are zoned Local Scheme Reserve (Public Open Space). LPS5 Public Open Space Reserve objectives include setting aside areas for public open space, particularly those established under the Planning and Development Act 2005 and to provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage infrastructure.

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 Land'. The proposed raised walking trail, boardwalk and associated car parking development is congruent with the 'Park Land' purpose. The vesting excludes the parcel of land for the Communication Tower location. This parcel of land is vested with BAI Communications Australia (formerly Broadcast Australia).

Reserve 44562 is Crown land and the care, control and management of the reserve is vested with the Shire of Plantagenet for the purpose of 'Telecommunications Site' with permission to lease. The sealed walking trail will be constructed over a minor segment (10m) of this reserve to ensure the complete trail is wheelchair accessible.

Local Government (Miscellaneous Provisions) Act 1960 – A building permit is required to be issued for the boardwalk infrastructure.

EXTERNAL CONSULTATION

The concept plan was developed in discussion with local tourism providers and stakeholders, such as the astronomy club and nature tour operators.

The concept plan has also been made available for public comment for several months, and has been displayed in the foyer of the Shire office and at the Business Development Centre at Lowood Road alongside the trails and lighting concepts. A summary of the submissions received to date on all Mount Barker Hill concept plans is attached to this report.

In addition, consultation has been carried out with the local Noongar community through the Mount Barker Aboriginal Progress Association. This is an ongoing process to identify any heritage constraints on the development and to involve Noongar residents in identifying appropriate places for the trail corridor. The Native Title holders of the reserve will also be engaged too. GSCORE have indicated that they will be able to fund a facilitated consultation between the Noongar groups and a heritage expert; a Request for Quote has been issued to suitable consultants with consultations intended to take place in February 2021.

FINANCIAL IMPLICATIONS

The Shire's Drought Communities Programme funding agreement incorporates an allocation of \$375,000.00 for the Mount Barker Hill facilities project.

BUDGET IMPLICATIONS

The Financial Year 2020/21 budget includes \$580,000.00 for Mount Barker Hill Infrastructure.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

The capital cost of these developments will be added to the Shire's asset register.

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 2.3.4:

'Plan and seek funding for the development of trails in line with the Trails Master Plan.'

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

Strategy 3.2.1:

'Identify and attract value adding and compatible new industries to the region.'

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

Strategy 3.4.4:

'Work with the Lower Great Southern Alliance in promoting sustainable tourism investment within the region.'

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

The concept plans for Mount Barker Hill have been developed with a regional tourism offer in mind. The MTB trail component of the concept plans for Mount Barker Hill form part of GSCORE's Regional Trails Masterplan, endorsed by all local governments in the Great Southern. It is intended that the proposed trails would complement two other nearby trails parks in Denmark and Albany to create an outdoor leisure destination of regional significance.

OFFICER COMMENT

Stage 1 of this development includes the construction of the boardwalk and walking trail. The boardwalk involves a galvanised steel structure. The boardwalk is approximately 75 metres long and rises approximately 3.6 metres from the start to the finish. The ground undulates below the boardwalk, falling approximately 3.0 metres from the start and then rising over 6 metres from this low point to the finish. The boardwalk location is represented by the black and yellow dashed line on the Mount Barker Hill Landscape Stage 1 Site Plan.

The walking trail is approximately 197m in length and 1.5m in width. The footpath will be raised an average of 150 mm from ground level and will be red asphalt sealed. The location of the corridor for the walking trail is represented by the blue line on the Mount Barker Hill Landscape Stage 1 Site Plan.

Stage 2 of this development includes the construction of the car park and associated footpath, feature and retaining wall, and median island infrastructure. The car park development will be constructed similarly to the design shown on the car park extract of the 'Tower Hill, Mount Barker Landscape Concept Plan'.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Development Approval be granted for Stages 1 and 2 walking trail, boardwalk and car parking at Reserve 15162 and Reserve 44562 Mount Barker; according to clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, clause 14 of the Shire of Plantagenet Local Planning Scheme No. 5 and the plans dated 14 July 2020 and 7 December 2020.

ALTERNATIVE RECOMMENDATION/COUNCIL DECISION

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

That Development Approval be granted for Stages 1 and 2 walking trail, boardwalk and car parking at Reserve 15162 and Reserve 44562 Mount Barker; according to clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and the plans dated 14 July 2020 and 7 December 2020.

CARRIED (8/0)

NO. 015/21

Reason for Change

Consultation with Tony Georgio at the State Law Publisher confirmed that the Shire of Plantagenet Local Planning Scheme No. 5 will not be published in the Western Australian Government Gazetted before 28 January 2021, as previously advised. This means that this Application for Development Approval will need to be considered pursuant to the Shire of Plantagenet Town Planning Scheme No. 3 and not the Shire of Plantagenet Local Planning Scheme No. 5.

4.39pm Cr C Pavlovich returned to the meeting and resumed the Chair.

9.2 WORKS AND SERVICES REPORTS

9.2.1 POLICY REVIEW - FUTURE STREET AND RESERVE NAMES

File Ref: N51424
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Nicole Selesnew
Project Officer Works and Services
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to review Council Policy I/RR/1 – Future Street and Reserve Names.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 11 September 2018.

The policy review included the addition of two new names, these being Hickling and Greenslade. These names were added following an advertisement placed in the Plantagenet News, the Shire website and Shire notice board on 30 June 2018, requesting public submissions for street and reserve names.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Part 2, Division 3, Section 26A – ‘New subdivision, names of roads and areas in’.

Council Delegation 7.3 – Crown Reserves and Street Names authorises the Chief Executive Officer to forward recommendations of road names to the Geographic Names Committee, Western Australia.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

It should be noted that the Council has a fee for road renaming applications of \$250.00 plus actual costs per application. There is no fee for applications made for new road or reserve names.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

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 2016-2027 provides at Outcome 4.1 (Effective governance and leadership) the following:

Strategy 4.1.6:

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

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

This policy has guided the road and reserve naming and renaming process for the past eleven years. It has worked well and can be endorsed without change.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr S Etherington:

That Council Policy I/RR/1 – Future Street and Reserve Names as follows:

'OBJECTIVE'

To provide the Council, staff, the local community and developers with clear information on the requirements for the naming and renaming of roads and reserves within the Shire of Plantagenet.

This includes ensuring that road and reserve names comply with relevant legislation and requirements and that consideration and regard is given to the history, natural environment, culture and character of the area when determining road and reserve names.

POLICY**1. Scope**

This policy applies to roads and reserves under the care, control and management of the Shire of Plantagenet. It extends to new roads and reserves for which a name is required and to existing roads and reserves where a request is made for the name to be changed.

2. Legislation

Land Administration Act 1997, Part 2, Division 3

3. Application of Policy

3.1 A Future Road Names and Reserves Register will be maintained which contains Council approved names for future roads and reserves.

3.2 Additions to the Future Road Names and Reserves Register shall only be by Council decision provided the proposed name meets the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia. Deletions from the register shall also only be by Council Decision.

3.3 Applications for inclusion on the Future Road Names and Reserves Register shall be accompanied by appropriate supporting evidence from the applicant to meet the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia.

3.4 An applicant who is applying to have a road renamed is responsible for obtaining the necessary written support from the owners/residents, providing supporting evidence to meet the requirements of Landgate's Policy and Standards for Geographical Naming in Western Australia and paying the Road Renaming Application Fee as detailed in the Council's Annual Fees and Charges.

3.5 Roads and reserves will not be named or renamed for business or promotional purposes.

3.6 No road shall be named until it is constructed.

3.7 Developers of new subdivisions shall advise the Council of their preference of names for new roads within subdivisions prior to lodgement of clearance of subdivision.

3.8 Pursuant to Delegation 7.3 Crown Reserves and Street Names, the Chief Executive Officer is authorised to forward to the Geographic Names Committee road and reserve names from the Future Road Name and Reserves Register.

3.9 The Geographic Names Committee makes the final decision on road and reserve names from those listed on the Future Road Names and Reserves Register.

Future Road Name and Reserves Register

The following names can be used anywhere in the Shire of Plantagenet.

ROAD NAME	RELEVANCE	REQUESTED BY	USED
BAESJOU	Long serving family in the Woogenellup area.	GP & SR Richardson	
BARNACLE	The Great War		
BARTLETT	World War 2		Bartlett Close – October 2017 Valley Views Strata.
BEECH	First teacher in Narrikup later given charge of the school at Martigallup.	CE Nicholls	Beech Road - 12 January 2011 Realignment of Spencer Road.
BOVELL	The Great War		
BOWLES	The Great War		
BURNELL	Freeman of the Shire and ex Councillor.	H Reeves	Burnell Street - 11 November 2008 Was Hockley Street.
CHESTER	The Chester Family built the original abattoirs and were tremendous contributors to St John's and the Hospital.	H Reeves	Chester Road - 10 February 2009 Construction of northern bypass. Formerly part of Taylor Road.
CLOTHIER	Old established family	H Reeves	
CROFTS	Old established family	H Reeves	Crofts Rise - 14 July 2010 Subdivision in Porongurup.
CROSS	The Great War		
DOREY	The Great War		
DUFF (Kendenup)	In 1921, shortly after the DeGaris settlement started, Mr Duff ran a general store on the Kendenup Estate at the Homestead. He built Kendenup Stores in 1922 from locally made bricks. Situated in the main street, Mr Duff ran the shop as a general store until his retirement	RA Kelly	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>in the 1950s.</p> <p>He extended large amounts of credit to early settlers until their newly cleared blocks could be planted with orchards and some income generated. Without his financial assistance many settlers would not have been able to stay on their farms after the collapse of the Kendenup Development Company in 1923 and later through the Depression.</p> <p>Mr Duff owned one of the few vehicles in the district (a one tonne truck) which was often lent to the community for transport to picnics, sporting events, shows etc.</p>		
DUFTY	<p>Councillor between 1971 to 1974.</p> <p>The Dufty family bought the land known as Mount Barker Hill in the mid-1960s and farmed it for over 20 years before it was subdivided.</p> <p>The Dufty family also built the Valley Views Motel and ran it along with Mr and Mrs Pickens for some 15 years. The Dufty family also built the BP Road House and ran it for a few years before selling.</p>	CE Nicholls	Dufty Place – October 2017 Valley Views Strata.
EBSARY	The Great War		
ENRIGHT	The Enright family has been in the district for 100 years (refer to the brochure 'Five Shillings for a Fox' in the local section of the Mount	H Reeves	Enright Way - 14 July 2010 Subdivision in Porongurup.

