



# ORDINARY MINUTES

ORDINARY Meeting  
of the Council held:

**DATE:** Tuesday, 26 May 2009

**TIME:** 2.45 pm

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

**John Fathers**  
**ACTING CHIEF EXECUTIVE OFFICER**

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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

2:45 PM The Presiding Member declared the meeting open.

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

In Attendance:

Mr John Fathers	Acting Chief Executive Officer
Ms Nicole Selesnew	Manager Community Services
Mr Peter Duncan	Manager Development Services
Ms Cobie MacLean	Administration Officer (Planning)

Previously Approved Leave of Absence:

Cr J Mark	25 May 2009 to 12 June 2009 inclusive.
Cr B Hollingworth	15 June 2009 to 12 July 2009 inclusive.
Cr D Nye-Chart	3 July 2009 to 27 July 2009 inclusive.

Apologies:

Mr Rob Stewart	Chief Executive Officer
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**4 PUBLIC QUESTION TIME**

Section 5.24 Local Government Act 1995

Nil

**5 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

## 6 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr A Budrikis declared a Financial Interest – Association with Yaran Property Group - in Item 12.1.1.

Cr M Skinner declared a Financial Interest – Neighbouring Landholder – in Item 12.1.1.

## 7 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

## 8 CONFIRMATION OF MINUTES

Moved Cr M Skinner, seconded Cr B Hollingworth:

*THAT the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 12 May 2009 as circulated, be taken as read and adopted as a correct record.*

CARRIED (8/0)

NO. 138/08

## 9 COMMITTEE MINUTES

Moved Cr K Clements, seconded Cr J Moir:

That the Minutes of:

Minutes – Great Southern Regional Cattle Saleyards Advisory Committee – 28 April 2009

Minutes – RoadWise Steering Committee - 8 April 2009

be received.

CARRIED (8/0)

NO. 139/08

## 10 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 19 May 2009 – Chief Executive Officer's Review with six other Councillors. There will be a report presented to the Council shortly.
- 21 May 2009 – Cr Clements and I met with representatives of the Turf Club to discuss future developments of Frost Park and the sand track

around the plantation in readiness for a meeting with Ministers Waldron and Redman on Friday 29 May 2009.

- 22 May 2009 – Cr Clements, Mr Stewart and I attended the Great Southern Zone meeting in Kojonup. Minister Castrilli did a presentation on restructure of Local Government. His stand is stronger on amalgamations and less supportive for Voluntary Regional Organisations of Councils. The assessment of the Local Government Checklists by the Department of Local Government is due by the end of June. A meeting with the Minister to discuss our position has been requested.
- 25 May 2009 – I attended a forum held by the Bendigo Bank at Banksia Farm to hear a presentation on the operation of community organisations on the Victorian Fire areas. Suggestions for further Bendigo expenditure were also promoted.
- 29 May 2009 – I will be attending a meeting with Ministers Waldron and Redman.
- 2 June 2009 – There will be a further Budget workshop as there have been considerable changes to reduce the deficit. The meeting is to start at 8.30am sharp.
- 3 June 2009 – State Council meeting of the Western Australian Local Government Association (WALGA).
- 3 June 2009 – Cr Clements and I will be attending a presentation on the Community Centre Development.
- 16 June 2009 – Public Draft budget meeting to start at 7.30pm.

## **11 ANNOUNCEMENTS BY COUNCILLORS WITHOUT DISCUSSION**

### Cr B Hollingworth

- 13 May 2009 – Attended a meeting of the Mount Barker Community Fair Committee. They will be asking for a waiving of tip fees for the clean up after the fair.
- 19 May 2009 – Chief Executive Officer's Review.
- 26 May 2009 – Recreation Advisory Committee Meeting. Plans for Frost and Sounness Parks are well designed. There are still some issues that need resolving for Kendenup and a further public meeting will be held on 13 June 2009.

### Cr J Moir

- 19 May 2009 – Chief Executive Officer's Review.

