



# Agenda

Ordinary Council Meeting

26 August 2020

Shire of Victoria Plains  
Council Chambers, Calingiri  
AND  
via E-Meeting Protocol

Commencing – 2.00 pm

## **DISCLAIMER:**

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

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You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

## **E – Disclaimer**

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly-used abbreviations	
AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager

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# Agenda

## Ordinary Meeting of the Victoria Plains Shire Council

To be held in the Calingiri Shire Chambers and via E-meeting  
Protocol on 26 August 2020 commencing at 2.00 pm

### 1. DECLARATION OF OPENING

#### 1.1 Opening

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#### 1.2 Announcements by Shire President

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The Presiding Member stated the declaration of the State Emergency and State Health Emergency and the means of conducting meetings under the E-meeting platform, advising Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing.

### 2. RECORD OF ATTENDANCE

Members present

Staff attending

Apologies

Approved leave of absence

Cr J Corless-Crowther has approved leave of absence from 31 July 2020 until 30 August 2020 inclusive.

Visitors

Nil

Members of the public

N/A

**3. DISCLOSURES OF INTEREST**

*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

Type	Item	Person / Details
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3.1 Financial

3.2 Proximity

3.3 Impartiality

**4. PUBLIC QUESTION TIME**

*Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.*

There will Nil public questions asked at the 22 July 2020 OCM.

**4.1 Public Questions With Notice**

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*Public Question Time was opened to the floor at \_\_\_\_\_ pm.*

**4.2 Public Questions Without Notice**

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*Where written questions are not submitted, a summary of the questions and responses are given, as per the Local Government (Administration) Regulations 1996 r.11(e).*

*Public question time closed at \_\_\_\_\_ pm*

**5. PRESENTATIONS AND DEPUTATIONS****5.1 Presentations**

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Nil

**5.2 Deputations**

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Nil

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

<b>Council Resolution</b>
---------------------------

Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

**7. MINUTES OF MEETINGS****7.1 Confirmation of Council Meeting minutes**

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**VOTING REQUIREMENTS**

Absolute majority required: No

<b>2008-0 Officer Recommendation / Council Resolution</b>
---

Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That the Minutes of the following meeting:

- Ordinary Council Meeting held 22 July 2020 as circulated, with amendments as below:
  - (a) Explanation of Resolution 2007-08 be amended to read "0.7333 cents in the dollar is correct. During debate, the question was raised regarding the correct representation of this figure. The Shire's Financial Management System shows this as \$0.007333 which is the same as 0.7333 cents in the dollar.
  - (b) Cr N Clarke is noted as having moved resolution 2007-07 (for an adjournment of meeting) wherein this should read Cr D Lovelock.

be **CONFIRMED** as a true and correct record

For \_\_\_\_ / Against \_\_\_\_



**8. REPORTS REQUIRING DECISION****8.1 Accounts for Endorsement – July 2020**

File reference			F1.8.4
Report date			14 August 2020
Applicant/proponent			Nil
Officer disclosure of interest			Nil
Previous meeting references			Nil
Prepared by			Glenn Deocampo – Senior Finance Officer
Authorised by			Glenda Teede – CEO
Attachments			
Attachment 1	Page	2	Public schedule – in the Attachments to Agenda
		2	Restricted schedule – to councillors under separate cover

**PURPOSE**

This Item presents the attached List of Accounts Paid, paid under delegated authority, for July 2020.

**BACKGROUND**

As per Local Government Act and Financial Management Regulations.

**COMMENT**

Each month Council is to be advised of payments made during the preceding month; the amount, payee, date and reason for payment.

**CONSULTATION**

None

**STATUTORY CONTEXT**

*Local Government Act 1995 –*

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

*Local Government (Finance) Regulations 1996 –*

- r.13 Payments for municipal fund or trust fund
  - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
    - a) The payee's name
    - b) The amount of the payment
    - c) The date of the payment
    - d) Sufficient information to identify the transaction
  - (2) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

**CORPORATE CONTEXT**

Delegations Register –

- 3.2 – Municipal Fund and Trust Fund – Payments from Bank Accounts
  - o CEO authorised, subject to conditions
  - o compliance with legislation and procedures
  - o Minimum of 2 signatories with varying level of authorisation

**FINANCIAL IMPLICATIONS**

All payments are in accordance Council's adopted budget.

**VOTING REQUIREMENTS**

Absolute Majority Required: No

**2008-0 Officer Recommendation**

Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That the payments made for July 2020 from the Municipal Bank Account/Trust Bank Account as per the attached listing and summarised below, and the Credit Card Reconciliation/Statement be endorsed:

Payment type	References from – to	\$ Amount
Creditor EFT Payments**	9074 - 9175	548,060.34
Creditor Cheque Payments	12266-12268	2,227.80
Direct Debit Payments**	DD11845 – DD11882, DD11909	45,895.46
Salaries & Wages EFT	PE 08/07/20, PE 22/08/20	102,579.98
Credit Card Statements	DD11874.2	1,011.05
Fuel Card – Wright Express	DD11874.1	771.17
Trust Payments		0.00
	<b>TOTAL</b>	<b>\$700,545.80</b>

\*\*includes salary and wages deductions, and SGC

For \_\_\_\_\_ / Against \_\_\_\_\_

**8.2 Monthly Financial Statements – July 2020**

File reference			
Report date			31 July 2020
Applicant/proponent			Shire of Victoria Plains
Officer disclosure of interest			Nil
Previous meeting references			Nil
Prepared by			RSM – Travis Bate
Authorised by			Glenda Teede
Attachments			
Attachment 1	Page	10	Monthly Financial Statements – 31 July 2020

**PURPOSE**

To receive the monthly financial statements for the period ending 31 July 2020.

**BACKGROUND**

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

**COMMENT**

The 31 July 2020 Monthly Financial Statements are presented for consideration.

Explanations for the significant variances have been reported in Note 2. Most variances for the month were classified as timing variances.

**CONSULTATION**

RSM  
CEO

**STATUTORY CONTEXT**

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each months and details of what is to be included

**CORPORATE CONTEXT**

None

**FINANCIAL IMPLICATIONS**

None

**VOTING REQUIREMENTS**

Absolute Majority Required: No

<b>2008-0      Officer Recommendation / Council Resolution</b>
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Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That Council **RECEIVE** the 30 July 2020 Monthly Financial Reports as presented.

