



ORDINARY MINUTES

DATE: Tuesday, 28 March 2017

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution Nos. 39/17 to 63/17

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	1
3	PUBLIC QUESTION TIME	2
3.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
3.2	PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995.....	2
4	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	2
4.1	MR MILES NYCHART – MOUNT BARKER CAMPDRAFT CLUB – PERMANENT ARENA FENCING – FROST PARK.....	2
5	DISCLOSURE OF INTEREST	2
6	APPLICATIONS FOR LEAVE OF ABSENCE	3
7	CONFIRMATION OF MINUTES.....	3
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	3
9	REPORTS OF COMMITTEES AND OFFICERS.....	4
9.1	DEVELOPMENT SERVICES REPORTS.....	4
9.1.1	LOTS 151, 152, 153 AND 154 PICKLES ROAD, NARRIKUP - DEED OF EASEMENT FOR SIGNING	4
9.2	WORKS AND SERVICES REPORTS.....	7
9.2.1	LOT 8 (41) INGOLDBY STREET, MOUNT BARKER - APPROVAL TO KEEP THREE DOGS IN A TOWNSITE	7
9.2.2	PROPOSED ROAD RESERVE CLOSURE AND AMALGAMATION - LOT 500 ALBANY HIGHWAY, NARRIKUP...	10
9.3	COMMUNITY SERVICES REPORTS	13
9.4	CORPORATE SERVICES REPORTS	14
9.4.1	BUDGET REVIEW - MARCH 2017	14

9.4.2	FINANCIAL STATEMENTS – FEBRUARY 2017	19
9.4.3	LIST OF ACCOUNTS – FEBRUARY 2017.....	21
9.4.4	COMPLIANCE AUDIT RETURN 2016	23
9.4.5	LOCALITY BOUNDARY CHANGES - MOUNT BARKER, KENDENUP AND PERILLUP.....	25
9.5	EXECUTIVE SERVICES REPORTS.....	28
9.5.1	ECONOMIC ALLIANCE - LOWER GREAT SOUTHERN - APPOINTMENT OF ELECTED MEMBERS	28
9.5.2	KARRIOAK AIRSTRIP	31
9.5.3	MUNICIPAL ASSOCIATION OF VICTORIA - NATIONAL SUMMIT 2017 - COUNCILLOR ATTENDANCE.....	35
9.5.4	RETAIL TRADING HOURS – EXTENSION	38
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	43
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	43
12	CONFIDENTIAL.....	44
12.1	CORPORATE SERVICES REPORTS	44
12.1.1	LOT 5 CRYSTAL BROOK ROAD NARRIKUP - DISCHARGE OF PROPERTY (SEIZURE AND SALE) ORDER	44
12.2	EXECUTIVE SERVICES REPORTS.....	46
12.2.1	DEED OF ASSIGNMENT OF SUBLEASE - PLANTAGENET MEDICAL CENTRE	46
12.2.2	TOURISM DEVELOPMENT STRATEGY - ADOPTION.....	48
13	CLOSURE OF MEETING.....	49

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:00pm The Presiding Member declared the meeting open.

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

Members Present:

Cr K Clements	Shire President (Left the Chamber at 3:41pm, returned at 3:48pm)
Cr B Bell	Councillor
Cr S Etherington	Councillor
Cr J Hamblin	Councillor
Cr L Handasyde	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Councillor
Cr C Pavlovich	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Ms Fiona Pengel	Manager Community Services
Mr Vincent Jenkins	Acting Manager Development Services
Mrs Linda Sounness	Executive Secretary

Apologies:

Nil

Members of the Public Present:

There was one member of the public present

Previously Approved Leave of Absence:

Nil

Emergency Evacuation Procedures/Disclaimer:

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors, staff and member of the public present in the Council Chambers.

Mr Stewart then read aloud the following disclaimer:

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

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council /

Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 MR MILES NYE-CHART – MOUNT BARKER CAMPDRAFT CLUB – PERMANENT ARENA FENCING – FROST PARK

Mr Nye-Chart spoke on behalf of the Mount Barker Campdraft Club and also as a member of the Australian Stock Horse Campdraft Association. Mount Barker hosts three Campdrafts every year as well as a couple of training days. The annual campdraft at the end of January boasts 600 competitors. The Club is seeking Council's consideration to assist with a \$3,000.00 grant towards their project to provide a permanent fence arena for the campdraft activities. Currently the club erects and dismantles temporary fencing for each event. The project is estimated at \$30,000.00 of which the Campdraft and associated Clubs are contributing \$27,000.00. The Turf Club and other users of Frost Park have been consulted and are in support of the project. The Campdraft Club will be submitting an application through the Shire of Plantagenet Financial Assistance Grants Round which is currently open.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr K Clements

Item: 9.5.4

Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)

Nature: Board Member of Mount Barker Co-operative

Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Cr J Hamblin requested Leave of Absence for the 26 April 2017.

Moved Cr B Bell, seconded Cr L Handasyde:**That Cr J Hamblin be approved Leave of Absence for 26 April 2017.****CARRIED (9/0)****NO. 39/17****7 CONFIRMATION OF MINUTES****Moved Cr M O'Dea, seconded Cr J Oldfield:****That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 28 February 2017 as circulated, be taken as read and adopted as a correct record.****CARRIED (9/0)****NO. 40/17****8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President distributed notes separately.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOTS 151, 152, 153 AND 154 PICKLES ROAD, NARRIKUP - DEED OF EASEMENT FOR SIGNING

File Ref:	N40666
Attachments:	Location Plan Deposited Plan 409491
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Vincent Jenkins Acting Manager Development Services
Proposed Meeting Date:	28 March 2017
Applicant:	Amity Settlements

PURPOSE

The purpose of this report is to seek authority for the Shire President and Chief Executive Officer to affix the Common Seal of the Council to a Deed of Easement on Deposited Plan 409491 for new Lots 151, 152, 153 and 154 Pickles Road, Narrikup.

BACKGROUND

Council records show the registered owners of Lots 5, 784, 3522, 3831 and 5486 Newman Road, Narrikup are M, LS and J Duggan.

Lots 151, 152, 153 and 154 mentioned above are new lot numbers proposed for a boundary re-adjustment plan to provide access to landlocked properties and to create an emergency access easement.

The Manager Development Services considered the proposed five lot rural subdivision of Lots 5, 784, 3522, 3831 and 5486 Newman Road, Narrikup in April 2016 in accordance with Council Delegation LG035.

