



ORDINARY AGENDA

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

DATE: Tuesday, 25 July 2023

TIME: 5.00pm

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



Gary Clark
CHIEF EXECUTIVE OFFICER

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This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each Item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

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

Members Present:

In Attendance:

Apologies:

Members of the Public Present:

Previously Approved Leave of Absence:

Cr M O'Dea was granted Leave of Absence for the 25 July 2023.

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1.1 MR RON PEASE – PLANTAGENET COMMUNITY MEMBER

1. *Regarding the new foot path that was commenced at the Osborne Road end of Narpund Road. The path started at Osborne Road but finished at Hassel Street, considering the standard of the existing path from there on up to Bunker Road, which is degraded and covered in many places with loose gravel, making it unsafe for a local vision impaired person and several seniors that exercise by walking up the road, which due to local traffic movements is very risky.*

Q1 *Is there consideration being given to completing this path in the near future, as most of the other streets going East West on this side of the Highway seem to be newly hot mixed?*

2. *Firstly, congratulations on the quality of the latest Annual Report which is excellent. My questions are regarding the list of 9 Council committees and the Councillor representatives on the committees.*

Q1. *Are there any local residents on these committees or has there been a decision to only have Councillors. If there are local residents, why are they not listed so the public knows who they are?*

Q2. *I was told there is a Townsite Enhancement Committee also, but I noticed this is not listed. Does it exist or not?*

3. *At the recent Electors meeting the Annual audited Financial Report was made available as part of the Annual Report at the start of the meeting which allowed very little time to actually read and understand it.*

Q1. *Was the report posted on the Shire website before this date and if so, how long was it available on the site before the meeting?*

Q2. *Was there a reason at this Electors' meeting that only questions related to the financial report were allowed by the public attending and not on any other matters?*

The Presiding Member advised Mr Pease that his questions would be taken on notice and a response would be forthcoming in due course.

A letter of response was sent to Mr Pease on 7 July 2023 (Copy attached).

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 27 JUNE 2023

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 27 June 2023.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 27 June 2023 as circulated, be taken as read and adopted as a correct record.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

Nil

9.2 WORKS AND SERVICES REPORTS

Nil

9.3 CORPORATE SERVICES REPORTS

9.3.1 ADOPTION OF 2023/2024 BUDGET

File Ref:	N61374
Responsible Officer:	Gary Clark Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to recommend the adoption of the annual budget and fees and charges for the 2023/2024 financial year.

BACKGROUND

The 2023/2024 budget has been prepared as a balanced budget with significant input from staff and elected members. The Council considered the list of fees and charges for the 2023/2024 financial year as part of its budget workshop process.

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires a local government to prepare and adopt, by absolute majority, an annual budget prior to 31 August in each year. Sections 6.15 to 6.19 of the Local Government Act 1995 relate to the imposition of fees and charges for a local government.

FINANCIAL IMPLICATIONS

The adoption of the budget enables the operations of the Council to continue effectively and issue rates in a timely manner to assist with income generation and cash flow.

BUDGET IMPLICATIONS

This report enables the adoption of the budget for 2023/2024.

POLICY IMPLICATIONS

The budget was framed in line with Council Policy F/FM/12 – Budget Preparation.

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

There are no strategic implications for this report.

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 budget comprises expenditure of \$30.8 million including operating expenditure of \$20.6 million and capital expenditure of \$10.2 million.

Projects include Stage 1B of the redevelopment of the Mount Barker Swimming Pool, although this will be subject to ongoing investigation and refinement of the project scope. This phase will be lengthy and the project will likely not eventuate until the next financial year.

The road construction program comprises carry forward projects totalling \$630,000.00 as well as new road and drainage construction projects worth \$1.8 million. However, this budget shifts the focus of the works program away from the typical annual 'construction' period into an extended road maintenance program, primarily aimed at clearing out drainage lines with various degrees of debris (tree trunks, leaves and general detritus), inspecting and maintaining culverts (including re-instating damaged headwalls), clearing the backslopes and maintenance zones of regrowth and a heavy emphasis on spraying these same areas to prevent annual grass growth and limit seedling regrowth.

During 2022/2023 the Shire completed a Building Condition Audit Report of its Shire buildings. This aimed to develop of a five-year maintenance program to ensure the upkeep of those buildings. The report provides guidance on maintenance task to be undertaken on a cyclic program. Where there is significant damage to the structural integrity of a building the recommendation is to engage a suitably qualified structural engineer to report on and recommend suitable treatments for the issues found. The 2023/2024 budget includes approximately \$200,000.00 to address the issues raised in the first year of this report. Many of the issues reported on require further assessment and quotation before being carried out.

