



ORDINARY AGENDA

Notice is hereby given that an **ORDINARY Meeting of the Council** will be held:

DATE: Tuesday, 24 August 2021

TIME: 4.00pm

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

Cameron Woods
CHIEF EXECUTIVE OFFICER

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This agenda has yet to be dealt with by the Council. The Recommendations shown at the foot of each Item have yet to be considered by the Council and are not to be interpreted as being the position of the Council. The minutes of the meeting held to discuss this agenda should be read to ascertain the decision of the Council.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

On establishing there is a quorum, the Presiding Member will declare the meeting open.

The Presiding Member acknowledges the Traditional Custodians of the land on which we meet today, paying respects to their Elders past, present and emerging.

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

Members Present:

In Attendance:

Apologies:

Members of the Public Present:

Previously Approved Leave of Absence:

Nil

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

4 PETITIONS / DEPUTATIONS / PRESENTATIONS

5 DISCLOSURE OF INTEREST

Part 5 Division 6 Local Government Act 1995

6 APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 Local Government Act 1995

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MINUTES OF COUNCIL HELD 27 JULY 2021

Minutes, as circulated, of the Ordinary Meeting of the Shire of Plantagenet, held on 27 July 2021.

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Shire of Plantagenet, held on 27 July 2021 as circulated, be taken as read and adopted as a correct record.

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 STRATEGIC DEVELOPMENT REPORTS

9.1.1 RESERVE 15162 - MOUNT BARKER HILL DEVELOPMENT

File Ref:	N55980
Attachments:	<u>Landscape Concept Master Plan Submissions</u>
Responsible Officer:	Cameron Woods Chief Executive Officer
Authors:	Vincent Jenkins Principal Planning Officer and Laura Adams Economic Development Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to consider an application for development approval for the construction of a mountain bike trail network at Mount Barker Hill.

BACKGROUND

Reserve 15162 is a Crown land A-class reserve of which the care, control and management is vested with the Shire of Plantagenet for the purpose of 'Park Lands'.

At the Council's Meeting held on 3 December 2019 it was resolved:

'That:

1. *A committee, to be known as the Mount Barker Hill Advisory Committee be formed pursuant to Section 5.9 (2) (a) of the Local Government Act 1995;*
 2. *The duties of the committee are to advise the Council with regard to:*
 - a) *The mechanisms needing to be employed to light the communication tower;*
 - b) *Working with the Trails Advisory Committee regarding integration of trails into other Mount Barker Hill proposals; and*
 - c) *Further development of the present Rotary lookout and the potential for other lookouts, including information boards.*
 3. *The committee shall comprise of four Councillors;*
 4. *The committee shall disband on or before 31 October 2020;*
 5. *Cr Pavlovich, Cr Clements, Cr Etherington and Cr Woltering be appointed as members to the Mount Barker Hill Advisory Committee; and*
 6. *Cr Oldfield be appointed as Deputy to act on behalf of any individual member appointed in part 5 when that member is unable to attend.'*
-

At the Council's Meeting held on 25 February 2020 it was resolved:

That:

1. *The resignation of Cr C Pavlovich from the Mount Barker Hill Advisory Committee be noted.*
- 1.(sic) *Cr J Oldfield be appointed as a member of the Mount Barker Hill Advisory Committee.*
- 2.(sic) *Cr L Handasyde be appointed as Deputy to act on behalf of any individual member when that member is unable to attend.'*

The Mount Barker Hill Advisory Committee has progressed three concept plans which consider separate aspects of developing Mount Barker Hill. Although they have been produced separately, their development has involved collaboration between the consultants to ensure the plans complement each other. The concept plans are:

- Lighting of the Communication Tower - produced by BCA Consultants, lighting concept designers.
- Mount Barker Hill Mountain Bike (MTB) trails - design of a cycle trail network produced by the Great Southern Centre for Outdoor Recreation Excellence (GSCORE) and Magic Dirt, trail designers and builders.
- Mount Barker Hill Landscape Concept Plan - design of a boardwalk and leisure trail, facilities and infrastructure improvements produced by Emerge Associates.

Together, these components comprise the Mount Barker Hill Tourism Infrastructure Project. This report concerns the MTB trails as illustrated in the attached plans.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

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

Shire of Plantagenet Local Planning Scheme No. 5 - zoned Local Scheme Reserve (Public Open Space). LPS5 Public Open Space Reserve objectives include setting aside areas for public open space, particularly those established under the Planning and Development Act 2005 and to provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage infrastructure.

Reserve 15162 is Crown land reserve and the care, control and management of the reserve is vested with the Shire of Plantagenet for the purpose of 'Park Lands'. The proposed MTB trails have been confirmed by the Department of Planning, Lands and Heritage (DPLH) as ancillary to the 'Park Lands' purpose.

EXTERNAL CONSULTATION

There has been significant external consultation at various levels of the strategic hierarchy of this project.

This trails park is a priority project in the Regional Trails Masterplan which was developed with stakeholder groups and promoted for public comment; over 200 responses were received. GSCORE created a response document which responded to concerns around environmental impacts, issues raised with mountain bike trails and ongoing trail maintenance.

Mount Barker Hill is a key project in the Plantagenet Trails Masterplan Review 2019, which was developed by the Plantagenet Trails Working Group, a Council-led group which advertised for interested external parties to participate. A number of community members took part.

In the development of this concept plan the trail designer collaborated with local MTB clubs and other potential end-users.

The Mount Barker Hill MTB concept plan has also been made available for public comment for several months. In addition to online versions hosted on the Shire website, printed copies have been displayed in the foyer of the Shire office and at the Business Development Centre at Lowood Road alongside the landscaping and lighting concepts. A summary of the submissions received to date on all Mount Barker Hill concept plans is attached to this report.

In addition, consultation has been carried out with the local Noongar community through the Mount Barker Aboriginal Progress Association (MBAPA). In April 2021, an Ethnographic and Anthropological Heritage Survey was been carried out at the site by Archae-Aus in consultation with local Noongar Elders. The resulting document, currently in draft form, highlighted a range of Noongar cultural values associated with the hill. The group of local Elders unanimously expressed their full support for the proposed trails project, stating that they believe it will be a good thing for the local community and would provide a positive and active way for people to engage with the place.

