



# ORDINARY MINUTES

ORDINARY Meeting  
of the Council held:

**DATE:** Tuesday, 8 July 2008

**TIME:** 2.45pm

**VENUE:** Council Chambers

Rob Stewart  
CHIEF EXECUTIVE OFFICER

## **MEMBERSHIP – Quorum (5)**

### **Members:**

Cr K Forbes - Rocky Gully / West Ward - Shire President  
Cr B Hollingworth - Town Ward - Deputy Shire President  
Cr K Clements - Town Ward  
Cr J Mark - Town Ward  
Cr J Moir - South Ward  
Cr M Skinner - East Ward  
Cr D Nye-Chart - East Ward  
Cr S Grylls - Rocky Gully / West Ward  
Cr A Budrikis - Kendenup Ward

*Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute the Council's decision until considered by the Council.*

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## 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:48 PM The Presiding Member declared the meeting open.

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

Mr Stewart then read aloud the following disclaimer:

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

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

## 2 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

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

Members Present:

Cr K Forbes AM  
Cr B Hollingworth  
Cr A Budrikis  
Cr S Grylls  
Cr J Mark  
Cr J Moir  
Cr D Nye-Chart  
Cr M Skinner

In Attendance:

Mr R Stewart	Chief Executive Officer
Mr J Fathers	Deputy Chief Executive Officer
Mr P Duncan	Manager Development Services
Mr I Bartlett	Manager Works and Services
Mrs K Skinner	Executive Secretary
Mrs C MacLean	Administration Officer
Mr E Howard	Environmental Health Officer (withdrew at 3.39pm)

Apologies

Cr Ken Clements

There were ten (10) member(s) of the public in attendance.

There were no member(s) of the media in attendance.

#### **4 PUBLIC QUESTION TIME**

Mr Lee McInnes (Proprietor Porongurup Chalets) – Various issues

1. Reduction of speed limit in Porongurup Village was to be referred to the RoadWise Steering Committee and did this happen?

Mr Rob Stewart advised that this matter was discussed at the RoadWise Steering Committee meeting held on 26 June 2008. Mr Ian Bartlett advised that a list of roads required a review of restrictions within the Shire was being compiled. The list will be forwarded to Main Roads Western Australia. Mr Rob Stewart advised that experts were coming later this year to review roads and speed limits within the Shire.

2. Millinup Road - 10 January 2008 letter received from Chief Executive Officer stating that proposed roadworks stopped due to lack of permits. Mr McInnes has heard rumours that the Council has received the necessary permits and has earmarked funds to complete work. When is public consultation to take place?

Mr Rob Stewart advised that Millinup Road works has been funded for 2008/2009 financial year. No work will commence until such time as further consultation has taken place with residents. Advised that representatives from the Roadside Conservation Committee will be in Plantagenet during September. The Council has applied for a permit.

3. Refuse site – tip passes – accommodation providers who have multiple dwellings – are they entitled to extra domestic tip passes?

Mr Rob Stewart advised that there was no charge for recycling. The tip passes are for residential waste disposal. Commercial premises would normally be charged on volume. Mr Stewart invited Mr McInnes to meet with him to discuss the matter in more detail.

Agnes Thomson – Plantation Loc 2078 (Item 11.1.1)

I object to the proposed plantation of up to 59ha located at Lot 2078 Mill Road, Rocky Gully which falls within a Special Control Area.

My objections are as follows:

According to Town Planning Scheme No. 3 Clause 3.8(a) states *'The purpose of Special Control Areas (SCA) is to prohibit timber plantations within townsites.'*

My question is why is the Council testing its own guidelines? The SCA is a buffer and should remain so, as per the Shire's own Planning Scheme. Why set buffer or parameters and then encroach on them?

Mr Peter Duncan advised that the SCA had two distinct areas. One was a total prohibition of plantations and the other included plantations as a 'SA' use, which the Council may approve after advertising.

How many hectares in Plantagenet are taken up by Plantations?

Cr K Forbes AM advised approximately 80,000ha of plantations.

Ross Howard – Chicken Composting Facility (Item 11.1.2)

Why has the Council not listened to what has been said in the past from adjoining landholder?

Cr Kevin Forbes AM advised that the item is on today's agenda for consideration.

## **5 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Charlotte McIntyre – Timbercorp (Item 11.1.1)

In response to the concerns of residents: 'The closeness of this plantation to the town water supply will put our water quality in danger of being contaminated or the root system of these trees are such that our dam could be compromised'.

As an organisation that takes community consultation very seriously, Timbercorp would like to address specifically the concerns raised by some residents of Rocky Gully in relation to the proximity of the proposed Cameron B treefarm. Timbercorp acknowledges that a portion of the proposed treefarm falls within the Special Control Area (SCA) of the town site and as such certain criteria must be met to satisfy the requirements of Shire Council planning permissions. With this in mind Timbercorp thanks the Plantagenet Shire Council for the opportunity to provide some additional information on its operations and certifications to supplement the planning application being considered.

**Forest Stewardship Council (FSC)**

**Background:** Timbercorp holds a current Forest Stewardship Council certification. FSC is a quality assurance certification that sets strict standards for responsible forest management then monitors & accredits its subscribers. It has currently certified 90 million hectares in over 70 countries and has wide international recognition. It is the only forest labelling scheme that is supported by the World Wildlife Fund, Greenpeace and Friends of the Earth. The main objective of the FSC is ensuring that forests of all types are managed in a sustainable manner, socially, environmentally and economically.

**Implementation:** To maintain certification Timbercorp undergoes a rigorous external audit every 2 years. This involves a detailed examination of all

operations with a direction and timeline for any corrective actions arising as a result of the audit to ensure compliance with all of FSC principles and criteria. One of the requirements of the FSC is that certified forestry managers comply with all the relevant legislation and Codes of Practice. Timbercorp only uses chemicals that have FSC approval with the upmost consideration given to the impact on the environment and water quality in particular. Our contractors are fully trained and licenced to ensure that chemicals are applied correctly. Timbercorp Treefarm supervisors carry out regular quality assessments during operations to ensure best practise and compliance is achieved.

