



ORDINARY MINUTES

DATE: Tuesday, 25 June 2024

TIME: 5.00pm

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


Julian Murphy
CHIEF EXECUTIVE OFFICER

Resolution numbers: 046/24 to 053/24

Please Note: Council Meetings are recorded for accuracy of minute taking.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.00pm The Presiding Member declared the meeting open.

The Presiding Member acknowledged the traditional custodians of our area and their continuing connection to the land and community. We pay our respects to all members of the Menang Noongar community and their culture; and to Elders past, present and emerging.

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

Members Present:

Cr L Handasyde	President (Presiding Member)
Cr A Fraser	Deputy President
Cr B Bell	Councillor
Cr R Brown	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr J Liebeck	Councillor
Cr J Oldfield	Councillor

In Attendance:

Mr Julian Murphy	Chief Executive Officer
Mr Anthony Middleton	Executive Manager Corporate and Community Services
Mr Kevin Hemmings	Executive Manager Works and Services

Apologies:

Cr W Sheard

Members of the Public Present:

There were three members of the public present at the meeting.

Previously Approved Leave of Absence:

Nil

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Please Note: Council Meetings are recorded for accuracy of minute taking.

3 ELECTION OF DEPUTY PRESIDENT

The position of Deputy President has become vacant due to the resignation of Cr Fraser.

The Chief Executive Officer advised that he had received one written nomination for the position of Deputy President, being Cr Ken Clements.

The Chief Executive Officer invited further nominations for the position of President.

There being no further nominations, the Chief Executive Officer declared Cr Ken Clements elected as Deputy President, unopposed.

Cr K Clements then took the Declaration of Office before Chief Executive Officer Julian Murphy.

4 PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4.2.1 MR BRENDAN GOGGINS – ITEM 10.4.2 MINING AND EXPLORATION POLICY

Mr Goggins noted the Council's position on preserving the current tourist, agriculture, viticulture and environmental interests around the Porongurup area and asked the following question of Council:

'Can I ask the Council to consider an extension of the mining exemption area to include the area of Narrikup, which has similar agricultural, viticultural, environmental and tourist assets.'

The CEO advised the question was noted and would be considered today as part of their deliberations. The policy being considered at today's meeting has provision for Council to oppose mining and exploration activity that will negatively impact on areas of high value within the Shire of Plantagenet.

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.1.1 MS JENNY ROSE – PRESIDENT MITCHELL HOUSE ARTS CENTRE

Ms Rose addressed the Council in relation to the Mitchell House Arts Centre becoming an Endorsed Community Service Organisation (attached).

6 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr J Oldfield

Item: 10.4.2. Mining and Exploration Policy

Type: Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995.

Nature: A (recently expired) contract with a mining company to carry out exploration on my property.

Extent: N/A. Will be leaving the meeting.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

7.1 CR A FRASER

Moved Cr J Oldfield, seconded Cr R Brown:

That Cr Fraser be granted Leave of Absence for the period 23 July to 17 December 2024 inclusive.

CARRIED (8/0)

NO. 046/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

8 CONFIRMATION OF MINUTES

8.1 ORDINARY MINUTES OF COUNCIL HELD 28 MAY 2024

Moved Cr B Bell, seconded Cr K Clements:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 May 2024 as circulated, be taken as read and adopted as a correct record.

CARRIED (8/0)

NO. 047/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

On behalf of the Council, the Presiding Member noted his congratulations to Mr Scott Drummond, on being awarded the Medal of the Order of Australia (OAM) as announced in the recently published King's Birthday Honours list.

10 REPORTS OF COMMITTEES AND OFFICERS

10.1 DEVELOPMENT SERVICES REPORTS

Nil

10.2 WORKS AND SERVICES REPORTS

10.2.1 PARKING RESTRICTIONS – SECTION OF LANGTON ROAD

File Ref:	N63859
Attachment:	<u>Attachments 1 to 3 – Parking Restrictions</u>
Responsible Officer:	Kevin Hemmings Executive Manager Works and Services
Author:	Amy Chadbourne Senior Administration Works and Services
Proposed Meeting Date:	25 June 2024

PURPOSE

The purpose of this report is to assign parking restrictions to car parking bays on Langton Road and reconfirm permitted times for the northern car park at the Shire Administration Office.