Cr D Nye-Chart

- 26 May 2009 – Recreation Advisory Committee Meeting.

Cr M Skinner

- 26 May 2009 – Great Southern Regional Cattle Saleyards Advisory Committee meeting – cattle numbers by the end of the year should total around 60,000 – 62,000 head. The Water re-use system is on target.

## 12 REPORTS OF COMMITTEES AND OFFICERS

### 12.1 DEVELOPMENT SERVICES REPORTS

#### 12.1.1 LOT 36 EATON AVENUE AND LOT 66 LANGTON ROAD, MOUNT BARKER - 18 GROUPED DWELLINGS

A Financial Interest was disclosed by Crs Budrikis and Skinner.

3.05PM Crs Budrikis and Skinner withdrew from the meeting.

**File No:** N11036

**Attachments:** [Location plan](#)  
[Site plan](#)  
[Floor plans](#)  
[Elevations](#)

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

**Author:** Vincent Jenkins  
Planning Officer

**Proposed Meeting Date:** 26 May 2009

**Applicant:** Yaran Property Group

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#### PURPOSE

The purpose of this report is to consider an application for 18 grouped dwellings at Lot 36 Eaton Avenue and Lot 66 Langton Road, Mount Barker.

#### BACKGROUND

Council records show the registered owner of Lot 36 and Lot 66 is Yaran Pty Ltd (Yaran).

On 13 March 2007, following public advertising the Council approved an application for 18 grouped dwellings consisting of 15 x 2 storey dwellings and 3 x 1 storey dwellings. That approval expired on 13 March 2009. On 14 July 2007 the Council conditionally supported a proposed 18 lot survey strata subdivision (WAPC 646-07) of Lot 36 Eaton Avenue and Lot 66 Langton Road, Mount Barker. The survey-strata plan was subsequently approved by the Western Australian Planning Commission (WAPC) on 14 September 2007 and is valid until September 2011.

On 23 March 2009, the Council received a fresh application, the subject of this report, for the development of 18 grouped dwellings. The proposal is essentially the same as the previous approval, with the exception that the dwellings are all now single storey. The majority of the building footprints remain the same, although the footprints of those dwellings that were single storey previously (lots 7, 10 and 18) are now smaller.



The approved survey-strata subdivision is still applicable and will accommodate the proposed development. Neither the proposed lots nor the common property has changed from that of the previous approved development.

A cash-in-lieu contribution of \$20,000.00 for Public Open Space was paid to the Shire on 6 May 2008 in response to a subdivisional condition.

The Council may at its discretion approve the development once the application has been advertised to seek public comment.

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2009'

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential R30 – 'Grouped Dwelling' is a discretionary 'SA' use under TPS3 meaning that the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with Clause 6.2.

Clause 6.3.2 of TPS3 states:

*'The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality may refuse to approve any application for planning consent or may grant its' approval unconditionally or subject to such conditions as it thinks fit.'*

Residential Design Codes (RCodes) – discretion exists for the Council to vary standards at clause 2.5.2 as follows:

*'Discretion shall be exercised having regard to the following considerations:*

- (a) the stated purpose and aims of the scheme;*
- (b) the provisions of parts 1-7 of the codes, as appropriate;*
- (c) the performance criterion or criteria in the context of the coding for the locality that corresponds to the relevant provision;*
- (d) the explanatory guidelines of the codes that correspond to the relevant provisions;*
- (e) any local planning strategy incorporated into the scheme;*
- (f) a provision of a local planning policy pursuant to this policy and complying with clause 2.5.3; and*
- (g) orderly and proper planning.'*

WAPC - Development Control Policy 1.3 Strata Titles (DC1.3).

WAPC - Development Control Policy 2.2 Residential Subdivision (DC 2.2).

