



ORDINARY MINUTES

DATE: Tuesday, 24 May 2022

TIME: 5.00pm

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

Cameron Woods
CHIEF EXECUTIVE OFFICER

Resolution numbers: 070/22 to 088/22

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	3
3	PUBLIC QUESTION TIME.....	4
3.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
3.2	PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995	4
4	PETITIONS / DEPUTATIONS / PRESENTATIONS	4
5	DISCLOSURE OF INTEREST	4
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
6.1	APPLICANTS: CR B BELL AND CR C PAVLOVICH.....	5
7	CONFIRMATION OF MINUTES	5
7.1	ORDINARY MINUTES OF COUNCIL HELD 26 APRIL 2022	5
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	5
9	REPORTS OF COMMITTEES AND OFFICERS	6
9.1	DEVELOPMENT SERVICES REPORTS	6
9.1.1	ROCKY GULLY PROPOSED PERGOLA – BRIERLEY STREET ROAD RESERVE CORNER MUIR HIGHWAY	6
9.2	WORKS AND SERVICES REPORTS	9
9.2.1	ANNUAL BUSH FIRE MITIGATION NOTICE 2022/2023	9
9.2.2	BUSH FIRE CONTROL OFFICER POSITIONS - APPOINTMENTS FOR 2022/2023	11
9.2.3	POLICY REVIEW – RELEASE OF IMPOUNDED ANIMALS.....	17
9.3	CORPORATE SERVICES REPORTS.....	20

9.3.1	EXPRESSIONS OF INTEREST - BULK SALE OF MANURE - SALEYARDS.....	20
9.3.3	LIST OF ACCOUNTS – APRIL 2022	25
9.3.4	STRATEGIC COMMUNITY PLAN 2022/23 – 2032/33 - ADOPTION	27
9.3.5	LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE 3	31
9.3.6	POLICY REVIEW - CONCESSIONAL FEES AND CHARGES.....	35
9.4	EXECUTIVE SERVICES REPORTS	38
9.4.1	AMENDMENT TO COUNCIL MEETINGS SCHEDULE 2022	38
9.4.2	POLICY REVIEW – ATTENDANCE AT EVENTS POLICY.....	41
9.4.3	POLICY REVIEW - COMMITTEE MEETINGS AND WORKSHOPS - ATTENDANCE BY MEMBERS OF THE PUBLIC	46
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	49
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	49
12	CONFIDENTIAL	49
12.1.1	TENDER C07-2122 – LICENCE OF MOUNT BARKER REGIONAL SALEYARDS CANTEEN	49
13	CLOSURE OF MEETING	50

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.03pm The Presiding Member declared the meeting open.

The Presiding Member acknowledged the Traditional Custodians of the land, paying respects to Elders past, present and emerging.

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

Members Present:

Cr C Pavlovich	Shire President (Presiding Member)
Cr J Oldfield	Deputy Shire President
Cr B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr A Fraser	Councillor
Cr L Handasyde	Councillor
Cr M O'Dea	Councillor
Cr K Woltering	Councillor

In Attendance:

Mr Cameron Woods	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer (joined the meeting at 5.05pm)
Ms Delma Baesjou	Executive Manager Development Services
Mr David Lynch	Executive Manager Works and Services
Ms Nolene Wake	Executive Officer

Apologies:

Nil

Members of the Public Present:

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

Previously Approved Leave of Absence:

Cr L Handasyde has been granted Leave of Absence for the period 1 July 2022 to 31 July 2022 inclusive.

Disclaimer:

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

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any

such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr K Woltering

Item: 9.3.3 List of Accounts
Type: Impartiality pursuant to Schedule 1, Clause 22 of the Local Government (Model Code of Conduct) Regulations 2021.
Nature: Received payment for Mt Barker Hire for supply of skip bin.
Extent: Owner of business that supplies skip bins/toilets on occasion.
Will be staying / voting.

Cr K Clements

Item: 9.3.6 Policy Review – Concessional Fees and Charges
Type: Impartiality pursuant to Schedule 1, Clause 22 of the Local Government (Model Code of Conduct) Regulations 2021.
Nature: Possession of Seniors Health Card - Pension
Extent: Common interest with significant number of electors, ratepayers, councillors.
Will be staying / voting.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

6.1 APPLICANTS: CR B BELL AND CR C PAVLOVICH

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

That Cr B Bell be granted Leave of Absence from 29 to 31 May 2022 inclusive and Cr C Pavlovich be granted Leave of Absence from 18 July to 29 July 2022 inclusive.

CARRIED (9/0)

NO. 070/22

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 26 APRIL 2022

Moved Cr L Handasyde, seconded Cr S Etherington:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 26 April 2022 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 071/22

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President noted the passing of long-standing community member Maurice Draper, offering condolences to his wife Bev and family. Mr Draper's significant contributions to the Bushfire Brigade and Mount Barker RSL were acknowledged by the Council.

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

That the Council's condolences be extended to the family of Mr Maurice Draper.

CARRIED (9/0)

NO. 072/22

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 ROCKY GULLY PROPOSED PERGOLA – BRIERLEY STREET ROAD RESERVE CORNER MUIR HIGHWAY

File Ref: N58132
Attachment: [Sketch Plan](#)
Responsible Officer: Delma Baesjou
Executive Manager Development Services
Author: Adrian Ortega
Senior Planning Officer
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to recommend the Council's support to the Rocky Gully Community and the Rocky Gully Progress Association (RGPA) for the erection of a pergola for alfresco dining and rest stop at the 'Community Corner' within the Brierley Street Road verge adjacent to the general store at Lot 49 Muir Highway.

BACKGROUND

The Rocky Gully Community Group and the RGPA, have proposed to install a pergola structure to replace a former pergola structure/seating area. It is intended that the new structure, which will be located within the Local Road Reserve in Brierley Street but away from the Muir Highway Road Reserve, will be used for alfresco dining and rest stop.



Figure 1 – Old pergola structure (picture taken in 2010).

The estimated project cost is \$5,000.00 and it is expected that the structure will take 3 months to complete.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

External consultation was not deemed necessary as the applicant has placed the structure away from the Main Roads Reserve and area of influence.

FINANCIAL IMPLICATIONS

There are no financial implications to the Shire besides the waiving of the development application fee of \$147.00 under the CEOs delegation.