FINANCIAL IMPLICATIONS

A Building Better Regions Fund (BBRF) Round 5 application has been submitted, with \$1,252,086.00 budgeted for trails construction as part of the Mount Barker Hill Tourism Infrastructure Project. BBRF funding, if granted, would cover \$614,762.00 of the project. This funding announcement is due by 30 September 2021.

It has been indicated that there is also the potential of receiving State Recovery Funding from the Department of Biodiversity, Conservation and Attractions (DBCA) in the order of \$600,000.00 to match this.

This application for development approval is submitted on the basis that construction is contingent on securing funding. Given the various potential options for funding this development, it is prudent to get approvals in place in order to make the project 'shovel ready' for funders.

BUDGET IMPLICATIONS

The Financial Year 2021/22 budget includes \$744,000.00 for Mount Barker Hill Infrastructure. There are separate budgets to cover the car parking improvements and the boardwalk / accessible walking path development.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The anthropologist who carried out the heritage study of the site considers that it is likely to constitute an Aboriginal Heritage Place under the Aboriginal Heritage Act (WA) 1972. A Heritage Information Submission Form has been prepared in order to notify DPLH. The implications of this submission being accepted as an Aboriginal Heritage Place are that development of the site requires collaboration with Aboriginal people. There are also conditions recommended in the heritage study in the event that artefacts or human remains are discovered during trails construction.

ASSET MANAGEMENT IMPLICATIONS

The capital cost of these developments will be added to the Shire's asset register.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

Strategy 2.3.4:

'Plan and seek funding for the development of trails in line with the Trails Master Plan.'

Outcome 3.2 (A strong and diverse economic base) provides the following strategy:

Strategy 3.2.1:

'Identify and attract value adding and compatible new industries to the region.'

and Outcome 3.4 (A strong tourism region) provides the following strategy:

Strategy 3.4.4:

'Work with the Lower Great Southern Alliance in promoting sustainable tourism investment within the region.'

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

The concept plans for Mount Barker Hill have been developed with a regional tourism offer in mind. The MTB trails are a priority project in GSCORE's Regional Trails Masterplan, endorsed by all local governments in the Great Southern. It is intended that the proposed trails would complement two other nearby MTB trails parks in Denmark and Albany to create an outdoor leisure destination of regional significance. The BBRF funding application was submitted collaboratively across these LGAs to build these three trails parks.

The destination marketing of trails across the Great Southern is being developed by the Regional Trails Reference Group, which the Shire of Plantagenet has representation on. A web and tourism marketing material campaign to encourage trails' users to visit and stay in the region is progressing under the working title of 'Great Southern Adventure Trails – A Constellation of Adventures'. This will incorporate walking, cycling and aquatic trails to market an outdoor activities region of national significance.

OFFICER COMMENT

The attached concept plan is the overall Landscape Concept Masterplan endorsed by the Council at its meeting held on 14 July 2020. This incorporates Magic Dirt's mountain bike trails concept plan alongside complimentary landscaping improvements. The mountain bike trails concept allows for around 10km of low-density single-track MTB trails of varying difficulty levels.

The design specification was for a high quality, sustainable and accessible MTB single track trail network suitable for a diverse range of users. This includes inclusive trails, specifically trails with access for off-road hand cycles and other mobility equipment. Accordingly, this trail development would not be visually obstructive, considers environmental and cultural heritage values and provides a sympathetic fit within the natural landscape. It also incorporates accessible trails suitable for users with mobility issues.

During the development of this concept plan, flora, fauna and dieback assessments were carried out. The dieback and fauna assessments advised that no follow-up studies were required. The flora assessment will be followed up with a Spring flora survey in order to thoroughly assess any conservation values and inform the detailed design of the trails to avoid any threatened or priority flora. A Request for Quote is currently open for a botany/environmental consultancy to carry this out.

The Mount Barker Aboriginal Progress Association have been key stakeholders in this project. Their requests include the naming of trails after Noongar names for local plants and animals, which is an inclusive proposal that celebrates both the heritage and environmental values of the site. This also fits with other trails developments in the region. Opportunities for including Noongar artwork in signage have also been discussed. GSCORE have received Lotterywest and DBCA funding for a trail building and maintenance pilot training program, which MBAPA have expressed interest in to provide training and employment opportunities for youth in Mount Barker.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION**That:**

- 1. Development Approval be granted for the mountain bike trail network at Reserve 15162 Mount Barker, according to clauses 66, 67, 68 and 70 to 74 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, clause 14 of the Shire of Plantagenet Local Planning Scheme No. 5 and the Landscape Concept Masterplan dated 14 July 2020.**
- 2. Council authorise the CEO to commence formal negotiation with the Department of Biodiversity, Conservation and Attractions (DBCA) to confirm project funding from the unallocated State Recovery Funding and report back to the Council.**

9.2 WORKS AND SERVICES REPORTS

9.2.1 O'NEIL ROAD WASTE MANAGEMENT FACILITY – CLOSURE AND POST CLOSURE MANAGEMENT PLAN

File Ref:	N55683
Attachment:	<u>Mount Barker Waste Management Facility – Closure and Post Closure Management Plan – May 2021</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Administration Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to receive the 'Mount Barker Waste Management Facility – Closure and Post Closure Management Plan – May 2021.'

BACKGROUND

The Shire of Plantagenet was issued Licence L7026/1997/14 to operate the Mount Barker Waste Management Facility by the Department of Environment Regulation (now the Department of Water and Environmental Regulation – DWER) on 20 June 2014.

The licence conditions include a requirement to submit a Closure and Post Closure Management Plan.

The Shire of Plantagenet engaged GHD Pty Ltd (GHD) consulting services to prepare a Closure and Post Closure Management Plan for the O'Neil Road Waste site in April 2021.

STATUTORY ENVIRONMENT

Environmental Protection Act 1986, Part 5, Division Three – 'Prescribed premises, works approvals and licences'.

EXTERNAL CONSULTATION

Consultation has occurred with GHD and representatives from DWER.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

The O'Neil Road Waste Management Facility is planned to continue operating for another 25+ years, with expansion upwards to maximise available airspace.

The Closure and Post Closure Management Plan is designed to provide direction and guidance on the closure and ongoing management once the site is closed. The Plan

is staged to spread capital costs associated with landfill capping and to detail costs associated with routine monitoring and maintenance once the closure is complete.