## EXTERNAL CONSULTATION

In accordance with Delegation LG 035 the proposal was advertised for comment for a 21 day period closing on 13 May 2009. Letters were sent to the 12 adjoining land owners, notices were placed in the Plantagenet News, Albany Advertiser and the Council's notice board and a sign placed on site. At the close of the advertising period no submissions had been received.

## FINANCIAL IMPLICATIONS

The application fee of \$3,549.00 has been paid.

## POLICY IMPLICATIONS

There are no policy implications for this report.

## STRATEGIC IMPLICATIONS

Shire of Plantagenet Strategic Plan 2003, Key Result Area 4 Development Services advocates:

*'Supporting sustainable and managed growth within existing urban settlements and encourage the development of a variety of housing opportunities. The Shire also seeks to plan a safe and healthy living environment.'*

## OFFICER COMMENT

This proposed development has been submitted to comply with the Government's Housing Stimulus Package and National Rental Affordability Scheme incentive package.

The latest proposal is similar to the March 2007 approval, except that all the dwellings are now single storey. The area of all single storey three bedroom dwellings in the previous development was 107.5m<sup>2</sup>. In this current application the area is cut by 29m<sup>2</sup> to 78.5m<sup>2</sup>. Similarly, the area of most of the two storey, four bedroom dwellings in the previous development was 124m<sup>2</sup>. In this current application the area is cut to 62m<sup>2</sup>. The original building footprints of these dwellings are still applicable. The reduction in building height will reduce the overall bulk on the lot and will help to make the development more in keeping with the surrounding area.

Most of the conditions imposed by the Council for the previous approved development were addressed in this current application. The application submitted complies with the majority of the standards required for this R30 development set by the RCodes with the exception of the reduced front setback to carports on Eaton Avenue.

The front setback required in the R30 code is 4.0m and in this instance the carports for units 12 and 13 are setback 3.6m. The Council can vary such a setback and in this instance it is supported.

Other areas which would need to be addressed as conditions of approval are:

1. A landscaping plan is required to be submitted.
2. A drainage management plan needs to be submitted.
3. Adequate signage to be provided to direct visitors to the visitor parking area.

4. Dwellings to be constructed on site and are to be of a variety of materials and claddings and a varied colour scheme to provide variety in the overall development.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That planning consent be granted for 18 grouped dwellings with a reduced front setback to Eaton Avenue at Lot 36 Eaton Avenue and Lot 66 Langton Road Mount Barker subject to:**

1. **Development being generally in accordance with the plans dated 23 March 2009.**
2. **Buildings to be constructed on site and are to be of a variety of materials and claddings and a varied colour scheme to provide variety in the overall development.**
3. **The submission and approval of a landscape plan for the total development.**
4. **The submission and approval of a drainage management plan.**
5. **Provision of adequate signage to direct visitors to the visitor parking area.**
6. **Construct, drain and seal the private driveway and Lot 66 (ROW) from Eaton Avenue through to Langton Road to the satisfaction of the Manager Works and Services.**
7. **Construct, drain and seal all crossovers to the satisfaction of the Manager Works and Services.**
8. **Fencing in front of the building setback line to be a maximum of 1.2m in height.**
9. **Lot 66 (ROW) common property driveways to be made available for public use for the owners and customers of the businesses on Lots 7, 8 and 22 Langton Road.**
10. **Connection of all dwellings to reticulated sewer and water, including the provision of fire hydrants.**
11. **Street trees being provided in accordance with the species list and specifications set out in the Mount Barker Townscape Review for Eaton Avenue.**
12. **External clothes drying facilities being provided for each dwelling in accordance with the RCodes ensuring clothes drying areas are screened from view from any primary street or public area.**

**ADVICE NOTES**

- (i) The applicant is advised that there is an obligation to comply with relevant statutes applicable to the development including The Building Code of Australia.
- (ii) The developer is encouraged to landscape to a high standard.

**CARRIED (4/2)**

**NO. 140/09**

3.19PM Crs Budrikis and Skinner returned to the meeting.

