



# ORDINARY MINUTES

**DATE:** Tuesday, 26 November 2024

**TIME:** 5.00pm

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

  
**Julian Murphy**  
CHIEF EXECUTIVE OFFICER

Resolution numbers: 101/24 to 113/24

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

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.00pm The Presiding Member declared the meeting open.

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

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

### Members Present:

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

### In Attendance:

Mr Julian Murphy	Chief Executive Officer
Mr Anthony Middleton	Executive Manager Corporate and Community Services
Mr Kevin Hemmings	Executive Manager Infrastructure and Assets
Ms Kylie Caley	Manager Finance
Ms Nicole Selesnew	Manager Community and Recreation
Ms Helen Purves	Executive Officer – Governance
Ms Nolene Wake	Executive Officer
Mr Vince Partridge	ICT Officer

### Apologies:

Nil

### Members of the Public Present:

There were 11 members of the public present at the meeting.

### Previously Approved Leave of Absence:

Nil

### Disclaimer:

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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.'

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

### **3 PUBLIC QUESTION TIME**

#### **3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

##### **3.1.1 MEMBERS OF THE PUBLIC REPRESENTING THEMSELVES AND THE FOREST OF THE FALLEN, THE FOLLOWING QUESTIONS WERE ASKED OF COUNCIL.**

###### **MICHAEL THORN**

1. How will the Shire of Plantagenet Council ensure that resident's personal medical choices regarding COVID-19 vaccines are respected and protected, in light of the concerns raised?

*Answer:*

*Decisions taken by members of the community regarding personal medical choices are a matter for individuals. The Shire of Plantagenet encourages all members of the community to seek credible information regarding the Covid-19 vaccines including information provided by the Australian Therapeutic Goods Administration (TGA) and refers the community to the TGA Media Release of 18 October 2024.*

2. What is the Shire of Plantagenet Council's plan to ensure the voices and experiences of residents affected by adverse vaccine reactions are heard and addressed?

*Answer:*

*This is a matter for public health authorities. The Shire of Plantagenet will defer to the WA Department of Health and the Australian Therapeutic Goods Administration (TGA) on matters to do with the Covid-19 pandemic vaccines and outcomes.*

3. How will the Shire of Plantagenet Council be held accountable if it fails to take meaningful action in response to the concerns raised in the special council meeting?

*Answer:*

*The Shire of Plantagenet operates under the general authority of the Local Government Act 1995 and other legislation. The Shire of Plantagenet in all instances aims to ensure compliance with all laws and obligations relating to the good governance of the Shire of Plantagenet. Decisions taken by the Town of Port Hedland (Special Council Meeting) fall entirely within their remit and does not obligate the Shire of Plantagenet to respond to a decision taken by another local government.*

4. Does the Shire of Plantagenet Councillors' oath of office include a commitment to upholding transparency and accountability to residents? If so, how does it apply in this situation?

*Answer:*

*The Declaration by an Elected Member does not specifically refer to transparency and accountability to residents. These principles are set out in the Code of Conduct for Elected Members – clause 6 Accountability:*

*A council member or committee member should —*

- a) base decisions on relevant and factually correct information; and*
- b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and*
- c) read all agenda papers given to them in relation to council or committee meetings; and*
- d) be open and accountable to, and represent, the community in the district.*

*Decisions of Council are recorded in Minutes of Council Meetings including the names of those elected members who have voted for and against the decision.*

5. How will the Shire of Plantagenet demonstrate that it is fulfilling its oath bound duty of care to the community if it fails to address the vaccine safety issues in a timely and substantive manner?

*Answer:*

*The Shire of Plantagenet defers to the Australian Therapeutic Goods Administration (TGA) as the most appropriate authority on Covid-19 vaccines. The Shire of Plantagenet does not have the clinical expertise to form an independent opinion on matters of medical science and refers the community to the TGA Media Release of 18 October 2024. In fact, it may be considered a dereliction of its duty of care if the Shire of Plantagenet was to form an opinion on matters it does not consider itself to be qualified on.*

6. What specific clauses in the Councillors' declaration of office require them to prioritise public health and safety concerns, like those raised regarding the Pfizer and Moderna vaccines?

*Answer:*

*The Declaration by an Elected Member requires a Councillor to fulfil the duties of the office for the people in the district according to the best of their judgment and ability. Councillors will seek the most credible information available on matters of public health including the recognised authority on*

*such matters including the Australian Therapeutic Goods Administration (TGA).*

### **HELEN MILLER**

1. Will the Shire of Plantagenet Council be tabling and discussing the report by Dr David Speicher and the letters from MP Russell Broadbent at their next council forum and then tabling their decision on actions to be taken at the November council meeting? If not, why not?

*Answer:*

*The Shire of Plantagenet has discussed, at the appropriate forum, the issues raised during Public Question Time at the October 2024 Ordinary Council Meeting. The responses to public questions taken on notice are detailed in the Agenda for the November 2024 Ordinary Council Meeting.*

2. Does the Shire of Plantagenet Council intend to send a letter to the Prime Minister, similar to the one proposed in the meeting minutes, regarding the suspension of the Pfizer and Moderna vaccines? If not, why not?

*Answer:*

*The Shire of Plantagenet defers to the Australian Therapeutic Goods Administration (TGA) as the most appropriate authority on Covid-19 vaccines. The Shire of Plantagenet accepts the information publicly provided by the TGA including their Media Release of 18 October 2024 which addresses the issues raised regarding Covid-19 vaccines. The Shire of Plantagenet will not be raising the issue with the Prime Minister on the basis that the TGA is the most appropriate source of information on this issue and the Shire of Plantagenet has no credible comment to make.*

3. How does the Shire of Plantagenet Council plan to distribute the information from Dr. Speicher's report and MP Broadbent's letters to all registered health practitioners and medical clinics in the local area?

*Answer:*

*The Shire of Plantagenet defers to the Australian Therapeutic Goods Administration (TGA) Media Release of 18 October 2024 which addresses the issues raised by Dr Speicher and others. The TGA made the following statement: "While the TGA welcomes and constantly reviews the latest scientific evidence about the safety of vaccines and other biotechnology products, these recent studies fail to apply the required scientific rigor expected in pharmaceutical testing. As such, the results are not robust or reliable and are creating confusion and concern regarding the safety of vaccines."*

*The Shire of Plantagenet will not be disseminating any information in relation to this issue and defers to the TGA as the most appropriate source of information on Covid-19 vaccines.*

### **PAMELA THORN**

1. How does the Shire of Plantagenet Council plan to communicate the information and concerns raised in the Town of Port Hedland special council meeting to local residents?

*Answer:*

*The Town of Port Hedland has taken a position on Covid-19 vaccines independent of other local governments and state and federal government agencies. The dissemination of information arising from meetings of the Town of Port Hedland is the prerogative of the Town of Port Hedland. The minutes of council meetings are publicly available on the relevant local government's website.*

2. What is the Shire of Plantagenet Council's rationale for not taking the actions outlined in the Town of Port Hedland special council meeting motion, if that is their intention?