The subdivision application was supported subject to the following conditions:

'That the proposed boundary adjustment to Lots 5, 784, 3522, 3831 and 5486, Newman Road , Narrikup is supported subject to the following conditions;

- 1. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost to the satisfaction of the Manager Works and Services.*

2. *Suitable arrangements being made for the provision of vehicular crossovers to service Lots A, B, C, D, and E to the satisfaction of the Manager Works and Services.*
3. *The proposed battle access ways for Lots A and B being constructed and drained at the landowner/applicant's cost to the specifications of the Manager Works and Services.*
4. *The proposed emergency access way being constructed and drained at the landowner/applicant's cost to the specifications of the Manager Works and Services.*
5. *Existing road reserves (unnamed) and the proposed road reserves being aligned in accordance with the plan dated 03/03/2016 (attached and marked in red subject to engineering design) by the landowner/applicant transferring the land required to the Crown free of cost for the purpose of road reserve to the satisfaction of the Manager Works and Services.*
6. *The landowner/applicant installing suitable rural fencing of good standard in accordance with the plan dated 03/03/2016 (attached) to the satisfaction of the Manager Development Services.*
7. *All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia to the satisfaction of the Manager Development Services.*
8. *A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificates of title of the proposed lots B, C and advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*

'This lot is in close proximity to existing farm and may be adversely affected by virtue of odour, noise, dust and/or light emissions from that land use.'

The subdivision application was approved by the Western Australian Planning Commission (WAPC) on 17 May 2016 subject to a number of conditions including:

'Easement(s), in accordance with Sections 195 and 196 of the Land Administration Act 1997, are to be placed on the certificates of title of Lots A and B over the proposed emergency access way. Notice of this easement is to be included on the Diagram or Plan of Survey (Deposited Plan). The easement(s) are to state as follows:

"Emergency access way."

STATUTORY ENVIRONMENT

Land Administration Act 1997

Local Government Act 1995

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 easement will create an emergency access way from Pickles Road to Newman Road as part of the finalisation of the subdivision. The easement notification will be placed on the titles of the affected properties.

The Local Government Act 1995 and Council Delegation LG035 do not permit the Shire President and Chief Executive Officer to affix the Shire of Plantagenet Common Seal to the Deed of Easement under Section 195 of the Land Administration Act 1997 without a Council resolution.

Authority is now sought for the Common Seal to be applied to enable registration of the easement to be effected.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr C Pavlovich:

That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Deed of Easement under Section 195 of the Land Administration Act 1997 pertaining to Lots 151, 152, 153 and 154 Pickles Road, Narrikup on Deposited Plan 409491.

CARRIED (9/0)

NO. 41/17

9.2 WORKS AND SERVICES REPORTS

9.2.1 LOT 8 (41) INGOLDBY STREET, MOUNT BARKER - APPROVAL TO KEEP THREE DOGS IN A TOWNSITE

File Ref:	N40918
Attachments:	41 Ingoldby Street, Mount Barker - Map
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to consider a request from Mrs Catherine Kirke to keep three dogs at Lot 8 (41) Ingoldby Street, Mount Barker.

BACKGROUND

Mrs Kirke currently has two female (sterilised) Cavalier King Charles Spaniels. Mrs Kirke has requested to be allowed to keep a three year old (sterilised) Chihuahua at the above property.

All three dogs are registered with the Shire of Plantagenet.

STATUTORY ENVIRONMENT

Dog Act 1976, Section 26 (3) – ‘Limitations as to numbers’

This section provides for a local government to grant an exemption for the number of dogs that would otherwise be permitted at a property, provided that the approval is only applicable to the dogs at the property in question. Further, no more than six dogs are allowed on any property. Also, the approval may be varied or revoked at any time.

Shire of Plantagenet Dogs Local Law 2008, Section 3.2 – ‘Limitations on the number of dogs’

The Shire of Plantagenet Dogs Local Law 2008 states that the limit on the number of dogs which may be kept on a property within a townsite is two dogs over the age of three months and the young of those dogs under that age.

EXTERNAL CONSULTATION

Consultation has occurred with the owner of the property Mrs Catherine Kirke and the adjoining neighbours; Ms J Knight [Lot 254 (45) Ingoldby Street], Ms S Wright [Lot 1 (43) Ingoldby Street] and Ms H Roberts [Lot 7 (37) Ingoldby Street]. All have confirmed their support for the request.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Policy implications do not apply for this report, however, it is recommended that a policy be developed. The development of a policy may provide scope for the Chief Executive Officer to have delegated authority to approve future requests and reduce the requirement for these reports to be presented to the Council.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 1.9 (A safe Plantagenet) the following Strategy:

Strategy 2.9.1:

'Provide animal control in accordance with legislative requirements.'

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 1.9.1.1

'Educate the community regarding rules and requirements associated with keeping animals in rural and urban areas.'

And Action 1.9.1.2:

'Enforce animal controls in order to maintain public safety.'

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

OFFICER COMMENT

Mrs Kirke applied to the Shire on 1 March 2017 to keep an additional dog on her property. Mrs Kirke currently owns two dogs, the third is a dog 'rescued' by Mrs Kirke's husband who is a vet.

Mrs Kirke was advised that she cannot register the third dog at 41 Ingoldby Street, Mount Barker unless the keeping of more than two dogs in a townsite is approved by the Council.

The subject property is 23,091m² in area and it is considered that sufficient space is available for the three dogs, all three of which are classed as 'small'. The dogs at the property have never been the cause of any ranger issues and are not causing a nuisance.

If the dogs at the property were to become a nuisance at any point, the approval could be reconsidered by the Chief Executive Officer.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr M O'Dea:

That:

1. An exemption from the requirements of the Shire of Plantagenet Dogs Local Law 2008, Section 3.21 'Limitation on the number of dogs' be granted to Mrs Catherine Kirke to keep three dogs at Lot 8 (41) Ingoldby Street, Mount Barker subject to the following:
 - a) The approval is limited to the following dogs:
 - Maple – three year old (sterilised) Cavalier King Charles Spaniel (registration ID – 2573);
 - Saffron – 18 month (sterilised) Cavalier King Charles Spaniel (registration ID – 2574);
 - Spooky – three year old (sterilised) Chihuahua (registration ID – 2572).
 - b) No additional dogs be housed at the property should the dog number reduce by either death of a dog or other means;
 - c) The exemption be reconsidered if the dogs are found to be causing a public nuisance;
 - d) No more than three dogs be kept at the premises at any one time; and
 - e) All dogs be registered with the Shire of Plantagenet.
2. The Chief Executive Officer be authorised to revoke the exemption above, should one of the circumstances referred to in Part 1 apply.
3. The Chief Executive Officer be requested to prepare a draft policy for the Council's consideration relating to the limitation on the number of dogs that may be housed at a property, such policy to be considered by the Council at its meeting to be held on or before 20 June 2017.

CARRIED (9/0)

NO. 42/17

9.2.2 PROPOSED ROAD RESERVE CLOSURE AND AMALGAMATION - LOT 500 ALBANY HIGHWAY, NARRIKUP

File Ref:	N40905
Attachments:	Lot 500 – site map
Responsible Officer:	Dominic Le Cerf Manager Works and Services
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to consider submissions received in relation to the advertising of the proposal to close a portion of unconstructed road reserve and its amalgamation into the adjoining freehold lot being Lot 500 Albany Highway, Narrikup.

