



ORDINARY AGENDA

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

DATE: Tuesday, 26 October 2021

TIME: 4.00pm

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

A handwritten signature in blue ink, appearing to read "C Woods", is positioned above the printed name and title.

Cameron Woods
CHIEF EXECUTIVE OFFICER

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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.....	3
3.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
3.2	PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995	3
4	PETITIONS / DEPUTATIONS / PRESENTATIONS	3
5	DISCLOSURE OF INTEREST	3
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	3
7	CONFIRMATION OF MINUTES	4
7.1	ORDINARY MINUTES OF COUNCIL HELD 28 SEPTEMBER 2021	4
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	4
9	REPORTS OF COMMITTEES AND OFFICERS	5
9.1	STRATEGIC DEVELOPMENT REPORTS	5
9.1.1	REFUGEE WELCOME ZONE	5
9.1.2	LOT 5207 CHESTER PASS ROAD, TAKALARUP – TEMPORARY GRAIN STORAGE FACILITY	8
9.2	WORKS AND SERVICES REPORTS	14
9.2.1	ROCKY GULLY TRANSFER STATION - ACCEPTANCE OF NON-PUTRESCIBLE WASTE	14
9.2.2	WATER STRATEGY DOCUMENT - PROGRESS REPORT	16
9.3	CORPORATE SERVICES REPORTS.....	19
9.3.1	BUDGET REVIEW - SEPTEMBER 2021	19

9.3.2	FINANCIAL STATEMENTS – AUGUST 2021.....	22
9.3.3	FINANCIAL STATEMENTS – SEPTEMBER 2021	24
9.3.4	LIST OF ACCOUNTS – SEPTEMBER 2021	26
9.3.5	RATES EXEMPTION REQUEST - LOT 606 MCDONALD AVENUE MOUNT BARKER - SOUTHERN ABORIGINAL CORPORATION	28
9.3.6	POLICY REVIEW - INSURANCE OF BUILDINGS ON COUNCIL CONTROLLED LAND	30
9.4	EXECUTIVE SERVICES REPORTS	32
9.4.1	CHRISTMAS CLOSURE 2021/2022.....	32
9.4.2	COUNCIL MEETINGS SCHEDULE 2022.....	35
9.4.3	POLICY REVIEW - ELECTED MEMBER EXPENSES TO BE REIMBURSED	39
9.4.4	POLICY REVIEW - COMMUNICATIONS AND SOCIAL MEDIA ...	43
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	52
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	52
12	CONFIDENTIAL	52
12.1.1	RATES EXEMPTION / REDUCTION REQUEST – LOTS 6599, 7262 AND 7382 THE PASS ROAD, NARRIKUP - WALITJ ABORIGINAL CORPORATION.....	52
12.1.2	TENDER CO2-20/21 – WOOGENELLUP ROAD – ROAD SHOULDER RECONDITIONING AND SEALING.....	53
13	CLOSURE OF MEETING	53

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

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

Members Present:

In Attendance:

Apologies:

Members of the Public Present:

Previously Approved Leave of Absence:

Nil

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 28 SEPTEMBER 2021

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 28 September 2021.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 September 2021 as circulated, be taken as read and adopted as a correct record.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 REFUGEE WELCOME ZONE

File Ref:	N56435
Attachments:	<u>Letter of Request from Mt Barker Hazara Community WA Refugee Council of Australia: How to become a Refugee Welcome Zone Refugee Welcome Zones</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Andrus Budrikis Executive Manager Strategic Development / Cameron Woods CEO
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to consider the Shire of Plantagenet becoming a 'Refugee Welcome Zone' by signing the Refugee Welcome Zone Declaration.

BACKGROUND

The Refugee Welcome Zone was initiated by the Refugee Council of Australia (RCOA). The RCOA is the national peak body for refugees and the organisations that support settlement planning. The Refugee Council promote the adoption of flexible, humane and constructive policies towards refugees and asylum seekers through policy analysis, research, advocacy and public education on refugee issues.

Australia is home to more than 800,000 refugees and our country has a proud history of settling refugees from all over the world, that have made a significant contribution to our economic, social and cultural life and in the fields of medicine, science, engineering, education, the arts and our sporting successes.

Becoming a Refugee Welcome Zone is a way to continue this proud tradition of supporting the settlement of refugees. Signing the declaration can also assist in promoting harmony, social cohesion and respect for human rights in our communities. It demonstrates our commitment to deter racism and discrimination. It also creates an opportunity to foster a culture of mutual respect and promote an appreciation of cultural diversity.

The process for becoming a Refugee Welcome Zone is straightforward and consists of the Council signing the Refugee Welcome Zone Declaration (see attached). This is 'a commitment in spirit to welcoming refugees into our municipality, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community.'

There are no statutory responsibilities or financial commitments required to become a signatory to the Declaration and any activities undertaken by Refugee Welcome Zones to implement the Declaration are voluntary.

Western Australia currently has three (3) regional local governments that have made the Refugee Welcome Zone Declaration; Katanning, Augusta Margaret River and Manjimup.

The Mount Barker Hazara Community has requested (attachment 1) the Shire of Plantagenet become a Refugee Welcome Zone. The Mount Barker Hazara population represents approximately 4.5% of our resident population and like other culturally and linguistically diverse populations that reside in Plantagenet they make a significant positive contribution to our community both socially and economically.

Becoming a Refugee Welcome Zone would support the possible settlement and integration of more Afghan evacuees that have been displaced and persecuted as a result of recent political instability in Afghanistan.

This declaration will assist in supporting these displaced Afghan refugees and other refugees whilst supporting the local Hazara community in reuniting with family members currently in Afghanistan who are seeking humanitarian visa's.

STATUTORY ENVIRONMENT

Nil

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides for the goal of a prosperous and sustainable community the outcomes of: 3.1 - Diverse, profitable and sustainable local business and 3.2 - A strong and diverse economic base. These are underpinned by the four strategies listed hereunder:

Strategy 3.1.3 - Develop and implement policies and initiatives to support local business, employment opportunities and agricultural prosperity.

Strategy 3.1.4 - Promote the long-term growth of the district.

Strategy 3.2.3 - Develop and review policy to facilitate and support business development and economic growth.

Strategy 3.2.7 - Attract new residents through promoting and marketing the benefits of living in the area.

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

REGIONAL IMPLICATIONS

Nil

OFFICER COMMENT

A Refugee Welcome Zone is a Local Government Area (LGA) which has made a commitment in spirit to welcoming refugees and migrants from refugee backgrounds into the community, upholding the human rights of refugees as we do for all our residents and enhancing cultural and religious diversity in the community.

Plantagenet has a growing diverse ethnic community. By Council declaring Plantagenet a Refugee Welcome Zone, a clear message will be sent to both the community and potential immigrants that the Shire supports and welcomes refugees to come to the Shire and settle.

It is recognised that Australian immigrants have, and continue, to help drive and grow the economy at all levels.

This Welcome Zone declaration may assist in welcoming more of the Afghan community whom have been offered humanitarian visas as a result of the latest conflict in Afghanistan.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council endorse the Shire of Plantagenet becoming a Refugee Welcome Zone by authorising the Shire President to sign the Refugee Welcome Zone Declaration.