Due somewhat to internal resourcing issues, a number of projects have been carried forward from 2022/2023. The highest value projects are \$150,000.00 for the redevelopment of the youth precinct at Wilson Park, \$150,000.00 for the subdivision of the Shire property in Martin Street and \$370,000.00 for infrastructure on Mt Pwackenback as part of the mountain bike trails development.

Proposed plant purchases include the replacement of the Isuzu NPR 300 tipper and turf vertimower (carried forward) Toro GM360 4WD Mower and one passenger vehicle.

The Council will also return \$108,154.00 to the community through its Community Grants Program.

VOTING REQUIREMENTS

See individual recommendations.

OFFICER RECOMMENDATION

- A. That pursuant to the provisions of Section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, the Municipal Fund Budget as attached for the 2023/2024 financial year which includes the following:
- a) Statement of Comprehensive Income by Nature and Type on page 2;
 - b) Statement of Cash Flows on page 3;
 - c) Statement of Financial Activity on page 4;
 - d) Index of Notes on page 5;
 - e) Note 1(a) - Basis of Preparation on page 6;
 - f) Note 1(b) - Key terms and Definitions (N & T) on page 7;
 - g) Note 2 - Rates and Service Charges on pages 8 to 10;
 - h) Note 3 - Net Current Assets on pages 11 to 12;
 - i) Note 4 - Reconciliation of Cash on page 13;
 - j) Note 5 - Fixed Assets on page 14;
 - k) Note 6 - Depreciation on page 15;
 - l) Note 7 - Borrowings on pages 16 to 17;
 - m) Note 8 – Lease Liabilities on page 18;
 - n) Note 9 – Reserve Accounts on pages 19 to 20;
 - o) Note 10 - Revenue Recognition on page 21;
 - p) Note 11 – Program Information on pages 22 to 23;
 - q) Note 12 - Other Information on page 24;
 - r) Note 13 – Elected Members Remuneration on page 25;
 - s) Note 15 – Trust Funds on page 26;
 - t) Note 16 - Fees and Charges on page 27;
 - u) Note 17 - Capital Works Program on pages 28 to 33;
 - v) Supplementary Information Notes on pages 34 to 38;
 - w) Detailed operating programs on pages to 39 to 94;
 - x) Schedule of Fees and Charges on pages 95 to 119.
- be adopted.

ABSOLUTE MAJORITY REQUIRED

- B. That the following financial assistance grants be made to community groups and organisations, as further detailed on page 35 of the attached 2023/2024 Budget:**

Organisation	Grant purpose	Amount
Mt Barker Wildflower Photo Cttee	Frost Park building hire costs (in kind)	2,600.00
Porongurup Promotions Ass'n	Cash (\$2,500) and in-kind traffic management support (\$1,500)	4,000.00
Wine Show of WA	Wine Show of WA - Cash (\$2,210) Changerooms in-kind (\$840)	3,050.00
Mt Barker Campdraft Club	Annual Mt Barker campdraft event	1,000.00
Rotary Club of Mount Barker	Australia Day Breakfast / Senior's Lunch - Frost Pavilion Hire	1,500.00
Mitchell House Arts Centre	Plantagenet Art Prize - Frost Pavilion Hire	1,200.00
Kendenup Tennis Club	Contribution to installation of court lighting	5,000.00
Plantagenet Village Homes	Contribution towards CCTV	4,188.00
Rocky Gully CWA	Renovation of Rocky Gully CWA building	3,500.00
Plantagenet Players	Contribution towards table linen	500.00
Anglican Op Shop	Waste Disposal	416.00
Mt Barker Toy Library	Operating costs	500.00
Mt Barker Turf Club	To assist with cost of maintaining racetrack	2,000.00
Woogenellup Progress Association	Equipment upgrade	600.00
Plantagenet News	Contribution towards printer	2,000.00
Youthcare Mount Barker	Contribution towards Chaplain Service	6,000.00
Mount Barker Golf Club	Upgrade bowls umpiring equipment	1,000.00
Mount Barker Tourism	Funding to support Visitor Centre wages & utilities	32,000.00
Plantagenet Historical Society	Contribution to operations	22,000.00
Plantagenet Sporting Club	Contribution to operations (\$10,000), CCTV (\$2,100)	12,100.00
Empowering Plantagenet Seniors	Building maintenance items	3,000.00