Budgeting for the closure and post closure activities will need to be addressed with funds allocated to the Waste Management Reserve Fund Account.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The Shire's Waste Management Facility Licence requires that a Closure and Post Closure Management Plan is prepared and submitted to DWER.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.9 (Integrated Waste Management) the following Strategies:

Strategy 2.9.1: *'Continue to undertake rubbish collection services in Mount Barker, Kendenup, Narrikup and Rocky Gully townsites.'*

And

Strategy 2.9.3: *'Develop modern, accessible, cost effective and innovative waste disposal options.'*

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The 'Mount Barker Waste Management Facility – Closure and Post Closure Management Plan – May 2021' provides a detailed guide on how to close the O'Neil Road Waste Management Site over a number of graduated stages. The aim is to extend the lifespan of the site as far as practicable and spread the capital costs of closing and capping the landfill site over an extended period of time.

The Plan includes a post closure monitoring and maintenance program to ensure the site does not post an unacceptable risk to the surrounding environment. This includes activities such as maintaining a vegetation layer across the capped site to reduce erosion and maintain cap stability, manage stormwater and leachate at the site, carry out landfill gas monitoring and ground water monitoring.

The Closure and Post Closure Management Plan needs to be submitted to DWER in order to ensure compliance with the O'Neil Road Waste Management Facility Licence.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That:

1. **The 'Mount Barker Waste Management Facility – Closure and Post Closure Management Plan – May 2021', as attached, be noted.**
2. **The Executive Manager of Works and Services be requested to forward a copy of the 'Mount Barker Waste Management Facility – Closure and Post Closure Management Plan – May 2021', as attached, to the Department of Water and Environmental Regulation.**

9.2.2 POLICY REVIEW – NOTICE OF ENTRY FOR PUBLIC SERVICES AND UTILITIES

File Ref:	N55621
Attachment:	<u>Amended Council Policy I/R/12</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Administration Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to review Council Policy I/R/12 – Notice of Entry for Public Services and Utilities.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 13 August 2019.

STATUTORY ENVIRONMENT

Land Administration Act 1997, Part 9, Division 4 – ‘Entry on to land’

Utility Providers Code of Practice for Western Australia – March 2018

Local Government Guidelines for Restoration and Reinstatement in Western Australia – February 2020

EXTERNAL CONSULTATION

There has been no external consultation in relation to this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

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 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.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications in relation to this report.

REGIONAL IMPLICATIONS

There are no regional implications in relation to this report.

OFFICER COMMENT

The Land Administration Act provides access for Public Utility providers and their contractors to maintain and upgrade utilities on all land. However, there is no legislation available to Local Government that prescribes how the work may be undertaken or the condition that the site must be left in following the work.

These requirements are covered in the 'Utility Providers Code of Practice for Western Australia' and 'Local Government Guidelines for Restoration and Reinstatement in Western Australia'. This policy provides further detail for works occurring within the Shire.

The policy is used sporadically, when utility providers and/or contractors have left the site in a sub-standard condition.

A minor amendment has been made to remove the publication dates of the Code of Practice and Guidelines as both documents are deemed 'live documents' and subject to change regularly, and to update the title of the Guidelines.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Council Policy No I/R/12 – Notice of Entry for Public Services and Utilities as follows:

'OBJECTIVE

To provide clear guidelines to the Council, its officers and public utility companies and their contractors regarding the undertaking of public service and utility work within the Shire of Plantagenet.

POLICY**1. Scope**

This policy relates to works undertaken by public service and utility companies on land which is under the care, control and management of the Shire of Plantagenet.

2. Application of Policy

Public service and utility companies must provide appropriate prior notice for any works to be undertaken within the Shire of Plantagenet. The Council will provide a letter of response, outlining the following conditions:

- a) Should it be necessary to carry out the installation of underground services beneath a road pavement, approval must be sought from the Executive Manager Works and Services prior to undertaking the works.

Where underground services are to be placed beneath the road pavement and any existing conduits or culverts cannot be used, preference will be given to the use of trenchless technology methods. In the case of trench excavation and reinstatement, a 'defects liability period' will be applied to the reinstated work. This period shall not be less than twelve (12) months.

- b) All trenches located within the road reserve shall be backfilled with quality material and suitably compacted following installation of plant or underground services. The finished surface level of the compacted backfill material shall match the existing surface profile of the road reserve.
- c) All disturbed areas shall be reinstated to pre-existing conditions following completion of the works. As a minimum, areas denuded by installation of plant or underground services shall be top soiled, turfed and regularly watered following completion of the works.
- d) All utility holes, inspection points and/or other permanent above ground features, which are to be located within the road reserve, shall be flush with the natural ground to avoid potential trip hazards.
- e) Fixed infrastructure (pits, inspection holes, inspection points etc) or cabling should avoid being constructed either near or within existing road formation. This will ensure that, should the Council ever widen the road, the fixed plant/cable is sufficiently clear of the works.
- f) All cabling shall be laid to the following depths:
- i) Under roads - minimum 1.0 metre;
 - ii) Within verges - minimum 0.75 metre; and
 - iii) Within public open space - minimum 0.75 metre.

- g) Where work is likely to affect vehicular access to private properties, every attempt shall be made to accommodate the needs of landowners/residents regarding entry and/or exit from the property.**
- h) A minimum of one trafficable lane shall remain open to the public at all times and traffic control shall be employed during the course of the works. A copy of the Traffic Management Plan shall be forwarded to the Executive Manager Works and Services for consideration.**
- i) The finished condition of the road and/or road reserve shall be to the satisfaction of the Executive Manager Works and Services.**
- j) Where work is to be carried out within privately or publicly owned land, the affected property owners shall be notified in writing of the utility's intent to install plant/cabling. All areas denuded or affected by the works within privately owned land or public open space shall be made good upon completion of the works.**
- k) Where any removal of vegetation is required then the relevant clearing permits must be obtained from the Department of Water and Environmental Regulation prior to the seeking of consent from the Council.**
- l) All works are to comply with the 'Utility Providers Code of Practice for Western Australia' and the 'Local Government Guidelines for Restoration and Reinstatement Specification in Western Australia'.**

be endorsed.

9.2.3 POLICY REVIEW – PRIVATE WORKS

File Ref:	N55620
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Administration Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to review Council Policy I/PW/1 – Private Works.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 13 August 2019.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.59 – '*Commercial enterprises by local governments*' provides a platform for local governments to engage in major trading undertakings.