BUDGET IMPLICATIONS

There are no budget implications for this report.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

Notwithstanding the structure is to be built within the Road Reserve, given the estimated value of \$5,000.00 does not meet the Asset Capitalisation threshold, it is not proposed the structure would become a Shire Asset.

STRATEGIC IMPLICATIONS

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

Strategy 2.3.2:

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

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

STRATEGIC RISK IMPLICATION

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The proposed structure will be 3 metres wide, 9 metres long and 2.5 metres high. The applicant has stated that the structure includes patio tubing, vineyard wire and grapevines. Seating within the structure will be made from tree stumps.

Given the structure is in Council's road reserve our existing public liability policy will provide cover at no additional cover. The location is in a low-speed zone and the risk to public safety is considered minimal.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

That the proposal for a pergola, submitted by the Rocky Gully Community group and the Rocky Gully Progress Association, be supported and development approval be granted subject to:

- 1. The development being generally in accordance with the approved plans.**
- 2. The structure being located outside of the Main Roads Reserve or area under that Agency's care and control.**
- 3. No machinery is to be used within 1m of a critical infrastructure and exposure shall be by non-mechanical excavation only.**
- 4. Maintenance, repair or replacement of the structure is the responsibility of the Rocky Gully Community group and Rocky Gully Progress Association.**

CARRIED (9/0)

NO. 073/22

9.2 WORKS AND SERVICES REPORTS

9.2.1 ANNUAL BUSH FIRE MITIGATION NOTICE 2022/2023

File Ref:	N58133
Attachments:	<u>Bush Fire Mitigation Notice 2022/2023</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to endorse the Annual Bush Fire Mitigation Notice (ABFMN) 2022/2023 for the publication and distribution to owners and occupiers of land within the Shire of Plantagenet.

BACKGROUND

The Shire of Plantagenet publishes an ABFMN for distribution to all landholders which is posted with the Rates Notice. ABFMNs are also distributed to lessees of rental properties in the Shire through local real estate agents.

Consultation with Shire staff and Bush Fire Control Officers commenced in May 2022 to review the ABFMN. A draft notice incorporating amendments was presented to the Shire or Plantagenet Bush Fire Advisory Committee (BFAC) at its meeting on 10 May 2022.

Proposed minor amendments were discussed and with no further changes recommended at the meeting it was resolved that the Council implement the ABFMN 2022/2023 as presented.

STATUTORY ENVIRONMENT

Bush Fire Act 1954

Planning and Development Act 2005

Western Australian Planning Commission State Planning Policy 3.7 – Planning in Bush Fire Prone Areas 2015

Bush Fire Management and Response Plan

Bush Fire Brigades Local Law 2020

EXTERNAL CONSULTATION

The ABFMN has been reviewed by the Chief Bush Fire Controller Officer and the Bush Fire Advisory Committee (BFAC).

FINANCIAL IMPLICATIONS

Funds have been allocated in the annual budget to facilitate the printing of the ABFMN. Printing costs will be in order of \$2,400.00 (excl GST). The ABFMN will be distributed with the Annual Rates Notice.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following:

Strategy 1.9.2:

'Support the community in emergency and fire management planning, preparedness, response and recovery.'

Accordingly, the recommended outcomes for this report align with the Strategic Community Plan.

STRATEGIC RISK IMPLICATIONS

The Shire's Strategic Risk Register provides a risk for Business and Community Disruption – Community fire and emergency education.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

Some minor cosmetic details and amendments to the ABFMN were suggested and implemented at the Shire of Plantagenet BFAC meeting on 10 May 2022.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr K Woltering:

That the Shire of Plantagenet's Annual Bush Fire Mitigation Notice 2022/2023 (as attached) be endorsed.

CARRIED (9/0)

NO. 074/22

9.2.2 BUSH FIRE CONTROL OFFICER POSITIONS - APPOINTMENTS FOR 2022/2023

File Ref: N58143
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Mike Barnes
Community Emergency Services Manager
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to recommend the appointment of the Shire of Plantagenet Bush Fire Control Officers, Executive Bush Fire roles and Fire Advisory Committee delegates and proxies for 2022/2023.

BACKGROUND

The Shire of Plantagenet appoints delegates to a number of positions on an annual basis in accordance with the Bush Fires Act 1954 and the Shire of Plantagenet Bush Fire Management and Response Plan.

At its meeting held on 10 May 2022, the Shire of Plantagenet Bush Fire Advisory Committee (BFAC) endorsed the nominations for the appointment of the Fire Control Officers (FCO) and designated Bush Fire Service positions for the Shire of Plantagenet for 2022/2023.

STATUTORY ENVIRONMENT

Bush Fires Act 1954, Section 38 states that 'Local government may appoint bush fire control officer'

Shire of Plantagenet Bush Fire Brigades Local Law 2020

The role of the Base Radio Operator is defined in the Shire of Plantagenet Bush Fire Management Plan.

EXTERNAL CONSULTATION

The BFAC has made the recommendations detailed in this report.

FINANCIAL IMPLICATIONS

Funds have been allocated in the annual budget to facilitate the publication of the approved Fire Control Officers (FCO) and the printing of the FCO Identity cards. Printing costs will be in the order of \$100.00. The FCO identity cards will be distributed to the FCO's with an appointment letter.

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

The appointment of the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers, Fire Weather Officers, Deputy Fire Weather Officers, Base Radio Operator, Deputy Base Radio Officers, Bush Fire Control Officers and the BFAC delegates and proxies shall be published at least once in a newspaper circulating in the Plantagenet district.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 1.9.2:

'Support the community in emergency and fire management planning, preparedness, response and recovery'.

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

STRATEGIC RISK IMPLICATIONS

The Shire's Strategic Risk Register lists fire as a potential risk for Business and Community Disruption. The preventative key control to reduce this risk lists support and co-ordination of BFB activities.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

It is recommended that the nominations for the Bush Fire Control Officers, designated positions, delegates and proxies of the Bush Fire Advisory Committee for the Shire of Plantagenet for 2022/2023 be appointed.