Professional opinions and studies relating to the proximity to town site dam:

In a study on the extent of the root system of bluegums, it is found that the lateral root system of a mature bluegum extends no more than 2.5 times the height of the tree. In the case of Cameron B therefore, in a worst case scenario, with our mature trees at 25 metres high, the roots of the trees closest to the town site dam would extend no more than 70 metres. The closest the proposed treefarm comes to the dam is 600 metres.

John Dibble, Manager of service delivery at the Water Corporation states in relation to the Rocky Gully town dam that: 'We consider that there would be no impact on the integrity of the assets in the scheme given that the fringe of the plantation is approximately 600m from the dam structure.'

#### Water Quality

A study of the impact of plantation forestry in the Denmark River catchment area has shown that the introduction of plantation forestry has improved the water quality by reducing salinity.

In addition, a more recent study conducted by UWA looking at the impact of bluegum plantations on the water quality in the Marbellup Brook catchment area shows that 'bluegum plantation sites often had better water quality, riparian condition and biodiversity values that pasture unfenced sites.

John Dibble from the Water Corporation states in relation to the Rocky Gully town dam that 'There is no adverse impact on the catchment area in terms of its capacity to collect water for the town water supply'.

While it is recognised that bluegums are greater users of water than natural vegetation, in this instance the proximity of the treefarm will have no effect on the dam water level.

It is hoped that with all of the above assurances in place, the residents of Rocky Gully will acknowledge that the impact of Cameron B bluegum plantation, while within the special control area around the town site will have no effect on the quality or quantity of their water supply. Nor will the structure of the dam itself be compromised by the proximity of the plantation. On the planning officer's recommendation Timbercorp has contacted the Rocky Gully community, and we are in discussion to finalise a date for a community consultation session regarding the proposed development.

#### Ray Stubbs (Item 11.1.1)

Concerned that allowing this plantation will set a precedent for other plantations.

Concerned about aerial spraying.

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Manjimup shire dismissed 2 applications on anecdotal evidence.

Has asked for deferral of application until Rocky Gully residents have spoken to Timbercorp.

## 6 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr K Forbes declared a Voluntary Disclosure (friend) interest for Item 11.1.1.

Cr J Mark declared a Voluntary Disclosure (friend) interest for Item 11.1.1.

Cr B Hollingworth declared a Financial interest for Item 11.1.1.

Cr J Moir declared a Financial interest for Item 11.1.1.

Cr M Skinner declared a Financial interest for Item 11.1.2.

## 7 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

### 7.1 APPLICANT: CR J MARK

Cr J Mark requested Leave of Absence from 9 to 21 August 2008 (inclusive).

**Moved Cr B Hollingworth, seconded Cr M Skinner**

**That Cr J Mark be granted Leave of Absence from 9 to 21 August 2008 (inclusive).**

**CARRIED (8/0)**

**NO. 125/08**

### Previously Approved Leave of Absence

Cr K Clements 14 July 2008 to 30 July 2008 (inclusive)

Cr D Nye-Chart 03 October 2008 to 20 October 2008 (inclusive)

Cr B Hollingworth 15 October 2008 to 24 October 2008 (inclusive)

## 8 CONFIRMATION OF MINUTES

***Moved Cr J Mark, seconded Cr M Skinner***

***THAT the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 24 June 2008 as circulated, be taken as read and adopted as a correct record.***

**CARRIED (8/0)**

**NO. 126/08**

***Moved Cr B Hollingworth, seconded Cr J Mark***

*THAT the Minutes of the Special Meeting of the Shire of Plantagenet, held on 1 July 2008 as circulated, be taken as read and adopted as a correct record.*

**CARRIED (8/0)**

**NO. 127/08**

## **9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

- 7 July 2008 – Plantation Industry Farm Forestry Ministerial Advisory Committee – presentation on Carbon Credits. Watch how the Federal Government handles this.
- Steve Potter from Minister McTiernan's Office – application for pedestrian crossing in Lowood Road – will struggle with it. Main Roads Department Western Australia (John Marmion) is looking into it.
- 7 July 2008 – CWA Mount Barker 70<sup>th</sup> birthday lunch – State President was in attendance. Good to see and hope it can continue.
- 7 July 2008 – Naturalisation – 3 adults and 2 children.

## **10 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION**

### Cr B Hollingworth

- 25 June 2008- Oyster Harbour Catchment Group dinner at Gilberts to celebrate State LandCare Award win at Bridgetown Conference
- 27 June 2008 – Mount Barker Wine Producers dinner at Frasers, Perth with Chief Executive Officer, Mr R Stewart and respective partners.
- 30 June 2008 – Porongurup Boxhill subdivision planning meeting with Crs Forbes, Nye-Chart, Skinner and Manager Development Services, Mr Peter Duncan.
- 1 July 2008 – Special Budget Meeting
- 2 July 2008 – Riley Car Club planning – Easter 2009 – 160 participants from around the world.
- 7 July 2008 – Shire Trails Masterplan at Banksia Farm
  - Progress development of Mount Barker Hill and Mondurup Walking tracks.
- 8 July 2008 – Timber 2020 – Indigenous Forestry Forum in Albany – as chair of Timber 2020.

### Cr S Grylls

- Timber 2020 meeting.

Cr J Mark

- Roadwise Community liaison – safe speeds. Encourage local police to make speedometer checks later this month. Committee to compile a list of roads in the Shire to look at speed limits – Councillors to advise Mr I Bartlett.

Cr M Skinner

- Farm Advisory
- Porongurup Information Meeting

## 11 REPORTS OF COMMITTEES AND OFFICERS

### 11.1 DEVELOPMENT SERVICES REPORTS

#### 11.1.1 LOT 2078 MILL ROAD, ROCKY GULLY - PROPOSED PLANTATION IN SPECIAL CONTROL AREA

Councillors Forbes, Hollingworth, Mark and Moir each disclosed an interest in this report.

A Voluntary Disclosure (friend) interest was disclosed by Cr K Forbes AM.

A Voluntary Disclosure (friend) interest was disclosed by Cr J Mark.

A Financial interest was disclosed by Cr B Hollingworth.