ABSOLUTE MAJORITY REQUIRED

- C. That pursuant to section 6.16 of the Local Government Act 1995, the Fees and Charges included at pages 95 to 119 inclusive of the attached 2023/2024 Budget be adopted.**

ABSOLUTE MAJORITY REQUIRED

- D. That pursuant to section 6.11 of the Local Government Act 1995, the following Reserve Accounts be established for the 2023/2024 budget, incorporating the following names and purposes of reserve accounts:
- a) **Name: Employee Entitlements Reserve**
Purpose: To fund sick, annual and long service leave entitlements for former staff and unplanned payments of annual leave and long service leave
 - b) **Name: Plant Replacement Reserve**
Purpose: To fund the purchase of vehicles, plant and machinery
 - c) **Name: Drainage and Water Management Reserve**
Purpose: To fund the purchase of land for drainage purposes and carry out major drainage works and projects identified in the Shire of Plantagenet Water Strategy 2020
 - d) **Name: Waste Management Reserve**
Purpose: To fund waste management infrastructure and major items of associated plant and equipment
 - e) **Name: Computer Software and Hardware Upgrade Reserve**
Purpose: To fund the upgrade of business system software and hardware with latest versions and additional functionality
 - f) **Name: Mount Barker Regional Saleyards Capital Improvements Reserve**
Purpose: To fund capital works and purchases at the Mount Barker Regional Saleyards
 - g) **Name: Mount Barker Regional Saleyards Operating Loss Reserve**
Purpose: To retain a proportion of Saleyards operating surpluses to fund operating deficits
 - h) **Name: Outstanding Land Resumptions Reserve**
Purpose: To fund old/outstanding obligations for land resumptions associated with road realignments and the like
 - i) **Name: Natural Disaster Reserve**
Purpose: To fund the Council's proportion of natural disaster events in the Shire of Plantagenet
 - j) **Name: Building Renewal Reserve (Formerly Plantagenet Medical Centre Reserve)**
Purpose: To fund renewal and refurbishment of Shire buildings
 - k) **Name: Spring Road Roadworks Reserve**
Purpose: To fund roadworks in Spring Road, Porongurup as required by the relevant subdivision condition
 - l) **Name: Mount Barker Swimming Pool Revitalisation Reserve**

- Purpose:** To fund planning and capital works associated with the revitalisation of the Mount Barker Memorial Swimming Pool
- m) **Name:** Hockey Ground Carpet Replacement
- Purpose:** To contribute towards the planned replacement of carpet at the Souness Park Hockey Ground
- n) **Name:** Community Resource Centre Building Reserve
- Purpose:** To contribute to the maintenance, renewal, refurbishment and improvements to the Mount Barker Community Resource Centre
- o) **Museum Complex Reserve**
- Purpose:** To fund the refurbishment of buildings at the Mount Barker historical museum complex
- p) **Standpipe Reserve**
- Purpose:** To fund the repair, renewal and upgrade of water standpipes.
- q) **Paths and Trails Reserve**
- Purpose:** To fund the development of new pathways, cycleway infrastructure and trails
- r) **Major Projects Reserve**
- Purpose:** To fund new, improvements or refurbishments to existing Shire buildings and / or infrastructure and concept planning / working drawings for projects, to be determined by the Council
- s) **Public Open Space - WAPC 99183**
- Purpose:** To hold the cash in lieu of open space contribution held against the subdivision in WAPC reference 99183 until approval is granted to use those funds, pursuant to Section 6.11 of the Local Government Act 1995
- t) **Community Grants Reserve**
- Purpose:** To fund Council contributions towards leased Shire building and infrastructure improvements, funded via Shire community grants

ABSOLUTE MAJORITY REQUIRED

E. That pursuant to:

- 1. Section 53 of the Cemeteries Act 1986, the fees and charges for Shire of Plantagenet cemeteries shown on pages 107 to 108 of the attached 2023/2024 Budget;**
- 2. Section 53(2) of the Building Regulations 2012, a swimming pool inspection fee and a reinspection fee of \$58.45 (including GST); and**

3. Section 67 of the Waste Avoidance and Resources Recovery Act 2007, the charges for the removal of domestic and commercial waste (and domestic recycling) included at page 100 of the attached 2023/2024 Budget;

be adopted.

SIMPLE MAJORITY REQUIRED

- F. That pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 the charges for the deposit of domestic and commercial waste included at pages 100 to 102 inclusive of the attached 2023/2024 Budget be adopted.