BACKGROUND

Requests for the review of parking restrictions on Langton Road have been received from local business operators. The area of concern is from 10 to 26 Langton Road (Attachment 1) or the business premises - Geordie's Dessert Café to Pet Time.

A report was presented to the Council Forum of 30 January 2024 highlighting the concerns of business operators. Feedback from Council necessitated a follow up report to the Forum of 14 May 2024. This second report outlined the feedback received following consultation with business operators on this section of Langton Road.

In addition to the section of Langton Road, both Forum reports highlighted parking restrictions for the car park on the north side of the Shire Administration Office which had been previously approved at the Ordinary Council Meeting (OCM) of 14 November 2006. The two hour time limit agreed upon at this meeting was never followed up and signposted.

EXTERNAL CONSULTATION

Consultation has taken place with business operators/owners along the section of 10 to 26 Langton Road.

STATUTORY ENVIRONMENT

Local Government Act 1995

Shire of Plantagenet Parking and Parking Facilities Local Law 2008 - Section 2.6 'Powers of Local Government' and Part 3, Section 3.1 Determination of parking stalls'

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The costs associated with removing existing signs, installing new ones and any line marking will be the responsibility of the Council. The costs to do so will come from the relevant road maintenance budget.

ASSET MANAGEMENT IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At Outcome 2 Environment (natural and built) the following:

Strategy 2.1.1:

‘Maintain and further develop Shire roads, drainage and pathways at appropriate standards.’

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

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

All business operators on the relevant section of Langton Road provided feedback about the proposed parking restrictions.

The responses supported the removal of all existing parking signs in this section of Langton Road. As part of the feedback, two 30-minute parking bays were requested at the western end of the parking strip (Attachment 1). Business operators adjacent to these bays report vehicles and car-caravan combinations parking for extended amounts of time. They also report this lack of access can make it hard for local patrons to access Lavender Bee and Pet Time, particularly older community members.

It is recommended that two 30-minute parking bays (Monday to Friday 8.30am to 5.00pm and Saturday 8.30am to 1.00pm) be installed as shown at Attachment 1. This would enable continuous access to both businesses (Lavender Bee and Pet Time) for all. Locals and visitors wanting to park for longer periods of time can do so at the many other parking bays on both sides of the road.

There is currently Council approved car-caravan/trailer parking between the Shire Administration Office and the railway line. A three-hour time limit was approved at the OCM of 14 November 2006. A review of the current signs indicates that clearer wording needs to be provided to specify that cars are not to park in this area which currently happens. To improve knowledge of this site, additional directional signs will be installed throughout the townsite.

At the same OCM of 14 November 2006, a two-hour parking limit was approved for the public car park on the north side of the Shire Administration Office. As mentioned previously signs were not installed. Support for the parking restrictions was reconfirmed at the Council Forums for signs to be installed at this car park.

Council approval of these parking restrictions enables the Shire Ranger to enforce the time limits. The current penalty for 'Parking contrary to signs of limitations' is \$35.00.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr R Brown:

That Council approves, in accordance with Sections 2.6 and 3.1 of the Shire of Plantagenet Parking and Parking Facilities Local Law 2008, permitted times and conditions of parking at the following locations:

- 1. Langton Road – south side from 10 to 26 Langton Road (Attachment 1).**
- 2. Shire Administration Office – car park on the north side of the building (Attachment 2).**
- 3. Caravan/trailer parking area between the Shire Administration Office and the railway line (Attachment 3).**

CARRIED (8/0)

NO. 048/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

10.3 CORPORATE AND COMMUNITY SERVICES REPORTS

10.3.1 FINANCIAL STATEMENTS – MAY 2024

File Ref:	N63903
Attachment:	<u>Financial Statements – May 2024</u>
Responsible Officer:	Anthony Middleton Executive Manager – Corporate & Community
Author:	Anthony Middleton Executive Manager – Corporate & Community
Proposed Meeting Date:	25 June 2024

PURPOSE

The purpose of this report is to note the Monthly Financial Statements for the period ending 31 May 2024.