A Financial interest was disclosed by Cr J Moir.

3.26pm Crs B Hollingworth and J Moir withdrew from the meeting.

**File No:** RV/182/935; DA 43/08

**Attachments:** [Location Plan](#)  
[Special Control Area](#)  
[Petition Received](#)

**Responsible Officer:** Peter Duncan  
Manager Development Services

**Author:** Juliet Albany  
Planning Officer

**Proposed Meeting Date:** 8 July 2008

**Applicant** Timbercorp

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#### **Purpose**

The purpose of this report is to consider an application by Timbercorp for a blue gum plantation on Lot 2078 Mill Road Rocky Gully located within the Special Control Area 2 Rocky Gully Townsite.

#### **Background**

Council records show the owners of Lot 2078 Mill Road are Joan and Shaun Cameron.

Up to 59 hectares of Lot 2078 that falls within the Special Control Area (SCA), is proposed for plantation development as Cameron B 745 Tree Farm. A further plantation is proposed for portions of Lot 2078 outside the SCA and that is proceeding in accordance with the agreed protocol.

The subject lot lies due south of the Rocky Gully rural village and extends slightly west of the village. The northern portion of the lot is more than 730m south of the corner of Crane Street and Higgins Street and 650m west of the Rocky Gully Water Corporation dam site. There is approximately 600m of natural bush between the south west corner of the dam and the proposed plantation edge.

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Rocky Gully village consists of 21 lots developed with houses and businesses, including a general store and a hotel. The village acts as a service centre for the agricultural area.

This is the first time the Special Control Area provisions of the Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) have been tested.

### **Statutory Environment**

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) Special Control Area 2 Rocky Gully Townsite. Townsite Area B – Timber Plantations ‘SA’ use on Rural zoned land.

Clause 3.8 Special Control Areas purpose is to prohibit timber plantations within town sites and to control the development of plantations in close proximity to townsites and closely populated parts of the Scheme area. When determining an application for planning consent the Council is to consider the following:

- a. the provisions of the Shire’s Commercial Plantation Policy;
- b. the Code of Practice for Timber Plantations and whether or not the proponent is a signatory to the Code;
- c. consistency with the performance standards ‘Planning for Bush Fire Protection’ and ‘Guidelines for Fire Protection’, following referral to the Fire and Emergency Services Authority, and with Council’s Annual Fire Break Notice’;
- d. existing uses and development on the subject land;
- e. the location of the subject land and its relationship to surrounding land uses, especially residential, rural residential, rural small holdings, and tourist land uses;
- f. the location of the land in relation to designated haulage routes;
- g. access to and from the subject land and the existing standard of local roads and their capacity to support timber haulage vehicles;
- h. protection of native vegetation;
- i. the impact on the amenity of the area, including scenic views;
- j. where the land is located in the Porongurup SCA 5, the provisions of the Porongurup Rural Strategy;
- k. where the land is located in the Mount Barker SCA 4, the Mount Barker Rural Strategy;
- l. any submissions received as a result of advertising the application; and
- m. any other matters considered relevant.

### **Consultation**

The proposal has been advertised for a twenty one (21) day period and submissions closed on 5 June 2008. Two (2) separate submissions on a photocopied petition with twenty six (26) and three (3) signatures respectively have been received. Neither the unsigned letter that accompanied the larger petition nor the copies of the petition itself indicate the originator of the petition. The petition reads as follows:

‘The Proposed Plantation at the Location of Lot 2078 Mill Road Rocky Gully. A proposal has been received by the Plantagenet Shire Council for a proposed plantation. The closeness of this plantation to the Town Water Supply will put our Water Quality in danger of being contaminated or the root system of these trees are

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such that our dam could be compromised. We, the undersigned are concerned citizens who urge our Plantagenet Councillors to act now to reject this proposal.'

### **Financial Implications**

The fee of \$ 147.20 has been paid.

### **Policy Implications**

Town Planning Scheme Policy No. 15 (Commercial Plantations) has an objective to reduce potential adverse impacts and land use conflict from the inappropriate siting and development of plantations within the SCA.

For the SCA to function effectively and contribute to community confidence in the planning system, it must be seen to be applied with the community's input along with consideration of the long term impacts of plantations both on the landscape and economically.

### **Strategic Implications**

The draft Local Planning Strategy identifies the cleared land north of the subject lot and south of Muirs Highway for future rural residential development, the most southerly point of which will be approximately 300m north of the proposed tree plantation.

### **Officer Comment**

The proposal is for a plantation on cleared grazing land just west and south of Rocky Gully. The northern boundary of this land is bordered by a well vegetated water course. The subject lot is difficult to see from Muirs Highway but is visible from Mill Road. It is not visible from the existing developed lots within the townsite.

Rocky Gully has twenty one (21) lots developed with houses although a total of 79 lots are zoned residential.

The petition received essentially raises two concerns. The first being the potential impacts on the water quality of the town water supply. The Water Corporation dam is over 600m from the plantation site and the management plan and a covering letter submitted with the application state that all herbicides will be applied by experienced and licensed spray contractors and only 'ground based spraying is planned for the subject area'. A condition can be imposed on the planning consent to prohibit the use of aerial spraying.

The second concern raised in the petition was the potential impact of the root system from the trees compromising the dam. As the closest point of the plantation to the dam is over 600m and there is an extensive area of remnant vegetation between the plantation and the dam wall, this is not a concern. There are many farm dams located within plantations which are now used for fire fighting water supplies and the tree roots have not compromised these dams.

The current application meets with the requirements under TPS3 in terms of the Shire Firebreak Notice, plantation compartment size and management plan. The applicant proposes that they will only use ground based spraying (no aerial spraying). This fact, if known locally, could reduce local fears regarding pesticides and other

chemicals contaminating the town dam. Fears for the dam within the community, based upon possible tree root damage appear to be ill founded, given the 600m of dense native vegetation between the proposed site and the dam site.

It is noted that the Management plan states that all of the consolidated areas of remnant vegetation will be retained and the removal of stock will encourage new growth within these remnant vegetation areas.