ABSOLUTE MAJORITY REQUIRED

G. That:

1. Pursuant to Sections 66(1)-(3) of the Waste Avoidance and Resources Recovery Act 2007, the provisions of the Local Government Act 1995 relating to the making, payment and recovery of general rates, Section 6.35 of the Local Government Act 1995 relating to minimum payments and Section 53 of the Local Government (Financial Management) Regulations 1996 relating to the amount prescribed for minimum payment, a 'Waste Rate' be imposed for 2023/2024; and

2. In respect to the Waste Rate, the following general and minimum rates apply on Gross Rental and Unimproved Values:

2.1 General Rate

a) Rural Townsites (GRV)	0.01 cents in the dollar
b) Rural (GRV)	0.01 cents in the dollar
c) Mount Barker Townsite (GRV)	0.01 cents in the dollar
d) Strata Titles (GRV)	0.01 cents in the dollar
e) Rural (UV)	0.00055 cents in the dollar

2.2 Minimum Rate

a) Rural Townsites (GRV)	\$64.00
b) Rural (GRV)	\$64.00
c) Mount Barker Townsite (GRV)	\$64.00
d) Strata Titles (GRV)	\$64.00
e) Rural (UV)	\$64.00

ABSOLUTE MAJORITY REQUIRED

H. That:

1. Pursuant to section 5.99 of the Local Government Act 1995 and regulation 34 of the Local Government (Administration) Regulations 1996, elected members be paid 85% of the maximum Salaries and Allowances Tribunal allowance in lieu of individual meeting attendance fees.
2. Pursuant to section 5.99A of the Local Government Act 1995 and regulations 34A and 34AA of the Local Government (Administration) Regulations 1996, a Telecommunications Allowance of \$2,000.00 for elected members be adopted.
3. Pursuant to section 5.98(5) of the Local Government Act 1995 and regulation 33 of the Local Government (Administration) Regulations 1996, an annual local government allowance of 85% of the maximum Salaries and Allowances Tribunal allowance be paid to the Shire President in addition to the annual meeting allowance.
4. Pursuant to section 5.98A of the Local Government Act 1995 and regulations 33A of the Local Government (Administration) Regulations 1996, an annual local government allowance of 85% of the maximum Salaries and Allowances Tribunal allowance be paid to the Deputy Shire President in addition of the annual meeting allowance.

ABSOLUTE MAJORITY REQUIRED

9.3.2 FINANCIAL STATEMENTS – JUNE 2023

File Ref:	N61373
Attachment:	<u>Financial Statements – June 2023</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 30 June 2023.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> That Council does not receive the financial activity statements as required by S6.4 of the LG Act 1995	<i>Rare</i>	<i>Insignificant</i>	<i>Low</i>	<i>That Council receives the financial activity statements as required by legislation.</i>

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Financial Statements for the period ending 30 June 2023 be received.

9.3.3 LIST OF ACCOUNTS – JUNE 2023

File Ref:	N61458
Attachment:	<u>List of Accounts – June 2023</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Donna Fawcett Finance Officer – Creditors and Payroll
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of June 2023.

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (28 June 2022). 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.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget 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

There are no strategic implications for this report.

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> That Council does not receive the list of payments	<i>Rare</i>	<i>Insignificant</i>	<i>Low</i>	<i>That Council receives the list of payments as required by legislation.</i>

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 June 2023 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$1,387,909.04; and
2. Municipal Cheque 47250 to 47259 totalling \$2,264.07.

9.3.4 POLICY REVIEW - RATE INCENTIVE PRIZE

File Ref:	N61488
Attachment:	<u>Amended Policy A/PA/8 – Rate Incentive Prize</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Pam Chambers Rates Officer
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to review Council Policy No A/PA/8 – Rate Incentive Prize.

BACKGROUND

Council Policy A/PA/8 was last reviewed by the Council at its meeting held on 22 June 2021.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

The changes to this report will require a relatively small cost to implement, estimated at less than \$250.00. The advantage of having such a policy is to increase the rate of inwards rates cash flow. It is considered that this will more than cover any actual costs.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

There are no strategic implications for this report.

RISK MITIGATION IMPLICATIONS

There are no risk mitigation implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

This policy is considered too specific and the following changes are recommended to Clause 6.

Sponsors will be sourced for prizes. The Chief Executive Officer is authorised to offer a prize entitling access to Shire facilities to a maximum of \$250.00.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council Policy A/PA/8 – Rate Incentive Prize:

'OBJECTIVE:

To encourage ratepayers to pay the full amount of their assessed rates and charges by the due date.