This section of the Act does not apply to Private Works due the low values (the Policy only relates to works with a maximum value of \$10,000.00) and the low volumes of the work being undertaken.

EXTERNAL CONSULTATION

No external consultation has taken place in relation to this report.

FINANCIAL IMPLICATIONS

If the Shire engages in Private Works the activities are charged on a full cost recovery basis. Further, all Private Works are charged on a 'Wet Hire' basis ensuring that employee salaries and on-costs are covered in the charges for the works.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 4.1 (Effective Governance and Leadership) the following Strategy:

Strategy 4.1.6:

'Provide a community-oriented organisation that delivers high quality services and delivers outcomes that are in the best interests of our ratepayers.'

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications in relation to this report.

REGIONAL IMPLICATIONS

There are no regional implications in relation to this report.

OFFICER COMMENT

This policy provides clear guidelines to the public, staff and Councillors interested in requesting private works and has been effective when required. There are no changes recommended to this policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council Policy I/PW/1 – Private Works, as follows:

OBJECTIVE

To provide guidelines for the undertaking of private works by the Council.

POLICY**1. Scope**

This policy applies to the undertaking of works by the Council resulting from requests received from individuals, organisations or businesses. This includes Shire employees and Councillors.

Private works of a value in excess of \$10,000.00 may not be undertaken without prior Council approval, unless the works are being undertaken for a Federal or State Government Department or another Local Government.

2. Application of Policy

2.1. Private works will only be undertaken when there is no detriment to the Council's own works program.

- 2.2. The Council will avoid, where possible, carrying out private works where involvement in such works would place the Council in competition with private suppliers.
- 2.3. All requests for private works are to be submitted on a completed application form. In the case of Shire employees, the request must be forwarded to their supervisor. In the case of the Chief Executive Officer and Councillors, the request must be referred to the Shire President.
- 2.4. An estimate of costs will be provided for the proposed works, in accordance with the Council's schedule of fees and charges.
- 2.5. Plant and equipment must only be hired on a 'wet hire' basis, meaning that an approved Shire employee must operate the plant or equipment.
- 2.6. Payment of 100% of the estimated cost is required before works can commence, along with an agreement that any additional costs will be paid within 7 days of the completion of the works. Any variations must be authorised by the client in writing before they are performed.
- 2.7. A timeframe shall be provided to the client as to when the works can be undertaken. No private works shall take precedence over the completion of the Council's annual works program.
- 2.8. Shire employees or Councillors who have requested private works must not be involved in any part of the process other than from the perspective of the client. All private works will be performed, supervised, timesheets checked and accounts issued independently of the employee or Councillor.'

be endorsed.

9.2.4 POLICY REVIEW – ROAD VERGE BURNING

File Ref:	N55619
Attachment:	<u>Amended Policy – I/R/15 – Road Verge Burning</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Mike Barnes Community Emergency Services Manager
Proposed Meeting Date:	14 August 2021

PURPOSE

The purpose of this report is to review Council Policy I/R/15 – Road Verge Burning.

BACKGROUND

This policy was last reviewed by the Council on 24 May 2016.

A draft Amended Policy was presented to the Council at its Ordinary Meeting held on 16 June 2020, which was adjourned to enable further consideration by the Bush Fire Advisory Committee (BFAC).

The BFAC reviewed the draft policy at its Ordinary Meeting held on 5 May 2021 and resolved to recommend the Amended Policy to the Council.

STATUTORY ENVIRONMENT

Bush Fire Act 1954

Land Administration Act 1997, Part 5, Division 1, Section 55

Shire of Plantagenet Activities in Thoroughfares and Public Places Trading Local Law 2008, Part 5, Division 6 – ‘Fire Management’

Policy No: I/RR/2: Rural Road Verge Vegetation Management, Section 4.6

Shire of Plantagenet Bush Fire Risk Management Plan 2021 - 2026

EXTERNAL CONSULTATION

The draft Amended Policy was reviewed by the BFAC at its Ordinary Meeting held on 5 May 2021.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

The Land Administration Act 1997 states *'the local government within the district of which a road is situated has the care, control and management of the road'*. This includes the road reserve and the vegetation contained within the reserve.

The Shire is approached by landowners regularly, wishing to burn their verges to control the fire fuel load. The Road Verge Burning Policy was created to ensure that burns were compliant with the Land Administration Act 1997 and Bush Fire Act 1954.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.9 (A Safe Plantagenet) the following Strategy:

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.

STRATEGIC RISK IMPLICATIONS

The Shire's Strategic Risk Register recognises fire as a potential cause for community and business disruption. Two key controls to address this risk include:

1. Community fire and emergency education; and
2. Fire break / fuel load inspections and enforcement.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The Road Verge Burning Policy was established to:

- Provide a framework for landowners seeking to reduce the fire hazard on the road verge adjoining their property
- Control the timing and amount of verge burning that was taking place
- Provide safety guidelines for road verge burning
- Protect native vegetation and fauna where possible
- Protect road network assets and services.

The Policy is used regularly and is working efficiently. A draft Amended Policy has been developed with minor wording amendments, style formatting and an update to reflect Government Department name changes. This has been reviewed and endorsed by the BFAC, with a recommendation that the Amended Policy be presented to the Council.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That amended Council Policy I/R/15 – Road Verge Burning, as follows:

‘OBJECTIVE:

To provide clear guidelines to residents / landowners about conditions which must be met when making an application to burn a road verge within the Shire of Plantagenet.

POLICY:

1. Scope

This policy applies to the burning of vegetative matter on any thoroughfare (road, street or way) under the care, control and management of the Shire of Plantagenet.

2. Legislation

Bush Fire Act 1954

Land Administration Act 1997

Shire of Plantagenet Activities in Thoroughfares and Public Places Trading Local Law 2008

3. Application of Policy

The application must be authorised by the Council (under delegation to the Chief Executive Officer). Authorisation will be conditional upon the following conditions being met:

- 3.1 Roadside burning should only be carried out if no other practical options for fire hazard management are available.
- 3.2 Roadside burning is not permitted within the Prohibited Burning Period.
- 3.3 Burning is permitted within the Restricted Burning Period and at other times of the year provided a permit is obtained from a Shire of Plantagenet Fire Control Officer.
- 3.4 The fire must be attended at all times until the burn is completely safe and the fire is extinguished.
- 3.5 All sites of verge that are planned to be burnt must be inspected by a Shire of Plantagenet Fire Control Officer (FCO).
- 3.6 Permits are to detail all of the conditions for the verge to be burnt and all conditions are to be adhered to.