### **Voting Requirements**

Simple Majority

### **OFFICER RECOMMENDATION**

**Moved Cr M Skinner, seconded Cr J Mark**

**That the proposal for a Timber Plantation on Lot 2078 Mill Road Rocky Gully be approved subject to:**

- 1. No use of aerial spraying for pests. All spraying for pests and weeds is to be ground based.**
- 2. Compliance with the Shire of Plantagenet Annual Firebreak Notice and compliance with the Guidelines for Plantation Fire Protection.**
- 3. Compliance with the submitted Management Plan.**
- 4. The submission of a harvesting plan two years prior to harvest.**

### **ADVICE NOTE**

The applicant is advised that the community of Rocky Gully appear to be concerned regarding this proposal and its possible impact upon the settlement water supply. It is suggested that Timbercorp initiate and undertake a presentation regarding their proposal and management practices to the community as a high priority.

### **MOTION TO ADJOURN QUESTION**

**Moved Cr D Nye-Chart, seconded Cr S Grylls**

**That the question be adjourned until 12 August 2008 to enable Timbercorp to undertake community consultation.**

**CARRIED (6/0)**

**NO. 128/08**

3.35pm Crs Hollingworth and Moir returned to the meeting.

**11.1.2 LOT 859 HEALY ROAD, NARRIKUP - COMPOSTING FACILITY**

A Financial interest was disclosed by Cr M Skinner.

3.35pm Cr M Skinner withdrew from the meeting.

**File No:** RV/183/364

**Attachments:** [Location Plan](#)  
[Neighbour Odour Records \(3\)](#)  
[Copy of Extracts of Proponents wind directions and speed monitoring records](#)  
[Plan showing distances from facility](#)  
[Plan showing location of properties](#)  
[Letters raising no objections \(6\)](#)  
[Table showing weather conditions and odour events from neighbours](#)  
[DEC response to request for advice on odour issue](#)  
[Council letter to Paul Hoult dated 3 June 2008](#)

**Responsible Officer:** Rob Stewart  
Chief Executive Officer

**Author:** Peter Duncan  
Manager Development Services

**Proposed Meeting Date:** 8 July 2008

**Applicant** Paul Hoult

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**Purpose**

The purpose of this report is to consider the extent to which previously imposed conditions of approval relating to the composting facility at Healy Road, Narrikup have been satisfied and to determine action to rectify odour problems from the facility following advice from the Department of Environment and Conservation (DEC).

**Background**

In June 2003 following public advertising the Council approved an application for a Noxious Industry (Chicken Composting Operation of up to 1,000 tonne capacity) in accordance with plans dated 7 March 2003 and subject to 9 conditions.

The first five conditions related to the then Department of Environment standards and were imposed by the Council on advice from that Department. The Department only licenses compost facilities of 1,000 tonnes and over. The conditions related to the compost facility being protected from the weather for initial stages of composting and upon a hard stand, stormwater runoff, containment of contaminated water, no nutrient export and exotic pests being satisfactorily addressed.

- Conditions 6 – 9 related to fire breaks, access ways and crossovers, on site signage and finally *'total production shall not exceed 1000 tones of organic material per year.'*
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On 17 March 2006 the Shire received a copy of a letter from the DEC Albany Office, to Paul Hault (the owner) regarding results of an inspection that had raised the following concerns:

*'The facility is not constructed on an impermeable surface that minimises the infiltration of leachate from the compost into the ground. This could result in leachate from the compost contaminating the soil, groundwater or nearby surface waters.'*

*'There is no drainage system to control runoff from the compost areas. This could result in contaminated runoff entering the surrounding soils and groundwater, nearby surface waters and damaging local native vegetation.'*

On 19 June 2006 the Shire received a copy of a letter from the DEC to Paul Hault in response to a request for an upgrade of the composting facility to over 1,000 tonnes of compost per year. This letter reiterated the need for an impermeable clay liner for the composting facility and stormwater and wastewater control and leachate pond.

On 9 March 2007 the DEC advised the Council that it was advertising a proposal for compost manufacturing and soil blending at Lot 859 Healy Road, Narrikup as the proponent proposed to exceed 1,000 tonnes per annum.

The Council at its meeting held on 24 July 2007 when considering the development application for the proposed upgrade of the facility resolved at Resolution No. 262/07:

*'That the proposal to extend the existing noxious industry (Chicken Composting Facility) to a facility handling over 1,000 tonnes of compost a year and soil blending be advertised for a period of twenty-one days.'*

The Council when considering submissions received, resolved at its meeting held on 11 September 2007 at Resolution No. 303/07:

*'That the question be adjourned until the next meeting of the Council to be held on 25 September 2007 pending inspection by Councillors.'*

The Council at its meeting held on 25 September 2007 resolved at Resolution No. 339/07:

*'THAT:*

- (1) *The proposal to extend the existing noxious industry (chicken composting facility) at Lot 859 Healy Road, Narrikup be approved subject to:*
  - (a) *Development being in accordance with the application dated 18 June 2007 and the Opus International Environmental Assessment in respect to the design.*
  - (b) *The existing composting site being cleaned up and rehabilitated.*
  - (c) *The compost facility being limited to a maximum tonnage of 1,000 tonne of compost product per annum.*

- (d) *The correct installation of the appropriate hardstand or impervious area for all of the composting operation.*
  - (e) *Appropriate management of stormwater runoff including any uncontaminated stormwater being diverted or channelled away from the operation.*
  - (f) *Contaminated water should be directed to the lined leachate-holding dam by appropriate bunding.*
  - (g) *The activity to be managed so as to not result in any nutrient export from the site or detriment to the environment.*
  - (h) *Measures being taken to minimise and control/manage any potential problems with flies and exotic predators, including foxes, feral cats, rats and mice This will involve the development and implementation of a vermin management plan to the satisfaction of the Council's Environmental Health Officer and the Department of Agriculture and Food.*
  - (i) *Appropriate management of odour impacts by the covering of the compost. Should odour impacts not be managed to the satisfaction of the Department of Environment and Conservation, the facility may need to be contained within an appropriate building.*
  - (j) *Installation of a fire break, not less than 5m wide, around the site and an operational fire fighting vehicle be kept on site during the operation of the prohibited and restricted burning periods.*
  - (k) *The crossover and access ways are to be maintained by the developer.*
  - (l) *Any on site advertising signage shall comply with Town Planning Scheme No. 3.*
  - (m) *The maintenance of a daily wind direction and speed monitoring record by the proponent.*
- (2) *The Chief Executive Officer will require the Council's Environmental Health Officer to carry out monthly inspections of the site for a period of 24 months to monitor the development.'*

The Council's Environmental Health Officer (EHO) has been regularly visiting the site and discussing the operation with the owner. Officers from the Department of Agriculture and Food (DAF) and the DEC have also provided advice.

