



# ORDINARY MINUTES

**DATE:** Tuesday, 18 June 2019

**TIME:** 3:00pm

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

**Rob Stewart**  
**CHIEF EXECUTIVE OFFICER**

Resolution numbers: 105/19 to 119/19

## **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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## TABLE OF CONTENTS

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| ITEM | SUBJECT   | PAGE NO |
|------|---|---------|
| 1    | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....                            | 1       |
| 2    | RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE<br>(PREVIOUSLY APPROVED)..... | 1       |
| 3    | PUBLIC QUESTION TIME .....  | 2       |
| 3.1  | RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON<br>NOTICE .....                    | 2       |
| 3.2  | PUBLIC QUESTION TIME - SECTION 5.24 LOCAL<br>GOVERNMENT ACT 1995.....             | 2       |
| 4    | PETITIONS / DEPUTATIONS / PRESENTATIONS.....                                      | 2       |
| 4.1  | MS NOVA ROWLES – SPEAKING AS A PARENT OF YOUNG<br>CHILDREN .....                  | 2       |
| 4.2  | MR TREVOR WATTS – RESIDENT FIRST AVENUE<br>KENDENUP .....                         | 2       |
| 4.3  | ITEM 9.1.1 - MS DELMA BAESJOU – IRONWOOD ESTATE<br>WINES.....                     | 2       |
| 4.4  | MS KYLIE RYAN – SPEAKING AS A PARENT OF YOUNG<br>CHILDREN .....                   | 2       |
| 5    | DISCLOSURE OF INTEREST .....  | 3       |
| 6    | APPLICATIONS FOR LEAVE OF ABSENCE .....   | 3       |
| 6.1  | APPLICANT: CR B BELL.....   | 3       |
| 6.2  | APPLICANT: CR M O’DEA .....   | 3       |
| 6.3  | APPLICANT: CR S ETHERINGTON .....   | 3       |
| 7    | CONFIRMATION OF MINUTES.....  | 4       |
| 8    | ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT<br>DISCUSSION .....                     | 4       |
| 9    | REPORTS OF COMMITTEES AND OFFICERS.....   | 5       |
| 9.1  | STRATEGIC DEVELOPMENT REPORTS .....   | 5       |

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|            |   |           |
|------------|---|-----------|
| 9.1.1      | LOT 9000 STONEY CREEK ROAD, PORONGURUP - 11 LOT SUBDIVISION .....   | 5         |
| 9.1.2      | RESERVE 29661 ALBANY HIGHWAY, MOUNT BARKER - ARCHIVE REPOSITORY ADDITION AT THE POLICE STATION MUSEUM ..... | 14        |
| <b>9.2</b> | <b>WORKS AND SERVICES REPORTS.....</b>  | <b>18</b> |
| 9.2.1      | POLICY REVIEW - RURAL ROAD RESERVE VEGETATION MANAGEMENT - TREES ACROSS FENCES AND BOUNDARIES.....          | 18        |
| 9.2.2      | POLICY REVIEW - TENDERS - CANVASSING OF COUNCILLORS.....  | 21        |
| 9.2.3      | ROAD RESERVE DEDICATION – MARTAGALLUP ROAD, BEVERLEY ROAD ALBANY HIGHWAY INTERSECTIONS - KENDENUP.....      | 23        |
| 9.2.4      | ANNUAL BUSH FIRE MITIGATION NOTICE 2019/2020.....   | 26        |
| <b>9.3</b> | <b>CORPORATE SERVICES REPORTS .....</b>   | <b>29</b> |
| 9.3.1      | FINANCIAL STATEMENTS – MAY 2019 .....   | 29        |
| 9.3.2      | LIST OF ACCOUNTS – MAY 2019 .....   | 31        |
| 9.3.3      | AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION BOARD MEETING AND EXPO – ATTENDANCE BY CR M O’DEA.....             | 33        |
| <b>9.4</b> | <b>EXECUTIVE SERVICES REPORTS.....</b>  | <b>35</b> |
| <b>10</b>  | <b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>  | <b>36</b> |
| <b>11</b>  | <b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....</b>                          | <b>36</b> |
| 11.1       | BUDGET REVIEW - MARCH 2019.....   | 36        |
| <b>12</b>  | <b>CONFIDENTIAL.....</b>  | <b>38</b> |
| <b>13</b>  | <b>CLOSURE OF MEETING.....</b>  | <b>38</b> |

## 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 B Lang        | Councillor      |
| Cr J Moir        | Councillor      |
| Cr M O'Dea       | Councillor      |

### In Attendance:

|                    |                                      |
|--------------------|--------------------------------------|
| Mr Rob Stewart     | Chief Executive Officer              |
| Mr John Fathers    | Executive Manager Corporate Services |
| Mr David Lynch     | Executive Manager Works and Services |
| Mr Vincent Jenkins | Planning Officer                     |
| Ms Nolene Wake     | Executive Officer                    |

### Apologies:

Cr L Handasyde

### Members of the Public Present:

There were ten members of the public present.

### Previously Approved Leave of Absence:

Cr J Oldfield has been granted Leave of Absence from 11 June 2019 to 5 August 2019 (incl).

### 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 MS NOVA ROWLES – SPEAKING AS A PARENT OF YOUNG CHILDREN**

Ms Rowles addressed the Council regarding her concerns for child safety since the removal and replacement of the fence at Wilson Park.

#### **4.2 MR TREVOR WATTS – RESIDENT FIRST AVENUE KENDENUP**

Mr Watts addressed the Council with queries on:

- 1) Why First Avenue Kendenup isn't a through road;
- 2) Why one person can get a lane blocked off; and
- 3) Why can one end of First Avenue get sealed and not the other end.

The Presiding Member advised Mr Watts that his queries would be responded to by the Executive Manager Works and Services.

#### **4.3 ITEM 9.1.1 - MS DELMA BAESJOU – ON BEHALF OF IRONWOOD ESTATE WINES**

Ms Baesjou addressed the Council in support of the Officers Recommendation in Item 9.1.1 Lot 9000 Stoney Creek Road Porongurup.