9.1.2 LOT 5207 CHESTER PASS ROAD, TAKALARUP – TEMPORARY GRAIN STORAGE FACILITY

File Ref: N56415
Attachment: Location Plan
Site Plan
Floor Plan
Elevation
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: Clare Bonnie
Planning Officer
Proposed Meeting Date: 26 October 2021
Applicant: Co-operative Bulk Handling Limited

PURPOSE

The purpose of this report is to consider an application for a temporary grain storage facility at Lot 5207 Chester Pass Road, Takalarup.

BACKGROUND

Council records show the registered owner of Lot 5207 Chester Pass Road is Ratco Nominees Pty Ltd. The landowner granted authority to the applicant to submit this application at Lot 5207 Chester Pass Road.

The proposal seeks the approval of a temporary grain storage facility for the storage of up to 102,000 tonnes of grain. The facility will include the construction of four open bulkheads for grain storage, sampling facility, weighbridge facility and staff amenities.

Co-operative Bulk Handling Limited (CBH) has advised the reason for the application is due to the unprecedentedly large harvest forecast for later this year. CBH has also advised the company anticipates the facility will be operational for a 24 month-period only.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Clause 72 of the LPS Regs states:

‘Temporary development approval

The local government may impose conditions limiting the periods of time for which development approval is granted.

Note: A temporary development approval is where the local government grants approval for a limited period. It does not have any effect on the period within which the development must commence.’

The applicant is seeking approval to operate the grain storage facility for a maximum period of 24 months.

The proposed grain storage facility is considered compatible with surrounding agricultural land uses and is not likely to adversely affect agricultural production in the location. Furthermore, imposing a condition limiting the approval period for the proposed development to a maximum of 24 months is not seen as a material planning consideration in this instance.

Shire of Plantagenet Local Planning Scheme No. 5 (LPS5) - zoned Rural.

Clause 16 of LPS5 Rural zone objectives state:

'Table 2 – Zone objectives

<i>Rural</i>	<i>1. To provide for the maintenance or enhancement of specific local rural character.</i> <i>2. To protect broad acre agricultural activities such as cropping and grazing and intensive activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate suitability and compatibility the primary use.</i> <i>3. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</i> <i>4. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of inappropriate sensitive land uses in the Rural zone.</i> <i>5. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.'</i>
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This proposed grain storage facility is a rural industry that relies entirely on the productive use of rural, agricultural land. Its inherently linked to grain growing primary production and is considered consistent with the Rural zone objectives.

The stockpiling of grain is considered an appropriate land use to be located within the Rural zone given its complete reliance on the broad acre agricultural land use of grain production. This makes stockpiling for the purpose of grain storage a necessary and expected land use within a rural area as it is an integral and logistical part of the grain production sector.

Division 2 – Land use terms used in the Scheme

Clause 38 of LPS5 state:

'If this Scheme refers to a category of land use that is listed in this provision, the meaning of that land use is as follows —

industry — light *means premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed;'*

Industry – light is a discretionary ‘A’ use under LPS5. This means the use is not permitted unless the Council has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the LPS Regs.

The Environmental Protection Authority’s (EPA) Environmental Protection Guidance Statement No. 3: Separation Distances between Industrial and Sensitive Land Uses provides decision makers with advice for the assessment of land uses that have the potential to produce emissions or land use conflict. In this regard a use that includes a ‘grain elevator’ such as grain stockpiling suggests the implementation of a 500m buffer and consideration of potential noise, dust and risk impacts.

EXTERNAL CONSULTATION

In accordance with Delegation 7.1 the proposal was advertised for public comment for the minimum 14-day period ending on 13 September 2021. Advertising included letters to two adjoining landowners and notices were placed in the Plantagenet News, Albany Advertiser, the Council’s notice board and a sign placed on site.

At the time of finalising this report, no adverse comments were received.

The applicant as part of lodging this application, sought comment from Main Roads WA. Main Roads WA advice included the following:

- Chillinup Road is the only point of access to the subject land;
- Both Chester Pass Road and Chillinup Road have Restricted Access Vehicle 7 (RAV7) classification;
- Chillinup Road is a local Shire of Plantagenet road;
- No restrictions apply to the Chester Pass Road/Chillinup junction;
- Generally, these types of grain storage facilities involve two separate crossovers, one crossover for entry/egress each. This proposal only involves one crossover which may require additional examination; and
- Additional road maintenance will be required for Chillinup Road given the additional heavy vehicle traffic.

FINANCIAL IMPLICATIONS

The application fee of \$8,325.72 has been paid.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

State Planning Policy 2.5 – Rural Planning - The purpose of this policy is to protect and preserve Western Australia’s rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. One of the key policy directions is to:

‘Continue to promote rural zones in schemes as flexible zones that cater for a wide range of land uses that may support primary production, regional facilities, environmental protection and cultural pursuits.’

The grain storage is part of a regional agricultural facility, thus meeting the objectives of the State Planning Policy 2.5.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 2.2.2:

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

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional risk implications for this report.

OFFICER COMMENT

Lot 5207 involves two lot parcels with a total lot area of 647.6ha. Lot 5207, lot parcel 1 is located at the south east corner of the Chester Pass Road/Chillinup Road junction. Lot parcel 1 is 490.9ha in area, contains the homestead and associated farming infrastructure and is used for cropping purposes.

Lot 5207, lot parcel 2 is located at the north east corner of the Chester Pass Road/Chillinup Road junction. Lot parcel 2 is 156.7ha in area and is used for cropping purposes. The proposed temporary grain storage facility will be located at lot parcel 2 and is positioned approximately 750m from Chester Pass Road and 60m from Chillinup Road.

Grains such as barley, canola, oats and wheat will be stockpiled in four steel bulkheads. The steel wall frame/height of the bulkheads will be 1.8m high, with a floor area of 35m x 195m and storage capacity of 102,000 tonnes. It will include covered tarpaulins to cover the grain.

The proposal also includes a weighbridge, sample huts, spears, ablution component and a staff room, with a new RAV7 rated crossover for access to the site and appropriately drained internal roads.

With regards to the operating hours, the applicant has confirmed in writing that the operation will be during daylight hours up to 12 hours per day, peaking annually during harvest from late October to February.

A site visit was undertaken on 2 September 2021 and it was found that the entire site was used for growing canola. No access to the lot could be made from Chillinup Road, however a dirt track, sealed off by a wire fence was located 1.2km from junction with Chester Pass Road. A dam of 140m x 60m (approximately) is located at 400m from Chillinup Road and 380m from Chester Pass Road. There is little vegetation screening on Chillinup Road, with only 120m length of tree buffer located towards Chester Pass Road.

The applicant as part of lodging this application also included Dust, Noise and Stormwater Management Plans for operational activities at the Takalarup grain storage site. The Dust and Noise Management Plans define the requirements associated with the process of minimising the impacts of dust emissions and noise emissions at the site. In addition, the Stormwater Management Plan outlines and quantifies stormwater management measures to be adopted for the bulkhead construction. Conditions of development approval will require grain storage operational activities at the site to be carried out in accordance with the above management plans.