## 12.2 WORKS AND SERVICES REPORTS

Nil

## 12.3 COMMUNITY SERVICES REPORTS

### 12.3.1 LOTS 48, 49 AND 0 ALBANY HIGHWAY - AMALGAMATION

**File No:** N11063  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** Nicole Selesnew  
Manager Community Services  
**Proposed Meeting Date:** 26 May 2009

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#### PURPOSE

The purpose of this report is to seek authority to affix the Common Seal of the Council to an Application for a New Title, Notification Under Section 70A and Deed of Restrictive Covenant required for the amalgamation of Lots 48, 49 and 0 (N2) Albany Highway, Mount Barker.

#### BACKGROUND

Lots 48, 49 and 0 Albany Highway, Mount Barker, form the Town Hall and adjacent car park site. The land is owned by the Shire of Plantagenet.

At the Ordinary Meeting of the Council held on 11 September 2007 the Council reviewed a development application for the new Home and Community Care building to be constructed on the northern end of the Town Hall. The report recommended that the three lots be amalgamated into one lot as the hall structure is built over the three lots which contravenes the Building Code of Australia.

The Council resolved:

*'That:*

- (1) The proposed Home and Community Care (HACC) additions to the Plantagenet District Hall at Lots 48, 49 and 0 Albany Highway corner Memorial Road, (formerly Muir Street) Mount Barker be approved subject to the development being in accordance with the plans dated 28 August 2007.*
- (2) The necessary procedures for the amalgamation of Lots 48, 49 and 0 Albany Highway corner Memorial Road, Mount Barker into one lot be commenced.'*

#### STATUTORY ENVIRONMENT

Planning Development Act 2005

Building Code of Australia.

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**FINANCIAL IMPLICATIONS**

The process of amalgamating the lots will cost approximately \$2,500.00.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

Since the Council decision on 11 September 2007 a surveyor has surveyed the site and a solicitor has progressed the relevant paperwork. The Application for a New Title, Notification Under Section 70A and Deed of Restrictive Covenant forms have been forwarded to the Shire for signing and affixing the Common Seal in order that the amalgamation may be completed.

Both the Section 70A notification (Transfer of Land Act) and the Restrictive Covenant relates to Main Roads requirements for road widening on Albany Highway.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Application for a New Title, Notification Under Section 70A and Deed of Restrictive Covenant forms so the amalgamation of Lots 48, 49 and 0 corner Albany Highway and Memorial Road may be finalised.**

**CARRIED (8/0)**

**NO. 141/09**

**12.3.2 POLICY REVIEW - LOWOOD ROAD - PROMOTIONAL BANNERS**

**File No:** N10994  
**Responsible Officer:** Nicole Selesnew  
Manager Community Services  
**Author:** Rayona Evans  
Administration Officer (Relief)  
**Proposed Meeting Date:** 26 May 2009

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**PURPOSE**

The purpose of this report is to review Policy I/R/17 – Lowood Road – Promotional Banners.

**BACKGROUND**

Council Policy I/R/17 – Lowood Road – Promotional Banners reads as follows:

**'OBJECTIVE:**

*The objective of this Policy is to provide clear guidelines for the display of promotion banners along Lowood Road on the designated banner poles.*

**POLICY:**

*The display of promotion banners on the designated banner poles along Lowood Road be conditional upon the following:*

- 1. The applicant is responsible for providing the banners (including artwork) on a suitable, durable material, with the relevant dimensions and with the necessary attachment points;*
- 2. The banners will be erected and removed by Council staff or contractors that have been engaged by the Council;*
- 3. Only banners that promote events or activities that provide a significant benefit to the Plantagenet community will be displayed;*
- 4. Commercial advertising is not permitted;*
- 5. Banners deemed offensive or insensitive will not be permitted;*
- 6. Banners will be displayed for a minimum two (2) week period and a maximum four week period, unless an extension of time is approved by the Chief Executive Officer;*
- 7. The applicant is responsible for retrieving the banners from the Shire of Plantagenet once the banner has been taken down at the completion of the approved time period;*