*Answer:*

*The Town of Port Hedland has taken a position on Covid-19 vaccines independent of other local governments and state and federal government agencies. Whilst the Shire of Plantagenet respects the right of the Town of Port Hedland to take a position on these matters, the Shire of Plantagenet intends to be guided by appropriate government authorities including the Australian Therapeutic Goods Administration (TGA).*

3. How will the Shire of Plantagenet Council ensure residents have access to the full information presented in the Town of Port Hedland special council meeting, including the exhibits and annexures?

*Answer:*

*The dissemination of information arising from meetings of the Town of Port Hedland is the prerogative of the Town of Port Hedland. The minutes of council meetings are publicly available on the Town of Port Hedland website.*

4. How does the Shire of Plantagenet Council intend to monitor and address any potential backlash or funding risks from state/federal governments, as noted in the meeting minutes?

*Answer:*

*This question is perhaps more relevant to the Town of Port Hedland and may be better directed to the relevant local government.*

5. What specific actions will the Shire of Plantagenet Council take to ensure local health providers are advising patients of the potential risks associated with the Pfizer and Moderna vaccines, as outlined in the meeting minutes?

*Answer:*

*The Shire of Plantagenet does not intend to take an independent position on Covid-19 vaccines and defers to, what it believes to be the most appropriate authority on these matters, the Australian Therapeutic Goods Administration (TGA).*

#### **LYNNE DARLINGTON**

1. Does the oath of office taken by Shire of Plantagenet Council explicitly require them to prioritise the health and wellbeing of the local community? If not, why not?

*Answer:*

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*The Declaration by an Elected Member requires a Councillor to duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of their judgment and ability, and to observe the code of conduct adopted by the Shire of Plantagenet under section 5.104 of the Local Government Act 1995. The Declaration of Office is a requirement of the Local Government Act 1995. The role of a councillor is outlined in the Local Government Act 1995 as follows:*

*A councillor —*

- (a) represents the interests of electors, ratepayers and residents of the district; and*
  - (b) provides leadership and guidance to the community in the district; and*
  - (c) facilitates communication between the community and the council; and*
  - (d) participates in the local government's decision-making processes at council and committee meetings; and*
  - (e) performs such other functions as are given to a councillor by the Act or any other written law.*
2. How does the Shire of Plantagenet Council interpret the 'best interests of the community' clause in the councillors' oath, in the context of the vaccine safety concerns presented?

*Answer:*

*The Declaration by an Elected Member requires a Councillor to fulfil the duties of the office for the people in the district according to the best of their judgment and ability. Councillors will seek the most credible information available on matters of public health including the recognised authority on such matters including Australian Therapeutic Goods Administration (TGA).*

3. What provision in the Councillors' oath of office obligate them to investigate and respond to potential health risks, like those outlined in the special council meeting?

*Answer:*

*Councillors will seek to fulfill their duties to the best of their judgment and ability. The position taken by the Town of Port Hedland on Covid-19 vaccines is a matter for that Council. The Shire of Plantagenet will continue to work in the best interests of the community and will work with other government agencies including taking the best advice from credible sources when making decisions relating to public health matters.*

## **3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995**

### **3.2.1 MR MICHAEL THORN REPRESENTING THE FOREST OF THE FALLEN, ASKED THE FOLLOWING QUESTIONS OF COUNCIL.**

1. *In the Shire's response to questions asked at the last council meeting, it is clear the Shire is relying solely on the TGA as the only authority they refer to in the matters raised. How can the Shire use the TGA as its sole source of information*

*when doubt about its integrity is created by an ongoing 96% funding by the industry it is supposed to be regulating? This imbalance raises concerns about the TGA's independence and ability to prioritise public health over industry interests.*

2. *Can the Shire truly and solely rely on the TGA and its press release of the 18 November when evidence from worldwide analysis in independent research proves excessive DNA contamination in the MRNA vaccines in excess of 145 times the TGA legal limit? Where in fact is the misinformation in their claim yet they provide no evidence to back up their claim.*
3. *Will the Shire accept that the precautionary principle must apply in matters of public health and therefore support the suspension of the covid vaccine program until the scientific evidence is resolved?*
4. *We plead to the Shire requesting they seek their own evidence within the population of the Shire to inform them?*

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

### **3.2.2 MS SOBRANE SIMCOCK ASKED THE FOLLOWING QUESTIONS OF COUNCIL IN RELATION TO COVID VACCINES.**

1. *What legal or public health mandate supports the Shire's involvement in promoting Covid 19 vaccination?*
2. *How does this align with the Shire's core responsibilities to its residents under the Local Government Act ?*

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

## **4 PETITIONS / DEPUTATIONS / PRESENTATIONS**

### **4.1.1 MR MICHAEL THORN - REPRESENTING THE FOREST OF THE FALLEN**

Mr Thorn addressed the council in relation to consideration of the ongoing public health event involving covid vaccinations.

## **5 DISCLOSURE OF INTEREST**

Part 5 Division 6 Local Government Act 1995

Cr K Clements noted that Item 9.3.6 Reserve Accounts – 2024/2025 Annual Review dealt with a reserve account for the museum complex. Cr Clements noted that he is a member of the Plantagenet Historical Society.

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

Section 5.25 Local Government Act 1995

**6.1 CR B BELL**

Moved Cr B Bell, seconded Cr J Liebeck:

That Cr B Bell be granted Leave of Absence for the period 29 November to 6 December 2024 inclusive.

**CARRIED (9/0)**

**NO. 101/24**

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

**7 CONFIRMATION OF MINUTES****7.1 ORDINARY MINUTES OF COUNCIL HELD 22 OCTOBER 2024**

Moved Cr W Sheard, seconded Cr J Liebeck:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 22 October 2024 as circulated, be taken as read and adopted as a correct record.

**CARRIED (9/0)**

**NO. 102/24**

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

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Presiding Member noted that he attended a function in Albany the previous evening where 2026 Plans for the City of Albany were announced. He advised that key events throughout the year were being funded by Lotterywest and that many of the plans involve much of the Great Southern.

## **9 REPORTS OF COMMITTEES AND OFFICERS**

### **9.1 DEVELOPMENT & REGULATORY SERVICES REPORTS**

Nil

## 9.2 INFRASTRUCTURE AND ASSETS REPORTS

Nil

## 9.3 CORPORATE AND COMMUNITY SERVICES REPORTS

### 9.3.1 CREDIT AND FUEL CARD PURCHASES JULY - AUGUST 2024

<b>File Ref:</b>	<b>N64965</b>
<b>Attachment:</b>	<u>List of Purchases – July - August 2024</u>
<b>Responsible Officer:</b>	<b>Anthony Middleton</b> <b>Executive Manager – Corporate &amp; Community</b>
<b>Author:</b>	<b>Kylie Caley</b> <b>Manager of Finance</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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#### **PURPOSE**

The purpose of this report is to present the list of credit card and fuel card purchases that were made during the months of July and August 2024.

#### **EXTERNAL CONSULTATION**

No external consultation has occurred in relation to this report.

#### **STATUTORY ENVIRONMENT**

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* provides that a list of payments must be prepared and presented to Council each month for all credit, debit, or purchasing cards utilised by authorised employees during the month.