During the earlier advertising there were fifteen(15) submissions received of which eight (8) raised no objections and seven (7) objected to the expansion. Those who raised objections did so on the basis of odours, perceived health risk and flies during the summer months. Of those who raised no objections, some said they did not have problems with the odour issue.

With the upgrade works originally proposed for over 1,000 tonnes per annum and the need for a works approval from the DEC, the chances of odours coming from the site should actually be reduced as, importantly, there is a licence condition requiring the covering of all material immediately with at least 150mm of cover material. The DEC issued its works approval for this facility in July 2007 with a design capacity of 1,200 tonnes per annum.

The upgraded facility included an impervious surface under the composting area and this removed any question of potential site contamination from effluent leaching downwards into the groundwater.

The proponent reduced the potential capacity to a maximum of 1,000 tonnes per annum and subsequently the DEC works approval was withdrawn. The Council's conditions applied on 25 September 2007 still applied.

The Council at its meeting held on 11 March 2008 received a presentation from a nearby landowner where the problems with odour from the facility were raised. Staff had previously advised concerned neighbours to keep records of odour events and at the presentation on 11 March 2008 two of these records were provided (copies attached). Another landowner also provided records of odour events experienced (copy attached).

The Council at its meeting held on 8 April 2008 considered a report on the extent to which the previously imposed conditions of approval had been satisfied.

Conditions (i) and (m) of the Council's approval of 25 September 2007 are particularly relevant. Condition (m) required the maintenance of a daily wind direction and speed monitoring record by the proponent. The proponent was asked to provide that record and the diary of events provided was incomplete and of no use in determining weather conditions and composting events. Examples of some pages are attached.

Condition (i) refers to odour impacts and required if odour impacts are not managed to the satisfaction of the DEC the facility may need to be contained within an appropriate building. Three (3) adjoining neighbours have not provided evidence of odour impact over a period of many months. The Manager Development Services has visited the area on seventeen (17) occasions from 11 March 2008. On five (5) of those seventeen (17) visits a strong odour was evident at Spencer Road to the north in the vicinity of several houses. On other occasions no odour was evident.

Several Councillors visited the composting site on the morning of 11 March 2008 where the proponent explained his operation, now located on a hardstand, and his possible intention to include the composting into a shed to reduce adverse impact from rain. This building would be dependent upon grant funding. The final phase of the project involves the compost being left in the open. It was observed at the site meeting the final stage still had a strong odour.

On 8 April 2008 the Council at Resolution No. 68/08 resolved:

*'That pursuant to part (i) of the Council decision of 25 September 2007 in relation to the composting facility at Lot 859 Healy Road, Narrikup the Department of*

*Environment and Conservation be requested to provide advice on the odour issue within sixty (60) days following which a further report will be placed before the Council at its ordinary meeting to be held on 8 July 2008.'*

The DEC was requested to provide advice on the odour issue and on 18 April 2008 a letter was received from the DEC Regional Manager Great Southern. That letter is attached and it can be seen it discusses odour and methods of assessing odour but states at paragraph five the following:

*'DEC officers have not made a formal assessment of the odour or validity of odour complaints from the facility in question at this stage, as DEC understands that the Shire is managing the health, environmental and amenity impacts of the facility through its noxious industry and planning conditions and approvals process.'*

The DEC believes *'that the impacts generated from the activity can and should be managed or enforced by the Shire.'*

A meeting was held on 18 April 2008 with a range of government experts and aggrieved neighbours to discuss details of the operation and its management and to look at what improvements could be made.

As stated above, the Council's EHO has been regularly meeting the operator on site and providing extensive advice and guidance with varying levels of success. The officer from the DAF has also been on site on various occasions and provided advice on how to improve the composting operation, again with varying levels of success. Following recent on site meeting with the operator, the EHO and the officer from the DAF, a letter detailing all of the action necessary to bring the operation up to standard was provided to the operator. A copy of that letter dated 3 June 2008 is attached.

Council staff and officers from the DAF and DEC met with owners of two nearby properties to discuss their concerns in respect to continuing odour emissions on 26 May 2008.

### **Statutory Environment**

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Rural – A noxious industry is an 'SA' use and requires formal advertising.

- Any Notice issued for a breach of the Scheme must be a minimum of twenty eight (28) days.
- The approval of planning consent issued after the Council's approval of 25 September 2007 is valid for a period of twenty four (24) months.
- Notice issued under TPS3 to ensure compliance with conditions of planning consent may generate a right for the proponent to apply to the State Administrative Tribunal for a review of the Council decision.
- TPS3 contains provision for the Council to consider the proper and orderly planning and amenity of the area.

Environmental Protection Act 1986

Environmental Protection Regulations 1987

Health Act 1911 (as Amended)

Health Local Laws Part 9 Offensive Trades

- Clause 9.2.2 reads: *'The occupier shall – (c) keep the premises free from any unwholesome or offensive odour arising from the premises;'*
- Clause 9.2.3 reads: *"The occupier shall – (a) ensure that the premises are kept free from rodents, cockroaches, flies and other vectors of disease; and (b) provide in and on the premises all effective means and methods for the eradication and prevention of rodents, cockroaches, flies and other vectors of disease.*
- Clause 9.2.8 reads: *'9.2.8 The occupier shall cause all material on the premises to be stored so as not to be offensive or injurious to health whether by smell or otherwise and so as to prevent the creation of a nuisance.'*
- Clause 9.2.10 reads: *'9.2.10(1) An Environmental Health Officer may give to the occupier directions to prevent or diminish the offensiveness of a trade or to safeguard the public health.  
(2) The occupier shall comply with any directions given under this Section.'*

Health (Poultry Manure) Regulations 2001

### **Consultation**

The upgrading proposal was advertised for twenty one (21) days by way of a sign on site, notices in the press, letters to adjoining landowners and a notice on the Council's notice board in August 2007.