BACKGROUND

In addition to good governance, the presentation to the Council of monthly financial reports is a statutory requirement, with these to be presented at an ordinary meeting of the Council within two (2) months after the end of the period to which the statements relate.

EXTERNAL CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* sets out the basic information which must be included in the monthly reports to Council.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

This item reports on the current financial position of the Shire. The recommendation does not in itself have a financial implication.

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

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At Outcome 4 Performance & Leadership the following Strategies:

Strategy 4.1.3:

‘A Shire that is open and transparent with its community.’

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

STRATEGIC RISK 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>	That Council receives the financial activity statements as required by legislation.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The attached Statement of Financial Activity for the period 1 July 2023 to 31 May 2024 represent eleven (11) months, or 92% of the year.

The following items are worthy of noting:

- Closing deficit position of \$3.16m;
- Operating results:
 - 90% of budgeted operating revenue has been received; and
 - 83% of budgeted operating expenditure spent;
- Capital expenditure achieved 36% of budgeted projects;
- Cash holdings of \$8.0m of which \$5.1m is held in cash backed reserve accounts;
- Rates debtors outstanding equate to 7.8% of total rates raised for 2023/2024; and
- Page 10 of the statements detail major variations from year to date (amended) budgets.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr A Fraser:

That Council notes the monthly financial statements for the period ending 31 May 2024, as attached.

CARRIED (8/0)

NO. 049/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

10.3.2 LIST OF ACCOUNTS – MAY 2024

File Ref:	N63901
Attachment:	<u>List of Accounts – May 2024</u>
Responsible Officer:	Anthony Middleton Executive Manager Corporate and Community Services
Author:	Jodi Masson Manager Finance
Proposed Meeting Date:	25 June 2024

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of May 2024.

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
Reputational That Council does not receive the list of payments	Rare	Insignificant	Low	That Council receives the list of payments as required by legislation.

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/COUNCIL DECISION

Moved Cr K Clements, seconded Cr J Oldfield:

That Council receive 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 May 2024 as follows:

1. Electronic Payments and Direct Debits totalling \$1,319,145.29; and
2. Municipal Cheque 47294 to 47295 totalling \$101.37.

CARRIED (8/0)

NO. 050/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

10.4 EXECUTIVE SERVICES REPORTS

10.4.1 ANNUAL REPORT 2022/2023 & ANNUAL ELECTORS MEETING

File Ref:	N63913
Attachment:	<u>Annual Report 2022/2023</u>
Responsible Officer:	Julian Murphy Chief Executive Officer
Author:	Anthony Middleton Executive Manager – Corporate & Community
Proposed Meeting Date:	25 June 2024

PURPOSE

The purpose of this report is to consider the 2022/2023 Annual Report, incorporating the Annual Financial Report and Independent Auditors Report.

BACKGROUND

Every local government in WA is required to prepare an annual Financial Report for each financial year. The Local Government (Financial Management) Regulations 1996 define the content and format of the Financial Report.

The Audit & Risk Committee considered the Annual Financial Report at its meeting held on 18 June 2024 and resolved to recommend:

'That Council:

- 1. adopts the 2022/2023 Annual Financial Report; and*
- 2. the seven (7) matters raised in the Auditor's Management Letter be noted and included in a Committee Status Report of future Audit and Risk Committee agendas.'*

EXTERNAL CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Section 5.26 to 5.33 (Electors meetings), 5.53 & 5.54 (Annual Reports), part 6 & 7 (Financial Management & Audit) of the Local Government Act 1995 and the *Local Government (Financial Management) Regulations 1996* apply to this item.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

This item reports on the financial position of the Shire as at 30 June 2023. The recommendation does not in itself have a financial implication.