#### **POLICY IMPLICATIONS**

Council Policy F/FM/17 – Purchasing Policy

Council Policy F/FM/18 – Corporate Credit Card Policy

#### **FINANCIAL IMPLICATIONS**

Expenditure is in accordance with the 2024/2025 Annual Budget.

#### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

#### **LEGAL IMPLICATIONS**

There are no legal implications for this report.

#### **ASSET MANAGEMENT IMPLICATIONS**

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

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**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**RISK MITIGATION IMPLICATIONS**

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

**STRATEGIC RISK IMPLICATIONS**

There are no strategic risk implications for this report.

**REGIONAL IMPLICATIONS**

There are no regional implications for this report.

**OFFICER COMMENT**

As part of the Local Government Reform process, a new regulation was added to the *Local Government (Financial Management) Regulations 1996*, which came into effect on 1 September 2023. This regulation aims to enhance transparency and accountability through greater oversight of incidental expenditure.

Regulation 13A pertains to the credit and fuel cards issued to authorised Shire of Plantagenet employees. The new regulation mandates the disclosure of each transaction made using these cards. These disclosures must be presented to the Council at the ordinary meeting and recorded in the minutes on a monthly basis.

It has come to our attention that while credit and fuel card payments have been included in the list of accounts presented to Council each month since the inception of the regulations in September 2023, the requirement to present a detailed list of individual transactions has not been implemented, primarily due to staff turnover.

To address this oversight, senior staff have decided to present the transactions made from 1 July 2024 at the November 2024 Council meeting. Moving forward, we will ensure this information is included in the monthly list of payments report.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr J Oldfield, seconded Cr A Fraser:**

**That Council receives the list of credit card and fuel card purchases made during the months of July 2024 and August 2024 as required by regulation 13A of the Local Government (Financial Management) Regulations 1996.**

**CARRIED (9/0)**

**NO. 103/24**

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



**9.3.2 DISCHARGE OF PROPERTY (SEIZURE AND SALE) ORDER**

<b>File Ref:</b>	<b>N64831</b>
<b>Responsible Officer:</b>	<b>Anthony Middleton Executive Manager Corporate and Community Services</b>
<b>Author:</b>	<b>Pam Chambers Rates Officer</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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**PURPOSE**

The purpose of this report is to seek Council's approval to grant authority to the President and the Chief Executive Officer to execute and affix the Common Seal of the Council to any documentation required to effect the discharge application on 15 Muir Street, Mount Barker.

**BACKGROUND**

Debt recovery proceedings against assessment A112243, 15 Muir Street Mount Barker were commenced under delegated authority and a Property Seizure and Sale Order (PSSO) was approved on 6 April 2023. The owner of the property has since passed away and the property is due to sell. As the period of the PSSO will still be live at the date of settlement a discharge application needs to be executed under Common Seal.

**EXTERNAL CONSULTATION**

AMPAC Debt Recovery  
Palisade Corporate Law

**STATUTORY ENVIRONMENT**

Local Government Act 1995 (The Act)  
Local Government (Financial Management) Regulations 1996 (Regulations)

**POLICY IMPLICATIONS**

Clause 1.4 of Council Policy F/FM/15 – Debt Collection indicates that other courses of action may be taken to collect debt which include serving a General Procedure Claim.

**FINANCIAL IMPLICATIONS**

There are no financial implications as all debt recovery costs are recoverable.

**BUDGET IMPLICATIONS**

There are no budget implications.

**LEGAL IMPLICATIONS**

Transfer of land documentation is required to discharge the PSSO.

**ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications.

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**STRATEGIC IMPLICATIONS**

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

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

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

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

**STRATEGIC RISK IMPLICATIONS**

There are no strategic risk implications for this report.

**REGIONAL IMPLICATIONS**

There are no regional implications for this report.

**OFFICER COMMENT**

The following timeline outlines the history of the property:

<p>A112243 15 Muir Street, MOUNT BARKER WA 6324 Lot 2 On Diagram 4664 Vol: 1144 Folio: 878 Zoning: Residential R12.5/17.5</p>	<p>2002/2003 The property was purchased by the current owner and their spouse. The rates were last paid in full in December 2012.</p> <p>2014/2015 – The property debt was handed to a debt recovery agent and a General Procedure Claim (GPC) was lodged.</p> <p>2015/2016 – The property was transferred solely into the current owner’s name.</p> <p>2017/2018- A fresh GPC was lodged.</p> <p>2019/2020 - \$8,000.00 was paid leaving a debt of \$3,500.00. There have been no payments since.</p> <p>2022/2023 – A Property Seizure and Sale Order (PSSO) was lodged. There were no goods to seize.</p> <p>2023/2024 – The PSSO was lodged over the land through Landgate as there were no goods to seize.</p> <p>2024/2025 – The owner passed away unexpectedly. The property was repossessed by the mortgagee and listed for sale which has resulted in the pending settlement.</p>
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**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr K Clements, seconded Cr B Bell:**

**That Council proceeds with the Discharge of Property (Seizure and Sale) Order on 15 Muir Street, Mount Barker and grants authority to the President and the Chief Executive Officer to execute and affix the Common Seal of the Council to any documentation required to effect the Discharge of Property (Seizure and Sale) Order on 15 Muir Street, Mount Barker.**

**CARRIED (9/0)**

**NO. 104/24**

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

**9.3.3 FINANCIAL STATEMENT – OCTOBER 2024**

<b>File Ref:</b>	<b>N64970</b>
<b>Attachment:</b>	<u>Financial Statements - October 2024</u>
<b>Responsible Officer:</b>	<b>Anthony Middleton</b> <b>Executive Manager – Corporate &amp; Community</b>
<b>Author:</b>	<b>Anthony Middleton</b> <b>Executive Manager – Corporate &amp; Community</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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**PURPOSE**

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

**BACKGROUND**

The *Local Government (Financial Management) Regulations 1996*, regulation 34 states that a local government must prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget.

Variances between budgeted and actual expenditure including the required material variances (10% with a minimum value of \$20,000) are included in the variance report.

**EXTERNAL CONSULTATION**

Nil.

**STATUTORY ENVIRONMENT**

s.6.4 *Local Government Act 1995*, Part 6 - Financial Management  
r. 34 *Local Government (Financial Management) Regulations 1996*  
r. 35 *Local Government (Financial Management) Regulations 1996*

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**FINANCIAL IMPLICATIONS**

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

**BUDGET IMPLICATIONS**

There are no budget implications for this report.

**LEGAL IMPLICATIONS**

There are no legal implications for this report.

## ASSET MANAGEMENT IMPLICATIONS

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

## STRATEGIC IMPLICATIONS

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

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

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

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

## STRATEGIC RISK IMPLICATIONS

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

## REGIONAL IMPLICATIONS

There are no regional implications for this report.

## OFFICER COMMENT

The attached Statement of Financial Activity for the period 1 July 2023 to 31 October 2024 represent four (4) months, or 33% of the year. The following items are worthy of noting:

- Closing surplus position of \$10.9m;
- Operating results:
  - 83% of budgeted operating revenue has been received; and
  - 14% of budgeted operating expenditure spent (no depreciation has been raised until after the prior year’s audit is finalised);
- Capital expenditure achieved 4% of budgeted projects.
- Cash holdings of \$15.4m of which \$6.9m is held in cash backed reserve accounts;
- Rates debtors outstanding equate to 28.39% of total rates raised for 2024/2025; and
- Page 10 of the statements detail major variations from year to date (amended) budgets.

## VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr R Brown, seconded Cr S Etherington:**

**That Council accepts the Statement of Financial Activity for the month ending 31 October 2024 as presented, along with notes of any material variances.**

**CARRIED (9/0)**

**NO. 105/24**

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

### 9.3.4 LIST OF ACCOUNTS – OCTOBER 2024

<b>File Ref:</b>	<b>N64964</b>
<b>Attachment:</b>	<u>List of Accounts – October 2024</u>
<b>Responsible Officer:</b>	<b>Anthony Middleton</b> <b>Executive Manager – Corporate &amp; Community</b>
<b>Author:</b>	<b>Kylie Caley</b> <b>Manager of Finance</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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#### **PURPOSE**

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

#### **EXTERNAL CONSULTATION**

No external consultation has occurred in relation to this report.

#### **STATUTORY ENVIRONMENT**

This information is provided to Council monthly in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

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.

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.

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* provides that a list of payments must be prepared and presented to Council each month for all credit, debit, or purchasing cards utilised by authorised employees during the month.

#### **POLICY IMPLICATIONS**

Council Policy F/FM/17 – Purchasing Policy

Council Policy F/FM/18 – Corporate Credit Card Policy

#### **FINANCIAL IMPLICATIONS**

Expenditure is in accordance with the 2024/2025 Annual Budget.

#### **BUDGET IMPLICATIONS**

There are no budget implications for this report.

#### **LEGAL IMPLICATIONS**

There are no legal implications for this report.

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**ASSET MANAGEMENT IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**RISK MITIGATION IMPLICATIONS**

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

**STRATEGIC RISK IMPLICATIONS**

There are no strategic risk implications for this report.

**REGIONAL IMPLICATIONS**

There are no regional implications for this report.

**OFFICER COMMENT**

Accountability in local government encompasses various dimensions, as councils strive to fulfill a range of social, political, and financial objectives for the community's benefit.

These accountability principles are rooted in strong financial integrity, adherence to conflict of interest standards, and the expectation that local governments are fully responsible for community resources.

Council has delegated authority to the Chief Executive Officer to make payments from the Shire's Municipal and Trust funds as required.

All payments are independently evaluated by the Manager of Finance to verify that expenditures are for the Shire of Plantagenet and comply with Council policies, procedures, the *Local Government Act 1995*, and relevant regulations. The review also ensures there is no misuse of corporate credit or fuel purchase cards.

**VOTING REQUIREMENTS**

Simple Majority



**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Liebeck, seconded Cr R Brown:

That Council receives the list of accounts paid during the month of October 2024 as per the attached Schedule of Payments, and as summarised below:

**Municipal Account (inclusive of credit card and fuel card purchases**

<b>Cheque Payments</b>	<b>47299</b>	<b>\$61,748.50</b>
<b>EFT Payments</b>	<b>EFT6542 – EFT6804</b>	<b>\$1,035,136.04</b>
<b>Direct Debit Payments</b>		<b>\$88,647.79</b>
<b>EFT Payroll Payments</b>		<b>\$374,848.82</b>
<b>Total Municipal Account Payments</b>		<b>\$1,559,666.37</b>

**CARRIED (9/0)**

**NO. 106/24**

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

### 9.3.5 NARRIKUP TOWN CENTRE PLACE PLAN

<b>File Ref:</b>	<b>N64858</b>
<b>Attachment:</b>	<u>Narrikup Town Centre Place Plan 2024 - 2034</u> <u>Narrikup Town Centre Place Plan Listening Report</u> <u>September 2024</u>
<b>Responsible Officer:</b>	<b>Anthony Middleton</b> <b>Executive Manager Corporate and Community</b> <b>Services</b>
<b>Author:</b>	<b>Nicole Selesnew</b> <b>Manager Community and Recreation Services</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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#### **PURPOSE**

The purpose of this report is to receive the Narrikup Town Centre Place Plan 2024 – 2034.

#### **BACKGROUND**

The Narrikup Place Plan was initiated by the Shire to help coordinate and prioritise community infrastructure in the Narrikup townsite. The Place Plan establishes a shared vision for the townsite and an improvement plan for the community and stakeholders to follow over a ten-year period.

‘Town Team Movement’ was engaged to prepare the Place Plan on 2 July 2024, with the planning process completed on 1 November 2024.

The Narrikup Sports and Community Group (NSCG) coordinated the planning process on behalf of the community and all community members were given opportunities to engage in person and online.

The NCSG endorsed the Place Plan on 4 November 2024.

#### **EXTERNAL CONSULTATION**

Community and stakeholder engagement took place from July to September 2024 and comprised an online and hard copy survey, community walkshop (a walking workshop) and community meeting. Consultation activities were promoted through postal invitations to Narrikup residents, the Narrikup News and social media.

Findings have been recorded in a project Listening Report and form the basis of the Place Plan. A copy of the Listening Report is attached.

#### **STATUTORY ENVIRONMENT**

There are no statutory 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.

## FINANCIAL IMPLICATIONS

If the Place Plan is endorsed, relevant actions from the Implementation Table will be listed in the Shire Corporate Business Plan with timelines applied. This will ensure activities are considered in the Annual Budget process.

## BUDGET IMPLICATIONS

There are no budget implications for this report.

## LEGAL IMPLICATIONS

There are no legal implications for this report.

## ASSET MANAGEMENT IMPLICATIONS

The Narrikup Town Centre Place Plan proposes new and renewed infrastructure in the Narrikup townsite, ranging from carpark upgrades at the Narrikup Hall to new universal access public toilets at the Sporting Ground.

All new developments will be considered in line with the Shire's Corporate Business Plan, ensuring there is sufficient resources to fund new developments and maintain, renew and replace equipment and infrastructure into the future.

## STRATEGIC IMPLICATIONS

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

At Outcome 2.2 (Infrastructure) the following Strategy:

Strategy 2.2.2:

*'Encourage development that is consistent with the individual character of towns'.*

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

## RISK MITIGATION IMPLICATIONS

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Risk Analysis</b>	<b>Mitigation</b>
<i>Operational Ageing infrastructure becoming difficult to maintain and requires attention</i>	<i>Likely</i>	<i>Moderate</i>	<i>Low Moderate</i>	Endorse the Place Plan for the re-development of the Narrikup townsite with consideration for a staged approach and opportunities for community engagement and contributions

<i>Reputational</i> Community expectations regarding improvements at Narrikup following a community consultation program	<i>Likely</i>	<i>Moderate</i>	<i>Low – Moderate</i>	Council to accept the Place Plan which will enable staff to consider a staged approach and resource options for future consideration.
Opportunity: To plan for the future resourcing and development of the Narrikup townsite.				

### STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

### REGIONAL IMPLICATIONS

There are no regional implications for this report.