The Council's EHO has been constantly meeting with the proponent and providing advice and direction.

The matter has been discussed extensively with officers from various government agencies. Several Councillors have visited the site.

The Council's EHO is a neighbour (in Youngs Siding) of one of the neighbours who submitted odour records (voluntary disclosure).

### **Financial Implications**

There are financial implications on the proponent in this report.

### **Policy Implications**

There are no policy implications for this report.

### **Strategic Implications**

This is a growing business which is processing the by-product of a successful chicken producing business also located within the Shire at Kendenup.

Adverse impacts on the quality of life of nearby landowners and residents is an important strategic consideration.

**Officer Comment**

The DEC buffer distance guidelines for a composting facility vary from 1,000m for outdoor uncovered to 750m and 500m for outdoor covered, and 250m for an enclosed facility and 150m for 'in-vessel' composting.

The odour matter is an issue which is difficult to monitor but the Council recognised this as a potential difficulty for particularly Lot 860 to the north. As the compost was to be covered with 150mm of cover then it could be interpreted that the 750m buffer should apply.

The Council in September 2007 considered the most appropriate course of action was to support the proposal to relocate the compost to the correctly prepared hardstand area but limit the amount of composted material to 1,000 tonnes per annum and require the odour to be constantly monitored. If the odour became an issue then the facility may need to be enclosed within an appropriate building.

It is clear the odour from the facility is an issue that is causing concern to the occupiers of some neighbouring properties in as much that it is disturbing their amenity and quality of life over prolonged periods. These properties with houses are located over 1km to the north of the facility which, although beyond the DEC recommended buffer, are adversely impacted on by the odour on a regular basis, in the opinion of the occupants.

On 25 March 2008 letters from the owners of six (6) nearby properties were delivered to the Council's public counter. These letters all advised these owners did not have any concerns with odour from the composting facilities. The point was raised that an odour comes off the nearby lake. Copies of the letters are attached.

A map attached shows the location of nearby properties and those whose owners had odour concerns are marked as are those whose owners did not have odour concerns. It can be seen from the map there is no common denominator for the properties to the north as some have serious concerns and adjoining properties have no concerns.

A table has been prepared showing Bureau of Meteorology weather data (from Albany) related to the adjoining neighbour odour events. A copy of that table is attached.

The Council's EHO organised a meeting with a range of government experts and neighbours on 18 April 2008 to work through the details of the operation and its management by the proponent to determine what improvements can be made as a matter of urgency. The outcome of that meeting was that the officers recognised that improvements had been made but there was room for further action to ensure it was a proper composting operation with minimal leachate and no odour being emitted. The neighbours still had serious odour concerns.

The recent DEC response to the Council request for advice on the odour issue was not helpful in that no assessment was made by the Department.

At a meeting held on 26 May 2008 between Council staff, officers from DAF and DEC and aggrieved neighbours, the point was made by a nearby landowner that even at this autumn time of year, the odour was still a great concern to the neighbours.

In respect to the Council letter dated 3 June 2008 providing extensive and detailed advice to the proponent on immediate actions required. The Environmental Health Officer now advises that at the time of writing this report the following actions had been undertaken by the proponent:

*'Mr Hoult has continued to trial and refine the compost blending and manufacturing process through the use and inclusion of alternative absorptive material admixtures, increased the rate of sawdust blend and cover material, balanced the water, carbon and nitrogen ratios to achieve further reductions of offensive odour emissions.*

*Microbiological analysis of intermediate (42 days) and final compost product has confirmed the absence of pathogenic micro-organisms in accordance with AS 4454 – 2003, as required for pasteurised stabilised compost.*

*Methods for the control, treatment and disposal or reuse of the leachate wastewater continues to be investigated, however will require further strategies and actions to eliminate and prevent the production of offensive odour emissions from this source.*

*A consultant has been engaged to continue the development of a comprehensive operational procedure manual including, temperature, vermin and odour monitoring programs. Whilst Mr Hoult has been carrying out these activities in the past, he has failed to document his observations, results and where necessary, his corrective actions.*

*Whilst composting operations, procedures and policies have been progressively introduced during the past six (6) months, odour emissions and product water content continue to be the limiting factors to the sustainable production of stabilised compost. It is therefore recommended that the primary composting process (initial 42 days) should be protected from additional water infiltration (rain and run-off) through the use of an approved enclosure or substantial cover capable of preventing rain fall onto the working compost.*

*The composting facility, procedures and documentation have undergone steady and progressive improvement over the past six (6) months. Laboratory analysis has confirmed finished product quality meets AS4454. However, further and continued improvement of the composting process, leachate management, odour control and monitoring, procedural documentation and records require further attention.*

*These matters must be adequately addressed within sixty (60) days to demonstrate to the Council, Mr Hoult's commitment and ability to operate the compost facility in a professional and efficient manner that will not cause a nuisance, be offensive or injurious to health.'*

It would appear after extensive investigation and liaison with various officers there are three (3) options for the Council to consider in respect to the operation and odour management. The first is to require the facility to close and have the site cleaned up and rehabilitated to remove all of the composting material within a specified time

frame such as sixty (60) days. The registration of the premises as an Offensive Trade under the Health Local Law 2008 would then be withdrawn.

The second option is for the proponent to be allowed to continue the operation and attempt to address the odour situation within the twenty four (24) month approval period expiring on 25 September 2009. This option is not the recommended approach due to the odour impacts on the nearby landowners as it may be affecting their amenity and quality of life in an adverse manner.

The third option is to require the proponent to instigate actions to reduce the odour impacts emanating from the site on the advice of government experts from DEC, DAF and the Health Department. A time limit of sixty (60) days could be applied to this option.