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	Barker Library). George Enright was a long time farmer and Road Board Member.		
FALCK	The Great War		
FENTON	The Great War		Fenton Heights - 23 August 2010 Subdivision Williams Road.
GOODLET	The Great War		
GREENSLADE	Stella Greenslade - Long time resident of Mount Barker who raised a family on a farming and orchard property just north of Mount Barker, was involved with a number of local volunteer associations and was a Justice of the Peace	Cr Bell	
GRIBBLE	The Great War		
HAMBLEY	The Hambley family's association with the southern end of Lowood Road from Mondurup Street corner to Warburton Road started in the 1880s. Albert Hendy Hambley, an employee of the railways took up a parcel of land south of Mondurup Street which would cover the approximate area, Mondurup Street to Pugh Street and Lowood Road to Mitchell Street (originally Albany Highway)	Cr Clements	Hambley Street - 9 March 2010 Realignment of Lowood Road and Mondurup Street.
HARBUTT	The Great War		
HICKLING	Reginald Hickling – immigrated to Australia from the UK in 1911, soldier in the AIF, killed in action in WWI in 1917	Cr Bell	
JENKINS	The Great War		
LAWRIE	The Great War		
LE FORT	The Great War		
LIEBECK	World War 2		

ROAD NAME	RELEVANCE	REQUESTED BY	USED
MCLEAN	<p>Charlie McLean operated a small orchard of his own on the north side of Wilson Road. This area was believed to be the Albany Highway end of Wilson Road.</p> <p>At the end of the war, Charlie returned to Wilson Road and purchased 317 acres on the south side of the road. This property is the subject of the subdivision and road naming request. Charlie developed this mostly bushland and lived in a timber hut for many years until he eventually built the first house on the property.</p> <p>He was also a successful racing enthusiast, bred winning racehorses and with other Mount Barker identities regularly attended races in Perth. Charlie passed away on 15 February 1991.</p>	K & L Forbes	McLean Close - 29 January 2013 Subdivision Wilson Road.
MCCLURE	Councillor between 1951 to 1963 and 1965 to 1977.	CE Nicholls	
McQUAT	Vietnam		
MILLONS	The Great War		
NORTHEY	The Great War		Northey Retreat – October 2017 Valley Views Strata.
ORTIS	The Great War		
PESCOD	The Great War		
PHIPPS (Rocky Gully)	Mrs Gwen Phipps held the role of storekeeper, post mistress, money lender and organiser for the Rocky Gully community.	H Reeves	
PICKLES	Established family	H Reeves	Pickles Road – December 2016 Subdivision off

ROAD NAME	RELEVANCE	REQUESTED BY	USED
			Spencer Road
PULLEN	World War 2		
RAINBIRD	World War 2		Rainbird Rise – October 2017 Valley Views Strata.
SQUIRE	The Squire brothers Frank, Wally, Cliff and Albert were local business men.	H Reeves	Squire Court - 23 June 2010 Subdivision – West Beattie Road.
WALLER	The Great War		
WILBY	The Great War		
WILKINS	World War 2		
WOOLMAN	The Great War		
WORTH	World War 2		Worth Court – October 2017 Valley Views Strata.

The following names have been used in neighbouring shires, but could be used in the Shire of Plantagenet if sufficiently distanced from the used name.

ROAD NAME	RELEVANCE	REQUESTED BY	USED
BAVIN	World War 2		
BAXTER	World War 2		
BOARD	World War 2		
BREEN	The Great War		
CARTER	The Great War		
CROUCH	World War 2		Crouch Court – October 2017 Valley Views Strata.
DAWSON	The Great War		
FAULKNER (Porongurup)	<p>Bob Faulkner was a Shire Councillor between 1962 and 1982.</p> <p>The Faulkner family has owned Bolganup Homestead in the Porongurup for over a century. The following excerpt is taken from www.bolganup.com.au on 19 May 2015.</p> <p>Bolganup ‘... guest house</p>	H Reeves	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>was started by Lizzie and Gilbert Faulkner in the 1920s and buildings were added as demand grew. During the Second World War it closed as the sons enlisted and the daughters left. Plans were made for it to be taken over as a hospital in the event of an invasion.</p> <p>The guest house never re-opened after the war as Gilbert had died and Lizzie handed over to the eldest son Harry. Harry and Gwendoline brought up their family, Annette, Kingsley, Sharon and Russell here with Lizzie living in the Fernbrook and Burnley section until she died in 1955.'</p> <p>Bolganup is still owned by Kingsley and Kathleen Faulkner and managed by their daughter Sharon and her husband Bill Bird.</p>		
GLOVER	The Great War		
HARDEN	The Great War		
HERON	The Great War		
HICKS	First blacksmith in Mount Barker. His shop was opposite the Police Station.	CE Nicholls	Hicks Close - 13 October 2009 Rationalisation of Reserve between Shire Office and FESA.
HOTCHIN (Perillup)	Early War Service Land Settlement – store and post office.	H Reeves	
LAMBERT	The Great War		
MOIR	World War 2		
NICOL	The Great War		
PRESTON	Lieutenant William Preston original owner of 'Preston Park' in January	H Reeves	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	1839.		
REEVES	<p>Sid Reeves was a businessman. He was involved in the building of the original saleyards, introduction of regular stock sales, the first fuel delivery service and was one of the very earliest school bus contractors.</p> <p>He was also a pioneer of the beef industry and has been acknowledged by the Australian Poll Hereford Society.</p>	H Reeves	
RYAN	World War 2		
SLATER	World War 2		
THORN	<p>Complied by Millicent Thorn (daughter of Albert and Charlotte).</p> <p>'The Thorn family first moved to Mount Barker in 1943 and purchased a home and land in Inglesby (<i>sic</i>) Street. They lived there until after Mr Thorn's death in 1993.</p> <p>The family consisted of Albert William Thorn and his wife Charlotte, a son and four daughters. Bert Thorn worked as a cabinet maker for Duckett's Timber and Trading Co until his retirement.</p> <p>Albert was for many years active in several community groups, the two main ones being St John Ambulance where he was made a life member for his services, and the Methodist (now Uniting) Church. He was</p>	M Thorn	

ROAD NAME	RELEVANCE	REQUESTED BY	USED
	<p>also a member of the Masonic Lodge and a leader of the Boy Scouts group. The large wooden table used by the Plantagenet Council was made by Bert while he was working at Ducketts and he employed his wood working skills in many other ways for the benefit of the district's organisations and individuals.</p> <p>Mrs Thorn was also an active church worker. She was secretary of the Aged Pensioner's League and a long time helper in the Red Cross Branch for which she was made a life member.'</p>		
TIMBWELL	The Great War'		

be endorsed.

CARRIED (9/0)

NO. 016/21

9.3 CORPORATE SERVICES REPORTS

9.3.1 BUDGET REVIEW - DECEMBER 2020

File Ref:	N53854
Responsible Officer:	Paul Sheedy Acting Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	27 January 2020

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 2020/2021 annual budget was adopted by the Council at a special meeting held on 7 July 2020. This review is the second quarterly review of the budget. The Local Government (Financial Management) Regulations 1996 require that local governments conduct a budget review between 1 January and 31 March in each financial year.

STATUTORY ENVIRONMENT

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

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

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

**Absolute majority required.*

- (4) Within 30 days after a council has made a determination, a copy of the review*
-

and determination is to be provided to the Department.'

FINANCIAL IMPLICATIONS

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

BUDGET IMPLICATIONS

The overall recommended net cash effect on the budget is nil.

POLICY IMPLICATIONS

There are no policy implications for this report.

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 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.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

This is the main budget review of the year. In terms of operating result, operating income is currently 12% under year to date budget attributable to storm damage income not yet received. Operating expenditure is 10.1% below year to date budget. The value of outstanding rates is currently 18.7%.

The capital roadworks program is generally on track and should largely be completed by the end of the financial year. Some Roads to Recovery projects have been stalled due to unavailability of contractors. Subject to the point below about the Evertrans trailer, heavy plant purchases and annual fleet purchases to date are all at or below budget.

Transfers to reserve funds have been carried out in line with the budget and budget amendments identified in the 2020/2021 Annual Budget.

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

- The actual surplus carried forward at 30 June 2020, as detailed in the audited 2019/2020 annual financial report, was \$1,515,850.00. The budgeted surplus carried forward was \$1,507,093.00. A variance of only \$8,757.00 exists between the budgeted and actual balance carried forward. This sum can be made available for re-allocation.
- Budget Item Rates Salaries requires an additional \$15,000.00 due to a payout of staff entitlements of the former Rates Officer and training of the new Rates Officer. This can be accommodated from savings identified in this review.
- Interest on Reserve Funds is significantly below year to date budget, due to lower interest rates than predicted. The end of year position could require an additional \$40,000.00 if the rates do not improve. At this stage, predicted income can be reduced by \$31,243.00.
- At its meeting held on 5 January 2021, it was resolved *'that the Council approve unbudgeted expenditure of up to \$65,000.00 (ex GST) for the purchase of a new Chief Executive Officer motor vehicle (Jeep Grand Cherokee) with funds coming from the Plant Replacement Reserve Fund'*. The cost of the chosen vehicle is \$59,644.00 (ex GST). Amendments to the relevant budget items are included in this review.
- A grant of \$5,000.00 has been received from LG Professionals for the implementation of a new chart of accounts. This sum can be made available for re-allocation.
- Budget Item Depreciation – Community Amenities - Land & Buildings requires an additional \$11,292.00 for depreciation on the newly recognised former HACC building, which was gifted to the Shire by the State Government in 2019/2020. This has a nil cash impact.
- Some savings have been identified, namely Reimbursements – Other which currently has a value of \$102,733.00, and an end of year budget of \$80,000.00. This budget, which contains income such as worker's compensation payments and insurance payouts, can be increased to \$100,000.00, the additional \$20,000.00 being made available for reallocation.
- The Rec.Centre has proposed to purchase the treadmills and bikes that are currently being leased. That equipment is as follows:
 - 4 x Technogym Run 600 excite pro UR treadmills.
 - 2 x Technogym Recline 1000 excite pro UR recumbent bikes.
 - 2 x Technogym Bike 1000 excite pro UR.