BACKGROUND

The Council at its meeting held on 6 December 2016 resolved:

'That:

- 1. Pursuant to Section 58 of the Land Administration Act 1997, local public notice be given of the proposal to permanently close a portion of road reserve running through Lot 500 Albany Highway, Narrikup as shown in Map 1.*
- 2. A further report be prepared for the Council's consideration at the conclusion of advertising on or before the ordinary meeting of the Council to be held 28 March 2017.'*

The report also proposed that the portion of road reserve be amalgamated with the adjoining Lot 500 Albany Highway, Narrikup with the landowner covering all the costs of the process.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Section 58 – 'Closing roads'

Land Administration Regulations 1998, Regulation 9 – 'Local government request to close road permanently (Act s.58(2)), requirements for'

Land Administration Act 1997, Section 87 – 'Sale etc. of Crown land for amalgamation with adjoining land'

EXTERNAL CONSULTATION

As required by Section 58 of the Land Administration Act 1997, public notice of the proposal was placed in the Albany Advertiser on 19 January 2017 and the Plantagenet News on 18 January 2017. No submissions to the proposal were received from members of the public prior to the submission end date.

Written notice of the proposal inviting submissions to be forwarded to the Shire in writing by 24 February 2017 was provided to various parties as detailed in Section 58 of the Land Administration Act 1997. Responses were received from the Department of Planning, Western Power, Main Roads, ATCO Gas and Telstra each of which raised no objection to the proposal.

FINANCIAL IMPLICATIONS

The landowner requesting the road reserve closure has paid the application fee of \$625.00.

Further costs which may be incurred in the road reserve closure and amalgamation process such as purchase price, stamp duty, survey costs, document preparation, registration fees and possible service relocation costs will be met by the applicant.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.1:

'Maintain and further develop roads and pathways at appropriate standards.'

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.4.2:

'Ensure both temporary and permanent road closures are processed and approved in accordance with all necessary legal and administration requirements.'

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

OFFICER COMMENT

As there has been no objection to the proposal it is recommended that the Council request the Minister for Lands to permanently close a portion of the unconstructed road reserve running through Lot 500 Albany Highway, Narrikup and it be amalgamated into the adjacent Lot 500 Albany Highway, Narrikup with the landowner covering all the costs of the process.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr C Pavlovich:

That:

1. Pursuant to Section 58 of the Land Administration 1997, the Minister for Lands be requested to permanently close the portion of road reserve running through Lot 500 Albany Highway, Narrikup as shown on Map 1.
2. The closed portion be amalgamated into the adjacent Lot 500 Albany Highway, Narrikup by the Department of Lands with the applicant covering all the costs of the process.

CARRIED (9/0)

NO. 43/17

9.3 COMMUNITY SERVICES REPORTS

Nil

9.4 CORPORATE SERVICES REPORTS

9.4.1 BUDGET REVIEW - MARCH 2017

File Ref:	N40770
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to review the adopted 2016/2017 Annual Budget to recognise variations in actual income and expenditure.

BACKGROUND

The 2016/2017 annual budget was adopted by the Council at a special meeting on 12 July 2016. This review is the third quarterly review of the 2016/2017 Annual Budget. The Local Government (Financial Management) Regulations 1996 require that local governments conduct a budget review between 1 January and 31 March in each financial year.

STATUTORY ENVIRONMENT

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

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

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

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013 – 2023 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

In terms of operating result, operating income is currently 1.0% above (year to date) budget and operating expenditure is 7% below (year to date) budget. The value of outstanding rates is currently 13.8%, which is in line with the usual value at this time of year.

The capital works program is currently 45.5% under (year to date) budget. While only 40% of the roadworks program has been carried out so far, the majority of construction projects are underway, with a number of contractors having been engaged.

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

- The Main Roads Tied Grant was originally estimated to be \$182,100.00, however the final figure is \$198,951.00, leaving \$16,851.00 for reallocation.
- Interest on municipal investments was originally estimated to be \$30,000.00, however the final figure is likely to be around \$12,000.00.
- The value of Other Reimbursements was originally estimated to be \$50,000.00. The account is currently at \$54,071.00, mainly due to two relatively large insurance payouts. A conservative end of year figure is \$55,000.00.
- The Shire has been called upon by the Shire of Toodyay to pay the a sum of \$10,689.00 towards a former staff member's long service leave benefit. This sum can be accommodated from the Employee Entitlements Reserve fund.
- The Shire's liability for Fringe Benefits Tax was originally estimated to be \$45,000.00, however the final figure is likely to be in the region of \$110,000.00. The Shire has been unable to reduce all of the entitlements that were expected to be. Also, Interest payments to the ATO have amounted to \$19,859, being amended general interest charge from 2014 and 2015 recalculation of FBT liability.

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- A total of \$991,279.00 was provided in Budget Item – Administration – Salaries. A sum of \$27,000.00 will not be required and can be made available for reallocation. This is due to one staff member being on extended maternity leave and another staff member having resigned and not replaced for some months.
 - A sum of \$40,000.00 has been budgeted for general insurance costs. It is expected that a further \$5,505.00 will be required for additional insurances and building valuation updates.
 - With the retirement of the Shire’s Environmental Health Officer, the staff member originally appointed as the joint Southern Link VROC Environmental Health Surveyor is now providing only very limited support to other local governments. Income and expenditure accounts for EHO Reimbursable Salaries have been adjusted which has a \$nil cash impact.
 - Grounds maintenance at the Shire’s waste disposal sites is currently above year to date budget due to work involved with DER inspections. However it is anticipated that the expenditure will be close to budget at the year end. Some additional income has been identified in regard to sale of materials and scrap (\$10,000.00) and tipping fees, due to a large quantity of asbestos being dumped at O’Neill Road (\$85,000.00).
 - There has been more funerals at Plantagenet cemeteries this year than predicted and a sum of \$8,000.00 is sought to ‘top up’ the cemetery maintenance account. A corresponding figure will be added to the cemetery fees account.
 - A sum of \$5,000.00 is sought for upgrades to the kitchen at the Plantagenet District Hall to bring it up to adequate public health standards. Work required was to lower and paint the ceiling and replace tiling. This can be accommodated from Budget Item Refurbishment - Lot 337 Martin Street - Council Homes, which will not be fully required this year.
 - In line with recent discussions at Council workshops, following the closure of the pool this season, the pool will be emptied, cleaned and painted and refilled, at a cost of \$70,250.00. It is recommended that the capital works be funded from a transfer from the Mount Barker Swimming Pool Revitalisation Reserve, with the assessment report being funded from other savings in this review.
 - Savings of approximately \$8,000.00 have been identified in the Rec.Centre salaries budget item due to efficiencies in operations. This sum can be made available for reallocation in this review.
 - Confirmation of a renewal of the Kidsport grant of \$35,000.00 has now been received and income and expenditure accounts have been adjusted accordingly.
 - Savings have been identified in a number of Roads to Recovery construction projects due to over-estimated carried forward budgets. An amount totalling \$49,359.00 is available from Ormond Road - SLK 0.00 to 1.09, Ingoldby Street - SLK 0.00 to 0.96 and Perillup Road - SLK 9.40 to 12.45. It is recommended that this sum be allocated to the O’Neill Rd - Albany Hwy - Slip Lane project due to the Main Roads specification providing access by RAV4 vehicles. This requires a deeper base course and additional construction costs.
 - Own source funding project Blue Lake Road - SLK 2.5 to 11.49 has achieved approximately \$73,000.00 in savings, mainly due to gravel being sourced from a local pit and tree pruning was not required. It is recommended that these funds be applied to new Budget Item Moorilup Road - Rebuild Floodway, to complement Roads to Recovery funded projects on that road. The existing scope did not identify a major rebuild of the culvert until works began on site.
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- Budget Item Road Maintenance is currently \$242,034.00 over the year to date budget. The road construction program is now in full swing and road maintenance will have a reduced focus for some time. Nevertheless, it is anticipated that an additional \$100,000.00 may be required by the end of the financial year in this budget item. While there is likely to be some carry forwards on capital projects, it is not planned to seek a reduction on those projects in this budget review. Other savings can be found in Shire Wide Drainage Construction (\$20,000.00), Road Edge Patching (\$25,000.00) and Slashing and Spraying of Roads (\$20,000.00), with the remainder funded from other savings in this review.
- There has been more standpipe water usage this year than predicted and a sum of \$10,000.00 is sought to 'top up' the water supply account. A corresponding figure will be added to the sale of water account.
- Arrangements have been made to assist the Shire of Denmark with a road construction job in McLeod Road, at a cost of approximately \$212,000.00. The Private Works expenditure and income accounts will be adjusted accordingly.
- Budget Item Public Works Overheads – Other Operating Costs is currently over budget by approximately \$7,600.00, mainly due to the consultant costs involved in a financial assessment of waste disposal arrangements. It is recommended that a sum of \$10,000.00 be reallocated from savings in Public Works Overheads – Superannuation.
- Budget Item Public Works Overheads – Employee Costs - Apprentice / Trainee is currently \$10,662.00 over year to date budget, as the costs relating to the new turf apprentice have been allocated to this account. It has been determined that a new budget item for the gardens apprentices needs to be created and relevant costs transferred across to that account. A new account has been created accordingly.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The Council adopted a 10% and a \$5,000.00 minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Moir:

That the budget review for the period 1 July 2016 to 28 February 2017 be adopted and the 2016/2017 Annual Budget be amended as follows:

Account	Description	Original / Amended Budget	New Budget	Net Cash Amount
10008.0212	Local Road Grant - Main Roads Tied Grant	\$182,100	\$198,951	\$16,851
10009.0067	Interest on Municipal Investments	\$30,000	\$12,000	(\$18,000)
10016.0229	Reimbursements - Other	\$50,000	\$55,000	\$5,000
51431.0252	Refurbishment - Lot 337 Martin Street - Council Homes	(\$35,853)	(\$30,853)	\$5,000
20047.0311	Employee Costs - Long Service Leave Disbursements	\$0	(\$10,689)	(\$10,689)
40415.0486	Transfers from Reserve Funds	\$18,000	\$28,689	\$10,689
20276.0265	Financial Expenses - Fringe Benefits Tax	(\$45,000)	(\$110,000)	(\$65,000)
20047.0130	Employee Costs - Salaries	(\$991,279)	(\$964,279)	\$27,000
20049.0064	Other Expenses - Insurances	(\$40,000)	(\$45,505)	\$(5,505)
20111.0130	Employee Costs - Salaries	(\$147,627)	(\$127,627)	\$20,000
20111.0141	Employee Costs - Superannuation	(\$22,356)	(\$12,356)	\$10,000
10067.0219	Reimbursements - Salaries	\$60,525	\$30,525	(\$30,000)
10094.0406	Other Revenue - Sale of Surplus Materials & Scrap	\$22,000	\$32,000	\$10,000
10098.0147	Other Revenue - Tipping Fees	\$70,000	\$155,000	\$85,000
20181.0052	Building & Grounds (PC) - Cemeteries Maintenance	(\$80,000)	(\$88,000)	\$(8,000)
11013.0237	Other Income - Cemetery Fees & Charges	\$50,000	\$58,000	\$8,000
50424.0252	Plantagenet District Hall Upgrade	(\$453,339)	(\$458,339)	\$(5,000)
New	Swimming Pool Refurbishment	\$0	(\$70,250)	(\$70,250)
New	Transfer from Reserves	\$0	\$70,250	\$70,250
21100.0130	Rec.Centre - Salaries	(\$202,539)	(\$194,372)	\$8,167
New	Parks Maintenance - Apprentice / Trainee	\$0	(\$67,000)	(\$67,000)
20221.0397	Other Expenses - Kidsport Program	(\$52,098)	(\$37,098)	\$15,000
10126.0397	Grant Income - Kidsport Program	\$50,000	\$35,000	(\$15,000)
51616.0250	Ormond Road- SLK 0.00 to 1.09	(\$1,963)	\$0	\$1,963
51617.0250	Ingoldby Street - SLK 0.00 to 0.96	(\$1,090)	\$0	\$1,090
51631.0250	Perillup Road - SLK 9.40 to 12.45	(\$46,306)	\$0	\$46,306
51650.0250	O'Neill Rd - Albany Hwy - Slip Lane	(\$31,259)	(\$80,618)	(\$49,359)
51675.0250	Blue Lake Road - SLK 2.5 to 11.49	(\$180,000)	(\$107,000)	\$73,000
New	Moorilup Road - Rebuild Floodway	\$0	(\$73,000)	(\$73,000)
51202.0250	Shire Wide Drainage Construction	(\$100,000)	(\$80,000)	\$20,000
20225.0126	Road Maintenance - General	(\$1,350,000)	(\$1,450,000)	(\$100,000)
20225.0391	Road Maintenance - Edge Patching	(\$30,000)	(\$5,000)	\$25,000
20225.0392	Road Maintenance - Slashing and Spraying of Roads	(\$30,000)	(\$10,000)	\$20,000
21328.0319	Water Supply (Standpipes)	(\$45,000)	(\$55,000)	(\$10,000)
11320.0400	Other Income - Sale of Water	\$40,000	\$50,000	\$10,000
21350.0321	Private Works Jobs (PC)	(\$30,000)	(\$212,000)	(\$182,000)
10159.0015	Private Works Recoups	\$34,500	\$212,000	\$177,500
20261.0312	Office Expenses - Other Operating Costs	(\$20,000)	(\$30,000)	(\$10,000)
20260.0141	Employee Costs - Superannuation	(\$189,412)	(\$179,412)	\$10,000
20266.0351	Plant Operating Costs - Apprentice / Trainee	(\$74,987)	(\$40,000)	\$34,987
20281.0175	Plant Operating Costs - Insurance	(\$32,000)	(\$24,000)	\$8,000
		(\$3,624,983)	(\$3,624,983)	\$0

CARRIED (9/0)

NO. 44/17

Absolute Majority

9.4.2 FINANCIAL STATEMENTS – FEBRUARY 2017

File Ref:	N40769
Attachment:	Financial Statements (separate attachment)
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 28 February 2017.

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 (ie: surplus/(deficit) position).

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That the Financial Statement for the period ending 28 February 2017 be received.

CARRIED (9/0)

NO. 45/17

9.4.3 LIST OF ACCOUNTS – FEBRUARY 2017

File Ref:	N40869
Attachment:	February 2017
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of February 2017.