#### **4.4 MS KYLIE RYAN – SPEAKING AS A PARENT OF YOUNG CHILDREN**

Ms Ryan spoke in support of Mrs Nova Rowles regarding child safety concerns since the removal of the Wilson Park fence.

## 5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

Cr K Clements

Item: 9.1.2

Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct.

Nature: Wife is on the Plantagenet Historical Society Committee.

Extent: N/A

## 6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

### 6.1 APPLICANT: CR B BELL

Cr B Bell requested Leave of Absence for 28 July 2019 to 28 August 2019 (incl).

**Moved Cr B Bell, seconded Cr B Lang:**

**That Cr B Bell be granted Leave of Absence for 28 July 2019 to 28 August 2019 (incl).**

CARRIED (7/0)

NO. 105/19

### 6.2 APPLICANT: CR M O'DEA

Cr M O'Dea requested Leave of Absence for 8 October 2019.

**Moved Cr M O'Dea, seconded Cr K Clements:**

**That Cr M O'Dea be granted Leave of Absence for 8 October 2019.**

CARRIED (7/0)

NO. 106/19

### 6.3 APPLICANT: CR S ETHERINGTON

Cr Sue Etherington requested Leave of Absence for 10 August 2019 to 23 August 2019 (incl).

**Moved Cr S Etherington, seconded Cr K Clements:**

**That Cr ~~M O'Dea~~ <sup>S. Etherington</sup> be granted Leave of Absence for 10 August 2019 to 23 August 2019 (incl).**

CARRIED (7/0)

NO. 107/19

**7 CONFIRMATION OF MINUTES**

Moved Cr B Bell, seconded Cr J Moir:

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 21 May 2019 as circulated, be taken as read and adopted as a correct record.

CARRIED (7/0)

NO. 108/19

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President's notes were distributed separately.



## 9 REPORTS OF COMMITTEES AND OFFICERS

### 9.1 STRATEGIC DEVELOPMENT REPORTS

#### 9.1.1 LOT 9000 STONEY CREEK ROAD, PORONGURUP - 11 LOT SUBDIVISION

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48347</b>  |
| <b>Attachments:</b>           | <a href="#">Location Plan</a><br><a href="#">Subdivision Guide Plan</a><br><a href="#">Plan of Subdivision</a><br><a href="#">BAL Contour Plan</a> |
| <b>Responsible Officer:</b>   | <b>Andrus Budrikis</b><br><b>Executive Manager Strategic Development</b>   |
| <b>Author:</b>                | <b>Vincent Jenkins</b><br><b>Principal Planning Officer</b>  |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |
| <b>Applicant:</b>             | <b>Ayton Baesjou Planning</b>  |

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#### PURPOSE

The purpose of this report is to consider a proposal for an 11 lot subdivision at Lot 9000 Stoney Creek Road, Porongurup and respond to the Western Australian Planning Commission (WAPC).

#### BACKGROUND

Shire records indicate the owners of Lot 9000 are M and E Harma.

The subject land is located approximately 1km south east of the Porongurup Village and 0.5km east of Porongurup Road on Stoney Creek Road. The lot is 21.26ha in area and is located in the Rural Residential No. 9 Zone.

The Council on 18 September 2014 received an application (WAPC 150644) to subdivide Lot 4853 Porongurup Road into 12 lots. The Council at its meeting held on 14 October 2014 resolved at Resolution No. 218/14:

*'That:*

1. *The Western Australian Planning Commission be advised that the proposed 12 lot subdivision of Lot 4853 Porongurup Road, Porongurup (WAPC 150644) is supported subject to:*
  - a) *Engineering drawings and specifications being submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road connected by a constructed road to the local road system and such roads are constructed and drained at the landowner's cost to the satisfaction of the Manager Works and Services.*

- 
- b) *Engineering drawings and specifications being submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:*
- i) *roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly; and/or*
  - ii) *embayment parking is provided abutting the emergency water supply tank;*
- to the satisfaction of the Manager Works and Services.*
- c) *Satisfactory arrangements being made with the Council for the full cost of upgrading and/or construction of Stoney Creek Road at the northeast junction of the main loop road junction with Stoney Creek Road to the satisfaction of the Manager Works and Services.*
- d) *The proposed strategic fire break access way and the VCL 301 reserve being constructed and drained to a minimum 6m sealed surface standard at the landowner's cost to the satisfaction of the Manager Works and Services.*
- e) *Suitable arrangements being made for the provision of sealed vehicular crossovers to service the lots to the satisfaction of the Manager Works and Services.*
- f) *Prior to the commencement of subdivisional works, an urban water management plan being prepared and approved, in consultation with the Department of Water, to the satisfaction of the Manager Works and Services.*
- g) *Prior to the commencement of subdivisional works, a nutrient, stormwater and drainage management plan being prepared and approved, in consultation with the Department of Water, to the satisfaction of the Manager Works and Services.*
- h) *The land being filled, stabilised, drained and/or graded as required to ensure that lots can accommodate their intended development to the satisfaction of the Manager Works and Services.*
- i) *Prior to the commencement of subdivisional works a foreshore management plan being prepared and approved to ensure the protection and management of the creeklines environmental assets in consultation with the Department of Water, to the satisfaction of the Manager Works and Services.*
- j) *Prior to the commencement of subdivisional works an ecological corridor management plan being prepared and approved in consultation with the Department of Water and the Department of Parks and Wildlife, to the satisfaction of the Manager Works and Services.*
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- k) *A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3) to the satisfaction of the Manager Community Services.*
- l) *Suitable arrangements being made with the Council for the implementation of a hazard reduction program to ensure fuel loads do not exceed eight tonnes per hectare until individual lots are sold to the satisfaction of the Manager Community Services.*
- m) *A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*
- 'The lots may be affected by legitimate ongoing agricultural uses on surrounding land.'*
- n) *A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:*
- 'All houses shall be constructed in accordance with AS3959.'*
- o) *A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. 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 mains potable water supply is not available to the lots.'*
- p) *A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. 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 reticulated sewerage system is not available to the lots.'*
- q) *The landowner providing a written undertaking to the satisfaction of the Western Australian Planning Commission to provide notification to all prospective purchasers and successors in title of the lots of the following:*
- i) *provision of a copy of the special provisions set in the Town Planning Scheme that relate to the use and management of the land;*
  - ii) *provision of a copy of the Subdivision Guide Plan; and*
-