**For** \_\_\_\_\_ **/ Against** \_\_\_\_\_

### 8.3 Shire of Victoria Plains Update on Response to the COVID-19 Pandemic

<b>File reference</b>	
<b>Report date</b>	18 August 2020
<b>Applicant/proponent</b>	Local Recovery Coordination Group
<b>Officer disclosure of interest</b>	Nil
<b>Previous meeting references</b>	
<b>Prepared by</b>	Sean Fletcher, Governance Officer
<b>Authorised by</b>	CEO
<b>Attachments</b>	
Attachment 1	Page 38 Update Shire Response Framework

#### PURPOSE

The purpose of this item is to provide an update from the Local Recovery Coordination Group Council on the Shire's COVID-19 Pandemic Framework for the Shire of Victoria Plains and the key actions going forward

#### BACKGROUND

Council adopted the Framework at its meeting on 21 May 2020 as follows:

#### 2005-14 Officer's Recommendation / Council Resolution

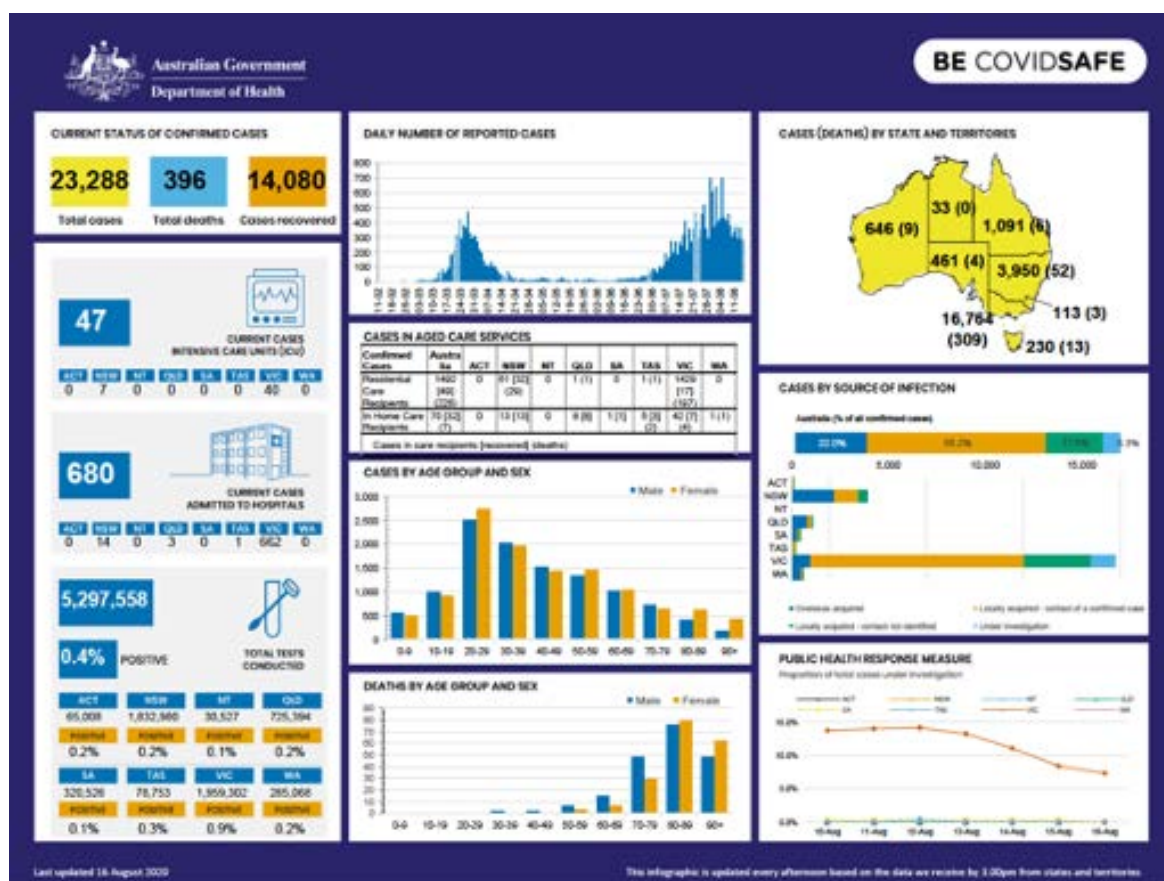
**Moved: Cr J Corless-Crowther Seconded: Cr N Clarke**

That Council **ADOPT** the Shire of Victoria Plains COVID-19 PANDEMIC Framework as provided for in Attachment 1 as a key informing strategy regarding the Shire's Strategic Community Plan and Corporate Business Plan that will also be used to inform the 2020/2021 Annual Budget.

**CARRIED BY UNANIMOUS DECISION OF THE COUNCIL**

Since this resolution of Council, the Shire of Victoria Plains has continued to provide services and facilities against the backdrop of the COVID-19 (coronavirus) pandemic. The COVID-19 Framework Update provides an insight into the impacts on the Shire since the development of the Framework and where the Shire needs to go next.

Currently, Latin America is the [epicentre of the COVID-19 pandemic](#). The fastest spread of the disease in the region's cities follows a pattern of contagion that is anything but arbitrary. By this week, [about 30 per cent](#) of the [world's reported cases](#) were in the region. But some centres have been much worse hit than others. Sadly, images in international media depict the unfolding crisis, from disinfection campaigns in the favelas of Rio de Janeiro, Brazil, to stockpiles of cardboard coffins in Guayaquil, Ecuador. Two factors underpin these variations: levels of inequality (surge into poor neighbourhoods), and the ways governments and communities are handling the crisis. We can be thankful that overall our governments are handling the pandemic in a thoughtful and very caring way, despite what some may say.



### Current Situation in Australia 16 August 2020

As at **3pm on 16 August 2020**, a total of 23,228 cases of COVID-19 have been reported in Australia, including 396 deaths, and 14,080 have been reported as recovered from COVID-19 (Department of Health, 2020):

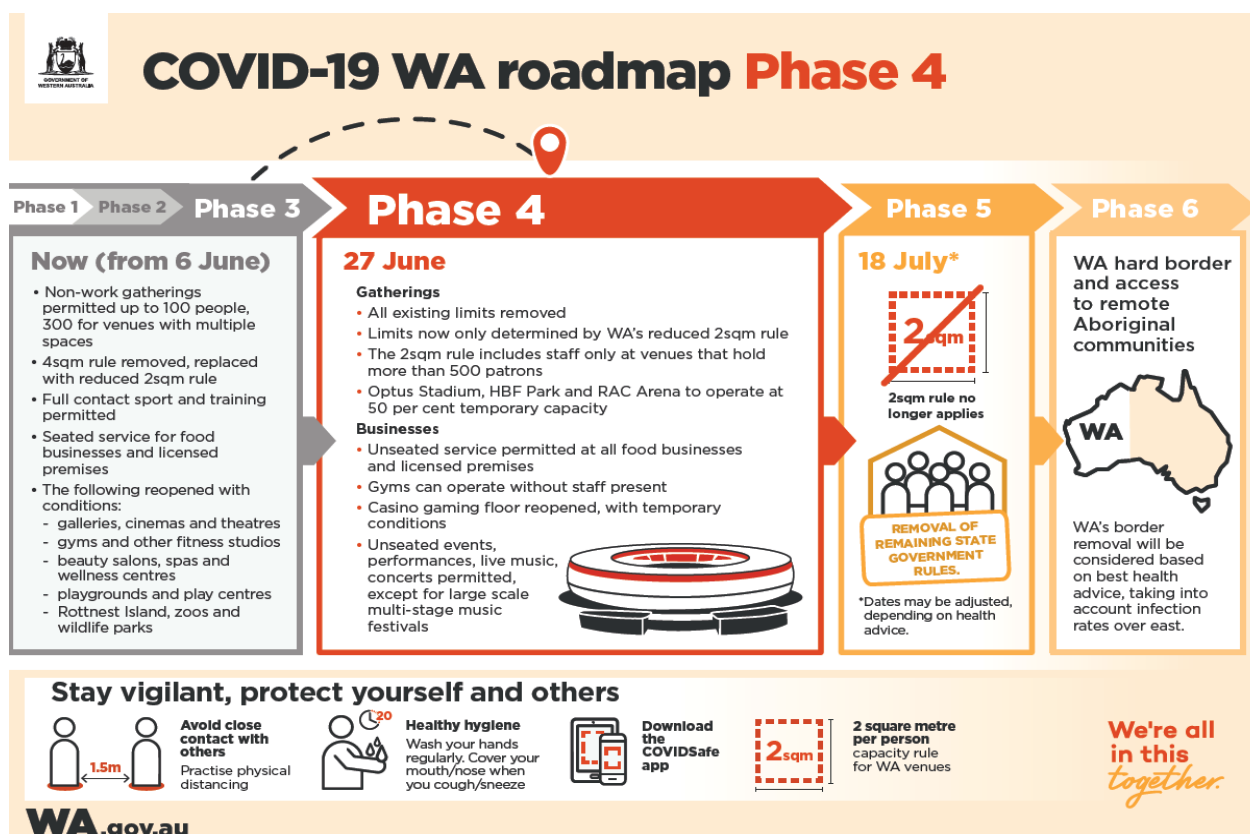
- Over the past week, there has been an average of 318 new cases reported each day. Of the newly reported cases, the majority have been from Victoria.
- COVID-19 cases were reported across all ages.
  - The median age of all cases is 37 years (range: 0 to 106 years).
  - The median age of deaths is 85 years (range: 30 to 103 years).
- There is a relatively equal ratio of male-to-female cases across most age groups.
- Of cases with a reported place of acquisition, 22% have recent international travel history, including over 1,300 cases associated with cruise ships.
- The overall proportion of cases under investigation in each state and territory is relatively low, indicating that public health actions, is occurring in a timely manner.
- To date, over 5,297,500 tests have been conducted nationally. Of those tests conducted 0.4% have been positive.

