



ORDINARY MINUTES

DATE: Tuesday, 17 July 2018

TIME: 3:00pm

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

Rob Stewart
CHIEF EXECUTIVE OFFICER

Resolution Nos: 136/18 to 161/18

MEMBERSHIP – Quorum (5)

Members:

Cr C Pavlovich Shire President
Cr B Bell
Cr K Clements
Cr S Etherington JP
Cr L Handasyde
Cr B Lang
Cr J Moir
Cr M O'Dea
Cr J Oldfield Deputy Shire President

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

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

3.00pm The Presiding Member declared the meeting open.

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

Members Present:

Cr C Pavlovich	Shire President
Cr B Bell	Councillor
Cr K Clements	Councillor
Cr S Etherington	Councillor
Cr L Handasyde	Councillor
Cr B Lang	Councillor
Cr J Moir	Councillor
Cr M O'Dea	Councillor
Cr J Oldfield	Deputy Shire President

In Attendance:

Mr Rob Stewart	Chief Executive Officer
Mr John Fathers	Deputy Chief Executive Officer
Mr David Lynch	Manager Works and Services
Ms Fiona Pengel	Manager Community Services
Mr Vincent Jenkins	Planning Officer
Ms Nolene Wake	Executive Officer

Apologies:

Nil

Members of the Public Present:

There were two members of the public present.

Previously Approved Leave of Absence:

Nil

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

PETITION – LANDOWNERS/OCCUPIERS OF CARBARUP ROAD (NOW HUGHES ROAD) – LEGAL ACCESS TO PROPERTIES

Mr Appleby and Mr Draper presented a petition (attached) requesting the help of the Council to develop a solution for landowners and occupiers of Carbarup Road (now Hughes Road) Kendenup who do not have constructed legal access to their properties.

Moved Cr J Moir, seconded Cr L Handasyde:

That the petition relating to Hughes Road Kendenup be received and the matter be referred to the CEO for consideration at the Ordinary meeting of the Council to be held 14 August 2018.

CARRIED (9/0)

NO. 136/18

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr C Pavlovich

Item: 9.2.3
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Financial
Extent: Southern Haulage hauls logs

Item: 9.3.1
Type: Code of Conduct Disclosure
Nature: Perceived
Extent: Mount Barker Football Club display Southern Haulage banner during season as sponsor.

Cr J Moir

Item: 9.4.4
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer/Elders employee
Extent: Not required

Item: 9.4.5
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer/Elders employee
Extent: Not required

Cr B Lang

Item: 9.4.4
Type: Code of Conduct Disclosure
Nature: Farm Cows
Extent: Not required

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

6.1 APPLICANT: CR C PAVLOVICH SHIRE PRESIDENT

Cr C Pavlovich requests Leave of Absence from 17 August 2018 to 18 September 2018 inclusive.

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

That Cr C Pavlovich be granted Leave of Absence from 17 August to 18 September 2018 inclusive.

CARRIED (9/0)

NO. 137/18

7 CONFIRMATION OF MINUTES

Moved Cr M O'Dea, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 19 June 2018 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 138/18

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

That the Minutes of the Special Meeting (Budget Adoption) of the Shire of Plantagenet, held on 10 July 2018 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 139/19

Moved Cr L Handasyde, seconded Cr B Bell:

That the Minutes of the Special Meeting (Councillor Appointment) of the Shire of Plantagenet, held on 10 July 2018 as circulated, be taken as read and adopted as a correct record.

CARRIED (9/0)

NO. 140/18

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President distributed Attendance Register separately (attached).

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT SERVICES REPORTS

9.1.1 LOTS 54, 55, AND 56 SURREY DOWNS ROAD, PORONGURUP - AFFIX COMMON SEAL

File Ref:	N45926
Attachments:	Location Plan Deposited Plan 414061
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Vincent Jenkins Acting Manager Development Services
Proposed Meeting Date:	17 July 2018
Applicant:	John Kinnear

PURPOSE

The purpose of this report is to seek authority for the Shire President and Chief Executive Officer to affix the Common Seal of the Council to an Application for New Title, Notification Under Section 70A for proposed Lots 54, 55 and 56 on Deposited Plan 414061 Surrey Downs Road, Porongurup.

BACKGROUND

Council records show the registered owner of Lots 4524, 4525 and 4763 Surrey Downs Road is S Bird.

Lots 54, 55 and 56 Surrey Downs Road mentioned above are new lot numbers proposed for a boundary re-adjustment plan to provide access to landlocked properties.

The Manager Development Services considered the proposed three lot rural boundary realignment subdivision of Lot Lots 4524, 4525 and 4763 Surrey Downs Road in April 2017 in accordance with Council Delegation LG035.

The subdivision application was supported subject to the following conditions and advice note:

'The WAPC be advised that the proposed subdivision into four lots at Lots 4524, 4525 and 4763 Surrey Downs Road, Porongurup, is supported subject to:

- 1. The subdivision conforming to the 'Great Southern Bushfire Consultants Bushfire Assessment Report dated 3 March 2017' including the construction of roads and a battle-axe access leg and the provision of water tanks and asset protection zones achieving BAL-29 or less.*
- 2. Crossovers for lots A, B, C and D being located, constructed and drained to the satisfaction of the Manager Works and Services.*

3. *14m truncations being provided at the junction of the access road and Surrey Downs Road.'*

Pursuant to Section 31 of the State Administrative Tribunal Act 2004, the Western Australian Planning Commission (WAPC) has reconsidered its decision dated 12 June 2017 to refuse the subdivision application (WAPC 154771), (DR 222 of 2017) and has resolved to set aside its decision. The subdivision application was approved by the WAPC on 14 April 2018 subject to a number of conditions including:

- ‘2. *Prior to commencement of subdivisional works, a detailed plan identifying a building envelope on Lot B on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development, to the satisfaction of the Western Australian Planning Commission. (Local Government)*
3. *A notification pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan).*

The notification is to state as follows:

“A network electricity supply is not available to the lot/s”. (Local Government)’

STATUTORY ENVIRONMENT

Land Administration Act 1997

Local Government Act 1995

Transfer of Land Act 1893 (as amended) – Section 70A refers to factors that affects the use and enjoyment of land and notification on the title.

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – Zoned Rural

FINANCIAL IMPLICATIONS

The subdivision clearance fee of \$219.00 has 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

There are no strategic implications for this report.

OFFICER COMMENT

Condition 2 of the WAPC approval requires the provision of a detailed plan (plan of subdivision) identifying the building envelope location on lot B (Lot 55). The condition further requires the plan of subdivision to be prepared in consultation with the Council to ensure the appropriate siting of the building envelope.