- iii) *provision of a copy of the Fire Management Plan and Bush Fire Survival Manual.*
  - r) *The preparation and distribution to prospective purchasers and successors in title of the lots of information sheets:*
    - i) *which discourages the keeping of cats and dogs and promotes measures that be taken to minimise the impacts pets have on the native flora; and*
    - ii) *regarding weed and dieback control.*
2. *If required as a result of a Western Australian Planning Commission condition of approval, authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to a Notification under Section 70A of the Transfer of Land Act 1893 (as amended) and/or Section 165 of the Planning and Development Act 2005 (as amended).'*

Lots 9000 and 200, approved under WAPC 150644, have been created and Deposited Plan 410621 was endorsed by the WAPC on 30 October 2018. Lot 9000 and Lot 200 are the new lot numbers for the two-lot subdivision of Lot 4853 Porongurup Road.

The main portion of Lot 4853 (now Lot 200) has been zoned Special Site R18 since 2004. The remaining portion of Lot 4853 (now Lot 9000) was incorporated into the Rural Residential No. 9 Zone through Amendment No. 58 to the Shire of Plantagenet Town Planning Scheme No. 3 (TPS3), which was gazetted on 31 December 2013.

The earlier 12 lot subdivision approval (WAPC150644) of Lot 4853 Porongurup Road expired on 1 December 2018. The Council on 15 April 2019 received a fresh subdivision application (WAPC 157941), the subject of this report. This subdivision proposes to create 11 rural residential lots ranging from 1.0ha to 4.84ha.

## **STATUTORY ENVIRONMENT**

Planning and Development Act 2005

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Rural Residential No. 9.

Land Administration Act 1997

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.

## **FINANCIAL IMPLICATIONS**

There are no financial implications for this report.

## **POLICY IMPLICATIONS**

Council Delegation 7.1 – As the subdivision involves more than ten lots, the matter needs to be determined by the Council.

## 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 2.2.2:

*'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.

The Shire of Plantagenet Corporate Business Plan 2016/2017 – 2020/2021 includes Action 2.2.2.1:

*'Guide local development in accordance with the Planning Scheme.'*

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

## OFFICER COMMENT

The subdivision conforms to the minimum site area requirements set out in TPS3 for this Rural Residential zone. The subdivision is generally in accordance with the Subdivision Guide Plan (SGP) for this zone and is acceptable subject to the imposition of appropriate conditions.

The main loop road of the development is within an 18m wide road reserve and will have a minimum 6m sealed surface. Truncations are provided at all road junctions.

The stopping sight distance at the northeast junction of the loop road junction with Stoney Creek Road does not meet the 90km/h design speed for Stoney Creek Road. Stoney Creek Road will need to be upgraded to ensure safe stopping sight distances in both directions at that junction at no cost to the Council.

The original Fire Management Plan for this subdivision was concluded in March 2012 and revised in August 2014 (FMP2014). The FMP2014 was prepared to satisfy the requirements of the Planning for Bush Fire Protection Guidelines 2010.

The Guidelines for Planning in Bushfire Prone Areas Version 1.3 December 2017 (GPBPA2017) was released following the introduction of the new planning requirements for bushfire prone areas which came into force in December 2015. The applicant as part of this subdivision application has prepared a new Bushfire Management Plan (BMP2019) to satisfy additional bushfire requirements set in the GPBPA2017.

BMP2019 requires the construction of a fire service access way to link the loop road with Stoney Creek Road at Lots 5 and 6. The fire service access way needs to be constructed in accordance with Table 6 of the GPBPA2017 document. The location of the fire service access way is shown in red on the Plan of Subdivision.

TPS3 and FMP 2014 for this subdivision require the strategic fire break linking the loop road with the VCL 301 reserve and Verazzi Close to be constructed to a standard matching the loop road. In this instance, the Shire of Plantagenet Engineering Development Guidelines/Standards (January 2011) require a minimum 6m width sealed surface standard for the loop road.

The SGP and FMP 2014 show rural gates will be installed by the landowner at entrances to fire management tracks. The SGP and FMP 2014 further show rural gates will be required at fire management tracks when lot dividing fences are erected. In this instance, the erection of lot dividing fences is not required.

However, the installation by the developer of rural gates at lot boundaries for the fire service access way, the strategic fire break, fire management tracks, and VCL 301 is seen as appropriate. This will ensure rural gates are installed correctly to minimise the risks from fires when the fire service access way, the strategic fire break and fire management tracks are required to be used in emergencies. The locations of required unlocked fire gates are shown in red on the Plan of Subdivision.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr J Moir, seconded Cr S Etherington:**

**That:**

- 1. The Western Australian Planning Commission be advised that the proposed 11 lot subdivision of Lot 9000 Stoney Creek Road, Porongurup (WAPC 157491) is supported subject to:**
  - a) Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road and connected by a constructed road to the local road system and such road are constructed and drained at the landowner/ applicant's cost to satisfaction of the Executive Manager Works and Services.**
  - b) Engineering drawings and specifications are to be submitted and approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications to ensure that:**
    - i) roads that have been designed to connect with existing or proposed roads abutting the subject land are coordinated so the road reserve location and width connect seamlessly; and/or**
    - ii) embayment parking is provided abutting the emergency water supply tank;**

**to the satisfaction of the Executive Manager Works and Services.**

- 
- c) Satisfactory arrangements being made with the Council for the full cost of upgrading and/or construction of Stoney Creek Road at the northeast and northwest junctions of the main loop road junction with Stoney Creek Road to the satisfaction of the Executive Manager Works and Services.
  - d) The proposed strategic fire break access way and the VCL 301 reserve being constructed and drained to a minimum 6m sealed surface standard at the landowner's cost to the satisfaction of the Executive Manager Works and Services.
  - e) Suitable arrangements being made for the provision of sealed vehicular crossovers to service the lots to the satisfaction of the Executive Manager Works and Services.
  - f) Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environmental Regulation, to the satisfaction of the Executive Manager Works and Services.
  - g) The land being filled, stabilised, drained and/or graded as required to ensure that:
    - i) lots can accommodate their intended development; and
    - ii) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.to the satisfaction of the Executive Manager Works and Services.
  - h) Prior to the commencement of subdivisional works a foreshore management plan is to be prepared and approved to ensure the protection and management of the creeklines environmental assets in consultation with the Department of Water and Environmental Regulation, to the satisfaction of the Executive Manager Works and Services.
  - i) A plan is to be provided to identify areas of the proposed lots that have been assessed as BAL-40 or BAL-Flame Zone. A restrictive covenant to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893, is to be placed on the certificates of title of the proposed lots advising of the existence of a restriction on the use of the land within areas that have been assessed as BAL- 40 or BAL-Flame Zone. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:  
  