When the lease expires in April 2021, there will be two options; purchase outright or return and re-lease on another four year contract. If the equipment is re-leased again, the costs will include return fees of the current equipment (approx. \$2,500.00) and then \$10,000.00 per year for the four year term. At that point there will be no assets to show for the expenditure.

The preference is to purchase the treadmills and bikes outright once the lease expires (we need to give them 90 days of this) which will be in the vicinity of

around \$12,600.00. This will save \$27,400.00 over the three year period and also add to our asset base. There will be a need to get the equipment (machines included) serviced on a 12 month basis however, the cost savings will accommodate this.

Some savings have been identified in operating accounts (salaries, courses/programs and school holiday programs) which would enable the equipment to be purchased with nil cash impact.

- The Department of Water has approved a Community Water Grant of \$94,031.00 for works associated with the Frost Park water transfer project. The Shire's contribution will be \$37,915.43, which is already provided for in the budget. The works involve:
 - Earthworks to construct a 38,250kL dam.
 - Supply of 320m of 90mm HDPE pipeline to connect new dam to the training track dam.
 - Supply of two submersible 4kW pumps including pontoons and installation.
 - Supply of power cable to training track dam and the new dam.
 - Installation of power distribution boards at both training track dam and new dam.
 - Excavation of a 484m long trench, burying the pipeline using Shire equipment and backfilling the trench with sand.
- BCITF and BRB receipts and payments have both seen large increases on budget figures due to more activity on building licences than predicted. Adjustments have been made to expenditure and income accounts to reflect the current values, with a nil cash impact.
- Budget Item Public Works Overheads Salaries is over budget by approximately \$27,000.00 due to the salary for the new Depot Purchasing Officer being charged to that account. The previous employee's wages were allocated to various jobs, including Budget Item Unallocated Wages account. Savings in the latter account can be reallocated with a nil cash impact.
- On 4 November 2020, a Shire truck was involved in an accident which caused damage to the attached Evertrans trailer (LL5). The insurance on that trailer has now been paid out totalling \$11,000.00. A new trailer will now need to be purchased at an approximate cost of \$85,000.00. A net transfer of \$74,000.00 from the Plant Replacement Reserve is therefore required. The relevant accounts have been included for adjustment.
- At its meeting held on 19 April 2020 the Council resolved that *'the balance of the Plantagenet Medical Centre Reserve of \$390,000.00 be transferred to the Mount Barker Memorial Swimming Pool Revitalisation Reserve to enable progress on the re-development of the Mount Barker Memorial Swimming Pool.'* While this transfer has been reflected in monthly financial statements since then, it was not captured for the Annual Financial Statements. It is requested that the Council include that transfer in this review to formalise it for the 2020/2021 financial year.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The Council adopted a 10% and a \$5,000.00

minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That:

1. The budget review for the period 1 July 2020 to 31 December 2020 be adopted and the 2020/2021 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
	Net current assets carried forward	\$1,507,093	\$1,515,850	\$8,757
20000.0130	Rates - Salaries	(\$58,046)	(\$73,046)	(\$15,000)
10009.0066	Interest on Reserve Funds	\$50,000	\$31,243	(\$18,757)
50416.0006	Purchase Vehicle - CEO	\$0	(\$59,644)	(\$59,644)
40415.0486	Transfers from Reserve Funds	\$0	\$59,644	\$59,644
10016.0229	Reimbursements - Other	\$80,000	\$100,000	\$20,000
10017.0200	Contributions - Other Contributions	\$0	\$5,000	\$5,000
21018.0035	Community Amenities - Depreciation - Land & Buildings	(\$3,248)	(\$14,540)	\$0
51111.0006	Gym and Other Equipment	(\$5,000)	(\$17,000)	(\$12,000)
21100.0130	Employee Costs - Salaries	(\$197,052)	(\$189,052)	\$8,000
21102.0298	Other Expenses - Courses & Programs	(\$8,000)	(\$6,000)	\$2,000
21102.0299	Other Expenses - School Holiday Programs	(\$2,000)	\$0	\$2,000
51777.0251	Water Transfer - Lot 81 Dam to Sounness Park (via Frost Park)	(\$32,322)	(\$126,353)	(\$94,031)
41120.0203	Community Water Grant	\$0	\$94,031	\$94,031
20247.0316	Other Expenses - BCITF Payments	(\$15,000)	(\$25,000)	(\$10,000)
20247.0315	Other Expenses - BRB Payments	(\$10,000)	(\$20,000)	(\$10,000)
10155.0247	Other Revenue - BCITF Levy	\$15,000	\$25,000	\$10,000
10155.0246	Other Revenue - BRB Levy	\$10,000	\$20,000	\$10,000
20260.0130	Public Works Overheads - Salaries	(\$370,026)	(\$425,026)	(\$55,000)
21410.0322	Public Works Overheads - Unallocated Wages	(\$428,236)	(\$373,236)	\$55,000
51411.0006	Heavy Plant Replacement Program	(\$467,200)	(\$552,200)	(\$85,000)
41411.0105	Trade In Heavy Plant	\$81,200	\$92,200	\$11,000
41413.0486	Transfers from Reserve Funds	\$525,500	\$599,500	\$74,000
	Totals	\$672,663	\$661,371	\$0

2. Authority be given for the balance of the Plantagenet Medical Centre Reserve of \$390,000.00 to be transferred to the Mount Barker Memorial Swimming Pool Revitalisation Reserve, in accordance with the Council decision on 19 May 2020 (124/20).

CARRIED (9/0)

NO. 017/21

Absolute Majority

9.3.2 ELECTIONS 2021 - LOCAL GOVERNMENT - METHOD OF VOTING

File Ref: N53881
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to recommend the appointment of the Western Australian Electoral Commission (WAEC) to be responsible for the conduct of the October 2021 Ordinary Local Government Elections and to endorse those elections to be conducted as postal ballots.

BACKGROUND

The Council has used the WAEC to conduct postal voting elections for every election held since May 1988.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 4.61 (1) of the Act states:

'The election can be conducted as a -

"postal election" which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

"voting in person election" which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.'

Section 4.61 (2) of the Act states:

'The Local Government may decide (absolute majority required) to conduct the election as a postal election.'

Section 4.20(4) of the Act states:

'A Local Government may, having first obtained the written agreement of the Electoral Commissioner, declare (absolute majority required) the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.'

EXTERNAL CONSULTATION

Correspondence has been received from the WAEC.

FINANCIAL IMPLICATIONS

An amount of approximately \$25,000.00 would need to be allocated for the conduct of the 2021 elections. Costs not included in this estimate include:

- Non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising);
- Any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns; and
- Staff members within the polling place on election day and for the count.

BUDGET IMPLICATIONS

The costs above will need to be included in the 2021/2022 annual budget.

POLICY IMPLICATIONS

There are no policy implications for this report.

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 4.1 (Effective governance and leadership) the following:

Strategy 4.1.7

‘Continue to support local government elections being conducted by an external body.’

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 Council has used the WAEC to conduct postal voting elections for every election held since May 1988. The conduct of the elections has been to a high standard. It is also preferable for the administration to be removed from the process.

It is therefore recommended that October 2021 elections be held as a postal ballot, to be conducted by the WAEC.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K W:

That:

1. In accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner of Western Australia be responsible for the conduct of the Shire of Plantagenet 2021 ordinary elections together with any other elections or polls which may also be required.
2. In accordance with Section 4.61(2) of the Local Government Act 1995, the method of conducting the election will be as a postal election.

CARRIED (9/0)

NO. 018/21

Absolute Majority

9.3.3 FINANCIAL STATEMENTS – NOVEMBER 2020

File Ref:	N53751
Attachment:	<u>Financial Statements</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 30 November 2020.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Woltering, seconded Cr J Moir:

That the Financial Statements for the period ending 30 November 2020 be received.

CARRIED (9/0)

NO. 019/21

9.3.4 FINANCIAL STATEMENTS – DECEMBER 2020

File Ref:	N53752
Attachment:	<u>Financial Statements</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

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

CARRIED (9/0)

NO. 020/21

9.3.5 LIST OF ACCOUNTS – NOVEMBER 2020

File Ref:	N53880
Attachment:	<u>List of Accounts – November 2020</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

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 30 November 2020 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$355,115.74.**
- 2. Municipal Cheques 46991 – 47016 totalling \$81,462.29.**

CARRIED (9/0)

NO. 021/21

9.3.6 LIST OF ACCOUNTS – DECEMBER 2020

File Ref:	N53923
Attachment:	<u>List of Accounts – December 2020</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

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 December 2020 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$1,333,847.65.
2. Municipal Cheques 47017 - 47047 totalling \$143,777.46.

CARRIED (9/0)

NO. 022/21

9.3.7 POLICY REVIEW - CREDIT CARD

File Ref:	N53846
Attachments:	<u>Policy with amendments</u>
Responsible Officer:	Paul Sheedy Acting Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

The purpose of this report is to review Council Policy F/FM/14 - Credit Card.

BACKGROUND

This policy was last reviewed by the Council on 14 July 2020.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996.

The use of Corporate Credit Cards is not specifically mentioned in the Local Government Act 1995. However the impacts of the use and control of corporate credit cards are related to the following sections of the Local Government Act 1995:

1. Section 2.7(2)(a) and (b) requires the Council to oversee the allocation of the local government's finances and resources and determine the local government policies.
2. Section 6.5(a) requires the CEO to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government.

Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

EXTERNAL CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

This policy is presented to the Council outside of the normal policy review cycle, due to an identified need to change the policy.

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 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.

STRATEGIC RISK IMPLICATIONS

The Strategic Risk Register (Misconduct by Staff) incorporates a key control on allocation and use of credit cards. The control is rated as effective. There are currently only two credit cards in use and procedures are in place for monthly verification and reconciliation.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Corporate credit cards are a routine aspect of the Council’s accounts payable and procurement functions. When used appropriately, credit cards provide benefits in the form of streamlined purchasing processes. Further some purchases now may only be made by credit card.

However, the use of credit cards involves the potential risk of fraud and misuse. This policy establishes guidelines in order to protect Council funds. The Financial Management Review conducted by the Shire’s auditor in April 2018 found that the internal credit card controls are operating effectively.

It has recently been identified that a card could be issued to the Community Emergency Services Manager for items required during emergency events. Such items would be fuel, incidentals, food for emergency services personnel and accommodation for fatigue management. All such costs would be reimbursed from the Department of Fire and Emergency Services. A card limit of \$2,000.00 would be sufficient.