This proposed grain storage facility is a rural industry that relies entirely on the productive use of rural, agricultural land. Its inherently linked to grain growing primary production and is considered consistent with the Rural zone objectives.

The proposed grain storage use is compatible with surrounding agricultural land use and is not likely to adversely affect the long-term agricultural use for the site and surrounding area. The proposal is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 and clauses 17 and 18 of the Shire of Plantagenet Local Planning Scheme No. 5, development approval be granted for Industry-light for the grain storage facility at Lot 5207 Chester Pass Road, Takalarup subject to:

1. The development being in accordance with the attached plans dated 10 August 2021.
2. The measures and actions identified in the CBH Takalarup Dust Management Plan report number 310043234-78623 dated 10 August 2021 being implemented and maintained to the satisfaction of the Executive Manager Strategic Development.
3. The measures and actions identified in the CBH Takalarup Noise Management Plan report number 310043234-78624 dated 10 August 2021 being implemented and maintained to the satisfaction of the Executive Manager Strategic Development.
4. The measures and actions identified in the SHAWMAC Stormwater Management Plan report number 2107006-REP-006 dated 8 September 2021 being implemented and maintained to the satisfaction of the Executive Manager Works and Services.
5. Crossovers being constructed to the satisfaction of the Executive Manager Works and Services.
6. Heavy vehicles not being permitted to sit stationary obstructing Chillinup Road at any time.
7. Operation times be limited to the hours of 6am to 7pm during October to February for 7 days a week and 7am to 5pm from Monday to Saturday during March to September for 6 days a week each year.
8. Signage being installed identifying vehicle access and vehicle egress points to/from the grain storage facility to the satisfaction of the Executive Manager Works and Services.

9.2 WORKS AND SERVICES REPORTS

9.2.1 ROCKY GULLY TRANSFER STATION - ACCEPTANCE OF NON-PUTRESCIBLE WASTE

File Ref:	N56393
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Gayle Llewellyn Waste Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to consider a recommendation to continue the acceptance of car bodies, white goods, other metal and e-waste at the Rocky Gully Transfer Station.

BACKGROUND

The Council at its meeting held on 8 October 2019 resolved:

'That:

- 1. Steel waste and e-waste be accepted at the Rocky Gully Waste Transfer Station for a further period of two (2) years until September 2021.*
- 2. At the conclusion of the two (2) year period, a report be prepared for Council consideration with regard to the extension of acceptance or otherwise of steel waste and e-waste.'*

Following an upsurge of dumping of waste around the Rocky Gully townsite in 2018, it was decided to accept steel waste and e-waste at the local transfer station. In the past two (2) years, Shire staff have collected approximately 18.25 cubic metres of metal waste and approximately 8 cubic metres of e-waste from the Rocky Gully Transfer Station and transported it to the O'Neill Road Waste Management Facility. The metal waste included fencing materials, corrugated iron sheeting & household white goods.

STATUTORY ENVIRONMENT

Waste Avoidance and Resource Recovery Act 2007, Part 6, Division 1 – 'Services provided by local governments'

FINANCIAL IMPLICATIONS

Scrap metal recycling businesses are currently offering \$150.00/ tonne for recovery of scrap metal. A fee to waste facility users to dispose of the material also adds to cost effectiveness of allowing scrap metal to be disposed of at Transfer Stations rather than expending the costs associated with the retrieval of illegal and roadside dumping.

BUDGET IMPLICATIONS

It should be noted that the cost of removing rubbish dumped in the bush does not have a separate budget line. Accordingly, this cost is generally charged to road maintenance of the adjacent road or reserve maintenance.

Reduced dumping in the bush will reduce inappropriate expenditure to some accounts.

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 2.9 (Integrated waste management) the following:

Strategy 2.9.2:

'Manage existing waste disposal sites and transfer stations in accordance with legislative requirements.'

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

STRATEGIC RISK IMPLICATIONS

The Shire's Strategic Risk Register does not list specific risk implications, however a reduction in opportunities for residents to recycle at waste transfer facilities may result in an increase in roadside dumping therefore increasing costs to the Shire and ratepayers.

OFFICER COMMENT

It is disappointing that some rubbish is still dumped despite provision at the Rocky Gully Transfer Station for the collection of scrap metal and e-waste.

During the previous two years, Shire Depot staff have removed approximately six car bodies and one cubic metre of e-waste dumped at sites around the Rocky Gully townsite. Although dumping continues, the fact that only a moderate amount of scrap metal waste and e-waste was collected, indicates that the scheme should be continued for a further period of two years to examine the cost effectiveness over time.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. **Steel waste and e-waste be accepted at the Rocky Gully Waste Transfer Station for a further period of two (2) years until September 2023.**
2. **At the conclusion of the two (2) year period, another report be prepared for Council consideration regarding the extension of acceptance or otherwise of steel waste and e-waste.**

9.2.2 WATER STRATEGY DOCUMENT - PROGRESS REPORT

File Ref:	N56396
Attachments:	<u>Attachment One – Survey of Dam</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	David Lynch Executive Manager Works and Services
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to provide an annual review of progress of the Shire of Plantagenet Water Strategy 2020 recommendations.

BACKGROUND

At the Council Meeting held on 6 October 2020 it was resolved:

‘That the Water Strategy 2020 Recommendations – Progress Report, be noted and a further review be provided in October 2021 noting progress of the Shire of Plantagenet Water Strategy 2020 recommendations, a calculation of water inflows and water storage capacity and forward climate outlooks, to such extent as is possible.’

STATUTORY ENVIRONMENT

Public Health Act 2016, Section 34 – ‘General public health duty’

EXTERNAL CONSULTATION

There has been no external consultation for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

\$16,987.00 has been carried over to the 2021/2022 budget to complete activities outlined in the Water Strategy.

This is funds held over from the Department of Water and Environmental Regulation grant and the amount has been allocated to a new water tank at the Shire Depot to increase the supply of wash-down and potable water.

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

Strategy 1.5.1:

'Maintain and improve sporting and recreation facilities in the District based on catchment needs.'

And further at Outcome 2.10 (Effective use and management of water resources) the following:

Strategy 2.10.2:

'Promote effective water management practices.'

And Strategy 2.10.3:

'Investigate waste water re-use.'

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

OFFICER COMMENT

Water Strategy 2020 Recommendations – Progress Report

Since January 2021, the following works have been completed and/or planned.

1. A large 'turkey nest' dam was constructed on Lot 81 McDonald Avenue with a total capacity of 36,550 cubic metres (survey attached). This dam was filled during the winter by pumping water from Frost Dam and currently contains approximately 32,000 cubic metres. As a new dam it was not considered good practise to fill to capacity until the higher rear walls have settled and taken up water.
2. 90mm poly pipe has been installed into this new dam using the 110mm common pipe installed last year to the existing dam. The manifolding installed will allow transfer between dams as well as pumping in and out to Frost Park / Sounness Park.
3. Both dams have been connected to 3 phase electricity and terminate at small distribution boards. Once the ground around the dams dries out the pumps will be floated on both dams.
4. A 110mm poly line was trenched from Frost Dam, underneath the race track and through to Lot 81 McDonald Avenue, to allow pumping from Frost Dam into the Training Track Dam. Electrical conduit with a pull through was placed alongside this poly line in the common trench.
5. In order to finalise and acquit the funding available the Department of Water approved the installation of another water tank at the Depot adjacent to the existing water tanks.