### COMMENT

The update to the Shire of Victoria Plains COVID-19 Pandemic Framework confirms what has occurred since 21 May 2020 and considers key actions required going forward.

### The Response Steps – COVID-19 WA RoadMap

The reality is that Western Australia was several weeks ahead of the rest of the nation regarding the “Road Out” as required by the National Cabinet. This saw the development of the COVID-19 WA Roadmap, with Phase 2 and Phase 3, implemented quickly:



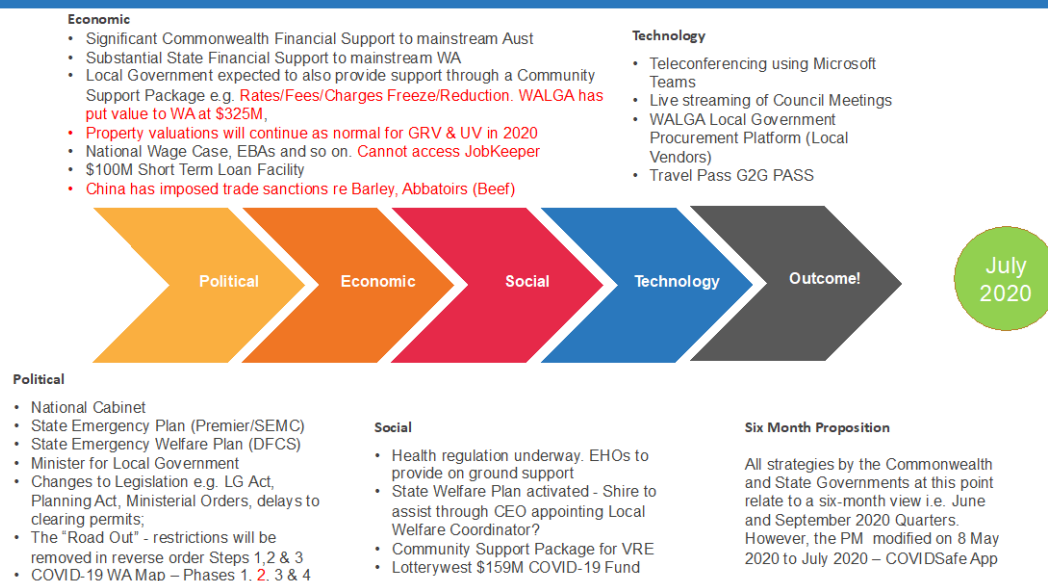
However, with the advent of the second wave in Victoria, NSW and New Zealand, Phase 4 has, after three fortnightly extensions, been extended by the Premier to Friday 23 October 2020. Phase 5, if appropriate, would commence from Saturday 24 October 2020.

### The PEST Factors

The impacts that the Shire needs to be cognisant of regarding the pandemic were summarised at the workshop in terms of the political, economic, social and technological factors:

# PEST Factors

COVID-19



## Political

The Shire President has continued to attend the Zone and AROC meetings. AROC in particular has started the discussion regarding complacency. A total of 8,400 people enter WA each week and of these 6,400 are in relation to truck transport. Latest survey results show that only 38% of Western Australians are practicing social distancing. The President has also attended Ministerial webinars.

Clive Palmer – Border integrity. In some ways, the WA community getting in behind the State Government to object to Clive Palmer's opening of the state border is interesting. WA residents are enjoying moving about freely intrastate and do not want to see this compromised.

In other developments, the Northern Territory will have restrictions in place for the next 18 months. Queensland is keeping its border closed to transmission states (Swanston, 2020)

## Economic

The Premier and key Cabinet ministers are rolling out the State's recovery plan, which is an investment worth \$5.5B.

The Shire is limited in the economic support it can provide to the Shire. It neither has a community development officer or an economic development office that can assist with such initiatives. However, it is exploring how it can re-engage with the business community through:

- Recognised key engagement strategies;
- Discussing with the Wheatbelt Business Network how it can help facilitate connections with the business sector across the District.

The District is predominantly a "Road Economy." In particular, it provides access for farmers to move their product to and from their respective properties and is also a



throughput for neighbouring districts and is a key throughput for the Aglime Route. A major focus is therefore on road infrastructure and the Shire has secured key funding to assist with the Mogumber Yarrowindah Road and others as set out later in this report. However, despite the urging of both the Commonwealth and the State to get on with key infrastructure projects, a major hold up is the State agency responsible for issuing vegetation clearing permits. It would seem that resistance from key advocacy groups in relation to the issuing of these permits has occurred. The Shire is now in the process of seeking to meet with the relevant minister(s) to discuss this matter.

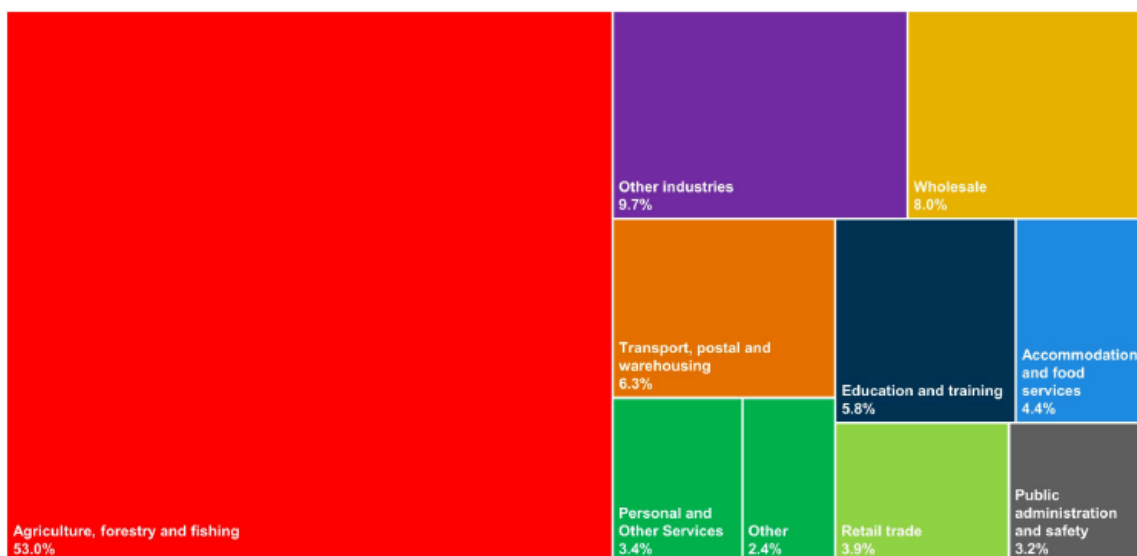
In terms of the local economy and relevant insights, the Shire received from WALGA on 14 August 2020 a tailored information pack that has identified the key economic impacts on the Victoria Plains local economy. This includes a comparison with Australia, WA and other local governments regarding key criteria. Some of the specific local data examined includes:

### Breakdown of employment by industry

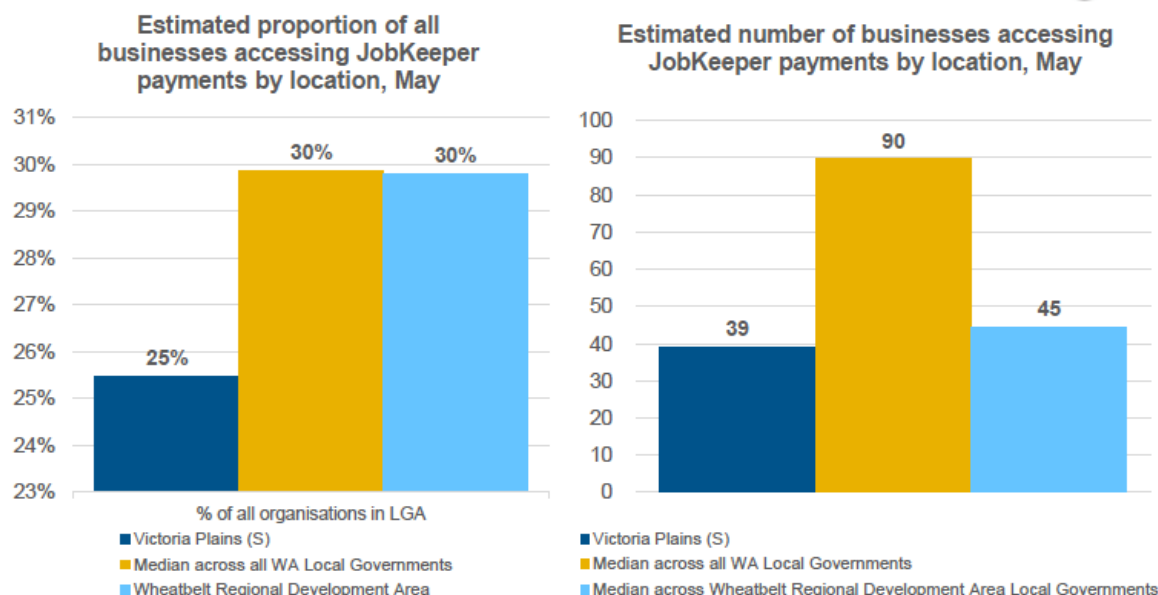
## Industry composition in employment terms Victoria Plains (S)



- Agriculture, forestry and fishing
- Wholesale
- Retail trade
- Accommodation and food services
- Transport, postal and warehousing
- Public administration and safety
- Education and training
- Other services
- Other industries



SOURCE: ABS 2016 CENSUS

**Businesses accessing JobKeeper.****Businesses accessing JobKeeper in Victoria Plains (S)**

SOURCE: WALGA ANALYSIS BASED ON COMMONWEALTH TREASURY JOBKEEPER RECIPIENT DATA, LGA TO POSTCODE 2011 CORRESPONDANCE ABS CAT 8105.0

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**Social**

The Shire with its limited resources in this space has managed to keep the community informed through the issue of community updates, Facebook posts and on the Shire's website COVID-19 Landing Page. Eight of these have been issued so far.

**Community Resilience Survey**

The implications of the Community Resilience Survey are explored later in this report.

**State Recovery Controller Survey**

This survey was completed by the Governance Officer on behalf of the Shire and the LRCG on 17 June 2020. The data collected contributed to a District Impact Statement that informed the development of the State Impact Statement and State Recovery Plan (to guide WA through the recovery process).

**Key services – Calingiri Gym**


At this point in time, the Shire can only effectively support the Gym 5:30pm – 7:30Pm daily. Access can only be gained once the new terms and conditions have been signed by users that includes the need to clean touch points after each use.

**Community Engagement**

The pandemic has made it difficult to undertake the development of the Community Engagement Policy. The key principles based on the International Spectrum of Public Participation or IAP2 (IAP2, 2020) are:

## IAP2 Spectrum of Public Participation

in process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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### The IAP2 Engagement Spectrum

The IAP2 spectrum is a very powerful framework that underpins many local government's engagement policies. Examples of its use include:

<b>Statutory Feedback:</b>	The Inform and Consult levels are applicable.
<b>Development of SCP:</b>	The Involve level, and ideally the Collaborative level is applicable.
<b>Managing Facilities:</b>	The empowerment level is applicable. This is the end game for local government, ideally. However, in Western Australia, local governments in general are a long way from this. Good examples where this happens is in New Zealand where there are community groups that manage parks, beaches and the like.

### Second Wave Transmission

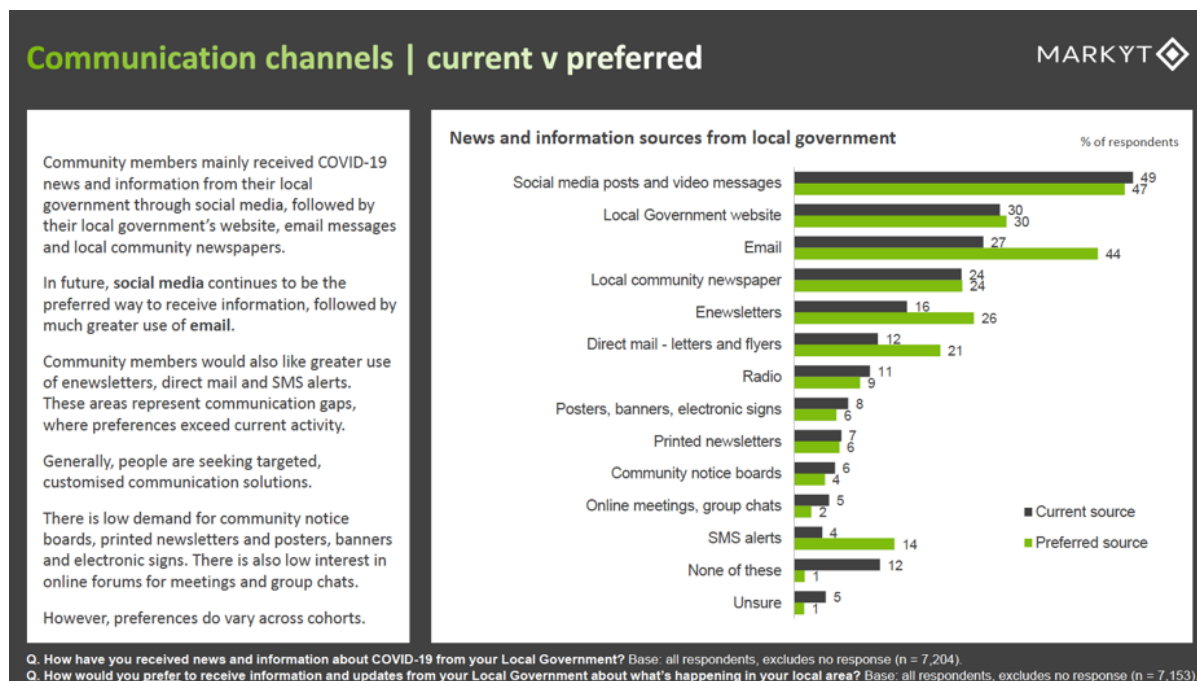
Epidemiologists and the results of infection in Victoria and NSW confirm that the virus is circulating in their respective communities. The outbreaks in Victoria and NSW also confirm how quickly COVID-19 can spread and so WA is ensuring that its border remains impervious to this threat as best it can. The Premier has warned West Australians against complacency re hygiene and social distancing. Monash University research shows that 38% of West Australians still practice social distancing, while only 37% wash their hands appropriately. The National President of the AMA Dr Omar Khorsid has commented that WA remains at risk, and current restrictions should remain in place. "If one case slips out of hotel quarantine, if one truckie coming over the border does the wrong thing, very