*'No habitable buildings are to be built within areas identified as BAL-40 or BAL-Flame Zone.'*
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- j) A bushfire management plan being prepared and relevant provisions implemented during subdivisional works, in accordance with the WAPC's Guidelines for Planning in Bushfire Prone Areas Version 1.3 December 2017 (in particular the Appendices) to the satisfaction of the Executive Manager Works and Services.
- k) The proposed fire service access way being constructed and drained to a minimum 6m sealed surface standard at the landowner's cost to the satisfaction of the Executive Manager Works and Services.
- l) Rural gates being installed at the fire services access way and fire management track as shown in red on the Plan of Subdivision to the satisfaction of the Executive Manager Works and Services.
- m) Rural gates and fencing being installed at the strategic fire break and the VCL 301 reserve as shown in red on the Plan of Subdivision to the satisfaction of the Executive Manager Works and Services.
- n) Suitable arrangements being made with the Council for the implementation of a hazard reduction program to ensure fuel loads do not exceed eight tonnes per hectare until individual lots are sold to the satisfaction of the Executive Manager Works and Services.
- o) A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:  
  
*'The lots may be affected by legitimate ongoing agricultural uses on surrounding land.'*
- p) A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:  
  
*'All houses shall be constructed in accordance with AS3959.'*
- q) A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. 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 mains potable water supply is not available to the lots.'*
- r) A notification, pursuant to section 70A of the Transfer of Land Act 1893 being placed on the certificates of title of the proposed lots. 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 reticulated sewerage system is not available to the lots.'*
-



- s) **The landowner/applicant shall provide a written undertaking to the satisfaction of the Western Australian Planning Commission to provide notification to all prospective purchasers and successors in title of the lots of the following:**
    - i) **provision of a copy of the special provisions set in the Town Planning Scheme that relate to the use and management of the land;**
    - ii) **provision of a copy of the Subdivision Guide Plan; and**
    - iii) **provision of a copy of the Bushfire Fire Management Plan and BAL Contour Plan dated 4 April 2019 and Bush Fire Survival Manual.**
  - t) **The preparation and distribution to prospective purchasers and successors in title of the lots of information sheets:**
    - i) **which discourages the keeping of cats and dogs and promotes measures that be taken to minimise the impacts pets have on the native flora; and**
    - ii) **regarding weed and dieback control.**
2. **If required as a result of a Western Australian Planning Commission condition of approval, authority be granted to the Shire President and the Chief Executive Officer to affix the Common Seal of the Council to a Notification under Section 70A and/or 129BA of the Transfer of Land Act 1893 (as amended) and/or Section 165 of the Planning and Development Act 2005 (as amended).**

**CARRIED (7/0)**

**NO. 109/19**

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### 9.1.2 RESERVE 29661 ALBANY HIGHWAY, MOUNT BARKER - ARCHIVE REPOSITORY ADDITION AT THE POLICE STATION MUSEUM

#### Cr K Clements

Item: 9.1.2  
Type: Code of Conduct Disclosure (S5.103 LGA/Reg 34C Local Government Administration Regulations) Perceived interests (Clause 2.3 Code of Conduct.  
Nature: Wife is on the Plantagenet Historical Society Committee.  
Extent: N/A

**File Ref:** N48618  
**Attachments:** [Location Plan](#)  
[Site Plan](#)  
[Floor Plan](#)  
[Elevations](#)  
**Responsible Officer:** Andrus Budrikis  
Executive Manager Strategic Development  
**Author:** Vincent Jenkins  
Principal Planning Officer  
**Proposed Meeting Date:** 18 June 2019

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#### **PURPOSE**

The purpose of this report is to consider a request from the Plantagenet Historical Society Inc for approval to construct an archive repository addition for the Police Station Museum at Reserve 29661 Albany Highway, Mount Barker.

#### **BACKGROUND**

The Crown owns Reserve 29661 and the care, control and management of the Reserve is vested with the Shire of Plantagenet for the purpose of 'Historical Museum and Art Centre'.

The Busselton museum fire in 2018 has highlighted the risk of fire in regional WA museums, and the resulting catastrophic loss that can occur. The Plantagenet Historical Society has initiated a plan to build a fire resistant (90 min Fire Rating Level) archive repository attached to the Second Police Station/Student Hostel building. The proposed archive repository will house elements of the collection and records that are kept on shelving and in filing and map cabinets.

The Council at its meeting held on 9 October 2018 resolved at Resolution No. 211/18:

*'That the Second Police Station/Student Hostel building addition plans dated 28 August 2018 for the construction of an archive repository for the Police Station Museum at Reserve 29661 Albany Highway, Mount Barker be supported.'*

#### **STATUTORY ENVIRONMENT**

Planning and Development Act 2005

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Planning and Development (Local Planning Schemes) Regulations 2015 - Schedule 2 deemed provisions.

Shire of Plantagenet Town Planning Scheme No. 3 (TPS3) – zoned Local Scheme Reserve (Public Purpose).

Heritage of Western Australia Act 1990 – the Second Police Station/Student Hostel building is entered in the State Register and is protected under the Act, which warrants any proposed development to respect the building's heritage significance.

Heritage of Western Australia Regulations 1991 - Works, acts or things excluded from definition of development.

### **EXTERNAL CONSULTATION**

Preliminary consent was received from the Department of Planning, Lands and Heritage (DPLH) for an archive repository addition to the Second Police Station/Student Hostel building. The DPLH require final plans be submitted for their approval.