POLICY:

1. An annual Rate Incentive Prize will be offered by the Council.
2. Prizes will be awarded to first, second (and third if applicable) entries drawn at random.
3. Only ratepayers with their rate account paid in full by the due date will be eligible.
4. One entry per assessment notice (not per ratepayer) is to be entered into the draw.
5. Rateable properties which any Council Member, senior member of staff or manager has an ownership interest in will be ineligible. The Shire of Plantagenet reserves the right to decide, in its absolute discretion whether or not the entry requirements have been fulfilled.
6. Sponsors will be sourced for prizes. The Chief Executive Officer is authorised to offer a prize entitling access to Shire facilities to a maximum of \$250.00.'

be approved.

9.3.5 POLICY REVIEW – RELATED PARTY DISCLOSURES

File Ref:	N61487
Attachments:	<u>Amended Policy F/FM/16 – Related Party Disclosures</u>
Responsible Officer:	Gary Clark Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to review Council policy (F/FM/16) – Related Party Disclosures.

BACKGROUND

Council Policy A/PA/8 was last reviewed by the Council at its meeting held on 27 July 2021.

STATUTORY ENVIRONMENT

There are no statutory implications for this report, although it should be noted that the requirements are subject to audit compliance under the Australian Accounting Standards.

EXTERNAL CONSULTATION

Nil.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

There are no strategic implications for this report.

RISK MITIGATION IMPLICATIONS

There are no risk mitigation implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The requirements of Australian Accounting Standards Board 124 - Related Party Disclosures (AASB 124) applies to financial statements prepared by local governments within Western Australia.

AASB 124 requires local governments to make specific disclosures in relation to transactions and balances (including commitments) with related parties. A policy is required that specifies the Shire's Key Management Personnel, who are subject to disclosure. The policy also defines ordinary citizen transactions, which are exempted from reporting.

No delegations relate to this policy. This policy is considered appropriate and should be endorsed, subject to the job title of the Executive Manager Strategic Development being changed to Manager Development Services and the addition of the Manager Community and Recreation Services.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council Policy F/FM/16 'Related Party Disclosures':

OBJECTIVE

The objective of this Policy is to specify the Shire's Key Management Personnel, who are subject to disclosure under the requirements of Accounting Standards Board 124 - Related Party Disclosures and to define ordinary citizen transactions, which are exempted from reporting.

POLICY

In regard to the requirements of Australian Accounting Standards Board 124 - Related Party Disclosures, the Council will:

1. Specify the following as Key Management Personnel:
 - a) All Council Members.
 - b) Chief Executive Officer.
 - c) Deputy Chief Executive Officer.
 - d) Manager Development Services.
 - e) Executive Manager Works and Services.
 - f) Manager Community and Recreation Services.

2. Exempt the following transactions from reporting:
 - a) Paying rates and Emergency Services Levy (and associated charges and interest)
 - b) Fines
 - c) Use of Shire owned facilities such as Rec.Centre, Mount Barker Memorial Swimming Pool, Mount Barker Library, halls and public buildings, parks, ovals and other public open spaces (whether charged a fee or not)
 - d) Attending Council functions that are open to the public.'

be endorsed.

9.3.6 PROPERTY RATES – 2023/2024

File Ref: N61519
Responsible Officer: Gary Clark
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 25 July 2023

PURPOSE

The purpose of this report is to set the property rates; establish the early payment incentive scheme; establish payment instalment options and set the interest rates for overdue and late payments in readiness for the adoption of the 2023/2024 budget.

BACKGROUND

As a result of the economic downturn associated with the Covid-19 pandemic, the Shire did not increase rates in 2020/2021 and increased rates by 3% in 2021/2022 and 5% in 2022/2023.

STATUTORY ENVIRONMENT

Section 6.25 to 6.82 of the Local Government Act 1995 and Sections 52 to 78 of the Local Government (Financial Management) Regulations relate to property rating requirements and procedures.

FINANCIAL IMPLICATIONS

The property rates proposed have been established on the basis of delivering a balanced budget with a 5% increase on the 2022/2023 rate revenue, as well as 7% increases to fees & charges, including rubbish collection charges and waste rate.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

Policy A/PA/8 Rating – Rate Incentive Prize applies.

Policy F/FM/12 Budget Preparation 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

There are no strategic implications for this report.

