



ORDINARY MINUTES

DATE: Tuesday, 29 March 2016

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution numbers: 41/16 to 52/16

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3:01pm The Presiding Member declared the meeting open.

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

Members Present:

Cr K Clements	Shire President
Cr B Bell	Councillor (Left the Chambers at 3:30pm, returned 3:31pm)
Cr S Etherington	Councillor
Cr J Hamblin	Councillor
Cr L Handasyde	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Councillor (Left the Chambers at 3:30pm, returned at 3:31pm)
Cr C Pavlovich	Councillor

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr Dominic Le Cerf	Manager Works and Services
Ms Fiona Saurin	Manager Community Services
Mrs Linda Sounness	Executive Secretary
Mr Vincent Jenkins	Planning Officer

Apologies:

Nil

Members of the Public Present:

There were four members of the public present.

Previously Approved Leave of Absence:

Cr J Hamblin – 1 April to 31 May 2016

Emergency Evacuation Procedures/Disclaimer:

Working to Occupational Safety and Health Best Practices, Mr Rob Stewart - Chief Executive Officer, read aloud the emergency evacuation procedures for Councillors, staff and 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.'

3 PUBLIC QUESTION TIME

3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

3.2 PUBLIC QUESTION TIME - SECTION 5.24 LOCAL GOVERNMENT ACT 1995

Nil

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

4.1 YOUTHCARE CHAPLAINCY PROGRAM

Mr David Williamson spoke on the YouthCARE Chaplaincy program, the past support received from the Council and program's future needs.

4.2 YOUTHCARE CHAPLAINCY PROGRAM

Mr Paul Ritchie spoke on his involvement as a School Chaplain and how the program works as a mediatory between the wider community and the school community.

4.3 ROTATIONAL PIGGERY APPLICATION FOR EXTENSION – ITEM 9.2.1

Mr McPharlin thanked the Council for its previous support with his rotational piggery approval and commented on how successful his rotational piggery was and the support that he has now received from neighbours. Mr McPharlin spoke in support of the Officer's recommendation at Item 9.2.1.

4.4 REQUEST FOR THE UPGRADE OF HASSELL AVENUE

Mr David Williamson spoke on a request from the Kendenup Community Development Association for an upgrade of Hassell Avenue, planning for Kendenup and consultation.

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr S Etherington

Item: 9.1.1

Type: Code of Conduct Disclosure Perceived interests (Clause 2.3 Code of Conduct)

Nature: Son of partner lives in close proximity.

Extent: Does not live with Cr Etherington.

Cr B Bell

Item: 9.1.2

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

Nature: Financial – quoted on site work

Extent: Not required

Cr J Oldfield

Item: 9.1.2

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

Nature: Owner and operator of rotational outdoor piggery

Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

Moved Cr B Bell, seconded Cr J Oldfield:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 1 March 2016 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 41/16

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed notes separately.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOT 201 WEBSTER STREET, MOUNT BARKER - TWO GROUPED DWELLINGS

Cr S Etherington

Type: Code of Conduct Disclosure Perceived interests (Clause 2.3 Code of Conduct)
Nature: Son of partner lives in close proximity
Extent: Does not live with Cr Etherington

File Ref: N36998

Attachments: [Location Plan](#)
[SLA Block Plan](#)
[SLA Site Plan](#)
[SLA House Floor Plan](#)
[SLA House Elevations 1](#)
[SLA House Elevations 2](#)
[SLB Block Plan](#)
[SLB Site Plan](#)
[SLB House Floor Plan](#)
[SLB House Elevations 1](#)
[SLB House Elevations 2](#)
[Retaining Wall Layout](#)
[Retaining Wall & Screening Sections](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 29 March 2016

Applicants: L Harris, KE Freemantle and Ryde Building Company

PURPOSE

The purpose of this report is to consider an application for two grouped dwellings at Lot 201 Webster Street, Mount Barker. The proposal further involves one retaining wall with a reduced street boundary setback.

BACKGROUND

Council records show the registered owners of Lot 201 Webster Street are L Harris, KE Freemantle and Ryde Building Company.

The subject land is 1,568m² in area and is currently vacant. The proposed development consists of two four bedroom grouped dwellings located in tandem. This proposal forms part of a future built survey strata subdivision that does not include common property areas.

The house located at proposed strata lot A (SLA) is 274.3m² in area and the house located at strata lot B (SLB) is 275.6m² in area. Both the proposed dwellings are single storey buildings. Access from the house located at Lot 201 SLB to Webster Street is by way of a 4m wide battle-axe.

The application further involves a retaining wall with a street boundary setback of 0m where a setback of 6.0m is required by the Residential Design Codes.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Scheme) Regulations 2015

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Residential R20 – ‘Grouped Dwelling’ is a discretionary ‘SA’ use under TPS3 meaning the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with Clause 64 of the Planning and Development (Local Planning Scheme) Regulations 2015.

Residential Design Codes August 2013 (R-Codes) – discretion exists for the Council to vary standards at clause 2.5.2 as follows:

‘In making a determination on the suitability of a proposal, the decision-maker shall exercise its judgement, having regard to the following:

- (a) any relevant purpose, objectives and provisions of the scheme;*
- (b) any relevant objectives and provisions of the R-Codes;*
- (c) a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and*
- (d) orderly and proper planning.’*

Dividing Fences Act 1961

EXTERNAL CONSULTATION

In accordance with Delegation LG035 the proposal was advertised for public comment for the minimum 14 day period ending on 4 March 2016. Advertising included letters to eight adjoining and nearby landowners and 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, one submission had been received from a nearby landowner raising no objection to the proposal.

FINANCIAL IMPLICATIONS

The planning application fee of \$1,280.00 and a bond of \$500.00 for advertising costs have been paid.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

'Ensure quality, consistent and responsive development and building assessment approval processes and enforcement'

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

Further, the Council's Corporate Plan, Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.2 *'Appropriate development which is diverse in nature and protects local heritage'*. The Key Performance Indicator (KPI) is *'Percentage of Council planning decisions in line with the Planning Vision'*.