Otherwise the policy is appropriate and can be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Woltering:

That Credit Card Policy F/FM/14, as follows:

‘OBJECTIVE

To ensure that Council staff have access to efficient and alternative means of payment for approved expenses.

POLICY

1. The provision of a corporate credit card is a facility offered to officers occupying the positions of Chief Executive Officer and Deputy Chief Executive Officer.
2. The maximum credit limit for a corporate credit card shall be \$10,000.00.
3. A further corporate credit card with a credit limit of \$2,000.00 be provided to the Community Emergency Services Manager for use during emergency events for costs reimbursable from the Department of Fire and Emergency Services.
4. Corporate credit cards must only be used for the payment of goods and services associated with Council business, in accordance with the Council’s Purchasing and Tender Guide Policy - F/FM/7.
5. A purchase order and credit card authorisation form is to be completed for every purchase and forwarded with the receipt or other evidence of purchase to the Accounts Officer within five days of the purchase.
6. Corporate Credit Card expenditures are to be reconciled on a monthly basis.
7. All corporate credit card holders are to acknowledge receipt of the corporate card and acknowledge their responsibilities under this policy upon receipt of their card.’

be endorsed.

CARRIED (9/0)

NO. 023/21

9.3.8 UNIVERSITY OF WESTERN AUSTRALIA RESEARCH AGREEMENT - SALEYARDS WASTE WATER TREATMENT SYSTEM

Cr J Moir

Item: 9.3.8
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer – Elders Employee
Extent: N/A

5.00pm Cr J Moir left the meeting

File Ref: N54124
Attachments: Sponsored Research Agreement
UWA Project Brief
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to seek approval to enter into an agreement with the University of Western Australia (UWA) to enable a student research project to be undertaken to identify and report on improvements to the Mount Barker Regional Saleyards waste water treatment system.

BACKGROUND

At its meeting held on 20 October 2020, the Saleyards Advisory Committee suggested that there may be some benefit in inviting UWA to use the 'real life' waste water treatment issues being experienced at the Saleyards for a research project. The Chief Executive Officer was requested to prepare a proposal for university student research into options for improvements to the Saleyards waste water treatment system.

Contact was made with UWA and discussions were held with Professor Anas Ghadouani and Dr Liah Coggins, environmental engineers from the UWA Faculty of Engineering and Mathematical Sciences, Civil, Environmental and Mining Engineering.

The Saleyards Advisory Committee held a teleconference with Dr Coggins on 8 December 2020 to discuss the aims of the proposal. It was agreed that Dr Coggins would provide a formal proposal for submission to the Council, which would include approximate costings.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Consultation has taken place with UWA.

FINANCIAL IMPLICATIONS

According to the agreement, the Shire will pay \$4,455.00 (ex GST) as a contribution towards the project. UWA's contribution is \$6,386.00. Any additional water testing, or trips to site required will attract additional costs, although this should be minimal.

BUDGET IMPLICATIONS

The 2020/2021 budget for the Saleyards includes \$10,000.00 for environmental services. The amount above can be accommodated within that budget item. The budget also includes a sum of \$50,000.00 for 'Waste Water Treatment System Modifications'.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The legal obligations are contained in the attached agreement.

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 3.5: (Appropriate infrastructure that supports sustainable economic development) the following strategy:

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

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

STRATEGIC RISK IMPLICATIONS

The Strategic Risk Register is silent on strategic risks associated with the operation of the waste water treatment plant at the saleyards. Nevertheless, there is an ongoing risk of breaching the requirements of the Department of Environment Regulation licence over the site if improvements are not carried out. Further, there is a risk of higher ongoing costs for manure removal and damage to clay pond liners by manual extraction.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Proposals to improve the waste water treatment system at the Mount Barker Regional Saleyards have been mooted for some years. Over the years, the Shire has spent money on the ongoing removal of excess sludge from the ponds.

Investigations have considered various proposals aiming to reduce the amount of sludge entering the ponds and have the ponds operate in series (anaerobic treatment then polishing in an aerobic process). The Saleyards Advisory Committee has to date, not been happy to endorse any particular major capital works, hence the suggestion to invite UWA to undertake a research project.

UWA has a lot of experience assisting the Water Corporation in WA and similar organisations interstate with waste water issues. It has prior experience with the Water Corporation sewerage ponds in Mount Barker as well as the Shire of Morawa. UWA advises that it always strives to find solutions that are the most cost effective for the situation.

UWA has the expertise to assist in a number of ways, such as access to technology such as miniature boats with sonar capability to measure pond depths and sludge mass. It can measure and advise on water balance, loadings and how to make water flow more efficient; including best design for anaerobic ponds.

UWA has suggested that the project be done via student research; semesters 1 and 2 typically run from February to October. It is envisaged that two engineering students would be involved. At the end of that a business case could be prepared for future consideration and funding.

UWA has prepared a brief for the project and has forwarded a standard research agreement for endorsement. The project deliverables are as follows:

Deliverable	Description
Full site investigation	Site investigation used to determine the current state of the system. This will include the use of a remote control boat developed at UWA to determine sludge infill in the WSPs.
Explore waste stabilisation pond reconfiguration options	Based upon the data collected by the Shire and the investigations conducted by UWA, possible reconfiguration options will be explored. This will include the use of computational fluid mechanics (CFD) modelling of ponds.
Explore alternative pre- and post-treatment options	Options for pre- and/or post- treatment solutions will be explored to determine if they could improve treatment performance
Explore treatment options to facilitate the reuse of treated water	A desirable outcome would be to be use treated water for wash down of the saleyards. Options for treatment to facilitate this will be explored.
Final report	All findings will be summarised in a final report for the Shire.

Authority is sought to enter into the agreement presented.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That authority be granted to enter into the attached agreement with the University of Western Australia to enable a student research project to be undertaken during 2021 to identify and report on improvements to the Mount Barker Regional Saleyards waste water treatment system.

CARRIED (8/0)

NO. 024/21

5.02pm Cr Moir returned to the meeting

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 ACTING CEO REPORT ON KEY PERFORMANCE INDICATOR 4

File Ref:	N53975
Attachment:	<u>Report–Regional Organisation</u>
Responsible Officer:	Paul Sheedy Acting Chief Executive Officer
Author:	Paul Sheedy Acting Chief Executive Officer
Proposed Meeting Date:	27 January 2021

PURPOSE

The purpose of this report is to comply with KPI 4 as requested by the Council in the Acting CEO's contract of engagement. This report relates to the potential for the establishment of a regional organisation in the Great Southern to provide services to a number of local governments in the region and was to be submitted to the Council by January 2021.

BACKGROUND

The Council at its meeting held on 19 May 2020 resolved:

'That:

- 1. Mr Paul Sheedy be offered a contract as Acting Chief Executive Officer for a period of six months, with the option to extend for a further three months, under the terms and conditions as set out in that employment contract.*
- 2. The Shire President be authorised to execute the employment contract on behalf of the Council.'*

As part of the terms and conditions of the contract, set out in Schedule 2 – 'Key Performance Indicators' the Council indicated that it *'has engaged a temporary Chief Executive Officer (CEO) to perform a function prior to the engagement of a permanent CEO'* and indicated that:

'The prime function is to determine the place Plantagenet may fit into the local government role heading into 2030 and to look at the strengths and weaknesses of the organisation and make recommendations in areas of both personnel and hard assets.'

The Council has set four Key Performance Indicators (KPI's), with a further one to be completed if the appointment is extended past the six-month initial engagement period and requested a report be submitted to Council on each one by a predetermined date. The fourth KPI is as follows:

'Review the potential for a regional organisation to provide services over numerous Local Governments'.

The key task requested by Council in regards to this KPI is to:

'Look into the potential for a regional organisation to provide services over numerous Local Governments. The Acting CEO will be requested to look deeper into this option as a practical solution for true resource sharing over municipal boundaries.'

The Council has requested that the report respond to the following:

'Provide council with a report based on the current position of our LG neighbours (including VROC) and the strategic future that may give strength and resilience to the greater region in regards to the functions of LG. This report is to define which services and professional procurement can provide a stronger and more cost effective outcome to our community and ratepayers alike.'

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this report.

EXTERNAL CONSULTATION

As requested in the KPI, consultation has been undertaken with a number of local governments' CEO's both north and south of the Shire of Plantagenet.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this report.

BUDGET IMPLICATIONS

There are no budget implications relevant to 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.

LEGAL IMPLICATIONS

There are no legal implications relevant to this report.

ASSET MANAGEMENT IMPLICATIONS

There are no current asset management implications relevant to this report but future decisions on plant would have asset management implications.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.1:

'Provide effective leadership for the community'

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 potential to explore the opportunities to establish a regional organisation that would provide a range of services across the region to numerous local governments would potentially have regional implications of varying degrees if progressed.

OFFICER COMMENT

The establishment of a regional organisation, to provide regional services to a group of local governments in the Great Southern, under the current LG Act legislation, would incur significant overhead costs that would have to be passed onto the participating local governments. It is considered that the local governments under the umbrella of the South Coast Alliance and Southern Link VROC are of insufficient size to be able to justify the additional administration costs involved. In many instances, the local governments in the Southern Link VROC would not have the financial capacity to meet these additional costs.

Given the current discussion and review of the LG Act 1995 that is taking place, it's suggested that no action be taken at this time to form a regional organisation in the Great Southern. Should the new LG Act legislation (when eventually produced) provide a less exhaustive compliance approach to the establishment of a local government regional organisation then the proposal could be revisited, assuming there is still support by a majority of the Great Southern local governments.

In the immediate future any resource sharing arrangements between local governments should be informal in nature, utilising simple MOU's, until such time as the new LG Act is released and proclaimed and a clearer understanding is provided to local governments around the legislation requirements for establishing regional organisations/councils.

Finally, the South Coast Alliance, potentially with some modifications to comply with the proposed new LG Act, would appear to be well placed to expand to take on the role of a regional organisation to provide a range of services to local governments in the Great Southern.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Report on Key Performance Indicator 4 'Review the potential for a regional organisation to provide services over numerous local governments' as provided by the Acting Chief Executive Officer, be received and noted.