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 (21 June 2016). 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 M O'Dea, seconded Cr J Hamblin:

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 28 February 2017 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$485,650.58;
2. Municipal Cheques 45832 – 45851 and 45853 - 45855 totalling \$96,725.43; and
3. Cancelled cheque 45852.

CARRIED (9/0)

NO. 46/17

9.4.4 COMPLIANCE AUDIT RETURN 2016

File Ref:	N40896
Attachments:	Compliance Audit Return 2016
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Donna Fawcett Senior Administration/Human Resources Officer
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to recommend to the Council the adoption of the Compliance Audit Return for the calendar year 1 January to 31 December 2016 and to enable the Council to fulfil its statutory obligations with regard to the Compliance Audit.

BACKGROUND

A Compliance Audit is required to be completed once in each calendar year.

STATUTORY ENVIRONMENT

The Compliance Audit is required pursuant to Section 7.13 of the Local Government Act 1995. The Local Government (Audit) Regulations 1996 includes the following sub regulations in Regulation 14:

- '(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be –*
- (a) presented to the council at a meeting of the council; and*
 - (b) adopted by the council; and*
 - (c) recorded in the minutes of the meeting at which it is adopted.'*

After the Compliance Audit Return has been presented to the Council, a certified copy of the return together with:

- (a) A copy of the relevant section of the minutes referred to in the regulations; and
- (b) any additional information explaining or qualifying the Compliance Audit is to be submitted to the Department of Local Government and Communities by 31 March 2017.

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

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.6:

'Provide administrative support to the Shire for Governance functions.'

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

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 includes Action 4.1.6.4 – Maximise awareness of and compliance with relevant legislation.

OFFICER COMMENT

The completed Compliance Audit Return is attached to the report. The 2016 Compliance Audit revealed no areas of non-compliance.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr C Pavlovich, seconded Cr J Moir:

That the Compliance Audit Return for the calendar year 1 January 2016 to 31 December 2016 be adopted and submitted to the Department of Local Government and Communities.

CARRIED (9/0)

NO. 47/17

9.4.5 LOCALITY BOUNDARY CHANGES - MOUNT BARKER, KENDENUP AND PERILLUP

File Ref:	N40847
Attachments:	Attachment 1 – 2006/17 Boundary Changes Attachment 2 – Boundary Change Proposal Attachment 3 – Current Postal Routes Summary of Submissions
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to endorse a request to Landgate to amend the locality boundaries in Kendenup, Forest Hill and Perillup.

BACKGROUND

In 2006/2007, the Shire adopted some locality boundary adjustments across the Shire, including some changes to the Forest Hill and Kendenup boundary (See attachment 1).

Since then, some landowners have advised that they have been severely impacted by their properties moving from Forest Hill to Kendenup, in particular due to postal services not being received or coming late due to it being directed incorrectly to Kendenup in the first instance. Also, one landowner residing in Perillup (Mr & Mrs A Slade), but with a post box on Mallawillup Road is similarly impacted.

A relatively simple and low impact modification to property boundaries was initially proposed, which was informally discussed with councillors in December 2016. This proposal would allocate some land from Perillup to Kendenup, to match the Kendenup postal route. While Mr & Mrs Slade's property would still have been in Perillup, their postal address of Lake Katherine Road would be on the border of Perillup and Kendenup. It was thought this would allow their postal address to be in either locality. Other land would be transferred from Kendenup to Forest Hill, to match the Mount Barker postal route.

However, Landgate did not support the original proposal because Mr & Mrs Slade's property would have been outside the new Kendenup boundary. As a result of this, a modified proposal was developed in conjunction with Landgate, as shown on attachment 2.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

EXTERNAL CONSULTATION

Letters were sent to eight owners (or groups of owners) for 13 different property assessments. Seven responses were received on behalf of 12 assessments (See attached Summary of Submissions). All responses received were in favour of the

proposal. One landowner (Mr W J Carter) did not comment, however it can be assumed that he would not object to the proposal as the property would transfer from Kendenup to Forest Hill, which would better suit his Mount Barker postal address.

FINANCIAL IMPLICATIONS

Minor costs relating to gazettal of boundary changes will be incurred.

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 2013-2023 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 allocation of properties to localities which does not reflect the postal runs is at the heart of the problem (See Kendenup and Mount Barker Postal runs shown on Attachment 3). The problems are exacerbated by the use of the State Government's address database by many commercial and government organisations Australia wide, which provides no option for these properties to be 'manually adjusted' into a neighbouring postcode, to reflect the postal run.

Shire staff have had discussions with the local post office and apparently there is no chance that postal runs will be changed. Shire staff also discussed the matter with Landgate. It was queried whether the database had provision for a field which might be used to indicate a separate postal locality, but there is nothing available to suit. Therefore, the only possibility of alleviating the matter is to adjust locality boundaries.

The details of the change to locality boundaries has been discussed with Landgate and the attached proposal is endorsed by that Authority. Landgate's guidelines with respect to naming and boundary amendments permits a change to boundaries if the amendment supports the requirements of the WA Police, Emergency Service Providers and Australia Post.

The proposal allocates some land from Perillup to Kendenup, to match the Kendenup postal route. Other land would be transferred from Kendenup to Forest Hill, to match the Mount Barker postal route. Finally, some properties on the western edge of Perillup would be transferred to Forest Hill to make that boundary more uniform.

This proposal was initiated by landowners, who have been experiencing addressing and mail problems for some years. In order to alleviate these issues and given the

overall agreement of the affected landowners, it is recommended that the proposal be supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr L Handasyde:

That following consultation with affected landowners, Landgate be requested to amend the locality boundaries of Mount Barker, Kendenup and Perillup, as outlined on Attachment 2.

CARRIED (9/0)

NO. 48/17

9.5 EXECUTIVE SERVICES REPORTS

9.5.1 ECONOMIC ALLIANCE - LOWER GREAT SOUTHERN - APPOINTMENT OF ELECTED MEMBERS

File Ref:	N40927
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Rob Stewart Chief Executive Officer
Proposed Meeting Date:	28 March 2017

PURPOSE

The purpose of this report is to recommend the appointment of three delegates and a deputy to the Lower Great Southern Economic Alliance.

BACKGROUND

A Lower Great Southern Economic Alliance was held in Denmark on the afternoon of 2 March 2017 to discuss, among other things, structure and governance issues and Council representation. All Councillors from all member Councils were invited to attend.

At that workshop it was decided that each Council should formally appoint three delegates and one deputy.

STATUTORY ENVIRONMENT

Although no section of the Local Government Act prevents two or more Councils from having informal associations, the Alliance has not been formed as a Committee of any Council pursuant to Section 5.8 of the Local Government Act, has not been formed as a Regional Local Government pursuant to section 3.61 of the Act or a Local Government Regional Subsidiary pursuant to section 3.69 of the Act.

However it should be noted that section 3.68 of the Act notes that a Local Government is able to perform a function for another Local Government and that Local Government's may perform a function jointly. This could be done via a legal agreement such as a Deed or Service Contract or as is the case with the Alliance, pursuant to a Memorandum of Understanding.

EXTERNAL CONSULTATION

The recommendation to have three members plus a deputy for Alliance representation came from a joint informal meeting of the three Councils.