### OFFICER COMMENT

Town Team Movement has delivered the Narrikup Town Centre Place Plan, 2024 – 2034, in accordance with the project scope. The plan was prepared in partnership with the community, identifying seven themes that were identified as important and needed. The themes are:

1. Narrikup's natural environment;
2. The 'Heart of Town';
3. Safe and welcoming connectivity;
4. Tourism and accommodation;
5. Infrastructure upgrades;
6. Turner Park improvements; and
7. Sporting ground improvements.

These themes are illustrated in the Concept Plan and addressed in the Implementation Table which extends to include actions, timeframes and responsibilities.

The NSCG has endorsed the Place Plan and recognise it as a guide for their future activities.

If Council receives the plan, staff will use the Implementation Table to guide future activities, explore potential funding and identify partners and stakeholders to support projects where possible.

### VOTING REQUIREMENTS

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr K Clements, seconded Cr J Oldfield:**

**That Council receives the Narrikup Town Centre Place Plan 2024 – 2034 as attached.**

**CARRIED (9/0)**

**NO. 107/24**

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

**9.3.6 RESERVE ACCOUNTS – 2024/2025 ANNUAL REVIEW**

<b>File:</b>	<b>N64952</b>
<b>Attachment:</b>	<u>Draft Council Policy – Financial Principles and Governance</u>
<b>Responsible Officer:</b>	<b>Julian Murphy</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Anthony Middleton</b> <b>Executive Manager – Corporate &amp; Community</b>
<b>Proposed Meeting Date:</b>	<b>26 November 2024</b>

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**PURPOSE**

The purpose of this report is to undertake a review of the appropriateness and balance of each reserve account.

**BACKGROUND**

Section 6.11 of the *Local Government Act 1995* states that '*where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose*'.

Cash reserves are established and maintained to accumulate funds for the following purposes:

1. To smooth funding allocations over future years (e.g. Plant reserve);
2. To offset liabilities in respect of previously earned employee entitlements to the extent they require an outflow of funds not allocated in the annual budget (e.g. Employee Entitlements reserve);
3. To meet statutory obligations (e.g. Public Open Space – WAPC 99183 reserve);
4. To fund the renewal of existing physical/built assets (e.g. Hockey Ground Carpet Replacement reserve);
5. To fund future strategic initiatives and the provision of new services and facilities to future residents (e.g. Mount Barker Swimming Pool Revitalisation reserve);
6. To buffer against unpredictable events (e.g. Natural Disaster reserve);
7. To hold unspent grants and contributions (e.g. Spring Road Roadworks reserve); and/or
8. Other purposes as determined by the Council from time to time.

This agenda item seeks to undertake a review of:

- The existing reserve accounts established;
- The appropriateness of their current balances;
- The appropriateness of their defined purposes; and
- Establish a Council Policy that defines the operational parameters of the reserve accounts.

**EXTERNAL CONSULTATION**

Nil.

## STATUTORY ENVIRONMENT

Section 6.11 of the *Local Government Act 1995* legislates reserve accounts and states:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
  - (a) changes\* the purpose of a reserve account; or
  - (b) uses\* the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.  
*\* Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) —
  - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
  - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

policy Implications

Policy implications do not apply for this report. It is recommended that a new policy be created addressing specific reserve account treatments and minimum balances. For example, operating profits from the Mount Barker Regional Saleyards be transferred to the Mount Barker Regional Saleyards Capital Improvement reserve.

A recommended draft policy is attached.

## FINANCIAL IMPLICATIONS

While the report does not in itself have a financial implication on the 'bottom line' of this year's finances, reserve accounts are one of the primary funding sources for major projects and a very important financial tool in managing the finances of the Shire day-to-day.

## BUDGET IMPLICATIONS

There are no budget implications for this report.

## LEGAL IMPLICATIONS

There are no legal implications for this report.

## ASSET MANAGEMENT IMPLICATIONS

Reserve accounts can be used as a saving/funding mechanism for key asset upgrades and renewal. This review recommends establishing a reserve account for the Shire's key buildings in particular. This item is central to good asset management and the ability to fund identified major upgrades, renewal and replacement of assets as identified in the asset management plan.

## STRATEGIC IMPLICATIONS

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

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

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

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

## STRATEGIC RISK IMPLICATIONS

Maintaining a suitable forward planning process that is intrinsically linked to long term financial planning minimises many risks, including those associated with the funding of major projects or the provision of essential equipment and infrastructure.

## REGIONAL IMPLICATIONS

There are no regional implications for this report.

## OFFICER COMMENT

This review of reserve accounts seeks to ask the following questions:

- Are existing reserve account definitions/purposes appropriate?
- Are existing reserve account balances sufficient?
- Do existing reserves cover all major future expenditure?
- Is the operational parameters of reserve accounts clearly defined and agreed upon?

The Shire of Plantagenet currently has the following twenty (20) reserve accounts:

<b>Reserve Account Name</b>	<b>Balance 1 July 2024</b>
Public Open Space - WAPC 99183	\$14,132
Employee entitlements	\$188,390
Plant replacement	\$633,752
Drainage and water management	\$193,355
Waste management	\$1,216,315
Computer software/hardware management	\$60,718
Mount Barker Regional Saleyards capital improvement	\$95,333
Mount Barker Regional Saleyards operating loss	\$313,987
Outstanding land resumptions	\$10,126
Natural disaster	\$334,401
Building Renewal	\$875,390
Spring Road roadworks	\$60,169
Mount Barker swimming pool revitalisation	\$1,244,643
Hockey ground carpet replacement	\$158,742
Community resource centre building	\$74,312



Museum complex	\$9,833
Standpipe	\$49,895
Paths and trails	\$34,119
Major Projects	\$436,712
Community Grants Reserve	\$112,083
	<b>\$6,116,408</b>

### Are Existing Reserve Account Definitions/Purposes Appropriate?

The specific purpose for which each existing reserve account has been established (as required by the Local Government Act and adopted by the Council) are listed below. Commentary is provided in red where suggested improvements and/or changes could be considered.

#### **Public Open Space - WAPC 99183**

To hold the cash in lieu of open space contribution held against the subdivision in WAPC reference 99183 until approval is granted to use those funds, pursuant to Section 6.11 of the Local Government Act 1995

#### Officer Comment:

No change recommended.

#### **Employee entitlements**

To fund sick, annual and long service leave entitlements for former staff and unplanned payments of annual leave and LSL

#### Officer Comment:

No change recommended.

#### **Plant replacement**

To fund the purchase of vehicles, plant and machinery

#### Officer Comment:

No change recommended.

#### **Drainage and water management**

To fund the purchase of land for drainage purposes and carry out major drainage works and projects identified in the Shire of Plantagenet Water Strategy 2020

#### Officer Comment:

This reserve is appropriate whilst the Water Strategy 2020 remains appropriate and relevant.

#### **Waste management**

To fund waste management infrastructure and major items of associated plant and equipment

#### Officer Comment:

This reserve is appropriate, however, consideration should be given to isolating some funds specifically for post closure expenses of Shire landfill sites.