CARRIED (9/0)

NO. 025/21

9.4.2 AUTHORITY TO AFFIX COMMON SEAL – VARIATION TO LICENCE TO OCCUPY RAIL CORRIDOR LAND - L2676

File Ref: N54001
Attachment: Plan
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Donna Fawcett
Human Resources Coordinator
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to seek approval for the Common Seal of the Council to be applied to a variation of the Licence to Use and Occupy Corridor Land between the Shire of Plantagenet (the Shire) and Arc Infrastructure, for the area located on the rail corridor along the eastern side of Lowood Road between Memorial Road and Albany Highway, Mount Barker.

BACKGROUND

A Licence to Use and Occupy Corridor Land between the Shire and Arc Infrastructure for the rail corridor located on Lowood Road, Mount Barker, was entered into in October 2018 for a term of five years, with an option to renew for a further five years.

AGH Spare Parts & Repairs is situated on Lot 1024 Lowood Road, Mount Barker, and divides the Shire's licenced corridor area. Business owners Paul and Kym Oakley have submitted a proposal to the Shire requesting support for an adjustment to the boundary of Lot 1024, which they lease from the Public Transport Authority of Western Australia (PTAWA).

Paul and Kym Oakley have requested that 295m² to the north of Lot 1024 be excised from the Shire's Arc Infrastructure licence and be included in the leased area of Lot 1024. The northern boundary of Lot 1024 would be extended by approximately 15m.

PTAWA have advised that a boundary realignment cannot proceed without approval from the Shire and a variation to the current Licence to Use and Occupy Corridor Land between the Shire and Arc Infrastructure.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Consultation has occurred with Jim Mullins, Senior Property Manager, Burgess Rawson, Arc Infrastructure and Paul and Kym Oakley of AGH Spare Parts & Repairs.

FINANCIAL IMPLICATIONS

Arc Infrastructure will charge a document preparation fee of \$1,250.00 fee for the variation of the Licence. This cost will be borne by Paul and Kym Oakley.

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.

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 2.4 (Safe and Reliable Infrastructure) the following Strategy:

Strategy 2.4.3:

'Provide appropriate on-road and off street parking as well as parking control activities.'

And at Outcome 3.3 (A well-developed relationship with industry, commerce and government)

Strategy 3.3.1:

'Develop, maintain and strengthen relationships with local businesses.'

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

OFFICER COMMENT

No objections are raised to the proposal. However, currently the only driveway access to the Council's public carpark located immediately beside the level crossing on the corner of Lowood Road and Memorial Road encroaches on the southern boundary of Lot 1024. Should a solid boundary be erected by Paul and Kym Oakley to determine the physical boundary of Lot 1024, access would be cut off to the public carpark.

To offset an increase to the northern boundary of Lot 1024, Paul and Kym Oakley have agreed to a reduction of 5m (approximately 100m²) to the southern boundary of Lot 1024. The proposed boundary realignments would allow business parking for AGH Spare Parts & Repairs at the northern end, while ensuring continued access to the public carpark at the southern end.

It is recommended that the Licence to Use and Occupy Corridor Land between the Shire and Arc Infrastructure be varied, providing for the excise of 295m² to the north of Lot 1024, subject to written agreement from Paul and Kym Oakley that a request will be submitted to PTAWA to reduce the leased area on the southern boundary of Lot 1024, to allow continued access to the Council's public carpark.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr K Clements:

That:

1. Authority be granted to the Shire President and the Acting Chief Executive Officer to affix the Common Seal of the Council to a variation of the Licence to Use and Occupy Corridor Land for the area located on the rail corridor along the eastern side of Lowood Road between Memorial Road and Albany Highway, Mount Barker, providing for the excise of 295m² to the north of Lot 1024 (as shown hatched in black on the attached plan).
2. Execution of the variation document be subject to Paul and Kym Oakley providing written agreement that a request will be submitted to PTAWA to reduce the leased area along the southern boundary of Lot 1024 by approximately 100m² (as shown hatched in red on the attached plan) to enable continued access to the Council's public parking area immediately beside the level crossing.

CARRIED (9/0)

NO. 026/21

9.4.3 RV PARKING AREA ON LOT 250 MEMORIAL ROAD MOUNT BARKERCr M O'Dea

Item: 9.4.3
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: EOI in accommodation business pending
Extent: N/A

5.05pm Cr M O'Dea left the meeting

File Ref: N53941
Attachment: Mount Barker Caravan Park 'Paper for Consideration'
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Paul Sheedy
Acting Chief Executive Officer
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to consider a request from the current owners of the Mount Barker Caravan Park for the 'Overnight Stay RV site', situated in the bitumen surfaced parking area of the Mount Barker District Hall, Lot 250 Memorial Road Mount Barker, to be permanently closed.

BACKGROUND

January 2012

Mount Barker became a RV Friendly Town in January 2012. The RV Friendly Town scheme is run by the Campervan and Motorhome Club of Australia Ltd (CMCA) and such towns are promoted to the Club's 63,000 members through its website and magazine entitled 'The Wanderer'. RV Friendly Town signs were erected on the four main entry roads into Mount Barker.

May 2012

In May 2012, the Council considered the submission of a 48-signature petition that sought restrictions being placed on overnight parking by caravans and motorhomes in Mount Barker at the rear of the Council's administration building. Parking in that area was to be limited to 12 hour daytime parking only.

The Council at its meeting held on 22 May 2012 resolved:

'That:

1. *'No Overnight Camping or Parking' signs be installed on Lot 624 Mount Barker Road.*
2. *The proprietors of the Mount Barker Caravan Park and Cabin Accommodation be advised in terms of part (1) above.'*

29 October 2013

Councillors had a workshop on the matter of overnight parking of camper homes.

May 2014

The Council at its meeting held on 27 May 2014 considered a report on the possibility of reinstating the RV Friendly Town status.

At that meeting, the Council resolved:

'That:

1. *The Shire advise the Campervan and Motorhome Club of Australia what facilities for example camping grounds, dump site, tourist Bureau, toilets, the Shire has.*
2. *The Shire advise the Campervan and Motorhome Club of Australia that Frost Park would be made available for large club rallies and special occasions as now happens with Camp Drafting and other equine groups.*
3. *A workshop is to be held prior to the next Council meeting to discuss where the Council does not want overnight camping within the Shire.*
4. *The Campervan and Motorhome Club of Australia be advised once the decisions have been endorsed they will be notified.'*

June 2014

Following the 27 May 2014 decision of the Council, a workshop was held with Councillors on 24 June 2014. At that workshop, representatives from the Mount Barker and Porongurup caravan parks were present along with Mr V Calleja, representing the Caravan and Motorhome Club of Australia. Mr Smith from the Mount Barker Caravan Park drew Councillors' attention to a mobile telephone application referred to as Wikicamps, where the area at the rear of the Council's administration building was shown as available for 48 hour parking with a range of facilities available.

At the workshop, there was general support for the concept of overnight (1 night only) parking of self-contained caravans and motorhomes in the bitumen car park to the west of the District Hall in Memorial Road Mount Barker. The feeling was that the CMCA 'RV Friendly Town' status did not need to be reinstated. The question of the use of Lot 624 to the rear of the Council's administration building was discussed as an option for overnight parking for these vehicles. Councillors were opposed to this area being used due to the proximity of a children's playground.

It was felt there should be no charge for the one night stay in the area west of the District Hall and that the Ranger would need to monitor and move people on if necessary. Signage will also need to be installed here advising of the two caravan parks in the Shire.

July 2014

The Council at its meeting held on 22 July 2014 resolved:

'That

1. *An overnight stay area for fully self-contained caravans and motorhomes be designated as the Council vested bitumen surfaced area to the west of the District Hall at Lot 250 Memorial Road, Mount Barker on the basis of one night only, no charge will be payable and a sign be erected detailing requirements and the location of the caravan parks.*
2. *The grassed area at Lot 577 (Reserve 27184) McDonald Avenue corner Marmion Street, Mount Barker be designated as the area to be used as overflow parking of self-contained caravans and motorhomes once the Mount Barker Caravan Park is 80% occupied by caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.*
3. *The caravan area at Lots 15 and 16 Beverley Road Kendenup be designated as an area for overflow parking of four self-contained caravans and motorhomes for one off special events such as the ANZAC commemoration and the 2015 National Rally.*
4. *Apart from the Reserves noted in parts 1, 2 and 3 above, no other area in the Shire that is vested in or owned by the Shire of Plantagenet should be used for camping and overnight parking, without the express permission of the CEO.*
5. *Notwithstanding the provision of infrastructure and services mentioned above, the Council is of the opinion that the Campervan and Motorhome Club of Australia RV Friendly Town status should be reinstated and that appropriate signage be erected.'*

May 2020

The Council at its meeting held on 19 May 2020 resolved:

'That the effect of part 1 of Council Resolution 157/14 be suspended until 31 December 2020, such that Lot 250 Memorial Road Mount Barker will not be available to fully self-contained caravans and motorhomes for overnight parking.'

December 2020

Ms Shirley Smith, Mount Barker Caravan Park addressed the Council on the Overnight Stay RV site in Mount Barker.

STATUTORY ENVIRONMENT

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Regulations 1997

Regulation 11 provides that:

'(1)A person may camp—

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval;*

-
- (b) *for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;*
 - (c) *for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;*
 - (d) *on any land which is—*
 - (i) *held by a State instrumentality in freehold or leasehold; or*
 - (ii) *dedicated, reserved, or set apart under the Land Administration Act 1997 or any other written law, and placed under the care, control or management of a State instrumentality,**in accordance with the permission of that instrumentality; or*
 - (e) *on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the Land Administration Act 1997, or a person authorised by the Minister to give permission under this paragraph.*
- (2) *Written approval may be given for a person to camp on land referred to in subregulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a permit has effect in relation to the land.*
- (3) *In this regulation—*
- emergency* *means a situation where to move the caravan or other vehicle to a more suitable area would constitute an immediate and serious hazard due to the condition of the caravan or other vehicle, or a vehicle towing the caravan, or of the driver, or passengers, of any such vehicle;*
- permit* *means a building permit or a demolition permit as defined in the Building Act 2011 section 3;*
- road side rest area* *means an area designated by a traffic sign erected in accordance with a written law, as an area which may be used for 24 hours for —*
- (a) *resting;*
 - (b) *stopping; or*
 - (c) *camping,*
-

in a vehicle;'

Councillors will be familiar with this legislation as it is used by the Council to approve temporary camping on land where houses are being constructed.