- 3.7 The applicant ensures the protection of standing timber and complies with the Council's policy to protect and preserve natural vegetation on road reserves wherever possible. No burning of well-conserved or semi-conserved bush areas may occur without authorisation from the Council.
- 3.8 Applications require Department of Biodiversity Conservation and Attractions or the Shire of Plantagenet Environmental Officer's authorisation to ensure burning road verge will not cause any direct or indirect damage to declared rare flora or fauna.
- 3.9 No damage is caused to fences, roads, road furniture, drainage structures, public utilities or other property in the vicinity.
- 3.10 Road verge burning may only occur on vegetation adjoining that resident / landowner's property.
- 3.11 Bushfire Brigades may be in attendance with warning devices activated (Red and Blue Lights).
- 3.12 For environmental considerations a maximum two kilometres be burnt per rateable property annually.
- 3.13 Appropriate signage is to be installed at each end of the planned verge burn detailing the possible smoke and fallen tree hazards prior to any lighting.
- 3.14 Verge burns are to be recorded by the Shire of Plantagenet on a specific register and verges will not be authorised to be burnt more often than seven years.
- 3.15 No obstruction of roadways or drainage channels by fallen trees or other debris results. The Shire must be notified immediately if this occurs. Every effort shall be made, by the permit holder, to remove the obstruction as early as possible.
- 3.16 Actions on escape or out of control will be in accordance with Section 18, Sub-Section 11 of the Bush Fire Act 1954.'

be endorsed.

9.2.5 POLICY REVIEW – TOWN STREET VERGE MANAGEMENT

File Ref:	N55835
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Nicole Selesnew Administration Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to review Council Policy I/RR/4 – Town Street Verge Management.

BACKGROUND

This policy was last reviewed by the Council at its meeting held on 13 August 2019.

STATUTORY ENVIRONMENT

Local Government Act 1995

Dividing Fences Act 1961, Section 5 – ‘Terms used’

Dividing Fences Regulations 1971, Point 3 – ‘Exclusions from meaning of “owner” ‘

Shire of Plantagenet Activities in Thoroughfares and Public Places and trading Local Law 2008, Sections 206 – 2.12

Shire of Plantagenet Town Planning Scheme 3

EXTERNAL CONSULTATION

There has been no external consultation in relation to this report.

FINANCIAL IMPLICATIONS

There are no financial implications for this report.

BUDGET IMPLICATIONS

There are no budget implications for this report.

POLICY IMPLICATIONS

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

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 2.3 (Pleasant streetscapes, open spaces, parks and gardens) the following Strategy:

Strategy 2.3.2:

'Develop maintain and enhance town streetscapes and public spaces.'

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

This policy was amended in the past two reviews to clarify inconsistencies, incorporate additional information to address issues and remove superfluous information.

The current policy is used regularly and has been effective.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council Policy I/RR/4 – Town Street Verge Management, as follows:

OBJECTIVE

To provide guidelines for the maintenance and development of street verges within townsites under the care, control and management of the Council.

POLICY**1. Scope**

This policy applies to street verges within the townsite boundaries of Mount Barker, Kendenup, Rocky Gully and Narrikup. A separate policy (I/RR/2 – Rural Road Verge Vegetation Management) relates to the management of verges on rural roads.

2. Legislation

Dividing Fences Act 1961

Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008 – Division 1 – General and Division 3 – Verge treatments

Shire of Plantagenet Town Planning Scheme 3

3. Definitions

Verge	The part of a thoroughfare between the carriageway and the land which abuts the thoroughfare but does not include any footpath (Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008).
Footpath	An area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians (Road Traffic Code 2000).

4. Application of Policy

4.1 Council Responsibilities

4.1.1 The Shire may undertake drainage preservation, annual spraying for weeds and maintenance of street trees on verges in townsites. Any other works are the responsibility of the adjoining property owner.

4.1.2 Unless an agreement is in place, the Shire will only undertake the mowing of vegetated road verges and upkeep of garden beds in the following areas of townsites:

- a) Community facilities (eg Mount Barker CRC and Library, Mount Barker Swimming Pool, Tourist Information Centre, town halls, cemeteries).
- b) Open space recreational areas such as playgrounds, parks and reserves.
- c) Areas located along key transport corridors and entry statements.

The Shire will not mow vegetated road verges and verges fronting private properties, commercial properties or properties owned by government authorities.

4.1.3 The Shire reserves the right to remove any verge treatment for the purpose of carrying out maintenance works, without being liable to compensate any person for such removal. Notice of Shire verge works will be provided to the property owner prior to any works being carried out.

4.2 Street Trees

4.2.1 The Shire is responsible for the planting, maintenance and removal of trees on townsite verges. Occasionally it is necessary to remove a dangerous tree that poses a threat to public safety such as impeding sight along the roadway or one threatening to fall.

4.2.2 Property owners are permitted to prune any branches overhanging their fenceline from a verge tree. The appropriate removal and disposal of these branches is the responsibility of the property owner.

4.2.3 The Council will accept responsibility for the removal of any tree that has fallen from any Council controlled land within townsites onto private land, subject to the owner/occupier providing the required access authorisation. Local Government is not bound by the Dividing Fences Act 1961, therefore any damage to fences and other infrastructure caused by a tree on

Council controlled land is the responsibility of the property owner.

4.3 Trees Near Power Lines

The Shire is provided with a regular report from Western Power listing trees within a townsite on Council land that require pruning. When identified the Shire will undertake the works required to ensure the tree is the required safe distance from a powerline.

4.4 Verge Spraying

4.4.1 The Shire undertakes an annual verge spraying program within all townsites to reduce weeds and limit fuel loads on verges.

4.4.2 Residents may request that their verge be added to the 'Do Not Spray' Register, which is maintained by the Works and Services Department and updated regularly to ensure requested (and developed) verges are excluded from the spraying program. Drains and footpaths adjacent to the property may still be sprayed by Shire staff as part of the maintenance of Council infrastructure.