Current Levels of Water Storage

The heavy autumn and winter rains have filled all available storage to capacity at Frost Park and the two dams on Lot 81 McDonald Avenue. This gives approximately 65,000 cubic metres of water in storage or over two years irrigation supply for Sounness Park at full irrigation (18 weeks of 30mm applied to 4.2 ha) plus some water to maintain a level of care to Frost Oval.

Future Works

Other storage construction projects that have been proposed in the Water Strategy have not been programmed and will not progress until external funding opportunities are identified.

Forward Climate Outlook

The Bureau of Meteorology Climate Outlook Review provides the following:

1. Average rainfall is expected from October to December 2021; and
2. An increased likelihood of above average spring rainfall across most of Australia as a result of a 50% chance of La Nina forming and negative values recorded in the Indian Ocean Dipole.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Water Strategy 2020 Recommendations – Progress Report, be noted and a further review be provided in October 2022 noting progress of the Shire of Plantagenet Water Strategy 2020 recommendations, a calculation of water inflows and water storage capacity and forward climate outlooks, to such extent as is possible.

9.3 CORPORATE SERVICES REPORTS

9.3.1 BUDGET REVIEW - SEPTEMBER 2021

File Ref: N56375
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 26 October 2021

PURPOSE

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

BACKGROUND

The 2021/2022 annual budget was adopted by the Council on 27 July 2021. This is the second review of the budget, which is considered to be prudent following some proposed changes to budget allocations.

STATUTORY ENVIRONMENT

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

Regulation 33A states:

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

FINANCIAL IMPLICATIONS

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

The August 2021 budget review realised a surplus of \$18,551.00. The overall recommended effect on the budget is a surplus of \$5,462.00.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

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

Strategy 4.6.1:

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

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

OFFICER COMMENT

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

- At a recent Council planning workshop, the CEO was authorised to pilot a heritage building external lighting project as part of showcasing our heritage buildings. The cost of the pilot project for the Mount Barker District Hall is \$6,650.00. A new capital budget item has been created for this project.
- The Rec.Centre requires an upgrade to the access control and CCTV system. A quote of approximately \$8,000.00 has been received which involves installation of the following:
 - Net2 single door controller for the gym door.
 - Replacement of external card reader on gym door.
 - Installation of Net2 software on a PC (this software must be installed on the same PC as Clubware for the two programs to work together).
 - Installation of PC card reader to record and test new tags.
 - Replacement of exiting CCTV recorder with new 8 channel NVR (Network Video Recorder).
 - Installation of UPS battery backup for the CCTV system.
 - Replacement of 3 existing cameras with new 6MP mini domes.
 - Installation of external camera at gym entry door.
 - Installation of camera in cardio room
 - Networking of NVR and cameras for Clubware integration and remote access via PC or smartphone.

This is seen as a very important addition so that the Rec.Centre can run efficiently and mitigate security safety concerns, which is seen as a legal requirement for a 24-hour gym.

- At the last Disability Advisory Committee (DAC) meeting the idea of making a short video that captures local stories of disabled people (Disability Awareness Video) was discussed. This has been done in Katanning and well received by the community. The DAC members supported the idea. The cost for a video production is approximately \$5,000.00. It is anticipated that grant income of \$1,000.00 will be provided from People with Disabilities funding, so a net total of \$4,000.00 is sought.
- The remaining budget review items assign values to some of the projects which were unknown at the time the budget was adopted, or have since been refined, as discussed in a councillor workshop in September 2021:

Albany Hwy Infrastructure

Mural Wall	\$ 83,604.00.
Visitor Carpark	\$159,000.00.
Signage	\$ 37,000.00.
Fencing	\$ 25,000.00.

Mount Barker Hill Infrastructure

Boardwalk	\$247,864.00 (\$109,664.00 spent in 2020/2021, resulting in a 2021/2022 allocation of \$138,200.00).
Carpark	\$147,000.00.
Pathway	\$ 96,443.00.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION

That the budget review for the period 1 July 2021 to 30 September 2021 be adopted and the 2021/2022 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
	Budget Review August 2021			\$18,551
BC600A	Plantagenet District Hall - Lighting	\$0	(\$6,650)	(\$6,650)
OC614	Mount Barker Rec.Centre - Security Access and CCTV Upgrade	\$0	(\$8,000)	(\$8,000)
2080711	WELFARE - DAIP	(\$1,000)	(\$6,000)	(5,000)
3080710	WELFARE - Grants	\$0	\$1,000	\$1,000
4130290	TOUR - Infrastructure Other	(\$306,550)	\$0	\$306,550
OC640B	Albany Hwy Inf - Mural Wall (LRCIP)	\$0	(\$83,604)	(\$83,604)
OC640C	Albany Hwy Inf - Visitor Carpark (LRCIP)	\$0	(\$159,000)	(\$159,000)
OC640D	Albany Hwy Inf - Signage (LRCIP)	\$0	(\$37,000)	(\$37,000)
OC640E	Albany Hwy Inf - Fencing (LRCIP)	\$0	(\$25,000)	(\$25,000)
OP640A	Albany Hwy - Tree Planting (LRCIP)	\$ (4,350)	(\$6,296)	(\$1,946)
OC623	Mount Barker Hill Infrastructure - Boardwalk (DCF)	(\$247,864)	(\$138,200)	\$109,664
OC623A	Mount Barker Hill - Carpark (LRCIP2 & municipal)	(\$57,000)	(\$147,000)	(\$90,000)
OC623C	Mount Barker Hill Infrastructure - Pathway (DCF)	(\$82,340)	(\$96,443)	(\$14,103)
	Totals	(\$698,104)	(\$707,193)	\$5,462

9.3.2 FINANCIAL STATEMENTS – AUGUST 2021

File Ref: N56376
Attachment: Financial Statements
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Diana Marsh
Senior Finance Officer
Proposed Meeting Date: 26 October 2021

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

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

of transactional items are still being worked through. One major outstanding item is that depreciation for the month has not yet been run.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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

9.3.3 FINANCIAL STATEMENTS – SEPTEMBER 2021

File Ref: N56377
Attachment: Financial Statements
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Diana Marsh
Senior Finance Officer
Proposed Meeting Date: 26 October 2021

PURPOSE

The purpose of this report is to present the preliminary financial position of the Shire of Plantagenet for the period ending 30 September 2021.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

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

of transactional items are still being worked through. One major outstanding item is that depreciation for the month has not yet been run.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Financial Statements for the period ending 30 September 2021 be received.

9.3.4 LIST OF ACCOUNTS – SEPTEMBER 2021

File Ref:	N56413
Attachment:	<u>List of Accounts - September 2021</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

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

STATUTORY ENVIRONMENT

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 September 2021 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$746,720.41; and
2. Municipal Cheques 47194 to 47196 totalling \$2365.20.