The building envelope is approximately 1.37ha in area and located in an existing area cleared of remnant vegetation. Deposited Plan 414061 pinpoints the area and location of the building envelope to the satisfaction of Council officers and the WAPC.

The WAPC advised that a Notification under Section 70A of the Transfer of Land Act 1893 be prepared to reference the building envelope on the deposited plan and the certificates of title.

The notification is to state that:

'No building and effluent disposal systems are to take place outside the defined building envelope, unless otherwise approved by the local government.'

The notification on the deposited plan and the certificates of title will inform prospective owners that any development outside the building envelope will require the Council's approval.

Condition 3 of the WAPC approval requires a further Notification under Section 70A of the Transfer of Land Act 1893. The notification on the deposited plan and the certificates of title will inform prospective owners that network electricity supply is not available to all the lots.

The Council must resolve that the Shire President and Chief Executive Officer are to affix the Shire of Plantagenet Common Seal to the Notification under Section 70A of the Transfer of Land Act 1893.

Authority is now sought for the Common Seal to be applied in order that a subdivision clearance can be issued.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr S Etherington, seconded Cr B Lang:

That authority be granted to the Shire President and Chief Executive Officer to affix the Common Seal of the Council to the Notification under Section 70A of the Transfer of Land Act 1893 (as amended) pertaining to the creation of proposed Lots 54, 55 and 56 Surrey Downs Road, Porongurup on Deposited Plan 414061.

CARRIED (9/0)

NO. 141/18

9.2 WORKS AND SERVICES REPORTS

9.2.1 MARMION STREET, MOUNT BARKER - PROPOSED OBSTRUCTION TO PREVENT VEHICULAR MOVEMENT

File Ref:	N45911
Attachments:	Location Maps
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	Amy Chadbourne Senior Administration/Project Officer Works and Services
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to consider a proposal to install bollards and fire gates on Marmion Street at the intersection with Thomas Street and the intersection with Montem Street respectively to close movement to vehicles.

BACKGROUND

The gravel section of Marmion Street in the townsite of Mount Barker runs from Langton Road south up a hill to the intersection with Montem Street. There it becomes sealed and continues south for approximately 830m where it finishes with a cul-de-sac (see Attachment One). The gravel section is approximately 290m long.

Reports of inappropriate driver behaviour on this gravelled section, particularly in the vicinity of the S-shaped bend at the Thomas Street intersection have been received. Correspondence from the owners of Lot 467 Thomas Street (14 Thomas Street) was first received in June 2016 following the purchase of the property in March 2016. The property owners expressed their concern for their family's safety due to dangerous driver behaviour on the gravel section of Marmion Street adjacent to their house.

The Chief Executive Officer and the then Manager Works and Services (MWS) met with one of the property owners on site in June 2016 and discussed the concerns. Following this meeting, pruning of vegetation on the western side of Marmion Street took place in order to improve sight lines.

A workshop was held with the Council on 13 September 2016 where two options to improve this section of road were considered; road widening of Marmion Street to improve the alignment which would involve a clearing permit; and closing the section of Marmion Street from Montem Street to Thomas Street using culs-de-sac. Councillors did not support any of these proposals due to the costs involved and the need for Marmion Street access in case of fire within the Mondurup Reserve.

Additional signage was installed following the workshop which included black and yellow 'arrow' signs on the eastern side of Marmion Street to highlight the S-bend and the re-positioning of the chevron on Marmion Street facing traffic coming from Thomas Street. The property owners of Lot 467 Thomas Street were kept advised of the outcome of the workshop and the signage.

The property owners got back in contact again with the then MWS in December 2016 requesting further consideration of their concerns. Mount Barker Police were consulted again about the section of road and advised that two drivers had been spoken to about their driving behaviour with two infringements issued in early November 2016. At the time of response to the property owners it was felt that all that could be done had been done by the Shire.

Correspondence was not received again from the property owner until January 2018 further highlighting the behaviour of some drivers on this section of road. The property owners claim to have installed security cameras to record the occurrences and have also installed ten drill rods on the inside of their wire boundary fence to slow a vehicle down if the driver lost control and came through the fence. It should be noted the property owners have a wire fence around the boundary of their property.

The site was visited by Councillors in March 2018 (and in 2016) on the annual road inspection bus trip and it was agreed that works needed to happen. As highlighted previously, Marmion Street access is needed to Mondurup Reserve in case of fire. It was agreed that blocking off the road was a cost effective solution with the option of installing fire gates for access by emergency services.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 3, Division 3, Section 3.50 – ‘Closing certain thoroughfares to vehicles’

Local Government (Functions and General) Regulations 1996, Part 2, Section 4 – ‘Persons prescribed to be notified of road closure’

EXTERNAL CONSULTATION

Consultation has taken place with members of the Mount Barker Police who have advised that in November/December 2016 two drivers were issued infringements for careless driving. Activity appeared to reduce after these incidents until another driver was spoken with in late December 2017. An infringement wasn't able to be issued due to lack of evidence. Since early January 2018, the Mount Barker Police advised they have not issued any further infringements to drivers on this section of road.

Also, the Department of Planning, Lands and Heritage were consulted as Lots 483 to 492 are unallocated Crown land (see Attachment Two).

FINANCIAL IMPLICATIONS

There are no financial implications for this report as yet. If approval is given for obstructions to be placed on Marmion Street then the Council will incur a cost to supply and install the bollards and fire gates.

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 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.4:

'Investigate and respond to road safety and traffic issues throughout the District.'

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.4.2:

'Ensure both temporary and permanent road closures are processed and approved in accordance with all necessary legal and administrative requirements.'

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

OFFICER COMMENT

As Marmion Street is considered to be a low priority road within the Mount Barker townsite traffic count records are minimal. The last count from October/November 2014 (100m south of Langton Road) recorded an average of 58 vehicles per day with the highest speed rated between 70 and 80km/hr.

Two fire hydrants are located on the gravel section of Marmion Street, both on the eastern side. One is positioned on the south west corner of the boundary fence of Lot 467 and the other approximately half way along the gravel section of road (see Attachment Two). Access could be gained to the hydrants through the fire gates which would be locked in winter and 'dummy' locked in summer (as with Mondurup Reserve). Consideration should be given as to whether Emergency Services are given a key.

The Department of Planning, Lands and Heritage was consulted as Lots 483 to 492 on the gravel section (see Attachment Two) are unallocated Crown land. The Department has advised there is no immediate plan for this land and therefore have no comment to make.