4.4.3 The Council reserves the right to maintain verges that are added to the 'Do Not Spray' Register as it sees fit, if they are not maintained to required standards.

4.5 Fire Hazard Reduction

Residents are encouraged to include their verges as part of fire hazard management plans for their own properties. Any requests for the removal of large branches for the purpose of fire hazard reduction will be assessed by the Council, subject to the level of risk and availability of resources.

4.6 Verge Enhancements by Property Owners

The Shire permits property owners to enhance their verge, subject to compliance with the conditions outlined in this policy. A landscaped verge contributes to the attractiveness of the adjacent property and helps develop the town's character and form a 'sense of place'.

4.6.1 Permissible Treatments

As detailed in the Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2008, the owner or occupier of land which abuts a verge may install a permissible verge treatment, as follows:

- a) The planting and maintenance of a lawn.
 - b) The planting and maintenance of a garden provided that:
 - Clear sight visibility is maintained at all times; and
 - Where there is no footpath, a pedestrian has safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb.
 - c) The installation of an acceptable material, which is defined as the following hardstand materials:
 - Brick paving
 - Bitumen
-

- Concrete
 - Paving slabs.
- d) The installation of no more than one third of the area of the verge (excluding any vehicle crossing) of an acceptable material, and the planting of either a lawn or a garden on the balance of the verge.

4.6.2 Low growing water wise plants are recommended for planting in verges. The advantages of water wise plants, in particular plants native to the area, include supporting biodiversity, decreasing storm water and nutrient runoff and less maintenance costs and water requirements compared to lawn. Productive gardens are permitted provided that produce will not lie on the footpath, kerb or carriageway.

4.6.3 Property owners are responsible for checking for the presence of any service infrastructure in their verge prior to developing the site. This should include a 'Dial Before You Dig' check.

4.6.4 Permission for any other form of verge treatment, other than the treatments outlined above, must be sought in writing from the Chief Executive Officer.

4.7 Restrictions

The following restrictions apply to private verge treatments:

- a) No structures or objects that would create a hazard to vehicles or pedestrians are to be placed on the verge.
- b) No plant is to be more than 750mm in height when mature or of a hazardous nature eg declared weeds (WA), poisonous or thorny.
- c) The level and grade of the verge, and between adjoining verges, shall remain consistent and free of trip hazards, excess undulations, mounds, holes, depressions, ridges and terraces.
- d) Verges cannot be used for permanent or long-term car parking purposes unless approved by the Chief Executive Officer.

4.8 Irrigation

4.8.1 If a property owner wishes to irrigate their verge an application must be made in writing to the Chief Executive Officer. Installation and maintenance of irrigation structures will be at the property owner's expense and will not be maintained by the Shire.

4.8.2 If approved, irrigation pipes and connections shall be laid underground and pipefittings not protrude above the surface. Drip line and/or pop up sprinklers must be used. Water supplied to the system must be sourced from the adjoining property. Sprinklers are not to cause an inconvenience to any person using the verge and 'half' sprinklers must be used adjacent to kerbs, footpaths or carriageways to ensure flow is directed away from these surfaces.

4.9 Obligations of Property Owners

4.9.1 A property owner who installs or maintains a verge treatment shall ensure the treatment is in a good and tidy condition and that the footpath, kerb and/or carriageway is not impeded. The Shire will not carry out any maintenance work (including mowing, watering, spraying, slashing and pruning) on these developed verges.

4.9.2 The Shire may give a notice in writing to the property owner of a lot abutting a verge to make good, within the time specified in the notice, any breach of the verge treatment guidelines.'

be endorsed.

9.2.6 LOT 642 ALBANY HIGHWAY, MOUNT BARKER – CREATION OF AN EMERGENCY SERVICES PRECINCT AND ACCEPTANCE OF MANAGEMENT ORDER – NEW MOUNT BARKER STATE EMERGENCY SERVICE FACILITY

File Ref:	N54978
Attachments:	<u>Site Plan – Lot 300 Mount Barker Road</u> <u>Photographs of the existing SES Facilities.</u> <u>Site Plan – Lot 642 Albany Highway Part Reserve 26279.</u>
Responsible Officer:	David Lynch Executive Manager Works and Services
Author:	Cameron Woods – Chief Executive Officer Nicole Selesnew - Project Officer Works and Services
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to seek the Council's endorsement to:

1. Facilitate Lot 642 (part Reserve 26279) Albany Highway Mount Barker as an Emergency Services Precinct.
2. Establish the Shire of Plantagenet as the Management Body for a portion of Reserve 26279 to enable the immediate relocation of the Mount Barker State Emergency Service (MBSES) facility.
3. Support the future relocation of the Plantagenet Volunteer Fire Brigade and the Mount Barker Police Station to Lot 642 (part Reserve 26279).
4. Make alternate options available in the event that Lot 624 (part Reserve 26279) is unavailable.

BACKGROUND

The Mount Barker State Emergency Service (MBSES) is currently located on Reserve 28645, Lot 548 (39 Ormond Road) Mount Barker. The Management Order lists the Shire of Plantagenet as the managing body and the designated purpose for the reserve is 'State Emergency Services only'. Reserve 28645 is located in a suburban area with no relationship to other emergency service organisations in the Shire.

The Shire manages the Local Government Grant Scheme (LGGS) funding for the MBSES and the Unit is run by a group of volunteers with support from the Department of Fire and Emergency Services (DFES) Great Southern Branch.

The facilities at the site include large and small storage sheds, an old house which is used as a communications and emergency management centre, a small ablution unit and a communications tower. Photographs are attached.

The facilities require upgrades to become fit for purpose and to be deemed safe. There is asbestos present within the house and the window and door frames are failing, allowing water and vermin to enter the building. The demountable toilet block

is unfit for use and not worth repairing due to age and structural failings. There is a second block of toilets located inside the main storage shed.

The MBSES Unit Manager has approached DFES seeking support for upgrades to the facilities on a number of occasions, but has been advised that due to the condition of facilities and potential site contamination, DFES was not prepared to invest in the existing site.

The potential site contamination is suspected to have occurred when the site was vested with the Commonwealth for 'Civil Defence Purposes'. The site was used as a depot and fuel and oil was stored at the property. There is evidence of underground fuel tanks on the property.