FINANCIAL IMPLICATIONS

The subject matter of this report has no financial implication apart from any reimbursement of expenses incurred by Councillors to attend meetings.

POLICY IMPLICATIONS

Policy CE/CS/1 – Elected Member Expenses to be Reimbursed applies.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1 (Effective Governance and Leadership) the following Strategy:

Strategy 4.1.4:

‘Supports strategic alliances, stakeholder forums and advisory committees that assist Shire in policy development and service planning.’

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

REGIONAL IMPLICATIONS

The importance of regional implications is one of the reasons that those in attendance at the workshop recommended three delegates plus a deputy.

Representatives had some concerns that communication with elected representatives could be improved regarding Alliance issues.

OFFICER COMMENT

The workshop, in recommending three elected members and a deputy also stated that one of those members should be the chief elected representative, that is, the Mayor or Shire President.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. Shire President Cr Ken Clements, Cr... and Cr... be appointed as the Council’s representatives to the Lower Great Southern Economic Alliance.
2. That Cr ... be appointed as deputy for any one of the above members.

ALTERNATIVE RECOMMENDATION

Moved Cr L Handasyde, seconded Cr C Pavlovich:

That:

1. **Shire President, Deputy Shire President and Cr... be appointed as the Council’s representatives to the Lower Great Southern Economic Alliance.**
2. **That Cr ... be appointed as deputy for any one of the above members.**

CARRIED (9/0)

NO. 49/17

Reason for Change

Councillors believed that the Shire President and Deputy Shire President positions should be recognised as a standard appointment to the Lower Great Southern Economic Alliance.

COUNCIL DECISION

Moved Cr K Clements, seconded Cr B Bell:

That:

- 1. Shire President Cr Ken Clements, Deputy Shire President Cr Len Handasyde and Cr Brett Bell be appointed as the Council's representatives to the Lower Great Southern Economic Alliance.**
- 2. Cr C Pavlovich be appointed as deputy for any one of the above members.**

CARRIED (9/0)

NO. 50/17

9.5.2 KARRIOAK AIRSTRIP

File Ref: N40922
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to seek authority for the Chief Executive Officer to further negotiate with the owners of the Karrioak Airstrip with the intended outcome of securing a lease over the airstrip so that the airstrip becomes a Council controlled facility.

BACKGROUND

The Karrioak Airstrip situated on Part Lot 50 Eulup/Manurup Road has been used for many years as a private airstrip as well as a facility for fire fighting aircraft.

In more recent times the airstrip has fallen into disrepair and is unsuitable for use by aircraft.

Attempts to purchase or lease the land in the past have been unsuccessful and until recently the matter was not receiving active attention.

Subsequent to the recent sale of the land of which the airstrip forms part, the new owners have indicated their willingness to lease the airstrip to the Council.

At a workshop with Councillors held on 28 February 2017 the Chief Executive Officer was requested to bring a further report back to the Council.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 3.59 – Commercial Enterprises by Local Governments.

Civil Aviation Act 1988

EXTERNAL CONSULTATION

Consultation has occurred with the owners of the subject land.

FINANCIAL IMPLICATIONS

Indicative rental costs are \$10,000.00 per annum plus CPI increases.

Full length re-sealing of the airstrip is estimated at \$72,000.00.

Aircraft turn-around areas at either end of the strip is estimated at \$15,000.00.

Fencing is estimated at \$78,000.00 (Security chain mesh 1.82m high); or \$11,844.50 (Ringlock stock fence 120 cm high).

Provision of tie-down points for aircraft is estimated at \$1,200.00.

New water tank is estimated at \$15,000.00.

Access road construction is estimated at \$4,000.00.

Aviation lighting is estimated at between \$20,000.00 and \$30,000.00 depending on whether the lighting is radio controlled.

It would be hoped that the Australian Government Remote Airstrip Upgrade Program would favourably consider substantial funding to offset this expenditure. For example, recent successful funding applications under this scheme include the Shire of Dundas, to increase the height of runways, taxiways and apron \$1,500,000.00; and the Shire of Carnarvon to replace subgrade structure for \$1,250,000.00. Similar amounts have been allocated across Australia including for re-seals and fencing.

POLICY IMPLICATIONS

The Council has no policy with relation to airstrips. It would however be expected that policy development would be necessary should the Council acquire by lease-hold an airstrip.

ASSET MANAGEMENT IMPLICATIONS

Should the Council consent to endorse the acquisition by lease-hold of an airstrip, significant asset management implications would apply.

The primary reason to acquire the lease-hold would be to permit water bombers to be able to land, take on water and take off for the purpose of fighting bush fires. At present the airstrip does not lend itself to this use due to a lack of maintenance. Therefore re-sealing would be required along with fencing to exclude stock.

Further, ongoing costs for maintenance would accrue.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 under Outcome 2.4 Safe and Reliable Transport Infrastructure is silent with regard to aviation infrastructure.

However, Outcome 3.2 (A strong and Diverse Economic base notes the following Strategy):

Strategy 3.2.1.1

'Facilitate the attraction of value-adding and compatible new industries to the region.'

Outcome 1.9 (A Safe Plantagenet) notes the following strategy:

Strategy 1.9.2.1

'Maximise community safety through the management of the risks associated with fire, natural events and large scale emergencies.'

Therefore, although the Council's planning does not take into account the provision of aviation infrastructure, the provision of such infrastructure would assist the Council to attain its strategic goals.

STRATEGIC RISK IMPLICATIONS

A full risk analysis regarding the operation of an airstrip has not been undertaken.

REGIONAL IMPLICATIONS

Albany, Cranbrook, Denmark and Manjimup each has a publicly owned airstrip. Plantagenet has several airstrips within its boundaries but none that is publicly owned.

OFFICER COMMENT

The upgrade of the Karrioak airstrip to allow fire fighting aircraft to use the strip would help the Council to achieve its strategic outcomes with regard to bushfire safety and mitigation.

The use by private aircraft would be ancillary but would not necessarily accrue any benefit to the Shire unless the provision of an airstrip increased tourism or business opportunities say through an aircraft mechanic.

The leasing of the airstrip without some surety of funding may create community expectations that the Council would find difficult to achieve.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That the Chief Executive Officer be:

1. Authorised to undertake further negotiations with the owners of Part Lot 50 Eulup/Manurup Road (Karrioak Airstrip) with a view to providing a public airstrip for the Shire of Plantagenet.
2. Requested to undertake further investigation of funding opportunities to develop the Karrioak Airstrip.
3. Requested to undertake a risk analysis relating to airstrip operation.
4. Requested to present a further report to the Council at its meeting scheduled for 23 May 2017.

ALTERNATIVE RECOMMENDATION

Moved Cr C Pavlovich, seconded Cr B Bell:

That a feasibility study into a proposal for a Council controlled airstrip in our Shire be undertaken, such study to include, but not limited to, the following:

1. Input be sought from the Department of Fire and Emergency Services in writing requesting if an airstrip in Plantagenet would be utilised for emergency fire suppression and if so the minimum standards of such a facility;
2. Input be sought the Royal Flying Doctor Service in writing requesting if an airstrip in Plantagenet would be utilised for medical emergencies and if so the minimum standards of such a facility;
3. Engage with local pilots requesting:
 - a) if they would use a local facility and frequency; and
 - b) their opinion on future growth in this industry.
4. Contact service providers to the aviation industry requesting feedback on:
 - a) the possibility of services located on a local airstrip and,
 - b) what infrastructure would be required.
5. Engage the community through local media requesting feedback.
6. A Council workshop to review the feasibility study by August 2017.