STRATEGIC RISK IMPLICATIONS

There are strategic risk implications in regard to the larger rates increases for UV minimum rated properties. A significant communications exercise is being planned to provide advice to the community on the rationale.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENTLevel of Rates

In line with the Budget Preparation policy, consideration has been given to economic growth and likely Shire wage growth over the next two years to assist Council in determining the annual % rate increase.

WALGA's economic briefing states that *'The LGCI increased by 6.4 per cent in 2021-22, the highest increase since the index began in 2001-02. While the Index is expected to remain above average in 2022-23 (4.1% growth), it will slow from the current record high levels as construction costs start to ease.'*

Given the current levels of CPI and LGCI, in order to keep pace with predicted economic growth a rate increase of 5% is recommended.

The general minimum rate for GRV properties will increase by around 5% to \$1,020.00. The UV minimum rate will be \$1,050 (8%).

This is the first time we will have a difference between these two minimum rates. The UV minimum rate has been increased by an additional 3% to resolve an anomaly with the level of rates raised on properties with acreage i.e. the lifestyle lots between 1 hectare and 40 hectares. This is the first year's increase above the GRV rate and will likely be similar for the next 2 years.

Currently, most of the properties in that category are rated using an Unimproved Value (UV) and generally minimum rated.

For 2022/2023, the average Mount Barker townsite rated property is rated at \$1,325.31, and the average rural townsite property is rated at \$1,034.60. Currently 79% of unimproved properties up to 40 hectares are rated on the minimum rate (\$970 in 2022/23). Ideally, these properties would be rated more in line with an average rural townsite property. These properties are predominantly used for residential lifestyle purposes and have similar service level expectations as rural townsite properties.

Discount

Section 6.12 (1)(a) permits a local government to grant a discount or incentive for the early payment of money which is owed to the Council. As in previous years, it is recommended that a discount not be offered, and no allowance has been made for any early payment discount to reflect this.

Incentive

The Council has previously offered incentive prizes to encourage the early payment of rates. Only ratepayers who have paid their rates in full and by 13 September 2023 will be entered into the draw. Prizes will be offered in line with Council Policy No A/PA/8 – Rate Incentive Prize.

Instalments

It is recommended that the following three payment options be offered as in previous years.

- (1) To pay the total rates and charges included on the rate notice in full by the 35th day after the date of issue of the rates notice; or
- (2) Two equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the second instalment four calendar months after this date.
- (3) Four equal instalments. The first instalment will be due on the 35th day after the date of issue of the rates notice and the remainder at two calendar month intervals after this date.

Instalment Fee

It is recommended that an instalment fee of \$7.50 be charged for each instalment reminder issued after the first instalment is paid. A special payment arrangement administration charge of \$25.00 (excluding pensioners) will again apply, for those people who wish to pay rates through an instalment plan, but do not qualify for a standard instalment plan, due to late payment or other circumstances. This is the same as that charged in recent years.

Interest on Instalments

It is recommended that the maximum interest rate of 5.5% per annum be applied to instalment payments. Again, this is consistent with the previous year's charge and statutory requirements.

Late Payment Penalty Interest

It is recommended that late payment penalty interest be charged at 7% per annum, Again, this is consistent with the previous year's charge and the Ministerial Order that applied during the Covid 19 period.

It is proposed that the late payment penalty interest will apply to rates that remain unpaid where no election was made to pay the rate by instalments and on overdue instalment payments where an election was made to pay by instalments.

Revaluation of Unimproved Value properties

A revaluation of unimproved value rates base has been carried out by the Valuer General's Office for the 2023/2024 financial year. The movement is as follows.

	2022/2023	2023/2024	Movement
Total UV Valuation	\$737,287,700	\$908,316,900	18.9%

In line with Council Policy F/FM/12, a ratio has been used to determine the proportion of rates raised between property valuation categories, regardless of re-valuations. This has been combined with adjustments in the respective rates in the dollar to reflect a proportionate increase in rates.

This has resulted in the rates in the dollar being adjusted as follows:

- Unimproved Value – 0.6867 to 0.5831 (decrease of 15.1%).
- Gross Rental Value – 10.5176 to 11.3548 (increase of 4.4%).