#### Recommendation:

1. That a new 'Waste Management – Post Closure' reserve account be created;
2. 20% of the Annual Waste Levy be allocated to this reserve account. (equates to \$46,569 in 2024/2025)

<p><b>Computer software/hardware management</b> To fund the upgrade of business system software and hardware with latest versions and additional functionality <u>Officer Comment:</u> No Change recommended.</p>
<p><b>Mount Barker Regional Saleyards capital improvement</b> To fund capital works and purchases at the Mount Barker Regional Saleyards <u>Officer Comment:</u> No Change recommended.</p>
<p><b>Mount Barker Regional Saleyards operating loss</b> To retain a proportion of Saleyards operating surpluses to fund operating deficits <u>Officer Comment:</u> No Change recommended. Proposed Council Policy could define minimum / maximum funding level and how this reserve is funded.</p>
<p><b>Outstanding land resumptions</b> To fund old / outstanding obligations for land resumptions associated with road realignments and the like. <u>Officer Comment:</u> A regular operational budget allocation could replace the need for a reserve account. <u>Recommendation:</u> That the outstanding land resumption reserve account be closed.</p>
<p><b>Natural disaster</b> To fund the Council's proportion of natural disaster events in the Shire of Plantagenet. <u>Officer Comment:</u> No Change recommended.</p>

**Building Renewal**

To fund the renewal and refurbishment of Shire buildings.

Officer Comment:

This reserve should specifically define which buildings it applies to. To prevent all funds being allocated to only one building, or a low priority building, it is recommended that this reserve be closed and several new reserve accounts be established for the Council's highest priority buildings. This would also allow at least one key building in each of the Shire's five townsites to have resources allocated for renewal and refurbishment. Buildings have been recommended below based on having the highest asset value and/or strategic townsite importance (noting that reserve accounts already exist for the Community Resource Centre building and the Mount Barker Museum Complex).

Recommendation:

1. That the Building Renewal reserve account be closed and the following new reserve accounts be created:
  - Kendenup Hall
  - Porongurup Hall
  - Narrikup Hall
  - Plantagenet District Hall
  - Frost Park
  - Sounness Park
  - Dr Christopher Bourke Medical Centre
  - Shire Depot
  - Shire Administration Office
2. The purpose of the above reserve accounts be 'for the renewal and upgrade of the [insert building name].'

**Spring Road roadworks**

To fund the construction of roadworks in Spring Road, Porongurup as required by the relevant subdivision condition

Officer Comment:

No Change recommended.

**Mount Barker swimming pool revitalisation**

To fund planning and capital works associated with the revitalisation of the Mount Barker Memorial Swimming Pool.

Officer Comment:

No Change recommended.

**Hockey ground carpet replacement**

To contribute towards the planned replacement of carpet at the Sounness Park Hockey Ground

Officer Comment:

No Change recommended.

**Community resource centre building**

To contribute to the maintenance, renewal, refurbishment and improvements to the Mount Barker Community Resource Centre

Officer Comment:

It is recommended that the reserve be renamed the "Mount Barker Community Centre Building" reserve (refer also to comment for Building Renewal reserve account). Also, reserve accounts are created for large expenditure items and therefore the word "maintenance" should be deleted from the above purpose.

**Museum complex**

To fund the refurbishment of buildings at the Mount Barker Historical Museum complex.

Officer Comment:

No Change recommended (refer also to comment for Building Renewal reserve account).

**Standpipe**

To fund the repair, renewal and upgrade of water standpipes.

Officer Comment:

No Change recommended.

**Paths and trails**

To fund the development of new pathways, cycleway infrastructure and trails.

Officer Comment:

No Change recommended.

**Major Projects**

To fund new, improvements or refurbishments to existing Shire buildings and / or infrastructure and concept planning / working drawings for projects, to be determined by the Council

Officer Comment:

This reserve should specifically define which major projects it applies to. To prevent all funds being allocated to only one project, or a low priority project, it is recommended that this reserve be closed and new reserve accounts be established for the highest priority major projects as contained within the Long Term Financial Plan.

Recommendation:

1. That the Major Projects reserve account be closed and the following new reserve accounts be created:
  - Wilson Park
  - Housing & Land
2. The purpose of the Wilson Park reserve account be 'for the asset renewal and major upgrade of Wilson Park'; and
3. The purpose of the Housing & Land reserve account be 'for the development of land and construction and renewal of housing assets.'

**Community Grants Reserve**

To fund Council contributions towards leased Shire building and infrastructure improvements, funded via Shire community grants.

**Officer Comment:**

A regular operational budget allocation currently funds the annual Community Grant Program. Community group building and infrastructure upgrades can be funded from the building renewal reserve accounts and the major projects reserve accounts as detailed above.

**Recommendation:**

That the Community Grants reserve account be closed.

**Are Existing Reserve Account Balances Sufficient?**

The commentary made in red above recommends four (4) reserve accounts be closed. It is considered prudent that if these reserve accounts are closed, the funds be transferred to reserves with a similar purpose or high priority major projects. The following is the suggested movement of funds:

1. Close the '*Outstanding land resumptions*' reserve account of \$10,126. Transfer funds to the newly created '*Waste Management – Post Closure*' reserve account;
2. Close the '*Building Renewal*' reserve account of \$875,390. Transfer funds as follows:
  - a. Porongurup Hall - \$150,000;
  - b. Plantagenet District Hall - \$50,000;
  - c. Frost Park - \$50,000;
  - d. Sounness Park - \$50,000;
  - e. Dr Christopher Bourke Medical Centre - \$50,000;
  - f. Shire Depot - \$100,000;
  - g. Shire Administration Office - \$200,000;
  - h. Community resource centre building - \$200,000; and
  - i. Mount Barker swimming pool revitalisation - \$25,390.
3. Close the '*Major Projects*' reserve account of \$436,712. Transfer funds as follows:
  - a. Mount Barker swimming pool revitalisation - \$200,000;
  - b. Housing & Land - \$100,000;
  - c. Paths and trails - \$36,712; and
  - d. Wilson Park - \$100,000
4. Close the '*Community Grants*' reserve account of \$112,083. Transfer funds as follows:
  - a. Museum complex - \$12,083;
  - b. Kendenup Hall - \$25,000;
  - c. Porongurup Hall - \$50,000; and
  - d. Narrikup Hall - \$25,000.

If the recommendations made above were all adopted, the reserve accounts held by Council would be as follows:

<b>Reserve Account Name</b>	<b>Balance 1 July 2024</b>	<b>Proposed Movement from this Review</b>	<b>Proposed New Reserve Balance</b>
Public Open Space - WAPC 99183	\$14,132		\$14,132
Employee entitlements	\$188,390		\$188,390
Plant replacement	\$633,752		\$633,752
Drainage and water management	\$193,355		\$193,355
Waste management	\$1,216,315		\$1,216,315
Waste Management – Post Closure		\$10,126	\$10,126
Computer software/hardware management	\$60,718		\$60,718
Mount Barker Regional Saleyards capital improvement	\$95,333		\$95,333
Mount Barker Regional Saleyards operating loss	\$313,987		\$313,987
Outstanding land resumptions	\$10,126	(\$10,126)	0
Natural disaster	\$334,401		\$334,401
Building Renewal	\$875,390	(\$875,390)	0
Kendenup Hall		\$25,000	\$25,000
Porongurup Hall		\$200,000	\$200,000
Narrikup Hall		\$25,000	\$25,000
Plantagenet District Hall		\$50,000	\$50,000
Frost Park		\$50,000	\$50,000
Sounness Park		\$50,000	\$50,000
Dr Christopher Bourke Medical Centre		\$50,000	\$50,000
Shire Depot		\$100,000	\$100,000
Shire Administration Office		\$200,000	\$200,000
Spring Road roadworks	\$60,169		\$60,169
Mount Barker swimming pool revitalisation	\$1,244,643	\$225,390	\$1,470,033
Hockey ground carpet replacement	\$158,742		\$158,742
Community resource centre building	\$74,312	\$200,000	\$274,312
Museum complex	\$9,833	\$12,083	\$21,916
Standpipe	\$49,895		\$49,895
Paths and trails	\$34,119	\$36,712	\$70,831
Major Projects	\$436,712	(\$436,712)	0
Housing & Land		\$100,000	\$100,000
Wilson Park		\$100,000	\$100,000
Community Grants Reserve	\$112,083	(\$112,083)	0