CARRIED (9/0)

NO. 51/17

Reason for Change

Councillors believed that a feasibility study is required to inform the Council prior to further negotiations.

9.5.3 MUNICIPAL ASSOCIATION OF VICTORIA - NATIONAL SUMMIT 2017 - COUNCILLOR ATTENDANCE

File Ref: N40910
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to recommend the attendance of two Councillors at the Municipal Association of Victoria 2017 Future of Local Government National Summit being in Melbourne on 25 and 26 May 2017.

BACKGROUND

The annual Future of Local Government Summit brings together experts from around the world to share their views on the influences shaping local government and the opportunities this can create for councils and their communities. It has been running since 2005.

The last Summit attended was in 2015 by Councillors Handasyde and Pavlovich and the CEO.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

Registration is \$594.00 (inc GST). Return airfares would be in the vicinity of \$600.00. Accommodation and meals for two nights would be approximately \$500.00 per person.

POLICY IMPLICATIONS

Council Policy CE/CS/1 – ‘Elected Member Expenses to be Reimbursed’ applies.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.1: (Effective governance and leadership) the following strategy:

Strategy 4.1.5:

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

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

REGIONAL IMPLICATIONS

The Southern Link VROC has been represented at the Summit in past years. Summit presentations regularly feature topics and activities undertaken by local

governments working collaboratively. One of the topics on the current program is 'How can we fast track collaboration between Councils to benefit communities?'

OFFICER COMMENT

The preamble for this year's Future of Local Government Summit includes:

'... We are in the midst of a crisis of confidence in government and governance.

It's time to:

- *realise we are poised between an old world that no longer works and a new one struggling to be born. We need to strengthen local democracy so citizens have more control of their own lives, communities and services;*
- *reclaim 'municipal': where local government (LG) catalyses the collaboration of citizens, communities and institutions to work together for the public good. Every issue demands a localist response;*
- *recognise LG is the connective tissue that holds the disparate elements of community together in a broader process of community building; and*
- *recognise the full benefits of cost efficiencies, modern service delivery and citizen engagement will not be realised until there is more devolution of political, administrative and funding powers to LG and LG creates more space for communities for LG to capture the Australian political imagination by putting people and place first.*

We'll take account of:

- *the great degree of disillusionment most citizens feel towards the current system, where they have a largely passive role to play;*
- *the 'top down' silo planning, confusion, waste and duplication that exists in the current unstable, unsatisfactory and unsustainable Federation arrangements in Australia;*
- *the need to enable place-based, collaborative local planning and delivery of required outcomes; and*
- *the rapid advance of technology that is enabling participatory decision-making to take place to provide citizens with more control over their lives it is self-evident that we need to transition to an adapted model of governance in the 2020s.*

Positive feedback has been received from previous attendees of this summit.

All Councillors were advised by email on 13 March 2017 of this conference requesting expressions of interest to attend. At the time of this report Councillors Pavlovich, Handasyde and O'Dea have expressed such an interest. It should be noted that the CEO has sought and obtained approval from the Shire President to also attend.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr B Bell:

That:

- 1. Cr M O'Dea and Cr C Pavlovich be authorised to attend the Municipal Association of Victoria Future of Local Government National Summit 2017 in Melbourne on 25 and 26 May 2017.**
- 2. All costs relating to registration, travel and accommodation be charged to budget item 20026.0029.**
- 3. A report on the conference be submitted for inclusion in the Councillors' Bulletin no later than the Council meeting to be held on 18 July 2017.**

CARRIED (9/0)

NO. 52/17

9.5.4 RETAIL TRADING HOURS – EXTENSION

Cr K Clements

Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)

Nature: Board Member of the Mount Barker Co-operative

Extent: Not required

3:41pm Cr K Clements withdrew from the meeting.

Deputy Shire President Cr L Handasyde assumed the Chair.

File Ref: N40826
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Linda Sounness
Executive Secretary
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to seek the Council's approval to apply for an extension of retail trading hours within the Shire of Plantagenet.

BACKGROUND

At its meeting held on 25 November 2008, the Council resolved:

That:

- 1. The Department of Consumer and Employment Protection be advised that after canvassing businesses within Mount Barker and considering all submissions received, the Shire of Plantagenet is of the opinion that Sunday trading should be permitted within the townsite of Mount Barker.*
- 2. The Department be provided with copies of advertisements, correspondence and submissions.'*

Further, following contact received from the Porongurup Promotions Inc the Council at its meeting held on 23 February 2010, the Council resolved:

'That the Department of Commerce be:

- 1. Advised that after canvassing businesses within the district of the Shire of Plantagenet and considering submissions received, the Shire is of the opinion that Sunday trading should be permitted within the whole of the Shire.*
- 2. Provided with copies of advertisements, correspondence and submissions.'*

Subsequently, the Shire's application was approved by the Minister for Commerce permitting Sunday trading in the whole of the Shire.

The process to implement Sunday trading was commenced at the request of the Mount Barker Co-operative (Co-op). However as the Co-op was happy to trade at that time no later than 3.00pm, no request for different hours was made.

The Co-op (Supermarket) would now like to trade at least until 4.00pm on Sundays.

Further, the original requests for Sunday trading did not seek permission to trade on public holidays.

Local Government authorities outside of the Perth metropolitan area can apply to Consumer Protection to extend the trading hours for general retail shops in their districts beyond those stipulated in the Retail Trading Hours Act 1987. The current ownership structure of the Co-operative Super IGA does not qualify under section 10(3) of the Retail Trading Hours Act 1987 as a 'small retail trader' and therefore is unable to apply for an individual business concession in relation to their trading hours.

Approved Extended Trading hours at present are:

*8am – 6pm Monday, Tuesday, Wed, Friday

*8am – 9pm Thursday

*8am – 5pm Saturday

*9am – 3pm Sundays

(*)Except for public holidays.

These trading hours only apply to the Supermarket and not the Mitre 10 Store. In 2007, the Mount Barker Co-op Makit Hardware (now Mitre 10) applied for and was awarded, a Special Retail Shop Certificate. This certificate is current.

The current terms of Special Retail Shop Hours are:

6am to 11.30pm every day of the year (including Sundays and public holidays).

Under the Retail Trading Hours Act 1987 the Supermarket is not eligible to apply for a Special Retail Shop Certificate or an Extended Trading Hours Certificate.

It is also important to note that the Trading hours of the following store types are not covered by the Act:

- Restaurants;
- Cafes,
- Takeaway food shops
- Short-term markets (set up and dismantled in one day).

Notwithstanding maximum hours, a store does not have to open for that period, but can't exceed the period approved.