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That:

1. For the purpose of yielding the deficiency disclosed by the 2022/2023 Municipal Fund Budget, pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995, the following general and minimum rates be imposed on Gross Rental and Unimproved Values.
 - 1.1 General Rates

a) Rural Townsites (GRV)	11.3548 cents in the dollar
b) Rural (GRV)	11.3548 cents in the dollar
c) Mount Barker Townsite (GRV)	11.3548 cents in the dollar
d) Strata Titles (GRV)	11.3548 cents in the dollar
e) Rural (UV)	0.5831 cents in the dollar
f) Mining (UV)	0.5831 cents in the dollar
 - 1.2 Minimum Rates

a) Rural Townsites (GRV)	\$1,020.00
b) Rural (GRV)	\$1,020.00
c) Mount Barker Townsite (GRV)	\$1,020.00
d) Strata Titles (GRV)	\$1,020.00
e) Rural (UV)	\$1,050.00
f) Mining (UV)	\$1,020.00
 2. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 64(2) of the Local Government (Financial Management) Regulations 1996, the following due dates be nominated for the payment in full by instalments:
 - a) Full payment and 1st instalment due date 11 September 2023
 - b) 2nd half instalment due date 15 January 2024
 - c) 2nd quarterly instalment due date 13 November 2023
 - d) 3rd quarterly instalment due date 15 January 2024
 - e) 4th and final quarterly instalment due date 18 March 2024.
 3. No discount be offered for the early payment of property rates.
 4. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 67 of the Local Government (Financial Management) Regulations 1996, an instalment administration charge of \$7.50 be adopted where the owner has elected to pay rates through an instalment option for each instalment after the initial instalment is paid.
 5. Pursuant to section 6.16(2) of the Local Government Act 1995, a special payment arrangement administration charge of \$25.00 be adopted (excluding pensioners) where the owner wishes to pay rates through an instalment plan, but does not qualify for a standard instalment plan, as detailed in Clause 5 above.
 6. Pursuant to section 6.45 of the Local Government Act 1995 and regulation 68 of the Local Government (Financial Management) Regulations 1996, an interest rate of 5.5% be adopted where the owner has elected to pay rates through an instalment option.
-

7. Pursuant to section 6.51(1) and subject to section 6.51(4) of the Local Government Act 1995 and regulation 70 of the Local Government (Financial Management) Regulations 1996, an interest rate of 7% be adopted for general rates, Waste Rate and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.
8. That pursuant to section 6.13 of the Local Government Act 1995, an interest rate of 7% be adopted for rubbish collection charges that remain unpaid after becoming due and payable.

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 AMENDMENT TO COUNCIL MEETINGS SCHEDULE 2023

File Ref:	N61451
Responsible Officer:	Gary Clark Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	25 July 2023

PURPOSE

The purpose of this report is to request the Council consider amending the September 2023 scheduled Ordinary Council Meeting (OCM) to ensure a quorum is available.

BACKGROUND

At the OCM meeting held 25 October 2022, it was resolved (Res. No. 181/22):

'That:

1. *The ordinary meetings of the Council for February to December 2023 inclusive be held as follows:*
 - a) *21 February 2023*
 - b) *28 March 2023*
 - c) *2 May 2023*
 - d) *30 May 2023*
 - e) *27 June 2023*
 - f) *25 July 2023*
 - g) *22 August 2023*
 - h) *19 September 2023*
 - i) *24 October 2023*
 - j) *28 November 2023*
 - k) *19 December 2023*
2. *All ordinary meetings of the Council shall commence at 5.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
3. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.*

STATUTORY ENVIRONMENT

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

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

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

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

FINANCIAL IMPLICATIONS

There will be no financial implications from the proposal to move the September OCM meeting from Tuesday 19 September to Tuesday 26 September 2023.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.1.3:

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

Accordingly, the recommended outcome for this report aligns with the Strategic Community Plan as it ensures the adoption of the 2022/23 budget without affecting the issuing of rates notices and payment plan schedules.

REGIONAL IMPLICATIONS

No regional implications identified.

OFFICER COMMENT

The WALGA Local Government Convention 2023 dates have been released and the Convention will take place from 17 to 19 September 2023.

These dates are somewhat earlier than usual, noting that the 2021 Convention was held in late September and the 2022 Convention was held in early October.

In the report to Council on 25 October 2022, it was recommended that the September meeting, normally held on 26 September, take place a week earlier on the 19 September to make allowances for the Monday 25 September public holiday. It was also noted that as the August meeting was scheduled for 22 August, there would still be four weeks from the August meeting to the September meeting.