	<b>\$6,116,408</b>	<b>\$0</b>	<b>\$6,116,408</b>
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### Do Existing Reserves Cover All Major Future Expenditure?

An analysis of the appropriateness of existing reserve accounts does not give consideration to any new areas of future expenditure whereby a reserve account currently does not exist. The key tool used to identify future major projects, the Long Term Financial Plan (LTFP), is currently being reviewed. When next year's annual review of reserve accounts is undertaken, the LTFP can then be assessed to ensure the funding of all major projects is being planned in an appropriate manner.

Prior to the development of a LTFP, a quick brainstorm of the major projects currently being developed demonstrates that they are adequately covered by the reserve accounts identified above. These current projects include:

- Mount Barker Swimming Pool – Stage 1B and stage 2;
- Wilson Park Youth Precinct construction;
- Housing developments and subdivision of land;
- Porongurup Hall – new toilets and community meeting room;
- Pwackenbak Mountain Bike Trail and associated infrastructure, and trail development generally; and
- Water resource security.

As such, it is not recommended that any new reserve accounts need to be created, over and above the reserve accounts already suggested in the table on the previous pages.

### Is the Operational Parameters of Reserve Accounts Clearly Defined and Agreed upon?

The existing reserve accounts held by the Shire have been well managed in the past according to a variety of ad-hoc criteria and processes. It is recommended that these be defined in writing and form part of a Council Policy to ensure they receive (at minimum) an annual review.

The unwritten criteria currently in use that has been identified by staff are as follows:

#### (a) Plant Replacement

The average annual net (after trade-in) expenditure on plant replacement over the life of the plant replacement program is transferred into this reserve account each year. (e.g. \$6m net expenditure over 10 years = \$600,000 per annum)

The annual net (after trade-in) expenditure on plant replacement is transferred out of this account each year.

#### (b) Waste Management

100% of the Annual Waste Levy raised is allocated to this reserve.

(\* Note – recommendation above would change this to 80%)

#### (c) Mount Barker Regional Saleyards capital improvement

The annual operating profit (less depreciation) of the Saleyards to be transferred to this account each year.

This reserve account funds all saleyards capital expenditure and saleyards loan principal repayments each year.

(d) Mount Barker Regional Saleyards operating loss

Ideally, the balance of this reserve will remain at approximately \$300,000 to fund any possible losses incurred at the saleyards. This equates to approx. 40% of annual Saleyards Fees and Charges (account 3130420).

(e) Hockey ground carpet replacement

\$20,000 is transferred into this reserve account each year.

Suggested new criteria to be recommended include (Council position over and above that currently identified):

(a) Employee Leave

As a minimum, the level of this reserve should meet both the:

- Annual leave liability of each staff member in excess of one year's accrual; and
- long service leave liability for staff with seven (7) years or more continual service in local government.

This funding goal is to be implemented over several financial years to manage the financial impact.

(b) Waste Management

80% of the Annual Waste Levy raised is allocated to this reserve.

(c) Waste Management – Post Closure

20% of the Annual Waste Levy raised is allocated to this reserve.

## **VOTING REQUIREMENTS**

Simple Majority



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**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Oldfield, seconded Cr R Brown:

That Council:

1. Receives the annual review undertaken addressing the appropriateness of each reserve account purpose and suitability of current balances;
2. Creates the following new reserve accounts:
  - a. 'Waste Management – Post Closure' reserve account  
Purpose: To fund expenditure associated with the implementation of the Closure and Post Closure Management Plan for the Mount Barker Waste Management Facility.
  - b. 'Kendenup Hall' reserve account  
Purpose: For the asset renewal and upgrade of the Kendenup Hall
  - c. 'Porongurup Hall' reserve account  
Purpose: For the asset renewal and upgrade of the Porongurup Hall
  - d. 'Narrikup Hall' reserve account  
Purpose: For the asset renewal and upgrade of the Narrikup Hall
  - e. 'Plantagenet District Hall' reserve account  
Purpose: For the asset renewal and upgrade of the Plantagenet District Hall
  - f. 'Frost Park' reserve account  
Purpose: For the asset renewal and upgrade of Frost Park buildings and infrastructure.
  - g. 'Sounness Park' reserve account  
Purpose: For the asset renewal and upgrade of Sounness Park buildings and infrastructure.
  - h. 'Dr Christopher Bourke Medical Centre' reserve account  
Purpose: For the asset renewal and upgrade of the Dr Christopher Bourke Medical Centre.
  - i. 'Shire Depot' reserve account  
Purpose: For the asset renewal and upgrade of the Shire Depot
  - j. 'Shire Administration Office' reserve account  
Purpose: For the asset renewal and upgrade of the Shire Administration Office.
3. Closes the following reserve accounts and move existing balances accordingly:
  - I. '*Outstanding land resumptions*' reserve account of \$10,126. Transfer funds to the newly created '*Waste Management – Post Closure*' reserve account;
  - II. '*Building Renewal*' reserve account of \$875,390. Transfer funds as follows:
    - a. Porongurup Hall - \$150,000;
    - b. Plantagenet District Hall - \$50,000;
    - c. Frost Park - \$50,000;
    - d. Sounness Park - \$50,000;
    - e. Dr Christopher Burke Medical Centre - \$50,000;
    - f. Shire Depot - \$100,000;

- g. Shire Administration Office - \$200,000;
  - h. Community resource centre building - \$200,000; and
  - i. Mount Barker swimming pool revitalisation – remaining funds (\$25,390).
- III. 'Major Projects' reserve account of \$436,712. Transfer funds as follows:
- a. Mount Barker swimming pool revitalisation - \$200,000;
  - b. Housing & Land - \$100,000;
  - c. Wilson Park - \$100,000; and
  - d. Paths and trails – remaining funds (\$36,712)
- IV. 'Community Grants' reserve account of \$112,083. Transfer funds as follows:
- a. Kendenup Hall - \$25,000;
  - b. Porongurup Hall - \$50,000;
  - c. Narrikup Hall - \$25,000; and
  - d. Museum complex – remaining funds (\$12,083);
4. Changes the name of the 'Community resource centre building' reserve account to the 'Mount Barker Community Centre Building' reserve account and the purpose be amended to *'For the renewal, refurbishment and improvements to the Mount Barker Community Centre'*.
5. Advertises the change to the purpose of a reserve account (point 4 above) and the use of money in a reserve account for another purpose (point 3 above) in accordance with Section 6.11 of the *Local Government Act 1995*.
6. Adopts the attached draft policy titled 'FINANCIAL PRINCIPLES AND GOVERNANCE'

CARRIED (9/0)

NO. 108/24

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

## 9.4 EXECUTIVE SERVICES REPORTS

### 9.4.1 APPOINTMENT OF MEMBERS TO NON-COUNCIL COMMITTEES

**File Ref:** N64940  
**Responsible Officer:** Julian Murphy  
Chief Executive Officer  
**Author:** Nolene Wake  
Executive Officer  
**Proposed Meeting Date:** 26 November 2024

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#### PURPOSE

The purpose of this report is to reconsider the appointment of elected members to Non-Council Committees following the resignation of Deputy President Cr Andrew Fraser and subsequent appointment of Cr Ken Clements to the position of Deputy President on 25 June 2024.