The site is not listed in the Department of Water and Environmental Regulation's Contaminated Sites Register and there is no evidence of a formal listing in the Shire's records. However, DFES acknowledges that there is a strong likelihood of contamination and given the nature of the contamination, it would be cost prohibitive to remedy the site.

Discussions have occurred with DFES regarding a new SES site and DFES had indicated their preference towards Lot 300 Mount Barker Road, Mount Barker (Reserve 29547). Lot 300 borders Montem Street, Mount Barker Road and Marion Street, surrounding the Mount Barker Police Station (refer to the site map attached). The proposal was to segregate 3,500m² of Lot 300 for the purpose of 'Fire and Emergency Services' with the Shire of Plantagenet listed on the Management Order as the Management Body.

There was also sufficient space at Lot 300 to accommodate other emergency service organisations including the Mount Barker Volunteer Fire and Rescue Service (MBVFRS) and an expanded Mount Barker Police Station.

The Shire of Plantagenet provided written confirmation (attached) and support for this proposal to the State Land Office on the 28th of October 2020.

In April 2021, the Chief Executive Officer (CEO) was approached by the Great Southern Regional Superintendent of DFES to formalise and accept the vesting of Lot 300 Mount Barker Road through a Council resolution, so that the relocation of the MBSES could commence.

Representatives from the MBSES unit were in support of the proposal, citing the condition of the existing facilities, lack of space for training exercises and limited parking making the operation of the unit problematic.

Prior to presenting a Council report, the CEO met with members of Plantagenet Village Homes (PVH), which occupies a property neighbouring Lot 300 Mount Barker Road. PVH was concerned about the establishment of an Emergency Services precinct at Lot 300 due to their plans to purchase part of the same Lot to expand their residential facilities.

The CEO was provided with confidential correspondence and a timeline of communications dating back to 2009 which confirmed PVH's intention to purchase part of Lot 300.

The CEO contacted DFES following the meeting with PVH to discuss alternate sites that did not impede on the ability for PVH to expand their services / facilities or result in a potential conflict of land uses.

DFES was open to considering other sites and has been prepared to work with the Shire to this end. The Council discussed the matter at an informal workshop in May 2021 and identified a preferred location on Albany Highway, being part of Reserve 26279, Lot 642 Albany Highway (refer to the site map attached).

Lot 642 has Albany Highway frontage and there is no conflicting residential land uses. There is sufficient space at the site to accommodate the MBSES in the short term and to plan for the future needs of the MBVFRS and Mount Barker Police Station when their buildings reached the end of their useful life.

The Council requested the CEO discuss this site with DFES and the Mount Barker Community College (MBCC) as the current occupier of the land, to determine acceptance of the site and willingness of the MBCC to relinquish up to 5 hectares of the 22-hectare site.

Both DFES and the MBCC agree in principle that the site is worthy of exploring and progressing the development of an Emergency Services Precinct, with the space relevant to the MBSES vested with the Shire of Plantagenet.

DFES has indicated that Lot 642 Albany Highway is their preferred site but if this site cannot be secured, Lot 300 Mount Barker Road remains the next option to progress.

STATUTORY ENVIRONMENT

Part 4 of the Land Administration Act 1997 (LAA) provides the legislative basis for the creation, management, amendment and cancellation of Crown Land Reserves.

EXTERNAL CONSULTATION

Consultation has taken place with DFES Great Southern, the MBSES, the Principal of the MBCC and Council has briefed the Emergency Services Minister, the Honourable Reece Whitby MLA.

FINANCIAL IMPLICATIONS

The construction, maintenance and renewal of the MBSES facilities is managed through the LGGS funding scheme. DFES administers the LGGS funds and the Shire of Plantagenet is responsible for managing and acquitting the funding each year.

Should the MBSES be relocated to an alternate site, the cost of remediation and demolition of the existing facility would likely be at the Shire's cost.

DFES has indicated a willingness to fund a new facility at a new location, however they are unwilling to fund major asset renewal at the existing MBSES site.

If the Lot 642 Albany Highway site is able to be secured as an Emergency Services precinct the Shire would incur some costs associated with its development including the relocation and development of a dual use pathway for the community to connect with the MBCC.

The full extent of the costs will be brought back to Council once the investigations and approval to proceed with this site has been granted by the Department of Education and Department of Planning Lands and Heritage.

It is likely that grant funding can be sourced to offset the Shire's costs.

BUDGET IMPLICATIONS

There are no budget 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.

LEGAL IMPLICATIONS

There are no legal implications for this report.

ASSET MANAGEMENT IMPLICATIONS

This report is seeking support for the Shire of Plantagenet to become the managing body for a segregated section of Reserve 26279, Lot 642 Albany Highway Mount Barker to enable the construction of a new MBSES facility.

The new facility will become a Shire asset. However, construction, maintenance and renewal of the asset will be funded through the LGGS. Operating costs such as utilities and insurance are also covered through the LGGS.

Consideration needs to be given to the existing site on Ormond Road. At present the maintenance and operating costs are funded through the LGGS. However, once the MBSES is relocated to Mount Barker Road these costs will become a Shire obligation.

The Shire has no immediate use for the site and there is no known community group or industry body that is interested in the use of the site.

If the Shire supports the relocation of the MBSES, consideration will need to be given to the future of the Ormond Road site, following a detailed investigation of the site for potential contamination.

9.2.7 STRATEGIC IMPLICATIONS

The Shire of Plantagenet Strategic Community Plan 2017-2026 provides at Outcome 1.3 (A cohesive and supportive community) the following Strategy:

Strategy 1.3.1:

'Encourage and support community groups and initiatives to help people to work together for the benefit of our community'.

Further, Outcome 1.9 (A safe Plantagenet) provides the following Strategies:

Strategy 1.9.2:

'Support the community in emergency and fire management planning, preparedness, response and recovery' and

Strategy 1.9.4:

'Promote and support planning and activities that encourage a safe and responsible community'.

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

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

The MBSES is classified as a State Operations Cache, one of three Operations Cache facilities across Western Australia. This requires the Unit to store a range of resources that can be deployed in the event of an emergency, for example, sand bags, firefighting foam etc.

The spread of Operations Caches across the state is currently under a DFES review, however preliminary indications are that regional storage sites will continue. The MBSES has been advised that if this is the outcome, storage facilities at a new location will be sufficient for them to maintain this role.