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

File Ref: N56234
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Abigail Bartell
Rates Officer
Proposed Meeting Date: 26 October 2021

PURPOSE

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

BACKGROUND

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

This matter was submitted to the Council meeting held on 28 September 2021, but not dealt with. Queries were raised about the property ownership and use.

STATUTORY ENVIRONMENT

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

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

EXTERNAL CONSULTATION

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

FINANCIAL IMPLICATIONS

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

- Rates \$1,700.13
- Waste Rate \$57.00
- Rubbish Bin \$450.00

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

Strategy 4.6.3:

'Maintain, develop and monitor rating and property strategies'

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

OFFICER COMMENT

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

The other properties that SAC previously applied for a rates exemption for are for provision of housing for Aboriginal people.

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

The objects of the Southern Aboriginal Corporation are benevolent and not-for-profit. Regardless of that, the Council should determine the matter based on the use of the land.

The property is owned by Southern Aboriginal Corporation and the shed on the property is leased to Mount Barker Fabrications. It is the view of the administration that the current use does not constitute an exclusively 'charitable' use and the request for exempt status should be refused.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the request from Southern Aboriginal Corporation for the property at Lot 606 McDonald Avenue, Mount Barker to be deemed to be used for a charitable purpose and are therefore non-rateable be refused.

9.3.6 POLICY REVIEW - INSURANCE OF BUILDINGS ON COUNCIL CONTROLLED LAND

File Ref:	N56386
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to review Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 8 October 2019.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.5 (Council buildings and facilities that meet community needs) the following Strategy:

Strategy 2.5.1:

'Ensure Council buildings, facilities and public amenities are provided and maintained to an appropriate standard.'

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

RISK IMPLICATIONS

The Council's Strategic Risk Register provides as follows:

Risk - Business and Community Disruption

A key control is 'Adequate insurance in place', rated as effective

Risk - Management of Facilities, Venues and Events

A key control is 'Insurance for Loss', rated as adequate

OFFICER COMMENT

The matter of insurance relies on insurable interest. That means if the Council owns something, it has an insurable interest and may insure it. Conversely, if the Council does not own something, it has no legal right to insure it.

No delegations relate to this policy. This policy is considered appropriate and can be endorsed without change.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council Policy A/I/1 – Insurance of Buildings on Council Controlled Land, as follows:

‘OBJECTIVE:

To clarify the Council’s position on the responsibility for insurance costs of buildings erected on land owned by or under the care, control and management of the Council.

POLICY:

The Council will not accept responsibility for the cost of insurance of buildings erected by other organisations on land under Council control unless the Council has an insurable interest due to building ownership or legal agreement.’

be endorsed.

9.4 EXECUTIVE SERVICES REPORTS

9.4.1 CHRISTMAS CLOSURE 2021/2022

File Ref: N56394
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: Donna Fawcett
Human Resources Coordinator
Proposed Meeting Date: 26 October 2021

PURPOSE

The purpose of this report is to seek approval for the closure of Shire facilities between the Christmas/New Year period – December 2021/January 2022.

The facilities are:

- Shire Administration Office;
- Shire Depot;
- Mount Barker Library;
- Mount Barker Swimming Pool;
- The Rec.Centre; and
- O'Neill Road, Kendenup and Porongurup Waste Management Facilities.

BACKGROUND

The Council has authorised the closure of facilities for the period between Christmas and New Year for many years and this has not caused any community disquiet or inconvenience.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There is no additional cost to the Council as staff will use rostered days off (RDO), Local Government Days in Lieu (LGDIL) and time in lieu (TIL) or annual leave (AL) entitlements if required.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

The closure of specific Council facilities over the Christmas period is an opportunity for all members of staff to use the two negotiated LGDIL as provided for in the Shire of Plantagenet Enterprise Agreements. In previous years these days have been taken between Christmas and New Year to minimise disruptions to normal routine.

This year Christmas Day falls on a Saturday. The Council will be asked to close Shire facilities from 12.00pm on Friday 24 December 2021, with normal business resuming on Tuesday 4 January 2022. This is slightly different to the previous 5.00pm closures and is standard practice throughout local governments in the region.

Emergency phone contacts will be available for all 'out of hours' emergencies.

Standard Department of Transport licence renewals can be conducted over the internet and also via B Pay.

Closure days for the Administration Office, Depot and Library would be:

- Friday 24 December 2021 – close 12.00pm – RDO for most staff, TIL or AL
- Saturday 25 December 2021 – Public Holiday (Christmas Day)
- Monday 27 December 2021 – Public Holiday (Christmas Day - Additional)
- Tuesday 28 December 2021 – Public Holiday (Boxing Day - Additional)
- Wednesday 29 December 2021 – LGDIL
- Thursday 30 December 2021 – LGDIL
- Friday 31 December 2021 – RDO, TIL or AL
- Saturday 1 January 2022 – Public Holiday (New Year's Day)
- Monday 3 January 2022 – Public Holiday (New Year's Day – Additional)

Closure days for The Rec.Centre would be:

- 12.00pm Friday 24 December 2021 to Monday 3 January 2022 (inclusive);
with reduced hours offered from Tuesday 4 January to Friday 7 January 2022.

Closure day for the Swimming Pool would be:

- Saturday 25 December 2021

Closure day for the O'Neill Road, Kendenup and Porongurup Waste Management Facilities would be:

- Saturday 25 December 2021

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

- 1. The Shire of Plantagenet's Administration Office be closed from 12.00pm on Friday 24 December 2021 with the resumption of normal services on Tuesday 4 January 2022.**
- 2. The Shire Depot be closed from 12.00pm on Friday 24 December 2021 with the resumption of normal services on Tuesday 4 January 2022.**
- 3. The Mount Barker Library be closed from 12.00pm on Friday 24 December 2021 with the resumption of normal services on Tuesday 4 January 2022.**
- 4. The Rec.Centre be closed from 12.00pm on Friday 24 December 2021, with reduced hours offered from Tuesday 4 January to Friday 7 January 2022, and normal services to resume on Tuesday 11 January 2022.**
- 5. The Mount Barker Swimming Pool be closed on Friday 25 December 2021.**
- 6. The O'Neill Road, Kendenup and Porongurup Waste Management Facilities be closed on Friday 25 December 2021.**
- 7. The closures inclusive of public holidays be advertised locally.**

9.4.2 COUNCIL MEETINGS SCHEDULE 2022

File Ref: N56216
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: Nolene Wake
Executive Officer
Proposed Meeting Date: 26 October 2021

PURPOSE

The purpose of this report is to review and schedule ordinary meetings of the Council for 2022.

BACKGROUND

At its meeting held 6 October 2020 it was resolved (Res. No. 264/20):

'That:

1. *The ordinary meetings of the Council for January to December 2021 inclusive be held on the fourth Tuesday of each month as follows:*
 - a) *Wednesday 27 January 2021*
 - b) *Tuesday 23 February 2021*
 - c) *Tuesday 23 March 2021*
 - d) *Tuesday 27 April 2021*
 - e) *Tuesday 25 May 2021*
 - f) *Tuesday 22 June 2021*
 - g) *Tuesday 27 July 2021*
 - h) *Tuesday 24 August 2021*
 - i) *Tuesday 28 September 2021*
 - j) *Tuesday 26 October 2021*
 - k) *Tuesday 23 November 2021*
 - l) *Tuesday 14 December 2021*
2. *All ordinary meetings of the Council shall commence at 6.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
3. *All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.*

Further, at its meeting held 3 November 2020, the Council resolved to rescind resolution 264/20, and adjourn the debate to enable a Community Survey to be undertaken and a report be prepared for the 1 December 2020 meeting of Council.