8. *If a banner(s) is damaged or vandalised whilst on display, the applicant is responsible for repairing or replacing the banner(s), including the cost of recovering and re-erecting the banner; and*
9. *The applicant is responsible for paying the adopted fee to have the banners erected, displayed and removed. Fees are set on a cost recovery basis and listed in the Council's Annual Budget.*

*The Chief Executive Officer be given delegated authority to approve Promotion Banner applications.'*

### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

### **POLICY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

The Council's strategic Plan Key Area 1, (New Initiative 1.4) provides for the following:

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

To achieve this we will:

- Revise all policies, procedures and delegations to ensure internal consistency and convergence; and
- Promote and provide access to policies, procedures, standards and legislations.'

### **OFFICER COMMENT**

The wording regarding delegated authority has been removed as it is considered unnecessary.

### **VOTING REQUIREMENTS**

Simple Majority

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

Moved Cr B Hollingworth, seconded Cr J Moir:

That amended Council Policy I/R/17 – Lowood Road – Promotional Banners:

#### **OBJECTIVE:**

**The objective of this Policy is to provide clear guidelines for the display of promotion banners along Lowood Road on the designated banner poles.**



**POLICY:**

The display of promotion banners on the designated banner poles along Lowood Road be conditional upon the following:

1. The applicant is responsible for providing the banners (including artwork) on a suitable, durable material, with the relevant dimensions and with the necessary attachment points.
2. The banners will be erected and removed by Council staff or contractors that have been engaged by the Council.
3. Only banners that promote events or activities that provide a significant benefit to the Plantagenet community will be displayed.
4. Commercial advertising is not permitted.
5. Banners deemed offensive or insensitive will not be permitted.
6. Banners will be displayed for a minimum two week period and a maximum four week period, unless an extension of time is approved by the Chief Executive Officer.
7. The applicant is responsible for retrieving the banners from the Shire of Plantagenet once the banner has been taken down at the completion of the approved time period.
8. If a banner(s) is damaged or vandalised whilst on display, the applicant is responsible for repairing or replacing the banner(s), including the cost of recovering and re-erecting the banner.
9. The applicant is responsible for paying the adopted fee to have the banners erected, displayed and removed. Fees are set on a cost recovery basis and listed in the Council's Annual Budget.'

be endorsed.

**CARRIED (8/0)**

**NO. 142/09**

**12.3.3 ANNUAL FIREBREAK NOTICE - 2009/2010**

<b>Attachment:</b>	<b>Fire Break Notice (separate attachment)</b>
<b>File No:</b>	<b>N10932</b>
<b>Responsible Officer:</b>	<b>Rob Stewart Chief Executive Officer</b>
<b>Author:</b>	<b>Nicole Selesnew Manager Community Services</b>
<b>Proposed Meeting Date:</b>	<b>26 May 2009</b>

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**PURPOSE**

The purpose of this report is to endorse the Annual Firebreak Notice – 2009/2010 (AFN) for gazettal, publication and distribution to owners of land within the Shire of Plantagenet.

**BACKGROUND**

The Shire of Plantagenet publishes an AFN for distribution to all landholders. The AFN is generally distributed with the Rates Notice although last year we trialled sending the notice out in October. While this generated more enquiries regarding landowners' requirements, the same number of infringements were still issued and the costs associated with the later distribution were unjustified.

The content of the AFN has been reviewed by members of the Bush Fire Advisory Committee (BFAC) over the past twelve months. Members of the AFN Review Group considered the recommendations from the BFAC and reviewed the content of the AFN on 23 April 2009.

**STATUTORY ENVIRONMENT**

Bush Fires Act 1954

Planning and Development Act 2005

Western Australian Planning Commission Development Control Policy 3.7 Fire Planning (2001)

Draft Bush Fire Management and Response Plan

**EXTERNAL CONSULTATION**

Consultation has occurred with members of the BFAC and AFN Review Group.