### **FINANCIAL IMPLICATIONS**

The estimated design and construction cost of the archive repository addition will be approximately \$110,000.00.

Further, the 2019/2020 draft budget has made a total provision of \$135,000.00 with net Council expenditure limited to a maximum of \$55,000.00. Therefore, for the project to proceed additional funding will need to be confirmed.

### **POLICY IMPLICATIONS**

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

### **ASSET MANAGEMENT IMPLICATIONS**

As care, control and management of the Reserve 29661 is vested with the Shire of Plantagenet, the new addition will be the responsibility of the Council.

### **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 2.2.2:

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

AND

Strategy 2.2.6

*‘Support the conservation and maintenance of heritage buildings, heritage items and places of interest.’*

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 2.2.2.1:

*‘Guide local development in accordance with the Planning Scheme.’*

AND

Action 2.2.6.2

*‘Identify and conserve places of cultural heritage significance’*

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

### **OFFICER COMMENT**

The proposed repository works will involve the construction of an addition to the south elevation of the existing Second Police Station/Student Hostel building to link with the existing records room.

The Council at its 6 October 2018 meeting supported a proposal for the construction of a 7.5m x 3.2m archive repository addition.

At a workshop held on 17 April 2019 Councillors considered a project report on the archive repository proposal. At this workshop, the proposal was refined and the archive repository now comprises an ante room (3.8m x 3.4m) and a records room (8.2m x 5.0m). The revised archive repository extent considers the storage dimensions of shelving, filing and map cabinets.

In addition, the revised plans show an alternate location for the records room addition. The alternate configuration limits construction alterations to the existing building.

The proposed addition will be contemporary in design but will use materials and colours that complement the Second Police Station/Student Hostel building.

No objection is seen to the construction of the new archive repository addition.

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr S Etherington, seconded Cr M O'Dea:

That no objection be raised to the proposed archive repository addition on Reserve 29661 Albany Highway, Mount Barker and in accordance with Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Development Approval be granted subject to the development being in accordance with the plans dated 27 May 2019.

**CARRIED (7/0)**

**NO. 110/19**

## 9.2 WORKS AND SERVICES REPORTS

### 9.2.1 POLICY REVIEW - RURAL ROAD RESERVE VEGETATION MANAGEMENT - TREES ACROSS FENCES AND BOUNDARIES

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48622</b>  |
| <b>Attachments:</b>           | <a href="#">Policy Showing Changes</a>   |
| <b>Responsible Officer:</b>   | <b>David Lynch</b><br><b>Executive Manager Works and Services</b>                        |
| <b>Author:</b>                | <b>Amy Chadbourne</b><br><b>Senior Administration/Project Officer Works and Services</b> |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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#### **PURPOSE**

The purpose of this report is to review Council Policy I/RR/5 Rural Road and Reserve Vegetation Management – Trees Across Fences and Boundaries.

#### **BACKGROUND**

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

#### **STATUTORY ENVIRONMENT**

Dividing Fences Act 1961

Dividing Fences Regulations 1971

Council Policy I/RR/2 Rural Road Vegetation Management

#### **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 2.4.1:

*‘Maintain and further develop Shire roads, drainage and pathways at appropriate standards and continue to seek to maximise grant funding to support this aim.’*

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.’*

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**OFFICER COMMENT**

This policy is considered relevant and should be retained.

Due to a number of maintenance requests since the previous review of the policy, two additional classes of rural reserves have been added to the policy; unconstructed road reserves and reserves vested in the Shire of Plantagenet under a management order. These additions help to refine the Shire's position when a relevant maintenance request is made.

As stated in the previous review, the implementation of the policy does at times result in dissatisfaction from the affected Shire resident. However, the policy provides clear guidelines for Shire staff based on the relevant legislation and ensures a consistent response to relevant requests.

It is also suggested the name of the policy be amended to reflect the inclusion of additional reserve types to Rural Road AND Reserve Vegetation Management – Trees Across Fences and Boundaries.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Moir, seconded Cr B Bell:

That amended Council Policy I/RR/5 Rural Road and Reserve Vegetation Management – Trees across Fences and Boundaries as follows:

**‘OBJECTIVE**

To provide guidelines for property owners that have been affected by a tree or branch falling into their property from Shire managed rural reserves .

**POLICY****1. Scope**

Where trees and/or branches fall onto fences and/or into properties from rural road reserves, unconstructed road reserves or reserves vested in the Shire of Plantagenet under a management order, fence reinstatement is the responsibility of the affected property owner.

**2. Legislation**

Dividing Fences Act 1961, Section 4

Dividing Fences Regulations 1971, Section 3

**3. Application of Policy**

3.1 The property owner is responsible for removing and disposing of the fallen tree within their property.

3.2 The tree debris remaining on the rural road reserve may be retained as roadside vegetation to provide habitat for wildlife, unless otherwise determined by the Executive Manager Works and Services.

3.3. Repair of damage to crossovers or private assets, caused by trees falling from a road reserve, is the responsibility of the property owner.’

be endorsed.

**CARRIED (7/0)**

**NO. 111/19**



**9.2.2 POLICY REVIEW - TENDERS - CANVASSING OF COUNCILLORS**

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48616</b>  |
| <b>Attachments:</b>           | <a href="#">Cover Page</a><br><a href="#">Attachment - Canvassing of Councillors showing changes.pdf</a> |
| <b>Responsible Officer:</b>   | <b>David Lynch</b><br><b>Executive Manager Works and Services</b>  |
| <b>Author:</b>                | <b>Amy Chadbourne</b><br><b>Senior Administration/Project Officer Works and Services</b>                 |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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**PURPOSE**

The purpose of this report is to review Council Policy I/T/1 Tenders – Canvassing of Councillors.

**BACKGROUND**

This policy was reviewed by the Council at its meeting held on 11 November 2014.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007, Regulation 7 – ‘Securing personal advantage or disadvantaging others’ and Regulation 12 – ‘Gifts’

Council Policy OP/HRP/3 Code of Conduct

**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 4.1 (Effective governance and leadership) the following:

Strategy 4.1.3:

*‘Ensure the Council’s decision making process is effective and transparent.’*

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

**OFFICER COMMENT**

Council Policy OP/HRP/3 Code of Conduct makes detailed references to ethical and professional responsibility of Councillors and provides general guidelines to ensure both Shire staff and Councillors are aware of their responsibilities when working within local government. Council Policy I/T/1 Tenders – Canvassing of Councillors

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focuses only on ethical behaviour by Councillors during the tender (purchasing) process.