Attachment Two shows the proposed location of the two sets of bollards and fire gates. Consideration has been given to traffic movement. By placing the bollards close to the Thomas Street and Menston Street intersections respectively, vehicles should be able to easily navigate either corner and would not have to reverse back the way they have come.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION**Moved Cr S Etherington, seconded Cr L Handasyde:****That:**

- 1. Pursuant to Section 3.50 of the Local Government Act 1995, local public notice be given of the proposal to place obstructions at the north and south end of the gravel section of Marmion Street, Mount Barker (see Attachment Two) to restrict the passage of vehicles for a period of five (5) years and that each person who is prescribed for the purposes of Section 3.50 be given written notice of the proposal and that submissions be invited for a period of 28 days.**
- 2. A further report be prepared for the Council's consideration at the conclusion of advertising on or before the Ordinary Council Meeting of 9 October 2018.**

CARRIED (9/0)**NO. 142/18**

9.2.2 ACCEPTANCE OF GREEN WASTE AT TRANSFER STATIONS

File Ref:	N45930
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	David Lynch Manager Works and Services
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to recommend reinstating the acceptance of green waste at Rocky Gully Waste Transfer Station.

BACKGROUND

On 26 April 2017 a workshop was held with Councillors where a proposal to streamline waste operations was discussed.

The Council at its meeting held on 23 May 2017 resolved:

'That as of 1 August 2017, tyres, electronic waste, steel waste, household furniture and green waste be only accepted at the O'Neill Road waste facility and Kendenup transfer station.'

STATUTORY ENVIRONMENT

Waste Avoidance and Resource Recovery Act 2007, Part 6, Division 1 – 'Services provided by local governments'

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

It should be noted there is no charge for residents to dispose of green waste at the Council's Waste Management Facilities.

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 2017-2026 provides at Outcome 2.7 (Protection of natural environment) the following:

Strategy 2.7.3:

'Reduce the incursion of weeds on Council controlled roads and reserves.'

And further at Outcome 2.9 (Integrated waste management) the following:

Strategy 2.9.2:

'Manage existing waste disposal sites and transfer stations in accordance with legislative requirements.'

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.9.2.2:

'Provide waste facilities that are readily accessible to all stakeholders.'

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

OFFICER COMMENT

As of 1 August 2017, green waste has not been accepted at Rocky Gully, Kamballup or Porongurup Waste Transfer Stations (WTS). Shire staff have been monitoring the situation over the last year and have noted an increase in green waste dumped in reserves and crown land particularly around the townsite of Rocky Gully. This is evident in the reserves off Mill Road close to the townsite.

This same reserve is also seeing an increase in the number of dumped car bodies and white goods. Works and Services staff will be cleaning up the larger metal objects within the reserve in the next few months. If the dumping of car bodies and white goods continues, a further Council report to reinstate metal collection may be also brought up for consideration.

An unintended consequence of dumping of green waste in reserves and bushland is the spread of weeds and increased fire risk. Frequently, green waste is composed of weed species not native to Western Australia. For example one of the major problem species in our area is *Leptospermum laevigata* (Victorian Coastal Ti-Tree) which was very popular as a quick growing hedge some years ago but now infests many areas (eg Narrikup townsite area, some portions of Mount Barker Road). The range of this species is slowly spreading and without intervention will become a greater problem to the Shire.

Other species such as *taylorina* (*Psoralea pinnata*), *tagasaste* (*Chamaecytisus palmensis*), *dolichos pea* (*Dipogon lignosus*), pine trees (*Pinus spp.*), blue gums (*Eucalyptus globulus*) and introduced acacias (including *A. dealbata*, *A. decurrens*, *A. iteaphylla*, *A. longifolia*, *A. melanoxylon*, *A. paradoxa* and *A. pycnantha*) were identified by the formal Survey of Roadside Conservation Values in the Shire of Plantagenet. Undertaken as a joint project by the Shire and the then Department of Parks and Wildlife in 2009, this study used these species as markers for the general health of our roadsides rather than as an exhaustive catalogue of all problem species. For example, *Watsonia* and the eastern states native species of *Typha* are significant problems along the rail reserves within the Mount Barker townsite but are not mentioned in the study.

As a result of reducing the categories of waste accepted at Rocky Gully WTS in 2017 there is adequate room within the site to safely collect and manage green waste. It is anticipated that approximately 20 to 30m³ will be collected annually and the green waste would be burnt in autumn and spring after being seasoned for a minimum of two months. The Tip Operator employed at the Rocky Gully WTS is a current member of the local fire brigade and has offered to carry out a burn as part of his normal shift duties.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

Moved Cr J Oldfield, seconded Cr M O'Dea:

That as of 1 August 2018, green waste be accepted at the Rocky Gully Waste Transfer Station.

AMENDMENT

Moved Cr B Bell, seconded Cr J Oldfield:

That a Point 2 be added to the motion as follows:

'2. The question of acceptance of car bodies, white goods, other metals and e-waste be addressed in a further report for consideration at the Ordinary meeting of the Council to be held 14 August 2018' and the motion be re-cast accordingly.

CARRIED (8/1)

NO. 143/18

Cr J Moir voted against the motion

COUNCIL DECISION

That:

1. As of 1 August 2018, green waste be accepted at the Rocky Gully Waste Transfer Station; and
2. The question of acceptance of car bodies, white goods, other metals and e-waste be addressed in a further report for consideration at the Ordinary meeting of the Council to be held 14 August 2018.

CARRIED (8/1)

NO. 144/18

Cr J Moir voted against the motion

9.2.3 POLICY REVIEW - LOG HAUL REQUIREMENTS

Cr C Pavlovich

Item: 9.2.3
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Financial
Extent: Southern Haulage hauls logs

3:36pm Cr C Pavlovich withdrew from the meeting and
Cr J Oldfield assumed the Chair.

File Ref: N45675
Attachments: [Policy With Track Changes](#)
Responsible Officer: David Lynch
Manager Works and Services
Author: Amy Chadbourne
Senior Administration/Project Officer Works
and Services
Proposed Meeting Date: 17 July 2018

PURPOSE

The purpose of this report is to review Council Policy I/R/6 – Log Haul Requirements.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 20 June 2017.

At the Heavy Haulage Advisory Committee Meeting held on 19 June 2018 it was resolved that it be recommended to the Council that the changes made to Council Policy I/R/6 – Log Haul Requirements be adopted.

The reviewed policy with its changes as presented to the Heavy Haulage Advisory Committee are detailed below.