VOTING REQUIREMENTS

Simple Majority

BUSH FIRE ADVISORY COMMITTEE RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr K Woltering:

That:

- 1. All previous appointments for the positions of Bush Fire Control Officers, designated Bush Fire Service positions and Bush Fire Advisory Committee members for the Shire of Plantagenet be cancelled on 30 June 2022.**
- 2. The below be appointed as Bush Fire Control Officers, designated Bush Fire Service positions and Bush Fire Advisory Committee members within the designated Bush Fire Brigade areas for 2022/2023, taking effect from 1 July 2022:**

1.

SHIRE OF PLANTAGENET BUSH FIRE BRIGADE	BUSH FIRE CONTROL OFFICER NOMINEE
DENBARKER	
Fire Control Officer No. 1	Tony Griffiths
Fire Control Officer No. 2	Brad Lynch
Fire Control Officer No. 3	Warren Drage
Fire Control Officer No. 4	Neville Lindberg
Fire Control Officer No. 5	John Rodgers
FOREST HILL	
Fire Control Officer No. 1	Craig Moore
Fire Control Officer No. 2	Len Handasyde
Fire Control Officer No. 3	Murray McLean
KENDENUP	
Fire Control Officer No. 1	Heather Wearmouth
Fire Control Officer No. 2	Stephen Beech
Fire Control Officer No. 3	Ken Frost
Fire Control Officer No. 4	Philip Webb
Fire Control Officer No. 5	Robert Baines
MIDDLE WARD	
Fire Control Officer No. 1	Paul Spinks
Fire Control Officer No. 2	Kim Stothard
Fire Control Officer No. 3	Ian Mackie
Fire Control Officer No. 4	Greg Sounness
Fire Control Officer No. 5	Andrew Mackie
NARPYN	
Fire Control Officer No. 1	Robert Wright
Fire Control Officer No. 2	Michael Cave
Fire Control Officer No. 3	Mark Wallace
Fire Control Officer No. 4	Owen Sounness
NARRIKUP	
Fire Control Officer No. 1	Chris Norton
Fire Control Officer No. 2	Glen Forbes
Fire Control Officer No. 3	Graeme Frusher
Fire Control Officer No. 4	Warren Forbes

PERILLUP	
Fire Control Officer No. 1	Dean Trotter
Fire Control Officer No. 2	Thomas Riggall
Fire Control Officer No. 3	Robin Ditchburn
Fire Control Officer No. 4	Kieran Allison
PORONGURUP	
Fire Control Officer No. 1	Brad Cluett
Fire Control Officer No. 2	Gerald Versluis
Fire Control Officer No. 3	Daniel Cobain
Fire Control Officer No. 4	Warren Thomas
PORONGURUP SOUTH	
Fire Control Officer No. 1	Wayne Mathews
Fire Control Officer No. 2	Allan Rees
Fire Control Officer No. 3	Richard Stan-Bishop
Fire Control Officer No. 4	Greg Dorrell
Fire Control Officer No. 5	Jamie Stan-Bishop
ROCKY GULLY	
Fire Control Officer No. 1	Murray Wills
Fire Control Officer No. 2	Ian Higgins
Fire Control Officer No. 3	Hamish Cameron
WOOGENELLUP	
Fire Control Officer No. 1	Nathan Hunt
Fire Control Officer No. 2	Bryce Skinner
Fire Control Officer No. 3	Stephen Adams
Fire Control Officer No. 4	Mark Adams
Fire Control Officer No. 5	Kyle Pieper
SOUTH STIRLINGS	
Dual Fire Control Officer No. 1	Graeme Pyle
Dual Fire Control Officer No. 2	Reece Curwen
Dual Fire Control Officer No. 3	John Howard
KOJANEERUP	
Dual Fire Control Officer No. 1	Ashton Hood
Dual Fire Control Officer No. 2	Scott Smith
SHIRE OF PLANTAGENET	
Fire Control Officer No. 1	David Lynch
Fire Control Officer No. 2	Mike Barnes
Fire Control Officer No. 3	Jason Rutter

MOUNT BARKER FIRE AND RESCUE	
Fire Control Officer No. 1	Andrew Buchanan
Fire Control Officer No. 2	Jamie Rutter

2. The following be appointed as Designated Bush Fire Service Positions for 2022/2023, taking effect 1 July 2022.

POSITION	NOMINEE
Chief Bush Fire Control Officer	Norm Handasyde
Deputy Chief Bush Fire Control Officer No. 1 West	Iain Mackie
Deputy Chief Bush Fire Control Officer No. 2 East	Bryce Skinner
Chief Fire Weather Officer	Len Handasyde
Deputy Chief Fire Weather Officer	Greg Sounness
Base Radio Operator	Mietta Skinner
Deputy Base Operator	Ron Caudwell
	Jacqui Burcham
	Becky Barnes

3. The following be appointed as Fire Weather Officers for 2022/2023 taking effect from 1 July 2022.

SHIRE OF PLANTAGENET BUSH FIRE BRIGADE	FIRE WEATHER OFFICER NOMINEE
Denbarker	Norm Handasyde
Forest Hill	Brad McLean
Kendenup	Brent Wearmouth
Kojaneerup	Vacant
Middle Ward	Greg Sounness
Narpyn	Mark Wallace
Narrikup	Chris Norton
Perillup	Kieran Allison
Porongurup	Warren Thomas
Porongurup South	Vacant
Rocky Gully	Murray Wills
South Stirlings	Brent Counsel
Woogenellup	Nathan Hunt
Volunteer Fire & Rescue	Vacant
Shire of Plantagenet 1	David Lynch
Shire of Plantagenet 2	Mike Barnes
Shire of Plantagenet 3	Jason Rutter

4. The following be appointed as Bush Fire Advisory Committee Delegates and Proxies for 2022/2023 taking effect from 1 July 2022.

BRIGADE	DELEGATE	DEPUTY
CBFCO	Norm Handasyde	
DCBFCO 1 – West		Iain Mackie
DCBFCO 2 – East		Bryce Skinner
Denbarker	Tony Griffiths	Brad Lynch
Forest Hill	Craig Moore	Kieran Wilkinson
Kendenup	Heather Wearmouth	Vacant
Kojaneerup	Vacant	Vacant
Middle Ward	Paul Spink	Greg Sounness
Narpyn	Robert Wright	Craig Williams
Narrikup	Chris Norton	Glen Forbes
Perillup	Dean Trotter	Michael Workman
Porongurup	Gerald Versluis	Scott Clements
South Porongurup	Wayne Matthews	Allan Rees
Rocky Gully	Murray Wills	Hamish Cameron
South Stirlings	Graeme Pyle	Reece Curwen
Woogenellup	Nathan Hunt	Stephen Adams
Mt Barker VFRS	Ray Drage	Trevor West
Shire of Plantagenet	David Lynch	
Shire of Plantagenet	Mike Barnes	
Shire of Plantagenet	Jason Rutter	

be endorsed.