For that reason, it is suggested that when Council Policy F/FM/7 Purchasing and Tender Guide is next reviewed (two year review cycle – due September 2020) the intent of Council Policy I/T/1 be included within the purchasing policy. Council Policy I/T/1 would then be revoked.

In this review, changes have been made to the layout of the document to improve clarity and flow and to ensure it reads well.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

Moved Cr J Moir, seconded Cr B Lang:

That amended Council Policy I/T/1 Tenders – Canvassing of Councillors as follows:

### **‘OBJECTIVE**

To provide clear guidelines of expectations of Councillors, Shire staff and members of the public for ethical and professional behaviour during any Shire of Plantagenet tender process.

### **POLICY**

#### **1. Scope**

The Policy applies to current Shire of Plantagenet Councillors.

#### **2. Legislation**

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

#### **3. Intent**

Any canvassing of Councillors prior to or during the tender process will automatically disqualify the tenderer.

When advertising a tender, the Shire of Plantagenet’s advertisement details must include the following wording ‘Canvassing of Councillors by tenderers will automatically disqualify the tenderer’.

be endorsed.

**CARRIED (7/0)**

**NO. 112/19**

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### 9.2.3 ROAD RESERVE DEDICATION – MARTAGALLUP ROAD, BEVERLEY ROAD ALBANY HIGHWAY INTERSECTIONS - KENDENUP

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48552</b>  |
| <b>Attachments:</b>           | <a href="#">Map of Proposed New Road Reserves</a>  |
| <b>Responsible Officer:</b>   | <b>David Lynch</b><br><b>Executive Manager Works and Services</b>                        |
| <b>Author:</b>                | <b>Amy Chadbourne</b><br><b>Senior Administration/Project Officer Works and Services</b> |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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#### **PURPOSE**

The purpose of this report is to consider a request from Main Roads WA (MRWA) for the Shire of Plantagenet to support the dedication of land the subject of MRWA Land Dealing Plans 201901-0068 and 201901-0069 respectively for inclusion into the road reserve.

#### **BACKGROUND**

Correspondence has been received from MRWA advising of proposed intersection turning improvements at Albany Highway at SLK 339.10 (Martagallup Road intersection) and SLK 240.20 (Beverley Road intersection). See Attachment One.

Prior to 2001/02, Martagallup and Beverley Roads intersected Albany Highway as a west and east crossroad intersection respectively. In 2001/02, the Shire received funding from the Timber Industry Road Evaluation Strategy (TIRES) to close the western Martagallup 'leg' of this crossroad and construct a new intersection of Martagallup Road with Albany Highway approximately 100m north of the then crossroad. Council Meeting Minutes from 12 March 2002 state this project received full funding due to its importance as a plantation timber industry haul route.

#### **STATUTORY ENVIRONMENT**

Land Administration Act 1997, Section 56 'Dedication of land as road'

#### **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 2.4.4.3:

*'Effective communicates with external agencies as required.'*

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

### **OFFICER COMMENT**

The current intersection alignment of the two separate intersections – Martagallup Road and Beverley Road with Albany Highway – forms a 'staggered T'. There is currently no provision for auxiliary lanes for left or right turning traffic. As a result, MRWA advises there is a large number of conflict points which increases the potential for right angle, side swipe, head-on or rear-end collisions, particularly with the large number of heavy vehicles which use these roads. The potential is increased further with the parking bay exit (west side of Albany Highway) nearby.

Initially auxiliary lanes (left and right) for both intersections was planned, however, due to budget constraints, the following two priority traffic movements could be accommodated:

- Right turn lane for northbound vehicles on Albany Highway turning into Beverley road; and
- Left turn lane for northbound vehicles on Albany Highway turning into Martagallup Road.

As a result of widening Albany Highway for the two turning lanes, a southbound lane into Martagallup Road could also be included into the design at a minimal cost.

Councillors should note there are no recorded accidents on the Main Roads WA Crash Analysis Reporting System (CARS) database from the period 1 January 2014 to 31 December 2018.

MRWA has informed Shire staff that affected landowners and parties have been approached and arrangements for acquisition are being finalised.

MRWA advises the works will be conducted in October to November 2019 and that it will be performing the administrative tasks and meeting all the costs required to have the land dedicated as a road. The repositioning of the 'Welcome to Kendenup' entry statement signs on either side of Beverley Road would be included as part of the construction works.

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr B Bell, seconded Cr J Moir:**

**That the dedication of the land the subject of Main Roads WA Land Dealing Plans 201901-0068 and 2019010069 respectively as a road pursuant to Section 56 of the Land Administration Act 1997 be supported subject to Main Roads WA indemnifying the Council against any costs and claims that may arise as a result of the dedication.**

**CARRIED (7/0)**

**NO. 113/19**

**9.2.4 ANNUAL BUSH FIRE MITIGATION NOTICE 2019/2020**

|                               |   |
|-------------------------------|---|
| <b>File Ref:</b>              | <b>N48554</b>   |
| <b>Attachments:</b>           | <a href="#">2019-20 Draft ABFMN.pdf</a>                           |
| <b>Responsible Officer:</b>   | <b>David Lynch</b><br><b>Executive Manager Works and Services</b> |
| <b>Author:</b>                | <b>Isabelle Draffehn</b><br><b>Community Development Officer</b>  |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>   |

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**PURPOSE**

The purpose of this report is to endorse the Annual Bush Fire Mitigation Notice (ABFNM) 2019/2020 for publication and distribution to owners and occupiers of land within the Shire of Plantagenet.

**BACKGROUND**

The Shire of Plantagenet publishes an ABFMN for distribution to all landholders, which is posted with the Rates Notice. ABFMNs are also distributed to lessees of rental properties in the Shire through local real estate agents.