The 'Reason for Change' from the current four weekly cycle being noted as Financials and public timing. If everyone knows meetings are the fourth Tuesday it is easy to follow. The financials will always be available on the meeting day. Financials are of course a very important part of the responsibilities of Councils and should be seen every month.

An online community survey was undertaken, promoted through Plantagenet News, the Shire website and Facebook. The survey closed on 25 November 2020 with the results showing 19 votes for 6.00pm, 12 votes for 3.00pm and 1 vote for other (attached).

At its meeting held on 1 December 2020, the Council resolved:

'That:

- 1. The ordinary meetings of the Council for January to December 2021 inclusive be held on the fourth Tuesday of each month as follows:*
 - a) Wednesday 27 January 2021*
 - b) Tuesday 23 February 2021*
 - c) Tuesday 23 March 2021*
 - d) Tuesday 27 April 2021*
 - e) Tuesday 25 May 2021*
 - f) Tuesday 22 June 2021*
 - g) Tuesday 27 July 2021*
 - h) Tuesday 24 August 2021*
 - i) Tuesday 28 September 2021*
 - j) Tuesday 26 October 2021*
 - k) Tuesday 23 November 2021*
 - l) Tuesday 14 December 2021*
- 2. All ordinary meetings of the Council shall commence at 4.00pm and be held in the Council Chambers, Lowood Road Mount Barker.*
- 3. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.'*

STATUTORY ENVIRONMENT

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

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

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

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

FINANCIAL IMPLICATIONS

The frequency and timing of meetings and workshops may impact on catering costs.

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.

REGIONAL IMPLICATIONS

South Coast Alliance Inc and Southern Link VROC Meetings are scheduled in such a way to avoid any meeting conflicts.

OFFICER COMMENT

At the 6 October 2020 meeting, the reason for changing the meeting schedule to be held on the fourth Tuesday of each month was due to financials and public timing. *‘If everyone knows that it is the fourth Tuesday it is easy to follow. The financials will always be available on the meeting day. Financials are of course a very important part of the responsibilities of Councils, and we should see them every month.’*

It will be recommended that the current cycle of a meeting held on the fourth Tuesday of each month continues.

Councillors have, from time to time, queried commencement times for ordinary meetings. The traditional starting time of 3.00pm was challenged last year and a commencement time of 4.00pm was introduced in lieu of the 6.00pm originally proposed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

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**
- 8. All ordinary meetings of the Council shall commence at 4.00 pm and be held in the Council Chambers, Lowood Road Mount Barker.**
- 9. All meeting dates and times be advertised pursuant to Regulation 12 of the Local Government (Administration) Regulations 1996.**

9.4.3 POLICY REVIEW - ELECTED MEMBER EXPENSES TO BE REIMBURSED

File Ref:	N56374
Attachments:	<u>Elected Members Expenses to be reimbursed</u> <u>Policy with amendments</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to review Council Policy CE/CS/1 'Elected Member Expenses to be Reimbursed'.

BACKGROUND

This policy was previously reviewed at the Council Meeting held 6 November 2019.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.98 (2)(b) and (4) and Section 5.126.

Local Government (Administration) Regulations 1995 Regulation 32 and Regulation 35.

FINANCIAL IMPLICATIONS

There are no financial implications for this report, however annual allocations are included for budget consideration relating to Account 2040104 (Members Training & Development). The budget allocation is \$30,000.00.

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 4.1.1:

'Provide effective leadership for the community';

Strategy 4.1.4:

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

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.

BUDGET IMPLICATIONS

An allocation of \$30,000.00 has been made in the current financial year in expectation of increased expenditure, largely due to the introduction of Council Member Essentials training.

OFFICER COMMENT

Minor formatting changes have been made, along with a reference change which refers to the updated 2020 Local Government Industry Award.

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Council Policy CE/CS/1 Elected Member Expenses to be Reimbursed as follows:

'OBJECTIVE

To enable Councillors to attend meetings, conferences and training opportunities while ensuring that individuals are not financially disadvantaged in doing so.

POLICY

That elected members receive reimbursement of expenses as detailed below whilst attending the following:

1.
 - a) Council and Committee meetings held in accordance with the provisions of the Local Government Act.
 - b) Any function or meeting as an appointed representative of the Council where specifically authorised by the Council.
 - c) Conferences, seminars and training sessions specifically authorised by the Council.
 - d) Any official social function organised by, or on behalf of, the Shire of Plantagenet.
2. Travel
 - a) Councillors should use Council vehicles to attend conferences, seminars and training where they are authorised delegates of the Council subject to a vehicle being available.
 - b) Reimbursement for the use of a private vehicle to be set in accordance with Clause 19.3 (Vehicle Allowance) of the Local Government Industry Award 2020.
 - c) Where a Councillor is a member of an external committee and reimbursement of expenses is a condition of the membership, reimbursement of expenses will not be provided by the Council.

- d) If a Council vehicle is made available and not used, no expenses will be reimbursed for the use of a private vehicle, unless prior arrangements are agreed by the CEO.

3. Accommodation

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

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

4. Conference/Meeting/Training Attendance Costs

Where conference attendance is authorised by the Council, all conference attendance costs will be paid/reimbursed. Reimbursement for partners of members will be limited to:

- a) All meal costs.
- b) Accommodation, where such does not incur any additional expenditure for the Council.
- c) Any official social functions included on the official program of the conference/meeting.
- d) All events listed on the partner's itinerary.

5. Priority will be given to any conference/seminar or training that is specifically relevant to Councillors and in particular, conferences, seminars or training courses held by organisations of which the Council is a member, or has an interest in, and which would usually be attended by the Council's appointed representatives to those organisations. Attendance at such conference, seminar or training is subject to approval by the Council. Councillors' attendance at seminars/conferences/training is subject to budget provision.

6. When determining costs of a conference, seminar or training, all costs associated with attendance at the conference, seminar or training, including travel, accommodation, meals, telephone and other expenses, within reason and supported by receipts, to be included and paid for by the Council.

7. Reports of conference or seminar attendance are required in writing to the Council for inclusion in the Information Bulletin within six weeks following the conference/seminar attendance.

8. The type of conference/seminar or training that Councillors attend would generally be related to a particular function or activity in which the Council is involved, rather than individual or personal development type conference/seminars.