CARRIED (9/0)

NO. 075/22

9.2.3 POLICY REVIEW – RELEASE OF IMPOUNDED ANIMALS

File Ref: N58129
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Amy Chadbourne
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to review Council Policy RS/AC/1 Release of Impounded Animals

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 19 May 2020.

STATUTORY ENVIRONMENT

Dog Act 1976, Part VI – ‘Control of dogs’

Cat Act 2011, Part 3 – ‘Management of cats’

Local Government (Miscellaneous Provisions) Act 1960, Part XX – ‘Cattle trespass, pounds, poundkeepers and rangers’

EXTERNAL CONSULTATION

No external consultation has occurred in relation to this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

Councillors should note that impounding fees for cats and dogs are set in the annual Schedule of Fees and Charges.

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 2017-2026 provides at Outcome 1.9 (A safe Plantagenet) the following:

Strategy 1.9.1:

'Provide animal control in accordance with legislative 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

The policy is relevant and works well. No changes have been made to this document.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council Policy RS/AC/1 Release of Impounded Animals as follows:

OBJECTIVE

To provide clear guidelines to pet/livestock owners about conditions that must be met prior to the release of impounded animals into their care.

POLICY**1. Scope**

This policy applies to impounded livestock, dogs and cats.

2. Legislation

Dog Act 1976, Part VI – 'Control of dogs'

Cat Act 2011, Part 3 – 'Management of cats'

Local Government (Miscellaneous Provisions) Act 1960, Part XX – 'Cattle trespass, pounds, poundkeepers and rangers'

3. Application of Policy

3.1 Cats or dogs impounded under the Dog Act 1976 and Cat Act 2011 are only to be released into the custody of their owner/s if the animal/s is/are microchipped, sterilised (cats over six months of age) and registered.

3.2 Livestock impounded under the Local Government (Miscellaneous Provisions) Act 1960 Part XX will be subject to impoundment and sustenance fees as set under the Council's adopted Schedule of Fees and Charges.

3.3 Impoundment, sustenance fees and charges and fines levied under the appropriate acts are to be paid prior to the release of any animal. Sustenance fees will accumulate on a daily basis until the day of release.'

be endorsed.

CARRIED (9/0)

NO. 076/22

9.3 CORPORATE SERVICES REPORTS

9.3.1 EXPRESSIONS OF INTEREST - BULK SALE OF MANURE - SALEYARDS

File Ref:	N58156
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to present the outcome of expressions of interest for bulk sale of manure from the saleyards.

BACKGROUND

The Shire has in the past been able to sell excess manure to Albany based soil conditioning firms. The level of interest had dropped off in recent years as similar product can be procured by them at a lower cost.

At its meeting held on 23 March 2021, the Council resolved that the following expressions of interest for bulk disposal of manure from the Mount Barker Regional Saleyards, for the period from acceptance until 30 June 2022, be accepted:

1. Nial Twigger \$5.00 per m³ (incl GST);
2. Geoff Mather \$2.00 per m³ (incl GST).

As that tender period is due to expire soon, expressions of interest were called for a further two-year period.

STATUTORY ENVIRONMENT

Local Government Act 1995

The Council's annual schedule of fees and charges includes provision for sale of small quantities of manure.

FINANCIAL IMPLICATIONS

The ability to bulk sell manure should result in a substantial increase in income.

BUDGET IMPLICATIONS

The Council's 2021/2022 annual budget provides for income of \$11,220.00 from 'Saleyards – Other Income', which includes a nominal sum for the sale of manure. Currently, income from manure stands at \$227.00.

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

N/A

ASSET MANAGEMENT IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS

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

Strategy 3.5.5:

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

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

OFFICER COMMENT

The fee in the budget for sale of manure at the saleyards has been established based on a fair value for small quantities, mainly for household use. It is not necessarily appropriate for larger quantities supplied to soil conditioning firms or other potential users, particularly when there is a benefit to the Shire in such persons removing the manure at the Shire's request.

Advertising of the expressions of interest has now been carried out and closed on 12 May 2022. General conditions of the expression of interest were as follows:

- The actual amount taken on each occasion will be agreed between the purchaser and Saleyards Manager.
- The prospective purchaser will be under no obligation to take manure when offered, but if manure is taken it will be at the cost made in this offer.
- The period of validity of the offer is for the period from 1 July 2022 to 30 June 2024.
- The highest or any offer will not necessarily be accepted. Multiple offers may be accepted.

One submission was received from Samuel Drugas for \$12.00 per m³ (incl GST).

Mr Drugas indicated that he has the equipment required to remove the manure but would require assistance with loading. There was no other conditions or requirements.

There is a benefit to the Shire in having people available to take manure at the Shire's request as there is only a relatively small concrete bunker and pad available for storage of manure, as required by the Department of Water and Environment Regulation licence over the facility.

It is considered that the expression of interest from Mr Drugas represents good value and may be accepted.

VOTING REQUIREMENTS

Simple Majority

**SALEYARDS ADVISORY COMMITTEE RECOMMENDATION/COUNCIL
DECISION**

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the expression of interest for bulk disposal of manure from the Mount Barker Regional Saleyards, from Samuel Drugas for \$12.00 per m³ (incl GST) for the 1 July 2022 to 30 June 2024, be accepted.

CARRIED (9/0)

NO. 077/22

9.3.2 FINANCIAL STATEMENTS – APRIL 2022

File Ref:	N58045
Attachment:	<u>Financial Statements</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 30 April 2022.

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.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr K Woltering, seconded Cr L Handasyde:

That the Financial Statements for the period ending 30 April 2022 be received.

CARRIED (9/0)

NO. 078/22

9.3.3 LIST OF ACCOUNTS – APRIL 2022

File Ref:	N58130
Attachment:	<u>List of Accounts</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Senior Finance Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of April 2022.