Shire of Plantagenet Parking and Parking Facilities Local Law 2008

This Local Law applies to the parking of vehicles within the district of the Shire of Plantagenet. The area referred to in the petition (Fire Brigade training track) has been deliberately left uncontrolled by the Council to ensure that unrestricted parking was available subsequent to the development of the central business district and restricted parking times.

EXTERNAL CONSULTATION

The Acting Chief Executive Officer has had two meetings with the current owners of the Mount Barker Caravan Park to discuss their opposition to the reopening of the RV site in Mount Barker.

FINANCIAL IMPLICATIONS

Should the Council resolve to retain the current RV site there will be no financial implications. However, should the Council permanently close the RV site there will be some minor costs for Shire employees to remove all existing signage.

BUDGET IMPLICATIONS

There are no additional budget implications for this report as any costs can be covered within existing budget allocations.

POLICY IMPLICATIONS

Policy No. CE/ED/1 Tourism applies.

LEGAL IMPLICATIONS

There are no legal implications relating to this report

ASSET MANAGEMENT IMPLICATIONS

If the RV site is retained there will be some minor asset management implications with the maintenance of the signage which would be dealt with as a maintenance expenditure item.

STRATEGIC IMPLICATIONS

Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) provides the following:

Strategy 2.4.3

'Provide appropriate on-road and off-street car parking as well as parking control activities'

Outcome 3.3 (A well-developed relationship with industry, commerce and government) provides the following:

Strategy 3.3.1

'Develop, maintain and strengthen relationships with local businesses'

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

Strategy 3.4.1

'Promote and support local and regional tourism initiatives.'

Strategy 3.4.2

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

A Google search has indicated that a recreational vehicle (RV) is:

'a motor vehicle or trailer which includes living quarters designed for accommodation. Types of RV's include motorhomes, campervans, caravans, camper trailers, popup campers and truck campers.'

When supporting the establishment of a RV site, the Council at its meeting held on 22 July 2014 was very clear in its intention that the site was only ***'for fully self-contained caravans and motorhomes, on the basis of one night only, no charge will be payable.'***

One of the issues raised by the Mount Barker Caravan Park owners has been the non-policing of the site by the Shire to allow non-RV self-contained vehicles to stay there. When the site was open previously the Shire Ranger did undertake regular inspections of the site during normal working hours. However, a number of travellers will arrive after the Ranger has completed his roster for the day and on weekends and determining what is a self-contained vehicle and what is not is not always straightforward. Unless the response from the owner of the vehicle is taken as correct, it can require an inspection under the vehicle. There has also been evidence of non-self-contained vehicles staying at the site and disposing of their waste into the normal drains on site.

The current owners of the Mount Barker Caravan Park have submitted a letter to the Shire, that in part indicates:

*'We respectfully ask that the Council permanently close the Free RV site, situated on the western side of Plantagenet town hall. We are supported in our request by 40 other business owners in the town area, and hope to gain further support in the near future.'**Since the Council approved the closure of the site for 6 months to show support to the Caravan Park during Covid19, we have shown an increase in our one night stays. Some of the one night stays then decide to stay longer to enjoy Mt Barker and surrounds.**The Mt Barker Caravan Park offers services and facilities that are well run and tidy. We offer powered and un-powered sites and also offer a low cost alternative to fully self-contained vehicles; this comes at no cost to the ratepayers of the Shire. The park is also a beautiful entry statement to visitors coming into Mt Barker.'*

Signed letters of support accompanied the letter from forty (40) local businesses. In most cases (31 of 40), it was a generic letter addressed to Councillors that stated:

'As a business owner in Mount Barker I don't believe that the Free RV Site is a good idea. Local government should not be in direct competition with a local business. We are happy to support the Caravan Park and ask for the free site to remain closed.'

The business distribution of the letters is considered to be hospitality – 25 and service industries (vehicle servicing, contractors, rural services etc.) and professional services – 3; with the locality distribution being Mount Barker - 34, Kendenup - 4 and Porongurup - 2. There are approximately 21 hospitality businesses located in the Mount Barker CBD, with 14 of these signing and submitting one of the above letters supporting the caravan park owners request for the free RV site to remain closed.

The Mount Barker Caravan Park owners have also submitted a 'Paper for Consideration' document (attached) providing their views relating to 'Commercial/Non-Commercial Caravan Facilities'.

It is understood that the whole idea/concept behind local governments deciding to have their towns declared as a 'RV Friendly Town' and providing a free or low cost fee site for self-contained recreational vehicles within the townsites, was to encourage travellers who generally avoid stopping at a caravan park or the town, to stop overnight and hopefully spend money at the local businesses.

It's accepted that a number of travellers look for free or low cost sites when travelling around Australia to reduce the costs of their travel and generally if there are not free RV sites in townsites they will not stop and look for roadside parking areas where they will stay overnight or at times for longer periods. How many of these travellers choose these sites over a caravan park and how much they spend in the town is not directly identified, with the only statistics being from tourist type surveys they provide a general indication of the average spend by travellers.

However, given that the Shire has now received 40 letters from local businesses (with approximately 65% from Mount Barker CBD hospitality businesses) supporting the current Caravan Park owners request that the free RV site remain closed, the question has to be asked as to whether the Shire/Councillors should maintain the RV free site or support the local businesses' request to closed the RV site permanently.

Other options could be to introduce a fee to stay at the site (Cranbrook and Kojonup charge \$5 overnight) and increase the time of inspections by Shire employees to include after hours and on weekends. These two options will potentially require additional hours of overtime by Shire employees, at a cost to the Shire, that would be hard to justify and one suspects not supported by the employees having to undertake the inspections, especially on weekends.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Woltering:

That given the number of letters of support from local businesses provided to the Mount Barker Caravan Park owners, the Council resolves to close the overnight RV parking area for fully self-contained caravans and motorhomes, located at the bitumen surfaced area to the west of the District Hall at Lot 250 Memorial Road Mount Barker.

CARRIED (6/2)

NO. 027/21

Crs Bell and Clements voted against the motion

5.11pm Cr M O'Dea returned to the meeting

9.4.4 SOUTHERN LINK VROC - NEW MEMBERS

File Ref: N53940
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Paul Sheedy
Acting Chief Executive Officer
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to approve the request from the Shires of Gnowangerup and Katanning to become full members of the Southern Link Voluntary Regional Organisation of Councils (VROC).

BACKGROUND

November 2019

At the Southern Link VROC meeting held on 8 November 2019, it was resolved:

'That an invitation be extended to the Shire President, Deputy Shire President and CEO of the Shires of Katanning and Gnowangerup to attend Full VROC and CEO meetings respectively for the 2020 calendar year to gauge interest in joining the Southern Link VROC.'

December 2020

At the Southern Link VROC meeting held on 4 December 2020, it was resolved:

'That the Southern Link VROC seek existing member shire agreement for the Shires of Gnowangerup and Katanning to become full members.'

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

No further external consultation is required on this matter.

FINANCIAL IMPLICATIONS

There are no additional financial implications for this report.

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.

LEGAL IMPLICATIONS

There are no legal implications impacting the Shire from this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no additional assets are being created.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.1:

‘Provide effective leadership to the community’

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.

STRATEGIC RISK IMPLICATIONS

The strategic risk to the organisation is considered to be low given that there is no adverse impacts (financial or management) on the Shire with the VROC having additional members.

REGIONAL IMPLICATIONS

There are no specific strategies or actions in the VROC Strategic Plan dealing with this matter.

OFFICER COMMENT

The expansion of the Southern Link VROC with the addition of two more local governments provides the opportunity for the group to represent a larger area and population, hopefully resulting in increased negotiating power when the group raises issues. As Katanning is a regional centre, its inclusion to the group should also assist.

It is anticipated that having an additional two local governments in the group will share the financial burden and reduce costs for the current four local governments when addressing common issues, joint initiatives, research etc.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council approves the request of the Shires of Gnowangerup and Katanning to become full members of the Southern Link Voluntary Regional Organisation of Councils.

CARRIED (9/0)

NO. 028/21

9.4.5 WALGA WA TRANSPORT AND ROADS FORUM – COUNCILLOR ATTENDANCE

File Ref: N53942
Attachment: WA Transport and Roads Forum Flyer
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Paul Sheedy
Acting Chief Executive Officer
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to seek an indication of interest from Councillors who may wish to attend the WALGA 2021 WA Transport and Roads Forum and endorsement by the Council of their attendance and payment of registration, travel, accommodation and meal costs.

BACKGROUND

The WALGA Transport and Roads Forum is an annual event held in Perth as a joint forum between WALGA and Main Roads WA.

The Council's Regional Road Group representative Cr Handasyde and the Shire President have requested that an agenda item be tabled at the January 2021 Council meeting for consideration.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

There is no external consultation required for this report.

FINANCIAL IMPLICATIONS

It's anticipated that the cost per delegate attending would be approximately \$1,030.00, assuming two nights' accommodation and meals and delegates claiming travel costs, details as follows:

	\$
Forum Registration	70.00
Accommodation (2 nights)	450.00
Meals	200.00
Parking	50.00
Travel Reimbursement	260.00

There are no additional financial implications from this report as funds are included in the 2020/21 budget for Councillors attendance at conferences and training.

BUDGET IMPLICATIONS

There are no budget implications for this report as account 20026.0029 Members of Council 'Other Operating Expenses – Conferences, Training/Accommodation has a budget allocation of \$20,000.00 and currently \$1,170.00 has been expended.

POLICY IMPLICATIONS

Policy CE/CS/1 'Elected Member Expenses To Be Reimbursed' applies to this report with the relevant parts being as follows.

2. *Travel*

- a) *Councillors should use Council vehicles to attend conferences, seminars and training where they are authorised delegates of the Council subject to a vehicle being available;*
- b) *Reimbursement for the use of a private vehicle to be set in accordance with Clause 15.2 (Vehicle Allowance) of the Local Government Industry Award 2010;*
- c) *Where a Councillor is a member of an external committee and reimbursement of expenses is a condition of the membership, reimbursement of expenses will not be provided by the Council; and*
- d) *If a Council vehicle is made available and not used, no expenses will be reimbursed for the use of a private vehicle, unless prior arrangements are agreed by the CEO.*

3. *Accommodation*

Accommodation, meals, and parking expenses incurred to a maximum of \$400.00 per day will be reimbursed provided that all receipts are presented. Any unforeseen or additional expenses incurred will be paid only with respect to each individual claim at the discretion of the Chief Executive Officer in consultation with the Shire President.