**FINANCIAL IMPLICATIONS**

Funds have been allocated in the annual budget to facilitate the printing and distribution of the AFN. Printing costs will be in order of \$6,700.00.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

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## STRATEGIC IMPLICATIONS

The Draft Shire of Plantagenet Bush Fire Management and Response Plan highlights the AFN as an opportunity to inform all landowners about their obligation to implement fire prevention and hazard reduction measures throughout the Shire.

## OFFICER COMMENT

Four changes are proposed for the Annual Firebreak Notice 2009/2010, these being:

1. Separating the Townsites and Small Holdings page and Land Area Greater than 40 Hectares page into three pages, these being:
  - a. Townsites and Urban Subdivisions;
  - b. Properties up to 40 Hectares including Rural Subdivisions; and
  - c. Land Area Greater than 40 Hectares.

This will simplify the requirements for people living in Townsites and Urban Subdivisions which have proven to be unclear from the feedback from residents and Fire Control Officers.

It will also provide the opportunity to promote the dangers of common appliances such as lawnmowers and angle grinders when used during fire danger days.

2. Incorporating a statement in the 'Properties up to 40 Hectares including Rural Subdivisions' tab that alerts people to Subdivision Fire Management Plans and their need to address the Plan requirements in addition to the Firebreak Notice where applicable
3. Changing the Restricted Burning Time closing date for the Eastern and Western portion and Firebreak Requirement end date to 30 April annually as per the recommendation from the Bush Fire Advisory Committee meeting held on 6 May 2009.
4. Amending the '*Statutory Declaration – Exemption from Installing Firebreaks in lieu of Fire Fighting Equipment*' exemption page to a basic form which will still provide an exemption from installing boundary firebreaks, however will also provide the Shire or authorised Fire Control Officers with the authority to inspect the proposed fire fighting equipment and take action if the landowner does not comply with the requirements for the exemption. At present neither the Shire nor Fire Control Officers have the ability to inspect fire fighting equipment as the authority to challenge information provided on Statutory Declarations rests with the Police.

## VOTING REQUIREMENTS

Simple Majority

## OFFICER RECOMMENDATION/COUNCIL DECISION

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

**That the 2009/2010 Annual Firebreak Notice as attached be endorsed.**

**CARRIED (8/0)**

**NO. 143/09**

## 12.4 CORPORATE SERVICES REPORTS

### 12.4.1 FINANCIAL STATEMENTS - APRIL 2009

<b>File No:</b>	<b>N11035</b>
<b>Attachments: (1)</b>	<b>Financial Statements – April 2009</b>
<b>Responsible Officer:</b>	<b>John Fathers Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Cherie Delmage Accountant</b>
<b>Proposed Meeting Date:</b>	<b>26 May 2009</b>

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#### **PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 30 April 2009.

#### **STATUTORY ENVIRONMENT**

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

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

The Statement is to be accompanied by:

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

#### **POLICY IMPLICATIONS**

There are no policy implications for this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

#### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr D Nye-Chart, seconded Cr J Moir:**

**That the Financial Statements for the period ended 30 April 2009 be received.**

**CARRIED (8/0)**

**NO. 144/09**

**12.4.2 LIST OF ACCOUNTS - APRIL 2009**

**Attachment:** List of Accounts  
**File No:** N11030  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Donna Jo Fawcett  
Debtors/Creditors Officer  
**Proposed Meeting Date:** 26 May 2009

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of April 2009.

**STATUTORY ENVIRONMENT**

Regulation 13 of the Local Government (Financial Management) Regulations 1996 defines the reporting requirements to the Council of the List of Accounts.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

There are no policy implications for this report.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Grylls, seconded Cr M Skinner:

That the payment of accounts for the month of April 2009 covering the following:

1. Electronic Payments totalling \$527,597.03;
2. Municipal Cheques 39928 to 40000 totalling \$101,195.75.

be approved.