quickly we can see an enormous outbreak and by the time you actually measure your first case, you would already have tens or hundreds of people infected, and it would be an incredibly difficult task for the West Australian government to catch up."

The Premier further announced live on 18 August 2020 that we need to keep monitoring the situation in Victoria and New Zealand. We have to prepare as we have seen how quickly the virus can spread. The hard border has worked.

## Technology

### Communication



The Community Resilience survey revealed that the preferred way to receive information is via social media, the local government's website and email. Printed newsletters are low on the list. However, the Shire does have a reasonable number of people without access to the internet.

The Shire now provides video recordings of Council meetings. The aim is to provide these recordings the day after the meeting. However, technical issues were experienced in uploading the first such recording after the July 2020 OCM. These have now been rectified.

### COVID-19 Vaccine

The world is hoping a safe and effective COVID-19 vaccine will soon become available. So far, [more than 160 candidate vaccines](#) are in development. Some 31 of these have entered human clinical trials. One of them is Russia's "[Sputnik V](#)", which was granted approval by the country's health ministry last week. But the World Health Organisation (WHO) and a [large number of international experts](#) have urged Russia to conduct more testing to ensure the vaccine's safety before using it. The challenges are:

- Manufacture of the vaccine. The amount required would be 6.4B doses per year;
- Transportation of the vaccine will be an issue. 50% are destroyed each year through inadequate transportation;

- Despite Australia being part of the distribution network, the vaccine, even if one is developed successfully, Australia will be in for a very long wait.

## Community Resilience

On 6 August 2020, the author attended the ministerial webinar on the release of the Community Resilience Report by Catalyse on behalf of the State Government and the Department of Local Government. The webinar discussed three items:

- Local Government Resilience Survey;
- Community Resilience Survey;
- The WA Recovery Plan.

## Community Resilience Survey



Overall, there were 7,666 participants from communities across 128 local governments, a very compelling statistic. Key insights included:

- 1 in 3 had high concerns re COVID:
  - Kimberley had the highest level of concerns;
  - The Wheatbelt was on a par with the median;
- 1 in 5 said it had a very high personal impact;
- 7 in 10 are feeling hopeful about the future;
- On the matter of rate increases, only 1% of respondents said this was a concern;
- On 7 August 2020, 139 confidential reports will be sent to each CEO re their district regarding specific responses and data;
- The Minister would like local government to let their communities know the community resilience report can be downloaded from the Department's website. A summary is already on the Shire's COVID-19 landing page.

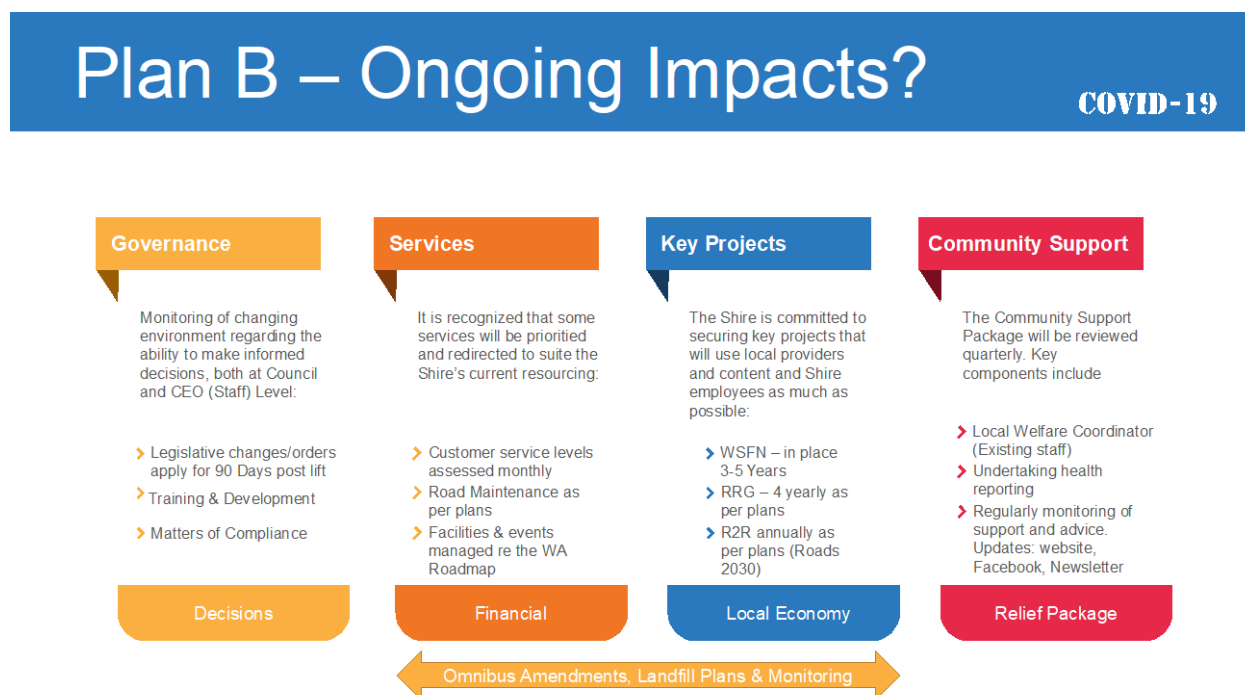
## WA Recovery Plan

The State Government's WA Recovery Plan is worth \$5.5B (WA State Government, 2020). The Minister made it very clear that the government will be relying on the outcomes of the community resilience survey and that local government has a key role to play in the State's recovery during the **next six months**. He said, that although the priorities will vary across the State, there are key things that local government can assist with are:

- Economic considerations;
- Local Employment;
- Community Well-being;
- Local Infrastructure.

### Wave 3 - Strategize

How is the Shire situated in moving forward?



### Governance

The Shire implemented the range of ministerial orders and legislative changes. Council has committed to the training and development of its elected members for the intermediate term. The CEO has also implemented the annual training report effective 1 August 2020, and this is available on the Shire's website. A Compliance Calendar was implemented at the start of August 2020 to assist in matters of compliance going forward.