OFFICER COMMENT

The LGGS guidelines stipulate that LGGS funds cannot be spent on DFES facilities and / or land. Therefore, DFES cannot be listed on the Management Order for the proposed new MBSES site.

In order to progress the development of a new facility funded through the LGGS, the Shire of Plantagenet will need to be listed as the managing authority on the Management Order.

DFES is seeking in principle support from the Council that it is willing to become the Managing Body for part of Lot 642 Albany Highway and should this site not be realised, for Lot 300 Mount Barker Road.

The construction, operating costs, maintenance and renewal of the proposed new MBSES unit will be funded through the LGGS.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION**That:**

- 1. The Chief Executive Officer be authorised to facilitate the Shire of Plantagenet to be listed as the Management Body on the Management Order for a portion of Reserve 26279, Lot 642 Albany Highway, as outlined in the attached site plan, for the purpose of an Emergency Services Precinct to accommodate the Mount Barker State Emergency Services and the future location of the Mount Barker Volunteer Fire and Emergency Services unit and Mount Barker Police Station.**
- 2. The Department of Fire and Emergency Services request to relocate the Mount Barker State Emergency Service to the section of land to be segregated from Reserve 29547, Lot 642 Albany Highway, be supported.**
- 3. In the event that Reserve 29547, Lot 642 Albany Highway is not available, the Department of Fire and Emergency Services request to relocate the Mount Barker State Emergency Service to Reserve 26279, Lot 300 Mount Barker Road, Mount Barker, be supported.**
- 4. In the event that Reserve 29547, Lot 642 Albany Highway is not available, the Chief Executive Officer be authorised to facilitate the Shire of Plantagenet to be listed as the Management Body on the Management Order for a portion of Reserve 26279, Lot 300 Mount Barker Road, Mount Barker, as outlined in the attached site plan, for the purpose of an Emergency Services Precinct to accommodate the Mount Barker State Emergency Services and the future location of the Mount Barker Volunteer Fire and Emergency Services unit and Mount Barker Police Station.**

9.3 CORPORATE SERVICES REPORTS

9.3.1 LIST OF ACCOUNTS – JULY 2021

File Ref:	N55996
Attachment:	<u>List of Accounts - July 2021</u>
Responsible Officer:	John Fathers Deputy Chief Executive Officer
Author:	Vanessa Hillman Accounts Officer
Proposed Meeting Date:	24 August 2021

PURPOSE

The purpose of this report is to present the list of payments that were made during the month of July 2021.

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 (25 May 2021). 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

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 July 2021 be received and recorded in the minutes of the Council, the summary of which is as follows:

1. Electronic Payments and Direct Debits totalling \$424,866.33; and
2. Municipal Cheque 47193 totalling \$82,518.00.

9.3.2 MATERIAL VARIANCE AMOUNT - 2021/2022

File Ref: N55925
Responsible Officer: Cameron Woods
Chief Executive Officer
Author: John Fathers
Deputy Chief Executive Officer
Proposed Meeting Date: 24 August 2021

PURPOSE

The purpose of this report is to adopt reportable budget variance values for the 2021/2022 financial year.

BACKGROUND

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AASB 1031 (formerly AAS 5) to be used in the statements of financial activity for reporting material variances. According to AASB 1031:

'materiality means, in relation to information, that information which if omitted, misstated or not disclosed has the potential to adversely affect decisions about the allocation of scarce resources made by users of the financial report or the discharge of accountability by the management or governing body of the entity.'

The purpose of this report is to assist the Council in adopting the required annual percentage and minimum value over which budget variances would be considered material.

For several years, the material variances have been set at:

1. Expenditure in excess of 10% of (monthly) budget to a minimum of \$5,000.00.
2. Income less than 90% of (monthly) budget to a minimum of \$5,000.00.

STATUTORY ENVIRONMENT

Regulation 34 of the Local Government (Financial Management) Regulations requires local governments to report monthly. The Financial Management Regulations require local governments to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question and must include - material variances i.e. material variances between the comparable amounts in year-to-date budget and year to date actual.

The relevant parts of that Regulation are detailed below:

'34. Financial activity statement report — s. 6.4

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —...

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

...

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.'*

FINANCIAL IMPLICATIONS

There are no actual budget implications from adopting these materiality figures as they are there to assist and guide management and the Council. Adoption of this recommendation should assist the Council in making sound financial management decisions.

BUDGET IMPLICATIONS

There are no budget 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.

LEGAL IMPLICATIONS

There are no immediate legal 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 implementation of a new business system has brought with it a new different form of monthly financial statement. The updated statement follows the convention that material variances will be reported on by category in the Statement of Financial Activity (by nature and type and by program), rather than by budget item.

The adoption of materiality variances should be set at a level which provides good information for elected members and reduces unnecessary reporting. Given that the reporting of variances will be at a higher level (sub-program and nature / type), the variance should be raised. It is suggested that for a Shire of the size of Plantagenet, the materiality threshold should be \$10,000.00 and 10%.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, the materiality threshold for 2021/2022 be set at \$10,000.00 and 10%.

9.4 EXECUTIVE SERVICES REPORTS

NIL

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 LOWOOD ROAD CROSSING**

Cr Bell gave notice of his intention to move the following motion at the next Ordinary Meeting of the Council pursuant to Clause 5.3 of Standing Orders:

'That Council request the CEO investigate the possibility of an approved crosswalk being installed on Lowood Road. This would include:

1. The location of a crosswalk.
2. Consultation with Main Roads and any other relevant authority.
3. Costings of removal of existing crossing and installation of an approved crosswalk.
4. Consultation with business owners and community.

COUNCILLOR COMMENT

The current cross is confusing to pedestrians and motorists.

We have an aging population and they, like other users of a crossing, need to feel safe when doing so. Currently no one feels safe at the existing crossing.

This is our town and we should be heard by Main Roads as to what we require to improve safety.

CEO COMMENT

The Department of Main Roads has already advised that a crosswalk in this location would not meet the requirement to qualify as a crosswalk. Significant costs would be incurred to design and install a crosswalk in this location and Ministerial approval would likely be required to override Main Roads current advice.

A preferred approach would be for Council to instruct the CEO to determine the actual cost of the crosswalk and its ability to be built in the current location before proceeding further.

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**12 CONFIDENTIAL****13 CLOSURE OF MEETING**