STATUTORY ENVIRONMENT

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

The Chief Executive Officer has delegated authority to authorise payments (25 May 2021). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Woltering:

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 April 2022 be received and recorded in the minutes of the Council, the summary of which is as follows:

- 1. Electronic Payments and Direct Debits totalling \$1,724,760.85; and**
- 2. Municipal Cheques 47225 to 47227 totalling \$25,706.00.**

CARRIED (9/0)

NO. 079/22

9.3.4 STRATEGIC COMMUNITY PLAN 2022/23 – 2032/33 - ADOPTION

File Ref:	N58120
Attachments:	<u>Strategic Community Plan 2022/2023– 2032/33</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to recommend to the Council the adoption of a new Strategic Community Plan for the Shire of Plantagenet for the period 2022/23 – 2032/33.

BACKGROUND

At its meeting held on 5 December 2017, the Council adopted the Shire of Plantagenet Strategic Community Plan for the period 2017 – 2026.

There is a statutory requirement for local governments to review their strategic community plan at least once every 4 years. A series of community engagement sessions and online survey were conducted in September and October 2021 to start the review process, with assistance from an experienced consultant.

A councillor workshop was held on 23 November 2021 to seek guidance on the priority items, from which a draft Strategic Community Plan would be formulated. There was a focus on emerging strategic themes derived from the community's priority issues. A further councillor workshop was held on 22 March 2022 to review the draft plan.

Minor changes were made subsequent to an invitation only community workshop held on 5 April 2022 to review the new Strategic Community Plan with participants from the community engagement exercises.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.56 of the Act states:

- '(1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.'*

Local Government (Administration) Regulations 1996

Section 19C of the Regulations state:

- '(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
- (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.’*

EXTERNAL CONSULTATION

The following consultation activities were conducted as part of the development of a new Strategic Community Plan.

Engagement Activity	Date	Venue	Attendees
Rocky Gully Information Session	09/09/2021	Rocky Gully General Store	6
Kendenup Community Forum	14/09/2021	Kendenup Town Hall	34
Mt Barker Community Forum	28/09/2021	Mt Barker Town Hall	22
Narrikup Community Forum	05/10/2021	Narrikup Town Hall	13
Porongurup Community Forum	07/10/2021	Porongurup Town Hall	39
Business After Hours Forum	21/09/2021	Mt Barker CRC	14
Mt Barker Tourism Board Forum	11/10/2021	Mt Barker Visitor Centre	9
Community Survey		On-line & Hard Copy	158
SCP Review session	5 April 2022	Mt Barker Shire Office	8
Total Reach			305

FINANCIAL IMPLICATIONS

A budget of \$30,000.00 was allocated and a total of \$16,287.00 has been spent on the strategic community plan review.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2012–2022 provides at Outcome 4.4 (Effective integrated planning and reporting processes) the following Strategy:

Strategy 4.4.1:

'Develop, implement and maintain a Strategic Community Plan and Corporate Business Plan.'

Further, the Council's Corporate Business Plan 2016/2017 – 2020/2021 includes Action 4.4.1.1:

'Comply with legislation for Plan for the Future.'

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

OFFICER COMMENT

This updated Strategic Community Plan continues to recognise the role of the community in determining its own future and will remain the key strategic document for guiding the Council's business planning, annual budgets and service delivery.

For this review, as in past years, a community survey was undertaken and this was augmented with a number of community engagement sessions or activities in each town. Emerging strategic themes were:

- The peaceful lifestyle, location close to the south coast and Stirling ranges, community spirit, safety and security, caring and supportive neighbours and community facilities, were recurring reasons that people value living in the Shire.
- Importance of road and footpath construction and maintenance.
- Importance of community safety, bushfire prevention and control.
- Access to a high standard of primary and allied health services and the potential to improve the feeling of health and wellbeing within the community.
- Retention of a 'country lifestyle' with accessible and high standard community, education and recreation facilities and services.
- Importance of preserving and protecting biodiversity and the value this brings to the lifestyle across communities.
- Remaining an inclusive and supportive community for all ages and abilities.
- Providing facilities and services for the youngest and eldest generations of our community.
- A strong partnership between the shire, business, and tourism.

- Importance of the Council and Shire connecting with our community using innovative communication techniques and tools, and being accessible outside of Mt Barker.
- Importance of volunteerism and how this may be impacted as our community ages and changes.

The new Strategic Community Plan incorporates the following main elements:

- The engagement activities undertaken.
- Summaries of the key discussion at Town Hall Meetings.
- A comparison of the weighted average of 2021 CSP survey results to the 2019 Community Scorecard.
- Our infrastructure, facilities and services.
- Community goals and aspirations grouped into the key pillars of Community, Environment, Economy and Performance, with information on things we're already doing and things we're planning to do. This section also incorporates strategic priorities that will flow into a Corporate Business Plan document.
- The Book of Ideas section lists items that were raised by the community during the community consultation phase of this plan. They will be considered by the Council in its future planning sessions.

This Plan identifies our community's aspirations and describes how the Shire can work towards achieving these. Many of the directions and approaches within the Plan apply to core business areas of the Shire, while larger projects and initiatives continue to be assessed and implemented on a progressive basis, subject to external funding.

An invitation only community workshop was held on 5 April 2022 to review the new Strategic Community Plan with participants from the community engagement exercises. Only minor changes were made to the document as the community was happy that it fairly reflected the engagement outcomes.

Following the completion of a community scorecard survey in June 2022, a revised Corporate Business Plan will be developed and presented for approval in July as part of the budget adoption process.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr A Fraser:

That the Draft Shire of Plantagenet Strategic Community Plan for the period 2022/23 – 2032/33, as attached, be adopted.

CARRIED (9/0)

NO. 080/22

Absolute Majority

**9.3.5 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM
PHASE 3**

File Ref: N58123
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to seek endorsement of priority projects for funding under the Local Roads and Community Infrastructure Program (LRCIP) – Phase 3 and extension.

BACKGROUND

In correspondence received 19 May 2021, the Hon Michael McCormack MP informed the Council of the Shire's eligibility to apply for \$1,206,028.00 under phase 3 of the LRCIP. The Council has also recently been advised that it may claim an additional \$603,014.00 under an extension to that program.