To alleviate any pressure on Councillors to not attend the WALGA Convention, due to concern that there may not be enough members present to ensure a quorum for the September OCM, it is recommended that the 19 September 2023 Council meeting be rescheduled for the following Tuesday, 26 September 2023.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

- 1. The ordinary meeting of the Council scheduled for 19 September at 5.00pm be held on Tuesday 26 September 2023 at 5.00pm; and**
- 2. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**12 CONFIDENTIAL****12.1.1 SALEYARDS AGENT'S AGREEMENTS**

File Ref: N61518
Attachment: Agent's Agreement Template
Responsible Officer: Gary Clark
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 25 July 2023

PURPOSE

The purpose of this report is to enter into a new Agent's Agreement with Elders Rural Services Australia Ltd and Nutrien Ag Solutions for continued operation at the Mount Barker Regional Saleyards.

OFFICER RECOMMENDATION

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

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

13 CLOSURE OF MEETING

Our Ref: O70007
Your Ref:
Enquiries: Gary Clark

PO Box 48
MOUNT BARKER WA 6324
Phone: (08) 9892 1111
Email: info@sop.wa.gov.au
Website: www.plantagenet.wa.gov.au

6 July 2023

Mr Ron Pease
21 Narpund Road
Mount Barker WA 6324

Email: rpe76831@bigpond.net.au

Dear Ron

Response to Questions Taken on Notice at the Council Meeting held 27 June 2023

Thank you for taking the time to present to Council on 27 June 2023.

I am writing in response to questions raised, as noted under:

- 1. Regarding the new foot path that was commenced at the Osborne Road end of Narpund Road. The path started at Osborne Road but finished at Hassel Street, considering the standard of the existing path from there on up to Bunker Road, which is degraded and covered in many places with loose gravel, making it unsafe for a local vision impaired person and several seniors that exercise by walking up the road, which due to local traffic movements is very risky.*

Q1 Is there consideration being given to completing this path in the near future, as most of the other streets going East West on this side of the Highway seem to be newly hot mixed?

Response

The Draft Asset Management Plan Pathways will be reviewed in the 2024 financial year. The plan will consider current usage, connectivity to other paths in the network, end of trip destinations, vehicle traffic – speed and average daily movements. Once the plan has been reviewed, we will be in a better position to forecast a date and treatment for this footpath.

We are reviewing the pathways that require an upgrade for the 2023/24 Budget. There are a lot of footpaths that require attention. These will be prioritised against usage, destination, and connectivity. The majority of paths are bitumen, the paths that were upgraded last year and the new paths that have been installed in the past 2-3 years are asphalt.

2. *Firstly, congratulations on the quality of the latest Annual Report which is excellent. My questions are regarding the list of 9 Council committees and the Councillor representatives on the committees.*

Q1. Are there any local residents on these committees or has there been a decision to only have Councillors. If there are local residents, why are they not listed so the public knows who they are?

Response

Internal Council Committees are formed every two years after elections. They usually consist of 3 to 4 Councillors.

The Bush Fire Advisory Committee, Roadwise Committee and Local Emergency Management Committee have a number of non-councillor appointments. A decision was made to exclude the non-councillors from the committee list from a page formatting perspective. The annual report says that further information is on the website and those appointees are listed there.

Q2. I was told there is a Townsite Enhancement Committee also, but I noticed this is not listed. Does it exist or not?

Response

There is a *Streetscaping Working Group* – this is an internal group consisting of staff and councillors.

3. *At the recent Electors meeting the Annual audited Financial Report was made available as part of the Annual Report at the start of the meeting which allowed very little time to actually read and understand it.*

Q1. Was the report posted on the Shire website before this date and if so, how long was it available on the site before the meeting?

Response

A copy of the Annual Report was posted on the website on Friday 26 May 2023.

The intention in the future is to schedule the Annual Meeting of Electors one month after the annual report is adopted by the Council, so that the public has an adequate opportunity to read the report before the AGM.

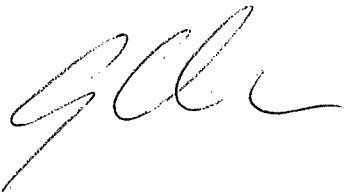
Q2. Was there a reason at this Electors' meeting that only questions related to the financial report were allowed by the public attending and not on any other matters?

Response

The Local Government Administration Regulations prescribe that the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

An opportunity should have been provided for the community to submit items for general business and ask questions. That opportunity will be provided at future meetings.

The community is encouraged to direct operational questions to the administration at any time. Questions about community priorities, strategy and policy can be asked at any council meeting.

A handwritten signature in black ink, appearing to read 'G. Clark', written in a cursive style.

Gary Clark
CHIEF EXECUTIVE OFFICER