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

The proposal meets the deemed-to-comply provisions required for this R20 development set by the R-Codes with the exception of the street setback for the retaining wall. The required street setback is 6.0m and in this instance the retaining wall is setback 0m.

The subject land slopes 4.87m from the north-west to the south-east corners towards Webster Street. The proposal involves both dwellings to be constructed on one level involving concrete footings. The topography at the subject land dictates the use of retaining walls when using this construction method.

The proposed retaining wall at the street boundary will be 10.5m in length and will have a maximum height of no greater than 2.1m. The wall tapers down to 1.45m towards the west property boundary minimising its impact. Three other retaining walls will be located at internal future strata lot boundaries. All three of these walls conform to the deem-to-comply boundary setback requirements set in the R-Codes for this proposal. The wall located at the internal battle-axe access boundary will be 27.4m in length, a maximum height of no greater than 2.1m and will taper down to 0.55m towards the north property boundary. The two walls located at the shared future SLA and SLB property boundary will have a combined length of 19.15m, a maximum height of no more than 1.55m and will taper down to 1.05m and 0.75m. All the walls will be constructed in limestone blocks. The proposed walls will not cause privacy or overshadowing issues and are not considered to have any significant adverse effect on the amenity of the locality or neighbouring properties.

The proposal also includes 1.8m high Colorbond® screen fences on all property boundaries, including internal future strata lot boundaries. The proposed screen fences meet the deem-to-comply visual privacy provisions of the R-Codes.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That in accordance with clause 2.5.2 of the Residential Design Codes and clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the application for two grouped dwellings and retaining wall with a reduced street boundary setback of 0m at Lot 201 Webster Street, Mount Barker be approved subject to:

1. Development being in accordance with the plans dated 4 February 2016.
2. Crossovers for both dwellings being constructed, sealed and drained to the satisfaction of the Manager Works and Services.
3. All stormwater being disposed of to the satisfaction of the Manager Works and Services.
4. Both dwellings being connected to reticulated sewer and water.

COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That in accordance with clause 2.5.2 of the Residential Design Codes and clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the application for two grouped dwellings and retaining wall with a reduced street boundary setback at Lot 201 Webster Street, Mount Barker be approved subject to:

- 1. Development being in accordance with the plans dated 4 February 2016.**
- 2. Crossovers for both dwellings being constructed, sealed and drained to the satisfaction of the Manager Works and Services.**
- 3. All stormwater being disposed of to the satisfaction of the Manager Works and Services.**
- 4. Both dwellings being connected to reticulated sewer and water.**
- 5. The retaining wall at the street property boundary being constructed on two levels: the lower level retaining wall being a maximum height of 1.1m with a street boundary setback of 0m and the upper level retaining wall being a maximum height of 1m with a street boundary setback of 1m.**
- 6. The landscaping referred to at part 5 above being planted along the retaining wall to the satisfaction of the Manager Development Services.**

CARRIED (9/0)

NO. 42/16

Reason for Change

Councillors believed that a retaining wall on two levels and landscaping would be preferable.

9.1.2 LOTS 350, 351, 724-744, 769-771 AND 790-794 LEANNE AND HALSEY ROADS, MOUNT BARKER - ROTATIONAL OUTDOOR PIGGERY EXTENSION AND SOIL CONDITIONING**Cr B Bell**

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature: Quoted on site work
Extent: Not required

Cr J Oldfield

Type: Financial/Indirect Financial Interest (Section 5.60 (A) and 5.61 LGA)
Nature: Owner and operator of rotational outdoor piggery
Extent: Not required

3:30pm Cr B Bell and Cr J Oldfield withdrew from the meeting.

File Ref: N36986

Attachments: [Location Plan](#)
[ROP Site Plan](#)
[ROP Property Layout and Proposal](#)
[Soil Conditioning Site Plan](#)
[Soil Conditioning Property Layout and Proposal](#)
[APL Fact Sheet](#)
[Summary of Submissions](#)

Responsible Officer: Rob Stewart
Chief Executive Officer

Author: Vincent Jenkins
Planning Officer

Proposed Meeting Date: 29 March 2016

Applicant: Aurora Environmental for Lorraine Heckler and Marcus McPharlin

PURPOSE

The purpose of this report is to consider a proposal for an extension to the existing rotational outdoor piggery (ROP) and soil conditioning at Lots 350, 351, 742 - 744, 769 - 771 and 790 - 794 Leanne Road and Halsey Road, Mount Barker.

BACKGROUND

Council records show the registered owners of the properties are L Heckler and M and G McPharlin.

The Council at its meeting held on 17 August 2010 when considering a piggery proposal on this land resolved at Resolution No. 197/10:

'That the proposal for a noxious industry (piggery) at Lots 769 and 770 Halsey Road, Mount Barker be refused on the grounds that it is contrary to the orderly and proper planning of the locality and the preservation of the amenity of the locality in that the

properties do not meet the Environmental Protection Authority and Health Local Law 2008 recommended buffer separations of 1,000m.'

The Council at its meeting held on 14 February 2014 when considering a different piggery proposal on this land resolved at Resolution No. 3/14:

'That:

1. *In accordance with clause 5.6.2 of the Shire of Plantagenet Health Local Law 2008 and clause 6.3.2 of the Shire of Plantagenet Town Planning Scheme No. 3, the proposed rotational outdoor piggery operation with reduced separation distances from isolated rural dwellings at Lots 350, 351, 742 - 744, 769 - 771 and 790 - 794 Leanne Road and Halsey Road, Mount Barker in accordance with the Environmental Management Plan dated 1 November 2013 be approved subject to:*
 - a. *A revised Environmental Management Plan for the rotational outdoor piggery on these properties being submitted to the satisfaction Manager Development Services showing:*
 - i) *All remnant vegetation areas abutting Rotational Outdoor Piggery Areas being fenced.*
 - ii) *Interceptor drains being constructed west of Rotational Outdoor Piggery Cells 1 and 4.*
 - iii) *A permanent vegetation strip being planted and maintained along the west boundary of Rotational Outdoor Piggery Cells 1 and 4.*
 - iv) *A permanent vegetation strip being planted and maintained along the east of the existing orchard abutting Rotational Outdoor Piggery Cell 3 up to the driveway to the north.*
 - v) *A permanent vegetation strip being planted and maintained along remainder the east boundary of the Rotational Outdoor Piggery area.*
 - vi) *Detailed advice on the use and construction of straw bale filters for surface water runoff management.*
 - vii) *Detailed advice on the rotation of shelters within rotational outdoor areas including animal numbers.*
 - b. *The revised Environmental Management Plan being submitted within 30 days of the Council granting Planning Consent.*
 - c. *The piggery being registered and operated in accordance with the Australian Pork Industry Quality Assurance Program (APIQ®).*
 - d. *The burial trench being designed, constructed and maintained in accordance with the National Environmental Guidelines for Piggeries Second Edition (Revised) 2010.*
 - e. *All Rotational Outdoor Piggery Areas being adequately fenced to contain all pigs to the satisfaction of the Manager Development Services.*
 - f. *The pipeline connecting the supplementary water source at Lot 743 being placed underground where it crosses unconstructed Leanne Road to the satisfaction of the Manager Works and Services.*

2. *Lots 350, 351, 742 - 744, 769 - 771 and 790 – 794 not being disposed of/sold to other persons not associated with this piggery due to water supply and buffer requirements.*
3. *Staff arrange a schedule of quarterly inspections of this piggery operation for the initial 12-month period and then twice yearly inspections for a period of two years to ensure compliance.'*

The original Planning Consent (PC) approval involves a grow-out unit for a maximum of 6,380 animals on four fixed ROP areas with a yield of 26,541 animals per year. The yield composition consists of 12,740 weaners (6,370 Standard Pig Units (SPU)) and 13,801 growers (13,801 SPU). The annual yield of 26,541 animals equate to 20,171 SPU.

On 27 October 2015, the Council received this PC application for the extension of the existing ROP at the subject land. This PC application included supporting information prepared by environmental consultants Aurora Environmental (AE). Preliminary assessment of the supporting Environmental Management Plan (EMP) revealed the proposal needed to be refined to address some requirements set in the National Environmental Guidelines for Rotational Outdoor Piggeries 2013 (NEGROP 2013) and the Australian Pork Limited Fact Sheet, Design and Management of Outdoor Free Range Areas for Pigs July 2011 (APL Fact Sheet 2011).

These two documents are more up to date and relevant when proposing to develop rotational outdoor piggeries (ROPs) as they include the latest scientific data and provide specific advice on development requirements for ROPs.

The Council on 2 November 2015 received an amended EMP the subject of this report. The new proposal involves two additional grow-out units for a maximum of 7,000 weaner pigs (3,500 SPU) on six fixed ROP areas with a yield of 51,800 animals per year (25,900 SPU). Compared to the original approval, the piggery will now produce an additional 5,729 SPU per annum (1.28 times the original approved SPU number). In addition, the ROP area will increase by 6.1ha to 21.0ha.

On 16 October 2012, Janine Price of Australian Pork Limited (APL) briefed the Council on the Planning Principles set out in the National Environmental Guidelines for Piggeries 2010 and recent APL data to develop best practice environmental management strategies for outdoor production to maintain a sustainable long-term pig production system. Ms Price further pointed out that these piggeries are not extensive due to their method of operation.

This PC application was advertised for public comment from 17 November 2015 to 8 December 2015.

The Council's Planning Officer carried out a site inspection at the subject land on 25 November 2015. This inspection revealed a significant quantity of spent bedding (mixture of straw and manure) present at the subject land. The applicant's cropping program means that between the months of June to November, spent bedding is stored in windrows for drying and curing within ROP areas and between the months of December to May spent bedding is spread over cropping areas at the farm. The approved EMP for this piggery requires spent bedding to be removed from ROP

areas for spreading on the remainder of the farm. Alternatively the spent bedding had to be removed for reuse off-farm.

On 17 December 2015 the Manager Development Services and Planning Officer met with the applicant and advised that current spent bedding operations at the site do not conform to waste and nutrient management requirements set in the approved EMP. The applicant was advised to remove the spent bedding from the subject land. The applicant advised that he intended to submit an addendum document to include soil conditioning operations to the ROP extension proposal. A site inspection by the Council's Planning Officer on 7 January 2016 confirmed that all spent bedding material was removed from the subject land.

The Council on 15 January 2016 received a Soil Conditioning Addendum (SCA) to the proposed ROP EMP at the application site. The SCA document included supporting information on the treatment of spent bedding prepared by environmental consultants AE. Preliminary assessment of the supporting SCA document revealed the proposal needed to be refined to address some requirements set in the Piggery Manure and Effluent Management and Reuse Guidelines 2015 (PMEMRG 2015).

The PMEMRG 2015 guidelines cover all aspects of effluent and manure management including collection, handling, treatment, reuse, monitoring, mortalities management, nutrient valuation and the duty of care when selling soil blended products.

On 19 January 2016, the Council received an amended SCA document similarly the subject of this report.

The SCA document was referred to six government agencies for comment.

STATUTORY ENVIRONMENT

Planning and Development Act 2005.

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Rural. Piggeries and Soil Conditioning fall within the definition of a Noxious Industry that is a discretionary 'SA' use under TPS3. This means that the Council may, at its discretion, permit the use after the proposal has been advertised for comment in accordance with TPS3 and the Planning and Development (Local Planning Scheme) Regulations 2015.

Environmental Protection Act 1986

ROPs do not constitute a prescribed activity under the Environmental Protection Act 1986 and therefore do not require works approval or licensing from the Department of Environment Regulation (DER).