**CARRIED (8/0)**

**NO. 145/09**

**12.4.3 POLICY REVIEW - OP/HRE/2 - EQUAL EMPLOYMENT OPPORTUNITY**

**File No:** N10777  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Megan Sounness  
Administration Officer  
**Proposed Meeting Date:** 26 May 2009

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**PURPOSE**

The purpose of this report is to review Council Policy No. OP/HRE/2 – Equal Employment Opportunity.

**BACKGROUND**

Council Policy No. OP/HRE/2 – Equal Employment Opportunity reads as follows:

**OBJECTIVE:**

*The Shire of Plantagenet recognises its legal obligations under the Equal Opportunity Act, 1984, and actively promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.*

**POLICY:**

*All employment training with the Shire of Plantagenet is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.*

*All promotional policies and opportunities with the Shire of Plantagenet are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.*

*All offers of employment within the Shire of Plantagenet are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagements.*

*The Shire of Plantagenet does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.*

*The equal employment opportunity goals of the Shire of Plantagenet are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.*

*The Shire of Plantagenet in no way deems the adoption of this policy as meaning that the Council's current attitude, or those of its current employees, requires changing or modification.'*

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**STATUTORY ENVIRONMENT**

The Equal Opportunity Act 1984 governs the necessity for employers to provide a workplace that supports the achievement of equity and diversity and is free from bias and unlawful discrimination against employees or potential employees.

**FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

**POLICY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

It is considered that the current policy is sufficient and should be endorsed, subject to re-numbering.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

**That amended Council Policy No. OP/HRE/2 – Equal Employment Opportunity as follows:**

**OBJECTIVE:**

The Shire of Plantagenet recognises its legal obligations under the Equal Opportunity Act, 1984, and actively promotes equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of gender, marital status, pregnancy, race, disability, religious or political convictions.

**POLICY:**

- 1. All employment training with the Shire of Plantagenet is directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such training.**
- 2. All promotional policies and opportunities with the Shire of Plantagenet are directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements for such promotion.**



3. All offers of employment within the Shire of Plantagenet are directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements for engagements.
4. The Shire of Plantagenet does not tolerate harassment within its workforce. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, sex, colour, language, ethnicity, political or religious convictions, gender, marital status or disability.
5. The equal employment opportunity goals of the Shire of Plantagenet are designed to provide an enjoyable, challenging, involving, harmonious work environment for all employees where each has the opportunity to progress to the extent of their ability.
6. The Shire of Plantagenet in no way deems the adoption of this policy as meaning that the Council's current attitude, or those of its current employees, requires changing or modification.'

be endorsed.

**CARRIED (8/0)**

**NO. 146/09**

**12.4.4 POLICY REVIEW - OP/HRS/3 - OCCUPATIONAL HEALTH AND SAFETY**

**File No:** N10776  
**Responsible Officer:** John Fathers  
Deputy Chief Executive Officer  
**Author:** Megan Sounness  
Administration Officer  
**Proposed Meeting Date:** 26 May 2009

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**PURPOSE**

The purpose of this report is to review Council Policy No. OP/HRS/3 – Occupational Health and Safety.

**BACKGROUND**

Council Policy No. OP/HRS/3 – Occupational Health and Safety reads as follows:

**OBJECTIVE:**

*The Shire of Plantagenet will provide a safe and healthy work environment, so far as practicable, for all employees, contractors and visitors.*

**POLICY:**

*The Council has allocated responsibilities and accountabilities to all levels of persons within the Council to ensure the maintenance of the occupational safety & health program is optimal.*

*Continuous improvement has been incorporated into the Occupational Safety and Health Management Plan aimed at achieving the Shire of Plantagenet safety objectives and targets.*