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

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At Outcome 4 Performance & Leadership the following Strategies:

Strategy 4.1.3:

‘A Shire that is open and transparent with its community.’

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

STRATEGIC RISK IMPLICATIONS

A key element of the Strategic Risk Register relates to ‘Failure to Fulfil Compliance Requirements (Statutory, Regulatory)’. Currently, the overall control rating is assessed as adequate.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The annual Financial Report, which is incorporated into the attached Annual Report can be summarised through the following highlights:

- Net Operating Result (prior to asset revaluations) of (positive) \$303,061 (page 3);
- Infrastructure Assets (e.g. roads, bridges, parks, etc) have been revalued in accordance with legislative requirements resulting in an increase from \$194m to \$407m (page 4);
- The year resulted in a positive cash flow of \$703,504 (page 6);
- The Shire is in a surplus position at 30 June 2023 of \$4.198m (page 7);
- Current rate receivables at 30 June 2023 were \$441,563 (page 13);
- Rates raised for the year totalled \$7.4m (page 34);
- Loan borrowings for the year reduced from \$2.07m to \$1.65m (page 36); and
- Reserve accounts (money saved for a future financial year) increased from \$4.0m to \$5.0m (page 38).

The Independent Audit Report that relates to this Financial Report is ‘qualified’ as a result of comparative figures (i.e. those figures that relate to the previous financial year) having received a qualification last year.

The Auditors Management Letter was provided to the Audit & Risk Committee for transparency and full disclosure. The seven (7) issues raised in the management letter will form a newly created 'Status Report' for inclusion in all future Committee meeting agendas. This will ensure that Committee members can monitor staff progress in addressing each item.

The Annual Electors Meeting must be held within 56 days of the Council accepting the Annual Report, allowing appropriate time after adoption to give public notice of the meeting, say 14 days. This effectively means that the Annual Electors Meeting needs to be held between 9 July 2024 and 20 August 2024 if the Annual Report is adopted by the Council on 25 June 2024. As such, it is recommended that the Annual Electors Meeting be held in the Council Chambers following the July Council Meeting, commencing at 6.30pm.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr K Clements:

That Council:

- 1. Adopts the 2022/2023 Annual Report, incorporating the Annual Financial Report, as amended; and**
- 2. Holds the 2022/2023 Annual Meeting of Electors at 6:30pm on 23 July 2024 in the Council Chambers.**

CARRIED (8/0)

NO. 051/24

Absolute Majority

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

10.4.2 MINING AND EXPLORATION POLICYCr J Oldfield

Item: 10.4.2. Mining and Exploration Policy
Type: Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995.
Nature: A (recently expired) contract with a mining company to carry out exploration on my property.
Extent: N/A. Will be leaving the meeting.

5.17pm Cr J Oldfield left the meeting

File Ref: N63902
Attachment: Porongurup Tourism Corridor Mining Exclusion Area – Eastern Portion
Responsible Officer: Julian Murphy
Chief Executive Officer
Author: Julian Murphy
Chief Executive Officer
Proposed Meeting Date: 25 June 2024

PURPOSE

The purpose of this report is to consider the adoption of the policy on Mining and Exploration in the Shire of Plantagenet.

BACKGROUND

At the Special Electors Meeting held on 7 February 2024, the meeting made the following decision:

“That Council define and adopt a Policy Position regarding mining and mineral exploration to include definition of selected areas of the Shire as being of high value for development and continuance of Agricultural, Viticultural and Nature-based Tourism industries and, that within those areas, mineral exploration and mining activity will be expressly opposed by Council. Such areas to include the Shire’s three National Parks and a “Porongurup Tourism Corridor”.