Compost manufacturing and soil blending premises with a production or design capacity of over 1,000 tonnes per year constitutes a prescribed activity under the Environmental Protection Act 1986 and therefore the manufacture of compost in this instance will require works approval and licensing from the DER as it involves in the order of 1,800 tonnes of spent bedding (straw and manure) per year.

Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 June 2005 (EPA 2005).

This document provides generic buffer (separation) distances referred to in the State Buffer Policy 1997 (Government of Western Australia). These generic distances set out in Appendix 1 are based on the experience of the DER and other regulatory authorities for industries that historically have been associated with amenity impacts from gaseous, dust, noise and odorous emissions as well as with elevated levels of off-site risk to the public.

Appendix 1

<i>Industry</i>	<i>Description of industry</i>	<i>DoE Licence or Registration category (*)</i>	<i>Buffer distance in metres and qualifying notes</i>
Piggery - extensive	premises on which pigs are fed, watered and housed in outside paddocks or enclosures.	-	1,000 for all extensive piggeries
Composting facility	outdoor uncovered, regularly turned windrows	(67A)	1,000 for manures, mixed food/putrescible & vegetative food waste

The buffer distances included in the NEGROP 2013 and the APL Fact Sheet 2011 are specific to ROP operations (free-range) and these guidelines are more up to date and relevant when proposing to develop ROPs. The guidelines include the latest scientific data and provide specific advice on buffer requirements for ROPs. ROPs are seen as intensive due to their method of operation even though they may be on a large property.

The soil conditioning location conforms to the 1,000m buffer requirement.

Health Act 1911 (as Amended) - Piggery is defined as an offensive trade and must be registered with the local authority on an annual basis.

Shire of Plantagenet Health Local Law 2008, Part 5 Piggeries and Part 9 Offensive Trades

Part 5 Piggeries

Clause 5.6.2 reads:

- (1) *No premises shall be used as a piggery unless approved by the local government;*
- (2) *Subject to subsection (3), no premises shall be approved as a piggery by the local government unless every portion of such piggery complies with the minimum separation distances listed in Table 2; or if it is an intensive piggery, the minimum separation distances listed in Table 3; and*
- (3) *Sites unsuitable to satisfy the separation may be approved at the discretion of the local government, if the local government is satisfied that approving the piggery will not give rise to a health nuisance.*

Table 2. Required Buffer Distances for Piggeries

<i>Buffer</i>	<i>Distance</i>
<i>Townsite boundaries</i>	<i>5,000m</i>
<i>Isolated rural dwellings, dairies and industries</i>	<i>1,000m</i>
<i>Public roads and recreation areas</i>	<i>100m</i>
<i>Neighbouring rural property boundaries</i>	<i>50m</i>
<i>Major water course and water impoundments</i>	<i>300m</i>
<i>Bores, wells or soaks used for drinking, stock or irrigation</i>	<i>300m</i>
<i>Minor water courses</i>	<i>100m'</i>

The key issue of concern for piggeries is not to give rise to health nuisances with the recommended buffer distance to isolated rural dwellings being 1,000m.

Discretion exists for the Council to vary standards at clause 5.6.2(3). The EMP addresses the current management methods for this proposal and separation from isolated dwellings will not be an issue. Health Department Guidelines from 2012 (Guidelines for Separation of Agricultural and Residential Land Uses) do not include farmhouses in their current separation standards.

Soil and Land Conservation Act 1945 - requires the use of appropriate land management to attain or maintain the stability of the land in perpetuity.

National Environmental Guidelines for Rotational Outdoor Piggeries 2013 (NEGROP 2013).

The NEGROP 2013 encapsulates a national approach to environmental management for ROPs. These guidelines include best practice environmental management for ROPs and complement the industry's quality assurance program - APIQ® Free Range.

Australian Pork Limited Fact Sheet, Design and Management of Outdoor Free Range Areas for Pigs July 2011 (APL Fact Sheet 2011) (copy attached).

That fact sheet summarises the desired site selection characteristics, buffer distances and nutrient management actions specifically for free range piggeries. The fact sheet provides a reference for the assessment of the suitability of the site for the development of a free-range piggery, and independent verification of the proposed management practices. These site selection characteristic requirements are based on extensive research and industry consultation. All five ROP areas conform to site selection criteria and buffer requirements set out in the fact sheet.

Australian Pork Industry Quality Assurance Program (APIQ®)

APIQ® provides the framework and standards by which Australian pig producers can demonstrate they are responsible farmers who care for their animals and the environment by following safe and sustainable practices contained in the NEGROP 2013.

Data Collection to Underpin the Quantitative Assessment of Odour Dust and Noise Emission from Free Range Piggeries, Final Report - APL Project 2011/1015.417.

A copy of this document prepared by the University of Southern Queensland and National Centre for Engineering in Agriculture was provided to Councillors with a Memorandum dated 13 January 2014.

Piggery Manure and Effluent Management and Reuse Guidelines 2015 (PMEMRG 2015)

These guidelines incorporate the latest research outcomes and technical information and focus on the potential of effluent to provide significant productivity and profitability opportunities for Australian producers. They cover all aspects of effluent and solids management including collection, handling, treatment, reuse, monitoring, nutrient valuation and duty of care statement for the selling of products from conventional, deep litter and ROPs.

EXTERNAL CONSULTATION

In accordance with Delegation LG035 the ROP proposal was advertised for public comment ending on 8 December 2015. Advertising included letters to 12 adjoining landowners, Environmental Protection Authority (EPA), Department of Environment Regulation (DER), Department of Agriculture and Food WA (DAFWA), Department of Water (DOW), Department of Parks and Wildlife (DPAW) and the Department of Health (DOH). 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, seven submissions had been received for the ROP proposal from government agencies and adjoining and nearby landowners. These submissions are contained in the attached Summary of Submissions.

Concerns raised in one submission included amenity and land value matters. Further concerns were raised by the DAFWA regarding stocking density, buffers to adjoining neighbours and drainage and nutrient management.

Further advertising of the soil conditioning proposal included letters to the EPA, DER, DPAW, DOW, DAFWA and the DOH for comment ending on 10 March 2016.