Construction activity on Phase 3 eligible projects must be undertaken between 1 January 2022 and 30 June 2023.

The Shire needs to apply for the full amount of its Phase 3 funding allocation in a Work Schedule by 30 June 2022 or we risk losing the funding. The policy and timelines surrounding the Phase 3 Extension are still being developed.

STATUTORY ENVIRONMENT

The project proposals are required to be compliant with all relevant laws and regulations.

EXTERNAL CONSULTATION

This has been no external consultation for this report.

FINANCIAL IMPLICATIONS

This grant will result in additional capital expenditure, to be fully funded by the LRCIP grant, albeit with a likely delay in recoups.

BUDGET IMPLICATIONS

This report will add projects to the 2023/2024 budget.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

Applying for this funding will entail entering into a grant agreement with the Commonwealth. This will be a standard form Commonwealth grant agreement. Funds will not be payable until the signed agreement is executed.

STRATEGIC IMPLICATIONS

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

Outcome 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.5:

'Improve the amenity of community spaces and Shire facilities to promote participation and wellbeing';

Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) provides the following Strategy:

Strategy 1.5.5:

'Improve and promote Recreation Centre services and programs to encourage increased patronage'

and Strategy 1.5.6:

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

Outcome 2.4 (Safe and reliable transport infrastructure) provides the following

Strategy 2.4.1:

'Maintain and further develop Shire roads, drainage and pathways at appropriate standards and continue to seek to maximise grant funding to support this aim'

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

Strategy 3.4.2:

'Provide infrastructure and services to support tourism'.

Outcome 4.1 (Effective governance and leadership) provides 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.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

As stated above, the original allocation was \$1,206,028.00. There is also now an additional \$603,014.00 to be provided under the LRCIP3 extension, making a total of \$1,809,042.00.

At recent quarterly workshops dealing with strategic priorities, the following projects have been raised which would be appropriate for funding under LRCIP and may be completed within the timeframe.

Project	Comment	LRCIP Value
Rec Centre Change Facility	Total cost \$110,000, shared with Department of Education	\$60,000
Mount Barker Pathway renewal	Renew priority pathways in Mount Barker. Endorsed by the Council in December 2021	\$156,000
Road drainage improvements	Upgrades to critical drainage infrastructure to mitigate future flood events	\$135,000
Audio Discussion and Amplification	Council chambers audio system	\$23,000
Lighting of public open space and Council Assets	Include war memorial and trees, heritage building assets and new signage	\$50,000
Swimming Pool preparatory projects	Mead Street reconstruction, retaining wall and demolish / remove some buildings to facilitate phase 1B and associated works	\$400,000
Lowood Road	Reconstruction of Lowood Road North from SLK 0.04 – 0.53	\$234,500
Interpretive signage - Mount Barker Hill	Boardwalk and walking trail signage plus directional road signage	\$20,000
Stage 1A O'Neill Road Trail	7.3km unconstructed road reserve section from Location 5710 to Woodlands Road	\$35,100
Other projects	To be identified	\$695,442
Total		\$1,809,042

At a councillor budget workshop held on 3 May 2022, the above projects were informally endorsed, with a request for further development and agreement on specific road construction projects. A workshop will be held prior to the Council meeting on 24 May 2022 to finalise the list.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Bell:

That the following list of project priorities for the Local Roads and Community Infrastructure Program (LRCIP) – Phase 3 and extension, be approved:

Project	Comment	LRCIP Value
Rec Centre Change Facility	Total cost \$110,000, shared with Department of Education	\$60,000
Mount Barker Pathway renewal	Renew priority pathways in Mount Barker. Endorsed by the Council in December 2021	\$156,000
Road drainage improvements	Upgrades to critical drainage infrastructure to mitigate future flood events	\$135,000
Audio Discussion and Amplification	Council chambers audio system	\$23,000
Lighting of public open space and Council Assets	Include war memorial and trees, heritage building assets and new signage	\$50,000
Swimming Pool preparatory projects	Mead Street reconstruction, retaining wall and demolish / remove some buildings to facilitate phase 1B and associated works	\$400,000
Lowood Road	Reconstruction of Lowood Road North from SLK 0.04 – 0.53	\$234,500
Interpretive signage - Mount Barker Hill	Boardwalk and walking trail signage plus directional road signage	\$20,000
Stage 1A O'Neill Road Trail	7.3km unconstructed road reserve section from Location 5710 to Woodlands Road	\$35,100
Quangellup Road	Seal SLK 4.78 – 8.24	\$280,000
Woodlands Road	Upgrade drainage and road surface – SLK 5.72 – 9.38	\$115,442
Nindiup Road and part of Ferry Road	Seal	\$300,000
Total		\$1,809,042

CARRIED (9/0)

NO. 081/22

9.3.6 POLICY REVIEW - CONCESSIONAL FEES AND CHARGES

File Ref:	N58047
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 May 2022

PURPOSE

The purpose of this report is to review Council Policy F/FC/1 – Concessional Fees and Charges.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 19 May 2020.

STATUTORY ENVIRONMENT

Rates and Charges (Rebates and Deferments) Act 1992

Dog Act 1976

Cat Act 2011

There are no direct statutory implications for this report. However, it should be noted that some statutory charges are subject to a change over which the Council has no control. These include eligibility for concessions for such matters as land rates, dog licensing and cat licensing.

The Rates and Charges (Rebates and Deferments) Act 1992 requires the following cards in order for a rebate to apply on Shire property rates:

- Pensioner Concession Card (50% of rates);
- Commonwealth Seniors Health Card and Western Australian Seniors Card (50% of rates); or
- Western Australian Seniors Card (25% of rates).

No other cards enable a rebate on property rates.

FINANCIAL IMPLICATIONS

There are some financial implications for this report, depending on the extent to which concessional benefits apply.