### **Voting Requirements**

Simple Majority

### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr D Nye-Chart, seconded Cr B Hollingworth**

**That:**

- 1. The owner of the composting facility at Lot 859 Healy Road, Narrikup be provided Notice under the Shire of Plantagenet Town Planning Scheme No. 3 that the total composting operation is to be conducted in complete compliance with the details provided in the Council's letter of 3 June 2008 with a period of sixty (60) days.**
- 2. Should the facility not be carried out and conducted in accordance with Part 1 above, Notice be provided under the provisions of the Shire of Plantagenet Town Planning Scheme No. 3 that the facility is to be closed, all material removed and the site rehabilitated to the Council's satisfaction within a period of sixty (60) days.**
- 3. Should Part 2 above apply then at the end of the sixty (60) days the registration of the premises as an Offensive Trade under the Shire of Plantagenet Health Local Law 2008 be withdrawn.**

**CARRIED (7/0)**

**NO. 129/08**

3.37pm Cr M Skinner returned to the meeting.



**11.1.3 LOT 1 (43) LOWOOD ROAD, MOUNT BARKER – APPLICATION FOR A PERMIT TO CONDUCT AN OUTDOOR EATING FACILITY ON A PUBLIC THOROUGHFARE**

<b>File No:</b>	<b>RV/182/1339</b>
<b>Attachments:</b>	<a href="#">Site plan</a> <a href="#">Location plan</a>
<b>Responsible Officer:</b>	<b>Peter Duncan</b> <b>Manager Development Services</b>
<b>Author:</b>	<b>Eric Howard</b> <b>Environmental Health Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 July 2008</b>
<b>Applicant</b>	<b>Petra Eisenberg</b>

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**Purpose**

The purpose of this report is to consider an application for a permit to conduct an Outdoor Eating Facility (Alfresco Dining) on a Public Thoroughfare adjacent to the Bretzel food premises located at Lot 1 (43) Lowood Road Mount Barker.

**Background**

The operators of the Bretzel food premises require the permit to locate six (6) small tables and seating for twelve (12) persons on the footpath directly in front of their store to enable customers to consume food purchased from the store. Alfresco dining will be available during business hours from between 9.00am to 5.00pm Monday to Thursday and 9.00am to 8.00pm Fridays.

The alfresco dining tables will be arranged in two (2) rows across the front of the premises and will occupy a total floor area of approximately 12.0m<sup>2</sup> leaving an unobstructed access pathway for pedestrian movement along the footpath.

**Statutory Environment**

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2001 (Local Law) - Part 6 Division 3 – Outdoor eating facilities on public places –This requires the issue of a permit and the Council may consider the following matters:

- (a) the Facility is conducted in conjunction with and as an extension of food premises which abut on the Facility, and whether the applicant is the person conducting such food premises;
- (b) any abutting food premises are registered in accordance with the *Health Act 1911* and whether the use of the premises is permitted under the town planning scheme;
- (c) the Facility will comply with any local law made under section 172 of the *Health Act 1911*;
- (d) users of the Facility will have access to proper and sufficient sanitary and ablutionary conveniences;

- (e) the Facility would -
  - (i) obstruct the visibility or clear sight lines at an intersection of thoroughfares of any person; or
  - (ii) impede pedestrian access; and
- (f) the tables, chairs and other equipment to be used may obstruct or impede the use of the public place for the purpose for which it was designed.

Health Act 1911

Health (Food Hygiene) Regulations 1993

Australia New Zealand Food Safety Standards 2000

### **Consultation**

The Environmental Health Officer has been liaising with operators of retail premises to ensure appropriate applications are made to the Council for alfresco dining activities.

### **Financial Implications**

The application fee of \$110 has been paid.

### **Policy Implications**

Council officers utilise a 'Draft Information and Application Form' with this type of application.

### **Strategic Implications**

The Shire of Plantagenet Strategic Plan – Key Result Area 4 aims to encourage and guide local development, retain local business and encourage new businesses that will create long-term sustainable local employment.

### **Officer Comment**

Should the Council grant approval for a permit to operate an outdoor eating Facility on a public thoroughfare, the following conditions may be imposed:

- The permit is valid for a period of twelve (12) months or unless otherwise stated in the permit and a period effective from 1 July to 30 June the following year is a preferred approach;
- The permit holder shall apply in writing prior to expiry of the permit, for renewal for a further twelve (12) month period;
- The permit is transferable;
- The applicant providing proof of public risk insurance for the proposed trading area;
- A statement indemnifying the Local Government in respect to any injury to persons or damage to property which may occur in connection with the use of the public thoroughfare by the permit holder; and
- The permit may be cancelled if the permit holder does not comply with any

conditions of the permit or any other written law related to activities regulated by the permit.

In addition to the above mentioned suggested conditions, the permit holder should:

- Ensure that the Facility is conducted at all times in accordance with the provisions of the Local Law and the Health Act 1911;
- Ensure that the eating area is kept in a clean and tidy condition at all times;
- Maintain the chairs, tables and other structures in the eating area in a good, clean and serviceable condition at all times;
- Be solely responsible for all and any costs associated with the removal, alteration, repair, reinstatement or reconstruction of any part of the public place arising from the conduct of the Facility;
- Whenever, in the opinion of the Council, any work is required to be carried out to a Facility, the Council may give a notice to the permit holder.

The proposed alfresco dining facility will not conflict with the town centre retail base, but further add to the vitality of the area. Adequate toilet facilities are provided within the Bretzel food premises. The proposed dining area will not obstruct sight lines of vehicular traffic in the vicinity, and pedestrian free access and movement will not be unreasonably impeded. The applicant has submitted proof of public liability insurance covering the proposed outdoor eating Facility.