At the close of the advertising period four submissions had been received from government agencies for the soil conditioning proposal and these submissions are contained in the attached Summary of Submissions.

FINANCIAL IMPLICATIONS

The planning application fee of \$320.00 and a bond of \$500.00 for advertising costs have been paid.

POLICY IMPLICATIONS

The Shire of Plantagenet Town Planning Scheme Policy No. 19 - Kendenup Rural Surrounds - the subject land is located within the 'Future Rural Smallholding Areas'. In assessing land use and subdivision proposals within the 'Future Rural Smallholding Areas' in the Kendenup rural surrounds, the following policy criteria below will be considered.

Policy Criteria 11 reads:

'Key objectives of these areas will be to:

- c) conserve and enhance the landscape quality of the area by ensuring development is sensitively designed and integrated with the landscape;*
- e) minimise the risk of land use conflict by not favouring inappropriate land uses without adequate buffers incorporated on site.'*

Policy Criteria 15 reads:

'Intensive agricultural pursuits (other than horticulture) such as piggeries, feed lotting and poultry farms will generally not be permitted due to buffer requirements. The keeping of livestock should be restricted to fenced pastured areas. Animal numbers should not exceed stocking rates recommended by the Department of Agriculture and Food.'

ROPs are seen as intensive due to their method of operation. However, ROPs pose different amenity risks to those of conventional piggeries (indoor and deep litter piggeries). Comprehensive industry research has revealed very low levels of odour, dust and noise from ROPs compared to conventional piggeries. All five proposed ROP areas conform to site selection criteria and buffer requirements set out in the NEGROP 2013 and the APL Fact Sheet 2011. The Council granted approval to the ROP in February 2014.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.1 (Long term Planning and Development guided by the Planning Vision) the following Strategy:

Strategy 2.1.4:

'Encourage and promote the use of good agricultural land for food production'

And

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.2:

'Ensure quality, consistent and responsive development and building assessment approval processes and enforcement'

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

Further, the Council's Corporate Plan, Goal 2 – Enhanced Natural and Built Environment notes an outcome of 2.2 *'Appropriate development which is diverse in nature and protects local heritage'*. The Key Performance Indicator (KPI) is *'Percentage of Council planning decisions in line with the Planning Vision'*.

By supporting the officer recommendation the KPI will be met.

OFFICER COMMENT

The subject land is located approximately 7.5km north of Mount Barker and approximately 2.5km east of Albany Highway on Halsey Road. The cumulative area for the subject land (Lots 350, 351, 742 - 744, 769 - 771 and 790 – 794) is approximately 268ha and is currently used for cropping and the grower ROP.

This proposal involves a modification to the herd composition of the grow-out unit at the subject land. The original PC approval permits weaner and grower phases. This

proposal will comprise a weaner growing phase only. The grower pens will house 220 weaner pigs with weights ranging from 4 to 25kg. At full capacity, the ROP will support 32 weaner shelters, housing a maximum of 7,000 weaner pigs at any one time. Up to 51,800 weaner pigs (25,900 SPU) will be produced in a year. In addition, the proposal will involve two additional ROP areas of 2.1ha and 4.0ha. The total ROP area will increase by 6.1ha to 21.0ha.

The ROP will annually produce in the order of 1,800 tonnes of spent bedding and 831 tonnes of soil conditioner. The soil conditioning area is located in the centre of the application site. The existing vegetation and topography at Lot 793 means the composting site location is not visible from Halsey Road. The EPA 2005 requires a 1,000m buffer for this type of composting operation. Except for the two houses at the subject land, no other rural dwellings are located within the 1,000m EPA buffer requirement.

Compost manufacturing and soil blending premises with a production or design capacity of over 1,000 tonnes per year constitutes a prescribed activity under the Environmental Protection Act 1986. In this instance, the manufacture of compost will require works approval and licencing from the DER.

The DOW raised no objection to the soil conditioning proposal. The DOW advised that the soil conditioning area being located on a hardstand compacted gravel surface with contour banks to catch any surface water run-off, will minimise any potential impacts upon water resources. The DOW is satisfied that risks at the subject land are being managed.

The DAFWA was not supportive of the ROP extension proposal as these new ROP areas appear not to account for stocking density numbers, buffers to adjacent neighbours and drainage and nutrient management concerns. The stocking density number included in the EMP conforms to the stocking rate for weaner shelters set in the Model Code of Practice for the Welfare of Animals and Royal Society for the Prevention of Cruelty to Animals' (RSPCA) Approved Farming Scheme Standards for Pigs. ROP Cell 6 is setback approximately 80m from the unconstructed road reserve boundary to the south. A condition of PC will require ROP Cell 6 to be setback 100m from that road reserve boundary to conform to APL Fact Sheet 2011 buffer requirements.

The EMP includes the use of interceptor drains and retention dams to manage surface water run-off. The EMP also includes erosion prevention and sediment trapping devices such as straw bale filters, sediment filters barriers and vegetation filters (vegetation screens) to manage nutrient movement. In addition, research done by the APL has shown that unsustainable levels of nutrients and nutrient leaching are highly unlikely to occur when manure nutrients are managed in ROP areas in conjunction with a maximum pig phase of two years and the cropping of ROP areas.

The EMP will conform to all regulatory requirements including the NEGROP 2013, APL Fact Sheet 2011 and the PMEMRG 2015, except for the 1km buffer distance requirement for isolated rural dwellings set out in the Shire of Plantagenet Health Local Law 2008. As this proposal is for a ROP and not a conventional piggery the national guidelines require a separation of 250m to a rural dwelling.