#### BACKGROUND

At its meeting of Council held on 31 October 2023, elected members were appointed as under to represent the Council on the following Non-Council Committees:

##### WALGA Great Southern Country Zone

Cr L Handasyde, Cr A Fraser;  
Cr K Clements (Deputy), Cr R Brown (Deputy)

##### Great Southern Regional Road Group

Cr A Fraser;  
Cr W Sheard (Deputy), Cr L Handasyde (Deputy)

##### Great Southern Regional Recreation Advisory Committee

Cr W Sheard;  
Cr R Brown (Deputy)

##### Development Assessment Panel

Cr L Handasyde, Cr K Clements;  
Cr J Oldfield (Alternative Member), Cr J Liebeck (Alternative Member)

##### Southern Link VROC

Cr L Handasyde, Cr A Fraser;  
Cr J Liebeck (Deputy)

##### South Coast Alliance

Cr L Handasyde, Cr A Fraser;  
Cr K Clements (Deputy), Cr J Oldfield (Deputy)

#### STATUTORY ENVIRONMENT

Local Government Act 1995

## FINANCIAL IMPLICATIONS

Councillor representatives on committees are entitled to reimbursement for expenses incurred in attending meetings.

## POLICY IMPLICATIONS

Policy No CE/CS/1 – Elected Member Expenses to be Reimbursed applies.

Policy No. CE/CS/3 – Committee Meetings and Workshops – Attendance by Members of the Public applies.

## STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23-2025/26 provides at Outcome 4.1 (Shire Governance) the following Strategy:

Strategy 4.1.4:

*‘Continuous improvement in service delivery’*

Strategy 4.1.4.1

*‘Develop effective reporting and communication tools relevant to the way our community access information.’*

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

## OFFICER COMMENT

The tenure of representatives of Council to Non-Committees generally expires on the date of the Local Government elections. With the resignation of Cr Fraser as the Deputy President in June, the current membership of the non-committees requires some consideration.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER RECOMMENDATION

Moved Cr K Clements, seconded Cr W Sheard:

That Council:

1. Appoints the following elected members to represent Council on the following Non-Council Committees:

**WALGA Great Southern Country Zone**

Cr L Handasyde, Cr K Clements;

Cr R Brown (Deputy)

**Great Southern Regional Road Group**

Cr K Clements;

Cr W Sheard (Deputy), Cr L Handasyde (Deputy)

**Great Southern Regional Recreation Advisory Committee**

Cr W Sheard;

Cr R Brown (Deputy)

**Development Assessment Panel**

Cr L Handasyde, Cr K Clements;

Cr J Oldfield (Alternative Member), Cr J Liebeck (Alternative Member)

**Southern Link VROC**

Cr L Handasyde, Cr K Clements;

Cr J Liebeck (Deputy)

**South Coast Alliance**

Cr L Handasyde, Cr K Clements;

Cr J Oldfield (Deputy)

2. Cancels all previous appointments.

**AMENDMENT****Moved Cr K Clements, seconded Cr W Sheard:****That Cr J Liebeck be included as a Deputy Member to the Great Southern Regional Road Group Committee.****CARRIED (9/0)****NO. 109/24****For: Crs Handasyde, Clements, Bell, Brown, Etherington,  
Fraser, Liebeck, Oldfield and Sheard  
Against: Nil**

**COUNCIL DECISION**

That Council:

1. Appoints the following elected members to represent Council on the following Non-Council Committees:

**WALGA Great Southern Country Zone**

Cr L Handasyde, Cr K Clements;  
Cr R Brown (Deputy)

**Great Southern Regional Road Group**

Cr K Clements;  
Cr W Sheard (Deputy), Cr L Handasyde (Deputy), Cr J Liebeck (Deputy)

**Great Southern Regional Recreation Advisory Committee**

Cr W Sheard;  
Cr R Brown (Deputy)

**Development Assessment Panel**

Cr L Handasyde, Cr K Clements;  
Cr J Oldfield (Alternative Member), Cr J Liebeck (Alternative Member)

**Southern Link VROC**

Cr L Handasyde, Cr K Clements;  
Cr J Liebeck (Deputy)

**South Coast Alliance**

Cr L Handasyde, Cr K Clements;  
Cr J Oldfield (Deputy)

2. Cancels all previous appointments.

**CARRIED (9/0)**

**NO. 110/24**

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

**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**12 CONFIDENTIAL****12.1.1 TENDER CO3-2425 YELLANUP ROAD 19.51 TO 23.97 - ROAD SHOULDER RECONDITIONING AND SEALING**

**File Ref:** N64936  
**Responsible Officer:** Kevin Hemmings  
Executive Manager Infrastructure and Assets  
**Author:** Amy Chadbourne  
Senior Administration Officer, Infrastructure and Assets  
**Proposed Meeting Date:** 26 November 2024

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**PURPOSE**

The purpose of this report is to consider submissions received for Tender CO3-2425 Yellanup Road SLK 19.51 to 23.97- Road Shoulder Reconditioning and Sealing.

5.26pm Members of the public left the meeting.

**MOTION THAT THE MEETING BE CLOSED TO THE PUBLIC**

**Moved Cr K Clements, seconded Cr J Liebeck:**

**5:27pm** 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:

**Section 5.23 (2) (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.**

**CARRIED (9/0)**

**NO. 111/24**

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

**MOTION THAT THE MEETING BE OPEN TO THE PUBLIC**

Moved Cr K Clements, seconded Cr W Sheard:

5:33pm That the meeting proceed in public.

**CARRIED (9/0)**

**NO. 112/24**

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

5.34pm There were no members of the public remaining to return to the meeting.

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr J Liebeck:

That Council approves the award of Tender CO3-2425 Yellanup Road SLK 19.51 to 23.97 - Road Shoulder Reconditioning and Sealing to Fulcher Contractors Pty Ltd for \$401,358.09 (incl GST).

**CARRIED (9/0)**

**NO. 113/24**

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

**Absolute Majority**

**13 CLOSURE OF MEETING**

5.35pm The President declared the meeting closed.

**CONFIRMED: CHAIRPERSON \_\_\_\_\_ DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_**