STATUTORY ENVIRONMENT

Road Traffic Code (2000)

EXTERNAL CONSULTATION

Discussion has occurred and feedback has been given by industry groups at recent Timber Roads Operation Group (TROG) meetings.

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 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following Strategy:

Strategy 2.4.1:

'Maintain and further develop roads and pathways at appropriate standards.'

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.1.6:

'Construct and maintain Shire roads and associated infrastructure to the standard adopted by the Council and in accordance with requirements of State agencies.'

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

OFFICER COMMENT

Discussions between industry groups and the Manager Works and Services at recent Timber Roads Operations Group (TROG) meetings have highlighted a number of small issues within the Council policy, principally the policy silence on the use of temporary crossovers and the time limits placed on haulage permits.

As a group, timber plantation companies are the most compliant of our rural industries in terms of permits and being seen to carry out their operations by the book. Timber harvesting operations are often slowed down or delayed by commercial and climatic factors and the suggestion that permits be extended to a six month or longer period is supported by Shire staff.

Another request is that the use of temporary crossover permits be allowed to give greater flexibility to the plantation company and frequently better safety and commercial outcomes. It is proposed that temporary crossovers be permitted and formalised by amendments to this policy. The controls outlined in the recommendation, in conjunction with reference to the Council's crossover policy, are seen as reasonable. Public safety is central to the suggested controls but increased commercial gain can also be recognised.

For instance a recent application for an Accredited Mass Management Scheme (AMMS) 4.1 permit was approved for a plantation on the corner of Hiker and Nornalup Roads, Rocky Gully. Hiker Road is overgrown and unsuitable for Restricted Access Vehicle (RAV) or AMMS traffic without the Council expending significant funds to trim the road alignment. Approximately 400m north of this intersection the AMMS 4.3 network begins on Nornalup Road. The sightlines at this point are borderline compliant but a crossover has been allowed at this point on the basis that:

- a) The Council would not have to expend funds unnecessarily to trim Hiker Road,
- b) Whilst the sightlines are not the best they are still sufficient for safe entry and egress from the plantation with suitable warning signage,
- c) Nornalup Road is a low volume road, and

- d) The capacity increase allowed by entry directly onto the AMMS 4.3 network improves the profitability of the Forest Owner, Plantation Company and Transport Company.

It is also recommended that point 3(a) of the policy be deleted. This requirement which states that adjoining landowners along haulage access routes be notified of the commencement and duration of the timber harvest is not practical given the number of landowners living on a road, but is also inconsistent as this condition is not applied to other haulage operators of items such as grain, fertiliser and livestock.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

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

That amended Policy I/R/6 Roads – Log Haul Requirements as follows:

'OBJECTIVE

To provide clear guidelines to the Council, its staff, and plantation companies regarding log/woodchip haulage on roads within the Shire of Plantagenet.

POLICY

1. Scope

This policy applies to plantation companies who wish to use roads under the care, control and management of the Shire of Plantagenet for the purposes of transporting logs/woodchips from plantations.

2. Legislation

Road Traffic Code 2000

3. Application of Policy

Plantation companies may request use of a classified road on the Restricted Access Vehicle (RAV) Network by applying to the Chief Executive Officer (CEO) for approval. If the desired route includes an unclassified road, an application must be made by the plantation company to Main Roads WA (Heavy Vehicles Section). For further information on heavy vehicle access to roads within the Shire, refer to Policy I/R/17 Roads – Heavy Vehicle Access.

Approvals will be for a duration of six months and may be extended upon request by the plantation company. The Manager Works and Services must be satisfied with the proposed haulage route(s) and the following conditions are to be adhered to by the plantation company:

- a) School bus operators are to be notified of the commencement date and the anticipated duration, at least one week prior to the commencement of harvest;

- b) If no maximum speed is specified as a condition of use of the applicable road, speeds are to be limited to a maximum of:
 - 100km/hr (as per the Road Traffic Code 2000), or;
 - The posted speed limit,whichever is the lesser.
 - c) Suitable sign posting for traffic in accordance with Australian Standard AS1742.3-2009, with signs identifying truck movements is to be placed at the entrance and exit of the property;
 - d) All vehicles must adhere to any road closure prescribed by the Council due to inclement or persistent wet weather.
 - e) Cartage through townsites is to be limited to 12 hours daily between the hours of 6.00am and 6.00pm;
 - f) All gravel roads covered under the letter of approval are to be graded by the relevant plantation company during haulage when requested by the Council;
 - g) The Council is to be advised of any seal failures on bitumen roads within 24 hours so that repairs can be carried out;
 - h) Cartage must cease on Christmas Day and New Year's Day; and
 - i) Post haulage inspections of roads listed in the letter of approval will be carried out by Shire of Plantagenet staff. If required, works to reinstate roads to pre-haulage condition are to be undertaken by the plantation companies.
4. Temporary crossovers to access timber plantations may be installed by plantation companies provided that approval is obtained from the Shire of Plantagenet as per Council Policy I/R/13 – Vehicle Crossovers. The following conditions would apply to the temporary crossover construction:
- a) Installation to be for a maximum of twelve months and infrastructure must be removed within 30 days of harvest completion. Road shoulders will be required to be made good to the pre-existing state;
 - b) Stone or concrete headwalls are not required, however, sandbags and rock walls may be used to protect any Council infrastructure as determined by the Manager Works and Services;
 - c) The position of the crossover should comply with Main Roads WA (MRWA) requirements for sightlines and gradients for approved RAV or Accredited Mass Management Scheme (AMMS) access. The Council may require a formal traffic management plan be implemented by the plantation company if compliance to sightline guidelines cannot be met provided the position of the crossover is

such that it is in the best interests of public safety to do so ie the existing access or entry from side roads is worse than the proposed access.

Applications that have a definite commercial gain (ie being able to access a section of road with a higher RAV/AMMS category) may also be considered provided all improvements and safety requirements are met by the plantation company; and

- d) Any damage to the road surface (sealed and un-sealed) caused as a result of the temporary crossover be made good within 30 days of harvest completion to the satisfaction of the Manager Works and Services.

The Council reserves the right to revoke support if any of the above conditions are not adhered to, or road condition/user safety is in question.'

be adopted.

CARRIED (8/0)

NO. 145/18

3:44pm Cr C Pavlovich returned to the meeting and resumed the Chair.

9.2.4 ROADWISE COMMITTEE - REPLACEMENT OF MEMBERS

File Ref:	N45420
Responsible Officer:	David Lynch Manager Works and Services
Author:	Tracy Powell Administrative Officer
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to note the appointment of two replacement members to the Plantagenet RoadWise Committee.