9. Elected Member –Training for Council Members – Council Member Essentials

- 9.1** As soon as practicable after appointment, newly elected councillors are required to undertake the training course 'Council Member Essentials'. This course provides an overview of the roles and responsibilities of Elected Members, the Local Government environment and protocols and procedures affecting the way Local Governments operate and consists of the following modules: (i) Understanding Local Government; (ii) Serving on Council; (iii) Meeting Procedures; (iv) Conflicts of Interest; and (v) Understanding Financial Reports and Budgets.
- 9.2** All Councillors are encouraged to strive for a Diploma of Local Government which involves 13 modules (five of which will have been completed within the 'Council Member Essentials' training).
- 9.3** All Local Government training requests referred to in 9.1 and 9.2 above are to be forwarded to the Chief Executive Officer who, in consultation with budget allocations, is authorised to make arrangements for registrations.

Notes:

Accommodation requirements, whenever possible, are to be arranged in advance by the Chief Executive Officer and confirmed by an official purchase order. With regard to all other expenses, receipts are to be submitted to the Chief Executive Officer for reimbursement.'

be endorsed.

9.4.4 POLICY REVIEW - COMMUNICATIONS AND SOCIAL MEDIA

File Ref:	N56380
Attachment:	<u>Communications and Social Media Policy with amendments</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Author:	Nolene Wake Executive Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to review policy IT/1/2 – Communications and Social Media Policy.

BACKGROUND

At the Council meeting held on 14 August 2018, a key performance indicator identified in the annual performance review of the Chief Executive Officer was adopted, namely: *'Social Media. Stage one: Create a Shire Facebook presence with adequate monitoring and responses.'*

At its meeting of Council held on 9 October 2018, it was resolved to adopt new Council policy IT/1/2 – Communications and Social Media Policy.

The Shire Facebook page was launched on 19 November 2018. It was created with the aim of sharing information with the community. The page was designed to direct people to the Shire webpage or to call the Shire if they needed further information.

A workshop was held on 8 October 2019 to review the Communications and Social Media Policy and the following points of concern were raised for discussion.

1. Staff resourcing levels
2. Record keeping
3. Organisational Support
4. Authorisation of content

No course of action was recommended, and it was decided to maintain the status quo at the time.

STATUTORY ENVIRONMENT

Criminal Code Act 1995 (Commonwealth)
Defamation Act 2005 (Western Australia)
Electronic Transactions Act 2011 (Western Australia)
Freedom of Information Act 1992 (Western Australia)
Local Government Act 1995 (Western Australia)
Local Government (Model Code of Conduct) Regulations 2021
Privacy Act 1988
Spam Act 2003 (Commonwealth)
State Records Act 2000 (Western Australia).

EXTERNAL CONSULTATION

N/A

FINANCIAL IMPLICATIONS

The financial implications for this report are difficult to determine, but as an estimate, the staff time required to operate Facebook at its current capacity is 0.5 FTE.

POLICY IMPLICATIONS

This report recommends the adoption of a new Council policy.

However, other Council Policies, as follow, relate:

Internal Policy CS-4 – Internet and Email Usage

Code of Conduct

A/RM/1 – Record Keeping

Customer Service Charter

STRATEGIC IMPLICATIONS

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

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

Strategy 4.2.1:

‘Keep the community well informed on Council initiatives.’

and;

Strategy 4.2.5:

‘Aim to use communication methods and tools preferred by stakeholders and our community.’

It further provides at Outcome 4.3 (Innovative and accessible customer services and information) the following Strategy:

Strategy 4.3.4:

‘Increase use of new technology to engage with the public and keep them informed.’

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

OFFICER COMMENT

Due to changes in the staff organisational structure, the Shire Facebook page is now maintained by our Communications/Administration Officer and is, we believe, providing a high level of valuable information to the community.

As Facebook has evolved in time, it is considered that the issues raised at the workshop held on 8 October 2019 are no longer relevant. In relation to Record keeping, Shire posts are duplications of information already recorded, such as media releases, events etc and shared posts are not required to be recorded under legislation. Authorisation and monitoring of content is controlled by a process currently in place and no further problems have been identified in this area.

The Shire currently has approximately 1,500 followers, with some posts reaching in excess of 4,500 viewers. Posts are scheduled, at a minimum, daily and at targeted times of the day when traffic is higher on Facebook.

Just in the past 28 days our page/post has reached 10,372 users, a sizeable increase from this time last year (6/9/20 to 3/10/20) at only 5,631 users.

The platform allows the Shire to reach a wider audience, the ability to share news from neighbouring local governments and government departments, and has also increased website traffic; as each relevant post created has a link back to the website 'for more information'.

A recent study shows Facebook users spend over 2 hours on social media in a day, and that Facebook is currently the most used social media platform.

The value of engaging with our community using social media cannot be underestimated, particularly with a variety of demographics on their chosen platforms. Social media provides an opportunity to share the positive actions of the Shire and the Council, whilst building our brand and participating in genuine two-way communication, which will enhance our community relationships.

It is considered that apart from some minor formatting and administrative amendments the policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

Council Policy CE/ES/2 – Communications and Social Media Policy, as follows:

OBJECTIVE:

This policy establishes protocols for the Shire of Plantagenet's official communications with its public to ensure the Shire of Plantagenet is professionally and accurately represented, and to maximise a positive public perception of the Shire.

To ensure that all the Shire's social media interactions are preserved and available as corporate knowledge in accordance with the *State Records Act 2000*.

POLICY:

1.0 Scope

1.1. This policy applies to:

- a) Communications initiated or responded to by the Shire of Plantagenet with the public; and
- b) Elected Members when making comment in either their role as a Councillor or in a personal capacity.

2.0 Official Communications**2.1. The purposes of the Shire of Plantagenet's official communications include:**

- a) Sharing information required by law to be publicly available.
- b) Sharing information that is of interest and benefit to the community.
- c) Promoting Shire of Plantagenet events and services.
- d) Promoting public notices and community consultation/engagement opportunities.
- e) Answering questions and responding to requests for information relevant to the role of the Shire of Plantagenet.
- f) Receiving and responding to community feedback, ideas, comments, compliments and complaints.

2.2 The Shire of Plantagenet's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council, where applicable. Our communications will always be respectful and professional.**2.3 The Shire of Plantagenet will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:**

- a) Website.
- b) Advertising and promotional materials.
- c) Media releases.
- d) Public Electronic Notice Board.
- e) Social media.
- f) Community newsletters, letter drops and other modes of communications at the discretion of the CEO.

3.0 Speaking on behalf of the Shire of Plantagenet**3.1 The Shire President is the official spokesperson for the Shire of Plantagenet and may represent the Shire in official communications, including speeches, comment, print, electronic and social media. (s2.8 (1) (d) of the Local Government Act 1995).****3.2 Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson. (s.2.9 and s.5.34 of the Local Government Act 1995).****3.3 The CEO may speak on behalf of the Shire of Plantagenet, where authorised to do so by the Shire President. (s.5.41 (f) of the Local Government Act 1995).**

- 3.4 The provisions of the *Local Government Act 1995* essentially direct that only the Shire President, or the CEO if authorised, may speak on behalf of the Local Government.

4.0 Responding to Media Enquiries

- 4.1 All enquiries from the media for an official Shire of Plantagenet comment, whether made to an individual Elected Member or employee, must be directed to the Shire President, CEO or a person authorised by the Shire President or CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Plantagenet.

5.0 Website

- 5.1 The Shire of Plantagenet will maintain an official website, as our public's online resource to access the Shire's official communications and publicly available information.