### Service Levels

The Shire has had to adjust its services levels or start to adjust them for reasons both related to managing the impact of the pandemic and in terms of effective resourcing:

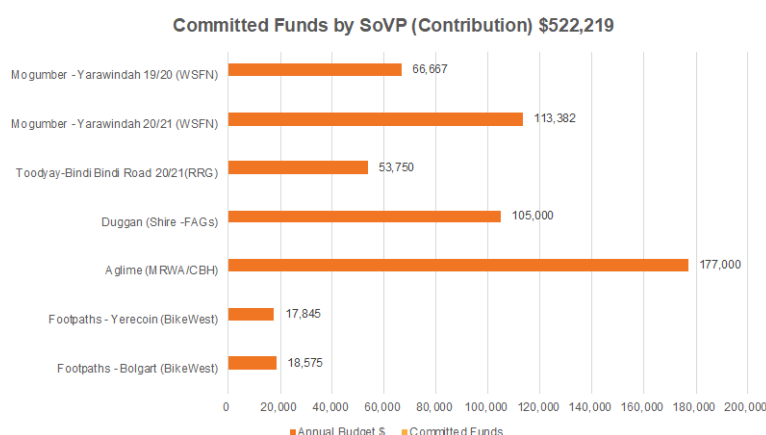
- Bendigo banking hours were adjusted to 9:30am – 12:30pm M-F. This has now happened with transport licensing too after further consideration of the risk factors and the Shire's ability to resource this service;
- The outside crews have been restructured and the EBA cancelled, although it must now go through a mandatory six month phasing out process;
- Office Manager has been appointed to help address the imbalance created through the Manager Finance and Administration role.



## Key Projects

## Projects (How Funded)

COVID-19



## Possible Strategies

Shire's 1/3  
Contribution  
RRG  
Deferred?



Part fund using  
\$100M Local  
Government  
Short Term Loan  
Fund



Maintain Reserves



Consideration: What can be brought forward May/June 2020?  
Answer = WSFN vegetation clearing Mogumber-Yarawindah Rd.

The key projects have been appropriately planned and budgeted for, commencing 2020/21.

## Community Support

The LRCG and Shire staff have maintained a constant flow of information to the community. Eight updates have been issued so far. The Welfare Coordination Plan has as yet to materialize in an effective capacity. The new Office Manager should be able to accommodate some of the Local Welfare Coordinator functions should they be implemented. Health reporting is yet to be a featured requirement, however, the Shire has identified that it does need to have a Local Health Plan in Place. Funds were allocated in the budget to undertake the monitoring bore project re the Shire's landfills.

## The Future

However, going forward, much of what faces the Shire in terms of its ability to support the wider district will be predicated on:

- *WA Recovery Plan.*
- *Community Resilience Survey.*

## Conclusion

It can be seen that the Shire of Victoria Plains COVID-19 Pandemic Framework continues to provide a point of reference that has been developed as a key informing strategy for the Strategic Community Plan and the Corporate Business Plan, with its key considerations taken into account with the adoption of the 2020/21 Budget.

The Local Recovery Coordination Group continues to monitor and roll out the recovery process.

## CONSULTATION

President. Provides regular updates from AROC, the Zone and Ministerial webinars.

CEO. Participates in key meetings when she can. Discusses key issues with the management team.

LRGC. Continues to meet regularly and look at and make decisions on key initiatives to be monitored, improved and rolled out.

## STATUTORY CONTEXT

Local Government Act

The State Emergency Act

## CORPORATE CONTEXT

### Strategic Community Plan

<b>Civic Leadership</b>		<b><i>to better allocate scarce resources and effectively interact with the community</i></b>
5.1	Implement measures to improve relationship and communication between Council and community	<ul style="list-style-type: none"> <li><i>Implementation of initiatives to better connect Council with the community and associated matters.</i></li> </ul>
5.2	Improve elected member performance	
5.3	Develop an advocacy and lobbying capacity	
5.4	Measures to improve organisational efficiency	

### LRCG Action Plan

Action	CBP Link	Who	\$	Med Long Term	Due
1. Implement and Monitor Key Actions (This Plan)		CEO		Long Term	Ongoing
2. Regularly Review the Five Recovery Areas (WA Recovery Plan)					Ongoing
3. Review CBP		GO		Immediate	31/07/20
4. Inform the CBP Quarterly Update		GO		Long Term	31/12/21
5. Inform the Budget Review		CEO		Med Term	31/03/21
6. Develop Community Engagement Policy		GO		Med Term	31/12/20
7. Determine Community Resilience Survey Actions		LRCG		Long Term	
8. Update Business Continuity Plan		GO/CESM		Med Term	31/10/20



9. Monitor and Prepare for Second Wave Impacts		LRCG		Long Term	Ongoing
10. Explore how community development and economic development can be implemented		LRCG		Med Term	31/12/20
11. Maintain Attendance, Interaction, Support Zone, AROC, RRG, Other		SP DSP CEO CESM GO		Long Term	Ongoing

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Absolute majority required: No

**Officer's Recommendation**

Moved

Seconded Cr \_\_\_\_\_

That Council **ACCEPT** from the Local Recovery Coordination Group the update the Shire of Victoria Plains COVID-19 PANDEMIC Framework as provided for in Attachment 1 .

## 8.4 Proposed Amendment No.2 - Shire of Victoria Plains Local Planning Scheme No.5 (Omnibus)

File reference		Omnibus Project
Report date		20 August 2020
Applicant/Proponent		Shire of Victoria Plains
Officer disclosure of interest		Nil
Previous meeting references		Nil
Prepared by		Mr Joe Douglas – Town Planning Consultant
Authorised by		Ms Glenda Teede - CEO
Attachments		
Attachment 1	Page 70	Scheme amendment document as advertised. Additional information prepared & published during public advertising. Schedule of Submissions
Attachment 2	Page 88	
Attachment 3	Page 96	

### PURPOSE

Consideration of all submissions received during public advertising of a proposed omnibus amendment (i.e. Amendment No.2) to the Shire of Victoria Plains Local Planning Scheme No.5 including recommendations in respect of each and the scheme amendment proposal as a whole.

### BACKGROUND

At its Ordinary Meeting held on 25 September 2019 Council considered and resolved to initiate a standard amendment to the Shire of Victoria Plains Local Planning Scheme No.5 to deal with a number of issues that have arisen and changes that have occurred since the Scheme was first approved and gazetted in March 2012 and subsequently amended in September 2017 (i.e. Amendment No.1) to align it with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

As previously advised, an omnibus amendment covers a number of diverse or unrelated town planning matters that packages together several proposed changes to a local planning scheme. Given Council's decision at its June 2019 Ordinary Meeting to defer formal review of the Shire's Local Planning Strategy and Local Planning Scheme No.5 due to funding constraints, an omnibus amendment was instead proposed to deal with and address a number of issues of immediate concern.

Following Council's initiation of the scheme amendment in September 2019, the proposal was referred to the Environmental Protection Authority (EPA) for review in accordance with the specific requirements of section 81 of the *Planning and Development Act 2005*.

On 10 December 2019 the EPA determined and subsequently advised the scheme amendment proposal is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the *Environmental Protection Act 1986*.