Following policy was developed in consultation with the Friends of the Porongurup Range:

Draft Policy Statements – Mining and Exploration in the Shire of Plantagenet

Objective

This policy defines the Shire of Plantagenet’s position to guide advocacy with regard to mining and exploration in defined areas within the Local Government.

Policy

Mining is incompatible with all other land uses including Agricultural, Viticultural and Nature-based Tourism and may not be beneficial to the environment and the community.

Exploration and mining are inconsistent with the purposes of National Parks and other areas of high primary production, lifestyle and tourism value.

Mining and exploration activities have the potential to negatively impact directly and indirectly on other land uses and Communities in the Shire of Plantagenet

Whilst exploration has less of an impact on land, the negative impacts of exploration are cumulative and the potential for exploration activities to lead to mining also poses a risk to high value land and the environment.

The Shire of Plantagenet does not support mining and exploration activities in circumstances where proposals for mining and exploration have the potential to negatively impact on the environment, tourism, lifestyle and other land uses.

The Shire of Plantagenet specifically identifies the Porongurup, Stirling Ranges and Mount Lindesay National Parks and the Porongurup Tourism Corridor as areas of high value in which mining will be opposed by the Local Government.

The Shire of Plantagenet will advocate for and on behalf of the Plantagenet Community to ensure the best interests of the Shire of Plantagenet and its Communities, in circumstances where proposals for mining and exploration activities will negatively impact on areas of high value within its Local Government Area.

Definition:

The Porongurup Tourism Corridor is defined as that area outlined in the attached map.

Council considered this policy at the April 2024 Council Meeting where it resolved to give public notice of its intention to consider the policy and invited public submissions.

EXTERNAL CONSULTATION

Local public notice was given on 29 April 2024, inviting comment on the proposed Policy with submissions closing on 29 May 2024.

36 Submissions from the public were received during the public consultation period, all in support of the policy.

STATUTORY ENVIRONMENT

Local Government Act 1995 provides under Section 2.7. Role of council that:

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources;
and
- (b) determine the local government's policies.

The following types of mining tenements prescribed under the Mining Act 1978:

- Prospecting Licences (Sections 40 to 56)
- Special Prospecting Licences for Gold (Sections 56A, 70 and 85B)
- Exploration Licences (Sections 57 to 69E)
- Retention Licences (Sections 70A to 70M)
- Mining Leases (Sections 70O to 85A)
- General Purpose Leases (Sections 86 to 90)
- Miscellaneous Licences (Sections 91 to 94)

Mining tenements are administered by the Department of Mines, Industry Regulation and Safety (DMIRS).

POLICY IMPLICATIONS

The proposed policy on Mining and Exploration in the Shire of Plantagenet aims to define the Shire of Plantagenet's position to guide advocacy with regard to mining and exploration in defined areas within the Shire of Plantagenet.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

Any financial implications of Council lodging a formal objection to a mining tenement application or lodging any proceedings with the Wardens Court needs to be considered on a case by case basis before undertaking those proceedings.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

The Shire of Plantagenet does not administer or regulate mining tenements. The proposed policy provides clear direction on Council's advocacy role to work to ensure the best interests of the Shire of Plantagenet.

All proceedings relating to a mining tenement must be filed at any office of the Wardens Court for any of the designated districts in which the mining tenement lies. Should Council wish to lodge any formal objection to applications for mining tenements within the Shire of Plantagenet then those matters will be dealt with by the Wardens Court.

ASSET MANAGEMENT IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At Outcome 4 Performance & Leadership the following Strategies:

Strategy 4.1.1:

'A Shire that listens and considers the needs of each community.'

Strategy 4.1.3:

'A Shire that is open and transparent with its community.'