6.0 Social Media

- 6.1 The Shire of Plantagenet uses social media to facilitate interactive information sharing and to provide responsive feedback to our public. The use of social media does not replace traditional forms of communication but provides another avenue to engage the community.
- 6.2 Social media will not, however, be used by the Shire of Plantagenet to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.
- 6.3 The Shire of Plantagenet will ensure that social media activities are adequately resourced by staff to allow for content development, monitoring, interpreting the volume and content of messages, and responding as required. This includes using a social media management platform to ensure a high standard of content creation and delivery.
- 6.4 Access to social media platforms by employees, during work time, will only be for the purposes of managing the Shire of Plantagenet accounts. Access to personal accounts is not permitted.
- 6.5 The Shire of Plantagenet will maintain social media accounts approved by the CEO.
- 6.6 All Shire of Plantagenet social media pages will be branded using the Shire of Plantagenet logo, slogan, symbol, and/or colour combination ensuring a clearly identifiable and consistent presentation of the Shire brand.
- 6.7 The Shire of Plantagenet may also post and contribute to social media hosted by others, so as to ensure that the Shire of Plantagenet strategic objectives are appropriately represented and promoted.

6.8 The Shire of Plantagenet actively seeks ideas, questions and feedback from our community. However, we expect participants to behave in a respectful manner. The Shire of Plantagenet will moderate its social media accounts to address and where necessary delete content which is deemed as:

- a) Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.**
- b) Promotional, soliciting or commercial in nature.**
- c) Unlawful or incites others to break the law.**
- d) Information which may compromise individual or community safety or security.**
- e) Repetitive material copied and pasted or duplicated.**
- f) Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.**
- g) Content that violates intellectual property rights or the legal ownership of interests or another party.**
- h) Any other inappropriate content or comments at the discretion of the Shire of Plantagenet.**

6.9 An opportunity exists to take part in social media conversations about the Plantagenet area and the Shire of Plantagenet, and will help us:

- a) Respond faster to the public's concerns.**
- b) Be more accessible when people want to be heard.**
- c) See what matters most to our public.**
- d) Reduce the risk and impact of negative comments and bad publicity.**

6.10 Where a third party contributor to a Shire of Plantagenet social media page is identified as posting content which is deleted in accordance with the above, the Shire of Plantagenet may at its complete discretion block that contributor for a specified period of time or permanently.

7.0 Content

7.1 When using social media platforms, Elected Members and Shire employees will:

- a) Abide by the Code of Conduct Policy OP/HRP/2 and Customer Service Charter.**
- b) Adhere to Shire policies and procedures.**
- c) Uphold the values of the Shire of Plantagenet.**
- d) Act in a timely and appropriate manner.**

- e) Be transparent, accurate, professional, fair, respectful, responsible, aware of confidentiality and privacy, and be careful at all times.
- f) Ensure that all relevant legislation has been complied with.
- g) Avoid political bias.
- h) Take steps to avoid real or perceived conflicts of interest.

7.2 Content uploaded to social media must only disclose information which is classified as suitable for the public domain. Information posted must be accurate and not misleading in any way. When developing or posting content, staff must not:

- a) Use abusive, profane or sexually explicit language.
- b) Undertake commercial solicitations or transactions.
- c) Use copyright or ownership protected materials without appropriate approvals.
- d) Be discriminatory, defamatory, or encourage law breaking behaviour.
- e) Compromise the Council, its employees, or safety.
- f) Reference clients, partners or suppliers without approval.
- g) Promote or create spam.
- h) Air personal campaigns.

7.3 Content which is subject to copyright (applications, audio, video, graphics, images, photographs, publications) will not be used unless prior written consent is obtained from the creator or copyright owner and the original author or source of the material is acknowledged. Employees will be diligent in their consideration of brand, copyright, fair use and trademarks.

8.0 Record Keeping and Freedom of Information

8.1 Official communications undertaken on behalf of the Shire of Plantagenet, including on the Shire's social media accounts and third-party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

9.0 Personal Communications

9.1 Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media have the potential to be made public, whether it was intended to be made public or not.

Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members must ensure that their personal or private communications do not breach the requirements of this policy, the

Code of Conduct, and the *Local Government (Model Code of Conduct) Regulations 2021*.

Elected Member Statements on Shire of Plantagenet Matters

- 10.1 Any public statement made by an Elected Member, whether made in a personal capacity or in their Local Government representative capacity, must:**
- a) Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of the Shire of Plantagenet.**
 - b) Be made with reasonable care and diligence.**
 - c) Be lawful, including avoiding contravention of copyright, defamation, discrimination or harassment laws.**
 - d) Not contain factually incorrect statements.**
 - e) Avoid damage to the reputation of the local government.**
 - f) Not reflect adversely on a decision of the Council.**
 - g) Not reflect adversely on the character or actions of another Elected Member or employee.**
 - h) Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, employee or community member.**
- 10.2 It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had an opportunity to speak on behalf of the Shire of Plantagenet.**
- 10.3 Communications by Elected Members, whether undertaken in an authorised official capacity or as a personal communication, must not:**
- a) Bring the Shire of Plantagenet into disrepute.**
 - b) Compromise the person's effectiveness in their role with the Shire of Plantagenet.**
 - c) Imply the Shire's endorsement of personal views.**
 - d) Disclose, without authorisation, confidential information including matters discussed in Council workshops.**
- 10.4 Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Plantagenet.**
- 10.5 Elected Member communications must comply with the Code of Conduct and Local Government (Model Code of Conduct) Regulations 2021.**
- 10.6 An Elected Member who is approached by the media for a personal statement may request the assistance of the CEO.**

- 10.7 Comments which become public, and which breach this policy, the Code of Conduct, or the *Local Government (Model Code of Conduct) Regulations 2021*, may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.'

be endorsed.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING****12 CONFIDENTIAL****12.1.1 RATES EXEMPTION / REDUCTION REQUEST – LOTS 6599, 7262 AND
7382 THE PASS ROAD, NARRIKUP - WALITJ ABORIGINAL
CORPORATION**

File Ref:	N56410
Attachment:	<u>Plan showing extent of leased tree farm</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Abigail Bartell Rates Officer
Proposed Meeting Date:	26 October 2021

PURPOSE

The purpose of this report is to consider a request from the Walitj Aboriginal Corporation (WAC) for a rates exemption / reduction for the property at Lots 6599, 7262 and 7382 (294) The Pass Road, Narrikup (also referred to as 1210 Hay River Road, Redmond).

OFFICER RECOMMENDATION

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

- (b) the personal affairs of any person.

**12.1.2 TENDER CO2-20/21 – WOOGENELLUP ROAD – ROAD SHOULDER
RECONDITIONING AND SEALING**

File Ref: N56447
Responsible Officer: David Lynch
Executive Manager Works and Services
Author: Nicole Selesnew
Project Officer Works and Services
Proposed Meeting Date: 26 October 2021

PURPOSE

The purpose of this report is to consider submissions received for Tender CO2-20/21 – Woogenellup Road – Road Shoulder Reconditioning and Sealing.

OFFICER RECOMMENDATION

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

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

13 CLOSURE OF MEETING