Consultation with Shire staff and Bush Fire Control Officers commenced in March 2019 to review the ABFMN. A draft notice incorporating amendments was presented to the Shire of Plantagenet Bush Fire Advisory Committee (BFAC) at its Ordinary Meeting on 1 May 2019.

Proposed amendments were discussed and further changes recommended at the meeting. It was resolved that the Council implement the ABFMN 2019/2020 as presented. Some minor amendments have been made after this meeting, following discussion with the Chairman of the BFAC, Chief Bush Fire Control Officer and both Deputy CBFCOs.

**STATUTORY ENVIRONMENT**

Bush Fires Act 1954

Planning and Development Act 2005

Western Australian Planning Commission State Planning Policy 3.7 – Planning in Bush Fire Prone Areas 2015

Bush Fire Management and Response Plan

Bush Fire Brigades Local Law 2008

**EXTERNAL CONSULTATION**

Consultation has occurred with members of the BFAC.

**FINANCIAL IMPLICATIONS**

Funds have been allocated in the annual budget to facilitate the printing of the ABFMN. Printing costs will be in order of \$2,400.00. The ABFMN will be distributed with the Annual Rates Notice.

## 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 1.9 (A Safe Plantagenet) the following:

Strategy 1.9.2:

*‘Support the community in emergency and fire management planning, preparedness, response and recovery.’*

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 1.9.2.1:

*‘Maximise community safety through the management of the risks associated with fire, natural events and large scale emergencies.’*

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

## OFFICER COMMENT

Some minor additional changes to the ABFMN were suggested and implemented after the Shire of Plantagenet Bush Fire Advisory Committee meeting on 1 May 2019.

These amendments include:

- Page 2 – Insertion of the following definitions:

***‘Fire Break*** - *The fire break must be ploughed, cultivated, scarified, chemically sprayed, slashed or otherwise cleared of flammable material to a maximum vegetation height of 50mm.*

***Total Fire Ban*** - *The lighting of open-air fires or any other activity in the open air that is likely to cause a fire is banned. For more information go to:*

[www.dfes.wa.gov.au/totalfirebans/Pages/whatisatfb.aspx](http://www.dfes.wa.gov.au/totalfirebans/Pages/whatisatfb.aspx)

- Page 4 – Insertion of the following paragraph:

***‘Contiguous Leased Blocks***

*Where a landowner’s primary or adjoining leased property is less than 20ha but the contiguous managed land parcel is greater than 20ha they will be regarded as being one land parcel for the purposes of this Notice. Proof of a formal lease may be required before this clause becomes operable.*

*If the lease expires or is otherwise cancelled, any affected properties less than 20ha will attract the requirements and restrictions for any block under 20ha stipulated elsewhere in this Notice.’*

- Page 5 – Insertion of the following paragraph:

***‘Abandoned Buildings***

*Abandoned buildings must be clearly marked by a sign and shall be considered under the same requirements as a shed.*

*A compliant sign shall have the word ‘Abandoned Building’ in red with lettering 150mm high on a white background placed in a clearly visible location.’*

- Page 5 – Amendments to the **Livestock on properties up to, including 20 hectares** section:

*‘If your land is permanently and sufficiently stocked, there is no need to slash your property. Livestock must graze the grass down to no greater than 100mm high in townsites or 200mm high on properties up to 20 hectares.’*

- Page 8 – Insertion of the following paragraph:

***‘Harvested and Reversion Plantations***

*Plantation fire breaks shall remain in place until the removal of all stumps is completed. Boundary Firebreaks are to be six metres wide (with a five metre trafficable surface) and a vertical clearance of all overhanging branches at least four metres above ground level. All compartment firebreaks to be maintained to the same measurements.’*

- Page 12 – Amendment of date for the Western Zone as follows:

***‘Mitigation measures required by this Notice must be in place by***

*15 December and remain cleared until 30 April*

***Property Compliance Inspections start***

*15 December and will continue through to 30 April’.*

Other amendments include some formatting, the removal of pictures on pages 2 and 5 due to additional text and updated brigade contact details on pages 14 and 15.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION/COUNCIL DECISION**

**Moved Cr S Etherington, seconded Cr B Lang:**

**That the Annual Bush Fire Mitigation Notice 2019/2020 as attached be endorsed.**

**CARRIED (7/0)**

**NO. 114/19**



## 9.3 CORPORATE SERVICES REPORTS

### 9.3.1 FINANCIAL STATEMENTS – MAY 2019

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48579</b>  |
| <b>Attachment:</b>            | <a href="#">Financial Statements</a>                                     |
| <b>Responsible Officer:</b>   | <b>John Fathers</b><br><b>Executive Manager Corporate Services</b>       |
| <b>Author:</b>                | <b>Alison Kendrick</b><br><b>Senior Administration Officer - Finance</b> |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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#### **PURPOSE**

The purpose of this report is to present the financial position of the Shire of Plantagenet for the period ending 31 May 2019.

#### **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 M O'Dea, seconded Cr S Etherington:**

**That the Financial Statement for the period ending 31 May 2019 be received.**

**CARRIED (7/0)**

**NO. 115/19**

**9.3.2 LIST OF ACCOUNTS – MAY 2019**

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48597</b>  |
| <b>Attachment:</b>            | <a href="#">List of Accounts - May 2019</a>                          |
| <b>Responsible Officer:</b>   | <b>John Fathers</b><br><b>Executive Manager – Corporate Services</b> |
| <b>Author:</b>                | <b>Emma Gardner</b><br><b>Accounts Officer</b>                       |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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**PURPOSE**

The purpose of this report is to present the list of payments that were made during the month of May 2019.

**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 (21 May 2019). 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 M O'Dea, seconded Cr J Moir:

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 31 May 2019 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$1,258,180.05;
2. Municipal Cheques 46508 - 46538 totalling \$79,292.45; and
3. Trust Cheque 1 for \$500.00.