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

RISK MITIGATION IMPLICATIONS

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
<i>Reputational</i> Council reputation can be harmed by either not taking action in relation to a decision by the electors of the district or conversely adopting a policy which may appear detrimental to the mining industry	<i>Possible</i>	<i>Moderate</i>	<i>Moderate</i>	Council agrees to consider a policy on mining in sensitive areas within the Shire
Opportunity: To establish a policy that clearly defines Council's position in relation to advocacy on mining and exploration in the Shire.				

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The policy on Mining and Exploration in the Shire of Plantagenet does not bind Council into lodging any formal objection or undertaking proceedings in the Wardens Court with respect to mining tenement applications. The policy state Council's advocacy position which supports the preservation of high value land within the Shire which may be negatively affected by mining and exploration activities.

It is important to note that all 36 submissions received following the public notice period were in support of Council adopting this policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Liebeck, seconded Cr A Fraser:

That Council:

1. Notes the public submissions received on the proposed new policy following the public submission period; and
2. Adopts the following policy on Mining and Exploration in the Shire of Plantagenet:

Policy on Mining and Exploration in the Shire of Plantagenet

Objective

This policy defines the Shire of Plantagenet's position to guide advocacy with regard to mining and exploration in defined areas within the Local Government.

Policy

Mining is incompatible with all other land uses including Agricultural, Viticultural and Nature-based Tourism and may not be beneficial to the environment and the community.

Exploration and mining are inconsistent with the purposes of National Parks and other areas of high primary production, lifestyle and tourism value.

Mining and exploration activities have the potential to negatively impact directly and indirectly on other land uses and Communities in the Shire of Plantagenet

Whilst exploration has less of an impact on land, the negative impacts of exploration are cumulative and the potential for exploration activities to lead to mining also poses a risk to high value land and the environment.

The Shire of Plantagenet does not support mining and exploration activities in circumstances where proposals for mining and exploration have the potential to negatively impact on the environment, tourism, lifestyle and other land uses.

The Shire of Plantagenet specifically identifies the Porongurup, Stirling Ranges and Mount Lindesay National Parks and the Porongurup Tourism Corridor as areas of high value in which mining will be opposed by the Local Government.

The Shire of Plantagenet will advocate for and on behalf of the Plantagenet Community to ensure the best interests of the Shire of Plantagenet and its Communities, in circumstances where proposals for mining and exploration activities will negatively impact on areas of high value within its Local Government Area.

Definition:

The Porongurup Tourism Corridor is defined as that area outlined in the attached map.

CARRIED (7/0)

NO. 052/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

5.19pm Cr J Oldfield returned to the meeting.

**10.4.3 WESTERN AUSTRALIAN LOCAL GOVERNMENT CONVENTION 2024 -
COUNCILLOR ATTENDANCE**

File Ref: N63572
Attachment: Innovation Ecosystem - Program
Responsible Officer: Julian Murphy
Chief Executive Officer
Author: Nolene Wake
Executive Officer
Proposed Meeting Date: 25 June 2024

PURPOSE

The purpose of this report is to consider Councillors' attendance at the Western Australian Local Government Association (WALGA) Convention to be held Tuesday 8 October to Thursday 10 October 2024.

BACKGROUND

At the Ordinary Meeting of Council on 27 June 2023, the Council resolved:

'That:

- 1. All Councillors be approved to attend the WALGA Local Government Convention 18 to 19 September 2023, if they so wish, and that the associated costs be charged to account 2040104 (Members – Training and Development) and account 2040109 (Members Travel and Accommodation).*
- 2. The Executive Officer will liaise with all Councillors to confirm attendance and bookings for the WALGA Convention 2023.'*

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

There was no external consultation conducted for this report.

FINANCIAL IMPLICATIONS

Full delegate convention fees are noted under:

Per person – \$1295.00 / Convention Breakfast TBC / Gala Cocktails (partners) TBC.

Approximate cost estimate per delegate (Including 3 nights' accommodation but not including meals) is \$2,500.00, depending on registration numbers, event attendances and partner activity registrations.

Budget Item 2040104 (Members – Training & Development) has a current budget allocation of \$30,000.00.