STATUTORY ENVIRONMENT

Retail Trading Hours Act 1987

All shops are regarded as general retail shops unless they fall under any one of the other categories including: small retail shops, special retail shops, filling – service stations or motor vehicle shops.

EXTERNAL CONSULTATION

Some consultation has occurred with the former CEO of the Mount Barker Co-operative Ltd.

FINANCIAL IMPLICATIONS

There are no financial implications for this report although there will be minor costs associated with canvassing of other retail establishments and the public.

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 2013-2023 provides Goal 3: Prosperous and sustainable local economy Outcome 3.2 (A strong and diverse economic base) the following Strategy:

Strategy 3.2.3:

'Develop and review policy to facilitate and support business development and economic growth'

Further at Outcome 3.3, A well-developed relationship with industry, commerce and government the following Strategy:

Strategy 3.3.1

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

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

REGIONAL IMPLICATIONS

Residents of nearby jurisdictions treat Mount Barker as a regional centre and conduct business in Mount Barker. Extended trading hours would be beneficial for those visitors.

OFFICER COMMENT

Should the Council concur with extended trading hours a formal application from the Shire will need to be made to the Department of Commerce, Consumer Protection Branch. The application will need to cover Sunday trading hours and public holidays. If approved, it will be at the discretion of the Co-operative and other relevant retail businesses whether those hours are implemented for trading.

The public is required to be invited to comment. The effect of this application has the most relevance to the Co-operative's supermarket.

Trading Hours that will be applied for as follows:

*8am – 6pm Monday, Tuesday, Wednesday and Friday

*8am – 9pm Thursday

*8am – 5pm Saturday

*9am – 4pm Sundays

*Inclusive of Public Holidays

Closed on Christmas Day and Good Friday

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr S Etherington, seconded Cr J Oldfield:

That:

1. An application for the extension of trading hours within the boundary of the Shire of Plantagenet for the following hours:

Monday, Tuesday, Wednesday and Friday 8.00am to 6.00pm

Thursday 8.00am to 9.00pm

Saturday 8.00am to 5.00pm

Sunday 9.00am to 4.00pm

Inclusive of public holidays except for (Christmas Day and Good Friday)

Anzac Day trading 12noon to 4.00pm

be prepared.

2. Local public advertising be undertaken for 28 days to invite public comment and submissions.
3. Following the submission period a further report be prepared for the Council's consideration regarding whether or not an application should be made to the Department of Commerce.
4. The report referred to in (3) above be considered by the Council no later than 23 May 2017.

AMENDMENT

Moved Cr M O'Dea, seconded Cr C Pavlovich:

That in part 1, sentence beginning 'Sunday' the time '4.00pm' be deleted and replaced with '5.00pm'.

CARRIED (6/2)

NO. 53/17

COUNCIL DECISION**That:**

1. **An application for the extension of trading hours within the boundary of the Shire of Plantagenet for the following hours:**

Monday, Tuesday, Wednesday and Friday 8.00am to 6.00pm

Thursday 8.00am to 9.00pm

Saturday 8.00am to 5.00pm

Sunday 9.00am to 5.00pm

Inclusive of public holidays except for (Christmas Day and Good Friday)

Anzac Day trading 12noon to 4.00pm

be prepared.

2. **Local public advertising be undertaken for 28 days to invite public comment and submissions.**
3. **Following the submission period a further report be prepared for the Council's consideration regarding whether or not an application should be made to the Department of Commerce.**
4. **The report referred to in (3) above be considered by the Council no later than 23 May 2017.**

CARRIED (8/0)

NO. 54/17

3:48pm Cr K Clements returned to the meeting and assumed the Chair.

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 CORPORATE SERVICES REPORTS

12.1.1 LOT 5 CRYSTAL BROOK ROAD NARRIKUP - DISCHARGE OF PROPERTY (SEIZURE AND SALE) ORDER

File Ref: N39550
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to seek authority to affix the Common Seal of the Council to a Discharge of Property (Seizure and Sale) Order for Lot 5 Crystal Brook Road, Narrikup.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

3:50pm 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:

(b) the personal affairs of any person;(e) (iii) information about the business, professional, commercial or financial affairs of a person.

CARRIED (9/0)

NO. 55/17

MOTION TO PROCEED IN PUBLIC

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

3:51pm That the meeting proceed in public.

CARRIED (9/0)

NO. 56/17

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr J Hamblin:

That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Discharge of Property (Seizure and Sale) Order document relating to Assessment 104083, Lot 5 Crystal Brook Road, Narrikup, subject to the payment of rates and associated interest and charges at settlement of the sale of land.

CARRIED (9/0)

NO. 57/17

12.2 EXECUTIVE SERVICES REPORTS**12.2.1 DEED OF ASSIGNMENT OF SUBLEASE - PLANTAGENET MEDICAL CENTRE**

File Ref: N40523
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Donna Fawcett
Senior Administration/Human Resources
Officer
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to seek approval for the Seal of the Council to be fixed to a Deed of Assignment of Sublease between the Shire of Plantagenet, Plantagenet Doctors Unit Trust and Specialist Diagnostic Services Pty Ltd for a portion of the Medical Centre located at Reserve 49690 (40 Marmion Street) Mount Barker.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

3:51pm That the meeting be closed to members of the public pursuant to Section 5.23 (c) of the Local Government Act as the matter to be considered relates to a contract entered into, or which may be entered into, by the local government.

CARRIED (9/0)

NO. 58/17

MOTION TO PROCEED IN PUBLIC

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

3:52pm That the meeting proceed in public.

CARRIED (9/0)

NO. 59/17

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr L Handasyde:

That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Deed of Assignment of Sublease between the Shire of Plantagenet (Head Landlord), Plantagenet Doctors Unit Trust (Sub Landlord) and Specialist Diagnostic Services Pty Ltd (Sub Tenant) for the purpose of an approved pathology collection centre at Part of Reserve 59690 Marmion Street, Mount Barker.

CARRIED (9/0)

NO. 60/17

12.2.2 TOURISM DEVELOPMENT STRATEGY - ADOPTION

File Ref: N40936
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Rob Stewart
Chief Executive Officer
Proposed Meeting Date: 28 March 2017

PURPOSE

The purpose of this report is to recommend that a Tourism Development Strategy, prepared on behalf of members of the Lower Great Southern Economic Alliance (the Alliance) be adopted.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

3:52pm 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:

(e) (ii) information that has a commercial value to a person.

CARRIED (9/0)

NO. 61/17

MOTION TO PROCEED IN PUBLIC

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

3:53pm That the meeting proceed in public.

CARRIED (9/0)

NO. 62/17

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

1. The Destination Market Strategy, attached be endorsed.
2. The Tourism Development Strategy, be endorsed.
3. The previously endorsed tag line 'Worth Every Moment' be removed.
4. The former tag line 'Worth Every Moment' continue to be used as appropriate.
5. The preferred logo, as attached, be adopted.
6. The geographical positioning statements be adopted.
7. The Action Plan be endorsed.
8. The Alliance be requested to commence progressing the Action Plan.

CARRIED (9/0)

NO. 63/17

13 CLOSURE OF MEETING

3:54pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ **DATE:** ____ / ____ / ____