Revisions to the EMP requiring an adjustment to ROP Cell 6 will mean the amended EMP in the main will conform to regulatory requirements, and the new national guidelines. Subject to appropriate conditions, the proposal is supported.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That:

- 1. In accordance with clause 5.2 of the Shire of Plantagenet Town Planning Scheme No. 3 and clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed rotational outdoor piggery operation with reduced separation distances from isolated rural dwellings and soil conditioning at Lots 350, 351, 742 - 744, 769 - 771 and 790 - 794 Leanne Road and Halsey Road, Mount Barker in accordance with the updated Environmental Management Plan dated 3 November 2015 and the Addenda Environmental Management Plan dated 19 January 2016 be approved subject to:**
 - a. A revised Environmental Management Plan for the rotational outdoor piggery on these properties being submitted to the satisfaction Manager Development Services showing:**
 - i) The southern boundary of Rotation Outdoor Piggery Cell 6 being adjusted northwards to be a minimum 100m from the Leanne Road road reserve to the satisfaction of the Manager Development Services.**
 - ii) Pesticides being managed pursuant to the Health (Pesticides) Regulations 2011 at clause 5.9 (Chemicals and Fuels).**
 - b. The revised Environmental Management Plan being submitted within 30 days of the Council granting Planning Consent.**
 - c. All Rotational Outdoor Piggery Areas being fenced to the satisfaction of the Manager Development Services.**
 - d. A 10m strip of vegetation being planted along east boundary of Rotational Outdoor Piggery Cell 5.**
 - e. A 2.5m high straw bale screen being located along east boundary of Rotational Outdoor Piggery Cell 5 during pig use phase until the vegetated screen at d. above matures to the satisfaction of the Manager Development Services.**
 - f. The pipeline connecting the supplementary water source at Lot 743 being placed underground where it crosses unconstructed Leanne Road to the satisfaction of the Manager Works and Services.**

- g. All burial trenches being designed, constructed and maintained in accordance with the National Environmental Guidelines for Piggeries Second Edition (Revised) 2010.
 - h. The piggery being registered and operated in accordance with the Australian Pork Industry Quality Assurance Program (APIQ®).
 - i. The piggery being operated in accordance with the National Environmental Guidelines for Piggeries Second Addition (Revised) 2010.
 - j. The piggery being operated in accordance with the National Environmental Guidelines for Rotational Outdoor Piggeries 2013.
 - k. All composting being licenced by the Department of Environment Regulation and operated in accordance with the Piggery Manure and Effluent Management and Reuse Guidelines 2015.
2. Staff arrange a schedule of quarterly inspections of this piggery operation for the initial 12-month period and then twice yearly inspections for a period of two years to ensure compliance.

CARRIED (7/0)

NO. 43/16

3:31pm Cr B Bell and Cr J Oldfield returned to the meeting.

9.2 WORKS AND SERVICES REPORTS

Nil

9.3 COMMUNITY SERVICES REPORTS

Nil

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS - FEBRUARY 2016

File Ref:	N37140
Attachment:	Financial Statements
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	29 March 2016

PURPOSE

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 29 February 2016.

STATUTORY ENVIRONMENT

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Hamblin:

That the Financial Statement for the period ending 29 February 2016 be received.

CARRIED (9/0)

NO. 44/16

9.4.2 LIST OF ACCOUNTS – FEBRUARY 2016

File Ref:	N37070
Attachment:	February 2016
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	29 March 2016

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of February 2016.

STATUTORY ENVIRONMENT

Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996 provides that payment may only be made from the municipal fund or trust fund if the Local Government has delegated the function to the Chief Executive Officer.

The Chief Executive Officer has delegated authority to authorise payments (23 June 2015). Relevant staff have also been issued with delegated authority to issue orders for the supply of goods and services subject to budget limitations.

Regulation 13 of the Local Government (Financial Management) Regulations 1996 provides that if the function of authorising payments is delegated to the Chief Executive Officer then a list of payments is to be presented to the Council at the next ordinary meeting and recorded in the minutes.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

Council Policy F/FM/7 – Purchasing and Tender Guide applies.

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr C Pavlovich:

That in accordance with Regulation 13 (1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 29 February 2016 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$492,675.28;
2. Municipal Cheques 45500 – 45503 and 45505 - 45522 totalling \$114,465.53; and
3. Cancelled cheque 45504.

CARRIED (9/0)

NO. 45/16

9.4.3 POLICY REVIEW – BUDGET PREPARATION

File Ref:	N37144
Attachments:	Council Policy - Budget Preparation
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	29 March 2016

PURPOSE

The purpose of this report is to review Council Policy F/FM/10 - Budget Preparation.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 30 July 2013.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2013-2023 provides at Outcome 4.6 (Effective and efficient corporate and administrative services) the following Strategy:

Strategy 4.6.1:

'Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements'.

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

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 includes Action 4.6.1.5 *'Ensure that annual budgets are realistic, accurate, comply with legislation and achieve the aims established by the Council in its Long Term Planning documents'.*

OFFICER COMMENT

This policy has guided the budget preparation process for the last four years and has worked well and can be endorsed with one change to Clause 2.1(a). The amendment clarifies that the intention to defer procurement of new budgeted plant

refers to heavy plant items only, which are the main impost on cash flow requirements.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr J Moir:

That amended Council Policy F/FM/10 – Budget Preparation as follows:

‘OBJECTIVE:

To provide guidance in relation to preparation of the annual budget and the programming of major works and asset purchases.

POLICY:

Fees and Charges

- 1.1 The objective for setting fees and charges is to adopt a self funding approach as the preferred revenue collection method where a direct recognisable service is provided. A balance is to be achieved between implementing the self funding principle versus discounted pricing to recognise a community service obligation.
- 1.2 The Council annually, in conjunction with the budget adoption process, review all fees and charges levied for services with the aim of increasing the overall level of fees and charges by the Local Government Cost Index averaged over a three year period. The review of the fees and charges is to consider:
 - a) The cost of providing the service;
 - b) The purpose of the service and in particular whether it is consumed by a discrete part of the community or is general public service;
 - c) The extent to which a subsidy should apply for reasons of community affordability, comparative pricing to private or neighbouring local government facilities/services or encouragement of greater use of Council facilities; and
 - d) An appropriate level for infringements which balances a fair cost and a deterrent factor.