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 2017-2026 provides at Outcome 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.6: *'Aim to reduce barriers to participation and encourage all sectors of our community to participate in community and civic life.'*

At Outcome 1.5 (Recreation, sporting and leisure facilities that support the wellbeing of the community) the following Strategy:

Strategy 1.5.5: *'Improve and promote Recreation Centre services and programs to encourage increased patronage.'*

And at Outcome 1.6 (Quality of life for the aged) the following strategies:

Strategy 1.6.1: *'Advocate the provision and promotion of services, home care and facilities that meet the needs of the aged.'*

Strategy 1.6.3: *'Support the provision of recreation and active ageing activities for seniors.'*

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

Further, the Shire of Plantagenet Corporate Business Plan 2019/20 – 2022/23 provides the following Actions:

Action 1.3.6.1: *'Develop an understanding of the barriers to people accessing services.'*

Action 1.6.3.1: *'Support the provision of active ageing and social activities for all seniors.'*

STRATEGIC RISK IMPLICATIONS

There are no risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

When the Shire adopted this policy, the main issue was that from a community health point of view, it is a strategic aim of the Shire to increase patronage at its Recreation Centre and Swimming Pool. It was considered that the Council should provide a discount to people who might not otherwise be able to afford to make use of such facilities, while people who can afford full price should pay the full price.

The fees and charges schedule includes fees for students and young people and therefore concessional entry fees do not apply for people in those categories. It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council Policy F/FC/1 – Concessional Fees and Charges, as follows:

OBJECTIVE:

To provide guidance in regard to the eligibility for concessional fees to Shire facilities and services where they apply in the Council's Schedule of Fees and Charges.

POLICY:

The Council's position is that eligibility for concessional fees will include people who have a Pensioner Concession Card or any Health Care Card.'

be endorsed.

CARRIED (9/0)

NO. 082/22

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 AMENDMENT TO COUNCIL MEETINGS SCHEDULE 2022

File Ref:	N58121
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Cameron Woods Chief Executive Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to request the Council consider amending the July 2022 scheduled Ordinary Council Meeting (OCM) to ensure a quorum is available.

BACKGROUND

At the OCM meeting held 26 October 2021 it was resolved (Res. No. 205/21):

That:

1. *The ordinary meetings of the Council for January to December 2022 inclusive be held on the fourth Tuesday of each month as follows:*

- a) *Tuesday 25 January 2022*
- b) *Tuesday 22 February 2022*
- c) *Tuesday 22 March 2022*
- d) *Tuesday 26 April 2022*
- e) *Tuesday 24 May 2022*
- f) *Tuesday 28 June 2022*
- g) *Tuesday 26 July 2022*
- h) *Tuesday 23 August 2022*
- i) *Tuesday 27 September 2022*
- j) *Tuesday 25 October 2022*
- k) *Tuesday 22 November 2022*
- l) *Tuesday 20 December 2022*

2. *All ordinary meetings of the Council shall commence at 5.00 pm 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 July OCM meeting from Tuesday July 26th to Tuesday August 2nd.

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 annual budget is considered for adoption each year at the July Ordinary Council meeting (OCM). Any risk of not being able to fully debate the budget document or endorse the final document due of a lack of elected members being present should be addressed.

At the April Council meeting, a leave of absence was approved for an elected member for the month of July. The CEO is now in receipt of another request for a leave of absence for a period in late July. This will reduce the elected members present to seven of the nine Councillors for the July OCM.

In addition, the endorsement of the annual Community Grants program is part of the annual budget adoption process. A number of elected members occupy positions on

community organisations that have applied for grant assistance from this grant scheme. On this basis, elected members will be required to declare an interest which may further reduce participation in the debate and voting on the adoption of the annual community grants program.

To ensure that an absolute majority is present for the debate and adoption of the annual budget, it is recommended that the 26 July Council meeting be rescheduled for the following Tuesday, 2 August 2022, when two councillors will return from a leave of absence.

The scheduled OCM on 23 August 2022 will still be retained.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Oldfield:

That:

- 1. The ordinary meeting of the Council scheduled for 26 July 2022 at 5.00pm be held on Tuesday 2 August 2022 at 5.00pm; and**
- 2. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**

CARRIED (8/1)

NO. 083/22

Cr S Etherington voted against the motion

9.4.2 POLICY REVIEW – ATTENDANCE AT EVENTS POLICY

File Ref: N58095
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: Nolene Wake
Executive Officer
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to review policy CE/CS/8 Attendance at Events Policy.

BACKGROUND

Section 5.90A of the Local Government Act 1995 provides that a local government must prepare and adopt an Attendance at Events policy.

Under Section 5.90A Policy for attendance at events:

*'(1) In this section — **event** includes the following*

- a) a concert;*
- b) a conference;*
- c) a function;*
- d) a sporting event;*
- e) an occasion of a kind prescribed for the purposes of this definition.*

(2) A local government must prepare and adopt a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*

- a) the provision of tickets to events; and*
- b) payments in respect of attendance; and*
- c) approval of attendance by the local government and criteria for approval; and*
- d) any prescribed matter.*

(3) A local government may amend the policy.*

** Absolute majority required.*

(4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(5) The CEO must publish an up-to-date version of the policy on the local government's official website.'

This policy was adopted in March 2020 in accordance with these provisions.

STATUTORY ENVIRONMENT

Local Government Act 1995

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

N/A

POLICY IMPLICATIONS

The following related policy will apply:

- Elected Member Expenses to be Reimbursed CE/CS/1

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.'

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

The Shire's Strategic Risk Register incorporates Risk No. 7.1.1 (Failure to comply with legal obligations) and Risk No. 9.1.1 (Adverse Publicity or Lowering Community Support). The development and implementation of this policy goes some way to mitigating the risk of breaching the new Local Government Act requirements and any adverse publicity that could result from that.

OFFICER COMMENT

This policy was developed and adopted on 24 March 2020, in accordance with s5.90A of the Local Government Act 1995, that a local government must prepare and adopt an Attendance at Events policy.

The Attendance at Events policy is to enable Council members to attend events as a representative of Council without restricting their ability to participate in Council meetings. The policy is designed to provide transparency around Councillor and CEO attendance at events.

The recommendation in this report is to endorse the policy without change.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council policy CE/CS/8 – Attendance at Events as follows:

OBJECTIVE

This policy addresses Council members and CEO (or delegated staff) attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. This Policy also sets out the Shire's position with respect to the attendance of Councillors and the CEO at events in accordance with Section 5.90A of the Act.

The purpose of the policy is to provide transparency about attendance at events of Council members and the CEO.