Cr Clements, as a life member of WALGA, is not liable for registration fees.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

Policy No. CE/CS/1 'Elected Members Expenses to be Reimbursed' 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 Corporate Business Plan 2022-/23 – 2025/26 provides at Outcome 4.1 (Shire Governance) the following Strategy:

Strategy 4.1.2:

'A progressive Shire with diverse thinking.'

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

OFFICER COMMENT

The 2024 Convention will be held at the Convention Centre Perth on Wednesday 9 – Thursday 10 October 2023. The Theme for 2024 will be 'Innovation Ecosystem'.

Innovation Ecosystem speaks to the ability of WALGA and the sector to foster dynamic change within the fabric of WA through collaboration, promotion and daring to think big. It will evoke new ideas, heightened passion for communities and facilitate connections for ongoing skills and ideas sharing within Local Government sector.

The recommendation below is based on the Convention being the most important conference that Councillors can attend and therefore all Councillors should be encouraged to attend. All Councillors will therefore have equal opportunity to learn, rethink and bring new ideas back to the district.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr R Brown, seconded Cr B Bell:

That Council approves the attendance of all Councillors at the WALGA Local Government Convention 8 – 10 October 2024, if they so wish, and that the associated costs be charged to account 2040104 (Members – Training and Development) and account 2040109 (Members Travel and Accommodation).

CARRIED (8/0)

NO. 053/24

**For: Crs Handasyde, Fraser, Bell, Brown, Clements,
Etherington, Liebeck and Oldfield.
Against: Nil**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13 CONFIDENTIAL

Nil

14 CLOSURE OF MEETING

5.22pm The President declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____/____/____

Plantagenet Shire Council Meeting 25 June 2024

Good evening councillors and visitors

My name is Jenny Rose, and I am the current President of the Mitchell House Arts Centre, which has submitted two grant applications from the Shire, and an application to become an Endorsed Community Service Organisation.

We have been in existence for decades within the Shire of Plantagenet, although in the last few years have adopted our current name and formalised our status as a not-for-profit incorporated organisation.

You may wonder how an arts centre can be considered as a community service organisation.

In a number of ways!

- Our membership is open to all community members, regardless of age, economic or social status.
- We provide a space for social connections within the community, and an opportunity to build arts skills, explore ideas and expression of these through the arts.
- The connections made and a sense of belonging that is encouraged through open communication has been good for the mental health of our members, in a world that is increasingly isolating and fragmented. Even during COVID, Mitchell House Arts Centre continued to function within the restrictions the pandemic placed on us.
- As the current lessees of the building called Mitchell House, we seek to preserve and maintain this community asset to the best of our ability, and to do so we need the support of our landlord, the Shire of Plantagenet.
- We are now working towards formulating a strategic plan for our organisation, with the assistance and support of the Plantagenet Shire, and appreciate the respect shown to us by the Shire through this assistance.

- At present, we are gearing up for our fundraising exhibition which opens Friday 5 June, and along with that, secondary students of Mount Barker Community College will display some of their Semester 1 coursework pieces. You are all cordially invited to view these and the works of all our artists at Mitchell House.

Last year Mitchell House Arts Centre had over a thousand visitors. Art can speak to all people, whether they live in our community or whether they are visiting or passing through. Art and arts organizations perform a real service: they can change the way we see the world, cause us to reflect on the past, bring awareness of social issues, reduce isolation, foster a sense of acceptance, [inviting] us to problem-solve and grow within ourselves and our communities.¹

Thank you for the opportunity to speak in this meeting and put some faces to our organisation. Voluntary organisations consist of real people who believe in what they are about and just get on with doing what they do. You, the Plantagenet Shire Council, have the power to make an impact on our organisation, for the good! We look forward to a continuing collaboration into the future.

¹ Rob Talley, [The Power of Art: Does Art Really Change the World We Live In?](#)
Feb 22 2023 in *Art Business News*