Works Program

- 2.1 The following parameters are recommended for efficient and effective financial management in relation to interim overdraft conditions which may prevail in the early and closing parts of each financial year:
 - a) Defer procurement of new budgeted heavy plant items until after January each year.
 - b) Discourage the programming of materially intensive works in the early and closing parts of each financial year.
 - c) Not to procure fixed assets within the last month of the financial year unless extenuating circumstances exist.

Rates

3.1 Rates will be reviewed annually with the following factors being considered:

- a) The range of services and service levels, activities, objectives and plans detailed from time to time in the Council's Strategic Community Plan, Corporate Business Plan and associated documents;**
- b) Levels of the Consumer Price Index (All Groups) Perth and the Western Australian Local Government Cost Index;**
- c) Sector growth and prevailing economic conditions;**
- d) Comparison with other local governments in the region;**
- e) Minimum rate to be imposed as all ratepayers should contribute equally to basic Council services. Minimum rates should also have a penalty factor levy to encourage development and discourage reduced amenity;**
- f) The setting of rubbish collection and recycling charges should be based on the self funding principle; and**
- g) The Council will set and maintain a ratio upon which the proportion of rates raised between property valuation categories will be based, regardless of re-valuations undertaken by the Valuer General's Office. The primary reason for this is to maintain equity and smooth out timing differences in re-valuations. Notwithstanding this, the Council should satisfy itself that respective rating levels on each category are equitable.'**

be endorsed.

CARRIED (9/0)

NO. 46/16

9.4.4 POLICY REVIEW - INVESTMENTS

File Ref:	N37141
Attachments:	Council Policy– Investments
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	29 March 2016

PURPOSE

The purpose of this report is to review Council Policy F/RI/1 – Investments.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 27 August 2013.

STATUTORY ENVIRONMENT

The authority for a local government to invest surplus funds comes from Section 6.14 of the Local Government Act 1995. Section 18 of the Trustees Act 1962 also details investment powers of trustees.

Local Government (Financial Management) Regulations 1996.

Regulation 19C(2) states that '*when investing money under section 6.14(1), a local government may not do any of the following —*

- (a) *deposit with an institution except an authorised institution;*
- (b) *deposit for a fixed term of more than 12 months;*
- (c) *invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
- (d) *invest in bonds with a term to maturity of more than 3 years;*
- (e) *invest in a foreign currency.'*

An authorised deposit-taking institution is as defined in the Banking Act 1959 (Commonwealth) or the Western Australian Treasury Corporation.

FINANCIAL IMPLICATIONS

There are some financial implications to this report, depending on the spread of the Council's investments.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2015/2016 – 2019/2020 includes Action 4.6.1.6 'Responsibly manage the Council's financial resources'.

OFFICER COMMENT

The Standard and Poor's long term rating for Bendigo Bank is currently A- which is better than the minimum BBB+ rating specified in the policy. Nevertheless, it is considered that the policy is relevant and should be retained, albeit with one change.

The policy currently provides for investments from the municipal, loan, reserve and trust accounts are to be kept separate and distinct. While it is appropriate for Shire funds (which comprise municipal, loan and reserve funds) to be kept separate and distinct from the trust account, it is considered unnecessary to separately identify all Shire funds on the bank side as the Shire's internal financial accounts allocate and record the distinct amounts. The interest allocations can easily be calculated without this measure.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr J Moir:

That Council Policy F/RI/1 – Investments, as follows:

OBJECTIVE:

To document and provide the necessary information for the delegated officers to invest surplus funds.

POLICY:**1.0 Purpose of Policy**

1.1 The purpose of this policy is to ensure that:

- a) The Council conforms with its fiduciary responsibilities under Section 6.14 of the Local Government Act and Section 18 (1)(a) of the Trustees Act 1962 (the 'Prudent Person' rule);**
- b) At all times, the Council has in place a current set of policies and delegations for its Investments Officers; and**
- c) Adherence to the guidelines by all officers with delegated authority to invest / control surplus funds.**

1.2 This Policy is to be made available to all employees involved in daily investment decisions.

1.3 Notwithstanding the provisions of this Policy, the general financial management obligations imposed under the Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 should at all times be complied with.

2.0 Prudent Person Rule

2.1 The investment options available to local government authorities in Western Australia were altered in June 1997 with changes to the Trustees Act. With the passage of changes to the Trustees Act, the list of prescribed investments has been removed and replaced by the Prudent Person rule.

2.2 The main features of the prudent person rule include:

- a) Exercising the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons; and
- b) A duty to invest funds in investments that are not speculative or hazardous.

2.3 In exercising powers of investment, there are important matters for consideration:

- a) The purpose of the investment and the needs and circumstances;
- b) The desirability of diversifying investments and the nature of and risk associated with existing investments;
- c) The need to maintain the real value of capital and income; The risk of capital or income loss or depreciation. The potential for capital appreciation;
- d) The likely income return and timing of the income return. The length of the term of the proposed investment;
- e) The liquidity and marketability of the proposed investment. The aggregate value of the investment;
- f) The effect of the proposed investment in relation to the tax liability (if any);
- g) The likelihood of inflation affecting the value of the proposed investment; and
- h) The costs of making the proposed investment; the results of a review of existing investments.

3.0 Investment Objectives

- 3.1 To add value through prudent investment of funds.**
- 3.2 To support the local community bank without putting the Shire's surplus funds to any undue risk.**
- 3.3 To have ready access to funds for day-to-day requirements, without penalty.**

4.0 Authority to Invest

- 4.1 The Shire of Plantagenet's surplus funds are to be invested in term deposits or negotiable certificates of deposit with Bendigo Community Bank and other banks with branches in Mount Barker or Albany, subject to their Standard and Poor's long term credit rating being at least BBB+ and the short term rating being at least A-2. Any proposal to invest funds in any other institution not referred to above, for whatever reason, is to be referred to the Council.**
- 4.2 Investments from the municipal, loan and reserve accounts are to be kept separate and distinct from the trust account.**
- 4.3 Funds may be invested for terms ranging from one to six months based on predicted cash flow requirements.**
- 4.4 The Deputy Chief Executive Officer places, withdraws or re-invests sums up to \$500,000.00 jointly with the Accountant or Chief Executive Officer, in accordance with the Chief Executive Officer's delegation.**
- 4.5 The Chief Executive Officer places, withdraws or re-invests sums over \$500,000.00 jointly with the Deputy Chief Executive Officer or**

Accountant in accordance with the Chief Executive Officer's delegation.