Refreshments consumed with meals will be reimbursed, however all other refreshments (e.g. hotel mini bar) will not be reimbursed by the Council.

- 6. *When determining costs of a conference, seminar or training, all costs associated with attendance at the conference, seminar or training, including travel, accommodation, meals, telephone and other expenses, within reason and supported by receipts, to be included and paid for by the Council.*
- 7. *Reports of conference or seminar attendance are required in writing to the Council for inclusion in the Information Bulletin within six weeks following the conference/seminar attendance.'*

LEGAL IMPLICATIONS

There are no legal implications relevant to this report

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications relevant to this report as no asset is being created

STRATEGIC IMPLICATIONS

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

Strategy 4.1.5:

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

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

STRATEGIC RISK IMPLICATIONS

Strategic Risk Implications are considered to be low.

REGIONAL IMPLICATIONS

There are no regional implications relevant to this report.

OFFICER COMMENT

The Shire President has indicated that he would like to plan a tour of some urban streets in the metro area that may be of interest in future town street scape plans whilst Councillors are attending the Forum.

As the Forum is being held in Perth and commences at 8.30am and does not conclude until 4.30pm, potentially followed by networking, it's anticipated that two nights accommodation for each delegate would be required.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Bell:

That the Council:

1. Approve the attendance of Crs Pavlovich and Handasyde at the 2021 WALGA WA Transport and Roads Forum at Crown Perth on Thursday 11 February 2021.
2. Meet all registration, accommodation, meals, parking and travel costs associated with the Councillors attending the above forum.

CARRIED (9/0)

NO. 029/21

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVENCr M O'Dea

Item: 10.1
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Standing as candidate in the upcoming election
Extent: N/A

5.13pm Cr M O'Dea left the meeting

10.1 MEET THE CANDIDATE NIGHT

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

Moved Cr B Bell, seconded Cr J Oldfield:

That:

- 1. The Council host a 'Meet the Candidate' night prior to the 2021 state election.**
- 2. All candidates nominated be invited at the earliest possible time.**
- 3. The Council advertise this event widely.**
- 4. This function to be held in the Council Chambers and light refreshments to be supplied at the end of the evening at the Council's expense.**
- 5. A suitable MC be appointed to run the event.**

CARRIED (8/0)

NO. 030/21

10.2 ROYALTIES FOR REGIONSCr M O'Dea

Item: 10.2
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Standing as candidate in the upcoming election
Extent: N/A

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

Moved Cr B Bell, seconded Cr C Pavlovich:

That:

- 1. The Council write to the Premier of WA, Mr Mark McGowan and demand that Royalties for Regions be reinstated as per the original intent and spirit of the legislation passed by the Western Australian Government.**
- 2. The Shire of Plantagenet write to all local governments in rural and regional areas of WA, asking that they support our demands in a unified way to the Western Australian Government by also writing to the Premier with the same demands.**
- 3. Correspondence sent to the Premier also be forwarded to the leaders of all WA political parties.**
- 4. We ask all local governments that support the above concept keep their ratepayers and residence informed by way of social and print media.**

LOST (1/7)

Crs Pavlovich, Oldfield, Clements, Etherington, Handasyde, Moir and Woltering voted against the motion

5.30pm Cr M O'Dea returned to the meeting

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

Four new items of business of an urgent nature, namely:

Lots 1, 2 and 3 Langton Road, Mount Barker – Consulting Rooms.

**Mount Barker Hill Tourism Infrastructure Project to be Included in GSCORE
BBF Application – Applicant South Coast Alliance - Endorsement.**

Refurbishment – 103 Martin Street Mount Barker.

Mount Barker Turf Club – Supply of Water

were moved to be accepted after Item 8.

11.1 LOTS 1, 2 AND 3 LANGTON ROAD, MOUNT BARKER – CONSULTING ROOMS

(Item introduced after item 8, following Motion to Amend Order of Items on the Agenda.)

11.2 MOUNT BARKER HILL TOURISM INFRASTRUCTURE PROJECT TO BE INCLUDED IN GSCORE BBRF APPLICATION – APPLICANT SOUTH COAST ALLIANCE - ENDORSEMENT

Cr C Pavlovich

Item: 11.2
Type: Proximity (Section 5.60 (B) LGA)
Nature: Adjoining Property Owner
Extent: N/A

5.31pm Cr C Pavlovich withdrew from the meeting and
Cr J Oldfield assumed the Chair

File Ref: N54163
Attachment: Great Southern Regional MTB Trails – Proposed Project management structure and budget – 22 January 2021
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Paul Sheedy
Acting Chief Executive Officer
Proposed Meeting Date: 27 January 2020

PURPOSE

The purpose of this report is to seek endorsement of the Council for the Mount Barker Hill Tourism Infrastructure project to be included in a regional trails project application for funding from the Building Better Regions Fund (BBRF). Application to be prepared and lodged by Great Southern Centre for Outdoor Recreation Excellence (GSCORE) with the South Coast Alliance Inc (SCA) being the applicant.

BACKGROUND

July 2020

The South Coast Alliance at its meeting held on 27 July 2020 resolved:

‘That the Mount Barker Hill Bike Trails project, which forms part of the GSCORE Trails Master Plan, be endorsed as a South Coast Alliance project’.

November 2020

The Council at its meeting held on 3 November 2020 resolved (minute 273/20):

‘That:

- 1. An application for funding from the Better Building Regions Fund (BBRF) be submitted by Great Southern Centre for Outdoor Recreation Excellence (GSCORE) on behalf of the Shire of Plantagenet to construct the Mount Barker Hill Tourism Infrastructure project comprising the mountain bike trails and infrastructure, boardwalk and walkways.*
-

2. *The Council borrow the balance of funds required to fund the project if the BBRF grant application is successful subject to a Council workshop on project funding.'*

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Consultation has been undertaken between Lenore Lyons - GSCORE; Juliet Grist - SCA Inc. and the CEOs from the City of Albany and Shire of Denmark.

FINANCIAL IMPLICATIONS

There are no financial implications with engaging SCA Inc as the applicant for the BBRF application.

BUDGET IMPLICATIONS

There are no budget implications to engage SCA Inc as the applicant.

The Shire of Plantagenet Annual Budget FY 2020-21 includes \$555,000.00 for Mount Barker Infrastructure (51840.0252). This budget line included \$100,000.00 income from the Regional Economic Development Scheme (REDS). The Shire's REDS grant application has not been successful. The remaining \$455,000.00 budget includes \$375,000.00 from the Drought Communities Programme (DCP) funding. The total Mount Barker Hill Tourism Infrastructure project is estimated to cost \$1.98m. If the Shire is successful in obtaining additional funding from the BBRF then the combined BBRF and DCP will total 50% of the project cost as both these grant funds are from the Federal Government. An additional \$909,762.00 in funding from the Shire will be required.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There potentially may need to be a document prepared authorising the SCA Inc to act on behalf of the Shire.

ASSET MANAGEMENT IMPLICATIONS

There are asset implications with engaging SCA Inc as the applicant for the BBRF application.

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 2.3.4:

'Plan and seek funding for the development of trails in line with the Trails Master Plan.'

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

Strategy 3.2.1:

'Identify and attract value adding and compatible new industries to the region.'

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

Strategy 3.4.4:

'Work with the Lower Great Southern Alliance in promoting sustainable tourism investment within the region.'

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications with engaging SCA Inc as the applicant for the BBRF application.

REGIONAL IMPLICATIONS

The submission of one application, as a regional project, under the banner of the SCA Inc is expected to enhance the potential success of the funding application.

OFFICER COMMENT

As part of a Zoom meeting discussion between local government CEOs, GSCORE and SCA Inc CEO on Tuesday 19 January 2021, it was identified that the best opportunity to have a successful BBRF application would be for the SCA local governments to combine their projects into one regional application, rather than three or four separate applications.

The SCA Inc CEO indicated that given there is only \$100 million available in the BBRF round 5 program for the whole of Australia, and Western Australia is the only state that has had positive economic growth in 2020, WA projects will be struggling to be successful in this round. So, submission of a combined regional project would be the best opportunity for success.

Parts of the BBRF funding guidelines indicate that the organisation submission applicant is not allowed to include administration/project management costs in the application. So, if GSCORE submits the application with their name on it, they would be excluded from including these costs and the Shires of Denmark and Plantagenet are proposing to have GSCORE manage the projects.

The City of Albany have been successful in obtaining a Labour election commitment of \$3.2 million towards trails and subject to Council endorsement, the CEO has indicated a willingness to include some of these funds in the BBRF application to enhance its appeal.

Finally, the proposal discussed at the Zoom meeting on Tuesday, was for GSCORE to continue to liaise with the local governments' and develop the application as a regional project. An agenda item is being included in the SCA Inc 22 February 2021 meeting, seeking the SCA's agreement to being the applicant for the BBRF funding application. Should the application be successful then SCA Inc would then contract

GSCORE to undertake the project administration management (progress reports, grant acquittals etc. in liaison with the SCA Inc CEO).

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Council agrees to its Mount Barker Hill Tourism Infrastructure project being included as part of a South Coast Alliance regional Building Better Regions Fund application and the application being submitted in the name of the South Coast Alliance Inc.

CARRIED (8/0)

NO. 031/21

5.33pm Cr C Pavlovich returned to the meeting and resumed the Chair

11.3 REFURBISHMENT - 103 MARTIN STREET MOUNT BARKER

File Ref: N54160
Responsible Officer: Paul Sheedy
Acting Chief Executive Officer
Author: Paul Sheedy
Acting Chief Executive Officer
Proposed Meeting Date: 27 January 2020

PURPOSE

The purpose of this report is to endorse the refurbishment of the current CEO's house at 103 Martin Street, Mount Barker, as agreed to by Councillors at the workshop prior to today's Council meeting and to determine a maximum budget allocation.

BACKGROUND

January 2021

At the Special Council Meeting held on 5 January 2021, the Council resolved not to proceed with the purchase of a house in Mount Barker as a CEO residence and then resolved:

'That the Acting Chief Executive Officer be requested to prepare a report for a workshop to be held on 27 January 2021 for potential renovations to be undertaken to 103 Martin Street Mount Barker.'

Following this decision, the following actions were undertaken.