BACKGROUND

The Council at its meeting held on 22 May 2018 resolved:

'That:

- 1. The resignation of Ms Erin Miller from the Plantagenet RoadWise Committee be noted and Ms Miller be thanked for her service.*
- 2. The resignation of Ms Megan Ballard from the Plantagenet RoadWise Committee be noted and Ms Ballard be thanked for her service.*
- 3. The resignation of Mr Lindsay McCartin from the Plantagenet RoadWise Committee be accepted and Mr Brad Lenton be appointed as Deputy Member on behalf of Mr Andrew Duffield from Main Roads WA.'*

Two positions on the RoadWise Committee have been vacant since the May meeting of the Council.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 5.8 – 'Establishment of committees'

The RoadWise Committee was formed under Section 5.9 (2)(c) which provides that a Committee is to comprise '... council members, employees and other person.' Sections 5.10 and 5.11 refer to 'Appointment of committee members' and 'Tenure of committee membership' respectively.

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

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.4 (Safe and reliable transport infrastructure) the following:

Strategy 2.4.4:

'Investigate and respond to road safety and traffic issues throughout the district'.

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

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.4.4.1:

'Support the RoadWise Program.'

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

OFFICER COMMENT

In correspondence to the Shire received 14 June 2018, Mr Andrew Fraser, Principal of the Mount Barker Community College has advised that Ms Deborah Smith will fill the position of Mount Barker Community College Parents and Citizens Association (MBCC P&C) representative on the Plantagenet RoadWise Committee. Mr Fraser will remain as the position's deputy.

Also, in a letter to the Chief Executive Officer received 21 June 2018, the Western Australian Local Government Association (WALGA) advised that Ms Andrea Smithson will cover some of the duties of the Road Safety Advisor (Great Southern) whilst Ms Miller is on parental leave.

VOTING REQUIREMENTS

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That:

- 1. Ms Deborah Smith be appointed as a committee member on the Plantagenet RoadWise Committee representing the Mount Barker Community College Parents & Citizens Association; and**
- 2. Ms Andrea Smithson be appointed as a committee member on the Plantagenet RoadWise Committee representing the Western Australian Local Government Association.**

CARRIED (9/0)

NO. 146/18

Absolute Majority

9.3 COMMUNITY SERVICES REPORTS

9.3.1 POLICY REVIEW - ADVERTISING SIGNAGE AT SOUNNESS PARK

Cr C Pavlovich

Item: 9.3.1
Type: Code of Conduct Disclosure
Nature: Perceived
Extent: Mount Barker Football Club display Southern Haulage banner during season as sponsor.

3:45pm Cr C Pavlovich withdrew from the meeting and
Cr J Oldfield assumed the Chair.

File Ref: N45907
Attachments: [CS SC 1 Advertising Signage Policy](#)
Responsible Officer: Fiona Pengel
Manager Community Services
Author: Isabelle Draffehn
Community Development Officer
Proposed Meeting Date: 17 July 2018

PURPOSE

The purpose of this report is to review Council Policy CS/SC/1 – Advertising Signage at Sounness Park.

BACKGROUND

The Council adopted Policy CS/SC/1 – Advertising Signage at Sounness Park at its meeting held on 31 March 2015.

The policy was reviewed according to the Council's resolution of 31 March 2015 and several changes were implemented. These changes primarily refer to the placement and dimensions of advertising signage, advertising timeframes and to the role of the Plantagenet Sporting Club (PSC) in advertising rights and endorsement of signage.

STATUTORY ENVIRONMENT

Shire of Plantagenet Local Government Property Local Law 2008. Specifically Clause 3.13 (1)(b): (A person shall not without a permit) 'advertise anything by any means on Local Government Property.'

EXTERNAL CONSULTATION

Consultation has occurred with the PSC in October 2017 and in June 2018.

FINANCIAL IMPLICATIONS

There are no financial implications for this report. However, the clubs and the PSC will retain any sponsorship revenue.

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 2017-2026 provides at Outcome 2.2 (Appropriate development which is diverse in nature and protects local heritage) the following Strategy:

Strategy 2.2.3:

'Control advertising signage.'

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

OFFICER COMMENT

The Council report from 31 March 2015 states that *'Advertising options would best be discussed and developed with a combined sporting association; therefore it is recommended that permits not be issued for permanent signage at the Sounness Park facility until the formation of a combined sporting association that has the oversight of usage of Sounness Park. The future combined sporting association would then benefit from advertising revenue through equitable distribution of funds raised'*.

It was resolved that *'Policy CS/SC/1 Advertising Signage at Sounness Park be reviewed upon the incorporation of a Combined Sporting Association having oversight of Sounness Park or at the meeting of the Council to be held in March 2017, whichever comes first'*.

A combined sporting association has since been formed [the Plantagenet Sporting Club (PSC)] and the policy has been reviewed accordingly. However, the PSC does not wish to manage advertising on behalf of the clubs at Sounness Park. It was decided that the PSC will hold an endorsement role in the advertising policy and that the respective clubs will continue to retain sponsorship revenue. Of the available advertising space adjacent to the playing surfaces, 20% will be reserved for advertising secured by the PSC. The policy has been amended to reflect these changes.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr B Lang:

That amended Council Policy CS/SC/1 – ‘Advertising Signage at Sounness Park’, as follows:

‘OBJECTIVE

To provide clear parameters for the display of advertising at Sounness Park, McDonald Avenue, Mount Barker.

POLICY

1. Apart from entrance, naming and directional signage no permanent signage is allowed at Sounness Park, without a specific council resolution.
2. Temporary advertising signage can be erected on the fencing adjacent to the eastern oval, hockey playing surface and the cricket nets for the duration of sporting season. The signage is to be removed within one week of the final game of the sporting season.
3. Maximum height and width of the advertising signage is limited to the fence size, signs are not to protrude from the edges of the fencing.
4. Of the available advertising space adjacent to the playing surfaces; 20% is reserved for advertising secured by the Plantagenet Sporting Club.
5. No advertising signage will be permitted that could be considered offensive, discriminatory, promoting smoke/tobacco or alcoholic products or contrary to the values of the Shire of Plantagenet. The design, wording, content, location, installation and ongoing maintenance condition of all advertising signage is to be to the satisfaction of the Manager Community Services.
6. No advertising signage shall be painted or erected on any of the playing surfaces without the prior approval of the Manager Works and Services.
7. The installation and dismantling of signage must not result in any damage or defacement of any underground services, Council property or fixtures. All signage must be designed, constructed, installed and maintained to minimise the likelihood of risk of injury to any person.
8. The Plantagenet Sporting Club Committee will endorse advertising requests from the founding clubs prior to approval by the Manager Community Services.
9. Clubs erecting advertising signage pursuant to the Policy do so on the understanding that the Council reserves the right to request removal of the advertising signs for any reason.’

be endorsed.