Pursuant to the specific requirements of section 84 of the *Planning and Development Act 2005* and regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the scheme amendment proposal was then advertised for public

comment which included:

- i) publication of notices in a newspaper circulating in the scheme area (i.e. the West Australian) as well as the Shire's Facebook page;
- ii) public display of the advertising notice and scheme amendment documentation at the Shire administration centre;
- iii) correspondence to a number of public authorities considered likely to be affected by the proposed amendment; and
- iv) publication of the advertising notice and scheme amendment documentation on the Shire's website.

Advertising was undertaken for 63 days which was in excess of the minimum period of 42 days for standard amendments as required by regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Additional information was also published on the Shire's website during public advertising to assist the local community's understanding of the proposed modifications to Local Planning Scheme No.5, the basis for them and their likely implications (see Attachments 1 & 2).

At the conclusion of public advertising on Friday 15 May 2020 a total of nineteen (19) submissions had been received by the Shire, seven (7) of which were from public authorities with the remaining twelve (12) submissions being from members of the local community. Details of all submissions received and a recommendation in respect of each is provided in Attachment 3.

Under the terms of regulation 50 of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is now required to consider all submissions received and determine whether to:

- a) support the amendment without modification; or
- b) support the amendment with proposed modifications to address any issues raised in the submissions; or
- c) not support the amendment.

## **COMMENT**

The submissions received from public authorities during public advertising were all supportive. The Department of Mines, Industry Regulation and Safety and Department of Primary Industries and Regional Development provided details of a few minor suggested amendments however these were considered inappropriate, the specific reasons for which are provided in Attachment 3 (see the recommendations in respect of each submission received from these two public authorities).

The Water Corporation also recommended a minor change to the wording of the heading for proposed clause 4.19 as it applies to effluent disposal. It is recommended that the scheme amendment proposal be modified in response to the Water Corporation's submission.

Of the twelve (12) submissions received from the local community, eleven (11) raised objections for various reasons. Following a detailed review and assessment of all the submissions received from the local community, the reporting officer has concluded many of the concerns raised are based on a lack of understanding of the Shire's town planning

framework and how it works and is applied. There also appears to be some misconception and concern that the proposed amendments to Local Planning Scheme No.5 will, amongst other things, hinder all future development and growth within the Shire, exacerbate population decline and either duplicate or be contrary to existing legislative requirements. Recommendations in respect of each submission received from local community members, including the basis for those recommendations, is provided in Attachment 3.

Despite the numerous objections raised by the local community, it is recommended that only three (3) modifications be made to the scheme amendment proposal in response, the specific details of which are as follows:

- i) Inclusion of the following definition for the use class 'repurposed dwelling' in Schedule 1 of the Scheme Text of Local Planning Scheme No.5 entitled 'Dictionary of Defined Words and Expressions':

*'repurposed dwelling means a building or structure not previously used as a single house which has been repurposed for use as a dwelling.'*;

- ii) That proposed sub-clause 4.7.5.9 in Amendment No.10 as it applies to over-grazing by livestock on any land classified 'Rural' zone be amended to include the following additional sentence:

*'Prior to forming an opinion and issuing an order pursuant to this clause the local government shall seek and obtain advice from the Department of Primary Industries & Regional Development and any other government agency with a potential interest in the matter.'*; and

- iii) Removal of proposed clause 4.23 entitled 'Home Occupation, Home Business, Home Store and Rural Home Business' and all associated sub-clauses.

In relation to proposed modification i) above, it is recommended that a suitable definition be included in the Scheme Text of Local Planning Scheme No.5 for the use class 'repurposed dwelling'. The proposed definition above, which was provided by the Department of Planning, Lands and Heritage, will address the concerns raised in some of the submissions received and ensure there is a clear understanding of what this use class means.

In relation to proposed modification ii), it is considered appropriate to include some additional wording for proposed sub-clause 4.7.5.9 in Amendment No.10 as it applies to over-grazing by livestock on any land classified 'Rural' zone to ensure any opinion formed and action taken by the Shire pursuant to this clause is done so based on mandatory advice to be sourced and received from the Department of Primary Industries and Regional Development and any other government agency with a potential interest in such matters. By amending sub-clause 4.7.5.9 as proposed the concerns raised in some of the submissions will be suitably addressed.

Lastly, in relation to proposed modification iii), the various concerns raised by the local community regarding unnecessary and overburdensome restrictions on the establishment and operation of home occupations, home businesses, home stores and rural home businesses are acknowledged and accepted. As such, it is recommended that Council modify the scheme amendment proposal by removing clause 4.23 and all associated sub-clauses in their entirety. In considering this proposed amendment Council should note

such uses still require development approval under the Shire's local planning framework with each application received to be considered on its individual merits having regard for the relevant standards and requirements (i.e. all these uses are currently listed in the Zoning Table of Local Planning Scheme No.5 as discretionary uses which means they are not permitted without Council's formal development approval).

Despite the various other concerns raised by the local community, no other modifications to the to the proposed scheme amendment are recommended for the following reasons:

- i) The submissions received from public authorities with expertise in various key elements of the proposed amendments to Local Planning Scheme No.5 were all supportive;
- ii) The new provisions proposed to be incorporated in Local Planning Scheme No.5 are considered necessary to improve the administration and effectiveness of the Shire's current local planning framework, avoid procedural errors when administering the scheme and provide greater clarity and certainty in terms of development requirements and standards to allow for the speedier processing of development applications under delegated authority when permitted;
- iii) The new provisions proposed to be incorporated in Local Planning Scheme No.5 are not considered unreasonable or onerous with very similar provisions having been approved by the Hon. Minister for Planning for inclusion in local planning schemes for other regionally based local government authorities (i.e. they are not unique and untested);
- iv) The new provisions proposed to be incorporated in Local Planning Scheme No.5 suit local circumstances, address key issues of concern locally and expand upon and complement the general guidance provided by the mandatory provisions (i.e. Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* which apply statewide. The new provisions do not seek and are not legally able to override, contravene or repeat any provisions contained in the Deemed Provisions or diminish any landowner rights as asserted by many who lodged a submission;
- v) The new provisions proposed to be incorporated in Local Planning Scheme No.5 are consistent the objectives and guidance provided in the relevant Regional and Sub-regional Strategies, Operational Policies, Position Statements and Guidelines as well as the Shire's Local Planning Strategy and will help to ensure due consideration is given to these documents when dealing with development applications;
- vi) The various assertions made by some who lodged a submission regarding the validity of many of the new provisions proposed to be incorporated in Local Planning Scheme No.5 are technically incorrect and demonstrate a lack of understanding of how the Shire's planning framework is structured and operates;
- vii) If the proposed amended version of Local Planning Scheme No.5 is administered correctly, pragmatically, and equitably as required, there is no real basis to any suggestion it will stifle opportunities for future development and growth;
- viii) There is sufficient flexibility inherent in many of the new provisions, as well Clause 4.5 of Local Planning Scheme No.5, to enable Council to vary any standard or requirement where such variation is permitted and deemed appropriate;
- ix) In administering the amended version of Local Planning Scheme No.5 the Shire Administration and Council will continue to have due regard for the range of

temporary exemptions for certain approvals and requirements within the Shire's local planning framework as provided for in the Notice of Exemption issued by the Minister for Planning in response to the State of Emergency for the Coronavirus (COVID-19) pandemic (i.e. the proposed amendments to Local Planning Scheme No.5 will not hinder any response and recovery efforts);

- x) The proposed amendments are considered entirely reasonable in the context of recent costly and protracted legal proceedings the Shire has been involved which could potentially have been avoided if many of the proposed provisions were already included in Local Planning Scheme No.5;
- xi) The proposed amendments to and ongoing administration of Local Planning Scheme No.5 have been fully budgeted for by the Shire and will not therefore prove to be a major financial burden. It is contended that a failure to address the various issues the proposed omnibus amendment is seeking to resolve could prove more costly to deal with in the future due to the lack of clear planning controls, the associated uncertainty and increased risk of procedural errors, disputes and appeals when dealing with development applications; and
- xii) The number of submissions received objecting to the proposed amendment represents a very small percentage of the Shire's total population. As such it is contended the vast majority of the Shire's population have no major issues or concerns with the proposal and are generally supportive.