1. The Acting CEO, Building Maintenance Officer and Executive Officer undertook an inspection of 103 Martin Street on 6 January 2021 to discuss some refurbishment ideas and compile a list of potential refurbishment works, based on 'Essential Works' and 'Optional Works' (see attached).
2. The Building Maintenance Officer engaged Martin Beeck to provide a concept design option for the master bedroom, ensuite and walk-in robe (WIR) areas, formal dining area and the kitchen, dining/lounge area (see attached). This design is based on the principal of upgrading, modernising and improving the functionality of the house.
3. An inspection, of 103 Martin Street was undertaken by Councillors on 12 January 2021 to consider the list of proposed refurbishment ideas.

Councillors at a workshop prior to the Council meeting on 27 January 2021 considered a number of refurbishment options.

STATUTORY ENVIRONMENT

Local Government Act 1995, section 6.8 (1)

6.8. Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

EXTERNAL CONSULTATION

Consultation has been undertaken with a draftsman to provide a concept plan, Councillors and the new CEO as part of the initial process.

FINANCIAL IMPLICATIONS

There will be an immediate financial impact with an over expenditure in the 2020/21 financial year, whilst the long-term financial implications will potentially be an increased value for the property if sold.

BUDGET IMPLICATIONS

The 2020/21 budget will require an amendment to provide for the refurbishment costs (included as part 3 of the recommendation) with a corresponding amount transferred from the Major Projects and Renewals Reserve to cover the cost of the refurbishment.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications relevant to this report.

ASSET MANAGEMENT IMPLICATIONS

The refurbishment will increase the value of the existing asset.

STRATEGIC IMPLICATIONS

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

Strategy 4.1.1:

'Provide effective leadership for the community'

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

STRATEGIC RISK IMPLICATIONS

There are minimal strategic risks with this proposal as it will extend the life of the asset and also potentially increase the value of the property if sold at a later date.

REGIONAL IMPLICATIONS

There are no regional implications relevant to this report.

OFFICER COMMENT

Subject to being able to source tradespeople and materials, the plan is to undertake the refurbishment of the northern part of the house (three bedrooms, passage, bathroom and laundry/toilet) and removal of any internal walls, prior to the new CEO moving into the house. Other major refurbishment works to be completed after that.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Bell:

That the Council:

1. Endorses the proposed refurbishment of 103 Martin Street, Mount Barker as agreed to at the workshop prior to the Council meeting.
2. Approves the unbudgeted expenditure of a maximum \$150,000.00 for the refurbishment, with funds being transferred from the Major Projects and Renewals Reserve.
3. The 2020/2021 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51431.0252	Refurbishment - Lot 337 Martin Street – CEO House	\$0	(\$150,000)	(\$150,000)
40415.0486	Transfers from Reserve Funds	\$0	\$150,000	\$150,000
	TOTALS	\$0	\$0	\$0

CARRIED (9/0)

NO. 032/21

Absolute Majority

11.4 MOUNT BARKER TURF CLUB – SUPPLY OF WATER

At the Council Meeting today, during Public Question Time, Mr Stephen Carter, representing the Mount Barker Turf Club Inc., asked the question *'Can the Council make a water supply available to the Turf Club up until the last race club meeting on 14 March 2021.'*

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

That the Turf Club be authorised to use up to 10,000m³ of water from Lot 81 Dam up until 15 March 2021. Should the Shire run out of water from Lot 81 Dam to irrigate Sounness Park and Frost Park facilities, then the Shire reserves the right to be reimbursed from the Turf Club, any costs incurred in purchasing water from the Bolganup Dam pipeline to irrigate Sounness Park and Frost Park facilities for the duration of the irrigation season.

CARRIED (9/0)

NO. 033/21

12 CONFIDENTIAL

12.1 STRATEGIC DEVELOPMENT

12.1.1 TENDER C02-2021 MOUNT BARKER POOL STAGE 1A CONSTRUCTION

File Ref: N54108
Responsible Officer: Andrus Budrikis
Executive Manager Strategic Development
Author: Andrus Budrikis
Executive Manager Strategic Development
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to consider submissions received for Tender C02-2021 Mount Barker Pool Stage 1A Construction.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

- 5.36pm That is 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:
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed

CARRIED (9/0)

NO. 034/21

MOTION TO PROCEED IN PUBLIC

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

- 5.58pm That the meeting proceed in public.

CARRIED (9/0)

NO. 035/21

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

Moved Cr B Bell, seconded Cr K Woltering:

That:

1. The tender from Wauters Enterprises Pty Ltd be accepted.
2. The Acting Chief Executive Officer be authorised to negotiate cost savings with Wauters Enterprises Pty Ltd prior to entering into a contract as per Regulation 20 of the Local Government (Functions and General) Regulations 1996 by reducing the scope of the tender documents
3. The reduced scope to include the following scope changes:
 - a) Remove works in the road reserve.
 - b) Reduce earthworks and retaining walls scope.
 - c) Reduce the amount of fencing.
 - d) Reduce the scope of wall tiling from ceiling height to skirting tile and splashbacks only plus 2m high to showers.
 - e) Reduce the extent of cabinets by deleting the cabinets to the club room, replacing built-in cabinets in the office with standard desks and constructing the stainless-steel benches in the kiosk from laminates.
 - f) Delete the BBQ and blinds.
4. The Acting Chief Executive Officer be authorised to enter into a contract with Wauters Enterprises Pty Ltd for the negotiated contract sum.
5. The Shire President and Acting Chief Executive Officer be authorised to affix the Common Seal of the Council to a Debenture Agreement between the Shire of Plantagenet and the Western Australian Treasury Corporation relating to a loan of up to \$500,000.00 for the refurbishment of the Mount Barker Memorial Swimming Pool.
6. The 2020/2021 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51797.0250	Narpund Road / Hassell St drainage project	(\$268,625)	(\$68,625)	200,000
51694.0252	Swimming Pool Facility Refurbishment	(\$1,600,000)	(1,674,183)	(74,183)
41021.0208	Direct Grants - Special Grants (Pool)	\$1,100,000	\$974,183	(\$125,817)
	TOTALS	(\$768,625)	(\$768,625)	\$0

AMENDMENT

Moved Cr C Pavlovich, seconded Cr J Oldfield:

That in point 2, the words 'to a budget of \$1,674,183' be added after the words 'tender documents'.

LOST (2/7)

Crs Bell, Clements, Etherington, Handasyde, Moir, O'Dea
and Woltering voted against the motion

AMENDMENT**Moved Cr K Clements, seconded Cr M O'Dea:****That all of point 3 be deleted.****MOTION TO SUSPEND STANDING ORDERS****Moved Cr L Handasyde, seconded Cr J Oldfield:****That those sections of Standing Orders that would prevent a Councillor from speaking more than once to an item be suspended.****CARRIED (9/0)****NO. 036/21****MOTION TO ADJOURN THE MEETING****Moved Cr S Etherington, seconded Cr L Handasyde:****6.30pm That the meeting be adjourned.****CARRIED (9/0)****NO. 037/21****RESUMPTION****Moved Cr J Moir, seconded Cr L Handasyde:****6.40pm That the meeting resume.****CARRIED (9/0)****NO. 038/21**Attendance

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

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

MOTION TO RESUME STANDING ORDERS

Moved Cr B Bell, seconded Cr L Handasyde:

That Standing Orders be resumed.

CARRIED (9/0)

NO. 039/21

WITHDRAWAL OF AMENDMENT

Pursuant to Standing Order 10.17 and with the consent of the seconder, the mover agreed that the motion be withdrawn.

AMENDMENT

Moved Cr L Handasyde, seconded Cr S Etherington:

That:

1. In point 2, the words 'to a budget of \$1,674,183' be added after the words 'tender documents'.
2. In point 3, delete parts d) e) and f).

CARRIED (9/0)

NO. 040/21

COUNCIL DECISION

That:

1. The tender from Wauters Enterprises Pty Ltd be accepted.
2. The Acting Chief Executive Officer be authorised to negotiate cost savings with Wauters Enterprises Pty Ltd prior to entering into a contract as per Regulation 20 of the Local Government (Functions and General) Regulations 1996 by reducing the scope of the tender documents to a budget of \$1,674,183.
3. The reduced scope to include the following scope changes:
 - a) Remove works in the road reserve.
 - b) Reduce earthworks and retaining walls scope.
 - c) Reduce the amount of fencing.
4. The Acting Chief Executive Officer be authorised to enter into a contract with Wauters Enterprises Pty Ltd for the negotiated contract sum.
5. The Shire President and Acting Chief Executive Officer be authorised to affix the Common Seal of the Council to a Debenture Agreement between the Shire of Plantagenet and the Western Australian Treasury Corporation relating to a loan of up to \$500,000.00 for the refurbishment of the Mount Barker Memorial Swimming Pool.
6. The 2020/2021 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
51797.0250	Narpund Road / Hassell St drainage project	(\$268,625)	(\$68,625)	200,000
51694.0252	Swimming Pool Facility Refurbishment	(\$1,600,000)	(1,674,183)	(74,183)
41021.0208	Direct Grants - Special Grants (Pool)	\$1,100,000	\$974,183	(\$125,817)
	TOTALS	(\$768,625)	(\$768,625)	\$0

CARRIED (9/0)

NO. 041/21

Absolute Majority

12.2 WORKS AND SERVICES**12.2.1 REQUEST FOR QUOTATION – RFQ04 (20/21) PURCHASE LOADER**

File Ref: N53750
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Nicole Selesnew
Project Officer Works and Services
Proposed Meeting Date: 27 January 2021

PURPOSE

The purpose of this report is to consider submissions received for the purchase of a new 4 x 4 wheel loader.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

6.50pm That is 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:

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed

CARRIED (9/0)

NO. 042/21

MOTION TO PROCEED IN PUBLIC

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

6:57pm That the meeting proceed in public.

CARRIED (9/0)

NO. 043/21

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That:

1. Request for Quotation RFQ04 (20/21) – Purchase Loader be awarded to WesTrac Pty Ltd for the purchase of a new Caterpillar 924K PO Wheel Loader, including weighing scale and heavy duty tyre options, for \$249,100.00 ex GST.
2. The Acting Chief Executive Officer be authorised to sign the purchase contract with WesTrac Pty Ltd for a new Caterpillar 924K PO Wheel Loader, including weighing scale and heavy duty tyre options, up to a value of \$249,100.00 ex GST.

CARRIED (9/0)

NO. 044/21

13 CLOSURE OF MEETING

6.58pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON



DATE: 23 / 2 / 21