CARRIED (7/1)

NO. 147/18

Cr M O’Dea voted against the motion

3.47pm Cr C Pavlovich returned to the meeting and resumed the Chair.

9.4 CORPORATE SERVICES REPORTS

9.4.1 FINANCIAL STATEMENTS – JUNE 2018

File Ref:	N45932
Attachment:	Financial Statements
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Alison Kendrick Senior Administration Officer - Finance
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to present the preliminary financial position of the Shire of Plantagenet for the period ending 30 June 2018.

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.

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 M O'Dea:

That the Financial Statement for the period ending 30 June 2018 be received.

CARRIED (9/0)

NO. 148/18

9.4.2 LIST OF ACCOUNTS – JUNE 2018

File Ref:	N45958
Attachment:	<u>List of Accounts - June 2018</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Emma Gardner Accounts Officer
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of June 2018.

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 (22 May 2018). 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 L Handasyde, seconded Cr B Lang:

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 30 June 2018 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$1,150,268.93;
2. Municipal Cheques 46268 to 46294 totalling \$201,705.19;

CARRIED (9/0)

NO. 149/18

9.4.3 POLICY REVIEW - ASSET REGISTER

File Ref:	N45812
Responsible Officer:	Rob Stewart Chief Executive Officer
Author:	John Fathers Deputy Chief Executive Officer
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to review Council Policy No. F/AMR/1 – Asset Register.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 24 May 2016.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

Section 5(1)(d) of the Regulations states:

'5(1) Efficient systems and procedures are to be established by the CEO of a local government –

(d) to ensure proper accounting for municipal or trust –

(i) revenue received or receivable;

(ii) expenses paid or payable; and

(iii) assets and liabilities.'

EXTERNAL CONSULTATION

This matter was raised at a recent seminar conducted by the Shire's auditors, Moore Stephens.

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

The Shire of Plantagenet Strategic Community Plan 2017–2026 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.

OFFICER COMMENT

Amendments to the Local Government (Financial Management) Regulations 1996 and Local Government (Audit Regulations) 1996 were gazetted on 26 June 2018. From 1 July 2018, an asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition is under \$5,000.00. CEOs must take all reasonable steps to prevent the theft or loss of non-consumable portable and attractive items valued under \$5,000.00.

As this matter has been legislated, the policy is no longer required.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr M O'Dea, seconded Cr J Oldfield:

That Council Policy No. F/AMR/1- Asset Register as follows:

'OBJECTIVE: To provide a guideline for the entry of items onto the Council's Asset Register.

POLICY: The Council will not record assets with an acquisition value of less than \$5,000.00 (excluding GST) on the Council's asset register.'

be revoked.

CARRIED (9/0)

NO. 150/18

9.4.4 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION - BOARD NOMINATION – CR M O’DEA

Cr J Moir

Item: 9.4.4
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer/Elders employee
Extent: Not required

Cr B Lang

Item: 9.4.4
Type: Code of Conduct Disclosure
Nature: Farm Cows
Extent: Not required

3.53pm Cr J Moir withdrew from the meeting

File Ref: N45934
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 17 July 2018

PURPOSE

The purpose of this report is to confirm Cr M O’Dea’s nomination to the board of the Australian Livestock Markets Association Inc (ALMA).

BACKGROUND

At its meeting held on 22 May 2018, the Council authorised Cr M O’Dea to attend the ALMA Expo to be held in Casino NSW from 24 July to 26 July 2018.

There has been some informal discussion about nominating Cr O’Dea to the ALMA Board, given that the Shire’s former representative, Michael Skinner has now resigned from the board.

In anticipation of formal Council approval being obtained, a nomination has been made, as the closing date was Tuesday 26 June 2018. The support of the Shire of Katanning was secured for the nomination.

As eight nominations were received for the eight positions on the board, Cr O’Dea has been declared elected unopposed. This report will recommend that Cr O’Dea’s membership of the ALMA Board be confirmed.

STATUTORY ENVIRONMENT

There are no statutory implications for this report.

FINANCIAL IMPLICATIONS

ALMA has previously advised that it would expect a nominee to attend only two of the four annual meetings, but there would be an opportunity to attend via teleconference for the other two meetings. ALMA provides an annual subsidy of \$2,000.00 towards costs incurred, so the maximum cost to the Council may be up to \$4,000.00 per annum.

POLICY IMPLICATIONS

There are no policy implications for this report.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

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

OFFICER COMMENT

ALMA is a national body representing saleyards. It regards itself as a peak national industry body in relation to conducting saleyards business and lobbying with interest groups and governments.

ALMA members provide livestock exchanges to around 1,200 stock and station agents and tens of thousands of livestock producers. Many of its members are local government entities but ALMA also represents private operators both large and small. Total transactions through member facilities exceed \$5 billion annually.

A board of directors oversees the operation of the association with an executive officer and several field representatives. The association is funded by levies from members, based on throughput. The board meets four times per year.

This year, the entire board will step down. The number of board members will transition from 12 to a minimum of seven and maximum of nine. If that number of nominations is received, the board will be elected. If there is more, there will be a vote at the AGM.

Previous councillor attendees at the ALMA Annual General Meeting and conference have reported that it is ideal to secure a position on the ALMA Board in order to have the 'inside running' on national issues. The Saleyards Advisory Committee has previously noted that having a representative at that level has been useful as it has provided intelligence from a variety of stakeholders.

Further, given the Shire would like to bid for the AGM, showing ongoing interest in the board of ALMA might be appropriate.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr L Handasyde, seconded Cr J Oldfield:

That the membership of Cr Marie O’Dea to the board of the Australian Livestock Markets Association Inc, be confirmed.

CARRIED (8/0)

NO. 151/18

9.4.5 NEW LOADING RAMP – MOUNT BARKER REGIONAL SALEYARDSCr J Moir

Item: 9.4.5
Type: Financial/Indirect Financial Interest (Section 5.60(A) and Section 5.61 LGA)
Nature: Cattle Farmer/Elders employee
Extent: Not required

File Ref: N45947
Attachment: [Detailed Plans of Loading Ramp](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 17 July 2018

PURPOSE

The purpose of this report is to seek endorsement of the plans for a new loading ramp and associated receival pens at the Mount Barker Regional Saleyards and approve calling tenders for the project.