### **Voting Requirements**

Simple Majority

### **OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr B Hollingworth, seconded Cr J Mark**

**That in accordance with Part 7 of the Shire of Plantagenet - Activities in Thoroughfares and Public Places and Trading Local Law 2001, a permit be issued to P Eisenberg to conduct an outdoor eating facility on a public thoroughfare adjacent to the Bretzel food premises, Lot 1 (43) Lowood Road, Mount Barker subject to:**

- 1. The outdoor eating facility occupying a maximum area of 12m<sup>2</sup> adjacent to the Bretzel food premises in accordance with the application dated 7 June 2008.**
- 2. The facility being operated and maintained in accordance with the provisions of:**
  - a) Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2001;**
  - b) Health Act 1911;**
  - c) Health (Food Hygiene) Regulations 1993;**
  - d) Australia New Zealand Food Safety Standards 2000.**

3. The permit is valid for a period of twelve (12) months, effective from 1 July 2008 until 30 June 2009.
4. The permit holder shall apply in writing prior to expiry of the permit, for renewal for a further twelve (12) month period.
5. A statement from the permit holder indemnifying the Council in respect to any injury to persons or damage to property which may occur in connection with the use of the public thoroughfare.

**CARRIED (8/0)**

**NO. 130/08**

## 11.2 WORKS AND SERVICES REPORTS

### 11.2.1 POLICY REVIEW - RS/V/1 VANDALISM - REWARD

**File No:** CS/120/2  
**Responsible Officer:** Ian Bartlett  
Manager Works and Services  
**Author:** Megan Sounness  
Administration Officer  
**Proposed Meeting Date:** 8 July 2008

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#### **Purpose**

The purpose of this report is to review Council Policy No. RS/V/1 – Vandalism – Reward.

#### **Background**

Council Policy No. RS/V/1 – Vandalism – Reward reads as follows:

- 'Policy*
- 1. That Council offers a reward which will be set by Council each year as part of the budget and that the reward would be for any property, Council or Private, for the information leading to the conviction of persons committing vandalism.*
  - 2. That Council make an allocation annually in its budget to cover rewards for vandalism.'*

In 2006 a payment of \$500.00 was made pursuant to this policy. The payment related to information given to the police concerning fires deliberately lit in the Narrikup vicinity and resulting in a conviction.

#### **Statutory Environment**

Local Government Act 1995

#### **Consultation**

This policy has been discussed between Mr Ian Bartlett – Manager Works and Services, Mr Wayne Griffiths – Principal Works Supervisor, Mr Geoff Scott – Maintenance Supervisor, Mr Dave Cooper – Storeman, Mr Jamie Rutter – Parks and Gardens Supervisor, Mr Jim Robertson – Technical Officer and Ms Megan Sounness – Administration Officer Works and Services.

#### **Financial Implications**

There are no immediate financial implications for this report.

An allocation of \$2,000 is made in the budget under Security and Vandalism, as a result of this policy.

**Policy Implications**

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

**Legal Implications**

There are no legal implications for this report.

**Strategic Implications**

The Council's Strategic Plan Key Result Area 1, New Initiative 1.4 provides the following:

'1.4 Ensure the Administrative system and framework of the organisation efficiently and effectively permit the functions of the organisation to be undertaken.

To achieve this we will:

Review all policies, procedures and delegations to ensure internal consistency and convergence; and

Promote and provide access to policies, procedures, standards and legislation.'

**Officer Comment**

This policy is considered relevant and should be retained. It does however need some minor editorial work to clarify its name, introduce an objective and re-word point 1 so that it is more easily understood.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

Moved Cr J Mark, seconded Cr B Hollingworth

That amended Council Policy No. RS/V/1 – 'Vandalism – Reward' as follows:

**OBJECTIVE:** To encourage the sharing of information relating to acts of vandalism and to enable conviction of persons committing vandalism.

**POLICY:** That:

1. A reward be offered for information leading to the conviction of persons committing vandalism on any Council property.
2. An allocation be included annually in the budget by the Council to cover rewards for vandalism.'

be endorsed.

CARRIED (8/0)

NO. 131/08

## 11.3 COMMUNITY SERVICES REPORTS

### 11.3.1 PLANTAGENET CHILD CARE CENTRE - LONG DAY CARE SUSTAINABILITY ASSISTANCE AGREEMENT

<b>File No:</b>	<b>CS/9/1</b>
<b>Responsible Officer:</b>	<b>Nicole Selesnew Manager Community Services</b>
<b>Author:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Proposed Meeting Date:</b>	<b>8 July 2008</b>

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#### **Purpose**

The purpose of this report is to endorse the signing and affixing of the Common Seal of the Council by the Acting Shire President and the Chief Executive Officer to the Long Form Funding Agreement, held between the Commonwealth of Australia (represented by the Department of Families, Community Services and Indigenous Affairs), and the Shire of Plantagenet.

#### **Background**

The Shire of Plantagenet entered into a funding agreement with the Department of Families, Community Services and Indigenous Affairs, for funding for the Plantagenet Child Care Centre. This agreement expires on 30 June 2008 and now needs to be renewed for 2008 / 2009.

In the event that the Child Care Centre is run by another body, the agreement will need to be transferred.

#### **Consultation**

Consultation has occurred with Ms Gillian Thirlwall – Child Care Centre Coordinator.

#### **Financial Implications**

This funding is reviewed annually. Funding offered for the 2008 / 2009 financial year is \$45,100.00 (excluding GST).

#### **Policy Implications**

There are no policy implications for this report.

#### **Strategic Implications**

Key Result Area 3 – Community Services aims to:

*'Deliver, or facilitate the delivery of, a range of services which respond to, and reflect, the physical, social and cultural well being of the community.'*

#### **Officer Comment**

Payment of the funding amount will not be made by the Department of Families, Community Services and Indigenous Affairs until such time as the funding agreement is signed and affixed with the Common Seal of the Council.

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On the advice of the Chief Executive Officer, Acting Shire President Cr Bill Hollingworth witnessed the affixing of the Council's common seal on 27 June 2008. This action now needs ratification.

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION / COUNCIL DECISION**

**Moved Cr M Skinner, seconded Cr D Nye-Chart**

**That the actions of the Chief Executive Officer and the Acting Shire President in witnessing the affixing of the Common Seal of the Council to the Plantagenet Child Care Centre Long Form Funding Agreement, for the period 1 July 2008 to 30 September 2009 be endorsed.**

**CARRIED (8/0)**

**NO. 132/08**



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

Nil

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

Nil

**14 CONFIDENTIAL**

Nil

**15 CLOSURE OF MEETING**

3:44 PM The Presiding Member declared the meeting closed.

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