*The objectives of this policy are to achieve;*

- 1. An annual reduction of workplace injury and disease*
- 2. The provision and maintenance of a safe workplace, plant and systems of work.*
- 3. The identification, elimination and control of workplace hazards.*
- 4. The provision of information, supervision and training to employees to ensure work is performed safely and to a high standard.*
- 5. A safety culture where best practice initiatives are entrenched in daily business activities.*
- 6. Compliance with the relevant Occupational Safety and Health legislation, Standards and Codes of Practice.*

*The Shire of Plantagenet encourages a consultative process to improve safety within the workplace and will provide the time and resources required to minimise the risk of injury, harm or damage to the Council's employees and property.*

*Safety is considered a shared responsibility and the Council will strive to ensure the compliance and integrity of this policy is maintained.'*

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**STATUTORY ENVIRONMENT**

Occupational Safety and Health Act 1984

Occupational Safety and Health Regulations 1996

**EXTERNAL CONSULTATION**

Consultation has occurred between members of the Shire of Plantagenet Occupational Safety and Health Committee. Consultation has also occurred with Mr John Appleyard - Regional Risk Coordinator and Mr Graham Marks - Local Government Insurance Services (LGIS).

**FINANCIAL IMPLICATIONS**

While there are no immediate financial implications for this report, it is important to note the financial implications and benefits that Occupational Safety and Health has had on the Shire of Plantagenet.

Each year the Shire of Plantagenet pays a percentage (premium) of the total wages of all employees to cover Workers Compensation Insurance. There has been a reduction in the Shire's premium rate since approximately the time that the Shire joined the Regional Risk Group and ultimately acquired the services of Mr John Appleyard – Regional Risk Coordinator. The premium has decreased from 3.67% in 2002/2003 to 3.0% in 2006/2007 and further decreased to 2.8% in 2007/2008. Currently the premium stands at 2.8% which LGIS has advised is the lowest premium offered.

The increase in the value of premiums paid from year to year relates to the increasing costs of salaries and wages rather than premium rates.

**POLICY IMPLICATIONS**

This Policy is presented to the Council as part of its ongoing Policy Review Program.

**STRATEGIC IMPLICATIONS**

There are no strategic implications for this report.

**OFFICER COMMENT**

It is considered that the current policy is sufficient and should be endorsed, subject to minor grammatical changes and re-numbering.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr D Nye-Chart, seconded Cr J Moir:

That amended Council Policy No. OP/HRS/3 – Occupational Health and Safety as follows:

**OBJECTIVE:**

The Shire of Plantagenet will provide a safe and healthy work environment, so far as practicable, for all employees, contractors and visitors.

**POLICY:**

1. The Council has allocated responsibilities and accountabilities to all levels of staff within the Shire to ensure the maintenance of the occupational safety and health program is optimal.
2. Continuous improvement has been incorporated into the Occupational Safety and Health Management Plan aimed at achieving the Shire of Plantagenet safety objectives and targets.
3. The objectives of this policy are to achieve:
  - 3.1 An annual reduction of workplace injury and disease.
  - 3.2 The provision and maintenance of a safe workplace, plant and systems of work.
  - 3.3 The identification, elimination and control of workplace hazards.
  - 3.4 The provision of information, supervision and training to employees to ensure work is performed safely and to a high standard.
  - 3.5 A safety culture where best practice initiatives are entrenched in daily business activities.
4. Compliance with the relevant Occupational Safety and Health legislation, Standards and Codes of Practice.
5. The Shire of Plantagenet encourages a consultative process to improve safety within the workplace and will provide the time and resources required to minimise the risk of injury, harm or damage to the Council's employees and property.
6. Safety is considered a shared responsibility and the Council will strive to ensure the compliance and integrity of this policy is maintained.'

be endorsed.

**CARRIED (8/0)**

**NO. 147/09**

**12.5 EXECUTIVE SERVICES REPORTS**

Nil

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

Nil

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

Nil

**15 CONFIDENTIAL**

Nil

**16 CLOSURE OF MEETING**

3:33 PM The Presiding Member declared the meeting closed.

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