BACKGROUND

In 2016/2017, meetings were held with stock agents to discuss a range of issues relating to saleyards operations. The need for a new loading ramp was identified as a high priority. A design was completed with a view to getting an estimated cost and seeking grant funding.

During the 2018/2019 budget process, the Saleyards Advisory Committee endorsed a preliminary allocation of \$45,000.00 for a new loading ramp at the saleyards. This was in anticipation of receiving some grant funding towards the project.

Unfortunately, there are fewer opportunities for grant funding of projects of this nature and no grant funding has been secured. Future funding of this project is unlikely.

In June 2018, meetings were again held with stock agents, with the message about the priority for a new ramp being repeated. Informal discussions among staff and members of the Saleyards Committee suggested that the matter be progressed as a matter of priority.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Functions and General) Regulations 2006.

All contracts above \$150,000.00 (ex GST) must be tendered for.

EXTERNAL CONSULTATION

Consultation occurred with representatives of stock agents (Elders, Landmark and Primaries) in 2017 and 2018. The consistent message from agents is the need for an additional loading ramp.

FINANCIAL IMPLICATIONS

The Council's 2018/2019 budget includes a preliminary allocation of \$45,000.00 for this project.

A quantity survey estimate has not been obtained. An internal estimate of approximately \$100,000.00 has been posited. It has been suggested that tenders be called without a cost estimate.

Assuming a successful tender is received that is over this budgeted amount, a budget reallocation will be required. This may involve delaying a project, such as saleyards bitumen repairs. Alternatively, there may be sufficient unallocated funds in the Saleyards Capital Improvements Reserve Fund. The current draft of the 2018/2019 budget indicates there would be \$150,892.00 at the end of that financial year.

The reserve fund acts as a repository for surplus funds from that business unit, so that it can operate as a self-funding entity, with no impact on rates.

POLICY IMPLICATIONS

Purchasing and Tender Guide Policy No F/FM/7 applies.

ASSET MANAGEMENT IMPLICATIONS

The design and materials specification of the new ramp is such that the facility additions will require minimal maintenance. Once constructed the expected asset life is over 50 years.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017 - 2026 provides at Outcome 3.5 (Appropriate infrastructure that supports sustainable economic development) the following Strategy:

Strategy 3.5.5:

'Manage and maintain the Saleyards to ensure that the facility is successful and self-sustaining'

The Shire's Mount Barker Regional Saleyards Strategic Plan 2017 – 2026 indicates that the Council will:

- Continue to develop proposals and seek grant funding for the development of new infrastructure which meets strategic and/or operational goals;
- Maintain a safe environment and working conditions;
- Ensure animal welfare is a high priority; and
- Continue to improve saleyards management and operations, suitable for a WA environment.

The Shire's Mount Barker Regional Saleyards Business Plan 2014 – 2023 acknowledges that a new concrete receival ramp into the new pens on the western side of the saleyards would overcome some of the logistical difficulties resulting from agents sharing facilities, particularly in busy periods.

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

STRATEGIC RISK IMPLICATIONS

One of the issues which has previously been identified as a high risk within the Shire's Strategic Risk Register is the *'Failure to successfully deliver major projects'*. The management action assigned to this risk is that *'A decision will be made by the Council and CEO regarding whether to undertake project management in-house or use external expertise based on the scope and skills needed'*.

On this occasion, it is considered that the Shire has the personnel (Deputy CEO and Manager Works and Services) with the necessary expertise to manage this project.

OFFICER COMMENT

All of the three stock agents have indicated that a new loading ramp is a high priority. Allocation of ramp space is based on stock agent throughput. Currently, Landmark has an allocation of three ramps, with Elders and Primaries sharing the remaining three ramps, although this can be altered if the proportion on a sale day warrants it.

The sharing of ramps is problematic, given the design of the holding pens leading from those ramps. There are significant conflicts among agents about sharing of ramps. Further, instances where all the cattle from one agent enter the facility on one ramp causes a lot of congestion and is a welfare issue. A ramp can only handle a certain number of animals and all agents draft their cattle on their unloading ramps. When an agent has just one ramp, it is problematic to unload cattle successfully and safely.

Having a 7th receival ramp would have a positive impact on occupational health and safety and animal welfare and improve harmony among agents. At present health and safety issues preclude additional agents operating out of the saleyards.

For instance, if the Council now received an application from another agent to operate from the facility, the Council would need to take into consideration occupational health and safety issues that could be created. In this instance, the Council would likely have to refuse a request or build another loading ramp.

The existing saleyards design plans have been 'marked up' with the proposed new ramp and associated receival pens. The new infrastructure has been designed to match the design of the current ramps and pens.

The Shire has identified in its Business Plan (2014-2023) for the Saleyards that it is a strategic aim of the Council to ensure that animal welfare is a high priority.

By continually improving and upgrading the Saleyards' facilities in line with development priorities, the Saleyards can maintain its status as a state-of-the-art facility that values animal welfare and environmental best practices.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr M O'Dea:

That:

1. The attached design plans for a new loading ramp and associated receival pens at the Mount Barker Regional Saleyards be endorsed for the purposes of progressing tender documentation; and
2. Tenders be sought for the project referred to in part 1 above.

CARRIED (8/0)

NO. 152/18

3.57pm Cr J Moir returned to the meeting

9.4.6 POLICY REVIEW - PAYMENT OF COUNCILLORS' ATTENDANCE FEES AND ALLOWANCES

File Ref:	N45925
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Donna Fawcett Senior Administration/Human Resources Officer
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to review Council Policy F/FM/10 – Payment of Councillors' Attendance Fees and Allowances.

BACKGROUND

Council Policy F/FM/10 was last reviewed by the Council at its meeting held on 21 June 2016.

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Administration) Regulations

Sections 5.98 to 5.102 of the Act and Regulations 30 to 34 provide the framework for the payment of expenses and allowances to elected members.

FINANCIAL IMPLICATIONS

The following attendance fees and allowances were paid in 2017/2018 and are listed in the budget for 2018/2019.

	2017/2018	2018/2019
Councillors' Sitting Fees	\$79,580.00	\$80,370.00
Shire President's Allowance	\$ 6,630.00	\$ 6,700.00
Deputy Shire President's Allowance	\$ 1,658.00	\$ 1,675.00

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 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.5:

'Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.'

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

OFFICER COMMENT

It is considered that the current policy is sufficient and should be endorsed.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr J Oldfield, seconded Cr B Bell:

That Council Policy F/FM/10 – Payment of Councillors’ Attendance Fees and Allowances, as follows:

‘OBJECTIVE:

To put in place an equitable system for payment of Councillors’ attendance fees and the Shire President’s and Deputy Shire President’s allowances.