5.0 Review and Reporting

- 5.1 A cash flow report is to be monitored by the Accountant at least weekly to ensure cash funds are available to meet commitments.**
- 5.2 Investments will be managed actively as they mature with reviews by the Deputy Chief Executive Officer on a monthly basis.**
- 5.3 Bendigo Bank's short term credit rating as defined by Standard and Poors is to be monitored on a monthly basis by the Deputy Chief Executive Officer. Any downgrading of the long term BBB+ or short term A-2 rating is to be reported to the Council.**
- 5.4 For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Council's behalf at 30 June each year.'**

be endorsed.

CARRIED (9/0)

NO. 47/16

9.4.5 POLICY REVIEW - CE/CS/4 - STAFF ATTENDANCE AT EXTERNAL FUNCTIONS AND REIMBURSEMENT OF EXPENSES

File Ref: N37142
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 29 March 2016

PURPOSE

The purpose of this report is to recommend that Council Policy CE/CS/4 – Staff Attendance at External Functions and Reimbursement of Expenses be revoked.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 19 November 2013.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

There are no immediate financial implications for this report. Attendance of staff at conferences and the like is subject to appropriate budget allocation in various programs.

POLICY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications for this report.

OFFICER COMMENT

It is considered by the report author that this policy is administrative in nature and is better dealt with as an administrative guideline. It is therefore recommended that it be revoked.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That Council Policy No. CE/CS/4 – Staff Attendance at External Functions and Reimbursement of Expenses as follows:

OBJECTIVE:

To determine the nature and extent of the Council's representation by staff at conferences, study tours, seminars, conventions, training courses and meetings and the travel and accommodation expenses payable.

POLICY:

Where approval to attend a conference, study tour, seminar, convention or training course by a staff member has first been sought and obtained, the following conditions shall apply:

1. General

- a) appropriate provisions being made in the adopted budget;
- b) the attendance forming part of the normal staff training and development or attendance will be otherwise beneficial to the officer and the Council; and
- c) the officer providing a report to the Chief Executive Officer on the issues raised (except training courses and meetings).

2. Travel

- a) staff should utilise Council vehicles, subject to a vehicle being available;
- b) reimbursement for the use of a private vehicle to be set in accordance with clause 18.1 of the Shire of Plantagenet Inside Workforce Enterprise Agreement 2011 and the Shire of Plantagenet Outside Workforce Enterprise Agreement 2011; and
- c) if a Council vehicle is made available and not utilised, then actual fuel costs for the use of a private vehicle will be reimbursed on production of receipts.

3. Accommodation, Meals and Incidentals

- a) accommodation and any interstate travel arrangements are to be organised through the Chief Executive Officer's office;
- b) staff shall be entitled to claim reasonable expenses for meals and refreshments consumed with meals (excluding alcohol), if they are not otherwise provided and the following incidental expenses:
 - i) taxi or other transport costs; and
 - ii) paid parking if free parking not reasonably available; and
- c) reimbursement will be made on actual costs incurred on production of documentation.

4. **Partners**

Reimbursement for partners of staff will be limited to any official social functions included on the official program of the conference/meeting.'

be revoked.

CARRIED (9/0)

NO. 48/16

9.5 EXECUTIVE SERVICES REPORTS

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 FEDERAL ELECTION – QUESTION AND ANSWER EVENING**

Cr Brett Bell gave previous notice of his intention to move the following motion pursuant to Clause 3.7 of Standing Orders:

Moved Cr B Bell, seconded Cr J Moir:

That:

- 1. Council host a question and answer evening with candidates in the upcoming Federal and State Elections; and**
- 2. A suitable venue be allocated for the events and Council meet all costs including light refreshments.**

CARRIED (9/0)

NO. 49/16

Comment:

To ensure that our residents have the opportunity to be well informed prior to casting their vote in the Elections.

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

Nil

12 CONFIDENTIAL**12.1 CORPORATE SERVICES REPORTS****12.1.1 LOTS 812 AND 817 STONEY CREEK ROAD, PORONGURUP - SALE OF LAND FOR NON-PAYMENT OF RATES**

File Ref: N37168
Responsible Officer: John Fathers
Deputy Chief Executive Officer
Author: Leanne Briggs
Rates Officer
Proposed Meeting Date: 29 March 2016

PURPOSE

The purpose of this report is to recommend that authority be given for the sale of Lots 812 and 817 Stoney Creek Road, Porongurup for non-payment of rates in accordance with Section 6.64(1)(b) of the Local Government Act 1995.

MOTION TO PROCEED BEHIND CLOSED DOORS

Moved Cr J Handasyde, seconded Cr L Handasyde:

3:38pm That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting be closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

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

CARRIED (9/0)

NO. 50/16

MOTION TO PROCEED IN PUBLIC

Moved Cr L Handasyde, seconded Cr J Moir:

3:43pm That the meeting proceed in public.

CARRIED (9/0)

NO. 51/16

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Moir, seconded Cr L Handasyde:

That:

1. Having made reasonable efforts to do so, the owner of the properties at Lots 812 and 817 Stoney Creek Road, Porongurup, is unable to be located; and
2. Authority be given for the sale of land at Lots 812 and 817 Stoney Creek Road, Porongurup (Assessment No's 148577 and 148627) in accordance with Section 6.64(1)(b) of the Local Government Act 1995, for non-payment of rates.

CARRIED (9/0)

NO.52/16

13 CLOSURE OF MEETING

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

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