In light of the outcomes from public advertising and the various points raised above, it is recommended that Council support the proposed amendment to Local Planning Scheme No.5 subject to it being modified in accordance with the three (3) modifications referred to previously above.

Finally, Council should note the proposed scheme amendment will be subject to further detailed assessment at State government level. It is anticipated the Hon. Minister for Planning may request further modifications based on recommendations to be provided by the Western Australian Planning Commission and a number of submissions made directly to the Minister in recent times by a few disgruntled members of the local community. For now however Council is required to follow due process and make a determination regarding final adoption of the proposed amendment to enable it to be formally referred to the Western Australian Planning Commission for further consideration and final determination by the Hon. Minister for Planning thereafter. The recommendation provided in this report enables the proposal to proceed to the final stage of the statutory planning process without delay.

## **CONSULTATION**

Completed in accordance with the specific requirements of regulation 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015* following the issuance of environmental clearance by the Environmental Protection Authority, the outcomes from which have been documented above and in the Schedule of Submissions provided in Attachment 3 to this report.

## **STATUTORY CONTEXT**

- *Planning and Development Act 2005*
  - Part 5, Division 3 – 'Relevant considerations in preparation or amendment of local

- planning scheme’.
- Part 5, Division 4 – ‘Advertisement and approval’.
- *Planning and Development (Local Planning Schemes) Regulations 2015*
  - Part 5, Division 3 — ‘Process for standard amendments to local planning scheme’

## CORPORATE CONTEXT

Nil

## STRATEGIC IMPLICATIONS

Strategic Community Plan adopted 28 March 2018:

<b>1.</b>	<b>Community – to enhance and improve a sense of community in the Shire</b>
1.3	Promote community health and wellbeing
<b>2.</b>	<b>Economic – to improve and add to local economic development and activity</b>
2.1	Examine opportunities to diversify the local economy through initiatives such as tourism
2.2	Improve tourist / caravan park accommodation
2.3	Improve community connectivity
2.4	Initiatives to reverse ageing population
2.8	Develop a business and industry attraction strategy
<b>3.</b>	<b>Environment – to protect or improve the natural environment</b>
3.1	Undertake initiatives to improve recycling
3.2	Support environmental sustainability initiatives and community forums
<b>4.</b>	<b>Infrastructure – to maintain / add to infrastructure used by the community</b>
4.1	Undertake town beautification programs
4.2	Improve utilities (power, water, etc.)
4.3	Maintain / improve community facilities to an agreed standard
4.5	Improve facilities for trucks and drivers

## FINANCIAL IMPLICATIONS

The total cost to progress the proposed amendment to Local Planning Scheme No.5 is estimated to be in the order of \$20,000 excluding GST. Suitable allowances were and have been made in Council’s budgets for the 2019/2020 and 2020/2021 financial years to fund the project.

## VOTING REQUIREMENTS

Absolute majority required: No

<b>Officer Recommendation / Council Resolution</b>
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Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That Council resolve to:

1. Acknowledge receipt of and determine each submission received in respect of

Amendment No.2 to the Shire of Victoria Plains Local Planning Scheme No.5 during public advertising in accordance with the recommendations contained in the Schedule of Submissions provided in Attachment 3 to this report;

2. Support Amendment No.2 to the Shire of Victoria Plains Local Planning Scheme No.5 subject to the following proposed modifications:
  - a) Inclusion of the following definition for the use class 'repurposed dwelling' in Schedule 1 of the Scheme Text of Local Planning Scheme No.5 entitled 'Dictionary of Defined Words and Expressions':  
*'repurposed dwelling means a building or structure not previously used as a single house which has been repurposed for use as a dwelling.'*;
  - b) That proposed sub-clause 4.7.5.9 in Amendment No.10 as it applies to over-grazing by livestock on any land classified 'Rural' zone be amended to include the following additional sentence:  
*'Prior to forming an opinion and issuing an order pursuant to this clause the local government shall seek and obtain advice from the Department of Primary Industries & Regional Development and any other government agency with a potential interest in the matter.'*; and
  - c) Removal of proposed clause 4.23 entitled 'Home Occupation, Home Business, Home Store and Rural Home Business' and all associated sub-clauses.
3. Authorise the Shire Administration to refer the scheme amendment proposal to the Western Australian Planning Commission confirming Council's resolution and requesting the Honourable Minister for Planning's favourable consideration and final approval, including endorsement of all revised documentation required to be prepared in due course by affixing the Shire's common seal and authorising the Shire President and Chief Executive Officer to sign the documentation accordingly.

For \_\_\_\_\_ / Against \_\_\_\_\_



**9. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION***Admitted by resolution of Council***11. MEETING CLOSED TO PUBLIC – CONFIDENTIAL ITEMS****11.1 Matters for Which the Meeting May Be Closed**

File reference			
Report date			3 July 2020
Applicant/proponent			CEO
Officer disclosure of interest			Nil
Previous meeting references			22 January 2020 2001-16, 17, 18
Prepared by			Sean Fletcher, Governance Officer
Authorised by			CEO
Attachments			
Attachment 1	Page		Nil

**PURPOSE**

For Council to move “in camera” (behind closed doors) and consider a matter regarding the CEO's July 2020 performance review under item 11.2.

**BACKGROUND**

Under section 5.23 (2)(a) of the Local Government Act, Council may close a meeting, or part of a meeting if it deals with a matter affecting an employee or employees.

**COMMENT**

Council conducted the CEO's performance review on 22 January and resolved to hold the next review by 31 July 2020.

**CONSULTATION**

CEO and Council by way of the June 2020 Briefing Session.

**STATUTORY CONTEXT**

As per the background to this item.

**CORPORATE CONTEXT**

N/A

**FINANCIAL IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Absolute majority required: No

<b>2008-0      Officer's Recommendation</b>
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Moved Cr \_\_\_\_\_

Seconded Cr \_\_\_\_\_

That Council close the meeting under section 5.23 (2)(a) of the Local Government Act to consider a matter under item 11.2 regarding the CEO's performance review.

**For \_\_\_\_\_ / Against \_\_\_\_\_**

*Remaining in the meeting –*

## 11.2 CEO Performance Appraisal Review

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<b>File reference</b>	
<b>Report date</b>	20 August 2020
<b>Applicant/proponent</b>	
<b>Officer disclosure of interest</b>	Nil
<b>Previous meeting references</b>	22 January 2020
<b>Prepared by</b>	Gary Clark, Boab Consulting.
<b>Authorised by</b>	
<b>Attachments</b>	

## 12. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at \_\_\_\_\_ pm.

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## CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on \_\_\_\_\_ 2020.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Presiding member at the meeting which confirmed the minutes)

**Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.**