POLICY:

1. Councillors’ annual attendance fees and allowances are to be paid on a pro-rata basis, based on time served in the position.
2. Fees and allowances are to be paid monthly in arrears.’

be endorsed.

CARRIED (9/0)

NO. 153/18

9.4.7 POLICY REVIEW - TELECOMMUNICATIONS - COUNCILLORS AND STAFF

File Ref:	N45927
Attachment:	<u>Telecommunications – Councillors and Staff Policy</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Donna Fawcett Senior Administration/Human Resources Officer
Proposed Meeting Date:	17 July 2018

PURPOSE

The purpose of this report is to review Council Policy F/FM/4 – Telecommunications – Councillors and Staff.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 19 July 2016.

STATUTORY ENVIRONMENT

Local Government Act

Local Government (Administration) Regulations

Sections 5.98 to 5.102 of the Act and Regulations 30 to 34 provide the framework for the payment of expenses and allowances to elected members.

FINANCIAL IMPLICATIONS

The budget for Councillors' telecommunications and incidental expenses for 2018/2019 is \$20,000.00.

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 2017-2026 provides at Outcome 4.1 (Effective governance and leadership) the following Strategy:

Strategy 4.1.5:

'Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role.'

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

OFFICER COMMENT

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

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr B Lang:

That amended Council Policy F/FM/4 – Telecommunications – Councillors and Staff, as follows:

OBJECTIVE:

To ensure that councillors and staff who are required to be contactable 24 hours a day are reimbursed adequately for their availability.

POLICY:**Elected Members**

1. Elected members shall be paid an annual telecommunications allowance of \$2,000.00.
2. The annual allowance is to be paid monthly in arrears.
3. Reimbursement of member expenses in excess of the annual allowance made under this policy is required to be substantiated by the claimant through the production of receipts.
4. The Chief Executive Officer is authorised to reimburse member expenses in excess of the annual allowance in accordance with this policy.
5. A mobile telephone shall be supplied to the Shire President by the Council with all related costs to be borne by the Council.

Staff

1. The Council will accept responsibility for the reimbursement of telephone costs as detailed below:
 - a) Works Supervisor: All Service and Equipment Rental Charges;
 - b) Ranger: All Service and Equipment Rental Charges.
2. Rental charges incurred by a designated staff member in relation to one telephone at his or her place of residence shall be reimbursed on submission of receipts.
3. The Chief Executive Officer may include telephone allowances and / or provision of mobile phones in employment contracts with senior staff.'

be endorsed.

CARRIED (9/0)

NO. 154/18

9.5 EXECUTIVE SERVICES REPORTS

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Moved Cr K Clements, seconded Cr B Bell:

That new business of an urgent nature, namely:

Tender CO5-1718 – Mowing Services,

be introduced to the meeting.

CARRIED (9/0)

NO. 155/18

11.1 TENDER CO5-1718 - MOWING SERVICES

File Ref: N45690
Attachments: [Attachment One](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: David Lynch
Manager Works and Services
Proposed Meeting Date: 19 June 2018

PURPOSE

The purpose of this report is to consider tender submissions received for mowing services.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

4.00pm That the meeting be closed to members of the public pursuant to Section 5.23(2)(c) relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

CARRIED (9/0)

NO. 156/18

MOTION TO PROCEED IN PUBLIC

Moved Cr M O'Dea, seconded Cr J Oldfield:

4.20pm That the meeting proceed in public

CARRIED (9/0)

NO. 157/18

OFFICER RECOMMENDATION

That:

1. The tender submitted by Lochness Landscaping Services for mowing services of specified Sportsgrounds, Passive and Streetscape areas and Dryland Reserves within the Shire of Plantagenet at a total cost of \$67,440.00 (ex GST) be accepted.
2. The Chief Executive Officer be authorised to negotiate a suitable start date for the various elements of the contract.
3. The Chief Executive Officer be authorised to extend the contract for a further two year period at the conclusion of the initial two year period subject to the satisfactory performance, in the opinion of the Manager Works and Services of Lochness Landscaping Services.

COUNCIL DECISION

Moved Cr K Clements, seconded Cr B Lang:

That:

1. **The tender submitted by Lochness Landscaping Services for mowing services of specified Sportsgrounds, Passive and Streetscape areas and Dryland Reserves within the Shire of Plantagenet at a total cost of \$67,440.00 (ex GST) be accepted.**
2. **The Chief Executive Officer be authorised to negotiate a suitable start date for the various elements of the contract.**
3. **The Chief Executive Officer be authorised to extend the contract for a further two year period at the conclusion of the initial two year period subject to satisfactory performance, in the opinion of the Manager Works and Services, of the contractor and subject also to a price escalation based on the All Groups CPI (Perth) June Quarter 2019 to June Quarter 2020.**

Reason for Change

Councillors believe renewal should be subject to indexation.

CARRIED (9/0)**NO. 158/18**

12 CONFIDENTIAL**12.1 COMMUNITY SERVICES REPORTS****12.1.1 KENDENUP SKATE PARK - AUTHORITY TO AFFIX COMMON SEAL -
ARC INFRASTRUCTURE RAIL LICENCE TO USE AND OCCUPY
CORRIDOR LAND**

File Ref: N45921
Attachment: [Arc Infrastructure Rail Licence to Use and Occupy Corridor Land](#)
Responsible Officer: Rob Stewart
Chief Executive Officer
Author: Isabelle Draffehn
Community Development Officer
Proposed Meeting Date: 17 July 2018

PURPOSE

The purpose of this report is to seek approval for the Common Seal of the Council to be applied to an Arc Infrastructure Licence to Use and Occupy Land for the Kendenup Skate Park precinct.

MOTION TO PROCEED BEHIND CLOSED DOORS

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

4.23pm That the meeting be closed to members of the public pursuant to Section 5.23(2)(c) relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

CARRIED (9/0)

NO. 159/18

MOTION TO PROCEED IN PUBLIC

Moved Cr M O'Dea, seconded Cr J Oldfield:

4.28pm That the meeting proceed in public

CARRIED (9/0)

NO. 160/18

OFFICER RECOMMENDATION/COUNCIL DECISION

Moved Cr B Bell, seconded Cr B Lang:

That authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to the Licence to Use and Occupy Corridor Land for the Kendenup skate park precinct.

CARRIED (9/0)

NO. 161/18

13 CLOSURE OF MEETING

4.30pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON _____ DATE: ____ / ____ / ____