POLICY

1. Under Section 5.90A of the Local Government Act 1995, the definition of an event includes the following:
 - a) a concert
 - b) a conference
 - c) a function
 - d) a sporting event
 - e) an occasion of a kind prescribed for the purposes of this definition.
2. The attraction, development and approval of events will be in accordance with the following objectives:
 - a) Generation of direct and indirect economic benefits to the community.
 - b) Generation of social benefit, vibrancy and promotion of cultural diversity and inclusion.
 - c) Creation of a calendar of events which brings visitors to the region year round and provides broad activation across the area.
 - d) Positive promotion of the Shire of Plantagenet and the Great Southern region of WA.
3. The Council makes an allocation of funds each year which is distributed to incorporated clubs and community organisations under the Community Grants Program. Approval of applications for grants are prioritised based on what the Council believes will provide the greatest overall benefit to the quality of life of the residents of the Shire of Plantagenet.
4. Event sponsorship can be provided as cash or in-kind contributions, with sponsorship agreements entered into with event organisers on either a single or multi-year basis.

-
5. Invitations/tickets to events may be provided to the Shire by event organisers. Where attendance at these events is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.
 6. In addition to invitations/tickets provided by event organisers, the CEO, in consultation with the Shire President, may purchase tickets for the purposes of Council representation at an event.
 7. In determining approval for attendance at an event, the Council will consider:
 - a) Who is providing the invitation or ticket to the event
 - b) The location of the event
 - c) Whether the event is sponsored by the Shire of Plantagenet
 - d) The relevance of the event to the Council's adopted policy objectives under paragraph 3.2
 - e) The role of the Council member or CEO when attending the event (participant, presenter, observer) and the value of their contribution
 - f) The cost to attend the event and/or the public value of attendance if the ticket is being provided at no cost to the Shire.
 - g) The number of invitations/tickets received
 - h) The benefits or importance of Council and/or CEO representation at the event.
 8. It is considered appropriate for a Councillor or CEO's partner to accompany them to an event held outside of normal business hours. While the Shire will not generally pay for such attendance, invitations/tickets received by the Council may be provided for this purpose where they are available.
 9. The Shire President can delegate any approved attendance to an event to the Deputy Shire President, another Council member or staff member.
 10. An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the Local Government (Administration) Regulation 20A will apply.
 11. This policy does not apply where a Councillor or the CEO attends an event at their own cost and in a personal capacity.
 12. Any gift received over \$300 is specifically excluded from the conflict of interest provisions if:
 - a) The gift relates to attendance at an event where attendance has been approved by the Council in accordance with the Council endorsed Attendance at Event policy.
 - b) The gift is from specified entities.
-

13. Excluded gifts are still a gift that must be disclosed and published on the Gifts Register if over the value of \$300.00 and received in the capacity of Council member or CEO.'

be endorsed.

CARRIED (9/0)

NO. 084/22

Absolute Majority

**9.4.3 POLICY REVIEW - COMMITTEE MEETINGS AND WORKSHOPS -
ATTENDANCE BY MEMBERS OF THE PUBLIC**

File Ref:	N58094
Attachment:	<u>Policy Amendment with tracked changes</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	24 May 2022

PURPOSE

The purpose of this report is to review Policy No. CE/CS/3 – Committee Meetings and Workshops – Attendance by Members of the Public.

BACKGROUND

This policy was last reviewed on 24 March 2020.

STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 5.23 (1) states:

'the following are to be open to members of the public:

- (a) all council meetings;*
- (b) all meetings of any committee to which a local government power or duty has been delegated.'*

Further, Section 5.23 (2) states:

'If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following –

- (a) a matter affecting an employee or employees;*
- (b) the personal affairs of any person;*
- (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;*
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- (e) a matter that if disclosed, would reveal –*
 - (i) a trade secret;*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*
Where the trade secret or information is held by, or is about, a person other than the local government.
- (f) a matter that if disclosed, could be reasonably expected to –*
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) endanger the security of the local government's property; or*

- (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
- (g) *information which is the subject of a direction given under section 23 (a) of the Parliamentary Commissioner Act 1971; and*
- (h) *such other matters as may be prescribed.'*

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.1.3:

'Ensure the council's decision making process is effective and transparent'; and

Strategy 4.1.4:

'Support strategic alliances, stakeholder forums and advisory committees that assist Shire if Policy development and service planning.'

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

OFFICER COMMENT

The policy has been amended to include two changes that are aimed at improving the intent of the policy.

The recommendation is to endorse the policy with amendments.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Bell:

That Council Policy CE/CS/3 – Committee Meetings and Workshops – Attendance by the Public, as follows:

OBJECTIVE

To give direction as to when members of the public may attend Council Committee meetings (where there is no delegated authority) and workshops.

POLICY

The Council acknowledges that:

1. Members of the public may be invited or upon request, permitted to attend Council appointed Committee meetings and workshops.
2. Although members of the public have no specific right to be in attendance at Committee meetings and workshops, the Council may allow such attendance unless the matters to be discussed could have been classified as confidential pursuant to the Local Government Act 1995 Section 5.23 (2).'

be endorsed.

CARRIED (9/0)

NO. 085/22

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

12 CONFIDENTIAL**12.1.1 TENDER C07-2122 – LICENCE OF MOUNT BARKER REGIONAL SALEYARDS CANTEEN**

File Ref: N58119
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 24 May 2022

PURPOSE

The purpose of this report is to consider tenders received for the licence of the canteen at the Mount Barker Regional Saleyards.

MOTION TO GO BEHIND CLOSED DOORS

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

5:50pm 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;

CARRIED (9/0)

NO. 086/22

MOTION TO PROCEED IN PUBLIC

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

5:58pm That the meeting proceed in public.

CARRIED (9/0)

NO. 087/22

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr K Woltering:

That:

1. The tender submitted by Mrs Evonne Mitchell for the licence of the canteen at the Mount Barker Regional Saleyards for a three-year period commencing 1 July 2022, at a rate of \$99.00 per sale day (including GST) and subject to annual consumer price index increases, be accepted.
2. Authority be granted for the Chief Executive Officer to execute the licence for the Canteen at the Mount Barker Regional Saleyards on Portion of Lot 3 Albany Highway, Mount Barker to Mrs Evonne Mitchell.

CARRIED (9/0)

NO. 088/22

13 CLOSURE OF MEETING

6.00pm The President declared the meeting closed.

CONFIRMED: CHAIRPERSON



DATE:

28 / 06 / 2022