**CARRIED (7/0)**

**NO. 116/19**

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### 9.3.3 AUSTRALIAN LIVESTOCK MARKETS ASSOCIATION BOARD MEETING AND EXPO – ATTENDANCE BY CR M O’DEA

|                               |  |
|-------------------------------|--|
| <b>File Ref:</b>              | <b>N48678</b>  |
| <b>Attachment</b>             | <a href="#">2019 National Saleyards Expo delegate prospectus</a> |
| <b>Responsible Officer:</b>   | <b>Rob Stewart</b><br><b>Chief Executive Officer</b>             |
| <b>Author:</b>                | <b>John Fathers</b><br><b>Deputy Chief Executive Officer</b>     |
| <b>Proposed Meeting Date:</b> | <b>18 June 2019</b>  |

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#### **PURPOSE**

The purpose of this report is to authorise Cr Marie O’Dea to attend the Australian Livestock Markets Association Inc. (ALMA) Board meeting and Expo to be held in Roma on 24 and 25 July 2019.

#### **BACKGROUND**

At its meeting held on 17 July 2018, the Council resolved to confirm the nomination of Cr Marie O’Dea to the board of ALMA. Cr O’Dea was successfully appointed to the Board at ALMA’s annual general meeting in that month.

Cr O’Dea previously attended the ALMA Board meetings held in Sydney in September and November 2018. The costs were reimbursed by ALMA. She also attended the Adelaide board meeting in February 2019 and was reimbursed direct for portion of travel. She also phoned into the recent board meeting for a small portion of the time.

#### **STATUTORY ENVIRONMENT**

There are no statutory implications for this report.

#### **FINANCIAL IMPLICATIONS**

The registration for the conference is \$910.00 and accommodation for four nights will be approximately \$600.00. Air fares to and from Brisbane and then to Roma will be approximately \$1,200.00. Other costs will apply such as airport parking, meals and taxis.

ALMA has advised that it will not cover the costs associated with this attendance, as the board meeting component is very minor.

#### **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 2016-2026 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.

The annual ALMA Expo is a key event on the livestock industry calendar. It provides a forum for the livestock industry across the nation to share ideas, knowledge and information. A full conference program is attached, however some of the highlights include:

- Looking over the fence - Muchea Saleyards;
- The role of saleyards in a livestock standstill;
- Biosecurity and emergency animal disease awareness training;
- Trespass and the role of saleyards in solving livestock thefts;
- Online selling interface for saleyards;
- What consumers want and expect - sustainable megatrends;
- Developing the livestock effluent code of practice;
- Transport chain of responsibility - where are we at?
- Tour to Brindley Park Feedlot and Roma Saleyards. The Roma Saleyards is the largest cattle selling centre in the Southern Hemisphere and has throughput 400,000 cattle each year.

Previous attendees have benefitted and the knowledge gained from exposure to industry trends has resulted in improvements at Saleyards.

Saleyards Manager Greg Moore will also attend the expo.

### **VOTING REQUIREMENTS**

Simple Majority

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

**Moved Cr K Clements, seconded Cr J Moir:**

**That:**

- 1. Cr Marie O'Dea be authorised to attend the Australian Livestock Markets Association Inc. Board meeting and Expo to be held in Roma on 24 to 25 July 2019; and**
- 2. The expenditure be charged to Budget Item Saleyards – Conferences and Training – 21320.0029.**

**CARRIED (7/0)**

**NO. 117/19**

**9.4 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 M O'Dea:

That new business of an urgent nature, namely:  
Budget Review – March 2019, be introduced to the meeting.

**CARRIED (7/0)**

**NO. 118/19**

**11.1 BUDGET REVIEW - MARCH 2019**

**File Ref:** N48745  
**Responsible Officer:** Rob Stewart  
Chief Executive Officer  
**Author:** John Fathers  
Deputy Chief Executive Officer  
**Proposed Meeting Date:** 18 June 2019

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**PURPOSE**

The purpose of this report is to review and adjust the adopted 2018/2019 Annual Budget to deal with late correspondence from the WA Local Government Grants Commission (the Commission) about an advance payment of the 2019/2020 Commonwealth Financial Assistance Grants.

**BACKGROUND**

The 2018/2019 annual budget was adopted by the Council at a special meeting held on 10 July 2018. Three reviews of the adopted budget have been carried out.

**STATUTORY ENVIRONMENT**

There is no specific section of the Local Government Act 1995 that deals with the re-allocation of funds, however Section 6.2(1) of the Local Government Act 1995 governs budget requirements for local governments.

**FINANCIAL IMPLICATIONS**

The purpose of a budget review is to ensure that the income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, make amendments to the budget or work scope as necessary. The overall recommended net cash effect on the budget is a surplus of \$910,870.00, which will be carried forward into the 2019/2020 budget.



**POLICY IMPLICATIONS**

There are no policy implications for this report.

**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**

The Commission has just received confirmation that the Commonwealth has signed off on an advance payment of the 2019/2020 Financial Assistance Grant funding to be paid in 2018/2019.

This amount is based on a funding pool equivalent to one half of the 2019/2020 funding pool and includes General Purpose and Road Grants.

These payments do not reflect 50% of each local government’s 2019/2020 grant allocation. The advance payments were calculated by the Commonwealth using the relativities established under the Commission’s calculations for 2018/2019.

There will still be four quarterly payments made to each local government in 2019/2020, however the total of these payments will be reduced by the advance payment received in 2018/2019.

The advance payment is to be recognised as revenue for 2018/2019 as control passes to the Shire on receipt of the grant. This affects the comparatives between the budget figures and actual figures for the 2018/2019 financial year and for that reason, requires a budget amendment.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER RECOMMENDATION/COUNCIL DECISION**

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

That 2018/2019 Annual Budget be amended as follows:

| Account    | Description   | Original / Amended Budget | New Budget         | Net Cash Amount  |
|------------|---|---------------------------|--------------------|------------------|
| 10007.0212 | Grants Commission Grant - Equalisation - Untied     | \$405,367                 | \$820,806          | \$415,439        |
| 10008.0211 | Grants Commission Grant - Road Maintenance - Untied | \$410,611                 | \$906,042          | \$495,431        |
|            | <b>Total</b>  | <b>\$815,978</b>          | <b>\$1,726,848</b> | <b>\$910,870</b> |

**CARRIED (7/0)**

**NO. 119/19**

**Absolute Majority**

**12 CONFIDENTIAL**

Nil

**13 CLOSURE OF MEETING**

3.37pm The Presiding Member declared the meeting closed.

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